Witness: Darren Ruskamp

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Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – David Harris; Cross – Mark Geragos; Redirect – David Harris; Recross – Mark Geragos; 2nd Redirect – David Harris; 2nd Recross – 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 David Harris

HARRIS: Sir, can you tell us what your occupation is?

RUSKAMP: I'm a detective with the Modesto Police Department.

HARRIS: And how long have you been employed with the Modesto Police Department?

RUSKAMP: Approximately 13 years.

HARRIS: I want to direct your attention to December 26th, 2002. On that particular date were you working in your capacity for the police department?

RUSKAMP: I was.

HARRIS: What was your assignment?

RUSKAMP: I was assigned detail in a search warrant.

HARRIS: And as part of that detail for a search warrant did you go to a house on Covena?

RUSKAMP: I did.

HARRIS: And that's in the city of Modesto?

RUSKAMP: It is.

HARRIS: If you could look behind you at People's Exhibit No. 38. Do you recognize that as being a floor plan or schematic of the residence that you went to at Covena?

RUSKAMP: Yes, it is.

HARRIS: And it's 523 Covena?

RUSKAMP: Yes, it is.

HARRIS: Now, looking at that floor plan that you have that's up there, People's No. 38, down at the bottom at the left does it indicate that that that was drawn by you?

RUSKAMP: It does, yes.

HARRIS: You indicated that you were assigned as part of a detail, was the scene manager that night Detective Skultety?

RUSKAMP: Yes, it was.

HARRIS: And what assignment did you receive to perform on part on the 26th?

RUSKAMP: Part of the scene was for me to help search a particular room as well as prepare a sketch of the property.

HARRIS: Now the room that you were assigned, which room was that?

RUSKAMP: The room referred to as the nursery.

HARRIS: And the sketch, explain to us what that process was.

RUSKAMP: It's a proportional drawing of the residence from the rooms, the locations, kind of the outlay of the house.

HARRIS: The diagram that's up there, 38, does that result in this particular sketch that you were doing?

RUSKAMP: Yes, it is.

HARRIS: Now looking at that particular diagram that's up there it has measurements, as part of the doing the sketch you actually do measurements?

RUSKAMP: I do measurements to keep it kind of proportional.

HARRIS: How do you do measurements?

RUSKAMP: With a metal tape measure.

HARRIS: Looking at the measurements that are up there, 38, do those accurately, accurately reflect the measurements that you took either on the 26th or 27th?

RUSKAMP: Yes, those would be approximate measurements of the house and the property.

HARRIS: When you say the house and the property, do you do the inside and the outside?

RUSKAMP: Correct.

HARRIS: Looking at that particular sketch there or diagram, 38, can you explain to us how you go about doing that process.

RUSKAMP: The outside of the house was measured with a tape measure, and I don't see any measurements on the inside of the house depicted on the drawing.

HARRIS: Did you take measurements of the inside?

RUSKAMP: I don't recall if I did or not.

HARRIS: As part of doing the diagrams did you also, it's not depicted on that one, but did you do another diagram that depicted furniture or the approximate location of things inside the house?

RUSKAMP: I did.

HARRIS: I'd like to have marked next in order.

JUDGE: 143.

HARRIS: Counsel has already seen it. Detective, I'm going to show you what's been marked as 143. Have you looked at that? Do you recognize that?

RUSKAMP: Yes, I do.

HARRIS: What is that?

RUSKAMP: It's a drawing made on the property of December 26th and 27th.

HARRIS: Now in that particular drawing, is it similar to the one that's up there on the chart, 38, but it also has the furniture inside?

RUSKAMP: As well as the measurements on this drawing here as well.

HARRIS: Let me go ahead and put this up on the screen, then. Now the, using the chart behind you and looking at the one up here on the wall, or that's being projected now, is it the same general location, the same diagram that we're referring to other than the differences in the interior?

RUSKAMP: It is the same drawing with the added furniture, correct.

HARRIS: Now, did you do this by hand or did you have a computer assist you?

RUSKAMP: Initially by hand, and then I have, I used a computer-aided drawing.

HARRIS: Do you do kind of the floor plan of the house and then you insert whatever the computer allows you in terms of the, looking at kind of the furniture?

RUSKAMP: Right. I do a layering process with the first drawing will be the exterior walls, interior walls, any objects which are semi-permanent, like sinks, things of that nature, and then I continue to add upon that.

HARRIS: Now looking at the one that's being projected, and this is 143, looking at the upper-left corner, does that represent what's depicted on 38 as the master bedroom?

RUSKAMP: Yes, it is.

HARRIS: And there's kind of a box up there, is that a representation for the bed?

RUSKAMP: Yes, it is.

HARRIS: To the right of that on the upper wall, what did that represent?

RUSKAMP: It was a, sort of a nightstand, a glass covering over an object. I don't recall what the object was, but it was kind of a nightstand area.

HARRIS: To the right in that same room, the master bedroom, there's two boxes on that wall, does that represent where a dresser was at?

RUSKAMP: It's a chest of drawers, correct.

HARRIS: And then there's a portion where there's kind of these arches, did that represent where the doors open for the closet?

RUSKAMP: It does.

HARRIS: And then to the right of those in the same master room, master bedroom, there's another box there, what did that represent?

RUSKAMP: It was almost a converted entertainment center-type of dresser, had upper drawers and lower drawers.

HARRIS: Now as you went through this, we're talking about that one particular room, did you have to go into each room of the house to look at the furniture and the fixed items to get this for your sketch?

RUSKAMP: Yes, I did.

HARRIS: And the items that you have up there, do they accurately depict the furniture and the fixed items that you saw in the house on the 26th and the 27th?

RUSKAMP: It is the majority of items. It does not depict every single item in the room.

HARRIS: So this is a representation of the furniture?

RUSKAMP: Correct.

HARRIS: Okay. And you mentioned that you were assigned to search the bedroom known as the, or the room known as the nursery. Did you go in there on the 26th and do this?

RUSKAMP: Yes, I did.

HARRIS: Was anyone with you?

RUSKAMP: Detective Dodge Hendee.

HARRIS: Did you search the room on the 26th?

RUSKAMP: Yes, we did.

HARRIS: Tell us what you were doing on the 26th.

RUSKAMP: The 26th, we did a more thorough search known as a forensic search where we looked for small, minute items on the baseboards and the floor, on the furniture which was in that room.

HARRIS: Do you go through the whole room, go through the closet, do you do that?

RUSKAMP: On the forensic search we did. We were looking for the lower-type items which could have been disturbed if we were just walking around the room.

HARRIS: Now did you go back on the 27th?

RUSKAMP: Yes, we did.

HARRIS: And did you also search the nursery on the 27th?

RUSKAMP: Yes, I did.

HARRIS: On the 26th or the 27th did you ever look in the closet?

RUSKAMP: Yes, we did.

HARRIS: When you say "we," referring to you and Detective Hendee?

RUSKAMP: I know for a fact I did. I don't know if he actually looked in the closet or not.

HARRIS: All right. What I'd like to do is have marked next in order two photographs.

JUDGE: 143 A and B.

GERAGOS: 144.

JUDGE: 144 A and B.

GERAGOS: Thank you.

HARRIS: While the clerk's doing that, what I'm going to do is have you look at what's previously been marked has 115 A, B and C. Have you look at those and see if you recognize them. I'll have you look at 144 A and B, see if you recognize those.

RUSKAMP: Yes, I do.

HARRIS: Now, the last two that I was showing you, I'll project to them all in a minute, but the last two, are these photographs that depict the closet in the nursery as you saw them on either 12/26 or 12/27?

RUSKAMP: Yes, it is.

HARRIS: And this is how they looked as part of your examination and when you were doing the searches in there?

RUSKAMP: That's correct.

HARRIS: Do they accurately depict those locations?

RUSKAMP: They do.

HARRIS: Starting with 115 A, what is this that we're looking at?

RUSKAMP: This appears to be a photograph standing in the doorway looking into the room.

HARRIS: 115 B?

RUSKAMP: This would be a photograph facing the south wall of the room with the photographer inside the room itself.

HARRIS: Now, looking to the right side of the photograph do you see where the door is?

RUSKAMP: Yes, I do.

HARRIS: So the door that's in the open position, that's not the closed position there?

RUSKAMP: It is open, correct.

HARRIS: 115 C?

RUSKAMP: This is a photograph of the dresser drawer that's on the south wall with a,

HARRIS: And this is the top of the dresser and something that was pointed out to the scene manager, Detective Skultety?

RUSKAMP: That's correct.

HARRIS: And looking at 144 A?

RUSKAMP: This would be an open view of the closet with the doors open.

HARRIS: And 144 B?

RUSKAMP: This is an additional view with the closet doors open.

JUDGE: This was in the nursery?

RUSKAMP: Yes, sir.

GERAGOS: You did something to make it much clearer, what was that?

HARRIS: I turned on the light. Now, detective, looking at this right of the particular photograph, which is 144 B, do we see, pointing at it here with my finger, does that depict the rocking chair that was in the room?

RUSKAMP: It does.

HARRIS: Now as part of the search process, did you also go outside at some point in time?

RUSKAMP: Yes, I did.

HARRIS: And were you assigned to search any particular area outside?

RUSKAMP: I was. I don't recall if I was actually assigned or if I was looking in the wooden shed in the back, backyard.

HARRIS: Now, when you say looking in a wooden shed, if you can take the pointer that's on the board behind you, and on your diagram over to the far right do you see where it says "shed"?

RUSKAMP: I do.

HARRIS: Is that the shed you're referring to?

RUSKAMP: Yes, it is.

HARRIS: Did you go into that shed at all?

RUSKAMP: I briefly stepped into the entrance of it, yes.

HARRIS: All right. As part of doing this sketch did you go from room to room, both inside, outside, take measurements or get the general overall dimensions of things for your diagrams?

RUSKAMP: Yes, I did.

