Witness: Michael D. Griffin

Date: 2004-10-04

Proceedings held October 4, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos; Redirect – Rick Distaso

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/GriffinMichael.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: Mr. Griffin, where do you currently live? Just tell me the city.

GRIFFIN: Malvern, Arkansas.

DISTASO: Okay. And back in April of 2003 –

GERAGOS: Arkansas?

DISTASO: That's where you currently live, correct?

GRIFFIN: Correct.

DISTASO: Okay. Back in April of 2003, were you living in San Diego?

GRIFFIN: Yes, I was.

DISTASO: Okay. And did you have a car for sale?

GRIFFIN: Yes, I did.

DISTASO: Let me show you these two photographs. Those are defense D6W-1 and D6W-2. Do you recognize the car that's depicted in those photographs?

GRIFFIN: Yes, I do.

DISTASO: And how is it that you recognize that?

GRIFFIN: It was my car.

DISTASO: Okay. Is that the, did you end up eventually selling that car to the defendant in this case, Mr. Scott Peterson?

GRIFFIN: Yes, I did.

DISTASO: And what day did you sell that car to Mr. Peterson?

GRIFFIN: April the 12th, to the best of my recollection.

DISTASO: Okay. Your Honor, I'm going to mark next in order a three-page document, DMV Department of Motor Vehicle documents.

JUDGE: For the record, that photograph you showed him is the red Mercedes?

DISTASO: Actually on the, I'm going to staple this four-page DMV document to this.

JUDGE: Four pages. 287.

DISTASO: When, Mr. Griffin, when you sold the car to Mr. Peterson, did he look as he does, as he sits here today?

GRIFFIN: No, he did not.

DISTASO: Okay. He had bleached, had he bleached his hair?

JUDGE: Why don't you have him testify as to what he looked like?

DISTASO: Why don't you just, how did he look different than he does here today?

GRIFFIN: His hair was lighter, and he had a goatee.

DISTASO: Can you just take us through what happened? You listed your car for sale, okay? What happened next?

GRIFFIN: Had the car for sale in the Auto Trader. Received a call from someone wanting to come over and look at it. Came over and looked at it. We went for a test drive. Haggled a little bit over price. He agreed to buy the car. As we went upstairs to do the paperwork, at that time I hadn't, I couldn't find my paperwork. And he said he had downloaded some forms from the DMV. Filled out the paperwork.

DISTASO: Let me stop you there.

GRIFFIN: Okay.

DISTASO: The forms that he said he filled out from the DMV. Let me show you People's 237. Do you recognize the document?

JUDGE: 237?

DISTASO: I'm sorry. 287. Do you recognize the document that's on the front page there?

GRIFFIN: Yes.

DISTASO: What is that?

GRIFFIN: It's a copy of the form that he had downloaded from the DMV site.

DISTASO: That's what Mr. Peterson brought to you?

GRIFFIN: Yes.

DISTASO: And has some writing on it. Who filled that writing out?

GRIFFIN: That is his writing.

DISTASO: Okay. And in what name is that document filled out in?

GRIFFIN: Jacqueline Peterson.

DISTASO: Jacqueline Peterson. What happened next? So he said he had this particular form. And then what happened next?

GRIFFIN: He gave me the money for the car, and said he would be back and get it in about an hour. Give me a chance to get my things out of it. When he came back for the car, I had found my paperwork. We filled out the second set of paperwork, which was the original. When I saw the name Jacqueline, I said are you buying this for your wife, or someone? And he said, "No, that's my name."

DISTASO: Let me stop you. Let me show you this second page of People's 287. Do you recognize that particular document on the second page?

GRIFFIN: Yes. That's my paperwork.

DISTASO: Okay. And who filled out this top portion here?

GRIFFIN: Top part was filled out by the defendant. And –

DISTASO: And then who filled out the bottom portion?

GRIFFIN: I did.

DISTASO: Okay. And let me just put this up on the screen. So on the second page here where the name Jacqueline Peterson, that was filled out by Mr. Peterson?

GRIFFIN: Yes.

DISTASO: Okay. And this address here?

GRIFFIN: By him.

DISTASO: And then you filled out this information down below?

GRIFFIN: That’s correct.

DISTASO: And this was on, the date looks like over here was the 12th of April?

GRIFFIN: Yes.

DISTASO: 2003?

GRIFFIN: Yes.

