Witness: Alexander David Bettis

Date: 2004-09-01

Proceedings held September 1, 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)

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Direct Examination by Rick Distaso

DISTASO: Officer Bettis, where are you employed?

BETTIS: City of Modesto.

DISTASO: And basically what are your duties there?

BETTIS: I'm a police officer. I'm assigned to the Modesto Narcotic Enforcement Team which is a street level drug unit.

DISTASO: And as part of your duties do you work under cover?

BETTIS: Yes, sir.

DISTASO: The, how long have you been a sworn peace officer in the state of California?

BETTIS: Close to nine years.

DISTASO: And were you working during the month of January 2002 for the Modesto Police Department?

BETTIS: Yes, sir.

DISTASO: What on January 3rd specifically, what were you assigned to do?

BETTIS: Conduct surveillance of Mr. Peterson.

DISTASO: And that's the defendant in this case?

BETTIS: Yes, sir.

DISTASO: And how was that set up? Were you the only person like Officer Bettis go out and watch Mr. Peterson?

BETTIS: No, it was our unit, the narcotic team, along with the Department of Justice and the drug task force, the county-wide task force, also.

DISTASO: Also what?

BETTIS: They were also assisting in the surveillance.

DISTASO: Okay. And how, just so the jury kind of gets a feel for it, how does surveillance work when you're assigned to surveil somebody or, you know, watch what they're doing?

BETTIS: Basically, I'm in the, or we're in a plain car. We were working, I was working a day shift, 12 hours on, 12 hours off, there was a night shift that would come on. We work as a team

and we kind of implement like leap frog tactics when watching somebody. Basically, we communicate over the radio and I give updates what the primary, the primary would be the person that we were following. And then another term would be, just so you have point on a subject, we mean that you actually, you actually see that person.

DISTASO: And is that a pretty good description of how the surveillance takes place throughout the day?

BETTIS: Yes, sir.

DISTASO: And did you have some kind of or were you aware of some kind of fixed camera that was on a pole or something that was pointed at the Peterson household?

BETTIS: Yes, sir.

DISTASO: And what was the purpose of that?

BETTIS: Basically that's a surveillance tool commonly known as a pole cam, a microwave, it transmit via microwave signal. Basically, it's just like a surveillance camera

DISTASO: And is that, what's, just so we can set all this foundation up, what's the purpose of having a camera looking at someone's house rather than three or four cars sitting in front of the house?

BETTIS: Well, in this instance there was media driving around the Covena address so obviously there was a lot of attention on the house and it would be very difficult for us to sit in, sit in cars and try to maintain point or maintain a visual surveillance of the house so it's easier to have a pole cam that you can sit a couple blocks away and basically just see the front of the house. And then if you see somebody leaving or see some type of activity you can get on the radio and tell your partners what's happening.

DISTASO: And then a car can be dispatched to follow that person?

BETTIS: Exactly.

DISTASO: On, the surveillance started what day?

BETTIS: It started Friday the 3rd of January.

DISTASO: January 3rd. And where did you start your part of the surveillance?

BETTIS: There is an off-site building from the police department. It's investigative services where the detectives were. I believe they were interviewing Scott and they were about to give his Land Rover back to him. So that's where we started the surveillance from.

DISTASO: Okay. His Land Rover, for some background, had been seized as part of a search warrant?

BETTIS: Yes, sir.

DISTASO: And then on the 3rd it was given back to him?

BETTIS: Yes.

DISTASO: And that's when you guys started following him?

BETTIS: That's correct.

DISTASO: And what time of day, well, let me ask you this, you wrote some surveillance notes kind of throughout the whole week that you did this, correct?

BETTIS: Yes, sir.

DISTASO: And are the times in there, well, you actually listed times are approximate, is that right?

BETTIS: Yes.

DISTASO: What time did you start your surveillance when you started following him from the Modesto Police Department?

BETTIS: It was evening time, so it was, I think it was 5:00, 5:55, around of 6:00 o'clock, 6:00 p.m.

DISTASO: Okay. And so he was in the Land Rover, correct?

BETTIS: Yes, sir.

DISTASO: And then where did he go?

BETTIS: We followed him back to his address at 523 Covena

DISTASO: And on the 3rd was there also a gray or silver Subaru that was associated with Mr. Peterson?

BETTIS: Yes, sir.

DISTASO: And at some point later did you, just so the jury knows where we're going with this, did you follow Mr. Peterson in that silver Subaru somewhere?

BETTIS: Yes, sir.

DISTASO: Okay. Before we get there, on the 3rd where did that silver Subaru and Mr. Peterson and the Land Rover go to?

BETTIS: They ended up going to a, it was like a get-together. It was up in the northern part of Modesto.

DISTASO: And so these two, Mr. Peterson was in which car?

BETTIS: He was in the Rover.

DISTASO: And that's his Land Rover, correct?

BETTIS: Yes, sir.

DISTASO: On the 4th, what time did you start your surveillance?

BETTIS: I would start every morning around 5:30 a.m.

DISTASO: So on the 3rd you started surveillance in the evening, is that right?

BETTIS: Yes, we all did.

DISTASO: So the whole surveillance started basically when Mr. Peterson picked up his Land Rover?

BETTIS: Yes, and then we split into shifts.

DISTASO: All right. On the 4th did you see Mr. Peterson driving the Land Rover around?

BETTIS: Yes, sir.

GERAGOS: I'm sorry, I missed the time. What time did you say you started?

BETTIS: 5:30.

GERAGOS: In the morning?

BETTIS: Yes, sir.

DISTASO: The, and we're not going to go through every single entry, but basically in the morning where did Mr. Peterson go?

BETTIS: Every morning around 7:30 a.m. he would go to the command post at the Red Lion Inn, which is on Sisk Road in the northern part of Modesto.

DISTASO: And did you see him then leave that the, we call it the volunteer center here in court so whichever way you want to call it. Did you see him leave that location?

BETTIS: Yes, sir.

DISTASO: Then what did he do throughout the day on the 4th?

BETTIS: He went to 1021 11th Street, and then we followed him out into the west county out near Vernalis and he was out putting up "missing" flyers and whatnot along the road out there.

DISTASO: So you saw him or the surveillance people saw him at some point. What time of day was that when after he left the volunteer center and he was out putting up some signs?

BETTIS: I believe it was in the afternoon.

DISTASO: And what time, did you see him go back to the Red Lion command center at some point on the 4th?

BETTIS: Yes, sir.

DISTASO: And what time was that?

BETTIS: 1:00 o'clock, 1:00 p.m.

DISTASO: Just so we're clear, I'm looking at your surveillance notes. It reads 1500 hours arrive back at the Red Lion?

BETTIS: Yes, sir.

DISTASO: Is that 3:00 o'clock?

BETTIS: Yes, I'm sorry.

DISTASO: Okay. And then it looks like at 5:00 o'clock where did you follow him to?

BETTIS: I basically stayed at the Red Lion because he had left in the meantime and he was following away by my partner and some other surveillance units, and then he arrived back around 5:00 o'clock to the volunteer center.

DISTASO: Okay. And then after, did you see him after 5:00 o'clock when he left the volunteer center and went somewhere else?

BETTIS: Yes.

DISTASO: And where was that?

BETTIS: He went to his business on Emerald and Kansas in the area of Modesto.

DISTASO: And you pretty much ended your surveillance at 5:30 in the evening on that day?

BETTIS: Yes, sir.

DISTASO: On January 5th, And, Your Honor, I'm going to have another big blow-up of the Berkeley Marina marked.