HARRIS: And looking at the dining room that's up there toward the left center portion of that particular chart did you notice if there was a Christmas tree with presents?

RUSKAMP: Yes, there was.

HARRIS: Was there kind of a big box there with wrapping paper on it?

RUSKAMP: There was.

HARRIS: Was there a receipt found that pointed out what that particular item was?

RUSKAMP: Yes, there was.

HARRIS: What was that item?

RUSKAMP: It was a 10-inch table saw.

HARRIS: Now the next day, so we're talking somewhat of the 26th. On the 27th did you come back and do approximately the same thing?

RUSKAMP: Yes.

HARRIS: Now the search that you were doing of the nursery on the 27th, was it different than the search that you did on the 26th?

RUSKAMP: Yes, it was.

HARRIS: How was it different?

RUSKAMP: It was different in the fact than we actually opened the drawers, made a note, just a mental note of the things we were seeing in the drawers and the bedding that was on the crib, and there was also some child items along this wall here as well.

HARRIS: When you say "child items," what do you mean by that?

RUSKAMP: Toys, pretty new-type toys, not unwrapped, but they were still in their packaging.

HARRIS: Did you notice if there were price tags on anything when you were in that room?

RUSKAMP: Yes, there was.

HARRIS: What items, if any, if you recall?

RUSKAMP: The primary item I recall is, was that the back wall above the crib itself was a boat life preserver-type item.

HARRIS: And that item still had a price tag attached to it?

RUSKAMP: Yes, it did.

HARRIS: Did you finish your work in terms of searching and doing the diagram on the 27th?

RUSKAMP: Yes.

HARRIS: And after lunch did you go to another location?

RUSKAMP: Yes, I did.

HARRIS: Where did you go at that time?

RUSKAMP: It was to a warehouse on Emerald Avenue.

HARRIS: And if you could look to your left, to my right, looking at People's No. 55, is that a representation or a chart of the warehouse that you went to?

RUSKAMP: Yes, it is.

HARRIS: Was Detective Hendee the scene manager for that particular location?

RUSKAMP: Yes, he was.

HARRIS: Were you given an assignment of anything to do or not do when you were there?

RUSKAMP: I was given an assignment to search the boat.

HARRIS: Now looking at that particular exhibit, 55, do you see where the boat is depicted in that diagram?

RUSKAMP: Yes, I do.

HARRIS: And that would be to the lower right portion of the diagram?

RUSKAMP: That is correct.

HARRIS: Did you prepare that diagram as well?

RUSKAMP: No, I did not.

HARRIS: Do you know who did?

RUSKAMP: I believe Detective House.

HARRIS: Was, Detective House is another detective for the Modesto Police Department?

RUSKAMP: He is.

HARRIS: Was he there that day?

RUSKAMP: He was.

HARRIS: I don't know if you can see it, but is there a box in there that indicates a name as to who it was prepared by?

RUSKAMP: Yes, there is. That's Detective House.

HARRIS: And did you see him kind of go through the same process of getting measurements that you did at the house?

RUSKAMP: Yes.

HARRIS: Now when you first got your assignment and you're going to the boat, what do you do?

RUSKAMP: When I first entered the warehouse I had to enter through the office, because that was the only door that was open, and then I proceeded to the boat directly from the entrance of the office.

HARRIS: When you start conducting a search of something, do you look at it, do you photograph it, what is it that you do?

RUSKAMP: I know that it had been photographed and videotaped prior to me getting in the actual warehouse as to not change the way things looked when I first got there.

HARRIS: I'm going to show you a series of photographs. Have you look at these and see if you recognize them.

RUSKAMP: Yes, I do.

HARRIS: All right. Start with No. 141A. Can you tell us what you see in that photograph.

RUSKAMP: This is a photograph showing the roll-up door down in the furthest area and in the nearest foreground is in front of a trailer, and beyond that is a boat on a trailer.

HARRIS: The both that we see in this photograph, 141 A, is that the boat that you searched?

RUSKAMP: Yes, it is.

HARRIS: Showing you 121 C. What is this here?

RUSKAMP: This is showing a top view or photograph of the boat as it was found.

HARRIS: When you say "as it was found," when you first approached the boat, do you see this green bag that's in the bow area of the boat?

RUSKAMP: I do.

HARRIS: Is that how the bag looked when you first got there?

RUSKAMP: Yes, it is.

HARRIS: Showing you 122 H, can you describe this for us.

RUSKAMP: This is a picture of a photographer standing with their back to the roll-up door looking into the actual warehouse.

HARRIS: And you can also see the boat to the left side of the photograph?

RUSKAMP: Correct.

HARRIS: Do you see that green bag again?

RUSKAMP: I do.

HARRIS: And is it in a moved position now?

RUSKAMP: It has been moved from its original position.

HARRIS: Who moved it to that position that it's in now?

RUSKAMP: I believe it's probably me.

HARRIS: Probably you?

RUSKAMP: I was searching it, so it was probably me that picked it out of the bow of the boat.

HARRIS: All right. Showing you quadruple E 1. Is this a slightly different view showing more of the boat and the bag and the jacket?

RUSKAMP: Yes, it is.

HARRIS: Going back to 121 C. You were indicating that you searched that particular green bag. I want to go through in a process. So you walk up to the boat, do you see this green bag in the bow?

RUSKAMP: I do, yes.

HARRIS: Is this, there's no scale up there to judge at this point in time, but is it a small bag, big bag?

RUSKAMP: I would estimate it as a very large duffle bag possibly as much as three feet long.

HARRIS: Do you remember what it's made out of?

RUSKAMP: It was a very durable plastic-type material. It wasn't canvas and it wasn't burlap, it was a very, very tough plastic-type material.

HARRIS: So you see the bag there in the front of the boat, what's, what do you start doing as you proceed with your search?

RUSKAMP: Since the bag was blocking most of the front of the boat, I could, it's just the first items that I actually picked up so I could have a better view of what was inside the bag.

HARRIS: So you pick up the green bag and you put it someplace?

RUSKAMP: On the actual edge of the boat, the bow of the boat.

HARRIS: Was it easier for you to work with it at that point in time?

RUSKAMP: It was because I could then see inside of the bag.

HARRIS: You opened the bag or was it already opened?

RUSKAMP: I don't recall if the bag was actually sealed completely. I know it had velcro across the edges, so part of it could have been sealed and part of it was not.

HARRIS: So you could see inside of the bag?

RUSKAMP: Partially at first until I actually opened it.

HARRIS: So you open it, you start to take things out or look inside?

RUSKAMP: Correct.

HARRIS: Tell us what you found.

RUSKAMP: On top was a camouflage jacket, a very large camouflage jacket. As I took it out, it, it got air or it expanded. Underneath that was a kind of a fisherman's jumpsuit, like a wader-type item. And I know there was several items in the bag as well.

HARRIS: Now the bag, was it, I mean, did you take everything out and photograph it or what did you do with the bag?

RUSKAMP: No, after I removed the jacket and I could see the fishing waders, everything was left in tact. I didn't search it any further than that.

HARRIS: Was the bag collected?

RUSKAMP: Yes, it was.

HARRIS: Was it assigned a particular number?

RUSKAMP: I believe it was, yes.

HARRIS: Do you happen to know that number?

RUSKAMP: I have to refer to my report for that number.

JUDGE: When you say "bag," do you mean the bag and contents?

HARRIS: The bag and contents. Did you write a report based on your search of the warehouse?

RUSKAMP: I did.

HARRIS: And if you were to look at that would that help refresh your recollection for that particular item?

RUSKAMP: It would.

GERAGOS: Bates number stamp you are referring to?

JUDGE: Bates stamp, do you know the Bates stamp number?

RUSKAMP: It would be, on the bottom is 2624.

HARRIS: Did you find that number?

RUSKAMP: Yes, I did.

HARRIS: And what was the number that was assigned to the bag?

RUSKAMP: No. 148.

HARRIS: And that number, that was for the bag and its content?

RUSKAMP: Correct.

HARRIS: Now in the later photographs that I was showing you with the camouflage jacket on top of the green bag, did you, after you started your search did you put the jacket back on the green bag?

RUSKAMP: Yeah, that's why I left it. After I removed the jacket, saw the waders and the other items, I just placed the jacket back on top, knowing that we were just going to collect the whole

bag.

HARRIS: Did you participate in the later search of the bag or was that done by another detective?

RUSKAMP: That was done by somebody else.

HARRIS: So other than what you described for us what was in the bag, you don't recall at this point in time anything else?

RUSKAMP: No, I don't.

HARRIS: Now at some point in time moving back to People's No.38, to the house, did you go back again to the Covena address?

RUSKAMP: Yes, I did.

HARRIS: And when was this?

RUSKAMP: That was February 18th.

HARRIS: Did you go back and participate in a second search warrant at the house on that date?

RUSKAMP: Yes, I did.

HARRIS: Were you given pretty much the same assignment as you had had at the house previously?

RUSKAMP: Yes.

HARRIS: Assigned to the nursery?

RUSKAMP: Assigned to the nursery and general search, correct.

HARRIS: And did you also have to do a diagram of that particular search?

RUSKAMP: Yes, I did.

HARRIS: Now, if you could go ahead and slide 55 out of the way so we can look at People's No. 38.MR. DAVID HARRIS: If I can have marked,

JUDGE: Next in order.

HARRIS: The next two exhibits.

JUDGE: 145 A and B.

HARRIS: Detective, I am going to show you first 145 A, which is a photograph, and 145 B, which is a floor plan. Have you look at those. Do you recognize those?

RUSKAMP: Yes, I do.

HARRIS: Now I want to walk you through this process. When you go back on February 18th, were you assigned, we already talked about pretty much the same thing. Did you go back in the nursery, do a search there?

RUSKAMP: Yes, I did.

HARRIS: As you get to the nursery and start to walk in, do you notice if there is anything different than when you had there on the 26th and 27th?