DISTASO: Let me show you the last two pages. Are these the last two pages of 287 just certified documents of the same release of liability you filled out?

GRIFFIN: Yes.

DISTASO: Okay. So let's go back now. You said that you saw that he filled out the Jacqueline Peterson?

GRIFFIN: Right.

DISTASO: You asked him about that?

GRIFFIN: I asked him about that, was that his name or not? Are you buying the car for your wife, or someone? And he said, "No that's my name." And I said, French thing, might be Jacques, or something like that? He said, "No, it's kind of a boy-named-Sue type thing. That's what my parents hung me with. I go by Jack." I said, "Do you have a driver's license?" And he gave me a driver's license number, said it's a Florida license, expires 10-24-04, to the best of my recollection.

DISTASO: Okay. Let me, I'm going to mark this next in order, just some notes from Mr. Griffin.

JUDGE: 288.

GERAGOS: Can I see it?

DISTASO: Yeah. Let me show you People's 288. Do you recognize this document?

GRIFFIN: Yes. That's piece of paper that I wrote the driver's license number down that he gave me.

DISTASO: Okay. And what license number did he give you?

GRIFFIN: J0880056.

DISTASO: He said it was a driver's license from what particular state?

GRIFFIN: From Florida

DISTASO: He said it expired on what date?

GRIFFIN: 10-24-04.

DISTASO: Did you actually ask to see the license?

GRIFFIN: No.

DISTASO: So he just told you this was my license, here is the info, that's it?

GRIFFIN: Right.

DISTASO: This is People's 286. And do you see that same license number on this particular document, that is the same number right here?

GRIFFIN: Yes.

DISTASO: Okay. After you sold the, well, let's just, why don't you just keep, finish what happened.

JUDGE: Can we go back for one second? You said he gave you money for the car?

GRIFFIN: Right.

JUDGE: Did he, did he give you check, cash, money order?

GRIFFIN: 36 100-dollar bills.

JUDGE: 36 100 dollar,

DISTASO: That's the sale price of the car, $3600?

GRIFFIN: Yes.

DISTASO: And what happened next? So you finish the paperwork?

GRIFFIN: Finish the paperwork. He said, "Is everything okay?" I said as far as I can tell, something to that effect. He said, "Okay, I'll tell my brother he can take off." And he went downstairs. And I looked out the window. I saw him backing out of the parking garage, and I think in, I think a blue pickup.

DISTASO: Was that the end of your contact with Mr. Peterson?

GRIFFIN: Yes, at that point.

DISTASO: Until the police or somebody contacted you later?

GRIFFIN: Right.

DISTASO: After Mr. Peterson was arrested, at some point were you called down to do a release of liability again, or some kind of title transfer?

GRIFFIN: Yes.

DISTASO: And just briefly what was that about?

GRIFFIN: I didn't really understand exactly what it was. I had signed over the car to him. My, best of my understanding is that he hadn't transfer the car from my name into his name, or whatever name he bought the car in. And the police wanted me to come down and re-sign over the car.

DISTASO: Okay. Did you do that?

GRIFFIN: Yes.

DISTASO: Do you know who you signed it over to?

GRIFFIN: To the best of my recollection, I think Joseph Peterson.

DISTASO: Do you know what relation that person was to the defendant?

GRIFFIN: I have been told it's his brother.

DISTASO: Nothing further.

Cross Examination by Mark Geragos

GERAGOS: Good afternoon, Mr. Griffin.

GRIFFIN: Good afternoon.

GERAGOS: You have those documents that Mr. Distaso asked you to look at?

GRIFFIN: No.

GERAGOS: There was a license number I guess that you wrote down; is that right?

GRIFFIN: Yes, sir.

GERAGOS: Okay. I'm not going to have you read it out loud, but I'm going to have you take a take a look at that right there. That looks like a California driver's license I just gave you; is that correct?

GRIFFIN: That is correct.

GERAGOS: Is that the same number that you wrote down?

GRIFFIN: Yes, sir, it is.

GERAGOS: And then the document right here with the name, is that the same that is on the license?

GRIFFIN: Yes, it is.

GERAGOS: Okay. So take a look. This is, then you were asked to take a look at another document, was that this one?

JUDGE: 286?

GRIFFIN: Yes.

GERAGOS: You told me what the number was that you looked at? Okay. So on 286, you were told to look at that number right there, correct? JO number, right there; is that right? And then that's the number you were given, correct?