JUDGE: Next in order.

DISTASO: 211.

JUDGE: 211.

DISTASO: Officer Bettis,

JUDGE: And I can take judicial notice of that so we can admit it into evidence.

DISTASO: That's a blow-up of the Berkeley Marina, is that correct?

BETTIS: Yes, sir.

DISTASO: And on the 5th of January 2003 your surveillance shift started what time?

BETTIS: 5:30 in the morning.

DISTASO: And what cars were present at Mr. Peterson's home at that time?

BETTIS: There was a blue Ford Explorer or Expedition-type vehicle, the Land Rover, another blue SUV vehicle and then a gray Subaru.

DISTASO: And was that the same gray Subaru as you saw from the day before?

BETTIS: Yes, sir.

DISTASO: And at some, somewhere in your report did you note the license plate number of that?

BETTIS: I didn't, but I know it. It's 4TCU001.

JUDGE: The Subaru?

BETTIS: Yes, sir.

DISTASO: And what time did you see Mr. Peterson leave his house?

BETTIS: Again, it was around 7:30 am.

DISTASO: And where did he go?

BETTIS: He went to the volunteer center.

DISTASO: Okay. What time did he get there?

BETTIS: Around 7:45.

DISTASO: And what time did he leave there, if, I mean tell me where he went next.

BETTIS: He went to his business on Emerald.

DISTASO: Do you know what time he got to his business?

BETTIS: 9:20 a.m.

DISTASO: And then he left. How long was he at his business for?

BETTIS: Approximately three to five minutes.

DISTASO: And did he go back home?

BETTIS: Yes, sir.

DISTASO: What time did he get home?

BETTIS: 9:30 a.m.

DISTASO: Did you see anybody there with him?

BETTIS: Yes.

DISTASO: Who was that?

BETTIS: It was a white male. I believe he had blond hair. I don't know his name. I don't know who he was. It appeared to be a friend of him, a friend of Mr. Peterson's.

DISTASO: What was Mr. Peterson wearing at this time?

BETTIS: He was wearing a blue top and blue jeans, like a blue sweater.

DISTASO: And what was the other person wearing?

BETTIS: Tan sweater.

DISTASO: And do you know what kind of pants?

BETTIS: No, I don't. I don't remember.

DISTASO: Okay. From, from 9:40, it looks like to 10:30ish or so, what was Mr. Peterson and this other person doing?

BETTIS: They basically drove all over Modesto to all the area churches and it appeared they were handing out "missing" fliers.

DISTASO: So you saw them with papers or "missing" fliers in their hands,

BETTIS: Yes, sir.

DISTASO: going into churches and coming back out?

BETTIS: Yes.

DISTASO: And was Mr. Peterson and this other person together?

BETTIS: That’s correct, yes.

JUDGE: What vehicle were they driving?

BETTIS: They were in the Land Rover.

DISTASO: The, from 11:00 to 11:30, I should have had you go all the way to 11:30, that same kind of activity going to the churches handing out fliers?

BETTIS: Yes.

DISTASO: What time did you see Mr. Peterson go back to his residence at 523 Covena?

BETTIS: That was 1139 hours a.m.

DISTASO: Now these times that you're telling us, are these, like, you know, you look down at your watch, you know, now he's back at the residence, you look down at your watch and you note the time down somewhere?

BETTIS: Yes.

DISTASO: From 11:39 until, how, let me ask it this way, how long was Mr. Peterson at his residence on the 5th?

JUDGE: You mean in the morning?

DISTASO: In the morning.

DISTASO: After, he got there at 11:39, did he then leave again at some point?

BETTIS: Yes.

DISTASO: What time did he leave?

BETTIS: About 1:10 p.m.

DISTASO: And was he wearing the same clothes?

BETTIS: No.

DISTASO: What clothes had he changed?

BETTIS: I don't remember what pants he had on, but he had like a gray pullover sweater.

DISTASO: And did he get into any particular car?

BETTIS: Yes, a gray Subaru.

DISTASO: And did he get into the car with anybody else?

BETTIS: No.

DISTASO: Where were the other people that, you said there was another man that was with him in the morning?

BETTIS: Yes.

DISTASO: Do you know where that person went?

BETTIS: I believe he left.

DISTASO: So Mr. Peterson went out and got into this gray Subaru, is that right?

BETTIS: Yes, sir.

DISTASO: Alone?

BETTIS: Yes.

DISTASO: And then where did he go? Where did you follow him to, just go through exactly where you followed him.

BETTIS: Okay. Westbound Highway 132, then we were 580 westbound, and then 680, and then the University off ramp at Berkeley.

DISTASO: What time roughly did you arrive at the Berkeley Marina?

BETTIS: Around 1400 hours or 2:00 p.m.

DISTASO: How fast, or did Mr. Peterson make any stops between his house when he left his house and the Berkeley Marina?

BETTIS: No.

DISTASO: How fast was he traveling on the freeway in the gray Subaru to get to the Berkeley Marina?

BETTIS: He was doing about 85 or 90 miles an hour.

DISTASO: And were you the only unit that was following him at this time?

BETTIS: No.

DISTASO: So there's, you said your partner, the other people, when you talk about your partner who are you talking about?

BETTIS: Investigator Weiglein.

DISTASO: Were there other individuals also involved in the surveillance?

BETTIS: Yes, sir, agents from the Department of Justice.

DISTASO: And was everyone kind of planning to follow Mr. Peterson at this point?

BETTIS: Yes, sir.

DISTASO: So you got to the Berkeley Marina and what happened, what exit did you take?

BETTIS: We took University, lost visual surveillance of him momentarily. You have to make a U-turn, and you can't make a U-turn there legally, so then we reacquired him heading towards the marin

DISTASO: There's a, the diagram behind you. If you can take that pointer. And did you see Mr. Peterson in the marina on the 5th?

BETTIS: Yes, sir.

DISTASO: And just take the jury through what happened.

JUDGE: Before you do that so the jury can be acquainted, do you know where the boat ramps are?

BETTIS: Yes, sir.

JUDGE: Do you want to show the jury where the boat ramps are located.

BETTIS: The boat ramps are right in here.

JUDGE: All right.

DISTASO: And then show them where University Avenue is.

BETTIS: This is University Avenue right here.

DISTASO: Is that how you get in and out of the marina?

BETTIS: Yes, sir.

DISTASO: All right. Well, let me ask you this way, is that how you got in and out of the marina on that day?

BETTIS: Yes.

DISTASO: Okay. And just go ahead and tell the jury what you saw when you were there on the 5th.

BETTIS: Okay. Followed Scott this way north along Marina Boulevard, and then up along Spinnaker, and then kind of was hanging back a little bit, and then I observed him pull into this boat launch area At that point, we were having radio communications problems, so I pulled in here and my other partners, we started to take compass points, and we basically lost visual surveillance of him for a short time so we just started to fan out and look for him. The next place I saw him, which was a few minutes later, was over here on Seawall Drive, I was heading north and he was heading south. We reacquired surveillance and followed him back onto the freeway, 680.

DISTASO: All right. So after you saw him on Seawall, and then where did he go?

BETTIS: Back on the freeway.

DISTASO: So he got onto University again out in the marina?

BETTIS: Yes, sir.

DISTASO: And when he got onto what freeway?

BETTIS: 680.

DISTASO: Okay. The, how long total were you there in the marina?

BETTIS: It wasn't very long. I'd say about five minutes, somewhere around there.