RUSKAMP: Yes, I did.

HARRIS: What did you notice different?

RUSKAMP: In the nursery there was previously a rocking chair in this direction here, area here, the crib against in wall here, the dresser here, now you could only enter the nursery just a few feet before you were stopped by a row of chairs.

HARRIS: What do you mean a row of chairs?

RUSKAMP: There were three different office-type chairs lined up in front of the closet in this area here as well as in front of the actual crib and on some of the chairs, some bedding, sheets and pillows and things like that.

HARRIS: Now let me go ahead and put up this photograph here, 145A. Does 145A depict some of what you're describing?

RUSKAMP: Yes.

HARRIS: It accurately depicts how you saw the nursery on February 18th?

RUSKAMP: It does.

HARRIS: Can you describe for us what we see in the photograph 145 A up there.

RUSKAMP: In front of the picture you see the original rocking chair next to a window. On top, on top of that chair is bedding and sheets, and beyond that would be the crib that was in the room.

HARRIS: And to the right, I know it's somewhat difficult to see how it's up there right now. To the right, is that one of those black chairs that you were referring to?

RUSKAMP: It certainly could be.

HARRIS: I'm going to have you look at it personally, have you just see.

RUSKAMP: Yes, I can see that one now, the chair.

HARRIS: Now the black chair that you see in the nursery as it's depicted in 145 A, had you seen similar chairs to that someplace else?

RUSKAMP: Yes, I did.

HARRIS: Where was that?

RUSKAMP: That was in the warehouse which we searched in December.

HARRIS: As part of the task of doing what you were doing on February 18th, did you again go through the house? I don't know if you took measurements again, but did you go room to room and document any differences between the furniture and how you had seen it back on the 26th and 27th?

RUSKAMP: Yes, I did.

HARRIS: Is that depicted in the diagram that you have in front of you, 145 B?

RUSKAMP: It is, yes.

HARRIS: We're looking at 145 B. Is this the second diagram that you prepared?

RUSKAMP: Yes, it is.

HARRIS: And does this depict how the house was or how you observed it in February?

RUSKAMP: Correct.

HARRIS: Now if you could go through, were there any differences that you observed besides the nursery?

RUSKAMP: Yes, there was.

HARRIS: What other differences did you notice?

RUSKAMP: In the bedroom in the upper right, not the master bedroom, you can see a couch against the wall on the left-hand side, that same couch was also at the office of the warehouse.

HARRIS: Hold on a second. What I'm going to try to do is put up 143, which is your December diagram and then we'll switch to the 145 B. So you're talking about the second bedroom which is that bedroom right there?

RUSKAMP: Correct.

HARRIS: And in December it had a bed in it?

RUSKAMP: That's correct.

HARRIS: And now you've drawn in February different?

RUSKAMP: Correct.

HARRIS: Did you find the bed from the second bedroom anywhere?

RUSKAMP: We found some mattresses that were in a different location. I assumed it was the same bed.

HARRIS: Where were these mattresses that you found?

RUSKAMP: They were against the dining room windows standing up.

HARRIS: Do you have that depicted in the diagram here where it says "mattress"?

RUSKAMP: Correct.

HARRIS: Or "mattresses"? Was there any other difference between the, that particular second bedroom from when you had seen it in December and how it was in February besides the bed being removed?

RUSKAMP: That was the primary difference.

HARRIS: What does this represent right there?

RUSKAMP: It appeared to be either a couch or a futon-type couch.

HARRIS: And had you seen this couch in the bedroom previously?

RUSKAMP: No, previously in this bedroom, no.

HARRIS: All right. Now looking at 143. Does this depict the nursery as you saw it back in December?

RUSKAMP: It does.

HARRIS: And moving to 145 B, does that depict the nursery how you saw it in February?

RUSKAMP: Yes, it does.

HARRIS: And do these represent those chairs that you were describing?

RUSKAMP: Yes, it does.

HARRIS: And in front of that there's an oval and it says "bedding on floor," what, what was that?

RUSKAMP: That was again sheets, pillow cases, a comforter, which I assumed was from the bed taken from the spare bedroom and piled very untidy.

HARRIS: Putting this back up. 145A. Is this the bedding that you're referring to?

RUSKAMP: That was part of it. There was also some that was actually on the floor in front of the crib.

HARRIS: Do you recall any other differences between the house other than really those two rooms?

RUSKAMP: Those are the primary changes. There were some minor furniture movements, chairs movements, but nothing significant.

HARRIS: Now later on the 18th did you also participate in another search warrant in a storage facility?

RUSKAMP: Yes, I did.

HARRIS: Where was that?

RUSKAMP: It was a source facility on Woodland Avenue.

HARRIS: And were you the scene manager or were you assigned just to assist in the search?

RUSKAMP: Just to assist.

HARRIS: Did you go to a particular storage locker or,

RUSKAMP: Yes, we did.

HARRIS: And your information was this was a unit of the defendant's?

RUSKAMP: That's correct.

HARRIS: Did you, was the search warrant served and you started looking inside?

RUSKAMP: Correct. It was sealed with a padlock when we got there.

HARRIS: When you went inside the storage facility there, did you see anything that you recognize?

RUSKAMP: Yes, I did.

HARRIS: What did you see?

RUSKAMP: There was a large amount of items which I recognized from the warehouse with the previous search warrant, as well as I observed a, the table saw which I believe was in the dining room on our first search warrant. It was now unwrapped out of its gift wrapping and a lot of items from the warehouse.

HARRIS: Now this table saw, you are saying it's unwrapped in its gift wrapping, was it open at this time?

RUSKAMP: It did not appear to be open, no, it still had the plastic straps on it.

HARRIS: When you say "plastic straps," those are the things that kind of keep the box from coming open?

RUSKAMP: A factory-type seal, right.

HARRIS: Now as part of your involvement with the searches on February 18th, were you also given some directions by Detective Grogan involving some financial records of the defendant's?

RUSKAMP: I was.

HARRIS: What did you do?

RUSKAMP: At the residence on Covena there was numerous tax-type paperwork found in the dining room. I was given that paperwork to have photocopied and then bring the originals back and left at the house.

HARRIS: Were photocopies made of all the financial records that were there?

RUSKAMP: Correct.

HARRIS: And the originals were returned to the defendant?

RUSKAMP: Yes.

HARRIS: And the Modesto Police Department kept copies?

RUSKAMP: Correct.

HARRIS: Now moving forward in time, did you become involved in this case again going out to the Bay Area to be involved in some bay searches?

RUSKAMP: Yes, I did.

HARRIS: Do you remember when it was you were involved in these bay searches?

RUSKAMP: They're on two occasions, one was in May and one was in September.

HARRIS: When you went out there were you a diver?

RUSKAMP: No.

HARRIS: Were you assigned to a boat to assist or to document anything that divers might have done?

RUSKAMP: Correct.

HARRIS: And as part of that was a log created for you to document what they had done?

RUSKAMP: Correct.

HARRIS: As part of this process did you have locations to go to?

RUSKAMP: On one of the occasions we did, yes.

HARRIS: Now let's talk about that. On that particular occasion, which date was that?

RUSKAMP: I believe it was the September dates.

HARRIS: So in September you had locations to go to, were these referred to by any descriptive way?

RUSKAMP: They were given an alphanumeric number which correlated to a GPS location.

HARRIS: So you were given specific GPS coordinates?

RUSKAMP: Correct.

HARRIS: Would your boat go to those coordinates?

RUSKAMP: It did, yes.

HARRIS: And when you got to those locations you had been told or advised that there something of these coordinates to go dive on?

RUSKAMP: Yes.

HARRIS: Did you see divers go into the water at those coordinates?

RUSKAMP: I did, yes.

HARRIS: And how many times did divers go into the water on coordinates where you were told things were at?

RUSKAMP: I believe 17 times.

HARRIS: And how many times did they come up with something?

RUSKAMP: I believe on three occasions they actually brought, I'm sorry, two occasions they actually brought something up and on two occasions they identified items which they had located.

HARRIS: So how many times were divers able to find the things that you were told to go look for at a particular location?

RUSKAMP: Four times.

HARRIS: The People have no other questions.

Cross Examination by Mark Geragos

GERAGOS: Detective, let me just start with the area that you marked here, right here. You said these were mattresses?

RUSKAMP: Correct.

GERAGOS: And what's that with the mattresses next to it?

RUSKAMP: It's blocking through a window.

GERAGOS: Would you say there were quite a few lookie-loos hanging out on the street at this point on February 18th?

RUSKAMP: I'm sorry, what's a lookie-loo?

GERAGOS: Were there people out front, were there media out front?

RUSKAMP: On the street, yes.

GERAGOS: Okay. Had this house been broken into approximately three weeks before that you're aware of?

HARRIS: Objection, beyond the scope of direct.

GERAGOS: How is that,

JUDGE: Overruled. Overruled. Overruled.

GERAGOS: This house had been broken into three weeks before, correct?

RUSKAMP: I didn't investigate that. That was my understanding, yes.

GERAGOS: Is this a picture of what the mattresses looked like when you went into the house?

RUSKAMP: I don't know if they've actually been moved or if that was the way we found them.

GERAGOS: Well, when you're taking pictures do you usually move the evidence around before you photograph it or do you just leave it in place first?

RUSKAMP: It's generally taken in place.

GERAGOS: In place. Because otherwise what would be the point of taking the pictures after you guys moved it, right? I'll mark this next in order it's a photograph taken on the 19th of April.

JUDGE: Quadruple TTTT.

GERAGOS: So, if I understand correctly, this right here is a window from the dining room. And if you look straight through there, this is the street over here?

RUSKAMP: Actually,

GERAGOS: And there's a fence right about there?

RUSKAMP: There's a courtyard, correct.

GERAGOS: Okay. Now, the picture that I've just marked as quadruple T, that's that window, right?

