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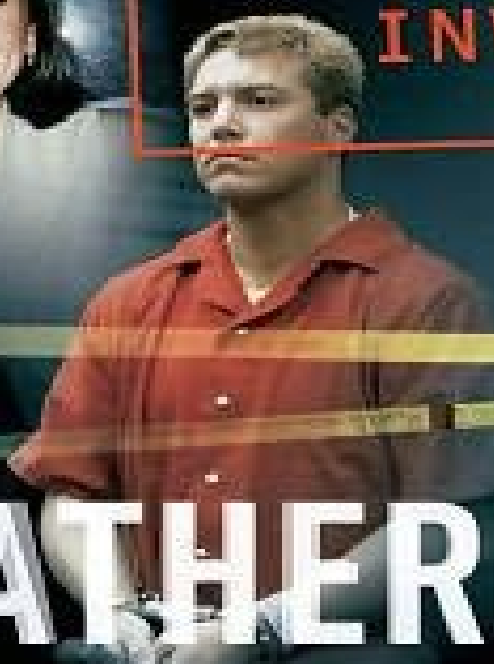
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A DEADLY GAME

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THE UNTOLD STORY
OF THE SCOTT PETERSON
INVESTIGATION



CATHERINE CRIER

COURT TV HOST

with Cole Thompson

A DEADLY GAME

Catherine Crier

 **ReganBooks**
Celebrating Ten Bestselling Years
An Imprint of HarperCollinsPublishers

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DEDICATION

To all those who protect and serve,
often far beyond the call of duty

INTRODUCTION

The people who know Scott and Laci have no doubt whatsoever that he has nothing to do with her disappearance. I mean, this was a couple everybody envied. They were just so much in love. I mean, they were a couple, they were partners, they were a team...

—Sharon Rocha, mother of Laci Peterson

Ever since Laci Peterson disappeared on December 24, 2002, and the public became galvanized by the story, people have asked me *Why?* Why was there so much interest in this single murder case? Why did it sustain our attention for so long? Women—even lovely, very pregnant women—go missing all too often in this country, and many of them are murdered. In fact, statistics show that homicide is the leading cause of death for pregnant women. And these deaths generally occur not in the hand of a stranger; they are usually the work of the person the woman loves and trusts most—the father of her child.

Often enough, I gave the pat response. It was a slow news day that Christmas Eve, when the beautiful young woman with the most engaging smile vanished from her quiet suburban neighborhood in a matter of minutes. No one saw anything untoward. She had no enemies. Most important, she apparently had the ideal marriage. Everyone described Scott and Laci Peterson as completely in love. In those first few days, no one mentioned any hints of tension or strife between them. Both sets of in-laws would contend that they were perfect together.

By all appearances, things were going well for Scott and Laci. Their finances were shaky, but that could be said of many young couples. The husband was charming, industrious, and obviously in love with his wife. The wife was a responsible, level-headed young woman, radiant in her happiness over the upcoming birth of their son.

Laci Peterson did wear expensive jewelry, even on her walks in a neighboring park. Early on, that seemed the only logical explanation for her disappearance: Someone must have kidnapped her for those gems. Or maybe, just maybe, some horrid soul had wanted the baby she was soon to deliver. After all, such hideous demons were out there, and the smallest quirk of fate could send an innocent into their terrible clutches.

As the story began to unfold, however, I had my doubts. After al-most three decades studying and practicing, and reporting on the criminal justice system, I felt that something wasn't right in the first news stories about Laci Peterson. It was reported that her husband, Scott, had been fishing in the San Francisco Bay on that fateful day. Fishing, of course, seemed like an innocent activity.

And yet it was a cold, gray Christmas Eve. Laci was about to deliver their first child. The couple was having an elaborate brunch for their in-laws the next day. There was shopping and cooking to be done, presents yet to buy.

Why would Scott Peterson be fishing?

As I followed each new development and watched Scott's first fleeting appearances before the press, I noticed that he seemed rather removed from the tragedy unfolding around him. His emotional affect was flat. He did not jump onto the airwaves with pleas for the re-release or recovery of his beloved wife. His behavior was discordant and disturbing.

Nevertheless, in those first days there were plenty of pundits who scrambled to explain away Scott Peterson's behavior. Eminent defense attorneys stepped forward to proclaim that everyone grieved differently and that Scott's behavior displayed no evidence of a guilty mind. I disagreed. The more I looked into the story, the more fascinated I became with Scott's personality. Before long, I began to raise questions on the air about whether he was showing signs of a behavior disorder. Scott seemed to display many of the textbook qualities of a sociopath. He seemed relatively intelligent, was charming and gregarious, and claimed to be devastated by Laci's disappearance—yet beneath the superficial reactions, I sensed something else. Scott Peterson showed no normal signs or expressions of grief. He seemed to have no emotional insight into the extent of the tragedy unfolding around him. To put it plainly, he seemed insincere.

As the story developed, more and more evidence emerged to support this analysis. The inconsistencies in Scott's story failed to resolve themselves. There was little sign that he was leading or even involved in, the search for Laci. Then came the explosive news about Scott's girlfriend Amber Frey, whom he had hidden from Laci and her family. Scott's life, it appeared, had been entwined in a knot of outrageous lies, and now the lies were unraveling. His abnormal calm in the face of both families' unbearable sorrow, his self-serving, narcissistic manner, and his failure to lead the search all supported my initial hunch that this man, Scott Peterson, was a sociopath. In fact, the character he immediately brought to mind was Ted Bundy, the charming serial killer who murdered at least sixteen women in the 1970s. Of course, Scott hadn't roamed the country killing strangers the way Bundy did. Yet the defining element of a sociopath is not his record of violence; it is his character—that mix of charm and cold, emotionless calculation that I saw in both men. Sociopathic behavior can be found anywhere in our society; some of the most successful CEOs in our country could be classified as having sociopathic tendencies.

It's when such people turn violent that even the most insightful among us can be caught by surprise.