DISTASO: At the time, and when you say, I mean five minutes, what I'm talking about, the whole time what you just described of seeing with Mr. Peterson in the marina on both sides of the marina, that was about five minutes?

BETTIS: Yes, sir.

DISTASO: And at the times that you saw him did you see him stop at all?

BETTIS: No, sir.

DISTASO: Did you see him stop and talk to anybody?

BETTIS: No.

DISTASO: Other than seeing him drive to these points, did you see him do anything else?

BETTIS: No.

DISTASO: And then what happened next thing, you got back on the freeway?

BETTIS: Yes, sir. Basically then we headed back towards Modesto.

DISTASO: Okay. Hold on one second. I think you said that you got on the 680. If you take a look at your notes, page 5.

GERAGOS: What Bates number?

DISTASO: Oh, I'm sorry, 3992.

GERAGOS: Thank you.

DISTASO: Page 5. Did you note in there what freeway it was? Look at page 5 the top.

BETTIS: Yes, I took 580.

DISTASO: And after you got back on 580, what happened next?

BETTIS: We headed back towards Modesto. I'm sorry, let me back up for a second. I think I said 680, and I actually meant Interstate 80.

DISTASO: Okay. And so you started heading back to Modesto, is that right?

BETTIS: Yes, sir.

DISTASO: And how fast was Mr. Peterson driving?

BETTIS: Again about 85 to 90 miles an hour.

DISTASO: And were the surveillance units, were you having any problems keeping up with him?

BETTIS: Yes, sir.

DISTASO: And why was that?

BETTIS: Because he was driving very fast.

DISTASO: And you said that he hadn't made any stops going to the marina, is that right?

BETTIS: Yes.

DISTASO: And then on the way back from the marina, what happened, did he make any stops?

BETTIS: Yes, I believe it was two stops.

DISTASO: Go ahead and tell the jury what happened.

BETTIS: We were going through Livermore and took an off ramp by a gas station, and he didn't stop, and then we got back on the freeway and continued.

DISTASO: Let me stop you. Let's go through that in a little more detail. You got off the off ramp, is that right?

BETTIS: Yes, sir.

DISTASO: And you went to a gas station where, what city?

BETTIS: Livermore.

DISTASO: And what kind of gas station?

BETTIS: Chevron.

DISTASO: Okay. And did, you say he didn't stop, tell the jury what happened?

BETTIS: He drove passed the gas pumps and then got back on the freeway.

DISTASO: Okay. And then what happened next?

BETTIS: And then we stopped, and then we took another off ramp, and I believe it was at Grant Lane, Grant Lane Road off ramp or the North Livermore off ramp and he went and got gas.

DISTASO: Okay. Did he drive through any other gas stations before stopping and getting gas at this point?

BETTIS: Yes.

DISTASO: How many other ones?

BETTIS: I believe it was two.

DISTASO: Okay. He stopped and got gas, then, right?

BETTIS: Yes.

DISTASO: And then what happened next?

BETTIS: Then we got back on the freeway and headed back towards Modesto.

DISTASO: When you got back to Modesto did the defendant's driving pattern change at all?

BETTIS: When we got back into the city the driving pattern was, I guess, he was slowing down a little more driving not as radically or as fast.

DISTASO: So would you say he was driving normally when he was back in Modesto?

BETTIS: Yes.

DISTASO: Now what time did he get home?

BETTIS: 3:35.

DISTASO: And when he got home did he ever leave again that evening?

BETTIS: Yes, sir.

DISTASO: Where did he go?

BETTIS: The Del Rio Country Club.

DISTASO: Okay. How long was he there for?

BETTIS: He was there, it looks like about two to three hours.

DISTASO: Let me ask you about that. What time did he get back to his house?

BETTIS: He got back to his house at 3:35.

DISTASO: And what time did he go over to the Del Rio Country Club?

BETTIS: About 2:45. Yeah, there's discrepancy right here. That should be 4:45.

DISTASO: Okay. Well, let's just stop for a second.

GERAGOS: I'm sorry, on 3992 you're pointing to the discrepancy?

BETTIS: Yes, sir.

GERAGOS: Okay.

DISTASO: Yeah, let me just ask you where you have 1445, should that be 1645?

BETTIS: Yes.

DISTASO: Okay. So just the times are clear.

GERAGOS: I'm sorry, which one? This and this?

DISTASO: Yeah.

GERAGOS: 1645 to 1648?

DISTASO: Right.

DISTASO: So at 4:30 roughly he gets into another car, is that right?

BETTIS: Yes, sir.

DISTASO: And which car was that?

BETTIS: That was the, that was the blue Ford SUV.

DISTASO: That was one of the ones you had seen before?

BETTIS: Yes.

DISTASO: And at 4:45 he leaves to go to the country club?

BETTIS: Yes.

DISTASO: Okay. And what time did he leave the country club?

BETTIS: At 7:00, or 5:41 p.m.

DISTASO: The, and then did your shift end again for that day?

BETTIS: Yes, sir.

DISTASO: Okay. Did you also surveil the defendant on January 6th?

BETTIS: Yes.

DISTASO: And what time did that surveillance start?

BETTIS: Again, at 5:30 and he, he came out of his house and went to the volunteer center. It was around 7:30 a.m. again.

DISTASO: And what time did he leave the volunteer center?

BETTIS: Around 8:30, 8:36.

DISTASO: Was the Land Rover still at the residence?

BETTIS: I believe he was driving the Land Rover that day.

DISTASO: Okay. And you say he went to the, I'm sorry, he went where, he went to the volunteer center?

BETTIS: Yes.

DISTASO: And then what happened?

BETTIS: He then went to his business.

DISTASO: And what time did he get to his business?

BETTIS: He was at his business around 8:50.

DISTASO: And how long did he stay there?

BETTIS: At 853 hours he left, so he wasn't there very long. Actually, 856 hours he left.

DISTASO: And then he goes to some other locations, correct?

BETTIS: Yes, sir.

DISTASO: And then at some point did you see him go to Enterprise Rent-A-Car?

BETTIS: Yes.

DISTASO: And what time was that?

BETTIS: 10:21 a.m.

DISTASO: And what did you see him do?

BETTIS: He, it appeared that he rented a car.

DISTASO: What car did he drive to the Enterprise Rent-A-Car lot?

BETTIS: The Land Rover.

DISTASO: And what type of car did you see him rent? What brand?

BETTIS: It was a Honda

DISTASO: And what color was it?

BETTIS: Red.

DISTASO: And what time was it that he rented the car, did you note that?

BETTIS: Yes, I did. 1021 hours.

DISTASO: So at 1021 hours he's at the lot?

BETTIS: Yes, sir.

DISTASO: And what happened next then, did he go somewhere after leaving the lot?

BETTIS: Yes.

DISTASO: And what time do you have him going, leaving or doing something?

BETTIS: Okay. Um, 1037 hours he's at his business.

DISTASO: Okay. After, how long did he stay at his business?

BETTIS: Well, he was out of his business at 1045 hours, so almost ten minutes.

DISTASO: And where did he go next, what happened next?

BETTIS: Basically we went back out the way we did the day prior, we went westbound 132, then we went 580, and then took 80 again and went to University Avenue to the marina

DISTASO: How fast did he drive this time out to the, did he end up going to the Berkeley Marina?

BETTIS: Yes, sir.

DISTASO: How fast did he go this time to the Berkeley Marina?

BETTIS: He was doing about 80. He was driving slower than he was the day before.

DISTASO: And this was in the Honda?

BETTIS: Yes.