RUSKAMP: Correct.

GERAGOS: So somebody put some mattresses up, kind of looks like to block the window, doesn't it?

RUSKAMP: I don't know the purpose for that.

GERAGOS: Well, what do you think they were airing out the mattresses by the window, what do you think the purpose of that was?

RUSKAMP: I don't know.

HARRIS: Objection, relevance.

GERAGOS: Relevance?

JUDGE: Overruled.

GERAGOS: What do you think the purpose of the mattress and the box springs were up against the window?

JUDGE: Or do you have an opinion as to why.

GERAGOS: Do you have an opinion? You're a detective, right?

RUSKAMP: Yes, sir.

GERAGOS: Okay. Do you have an opinion as to why the mattress and the box springs are perfectly put up here against the window, do you have, can you hazard a guess as to why that might be up there?

RUSKAMP: It could be two theories.

GERAGOS: You've got two theories, is that what you said?

RUSKAMP: One could be to rest them until they could be taken out of the house.

GERAGOS: Okay.

RUSKAMP: And the other could be to block the view.

GERAGOS: Okay. And to block the view so the people may not be able to look inside the house?

RUSKAMP: I would assume so.

GERAGOS: Okay. Let me show you another picture that was taken that day.

JUDGE: Do you want to mark that TTTT?

GERAGOS: She's also beat you to UUUU.

JUDGE: Okay. It will be marked UUUU.

GERAGOS: Does that accurately represent what the street looked like in front of the house on that day?

RUSKAMP: I don't know the day of this picture, but there was a very, there was several days like that.

GERAGOS: Quite a little scene out there, wouldn't you say?

RUSKAMP: I'm sorry?

GERAGOS: Quite a little scene out there?

RUSKAMP: It was busy.

GERAGOS: I mean, you had a variety. I mean, there was more than five or ten media outlets that were out there, correct?

RUSKAMP: I believe so.

GERAGOS: There was at least 50 people, what I call lookie-loos, civilians that were out there on the street, wasn't there?

RUSKAMP: There was.

GERAGOS: Okay. And you had people broadcasting in the street while the search warrant is being executed, correct?

RUSKAMP: I believe so.

GERAGOS: And understand and remember that this house had been broken into at least once at that point afterwards, isn't that correct, between the time of Laci going missing and the execution of this second search warrant, correct?

RUSKAMP: That's my understanding.

GERAGOS: Okay. Now, the, when you go inside of the house there were photos taken fortunately all throughout the house, is that correct?

RUSKAMP: Yes.

GERAGOS: I am going to show you a series of photos. Tell me if these look familiar to you.

RUSKAMP: As I look at them or?

GERAGOS: I mean go through, if you recognize them, put them here, if you don't, put them over here. Safe to say all of these you recognize, these two, which, for the record, look like a series of Martha Stewart "Living" magazines, you don't recognize?

RUSKAMP: No, I don't.

GERAGOS: I'd like to mark this, judge, collectively as a set. I've got one.

JUDGE: VVVV. How many you got?

GERAGOS: I've got 12 photos here.

JUDGE: Okay. VVVV, 1 through 12.

GERAGOS: Now, the first three I'm going to show for the jury. The search team would go through the house, if I understand the way it operated, they would find items of interest, they would lay them out and then a photo would be taken, correct?

RUSKAMP: Correct.

GERAGOS: And this was done in order to demonstrate exactly what was going on inside the house. This is the schematic that you drew, which is 145 B. And the first photo I'll show you, which is VVVV.

JUDGE: You're talking about 218 now?

GERAGOS: Yes, on 218.

JUDGE: All right.

GERAGOS: This is VVVV 1.

GERAGOS:

GERAGOS: And just so the record's clear, what's up there, 145 B, that is on February 18th, correct?

RUSKAMP: That is correct.

GERAGOS: Okay. And then the pictures I just showed you were all February 18th as well, correct?

RUSKAMP: I don't know that for sure.

GERAGOS: You were there twice?

RUSKAMP: Correct.

GERAGOS: Okay. When it says, does February 18th would be Holmes, would that refresh your recollection as to whether these pictures were taken on the 18th of February by Community Service Officer Holmes at the house?

RUSKAMP: Not necessarily.

GERAGOS: Do you recognize where that photo was taken, which is quadruple V 1?

RUSKAMP: Yes.

GERAGOS: Okay. On the location, 145 B, is it safe to say that it was in here in this, right in here where my finger is?

RUSKAMP: It was right there, correct. In that room, correct.

GERAGOS: Okay. And I've got, that's makeup that's all in the drawer?

RUSKAMP: Appears to be.

GERAGOS: Now this next location right here we've got this photo, where was that taken?

RUSKAMP: That would have been in the area, the converted garage.

GERAGOS: Where this fireplace is right there?

RUSKAMP: Correct.

GERAGOS: Okay. And that's, I'm showing, I'm showing VVVV 3. Those are pictures of Scott and Laci?

RUSKAMP: It does appear to be, yes.

GERAGOS: Okay. And I'm going to show you quadruple V 2. You tell me where that was taken.

RUSKAMP: Just looking at the surrounding area, it looks as if it's on the counter in the sitting room of the room exiting the patio area.

GERAGOS: Sitting room would be right in here?

RUSKAMP: Correct.

GERAGOS: Okay. Another picture of Scott and Laci with a placard 57 on top of it, is that right?

RUSKAMP: Yes.

GERAGOS: Okay. And then we've got this photo here.

RUSKAMP: Yes.

GERAGOS: Do you recognize where that was taken from?

RUSKAMP: Again, the surrounding looks as if the converted garage area.

GERAGOS: Okay. Does it appear to be a wedding album or wedding picture there?

RUSKAMP: It appears to be.

GERAGOS: And what was contained in this box?

RUSKAMP: I don't know.

GERAGOS: Okay. How about this picture right here with the, what appears to be two robes.

RUSKAMP: That is the back of the bathroom door.

GERAGOS: And that would be right there?

RUSKAMP: Correct.

GERAGOS: Okay. These books, these cooking books?

RUSKAMP: There were, there was a small library in the spare bedroom and that's the style of that area. I don't know if those exactly came from there or not.

GERAGOS: Right in there?

RUSKAMP: Correct.

GERAGOS: Same as here?

RUSKAMP: Correct.

GERAGOS: How about this item right here?

RUSKAMP: That again appears to be to the converted garage area.

GERAGOS: Which would be right in here?

RUSKAMP: Right near the fireplace.

GERAGOS: Okay. Same thing with this picture here, which is quadruple V-10?

RUSKAMP: Appears to be the same, yes.

GERAGOS: All right. How about this picture, quadruple V-11?

RUSKAMP: Appears to be the same area.

GERAGOS: Quadruple V-12, that same area, it looks like it's by a door, is that right?

RUSKAMP: Correct, there is a door there.

GERAGOS: Now I am going to show you this last picture which looks like, my guess is between the shed and that converted garage area, is that correct?

RUSKAMP: That is correct.

GERAGOS: Okay. Did it appear to you as if a number of items were being stored there, and this is quadruple V-6. All of these items here, I assume when you went there on the 26th and the 27th you didn't see those there?

RUSKAMP: No, they were there.

GERAGOS: Huh?

RUSKAMP: They were there.

GERAGOS: On the 26th and 27th?

RUSKAMP: As I recall.

GERAGOS: As you recall these items were all here on the 26th and 27th?

RUSKAMP: I don't know about the boxes materials, but the chairs and the table.

GERAGOS: Okay. Now were you aware that there had been an incident at that time the warehouse sometime prior to this search warrant being executed and after the time that the search warrant, this search warrant was on February 18th, the second one that you were involved in, correct?

RUSKAMP: Of the house, correct.

GERAGOS: And you were involved in a search warrant both at the house and the warehouse on December 26th and December 27th?

RUSKAMP: Correct.

GERAGOS: Okay. Were you aware of an incident where a truck had rammed into the warehouse after the first search warrant?

RUSKAMP: No, I was aren't.

GERAGOS: You were never informed of that?

RUSKAMP: No.

GERAGOS: You have no knowledge of that?

RUSKAMP: No.

GERAGOS: Okay. Do you know, are you aware that the warehouse, the number of the items you had seen had been taken from the warehouse or had been put either in the storage area or at the house?

RUSKAMP: I did see that, yes.

GERAGOS: And were you aware whether or not Scott Peterson still had the warehouse when you executed this search warrant on February 18th?

RUSKAMP: I don't believe I did.

GERAGOS: Now, when you went into, can I have just one minute. Now you were also at the warehouse on, as I just indicated, on the 26th and 27th, right?

RUSKAMP: 27th.

GERAGOS: 27th only?

RUSKAMP: Correct.

GERAGOS: Okay. And you were dispatched to deal with the boat, at least initially, is that correct? line RUSKAMP: That is correct.

GERAGOS: Okay. And I'm going to show you what's been marked as quadruple E 6. Do you recognize that?

RUSKAMP: I do.

GERAGOS: Quadruple E 7, do you recognize that?

RUSKAMP: I do.

GERAGOS: Quadruple E 13, do you recognize that?

RUSKAMP: I do.

GERAGOS: And quadruple L, do you recognize that?

RUSKAMP: I do.

GERAGOS: Okay. Do all those fairly and accurately represent the warehouse when you were there on the 27th?

RUSKAMP: They do.

GERAGOS: Okay. And I think I misspoke, the 26th, if I remember correctly, the 26th, the warehouse location was frozen, meaning nobody could go in or out, but the search itself actually took place on the 27th, is that right?

RUSKAMP: That's correct.

GERAGOS: Okay. Now, the first photo I want to show you.

JUDGE: Mr. Geragos, while you're hunting for those, should we take the noon recess?

GERAGOS: That's fine, judge, because I'll sort out all these.

<recess>

GERAGOS: Can I have just one moment?