Such was the case, I believe, with Scott Peterson. And my conviction was only bolstered by the unparalleled access I have had to the inner workings of this investigation and trial. Many participants have given me in-depth interviews, often sharing with me stories that never made the news or reached the jury. My associate, Cole Thompson, and I have also had access to previously unseen police and Justice Department records, photographs, audiotapes, and forensic reports, all of which have contributed to the detailed account that follows in these pages.

But the most important purpose of this book is not merely to chronicle the events that this unforgettable case comprises. It is to take an intimate look at the character and psychology of a man convicted of the most heinous of crimes—the murders of his wife and his unborn son.

The question *Did he do it?* has now been answered by the people.

But that other question—*why?*—haunts us still.

PROLOGUE

His look was California chic—jeans, a dark T-shirt, dress shoes. He turned to go, then paused. Removing his wedding ring, he slid the band into his pocket. Now he was ready. Roses were his calling card; it was amazing how quickly young women fell for an armful. Janet Use was no different. An attractive sophomore at California Polytechnic Institute, she was taken by his dark good looks and soft, husky voice from the moment they first chatted on campus. When he arrived on her doorstep for their date, carrying twelve separate bouquets of a dozen roses apiece, she nearly melted.

Despite the six-year difference in their ages, and the fact that he was soon to graduate from Cal Poly, Janet was charmed by this courteous, self-assured young man. His sheepish grin was complemented by just enough of a swagger to set her pulse racing as he helped her into his black and gray Ford pickup for a night of eating and drinking in the lively college town of San Luis Obispo.

Aside from a few casual flirtations in class, Janet knew little about Scott Peterson before their first date. He was a senior agriculture student who shared a house with three male roommates somewhere off campus. During that first dinner, he described his love of fishing and hunting, but he revealed almost nothing of a personal nature. Instead he focused intently on everything the twenty-year-old had to say. She was flattered by how swiftly he made her the center of his attention, and apparently his admiration as well. As the expensive meal ended, he leaned back and lit up a cigar. He spoke of his future in terms of money and prestige, with the confidence of someone certain of his own success.

Their relationship flowered quickly. Scott was especially generous, thoughtfully planning each of their dates, taking her to nice restaurants and lavishing her with intimate presents—a delicate necklace with sparkly green gemstones, a fancy black designer dress. Janet was a vegetarian, and they hadn't been dating long when Scott announced that he had stopped eating meat. She was surprised and flattered. Scott Peterson seemed almost too good to be true.

As Scott began talking of their future together, Janet found herself falling in love. Yet every now and then something happened that didn't seem quite right. On one of their dates to a California rodeo for instance, Janet giggled about the youngsters running around the fairground. Scott turned to her and announced emphatically that he did not want kids. They would simply get in the way of his intended lifestyle.

While she was smitten with Scott, Janet was uneasy about his quick intimacy. It wasn't long before he suggested they take an extended vacation to Mexico. To her, it all seemed too much, too soon. Yet Scott was polite and gracious, not only to her but also to her housemates, Tracy and Wendy; he often showed up at their apartment with small gifts and groceries, saying that he loved helping the cash-strapped college students.

Scott had just moved into a house with three others, Rob, Nando, and Juan, after responding to an ad on the Poly Union billboard. The four young men began as strangers but quickly became more like frat brothers, throwing barbecues and parties at their place. Janet enjoyed spending time there and had

roommate Tracy often came along. For a while, Tracy was seeing one of Scott's roommates, and the two couples double-dated. On one occasion, both women stayed overnight at Scott's house.

Over the months, Janet and Scott's relationship grew stronger. Scott often brought his dog McKenzie, along on their dates. The frisky golden retriever was just a puppy. As he parked himself happily on the rug in Janet's living room on Walnut Street, the couple talked about moving in together. They were acting more and more like a family.

Janet found it both exhilarating and scary to have someone so interested in her every thought and feeling. Scott expressed a desire to meet her relatives, but he rarely talked about his own, and he never asked her to meet his parents. Janet knew that Scott's dad lived in San Diego, but that was about all she knew. She was reluctant to introduce him to her folks, especially her father. She feared that her dad would view Scott as slick or conceited. She found him a little cocky on occasion, and she knew some people might think he was nothing more than a smooth operator. Nevertheless, she was crazy about him, and their relationship continued to grow.

The couple had been dating for nearly five months when Janet decided to surprise Scott with a late-night romantic encounter at his place. It was after midnight when one of his roommates let her into the house. She quietly opened his bedroom door, held her breath, and tiptoed into the room.

Janet Use was stunned, dumbfounded, at what she saw. There on the bed, a dark-haired woman lay curled up next to Scott. Even more disturbing was Scott's reaction. When he saw her, he did not move. He did not jump up, or cry out, or beg her forgiveness. He just lay there coolly and stared as she lashed out at the two of them.

Only later would she realize that the man she was berating was someone else entirely—someone with a life in which she played no part.

"I'm sorry," was all Scott would say as his roommate burst in and pulled Janet away from the bed. Dazed, she allowed herself to be led outside and into a car. As they drove on the quiet streets back to her apartment, she found her voice again.

"I can't believe he cheated on me," Janet shouted.

"He's not cheating on you with her; he's cheating on her with you," the young man explained. "He's married."

"What?" Janet was flabbergasted.

It was true. When he moved in, the roommate explained, even his housemates had no idea that Scott was married. Not until a woman phoned the house identifying herself as Scott's wife did they realize the truth.

Janet did not hear from Scott for a week. Then, one afternoon, an apologetic Scott Peterson showed up on her doorstep.

"I'm sorry you found me in bed with Laci," was all he could say.

Janet made it clear that she did not want to hear from Scott again. The relationship was over.

Scott and Laci Peterson were newlyweds when he began his affair with Janet Use. It was just one link in an increasingly serious chain of dishonesty that marked Scott Peterson's life in the time before his wife's murder. His web of deceit would eventually trap everyone he knew, from virtuous strangers to his closest family members. And over time, his deceptions would become far more sinister.