DISTASO: And what time did you arrive at the Berkeley Marina?

BETTIS: At 11:00, around 1152 hours.

DISTASO: Did you see him make any stops along the way?

BETTIS: Along the way, no.

DISTASO: What happened when you got there at the marina on the 6th?

BETTIS: I followed him up University Avenue to Marina, up to Spinnaker, and then up to that northern roundabout there.

DISTASO: Okay. You can stand up.

BETTIS: Okay.

DISTASO: Show the jury what happened.

BETTIS: Okay. Followed him to this point here. He parked his car.

DISTASO: Let me stop you. How long did he park his car for?

BETTIS: It didn't seem like it was very long. I think I put two minutes in my report. It was somewhere around there.

DISTASO: Did you see his, did you see whether he had his brake lights on while all the time he was parked there?

BETTIS: Yes, he had his brake lights on.

DISTASO: And you were where?

BETTIS: I was parked I believe it was over in this area right here.

DISTASO: So did he pull in and park?

BETTIS: Yes, sir.

DISTASO: And did you pull in and park?

BETTIS: That’s correct.

DISTASO: And what happened next?

BETTIS: He then backed out and started to drive this way and pulled into this parking lot.

DISTASO: Okay. Let me stop you and just have you mark on there just so we know exactly where he parked. Can you just take this red pen and put a, just put on there "January 6th" and just put "SP park."

BETTIS: Okay.

DISTASO: And roughly where you can remember he did he parked at.

JUDGE: What did you have him mark, did you say "SD park"?

DISTASO: SP.

JUDGE: "SP"?

DISTASO: Just for Scott Peterson.

BETTIS: Okay.

JUDGE: Make it SP 1.

GERAGOS: Why doesn't he just put the date.

DISTASO: I think he already got it.

GERAGOS: 1/6.

DISTASO: I think so. You put the date on there, didn't you?

BETTIS: Yes, sir.

DISTASO: Yeah. Okay. Go ahead and kind of move out of the way so the jury can see. You said he parks there for you said about two minutes?

BETTIS: Yes.

DISTASO: What happened next?

BETTIS: Backed out and then drove over into this parking lot.

DISTASO: And did you follow him out of that parking lot?

BETTIS: I did.

DISTASO: And what happened next then?

BETTIS: I followed him over here and was watching him, and then a Berkeley motorcycle cop came driving in.

DISTASO: Okay. How long were you in that parking lot for?

BETTIS: It wasn't very long.

DISTASO: Like what, give me some estimate.

BETTIS: Maybe a minute or two.

DISTASO: Okay. And then what happened next?

BETTIS: I was trying to maintain surveillance out on him. And it was kind of a cat and mouse-type thing where I was trying to keep an eyeball on him. And I then went back out on Spinnaker, and he followed in behind me and we went back down Marina Boulevard and then back out University.

DISTASO: Okay. So he was behind you at this point?

BETTIS: That’s correct.

DISTASO: And when you were doing the surveillance were you in an undercover capacity?

BETTIS: Yes.

DISTASO: You weren't in black and white?

BETTIS: No.

DISTASO: By that I mean a black and white police car, right?

BETTIS: Right.

DISTASO: Okay. How long total do you think you were at the marina that day on the 6th?

BETTIS: I'd say between maybe five to ten minutes, somewhere in there.

DISTASO: Okay. And what happened next?

BETTIS: I followed him back out or he was actually behind me and then I went into the, started to make a series of turns and then my partner, Investigator Weiglein, came in and took a point on Mr. Peterson.

DISTASO: Okay. You were in front of him. And where did you make a series of turns?

BETTIS: I forget the names of the streets, but they're over here. They would be in this area

DISTASO: Okay. Let me stop you. Were you still in the marina area or were you somewhere else?

BETTIS: No, we were in the city of Berkeley.

DISTASO: All right. So you had left the Berkeley Marina?

BETTIS: Yes.

DISTASO: And did Mr. Peterson follow you into the City of Berkeley area?

BETTIS: That’s correct.

DISTASO: And then you said your partner Weiglein was behind him?

BETTIS: Yes.

DISTASO: And could you see him in the rear view mirror or could you see he was behind you?

BETTIS: Yes.

DISTASO: And then you made a series of turns in Berkeley?

BETTIS: Yes.

DISTASO: For what purpose?

BETTIS: Basically so, I wasn't sure if he was following me, or I was trying to basically find a place to park and then get behind him instead of in front of him.

DISTASO: Okay. And after you did those turns, what happened?

BETTIS: Basically it was just me and my partner at this point and we had bad communications again and we ended up losing him.

DISTASO: So were you in radio contact with each other?

BETTIS: Yes, but our, it's kind of a long complicated story, but basically our radio system doesn't work that well over here so it was basically me and my partner talking.

DISTASO: So you guys lost communication with each other?

BETTIS: Yes.

DISTASO: And then did you lose Mr. Peterson?

BETTIS: That’s correct.

DISTASO: And you lost him in what location?

BETTIS: It was in the City of Berkeley.

DISTASO: At the time, the whole time for this five or ten minutes that you said you were in the marina complex with Mr. Peterson, did you see him stop and talk to anybody?

BETTIS: No.

DISTASO: Did you see him, other than when he pulled in to park and then in that other parking lot, did you see him stop at all?

BETTIS: No, just other than the times I said.

DISTASO: Okay. And when is the next time on that day that you personally saw Mr. Peterson?

BETTIS: That would be at the Enterprise Rent-A-Car. That was later in the evening.

DISTASO: And what time was that, roughly?

BETTIS: That was around at 5:00, 5:30.

DISTASO: And what did you see him doing there?

BETTIS: Basically dropping off the rent-a-car and picking up the Rover.

DISTASO: And did you see him drive the Rover somewhere?

BETTIS: Yes, sir. He drove to, there's a Savemart parking area or Savemart and there's a series, it's a strip mall, and he pulled into that parking lot.

DISTASO: And did you see him eventually go back to his house?

BETTIS: Yes, sir.

DISTASO: And what time was that?

BETTIS: That was at 5:42 p.m.

DISTASO: And at the, back at the house did you still see on the 6th the silver Subaru that you talked about earlier?

BETTIS: Yes, sir.

DISTASO: On the 7th you started again at 5:30?

BETTIS: Yes.

DISTASO: And did you see the defendant?

BETTIS: I did.

DISTASO: And what did he do in the morning?

BETTIS: Same routine, went to the, went out to his vehicle and went to the volunteer center.

DISTASO: And was that the Land Rover?

BETTIS: Yes, sir.

DISTASO: And did you see him drive in the Land Rover throughout the day?

BETTIS: Yes, sir.

DISTASO: At 14:47 or 2:47, where did Mr. Peterson go?

BETTIS: We followed him to the Del Rio Country Club.

DISTASO: And how long was he there for?

BETTIS: Let's see, he was there at 3:20 and he left at 4:00 o'clock.

DISTASO: At 4:00, at 4:00 o'clock, at 6- or at 16:05, where was Mr. Peterson?

BETTIS: Southbound Carver Road.

DISTASO: And what was he doing?

BETTIS: Talking on the cell phone.

DISTASO: This is on the 7th, correct?

BETTIS: Yes, sir.

DISTASO: Did he pull into a parking lot somewhere?

BETTIS: Eventually he pulled in a Hungry Hunter parking lot.

DISTASO: And where is that, what street is it located on?

BETTIS: It's on Sisk Road. It's actually a few miles from the volunteer center.

DISTASO: And how long did he stay on the, on his phone?