JUDGE: Yeah, of course. <pause>

GERAGOS: While I'm looking for some of those others, these that Mr. Harris just marked before lunch, do you recognize these two, 144 B and 144 A?

RUSKAMP: Yes, I do.

GERAGOS: And these were taken from the nursery area, is that correct?

RUSKAMP: The closet of the nursery.

GERAGOS: Closet of the nursery, right in here? Does this appear to be camping gear? That is 144 B? Is that what we would identify as camping gear?

RUSKAMP: The boots would be used for hiking. I'm not sure camping gear.

GERAGOS: Okay. Did you look inside that bag?

RUSKAMP: I'm sure that I did.

GERAGOS: Do you remember what was in there?

RUSKAMP: Not specifically.

GERAGOS: When you say the boots could be for hiking, you're talking about the boots that are on top of this bag, is that correct?

RUSKAMP: Yes.

GERAGOS: Those right there?

RUSKAMP: Yes.

GERAGOS: Did you, and do you have a report that would show you what was inside of the bag?

RUSKAMP: Only if the item was collected.

GERAGOS: You what?

RUSKAMP: If the item was collected, I would.

GERAGOS: Do you know if the item was collected?

RUSKAMP: I don't believe that it was.

GERAGOS: Okay. Now, the...you go over to the shop on the 27th, or the warehouse on the 27th, right?

RUSKAMP: That's correct.

GERAGOS: And when you're in the warehouse on the 27th, do you know, who did you go over there with? I assume you left the house, which is Covena, go to lunch, correct?

RUSKAMP: That sounds correct.

GERAGOS: Did you go to lunch with, who?

RUSKAMP: I don't recall who specifically ate lunch with me.

GERAGOS: Okay. And when you went to lunch. Did you then go straight from there over to the warehouse?

RUSKAMP: It seems that we went to our police station prior, just to verify we had supplies.

GERAGOS: Okay. And when you got to the warehouse, approximately what time was it?

RUSKAMP: It was in the afternoon. I don't have a specific time.

GERAGOS: Sometime after 2:30?

RUSKAMP: Could have been.

GERAGOS: And who was the, you said that there was a videographer that was in there first?

RUSKAMP: Correct.

GERAGOS: Okay. And then when, the videographer went in without you, is that correct?

RUSKAMP: Correct.

GERAGOS: And then the person who took pictures went in without you?

RUSKAMP: Correct.

GERAGOS: Then you went in after that?

RUSKAMP: At some point after that, yes.

GERAGOS: Okay. When you went in, was Skultety there?

RUSKAMP: I believe he was still at Covena. I'm not positive, though.

GERAGOS: Okay.

JUDGE: Excuse me. Can you get a little closer to the microphone?

RUSKAMP: Sure.

JUDGE: Because I think they're having a hard time hearing.

GERAGOS: How about Hendee?

RUSKAMP: Yes, Detective Hendee was there.

GERAGOS: How about Brocchini?

RUSKAMP: Not initially, no.

GERAGOS: Okay. When did Brocchini come?

RUSKAMP: It was after I had started my search.

GERAGOS: Inside of the boat?

RUSKAMP: Correct.

GERAGOS: Okay. Was the first place you went to search the boat?

RUSKAMP: That I searched, yes.

GERAGOS: Okay. When you first saw the boat, I'm going to show you 121 C. Does that represent how the boat looked?

RUSKAMP: Yes.

GERAGOS: Okay. And the, one of the reasons that you, I would assume, know that the boat looked that way is that at that point the green bag is down in here, correct?

RUSKAMP: In the bow, correct.

GERAGOS: Okay. You can see the anchor right there?

RUSKAMP: Yes.

GERAGOS: Okay. And there's no placards, yellow placards, right?

RUSKAMP: I don't see any of those, correct.

GERAGOS: Okay. And when you went in there to start searching, you didn't see any yellow placards, right?

RUSKAMP: Correct.

GERAGOS: Okay. And when you were searching, can you tell the jury what is it that you do? Do you go in there and itemize the things that you're looking for, or that you see?

RUSKAMP: You look for items on the search warrant, of course, and also items which may appear out of place or unusual.

GERAGOS: Okay. One of the first things you did I, if I understand from your direct testimony, is you take this bag out and you put it up here, is that correct?

RUSKAMP: That is correct.

GERAGOS: Okay. And you take it out and put it up there. We've got Quadruple L. Is that a photo that, after you've taken the bag out, opened the bag up, pulled out this camouflage jacket?

RUSKAMP: That's correct.

GERAGOS: Okay. And once again, we don't see any placards there, correct?

RUSKAMP: No.

GERAGOS: Is that right?

RUSKAMP: That's correct.

GERAGOS: Okay. Is it fair to say that you do your search before the placards get put up?

RUSKAMP: Yes.

GERAGOS: Okay. The next picture I've got has been marked as Quadruple E. Now, it looks like this camouflage jacket, which in Quadruple L is up on top of the bag, is now inside of the boat, is that correct?

RUSKAMP: It could still partially be on the bag.

GERAGOS: Well, let me show you the, do you think that that jacket there on that end of the boat is now all the way going down into the boat? I've got, just so the record's clear, I've got kind of a split screen here of the jacket on top of the bag, and then this looks like some water. That's at the lowest part of the boat, is that correct?

RUSKAMP: The water is the lowest part, that's correct.

GERAGOS: All right. And then there's also, it looks like in this picture, right here there's an oar, is that right?

RUSKAMP: Correct.

GERAGOS: Okay. And that's also, the jacket appear to you at least to, a portion of it to be down almost at the lowest part of the boat?

RUSKAMP: Could be, sure.

GERAGOS: Okay. There's another picture I've got, which is Quadruple E 1, is another picture of I guess just a slightly different angle. We still don't see any placards anywhere there, do we?

RUSKAMP: I don't, no.

GERAGOS: And the jacket appears at this point to be clearly up at the top portion of the, on top of this bag, right?

RUSKAMP: On the bow of the boat, correct.

GERAGOS: Okay. The portion, can you tell me was it here or here? This is a bench seat that this gas tank or gas canister is on, is that right?

RUSKAMP: Yes.

GERAGOS: Okay. Now, that picture that I just showed where the camouflage jacket looks like it's in the inside of the boat, remember that one? That would be down here. I've got, let me show you. Does it look like this picture represents where that water was in the bottom of the boat?

RUSKAMP: It does, yes.

GERAGOS: Okay. I want to mark this as next in order.

JUDGE: Okay. That's four Ws. So we marked WWWW as one photograph.

GERAGOS: Okay. Now, the, it looks like here that green bag and the camouflage jacket have been taken completely out of the boat, right?

RUSKAMP: That is correct.

GERAGOS: Okay. And the water area that we were looking at right here, and that's in Quadruple E 7, does that appear to be one and the same with the water that, that's Detective Skultety leaning over into the boat, right?

RUSKAMP: Right. This was taken on a different day.

GERAGOS: Okay. Is that several days later?

RUSKAMP: At least one day later.

GERAGOS: Okay. Now, is this photo, just for, to get the bearings, is that a accurate rendition of where that water is on this photo here? Just a different angle, so to speak, and you can see where the boat, the tip of the boat is?

RUSKAMP: It appears to be relative.

GERAGOS: Now, the, how did the jacket, by the way, get down into the boat like that?

JUDGE: If you know.

RUSKAMP: I don't know the sequence of when these photographs were taken, so I'm not sure at what point this was taken.

GERAGOS: Okay. Fair to say, though, at that point the jacket's inside of the boat, and we still don't, you don't see any placards up?

RUSKAMP: I still don't see placards, that's correct.

GERAGOS: Okay. Now, I'm going to show you Quadruple E 4. This is when they start going into the boat and putting, or at least it looks like they've already put the placards on it, is that correct?

RUSKAMP: Correct.

GERAGOS: And as the placards indicate, there is a, something that's marked 47, then there's something that's marked 44, which is a pliers, is that right? Did you see a pliers when you went through and searched this boat?

RUSKAMP: I had not gotten that far back in the boat before they were found.

GERAGOS: Okay. Was somebody else in the boat when you were searching the boat?

RUSKAMP: There were a couple different people searched the boat.

GERAGOS: Who was in the boat when you were searching the boat? I mean we know, we've heard testimony, let me see if this refreshes your recollection. Dodge Hendee in the boat?

RUSKAMP: He's the only person I could think of that would have been. I don't know anybody else that would have been.

GERAGOS: Okay. You said there was several people in the boat?

RUSKAMP: No, around the boat. Searched the boat.

GERAGOS: Around the boat. Who else was around the boat? Was Brocchini around the boat?

RUSKAMP: I don't remember seeing him around the boat.

GERAGOS: Okay. How about this picture here, which is Quadruple E 6. The placards are now put there. And it looks to me like the placard is put on and that somebody's put the camouflage coat that we saw outside, in Quadruple E 7 and Quadruple L, that coat has now made its way back into the duffel bag, is that correct?

RUSKAMP: That appears correct.

GERAGOS: Okay. Do you remember, do you remember who did that?

RUSKAMP: The placing of the jacket back in the bag?

GERAGOS: Yeah, it appears at least, tell me if this is incorrect, when you go there you've got the boat, and the duffel bag is, when, this little X is for water, there's a green duffel bag right in there, correct?

RUSKAMP: That's correct.

GERAGOS: Okay. Here's the boat, right?

RUSKAMP: That's correct.

GERAGOS: The entire boat. Now, the, somebody takes the duffel bag up and puts it on the corner of the boat, right?

RUSKAMP: That's correct.

GERAGOS: Somebody opens it up and pulls out the camouflage jacket, correct?

RUSKAMP: That's correct.

GERAGOS: The camouflage jacket, at least partially, at least from the picture, makes it way back into the bottom of the boat, correct?

RUSKAMP: I don't believe the bottom of the boat. I believe it was hanging on the side of the boat.