CHAPTER ONE

DECEMBER 24, 2002

Scott was running late. It was about 4:45 P.M. as he pulled into his driveway, parking next to his wife's Land Rover. In less than two hours, he was due for dinner at his in-laws' home. It had been a busy day already, and there was a long way to go.

Scott entered the backyard through the gate and patted McKenzie, the couple's beloved golden retriever, as the dog bounded out to meet him. He unclipped the dangling leash from the dog's collar and tossed it on the patio table. Passing through an unlocked back door, Scott moved through the dark, quiet house. Stopping to tidy up a bit, he carried a bucket of wash water and two mops outside. He tossed the water onto the lawn, then left the cleaning items by the door. He then headed for the fridge. Cold pizza and milk would pacify his growling stomach, empty since a bowl of cereal early this morning.

Carrying a veggie slice with him, Scott went over to the washing machine, hidden behind bifolding doors in the den. He pulled out some dirty towels. Then, stripping down to his underwear, the young man loaded his green pullover, blue T-shirt, and jeans into the washer, covered them with detergent, and started the machine.

Then he was off to the bathroom, where he finished the pizza before stepping into the shower. Emerging in clean clothes, Scott checked his watch. It was 5:15 P.M. He picked up the phone.

Sharon Rocha was scrambling to finish preparations for her family dinner that evening when the telephone rang. It was already 5:17; her daughter Laci and son-in-law, Scott, would be arriving soon.

"Hi, Mom," Scott said. "Is Laci there?"

"No," Sharon replied.

"Laci's car is at the house, and McKenzie is in the backyard with his leash on," Scott said flatly. "Laci is missing."

Missing? The word took a moment to register. Her daughter would be pulling into the driveway with Scott any minute, she thought. Laci was a well-mannered, efficient young woman. She would not be late for a family gathering.

Suddenly, a wave of fear washed over her. Laci was eight months pregnant. Had she gone into labor? Was she at the hospital? Trying not to panic, Sharon told Scott, "Call your friends. Ask them if they've seen her. Then call me back!"

Sharon put down the phone and turned to Laci's stepfather, Ron Grantski. His normally jovial face had turned serious as he listened to his wife's conversation.

"Laci's missing," Sharon said, echoing Scott's phrase.

Just two or three minutes went by before the phone rang again. Sharon grabbed it on the first ring, nervously running her fingers through her short blond hair.

“I checked with friends,” Scott reported, “but nobody’s seen her.”

“Try the neighbors,” Sharon commanded, her alarm escalating as she put down the receiver. Laci had sounded fine when they last spoke on the phone at 8:30 the previous evening. There was no reason for her to be missing, unless she was hurt or had been harmed.

The wait seemed endless before Scott called back, although phone records would show that only a few more minutes had passed. “I checked around,” Scott said again. His tone remained even; the young man was not one for histrionics. “Nobody’s seen her.” Scott explained that Laci had planned to walk their dog that morning. Her usual path would have taken her through East La Loma Park, located at the end of their street on Covena Avenue. But he reminded Sharon that McKenzie had been at home when he arrived, trailing his leash.

By then it was 5:32 P.M., fifteen minutes since Scott’s first call. In hindsight it seems surprising that Scott could have gathered information from so many people so quickly, but Sharon wasn’t going to waste any more time. She told Scott to meet her in the park, then hung up, phoned her friend Sandy Rickard, and asked her to help search for Laci.

Moments later, Sandy pulled up in front of the house. “I’m going to look for her,” Sharon yelled out to Ron. “Call the police.” Then she raced out the front door.

For months, Laci had been taking McKenzie for morning walks in the nearby park. Sometimes Sharon went along, but in recent weeks, Laci had begun tiring easily, and Laci’s yoga instructor and obstetrician had both recommended that she give up the walks until the baby was born. At first, Laci resisted—she was always head-strong—but now her body was insisting that she slow down. The narrow, sandy footpath that sloped down toward the park entrance no longer provided sure footing, and Laci was less inclined to complete her regular half-mile loop around the leafy grounds.

Sharon knew it was unlikely that Laci had taken that walk.

At 5:47 P.M., Ron Grantski dialed 911.

“I’d like to report a missing person,” he told the dispatcher. It was Christmas Eve, so only a skeleton crew was on duty, but the Modesto Police Department knew the emergency line would probably stay busy. Many people find Christmas one of the loneliest times of the year, and the department often logged an especially large number of calls from people whose anxiety levels jumped during the holiday season.

Grantski gave his own address—1017 Marklee Way—then Laci’s—523 Covena Avenue, between Encina Avenue and Edgebrook Drive. Their houses were less than two miles apart in the small city of Modesto, southeast of San Francisco and about ninety minutes from the Pacific coast.

Grantski told the dispatcher that he was relating information from his son-in-law, who had notified him that his stepdaughter, Laci Peterson, was missing.

The dispatcher who took the call made the following notes:

STEP-DAUGHTER, LACY [sic] PETERSON, PORTUGUESE/ WHITE FEMALE, 2 6 YEARS, LEFT TO WALK DOG AT DRY CREEK PARK & NEVER RETURNED HOME. SUBJECT IS 5 FOOT 11 INCHES TALL, DARK HAIR & DARK EYES, 8 MONTHS PREGNANT, UNKNOWN WHO LAST SEEN WITH DOG RETURNED HOME WITH LEASH & UNABLE TO LOCATE WOMAN ANYWHERE. REPORT RECEIVED FROM WOMAN’S HUSBAND, SCOTT PETERSON. HUSBAND IS NOW LOOKING FOR WIFE IN THE PARK. OFFICER JOHN EVERS DISPATCHED TO THE PARK AT

An adult missing person report rarely generates a major response within the first twenty-four hours, but the emergency operator recognized that Laci's condition made her situation different. The young woman might be injured or experiencing a problem with her advanced pregnancy. And, of course, there was always the possibility of foul play.

By 6:00 P.M., officers from the Modesto Police Department were en route to both the couple's home and East La Loma Park.