BETTIS: Let's see, ended the phone conversation around 1725 hours.

DISTASO: And then at 5:30 your shifted ended again?

BETTIS: Yes, sir.

DISTASO: So that was the last thing you saw that day?

BETTIS: That’s correct.

DISTASO: On January 8th, what happened?

BETTIS: Same thing as usual, left his residence around 7:30 and then arrived at the volunteer center at 7:45.

DISTASO: And what car was he in?

BETTIS: He was in the Rover again.

DISTASO: And did you follow him again throughout the day?

BETTIS: Yes.

DISTASO: And up till 4:00 o'clock what car was he driving?

BETTIS: He was in the green Rover.

DISTASO: And that's the car that you had seen associated with him throughout the surveillance?

BETTIS: Yes, sir.

DISTASO: What happened at 4:00 o'clock?

BETTIS: He went to Enterprise Rent-A-Car again and it appeared that he rented a truck.

DISTASO: And did you see him load or put his stuff into the truck?

BETTIS: Yes.

DISTASO: And where did he leave his Land Rover?

BETTIS: He left it there at the business at the Enterprise Rent-A-Car.

DISTASO: And what was the license plate of the truck?

BETTIS: 6U76078.

DISTASO: And did you see, what color was it?

BETTIS: It was white.

DISTASO: And did you see him leave the lot?

BETTIS: Yes.

DISTASO: And what time was that?

BETTIS: At 4:09 p.m.

DISTASO: And where did he leave his Land Rover?

BETTIS: At Enterprise Rent-A-Car.

DISTASO: Where did he go after that?

BETTIS: His business.

DISTASO: And what time did he get to his business?

BETTIS: At 4:22 p.m.

DISTASO: And what time did you see him go back home that day?

BETTIS: 4:35.

DISTASO: And what car was he driving when he went back home?

BETTIS: The truck, the white truck.

DISTASO: The truck that he had rented?

BETTIS: Yes, sir.

DISTASO: The, and did that, what we just went through, pretty much cover your involvement in the surveillance of Mr. Peterson?

BETTIS: Yes, sir.

DISTASO: The camera or, I'm sorry, the pole cam I think you called it,

BETTIS: Yes.

DISTASO: that was set up on the pole, did that have the ability to record anything?

BETTIS: Yes.

DISTASO: Did you record any tapes for that?

BETTIS: I had it for about, let's see what day was it on, I had it for, on the 7th at 1:46 p.m. and I had it for probably about 30 to 45 minutes. And then I think I recorded some foot traffic momentarily coming in and out, and that was it.

DISTASO: What did you do with the tapes for that?

BETTIS: We just left the tapes in the case.

DISTASO: The, on these tapes from this pole camera, was there any significant facts that occurred from any of the surveillance of Mr. Peterson's residence that you guys saw?

BETTIS: I think on one of the tapes it shows that he had changed his clothes when he left to go to the marina on the 5th. I think that's about it.

DISTASO: Other than just showing Mr. Peterson does it show anything else?

BETTIS: It shows people, like friends and family, coming and going from the address.

DISTASO: Nothing further, Your Honor.

JUDGE: Mr. Geragos.

GERAGOS: Thank you, Your Honor.

Cross Examination by Mark Geragos

GERAGOS: Good morning, Mr. Bettis.

BETTIS: Yes, sir.

GERAGOS: Good morning. Your surveillance started on the 3rd of January?

BETTIS: Yes, sir.

GERAGOS: Okay. The 3rd of January doesn't look like there was a whole lot of entries that you made on your report, is that correct?

BETTIS: Yes, sir.

GERAGOS: Okay. And then on the 4th of January the, if I got this right for this, you were on for roughly a week, right?

BETTIS: Yes, sir.

GERAGOS: And you noticed a certain pattern, which was you'd get there at 5:30 and Mr. Peterson, like he did on the 4th, would leave about 7:30 in the morning and go to the Red Lion, correct?

BETTIS: That’s correct.

GERAGOS: And on the 4th would there be media in front of the house?

BETTIS: There was media coming and going, yeah.

GERAGOS: And if I understand what you answered Mr. Distaso, one of the reasons you put up this pole cam across the street from the house was because there was media constantly out there, is that correct?

BETTIS: Yeah, they would come and go, but, yeah.

GERAGOS: Okay. One of the things they do is that they have those satellite-type trucks there, correct?

BETTIS: Yes.

GERAGOS: Okay. And this is a fairly small street, isn't it?

BETTIS: That’s correct.

GERAGOS: Okay. This is not a wide thoroughfare, we're talking a small residential street?

BETTIS: Exactly.

GERAGOS: Okay. And those are large satellite trucks that are normally parked either on one end or the other or, there's also kind of a little green belt right north of the house, isn't there?

BETTIS: Yes.

GERAGOS: And the media would also camp out and there as well, wouldn't they?

BETTIS: Yes.

GERAGOS: Now he would leave, he would go to the Red Lion, and in the morning usually at about 7:30, and he did that on the 4th, correct?

BETTIS: Yes, sir.

GERAGOS: He usually parked in the same spot, right?

BETTIS: Yes.

GERAGOS: Okay. And how long did he stay at the Red Lion on the 4th?

BETTIS: Okay, we actually lost surveillance of him for a short time. He ended up getting into a Ford Explorer with somebody, but he was there, I would say, probably the morning, morning hours, morning time.

GERAGOS: Through, is it a fair statement that after 12:00 he was still there, so he had spent pretty much the whole morning there?

BETTIS: Well, see, he left in that Ford Explorer, so, I mean, we didn't really see him so I couldn't tell you.

GERAGOS: Okay. And you knew that that vehicle, that Ford Explorer had come back after about an hour, right?

BETTIS: Yes, sir.

GERAGOS: Okay. So you see the Ford Explorer, I mean he gets there at 7:30 about, you got there 9:19, he leaves in the Ford Explorer, and there's four people in it, correct?

BETTIS: Yes, sir.

GERAGOS: Okay. Then it comes back, that same vehicle comes back, BETTIS: Yes.

GERAGOS: two people get out, and it looks like he was wearing jeans at that point, right?

BETTIS: Yes, sir.

GERAGOS: And he's then in the volunteer center for another two hours?

BETTIS: Yes, sir.

GERAGOS: At least, right?

BETTIS: Yes.

GERAGOS: Okay. Then the media starts arriving sometime after 12:00, right?

BETTIS: Yes.

GERAGOS: And then he takes off, right?

BETTIS: Yes.

GERAGOS: Now, he, after he leaves, so he's been in the volunteer center off and on throughout the morning for about five hours, right?

BETTIS: Yes.

GERAGOS: Okay. Then it looks like he takes the Land Rover out and he starts driving out. First he goes somewhere downtown Modesto?

BETTIS: Yes, 1012 11th Street.

GERAGOS: And is that over by Kirk McAllister's office?

BETTIS: That’s the address yes.

GERAGOS: So 1012 11th Street you know to be a lawyer who represented him named Kirk McAllister, is that right?

BETTIS: Yes, sir.

GERAGOS: So he goes over there to the lawyer's office, he's there for a short period of time, right, less than an hour?

BETTIS: Yes.

GERAGOS: Okay. Then the next thing he does is he goes out and he goes up to Stockton, the Stockton area?

BETTIS: Yes, it's basically the west county near Vernalis is the city out there.

GERAGOS: It's not far away, I mean is that still Stanislaus County?

BETTIS: I think it turns into San Joaquin out there somewhere, yeah.