GERAGOS: As represented by Quadruple E 9, do you see, let's see. If this is the absolute bottom of the boat right here, how far away would you say the end of it is? Five inches? Six inches?

RUSKAMP: If I had to guess, six or seven inches.

GERAGOS: Okay. So the coat somehow gets pulled out of the green duffel bag, gets pulled out of the green duffel bag itself, it somehow makes itself within six inches of the bottom of the boat, or seven inches within the bottom of the boat, and then somebody at some point puts the camouflage jacket back into the duffel bag and puts it on the tip of the boat, is that correct?

RUSKAMP: That's correct.

GERAGOS: Okay. Was that somebody you?

RUSKAMP: I don't recall.

GERAGOS: Did you see anybody else moving it around?

RUSKAMP: It would have been Detective Hendee, most likely, since he was the crime scene manager.

GERAGOS: Okay. Now, the items that were found in the boat, which, which were you responsible for, do you know?

RUSKAMP: Item 48, or section 148, the bag.

GERAGOS: Okay.

RUSKAMP: As well as the liquid at the bow of the boat.

GERAGOS: The water?

RUSKAMP: Correct.

GERAGOS: Okay. Did you prepare a report in connection with this?

RUSKAMP: I did.

GERAGOS: Okay. Do you have that report in front of you?

RUSKAMP: I do.

GERAGOS: Okay. Would you tell me what items you listed as having found?

RUSKAMP: The actual evidence items is number 148, which is the green duffel bag.

GERAGOS: Right. What Bates number stamp?

RUSKAMP: 2624.

GERAGOS: Okay. So you find the duffel bag that's there in the front, right?

RUSKAMP: Correct.

GERAGOS: What else do you find?

RUSKAMP: And also the liquid at the bottom of the boat.

GERAGOS: Which is the, is where the water, says "water" right here?

RUSKAMP: Correct.

GERAGOS: Okay. And the camouflage item is also in the front of that boat?

RUSKAMP: Within the bag, correct.

GERAGOS: Okay. Now, this middle area here that I'm pointing to, is that where the, the anchor and pliers are, and the tackle box?

RUSKAMP: I don't know if they're in the actual, yeah, I believe they probably are in the middle.

GERAGOS: Could you go up to the board and mark on People's 55 with a red pen as to where, what the judge has asked, and I think it's a good idea, is just draw, make an X where the item was originally found, and then put it off and just put "duffel bag," and then we're going to itemize where the other items were okay?

HARRIS: I'm going to object to that. The question was asking him where it was originally found, and he hasn't indicated that he was the one that originally found any of those items.

GERAGOS: Saw it.

JUDGE: How about when you originally saw it? Do you remember where it was when you originally saw it? Put and X on the diagram, draw a line out to the margin, and put D B 1 for duffel bag.

GERAGOS: Okay. Now, the, the, can you mark where you saw the anchor in the boat?

JUDGE: Do it the same way, Detective. Put an X, a line out, write "anchor."

RUSKAMP: I honestly don't recall if it was in the front section of the boat or back section of the boat, without seeing the picture.

GERAGOS: Okay. And the, and the, there's a little seat area that you can just see the end of the seat on 141? Do you see that? Can you mark where that is? You would be marking what I've got just the edge right here on 141 of where that seat is. 141A. And the toolbox, can you put where that was as well? Do you remember?

RUSKAMP: The tackle box?

GERAGOS: Do you remember seeing the tackle box?

RUSKAMP: Again, I don't recall if it was in the front open section or the back.

GERAGOS: Does this look, this is Quadruple M. Does that refresh your recollection as to where the tackle box and the anchor was?

RUSKAMP: From that picture it appears to be the middle.

GERAGOS: Which would be right where you've got the little, the X that you just drew out?

RUSKAMP: It would be in the middle here.

GERAGOS: Right. Can you mark that?

RUSKAMP: And also the tackle box?

GERAGOS: Yes, please. Okay. Now I'm going to show you one other picture. It may have already been marked. I apologize, your Honor, but I'm going to mark it again. Do you recognize that?

RUSKAMP: Fishing pole.

GERAGOS: And was that placed over the boat like that that evening?

RUSKAMP: What are you meaning, "placed over the boat"?

GERAGOS: Well, it appears that the pole itself is leaning on top of the boat, is that correct?

RUSKAMP: It's over the top of the boat. It isn't actually touching the boat, though.

GERAGOS: Okay. Do you know how, how it was suspended in the air?

RUSKAMP: I can only assume somebody is holding it.

GERAGOS: Okay. Did you, did you have any connection to that? Did you either hold the pole or was standing there when somebody did it?

RUSKAMP: I don't believe I did.

GERAGOS: Okay. I'm not going to mark it, Judge. I'll wait.

JUDGE: Okay. I think it's been marked before. I'm trying to find out which number it is.

GERAGOS: And then I'll ask you to take a look at Triple E 4. Is this how the boat looked that evening that you were in there, or that late afternoon after the placards were put up?

RUSKAMP: You're asking after the placards were put up?

GERAGOS: After the placards were put up.

RUSKAMP: That appears correct.

GERAGOS: Okay. And at that point the pliers were out on top of the bench?

RUSKAMP: Correct.

GERAGOS: At this point the pliers are on top of the bench again? This is from the opposite angle?

RUSKAMP: Correct.

GERAGOS: Okay. And maybe a little bit clearer here, but it looks like there's a fishing pole that comes across here, correct?

RUSKAMP: Correct.

GERAGOS: And there's a red rope that's right here? Do you see that?

RUSKAMP: I don't know what color it is, but there's a rope.

GERAGOS: Okay. A glove right here?

RUSKAMP: There is.

GERAGOS: Right there?

RUSKAMP: Correct.

GERAGOS: Okay. All of these items were there like that that day when you came in there? When you looked at the boat?

RUSKAMP: The metal object, 45, is closer to the location it was originally at.

GERAGOS: It's closer now in the picture?

RUSKAMP: Correct.

GERAGOS: Okay. And were you there when 120 A, this photograph, was taken?

RUSKAMP: Yes, I was.

GERAGOS: And who else was present when that photograph was taken?

RUSKAMP: The photographer and Detective Hendee.

GERAGOS: Who else?

RUSKAMP: Detective House would have been somewhere. I don't know if he was directly there or not.

GERAGOS: And was there a, did you know at that point that there was a hair that was on the pliers?

RUSKAMP: I did hear someone mention that, yes.

GERAGOS: And you heard it then at the time? In real time you heard, while this photograph is being taken, I've got a hair in the pliers, we're going to photograph it? Something to that effect?

RUSKAMP: Yes. Yes.

GERAGOS: Do you remember who that was that told you that?

RUSKAMP: Again, I believe it was Detective Hendee.

GERAGOS: Okay. Do you know who else was around?

RUSKAMP: I think it was Denise Ducot, the photographer.

GERAGOS: Okay. How about other detectives?

RUSKAMP: Detective House, Detective Coyle.

GERAGOS: House and Coyle?

RUSKAMP: Correct.

JUDGE: Mr. Geragos, the, the boat and the rods and the tire and the rods were marked 121 A and B, in case for reference.

GERAGOS: Thank you, your Honor. What other items were contained in the duffel bag? Did you itemize them?

RUSKAMP: I did not, no.

GERAGOS: Excuse me?

RUSKAMP: I did not, no.

GERAGOS: Okay. And when you took them out, were you looking, for instance, if you take out the camouflage jacket and put it down, were you then pulling out the other items as well to see what was there?

RUSKAMP: The jacket's really the only item that I had pulled out. Then I could see additional items within the bag.

GERAGOS: Okay. Then after you had pulled that out, at some point then, that's when you, these photographs with the placards was taken, is that correct?

RUSKAMP: That's correct.

GERAGOS: Okay. The, now, on 2/18, February 18th, you went to the house, we established, correct?

RUSKAMP: That's correct.

GERAGOS: And at that point you went searching for chicken wire, is that correct? One of the things you did was to search for chicken wire?

RUSKAMP: You're asking me specifically if I searched for that?

GERAGOS: Yeah. Did you do a chicken wire search? Did you search the area in the backyard for some chicken wire?

RUSKAMP: I know there was some comments about chicken wire, but I didn't specifically locate any or see any.

GERAGOS: So you didn't, you, as far as you know, you didn't see any or there wasn't any chicken wire that you found on the 2/18 search?

RUSKAMP: Nothing that I found, no.

GERAGOS: Okay. The documents that you transported, I think that were characterized by Mr. Harris as financial documents, the, where did you obtain those from?

RUSKAMP: I believe they were taken from the dining room, under the dining room table.

GERAGOS: And that was at the house?

RUSKAMP: Correct.

GERAGOS: Now, at the, you signed some affidavits for search warrants, is that correct?

HARRIS: Objection. Beyond the scope of direct.

JUDGE: Sustained.

GERAGOS: Specifically did you have information, after your search on the 26th and 27th on the house and on the warehouse, that caused you to fill out some affidavits?

HARRIS: Objection. That's beyond the scope of direct.

JUDGE: I think so. We're not going to get in,

GERAGOS: I was going to ask if it was based on what he did on the searches.

JUDGE: Okay.

GERAGOS: If I go too far afield,

JUDGE: In that context, go ahead. We're not going to get into that.

GERAGOS: Did you, based on the information that you had on the, in connection with the 26th and 27th, did you fill out some affidavits for search warrants?

RUSKAMP: Not based on anything I'd done, no.

GERAGOS: You didn't, you didn't, you filled out an affidavit, you're saying, that had nothing to do with the search on the 26th and the 27th?

RUSKAMP: You asked the stuff that I did. The affidavit contained nothing that I did.

GERAGOS: Well, you signed an affidavit under penalty of perjury on January 7th, correct?

RUSKAMP: That's correct.

GERAGOS: Okay. Was part of the information that you used based upon the search warrant that was executed that you were a part of on the 26th and the 27th of December?