Dry Creek Park spans twelve city blocks and is parceled into several small mini-parks. East La Loma Park, barely three blocks from the Peterson home, was the area where Laci usually strolled with the dog. McKenzie had been a gangly, energetic puppy when Laci gave him to Scott for Christmas just a month after they met. He was almost eight years old now, sprouting white whiskers around his muzzle, but Scott still warned strangers that the retriever was very protective of Laci.

Sharon Rocha was growing increasingly worried as her friend Sandy steered them into a parking lot just west of El Vista Avenue. Jumping out of the vehicle, Sharon hurried across the stubby grass, Sandy trailing behind her.

During the short ride from her house, Sharon had called Scott and arranged to meet him at El Vista Bridge to begin the search. Now she raced through the park calling out, "*Laci!*" and peering into the shrubbery, checking trash cans lined along the pathway. She and Sandy were nearly breathless when they reached the site.

Sharon later recalled that it seemed like "forever" before Scott arrived, although he had said he was already in the park when she last called. She finally spotted Scott walking along the south side of Dry Creek with McKenzie at his side.

"Scott!" Sharon called, waving her arms. "Scott, we're over here!" But Sharon couldn't get his attention. Scott seemed to be lost in his own world. Although he was just fifty feet away, he didn't seem to hear or see his mother-in-law. It wasn't until Sharon's nephew, Zachary Zwald, walked over to him that Scott actually acknowledged the other family members around him.

Sharon was surprised to find her son-in-law so calm. She later told police that Scott wouldn't look at her in the eye as they spoke about Laci. Eventually the lights of a police cruiser distracted Sharon, and she headed over to meet the police; Scott and the others followed close behind.

The first uniformed officer on the scene, John Evers, had been on patrol for ninety minutes when the missing persons dispatch came over his radio. A sixteen-year veteran of the Modesto Police Department, Evers noted the darkening skies and dropping temperatures and quickly got down to business.

According to his radio call, the husband had been the last person to see the missing woman earlier that day. "When was the last time you saw your wife?" he asked Scott.

Scott told Evers that he'd last seen Laci around 9:30 that morning before he'd left home to go fishing. During their brief conversation, Scott said that Laci had planned to take their dog for a walk in the park that morning, then go grocery shopping for the dinner party at her mother's that evening. She planned to spend the afternoon baking gingerbread cookies.

When Scott left the house, he continued, his wife was mopping the floor. He returned in the afternoon to find McKenzie in the back-yard, his leash still attached. Entering through the unlocked

patio door, he found the house empty.

“Is her purse at home?” Sharon interrupted.

“I don’t remember,” Scott said blankly.

“Where does she usually keep it?”

“On a coatrack by the front door.”

“I’m going to the house to see if it’s there,” Sharon announced. Officer Evers stopped the anxious mother and told her he’d go check it out himself. She should remain at the park.

John Evers pulled up in front of Scott and Laci’s home along with Officers Letsinger and Spurlock and Sergeant Duerfeldt in county patrol cars, and quickly established a command center for the missing persons investigation at 523 Covena Avenue.

The Petersons’ home was a modest, single-story ranch with drab green shingles on the west side of the street. The couple had purchased their three-bedroom, two-bath home for \$177,000 in 2000. In less than three years, its value had appreciated by \$100,000. The peaceful neighborhood, with its well-kept houses, manicured front lawns, and flower beds, had a small-town feeling. Neighbors tended to stop and chat with one another, and children felt safe playing and riding their bicycles in the quiet streets. The Petersons’ property was surrounded by an imposing six-foot wooden fence. The police noticed that several of their windows looked out on Covena Avenue, but heavy drapes covered the openings and blocked any view—in or out.

As Officer Matt Spurlock led the men down the brick walkway toward the Petersons’ front door, Sergeant Byron Duerfeldt dialed the unit’s on-call supervisor to alert him to the situation. Carter, the head of the Crimes Against Persons (CAP) unit that night, listened intently as Duerfeldt reported the details: A woman named Eaci Peterson, age twenty-seven, eight months pregnant, was missing from her residence. The husband, Scott Peterson, age thirty, said he had left early that morning to go fishing for the day. When he re-turned home at 4:30, she was missing.

“Where is Peterson now?” Carter asked.

Duerfeldt reported that Scott was walking the neighborhood looking for his wife. Other family members were already gathering at the residence. No one seemed to know where Laci might be.

“I’m requesting the assistance of a CAP detective, sir,” Duerfeldt said. The Crimes Against Persons unit had six full-time detectives assigned to investigate felony assaults, robberies, homicides, and missing person cases. Carter agreed, then instructed the field sergeant to locate the husband and bring him back to the house for a more in-depth interview. He also wanted calls made to area hospitals in case Laci had checked herself in without the family’s knowledge.

“Call me back with any new information,” Carter instructed.

Sergeant Duerfeldt left to find Scott Peterson while his three uniformed patrol officers examined the Peterson premises. Officer Spurlock led the way to the house.

Duerfeldt found the front door unlocked. Most of the interior lights were on. A carefully trimmed Christmas tree glimmered in a corner of the dining area next to the fireplace. The officers quickly inventoried the presents piled beneath the tree. One large box wrapped in deep blue paper was addressed from Scott to Laci; another gift, a Louis Vuitton wallet, was nestled in an open bag. Initial reports assumed that this was Scott’s gift to his wife. However, a credit card receipt showed that Laci had purchased the wallet during a trip to Carmel the previous week, although whether it was for herself or someone else was never established.

In the galley-style kitchen, painted a cheery yellow, a chalkboard on the wall read *Mer*

Christmas. There was some leftover pizza sitting on the kitchen counter in an open box, and an open container of ranch dressing nearby. A telephone book on the counter was open to a garish full-page ad showing a young man being handcuffed by a uniformed officer. “Criminal Defense—Former Deputy District Attorney,” the ad read. Among the specialties the lawyer listed was murder.