GERAGOS: And he's out there and he's driving around and he's posting these large signs, is that right?

BETTIS: Yes.

GERAGOS: Okay. Now these are the signs, we've seen some of these fliers with Laci's picture on them and missing person and phone numbers, right?

BETTIS: That’s correct.

GERAGOS: Okay. And he's where, can you tell me because I don't have, I don't know, if you have them, do you have handwritten notes or do you have just the typed-written report that I took a look at?

BETTIS: This is it right here.

GERAGOS: I assume you said he drove around the county posting times that's take tag little bit of time correct?

BETTIS: Yes.

GERAGOS: And he's going to multiple locations doing this?

BETTIS: Yes.

GERAGOS: Okay. What kind of places is he going to?

BETTIS: Basically like a light pole, those green Cal Trans signs, you know, that say "this street off ramp" that kind of thing.

GERAGOS: Okay. How about fliers, is he putting up fliers as well?

BETTIS: Well, that's the only thing, yeah.

GERAGOS: Like the poster flier, whatever you want to call it, and you're talking to other officers, correct?

BETTIS: Yes.

GERAGOS: The other officers are also confirming that he's out there placing up signs, right?

BETTIS: Yes.

GERAGOS: Then after he goes out and does this for a couple hours, it looks like he's out and about for about two hours away from the volunteer center?

BETTIS: Okay.

GERAGOS: He gets back to the Red Lion at about 3:00 o'clock?

BETTIS: Yes.

GERAGOS: Okay. And then he goes and he's at the Red Lion, then leaves with some other people, is that right?

BETTIS: Yes, sir.

GERAGOS: Okay. Then he comes back to the Red Lion. And the Red Lion is where this volunteer center is, right?

BETTIS: Yes.

GERAGOS: And he's back there and he's back there until 5:00 o'clock?

BETTIS: Yes.

GERAGOS: Then shortly after 5:00 o'clock he leaves and he goes over to his warehouse. Basically, he spent the whole day either posting signs or with the volunteer center. At the end of the day as the volunteer center closes he goes over to his business, correct, is that your kind of summary of that day?

BETTIS: Yeah, except for the early morning when we lost surveillance of him.

GERAGOS: When he was in that Ford Explorer with the other people you don't know where he went?

BETTIS: That’s correct.

GERAGOS: Now the next day on the 5th, same thing, he arrives at the Red Lion, correct?

BETTIS: Yes, sir.

GERAGOS: Okay. And the Red Lion is this volunteer center. Then he goes, it looks like he's there for just shy of two hours, and then runs over to the business on Emerald and he's there for a couple minutes, runs in, gets something, comes out?

BETTIS: Yes.

GERAGOS: Okay. Then he goes back to his house, right?

BETTIS: Yes.

GERAGOS: And then the next thing you see him do is he goes down to Moose Park, right?

BETTIS: Yes.

GERAGOS: Moose Park is that park, we talked about ad nauseam here, the one that's down by the house? A couple of miles away?

BETTIS: Right.

GERAGOS: And you see him and he's posting signs there, right?

BETTIS: Yes, sir.

GERAGOS: Then he's going over to, to, it says, leaves Scenic Drive. Scenic Drive is right next to the park?

BETTIS: Yes.

GERAGOS: And when he leaves Scenic, he goes to, you wrote it down as Bodem, B-O-D-E-M?

BETTIS: Yes.

GERAGOS: What's that?

BETTIS: It's just a street and just, you know, route he's taking to the churches.

GERAGOS: Okay. So, and then he starts going from church to church, is that correct?

BETTIS: Yes.

GERAGOS: And it appears that as he's going from church to church he's taking fliers at each of these locations?

BETTIS: Yes, sir.

GERAGOS: Okay. First church he goes to is a Baptist church on Orangeburg as you indicated?

BETTIS: Yes.

GERAGOS: And you see him do the same, basically the same thing at each location: He will take in a stack of fliers, take them into the church and when he comes out he generally doesn't have them, correct?

BETTIS: I think he went to a couple of them and the services may have been over or something.

GERAGOS: January 5th is a Sunday?

BETTIS: Yes, sir.

GERAGOS: And so he goes to the Baptist church, then he's there for seven or eight minutes, and then he goes to another church, where was that one?

BETTIS: There is a series of them.

GERAGOS: One of them looks like 957. You don't have a location for that so I'm just asking where was that one?

BETTIS: Yeah, it's church Nazarene. He started to go to so many churches that it was, I just was documenting the name of it.

GERAGOS: Okay. That was kind of Sunday morning during the time that most people are at church worshipping. He's driving from church to church trying to hit as many of them as possible, apparently, is that correct?

BETTIS: Yes, sir.

GERAGOS: So he goes to the Church Nazarene, he goes to the Kingdom Hall church and over to the Modesto Community Church, is that right?

BETTIS: Yes.

GERAGOS: That's at 1006. Then he runs over to 1019 to a church located on Standiford and Tully?

BETTIS: Yes, sir.

GERAGOS: Then he goes to one on, a church parking lot at 1030 at Sherwood and Briggsmore?

BETTIS: Yes, sir.

GERAGOS: Okay. Then it looks like you lost sight of him for a couple of minutes or so?

BETTIS: Yes.

GERAGOS: And then you, you reacquired him, is the term you used, at another church at Rumble and Prescott?

BETTIS: Yes, sir.

GERAGOS: And that's at about 11:00?

BETTIS: Yes.

GERAGOS: 11:22 he goes to a church on Waverly and California?

BETTIS: Yes, sir.

GERAGOS: 11:30 he's at a church at 17th and I?

BETTIS: Yes.

GERAGOS: And he's with another person you identified as a white male, is that correct?

BETTIS: Yes, sir.

GERAGOS: Besides going into the churches, they were also handing out fliers as they saw people, correct?

BETTIS: Yes.

GERAGOS: Okay. So as people are coming out of the church, they're handing out the fliers. As they go into the church they may take a stack or a box of them, like a Kinko's box, something like that?

BETTIS: I didn't see how many he had, but, yeah, he was handing them out.

GERAGOS: Okay. About 11:39 he goes back to his residence and he switches cars, correct?

BETTIS: That’s correct.

GERAGOS: Okay. Now, you say you went to the marina on that day which was the 5th. And when you went to the marina that day, by the way, he had gone to, it looks like the lawyer's office, right?

BETTIS: Yes, sir.

GERAGOS: Huh? Yes?

BETTIS: What, on the 5th?

GERAGOS: Did he go to the lawyer's office on a Sunday or was that on Saturday?

BETTIS: He went on Saturday.

GERAGOS: Okay. Now, when he went up there, did you go in and actually, did you follow him into the marina area on the 5th?

BETTIS: I got to about right here and then broke off as he was pulling into this area.

GERAGOS: Did you see whether he was looking for something, looking for anybody in particular, could you tell what he was doing? When you say "broke off" does that mean you couldn't see it?

BETTIS: Right.

DISTASO: Objection. I'll withdraw it.

JUDGE: All right.

DISTASO: The last part of the question is fine.

GERAGOS: When you say "broke off," could you tell me what you mean by that?

BETTIS: "Broke off" meaning I don't want to commit and follow him in and, you know, and get real close.

GERAGOS: Okay. And so as far as you, you just couldn't see what was he doing, correct?

BETTIS: That’s correct.

GERAGOS: Okay. Now, the, if I understand correctly, the, you lost the visual, he then leaves, he comes back and he's back in the city of Modesto at about 3:00 o'clock, is that right?