HARRIS: Objection. Vague and goes beyond the scope of direct.

JUDGE: Well, I think it does because we're not, we're not going to get into the affidavit for the search warrants now, okay?

GERAGOS: If he, I'll just recall him, then, as a witness, if that's what he wants.

JUDGE: If you want to. If you want to.

GERAGOS: I don't know why we're wasting the time.

JUDGE: Well, there's an objection to it, so I'm sustaining it.

GERAGOS: I know.

GERAGOS: The statement of probable cause that you filled out in your affidavit for a search warrant, do you remember doing that?

HARRIS: Same ground. Objection.

GERAGOS: I think that there's a different grounds that he can do it. I don't want to do it as a speaking objection, but he's filled out multiple affidavits.

JUDGE: Okay. I don't know where we're going with this, because it's beyond the scope of the direct.

GERAGOS: Right.

JUDGE: So,

GERAGOS: And my, my inclination is, rather than to have him, call him back, for things that I could do in five or ten minutes, at the end of this trial, I'll try and get through it. If they want to object,

JUDGE: If there's an objection,

GERAGOS: I have no further questions. Just extend this.

Redirect Examination by David Harris

HARRIS: Detective, you were asked about the chicken wire, just to go through this, on 2/18. Was your assignment to look for chicken wire? Or was it to document in the diagram where any trees might be?

RUSKAMP: It was to document the location of, of bushes and trees within the backyard and front yard.

HARRIS: And did you do so?

RUSKAMP: I did.

HARRIS: Now, you were asked, I want to go back through some of these, the photographs that you were shown about the jacket. When you go in, the first thing you start looking at is the bow of the boat?

RUSKAMP: That is correct.

HARRIS: And you've already described for us the photograph where the green bag is down in the bow.

RUSKAMP: That's correct.

HARRIS: And you told us that that green bag was eventually collected, and that was item number 148?

RUSKAMP: That's correct.

HARRIS: And you also just answered to Mr. Geragos that there was a, some, pool of water, and he showed you several photographs of the water that was underneath the green bag?

RUSKAMP: That's right.

HARRIS: Going through the sequence of events, you told us you took the green bag out, is that right?

RUSKAMP: That's correct.

HARRIS: Did you collect a sample from the, from the bottom of the boat, the bow area that he showed you in the photographs already?

RUSKAMP: Yes, I did.

HARRIS: How did you do that?

RUSKAMP: I obtained a sealed cup from our identification van, dipped it in the liquid, and then resealed it and placed an evidence tag on it.

HARRIS: And when you placed an evidence tag on it, what number did it get? If you would look at your report to refresh your recollection.

RUSKAMP: I would have to verify the number. It was given evidence item number 142.

HARRIS: So the water that you found after you found the green bag was given a placard number before the green bag placard?

RUSKAMP: Correct.

HARRIS: Now, you were saying that there were other detectives around. Just, again, so there's no ambiguity about this. When you heard the statement from whoever it was about the hair, do you remember who it was specifically that made the statement about finding the hair?

RUSKAMP: I believe it was Detective Hendee.

HARRIS: And you were asked who else was around, and you were saying these other people might have been. Did you look at Detective Hendee at that time?

RUSKAMP: I did look where he was standing, and I could see the pliers in his hands.

HARRIS: And you indicated that he was there, you indicated that the photographer was there. Who was that?

RUSKAMP: I believe it was Denise Ducot.

HARRIS: Did you look around immediately to see if there was anyone else around at that time?

RUSKAMP: Not standing next to him. I didn't look.

HARRIS: Now, do you know if other people were still in the warehouse at that time?

RUSKAMP: Yes.

HARRIS: Those individuals were not in the general vicinity at that time, though, from what you recall?

RUSKAMP: I don't recall them standing immediately next to him.

HARRIS: Now, you were asked how, I'm just going to get to it, how did that camouflage jacket get down to the bottom of the boat, I think was the question being asked. This camouflage jacket, what type of jacket was that?

RUSKAMP: The material?

HARRIS: Yes.

RUSKAMP: It was a, sort of a rain-type jacket that would shed water. Kind of a canvas hunting-type jacket, I would, I would suppose.

HARRIS: Now, you indicated before when you took it out of the green bag, the green bag was somewhat collapsed and then the jacket kind of got bigger. Have you ever seen jackets do that before?

RUSKAMP: Especially down-type jackets, when they aerate, they tend to fluff up.

HARRIS: Was this jacket similar to that?

RUSKAMP: The reaction. I don't know if it was a down jacket, though.

HARRIS: When you say,

RUSKAMP: The way it fluffed up, it was like that. I don't know if it was a down jacket.

HARRIS: So you take the jacket out of the bag, it fluffs up, or aerates, you put it on top of the bag or side of the boat while you're doing your examination?

RUSKAMP: That's correct.

HARRIS: Did you keep track of when, when Ms. Ducot was taking pictures or not?

RUSKAMP: No.

HARRIS: Now, you were asked about this sample being collected by someone else. Let's see if I can find it in here. Do you have the photograph of Skultety?

GERAGOS: I marked it. It's right there.

HARRIS: I'm going to put back up this particular photograph. Who is the individual in this photograph? And that's Triple, or Quadruple W.

RUSKAMP: That's Detective Skultety.

HARRIS: And looking at the bow of the boat, I'm going to point something out to you. This particular item right there, what is that?

RUSKAMP: It appears to be an evidence tag.

HARRIS: And is that a tag that's assigned to, or affixed to property after it's collected and seized?

RUSKAMP: Larger items, yes.

HARRIS: Was this boat one of the larger items?

RUSKAMP: It was.

HARRIS: Showing you another photograph that you were looking at, 121 C, this is before placards, this is before the boat was taken out of the warehouse?

RUSKAMP: That's correct.

HARRIS: Do you see that same tag anywhere in the bow of the boat?

RUSKAMP: No, I don't.

HARRIS: Do you see the green bag in the original position that you saw it?

RUSKAMP: It is, yes.

HARRIS: Again, so that we're, we're clear in terms of the compartments, you see up in the diagram that you were marking on, People's 55, the different sections. The red seat that we're seeing in the photograph up here, 121 C, does that photograph depict where you had marked the little X there where it says "seat"?

RUSKAMP: I believe it does.

HARRIS: And then behind it, looking to the lower right of this particular photograph, 121 C, do you see the anchor?

RUSKAMP: I do see it in the picture, yes.

HARRIS: And did you put, draw the approximate location of where the anchor was,

RUSKAMP: Yes, I did.

HARRIS: on People's number 55?

RUSKAMP: Yes.

HARRIS: Does that represent approximately the same location as you saw it, both in the photograph, in person, and how you've written it up on the board?

RUSKAMP: Yes.

HARRIS: No other questions.

Recross Examination by Mark Geragos

GERAGOS: The, I neglected one thing. You found a PVC plastic apparatus on the trailer top, is that correct? Or somebody found one and directed you to test it for, because there was some stains on it?

RUSKAMP: I believe that's correct.

GERAGOS: And you tested it with one of those McPhail Reagent blood tests?

RUSKAMP: A reagent test, yes.

GERAGOS: Okay. What were the results? I refer you to 2214, if you want to refresh your recollection.

HARRIS: If we could direct the detective to Detective Hendee's report, if he has it.

GERAGOS: I'll just show him.

GERAGOS: It's in the yellow highlight. See if that refreshes your recollection.

RUSKAMP: Okay.

GERAGOS: Okay. That would be some items that were on the trailer, an item that was on the trailer next to this, this trailer right here, is that correct?

RUSKAMP: No. I believe it was the fishing pole holders that were actually on the boat.

GERAGOS: It says a PVC plastic apparatus. Was that actually in the boat?

RUSKAMP: I believe there's two of them on the boat.

GERAGOS: Okay. Can you mark where those were? Could you draw them out so it's in the margin, line out to the margin? Okay. Can you put, the blood test came back negative, correct?

RUSKAMP: That's what the report says. I didn't recall.

GERAGOS: You don't recall as you sit here?

RUSKAMP: I didn't recall prior to reading it, no.

GERAGOS: Okay. After you've read it, does that refresh your recollection that the blood test came back negative?

RUSKAMP: Just reading it. It said negative. I didn't recall it otherwise.

GERAGOS: Okay. If I could have just one second, your Honor. <pause> When I, this morning did I ask you if you had looked in the storage shed area? Do you know where the storage shed is?

RUSKAMP: Speaking of the wood shed at the house?

GERAGOS: Yes.

JUDGE: I think you did.

GERAGOS: Yeah.

GERAGOS: And did you, didn't you tell me this morning that you had not gone into the storage shed area?

RUSKAMP: I did not thoroughly search it. I did step inside of it.

GERAGOS: What do you mean you stepped inside of it?

RUSKAMP: Just so that I could see towards the back of the shed.

GERAGOS: Is that right here, what I've got marked as 145 B?

RUSKAMP: Correct.

GERAGOS: Well, I'm looking at a report of yours. Do you have 1692?

RUSKAMP: The shed that this is speaking about is the one on Woodland Avenue.

GERAGOS: The one where?

RUSKAMP: Woodland Avenue.

GERAGOS: Woodland Avenue?

RUSKAMP: Correct. The public storage shed.

GERAGOS: The wooden shed is Woodland Avenue? Don't you put in here that the same duffel bag was in the wooden shed in the Peterson's backyard on the prior search?

RUSKAMP: Okay. I didn't read that far down.

GERAGOS: Okay. So you did search the shed on the 26th and the 27th, isn't that correct?

RUSKAMP: Not a typical search. I did recall seeing this same bag.

GERAGOS: Well, when you say "not a typical search," the, if I understand correctly, you knew that there was a blanket, bottles, what was contained in the bottles, that's a pretty good search, isn't it?

RUSKAMP: Once it was taken from the shed I did search the bag itself.