The living room, painted a vibrant burnt orange, was furnished with overstuffed couches topped with fluffy throw pillows. But something seemed out of place in the carefully ordered environment. Evers noticed a tan-and-white throw rug bunched up on the floor against the patio door as if something had been dragged over the threshold.

The officers also walked through the nursery, with its deep blue walls and nautical theme. A small white crib was set up against one wall, its mattress covered with new baby clothes. Miniature sailboats dangled from the ceiling, and a decorative life preserver hung on the wall bearing the greeting WELCOME ABOARD!

The officers continued their examination, opening closet doors and pulling back the shower curtain, looking for anything out of the ordinary. After checking the rest of the house, the men moved to the backyard through the living room door. They carefully stepped over the bunched up rug, leaving it undisturbed.

Spurlock noticed that a mop bucket and two mops were leaning against an exterior wall just beside a side door. The bright blue bucket was still wet, apparently from recent use, as was the sidewalk nearby.

The police surveyed the area quickly, then left the residence. Evers saw Scott standing outside and asked him to check the house for any signs of a struggle or burglary.

The officers accompanied him back inside. Evers tossed out some questions as they walked. According to Scott, Laci had been wearing a white, long-sleeved crewneck shirt and black maternity pants when he left home that morning. She was barefoot at the time, but she usually wore white tennis shoes when walking McKenzie. He also told the officers that she had been wearing expensive jewelry—a diamond necklace, diamond earrings, and a gold-and-diamond Geneve wristwatch—when he last saw her.

“Is your wife’s purse still in the house?” Evers asked.

In response, Scott went not to the hall coatrack he’d mentioned to Sharon in the park, but into the master bedroom. The bed was tidy. Hanging behind some scarves on a hook in the closet was Laci Peter-son’s purse. To most women, this might seem an unusual place to keep an everyday handbag, but Scott went straight there to find it. The blue pocketbook contained her wallet, keys, sunglasses, and other personal items. The young husband told the police that nothing seemed to be missing.

Although Scott seemed calm about the discovery, Evers knew that finding a woman’s purse left behind like this was an ominous sign.

“Have you been working all day?” Evers asked.

“I went fishing,” Scott replied. Pulling a piece of paper from his pocket, he volunteered it to the officer. It was a receipt from the Berkeley Marina for 12:54 P.M. that afternoon.

The officers exchanged glances. Scott was certainly quick to provide proof of his whereabouts without being asked.

“What time did you leave the house?” Spurlock inquired.

“Earlier this morning.” Scott did not pinpoint an actual time.

“What did you go fishing for?”

No answer.

“What did you use for bait?” Spurlock persisted. He wasn’t comfortable with Scott’s awkward

answers, and as an avid angler, the officer knew just what to ask.

“Some type of silver lure,” was the best Scott could do.

“Where do you keep all your fishing gear?” Spurlock asked.

Finally, a direct response. “I keep it at my company’s storage facility.”

Scott began reciting his movements after leaving home that morning. First, he drove to his company’s warehouse at 1027 North Emerald. Checking his e-mail and faxes, he sent a message to his boss in Portugal. After straightening up his work space, he spent some time assembling a mortiser—woodworking tool—before finally hitching up the new boat to his truck.

I would later wonder about his use of time. Scott had decided to fish only two hours earlier according to his own account. It was too cold to golf, he said, so he chose fishing in the bay as an alternative. He left home knowing he had errands to run before the dinner with his in-laws at six o’clock that evening, including picking up a Christmas gift basket by 3:00 P.M. for Laci’s grandfather. Yet, when he arrived at the warehouse, he allegedly spent time cleaning up the interior, working on his computer, and casually assembling the mortiser, all before setting out on the ninety-mile trip to the Berkeley Marina to fish.

In describing his trip, Scott specifically mentioned that he’d made two calls to Laci from his cell phone during the drive home—one to her cell and another to the house. He left messages, he said, but he never reached her.

Once back in Modesto, Scott continued, he took a few minutes to unhook the boat and trailer at his warehouse, then drove straight home. It was after 4:30 when he pulled up to the house, saw his wife’s vehicle in the driveway, and noticed the leash still hanging from McKenzie’s collar.

Given all that, the next sequence of events seems even more peculiar. Scott casually described entering the unlocked back door to find the house dark and empty. There were no smells of baking gingerbread wafting through the kitchen, no groceries were stacked on the counter—in short, no sign of Laci anywhere. Scott dealt with the mops and water bucket in the entry hall. Then, having traveled all day without packing anything to eat or drink, he grabbed a snack from the refrigerator. He told the cops that he had assumed Laci was at “Mom’s” to help with dinner that evening. Then, instead of checking his home answering machine or calling the Rochas to confirm this, Scott ran his clothes through the washing machine, since they were “wet from the rain and salt spray.” He then showered and changed.

It was after five o’clock when he finally called the Rochas. It was only when Sharon told him Laci wasn’t there that Scott became concerned. Laci had been planning to walk McKenzie in the park, he said; he now feared that something had happened to her. As Sharon later confirmed, he spent only a few minutes calling friends and neighbors in an attempt to locate her.

When the officers asked about the throw rug near the back door to the patio, Scott told them the cat and dog were most likely responsible for its crumpled state. As the officers watched, Scott placed his foot on one corner and straightened it out. Its original suspicious position was never photographed.

Returning to the kitchen, Scott announced that nothing appeared to be missing or out of place. Before leaving, the officers and sergeant officially secured the residence at 523 Coven Avenue. Just hours earlier, it had simply been the Peterson home. Now it was a potential crime scene.

The bald and bespectacled Sergeant Duerfeldt waited on the curb for a report from his officers, then called his supervisor, Sergeant Carter. Duerfeldt told Carter that his officers were uncomfortable with some of Scott’s early answers—especially his eagerness to provide a receipt from the Berkeley

Marina when asked what he had been doing that day. As Duerfeldt made clear, his men hadn't asked for any proof.

There was more. At first, Scott couldn't say what he was fishing for; moments later he declared he was fishing for sturgeon, but couldn't say what bait he used.