BETTIS: Yes, sir.

GERAGOS: Okay. And then you indicated, and I think you corrected yourself or Mr. Distaso corrected you, if I understand correct, when he comes back at 4:30, he meets up with somebody

who had a car registered to a Fritz?

BETTIS: Yes, sir.

GERAGOS: Okay. He gets into that car?

BETTIS: Let's see, yeah, I think he just got in there, yes, sir, he did get in the vehicle and that's the one that was followed.

GERAGOS: Okay. Then you mentioned that he had gone to the Del Rio Country Club. The first time Mr. Distaso asked you you indicated he was there for almost three hours. That was a mistake, correct?

BETTIS: Yes, sir, that was a mistake.

GERAGOS: He was at the Del Rio, if my math is right, for about 53 minutes, correct, is that right?

BETTIS: Yes, sir.

GERAGOS: So it wasn't three hours. That was just a typographical error on your surveillance report, right?

BETTIS: Yes.

GERAGOS: Okay. Now, the next day, which is the 6th, that would have been a Monday, once again, Scott leaves the house and he goes directly to the Red Lion, correct?

BETTIS: Yes, sir.

GERAGOS: Okay. Gets there before 8:00 in the morning, right?

BETTIS: Yeah.

GERAGOS: The media starts showing up at, what, 8:18?

BETTIS: Yes, sir.

GERAGOS: And when you say "media shows up," the satellite trucks, reporters, things like that, camera crews?

BETTIS: Yes.

GERAGOS: Okay. Then he leaves to go over and he goes over to his warehouse?

BETTIS: Yes, sir.

GERAGOS: We call it the warehouse, the Emerald Avenue address, right?

BETTIS: Okay.

GERAGOS: Okay. Then back over to his lawyer's office in downtown Modesto, right?

BETTIS: Yes, sir.

GERAGOS: And then he goes back and he's talking with his dad at some point, correct?

BETTIS: Yeah, he came back out of the office and he was talking to his dad out on the street and he went back.

GERAGOS: Is it a fair statement that you were trying to surveil him without letting him know that you were the police?

BETTIS: Yes.

GERAGOS: Okay. As you sit here today did you look substantially similar to the way you looked back then?

BETTIS: I probably had longer hair.

GERAGOS: Okay. Is it fair to say that your appearance is such that you would want people to not think that you are a police officer?

BETTIS: Yes, sir.

GERAGOS: Okay. And I assume you're on the narcotics, you indicated you're on the Narcotics Task Force over there in Modesto?

BETTIS: Actually, it's not the county task force, but the city unit.

GERAGOS: You have a pretty heavy methamphetamine problem over there, don't you?

DISTASO: Objection, it's not relevant.

JUDGE: Sustained.

GERAGOS: Well, one of the reasons that you normally dress the way you do and appear the way you do and wear your hair longer is so that you will fit in and not look like a police officer, correct?

BETTIS: Exactly.

GERAGOS: Okay. And you also have a somewhat young appearance as well and that's part of why they've got you doing this, correct?

BETTIS: Yes.

GERAGOS: So you can mix in a crowd that may be a little bit on the wrong side of the fence, so to speak, is that right?

BETTIS: Yes.

GERAGOS: Okay. And I would assume that you could also mix with reporters as well, nobody is ever going to mistake you for a policeman or you're not supposed to look like a policeman, correct?

DISTASO: I object, Your Honor, it's been asked and answered.

JUDGE: Sustained. Whether he can mix with reporters, it's irrelevant.

GERAGOS: Well, when you're following Mr. Peterson, there's nothing that you do to indicate that you're a policeman, is there? You try not to indicate you're a policeman, right?

BETTIS: Yes, sir.

GERAGOS: Okay. I assume there's nothing that would indicate that you're a person who's working for the National Enquirer, whether you're a person working for some media outlet, or whether you're undercover, you're trying not to be seen, number one, and, number two, if you are seen, to not be recognized as police, correct?

BETTIS: What, your question is I'm trying not to be recognized as a police officer, yes.

GERAGOS: That's your whole role, it has been your role in an undercover capacity, right?

BETTIS: Yes, sir.

GERAGOS: Okay. Now, the, you indicated, I think you told Mr. Distaso that on that day, which was the 6th, he had driven 80 miles an hour in the number one lane, is that right?

BETTIS: Yes.

GERAGOS: Are there other people driving 80 miles an hour in the fast lane?

BETTIS: Yeah, myself.

GERAGOS: Did you see any other cars driving 80 on the freeway?

BETTIS: On that day, yeah, he was driving slower, so, yes.

GERAGOS: Okay. It certainly is not unusual to drive 80 miles an hour on the freeway, is it? I know you're a law enforcement officer. I don't think Mr. Distaso is going to prosecute you if you admit to the fact that people drive 80 on the freeway.

BETTIS: Yeah, I've seen that, yes.

GERAGOS: Okay. That's certainly not unusual, is it?

BETTIS: No.

GERAGOS: Okay. Now, you then get back to, you see him go to Enterprise and leave the car at Enterprise, right?

BETTIS: Yes, sir.

GERAGOS: Okay. And then the 7th, you indicated that once again you're going, and then usual, correct me if I'm wrong, but usually you end your surveillance during this eight-day period about 5:30, 5:45, whatever it is, that's your shift, 12-hour shift, basically?

BETTIS: Yes, sir.

GERAGOS: The 7th, you start the same thing. This is Tuesday. He gets up. He goes straight into the Red Lion to the command post, right?

BETTIS: Yep. Yes.

GERAGOS: Once again, he's there for, it looks like that day just shy of five hours, right, about four-and-a-half hours, a little bit more?

BETTIS: Yes, sir.

GERAGOS: Okay. So he's there for four, four-and-a-half hours at the command center. Is there media there? I mean, at that point there's media there pretty much everyday?

BETTIS: Yeah, they were kind of coming and going. I mean, some days there was a lot, some days there was hardly any.

GERAGOS: Okay. How about the house, consistently more media there?

BETTIS: You know, I don't really remember seeing big satellite trucks there on a daily basis.

GERAGOS: Okay.

BETTIS: But there was media floating around, but it wasn't like the ones you would see out front here.

GERAGOS: Now when you saw him there that day, he then went, he spent basically the whole morning at the volunteer center, right?

BETTIS: Yes, sir.

GERAGOS: Okay. And then sometime after 12:00, it looks like you got it down here as 12:08 he exited the Red Lion carrying papers, right?

BETTIS: Yes, sir.

GERAGOS: Okay. It looked to you to be like some more of these fliers or posters?

BETTIS: I don't know. It could be.

GERAGOS: Okay. Then he went over to an Office Depot, right?

BETTIS: Yes, sir.

GERAGOS: Okay. Then he goes over to his business, right?

BETTIS: Yes.

GERAGOS: He's only in the business for a couple minutes, right?

BETTIS: Yes.

GERAGOS: And then he goes back over to his residence, is that correct?

BETTIS: Yes.

GERAGOS: And there was a lot of foot traffic over there, it looks like at 2:22 you said, but you could not identify who it was?

BETTIS: Right.

GERAGOS: Okay. It looks like he had met at about 1:46 with a Mr. Ermoian, is that right?

BETTIS: That was just, I just ran the registration on the truck, so I don't know exactly who he was speaking with or that was.

GERAGOS: Did you later learn that that was a private investigator that he hired?

DISTASO: Objection, it calls for hearsay.

JUDGE: It's part of an investigation. Go ahead.