GERAGOS: Well, you searched, you didn't really search the shed, you looked in the shed, you saw something, you got out of the shed, and then you searched it? And that wasn't a search this morning when we talked about this?

RUSKAMP: No. When I looked in the shed I was just looking for, I don't know what I was looking for, but you couldn't see to the very back of it because it was dark. At some point this bag, duffel bag, was taken out of the shed. I'm not sure who took it out. And it was set on a table. It was at that point that I did search the bag.

GERAGOS: Okay. So is it fair to say that you were mistaken this morning when you said you didn't search the shed?

RUSKAMP: I don't believe so.

GERAGOS: Okay. Is it fair to say that it was mistaken just now, until I showed you a report that said that, that it was Woodland Avenue? Is that a fair statement?

RUSKAMP: Well, both are listed on the same page.

GERAGOS: That isn't the answer to my question. I'm just asking, were you mistaken?

RUSKAMP: If that's a mistake.

GERAGOS: Well, let me just see if I've got this right.You made a special notation in your report that, when you searched the storage location on Woodland Avenue, that you located the green duffel bag, right?

RUSKAMP: Correct.

GERAGOS: Okay. So we understand this, that's a search that takes place on February 18th, right?

RUSKAMP: Right.

GERAGOS: You then say that you remember, in your report, this same duffel bag and having seen it back at a prior search, correct?

RUSKAMP: That's correct.

GERAGOS: And this prior search, and you refer to it, you say, you use the word: I saw this same, I previously saw the same duffel bag in the wooden shed in the Petersons' backyard on the prior search warrant, right?

RUSKAMP: That's correct.

GERAGOS: Okay. And then you then identify everything that was in it: Blanket, two plastic bottles, one was a water bottle, the other a fruit-type drink, the fruit one being empty, the water bottle was approximately half full, also in this backpack was a two-day fishing permit, which was marked as evidence and taken, now the backpack was,

JUDGE: Mr. Geragos, I don't know if the court reporter can write that fast.

GERAGOS: She's never been shy at telling me to slow down.

JUDGE: All right.

GERAGOS: The, all that stuff you put down, right?

RUSKAMP: That's correct.

GERAGOS: Okay. But when I'm asking you about this you didn't remember this search?

HARRIS: Objection. Misstates his testimony. He said,

JUDGE: Well, I think it's argumentative. He said he took it out of the shed and then he opened the duffel bag and then he looked through it.

GERAGOS: No, he said it somehow got out of the shed.

JUDGE: Well,

GERAGOS: He just stepped in to look around.

JUDGE: You, you looked in, you saw the duffel bag. As I understand your testimony, you don't have any recollection of how it got out of there, but you ended up with the duffel bag somewhere else and you looked through it?

RUSKAMP: That's correct.

JUDGE: That's what happened?

RUSKAMP: That's correct.

JUDGE: How it got from A to B, you don't know?

RUSKAMP: I don't.

GERAGOS: Do you remember how you got from A to B?

HARRIS: Objection. Argumentative.

JUDGE: Sustained.

GERAGOS: No further questions.

2nd Redirect Examination by David Harris

HARRIS: Detective, the green bag that we're talking about, is that the same bag from the boat?

RUSKAMP: No. I believe in my report it says the word "duffel" bag when it's actually like a day pack or backpack, that's gray in color.

HARRIS: Now, there were, counsel was saying, or he was asking you, because you saw something and you made a mental note of it, it was a search. Did you already tell us that when you went back to the house on February 18th, when you saw some chairs there, that you had seen those at the shop previously?

RUSKAMP: Yes.

HARRIS: Now, did you search the office portion of the warehouse back on December 27th?

RUSKAMP: No, I didn't.

HARRIS: So you didn't search those chairs?

RUSKAMP: Correct.

HARRIS: But you recognized them because you saw them there?

RUSKAMP: That's right.

HARRIS: Now, when you had gone in and looked in the shed, you had seen this pack, whatever it was, either a backpack or day pack or bag, or whatever it was?

RUSKAMP: I don't recall if I'd actually seen it in the shed, or at some point it was taken out and that's when I first saw it.

HARRIS: Then when you go to the warehouse, not the warehouse, the storage facility, on February 18th, you see the same bag in the storage facility?

RUSKAMP: That's right.

HARRIS: If I could have marked two photographs.

JUDGE: 146 A and B.

GERAGOS: 146, Judge?

JUDGE: Yep. A and B.

HARRIS: Detective, let me show you two photographs, 146 A and B. Have you look at those real quick.

RUSKAMP: Okay.

HARRIS: Do you recognize those?

RUSKAMP: I do.

HARRIS: Are these photographs from the storage shed that you served the search warrant on on February 18th?

RUSKAMP: Yeah.

HARRIS: Looking at 146 A, does that depict standing in the doorway, looking into the shed?

RUSKAMP: It does.

HARRIS: Do you recognize anything in there that you had seen elsewhere?

JUDGE: He said "shed." Is this the storage area?

HARRIS: The storage shed. The storage.

JUDGE: Is this the area on Woodland?

HARRIS: Yes.

JUDGE: Okay. You called it a shed. I want to make sure the jury knows we're not talking about, this is the, this is the storage shed that's on Woodland, right? That you went to later?

RUSKAMP: That's correct.

JUDGE: Okay. All right.

HARRIS: Do you recognize anything in this photograph that you had seen elsewhere?

RUSKAMP: Yes, I do.

HARRIS: 146 B, another photograph. Do you recognize anything there?

RUSKAMP: Yes, I do. At the bottom of the picture you can see an air compressor that was actually next to the boat in the warehouse.

HARRIS: Let's go back to the previous more full-scale picture, 146 A. Is that this particular item you were referring to here at the bottom?

RUSKAMP: That's correct.

HARRIS: And you described for us before you had seen that table saw. Do you see that depicted in this photograph?

RUSKAMP: I do. It's just to the right of the air compressor.

HARRIS: That would, would be this box right here, with the,

RUSKAMP: That's correct.

HARRIS: white straps around it?

RUSKAMP: That's correct.

HARRIS: To the right of that, are those filing cabinets?

RUSKAMP: It's the file cabinets, correct.

HARRIS: Had you seen those before?

RUSKAMP: I believe I saw those in the warehouse office.

HARRIS: If I could have marked three other photographs.

JUDGE: 147 A, B and C.

GERAGOS: All of this exceeds the scope of re-cross, but in an effort to try to speed things along here, I will not make that objection.

JUDGE: I appreciate that, Mr. Geragos, and you can cross-examine him all about this, too.

GERAGOS: Exactly. Now we can just elongate this.

HARRIS: Detective, showing you 147 A, B and C, would you look at these and tell me if you recognize them?

RUSKAMP: Yes, I do.

HARRIS: Do these accurately depict the items that are portrayed in these photographs?

RUSKAMP: It depicts the rooms, yes.

HARRIS: All right. Putting up 147 A, you've already described for us the black chairs. Is this a photograph of the black chairs in the nursery on February 18?

RUSKAMP: It is, yes.

HARRIS: And these are the same chairs that you had seen in the warehouse on December 27th?

RUSKAMP: At least one of the chairs for sure I saw in the office on the 27th.

HARRIS: All right. 147 B, is this the spare bedroom or the second bedroom on February 18th?

RUSKAMP: Yes, it is.

HARRIS: And to the left side of the photograph here, is that some kind of couch?

RUSKAMP: It is a couch which I had previously seen in the office at the warehouse.

HARRIS: 147 C, is this another photograph of the same couch on February 18th?

RUSKAMP: Yes, it is.

HARRIS: Is that the couch you were referring to you had seen in the warehouse on December 27th?

RUSKAMP: That's correct.

HARRIS: I have no other questions.

2nd Recross Examination by Mark Geragos

GERAGOS: You know that present that was apparently unwrapped that they showed you in the storage shed on Woodland, do you remember that?

RUSKAMP: Referring to the table saw?

GERAGOS: Yeah. This one right here. 146 B, is this the one, that's the plastic wrap around it, is that right?

RUSKAMP: Yes, sir.

GERAGOS: Okay. Do you know if that's the same Christmas present that was unwrapped by the burglar on January 19th in the Covena house,

RUSKAMP: I don't specifically,

GERAGOS: do you know?

RUSKAMP: know.

GERAGOS: You know there was a burglary on January 19th, right?

RUSKAMP: You mentioned that, yes.

GERAGOS: You know that Kim McGregor, at the very least, and quite possibly three other women, were suspected of being there on that day, right?

RUSKAMP: I don't know that, no.

GERAGOS: Did you know there was a police report that was taken, and when the police officer came in there was a present where the wrapping paper had been ripped off of it? Did you know that was the present?

RUSKAMP: I don't know the circumstances of that.

GERAGOS: Okay. Did you know that when the couch was moved that it, did it look to you like the couch would fit inside of that storage area on Woodland? Looked like this couch right here would fit in this storage area right here, on this picture, 146?

RUSKAMP: Are you asking if I can make it fit?

GERAGOS: I'm not asking if you can make it. Does that look like it's going to go right in there? Look like there was plenty of room for the couch in there?

RUSKAMP: I, I could have eventually made it fit.

GERAGOS: Okay. Wouldn't it have been easier to just put it in the house?

RUSKAMP: I don't know if that's easier for me or not.

GERAGOS: The chairs, could you make them fit with that couch into the storage unit, too?

RUSKAMP: I believe more storage could have been placed in there.

GERAGOS: Okay. And if you, if he had put the chairs and the couch inside of the storage shed, would that have indicated anything relevant to this trial that you can figure out?

HARRIS: Objection. Argumentative.

JUDGE: Sustained.

GERAGOS: Thank you. I have no further questions.

JUDGE: May this witness be excused?

HARRIS: No objection.

JUDGE: Okay. Detective Ruskamp, you can be excused. Thank you.