Duerfeldt was also bothered by the fact that Scott had washed his clothes and taken a shower before looking for his wife. It also appeared that he might have mopped the kitchen floor before calling Sharon Rocha. The officer noted that it was another relative, not Scott, who actually telephoned the police to report that Laci was missing.

Having checked local hospitals with no success, Duerfeldt told Carter that patrol units were searching the neighborhood and nearby East La Loma Park. He also reported that the Petersons' dog was actually running loose in the neighborhood earlier in the morning, trailing a dirty leash, and that a neighbor had returned the dog to the Petersons' yard.

Sergeant Carter thanked Duerfeldt, then quickly dialed Homicide Detective Al Brocchini and dispatched him to the scene. It had been less than an hour since Sharon Rocha had called 911, but Carter wanted a murder investigator on the scene immediately.

In the years since the O. J. Simpson case, the phrase *rush to judgment* has become an increasingly prominent notion in our culture, trotted out whenever cops quickly hone in on a particular suspect in the initial stages of an investigation. It is ironic that this expression became associated with Simpson given the early evidence that clearly implicated him in his wife's murder: the blood trail from his white Bronco to the Rockingham front door and the infamous bloody glove outside Kato Kaelin's rear window. But Johnnie Cochran's "dream team" made "rush to judgment" one of its most successful slogans, and it captured the public's imagination.

Some of my guests and viewers accused me of a similar rush to judgment when I questioned Scott Peterson's story early in the investigation. As we were all reminded throughout the case, everyone is entitled to the presumption of innocence. But the presumption of innocence attaches during trial, not in the course of an investigation. When a person of interest emerges, the police *must* work to focus on that individual, to establish his involvement or exclude him from suspicion; they cannot merely assume his or her innocence. In my opinion, it would have amounted to investigatory malpractice if the Modesto police had failed to put Scott under the microscope from the beginning.

The police turned their attention to Scott despite some obvious reasons to look elsewhere. Laci Peterson's family certainly did not believe Scott had anything to do with her disappearance. There were no initial reports of trouble in the marriage. There were no reasons Laci would choose to disappear or do herself harm.

In cases of foul play, the culprit is statistically most likely to be a spouse or someone else known to the victim. A 2001 study conducted by doctors at the Maryland Department of Health and Medicines Hygiene found homicide to be the leading cause of death among pregnant woman. In many cases, experts believe, fear of fatherhood may bring on such violence. Pregnancy is a life-changing event, especially for men, who may view the emotional and financial responsibilities as "huge stones around their necks," according to criminal profiler Pat Brown, president of the Sexual Homicide Exchange.

It's also important to note that Laci Peterson was a very low-risk candidate for a violent attack by a stranger. She was alone for an hour at most on that Christmas Eve morning after Scott left the house. The closed living room drapes prevented someone on the street from seeing Laci inside. In cases of kidnapping or sexually motivated crimes, the perpetrator has often conducted some sort of surveillance of the potential victim to determine vulnerability and availability. The window provided an opportunity in this residential neighborhood, when people were likely to be home preparing for the

holidays, was almost nonexistent. Although the Petersons' back door was unlocked, there was no evidence whatsoever that someone entered the house and struggled with the young mother-to-be before forcibly removing her from the home. If burglary were the motive, it would be highly unusual to choose a house with a car parked out front. When the police arrived, they found expensive jewelry readily accessible in the master bedroom. And Scott and Laci's dog was found in the yard dragging his leash, another reason to believe that Laci was not accosted by a stranger inside the house.

Laci Peterson's advanced pregnancy had curbed her activities in the weeks before the murder. She limited herself to short walks, errands, and visits with friends. In her condition, she was not gallivanting about in dangerous places at odd hours. While Laci was an attractive young woman who might have been a target if she had gone walking in the park, she was not only eight months pregnant but also accompanied by her large and protective companion, McKenzie. Whether it took place in the house or the park, Laci's daytime abduction from a populated location would have been highly risky for a stranger bent on harming her.

However, Scott Peterson's initial behavior gave the police real cause for concern. Why was he so sketchy in recalling the details of a fishing trip he had taken just that morning? Why did he wait so long to raise an alarm when he came home to find his wife missing and his dog trailing his leash? Why didn't he check with his wife's obstetrician, or the hospital where she was scheduled to give birth? Although Scott told Officer Evers that Laci was the one mopping when he left the house, his removal of the mops and dumping of the water suggested that Scott himself might have been cleaning up after some suspicious activity. Although a logical explanation would later emerge for the fact that the Peterson's phone book was open to an ad for a criminal defense attorney, no alert detective could have dismissed the discovery out of hand. Far more damning evidence would come to light as the police continued their investigation, and it was good police work—not a precipitous rush to judgment—that had police scrutinizing Scott's involvement in those early hours.

As time passed, the search for Laci Peterson intensified. The Stanislaus County Sheriff's Office sent its helicopter, Air 101, to traverse the area surrounding Dry Creek Park. On the ground, the Modesto Police Department's K-9 Officer, D. Gonzalez, responded with his search dog, Dino. They worked the area east of El Vista Bridge to La Loma Avenue, including the creek banks and brushy areas, up and down the trails, through the picnic and playground areas, and into the gully on the south side of Dry Creek. The team would also check the backyards of residents that bordered the park.

When Officers Letsinger and Spurlock left the Covena home, they headed over to Dry Creek Park to join the search. Upon arriving, they saw Laci's stepfather at the footbridge.

"Do you know where Scott's been all day?" Spurlock asked.

"I believe he went golfing this morning," Grantski responded.

"Are you sure?"

"Yes."

Officers Spurlock and Letsinger exchanged glances but said nothing. Excusing themselves, they proceeded with their search of the park, following the trail south to the pump station, then north past the footbridge and back again. By then it was quite dark, so they returned to the Peterson home.

Officer Evers was standing on the front lawn of the ranch house with Scott Peterson. "Find anything?"

"Not yet," Spurlock replied.