GERAGOS: Did you learn that there was a Gary Ermoian that was acting as a private investigator to try to pursue leads in regards to Laci?

BETTIS: I did not know that.

GERAGOS: Now, the, then, let's see, you said you saw him later on leave the house or the, first you saw the GMC truck leave, right?

BETTIS: Yes, sir.

GERAGOS: Okay. And then you saw this phone conversation he had, he had a phone conversation, and then your surveillance ended at 5:30, right?

BETTIS: Yes, sir.

GERAGOS: Now on the 8th, which would have been Wednesday, January 8th, same thing, he leaves the house at 7:30, he gets to the Red Lion, right?

BETTIS: Yes, sir.

GERAGOS: Now he's, for the next four hours he's at the Red Lion and you saw him actually outside talking to media, is that correct?

BETTIS: Yes.

GERAGOS: Okay. And as he's talking to the media, I assume there's, also there's cameras, they're filming him, correct?

BETTIS: Yes, I believe so.

GERAGOS: Okay. And as they're filming him, he has the green Land Rover, right? It looks like the entry that I have here

BETTIS: Yes.

GERAGOS: that I got here for 11:41. You follow him, after talking to the media, at noon he goes into another building or business on Coffee, right?

BETTIS: Yes.

GERAGOS: He's handing out fliers here, the missing person fliers?

BETTIS: Yes.

GERAGOS: Then he goes from there over to A.G. Edwards, right?

BETTIS: Yes, sir.

GERAGOS: Did you know A.G. Edwards to have some connection to the Laci Peterson case?

BETTIS: No, not specifically.

GERAGOS: Okay. Then he goes over to the lawyer's office, right?

BETTIS: Yes, sir.

GERAGOS: Okay. Picks up his mail and then goes back to the command post by, it looks like a little bit before 3:00?

BETTIS: Yes, sir.

GERAGOS: He stays there for, what, a half an hour?

BETTIS: Yes.

GERAGOS: Goes over to the Office Depot, you see him leave the Office Depot buying some office-type supplies?

BETTIS: You know, I can't remember if he was carrying something out or not.

GERAGOS: Okay. He goes over to his business and back over to Enterprise Rent-A-Car, right?

BETTIS: Yes, sir.

GERAGOS: Now, the, is that pretty much the last day that you had some sort of surveillance, at least you personally, in involvement in this?

BETTIS: Yes, sir.

GERAGOS: The, have you reviewed any of the other reports in connection with the surveillance? I assume there were other officers that you were surveilling with, right?

BETTIS: Yes, sir.

GERAGOS: Okay. And the other officers you would have conversations with as to what, what he was doing if you lost sight of him?

BETTIS: Yes, sir.

GERAGOS: Okay. And how many, on an average surveillance shift during this, roughly this week, the 4th, the 3rd through the 8th whatever it is, how many different officers were surveilling him?

BETTIS: It's kind of hard to say. It changed from day to day. Like the first day there was a bunch of us.

GERAGOS: What qualifies as "a bunch"?

BETTIS: I'm sorry, I would say probably anywhere from about 15, somewhere around there.

GERAGOS: Okay. And 15 officers are obviously not all in one car?

BETTIS: Right.

GERAGOS: How many cars, how many cars do you have separating out these 15 officers?

BETTIS: I don't know specifically.

GERAGOS: Is it fair to say that usually you guys work in teams of two?

BETTIS: At least.

GERAGOS: And is it fair to say that there's at least five or six cars that are tracking him all over town?

BETTIS: Under good circumstances, yes, but sometimes there wasn't that many.

GERAGOS: Okay. And I assume that one of the goals of this surveillance was to try to keep a visual on him, as you said, I think you used the term keep him on point?

BETTIS: Yes, sir.

GERAGOS: Okay. So you've got these cars that are kind of doing a tag team, is that basically how the surveillance works?

BETTIS: Yes.

GERAGOS: You'll follow him for a while, then somebody else will follow him, then somebody else will follow him so everywhere he goes, hopefully, from your standpoint, somebody's following him around, correct?

BETTIS: Right.

GERAGOS: Okay. After a while make even you paranoid, wouldn't it?

DISTASO: Objection, Your Honor.

JUDGE: Sustained.

GERAGOS: Now, the pole camera that you indicated that was up there, were you involved in the setting of it up?

BETTIS: No.

GERAGOS: Okay. Do you know, when was the first day you became aware that there was actually a camera set up across the street?

BETTIS: The day we started the surveillance on the 3rd.

GERAGOS: The 3rd?

BETTIS: Yeah.

GERAGOS: Okay. And were you aware when it went up?

BETTIS: No.

GERAGOS: But it was operational on that day, correct?

BETTIS: Yes, sir.

GERAGOS: Okay. Now I'm not going to disclose any confidential information, but is it a fair statement that that camera would be viewed from some remote location? Meaning, you didn't have somebody sitting there at the bottom of a pole looking at a monitor, right?

BETTIS: Exactly.

GERAGOS: Okay. So that monitor, the camera was a wireless camera of some kind, was that your understanding, that would then be picked up at some distance away where officers could look at it?

BETTIS: Yes, sir.

GERAGOS: Okay. Was that camera up, to the best of your knowledge, during the entire month of January?

BETTIS: Once my surveillance ended, I don't know. That was the last I knew of the pole cam.

GERAGOS: And you said it had the capability, the camera's got the capability, you can press a button and you can record, right?

BETTIS: Yes, sir.

GERAGOS: Okay. And you did that at point, I think you even, I wrote it down in my notes, you had the exact time, what was it, 1:46 on the 7th?

BETTIS: I believe so.

GERAGOS: Is that kind of burned into your brain, that time, as to why specifically you remember it as 1:46?

BETTIS: Well, I said in my report I took over point on the residence. I remember my partner, Investigator Weiglein, he would keep the unit with him for the most part, but I think he took a bathroom break or something so I put it in my car.

GERAGOS: Okay. Now, the unit itself, is like what, almost kind of like a laptop computer in terms of a monitor or not?

BETTIS: Not quite. It's significantly more bulky then that.

GERAGOS: It's like an old laptop computer, but it has, doesn't it have kind of a screen that you look at?

BETTIS: Yes, it's a small screen.

GERAGOS: Okay. And aren't there controls or a kind of a recording device that's hooked up to it as well?

BETTIS: Right.

GERAGOS: Okay. And that was the ability to stick in tapes, right?

BETTIS: Yes, it's small, like camcorder tapes.

GERAGOS: Like the little, the ones that the normally, larger than a cassette tape, basically, or about the same size as a cassette tape, a little thicker?

BETTIS: Sure. Yeah.

GERAGOS: Okay. Now that, did you have, do you know when you stopped the surveillance on the 8th do you know who you gave that unit to or who took possession of the unit?

BETTIS: It was left with Agent Perry.

GERAGOS: Okay. One of the other gentlemen that's out here today waiting to testify?

BETTIS: Yes.

GERAGOS: Now the specific surveillance notes, I'm going to show you, if I could, some notes that have been provided. Are you familiar with these notes or have you ever seen these surveillance notes and observations?

BETTIS: No.

GERAGOS: Okay. Is it a fair statement that the only notes that you're familiar with in connection with this case are the 11 pages of your report?

BETTIS: Yes, sir.

GERAGOS: Okay.

GERAGOS: May I have just one moment, Your Honor. No further questions. Thank you.

JUDGE: Any redirect?

DISTASO: Hold on one sec, Your Honor. No, Your Honor, I don't have anything else based on that.

JUDGE: Okay.