GRIFFIN: Yes.

GERAGOS: And then the information was Jacqueline Peterson, P.O. Box 853, Solana Beach. Then you had that number. Does that appear to match exactly Jacqueline Peterson, P.O. Box 853, Solana Beach, same zip, and does the number license number correspond?

GRIFFIN: Yes, it seems to.

GERAGOS: Can I mark a copy of the license number as the defendant's next in order?

JUDGE: All right.

GERAGOS: Copy of the California Driver's License.

JUDGE: It will be defendant's 8B.

GERAGOS: What kind of stereo did the car have?

GRIFFIN: I'm not sure.

GERAGOS: Does that look like it? Does look like it's been replaced?

GRIFFIN: Looks like it's been replaced.

GERAGOS: Okay. That's, does that look like a photo of your car? Interior of your car?

GRIFFIN: That's not enough for me to tell. I guess.

GERAGOS: Okay. It's got Brocchini 4-18-03. That's not the way that, that's not the, I'm going to mark this as next in order. That's not the radio that you had in the car, correct?

GRIFFIN: No, doesn't look like it.

JUDGE: Defendant's 8C

GERAGOS: And then going to show you another photo. Does that stuff look familiar?

GRIFFIN: No. Well,

GERAGOS: How about that?

GRIFFIN: Yes, that is something I forgot to get out of the car.

GERAGOS: Okay. And when say was something you forgot to get out of the car, is this the item here; is that correct?

GRIFFIN: Yes.

GERAGOS: Is that correct?

GRIFFIN: Yes.

GERAGOS: Mark this as defendant's next in order.

JUDGE: The one you are showing on the screen? That will be defendant's 8D

GERAGOS: And this is not the radio, right?

GRIFFIN: No.

GERAGOS: Okay. That radio is not the radio you had. Did you tell the officers that you had forgotten the knife in the car?

GRIFFIN: No. I didn't know it until some time later.

GERAGOS: Do you remember how much later you learned about it?

GRIFFIN: Not really.

GERAGOS: And the day that you saw Scott was the 12th; is that correct? That was the first time you saw him?

GRIFFIN: I believe so, yes.

GERAGOS: And the you negotiated a price that was about $1400 less than what you were asking?

GRIFFIN: I believe so.

GERAGOS: Okay. May I have just one moment, your Honor?

JUDGE: Yes, sure

GERAGOS: Do you remember when you told the police that you had left the knife in there?

GRIFFIN: I don't think I ever did.

GERAGOS: Okay. Today is the first time that you have said that?

GRIFFIN: Yes.

GERAGOS: Okay. Had you ever told anybody prior to today, I guess, recognizing it from what I showed you, the photo?

GRIFFIN: Not to the best of my recollection.

GERAGOS: Thank you. I have no further questions.

Redirect Examination by Rick Distaso

DISTASO: Mr. Griffin, other than the knife that you left in the car, the one that counsel just showed you, did you leave anything else in the car, to your knowledge?

GRIFFIN: I'm not sure. I don't know that was, I know where the knife was in the, what compartment, on the side of the door. There may have been something else, but I don't think so.

DISTASO: Okay. Did you empty the car before you sold it?

GRIFFIN: Yes. After, well, between when he went to get somebody to help hem get the car.

DISTASO: And the license that Mr. Geragos showed you, Jackie Peterson, when, you see Jackie Peterson sitting in here court today?

GRIFFIN: Yes.

DISTASO: She's not the one that came and bought the car from you?

GRIFFIN: No.

DISTASO: Other than, I really want to make sure we're clear on this. This particular knife right here, this is one that you left in the car, correct?

GRIFFIN: Yes.

DISTASO: Okay. And, but other than that, did you leave anything else? Did you leave any camping equipment, that you are aware of, in the car?

GRIFFIN: No.

DISTASO: Did you leave any other knives that you are aware of?

GRIFFIN: No.

DISTASO: What about a backpack?

GRIFFIN: No.

DISTASO: What about a water filter system?

GRIFFIN: No.

DISTASO: How about a hammer?

GRIFFIN: No.

DISTASO: Did those items, none of that stuff sounded familiar to you that you might have left that in the car?

GRIFFIN: No.

DISTASO: Okay. That's all I had, your Honor.

JUDGE: Any questions about that last subject matter?

GERAGOS: No.

JUDGE: Okay, Mr. Griffin, thank you, sir, for your time.