As the three men stood chatting, Scott's stepfather walked over. "Were you able to get in a game of golf this morning?" Grantski asked Scott.

Scott hesitated. Then, speaking a little too quickly, he said, "I didn't play golf today. It was too

cold. I went fishing instead.”

Grantski looked puzzled. He glanced at Spurlock and Evers, then turned back to his son-and-law. “Nine-thirty or ten o’clock in the morning is way too late for fishing,” he said. “You should have gone earlier. What were you fishing for?”

There was no response.

CHAPTER TWO

DECEMBER 24, 2002, NIGHT

CAP Homicide Detective Al Brocchini could hear the helicopters as he sped down Route 108 toward the Peterson home. He was following the details via the police scanner bolted to the dash-board of his unmarked car. Friends and neighbors were already assisting in the search, and officers were calling with bits of information: some gloves at Wilson and Encina Avenues, a burnt white shirt in one of the park fire pits where Jennie Street intersects North Morton Boulevard.

Brocchini had planned on a quiet Christmas with his family in the foothills of the Sierra Nevada Mountains, but he agreed to return to Modesto for this investigation. Sergeant Carter was comfortable calling on this detective on Christmas Eve. With seventeen years on the job, a son on the Modesto police force, and no young children at home, Brocchini was the obvious choice; Carter was confident that Brocchini's wife of twenty-five years would be more understanding than most spouses on the day.

Sergeant Carter wanted Brocchini to talk to Scott Peterson, to get a reading on whether Laci Peterson's disappearance seemed like a voluntary departure or something more sinister. There were other possibilities, such as an accident or kidnapping, but Brocchini was not working those angles.

"If Laci is not found by patrol or by investigation, you are to call Detective Craig Grogan to assist," Carter ordered.

Barely five foot six, with a youthful face and wide brown eyes that sparkled behind silver-rimmed glasses, the heavy-set Brocchini looked like a cop even in his business suit. Nine years with the MPD and eight before that with the Alameda County Sheriff's Department had left their mark; his rough-and-tumble demeanor contrasted sharply with his cherubic features.

Christmas lights illuminated the house numbers along the broad two-lane road that dead-ended at Thousand Oaks Park. Brocchini spotted police officers on the lawn of 523 Covena as he pulled up behind several patrol cars lining the curb. The frigid air hit him like a slap as he climbed out of the heated vehicle and onto the patchy grass, where Officer Evers, tall and lean in a navy-blue uniform, stood waiting. Brocchini joined Evers and the two walked over to the driveway, where Scott Peterson stood speaking with a friend.

"This is Detective Al Brocchini," Evers interrupted.

Looking down at the detective, Scott nodded, but expressed no outward concern.

"I'd like you to walk me through the house and point out anything that looks out of place," Brocchini said. As he led them up the concrete driveway, Brocchini noted that Scott Peterson didn't appear particularly worried.

Once inside, Brocchini immediately checked the home's entrances and exits. While nothing seemed amiss, he too was getting a bad vibe from the husband. He knew the feeling. His gut was

telling him to slow down and pay close attention.

“This type of investigation has many different aspects,” Brocchini told Scott as the three men strode across the shiny wood floors to the master bedroom. “There are officers canvassing the neighborhood and the park in search of your wife, but it’s *my* job to interview you as the last person to see Laci alive.

“It’s going to be uncomfortable for you because I have to ask difficult questions about your relationship with your wife,” he continued. “It’s been my experience that you’ll end up not liking me very much. Keep in mind, I’m only doing my job.”

“I understand,” Scott nodded, agreeing to cooperate in “every way.”

Brocchini sensed otherwise. Normally, police would wait at least twenty-four to forty-eight hours before initiating a full investigation in a missing person case, but Brocchini’s instinct wouldn’t let him wait. What he saw next, as he entered the bedroom, confirmed his feelings. A fluffy white comforter had been pulled up over the pillows, in what looked like an attempt to tidy the bed. Yet, at the foot of the bed, where one would normally fold back the covers, Brocchini noticed an indentation that spanned the width of the bed, as though a body had been laid out there. The detective did not note his observation in a police report, but a crime scene photographer later captured the suspicious impression on film.

“There’s her purse,” Evers announced, pointing to the blue handbag on the hook behind some scarves. “Her stuff is in there.” Scott watched as the detective verified its contents. It was clear that Laci would not have left home voluntarily without her pocketbook.

The officers followed Scott across the hall to what appeared to be a guest room and secondary workspace for Scott and Laci. The room had a double bed covered by a light blue blanket and a generic-looking desk, file cabinet, and bookshelves.

On the desk, next to two laptop computers, Brocchini spied an open pocket knife. On the floor, in front of a partially open closet, was a blue Nike duffel bag. It was unzipped and part of a green rain jacket was poking out.

“Did you take something from that bag?” Brocchini asked.

Scott said he’d removed a pair of white tennis shoes and placed them on the dining room wet bar before leaving for his fishing expedition that morning.

Brocchini noticed an open space on the top shelf of the closet where it appeared the bag had come from. A second duffel bag, which had apparently fallen off the top shelf, was resting on the clothing rack between the top shelf and the closet wall. It looked as though the second duffel bag had fallen when the Nike bag was taken down. When questioned about the bag’s location, Scott claimed he was just “sloppy.”

In another closet, the detectives found several rifles.

“Do you own any handguns?” Brocchini asked.

Scott said he owned a Glock, but it had been stolen from his car a few years earlier. “I’ve got a second handgun, a Llama .22-caliber that I’ve owned since before my eighteenth birthday. I normally keep it in the desk in the spare bedroom, but for the last month I’ve been keeping it in the glove box of my truck, since my last pheasant-hunting trip about a month ago. It’s loaded with ammo.”

Trailing Scott to the TV room/den that now occupied the converted garage, Brocchini noticed a washroom partially hidden behind bifold doors. He paused to examine a stack of stained white towels heaped on top of the washing machine. “The maid probably used those the other day,” Scott volunteered. “They were in the washing machine. I took them out so I could put my clothes in.”

Reaching inside, the detective pulled out a pair of blue jeans, a blue T-shirt, and a green pullover.

“Those are the clothes I wore fishing today,” Scott said.

“Why did you wash them as soon as you got home?”

“They were wet from the bay and the rain.”

Having spotted an overflowing laundry basket in the master bed-room, Brocchini wondered why Scott hadn't added these items to his small wash load. When he asked about the Petersons' maid, Scott explained that it had been her third time to the house. She was hired to clean every other Monday.

Breaking with protocol, Brocchini now decided to proceed with a full-blown investigation based on an assumption of foul play. “Can I get her phone number?” he asked Scott. “And can I get a look at your cell phone for the call history?”

Scott handed over his phone and watched as the detective copied down all of the incoming and outgoing calls.

At one point during the walk-through, Brocchini noticed the couple's golden retriever in the backyard. The dog hadn't barked when he and Evers first entered the house, and Brocchini was curious to see how McKenzie would respond to him. Stepping outside, he approached the retriever, who greeted him happily when the detective knelt down to pet him.

“That's unusual,” Scott remarked.

“Is he your dog?”

“Yeah.”

“How old is he?”

“He's about eight or nine years old. I've had him since before I was married.”

“Is he protective of Laci?”

“Yeah, like around the pool man if I'm not here.”

Outside the back door, Brocchini saw the bucket and two mops. Scott said that Laci had been cleaning that morning.

“I brought the bucket in and set it near the front door,” Scott explained. “When I left to go fishing, Laci was mopping.”

“How did the mops get outside?”

Scott explained that when he entered through the back door, his pets raced in ahead of him. When the cat ran toward the bucket, he said, he took it outside and dumped the water, afraid the cat might drink from it if he left it visible.

Leaving the house, Brocchini strode over to Scott's bronze-colored 2002 Ford pickup. It was backed in facing the street, next to a dark green Land Rover parked in the opposite direction.

“Can I look inside the car?”

“Yeah,” Scott replied, unlocking the vehicle with a remote key.

In the cargo bed of the four-door F-150, there were five four-foot long patio umbrellas wrapped under a blue tarp. Scott said that he'd intended to store the umbrellas at his shop, but simply forgot to take them out on his two trips to the warehouse that day. The expensive umbrellas had been left in the open truck bed the entire time Scott was out on the bay. Next to the umbrellas was a toolbox containing some articles of clothing, a nylon rope, and a bag of shotgun shells. A light brown canvas tarp lay bunched up near the vehicle's tailgate.

Moving forward to the passenger compartment, the detective swung open the driver's door. When it bumped against Laci's vehicle, Scott immediately demanded he stop the search.

“I can move the truck forward,” Scott said. Then, producing a glove, he offered to hold it between the door and the Land Rover.

Brocchini promised to be more careful, but he was surprised at Scott's reaction. Was this your

man more interested in a scratch on his car than the safety of his wife? This was a moment worth noting. In my experience, a close family member who worries about protecting his property at a time like this is a suspect who should be watched. None of the items in Scott and Laci's home were damaged. Yet, even as the police were watching him, Scott let his proprietary interest in the SUV overwhelm both his concern for his wife and his common sense. In hindsight, Scott's behavior suggests control issues as well: From these early moments, he began posturing aggressively around the detective investigating his wife's disappearance.

Returning to his inspection, Brocchini saw the camouflage jacket Scott said he'd been wearing on his supposedly rainy fishing trip. The jacket was dry to the touch. A sports bag nearby contained two fishing lures, still in their package, and a store receipt. Two other sacks from shops in a nearby mall contained clothing, along with purchase slips dated several weeks earlier. In the glove box was the Llama .22-caliber handgun Scott had mentioned, loaded with a magazine of live ammo. There was one round in the chamber.

Without hesitation, Brocchini collected the pistol and marked it as evidence.

Shifting his focus to Laci's vehicle, a 1996 Land Rover Discovery, he saw a cell phone on the front seat still plugged into the dashboard. He tried to turn it on, but it flickered and immediately switched off. The phone's battery was dead.

As the two men stood in the driveway, Laci's mother was over on the front lawn watching. She had barely glimpsed Scott since their brief meeting in the park more than four hours ago. Now she tried to catch his eye again, but he still seemed to be avoiding her. Sharon thought his behavior was out of character but put it out of her mind when she realized that she'd never seen him under such stress.

The waiting was physically and emotionally exhausting, and Sharon finally sat down on the curb for a rest. By that time, five marked police cars lined the street, and the number of people on the scene was increasing. Officers in navy blue uniforms and the investigation team in jeans and sneakers joined the detectives already on-site. Her friend Sandy was with her when Scott finally walked over.

"You know, if they find blood anywhere that doesn't mean anything," Scott told his mother-in-law. "I'm a sportsman. Just look at my hands. I could drop blood anywhere."

Sharon was too upset for the strange statement to register, but the exchange bothered Sandy, and later she reported it to the police. When I first heard this story, I wondered if Scott was simply taking a page out of O. J. Simpson's playbook. When questioned about blood drops appearing in his Bronco and on the walkway to his home, Simpson deftly explained that he had cut his knuckle twice—once before he left on his "alibi" trip to Chicago, and a second time on a glass in the Chicago hotel room when he was told about Nicole's death. He later revised this by saying he cut himself all the time.

As an avid equestrienne, I have four horses and six dogs; I'm always scuffing myself playing with the puppies or working in the barn—or, even more hazardous, while cooking in the kitchen. Nevertheless, I cannot imagine trying to convince anyone that major droplets of blood can be found all around my home on a regular basis, as Scott did.

Just before 11:00 P.M., Detective Brocchini suggested that Laci's mother go home for the night. Then he turned to Scott. "Is it all right if the ID Tech people go inside to take photographs and collect evidence?" Taking crime scene photos and gathering evidence a few hours into a missing persons case is quite unusual, but Brocchini was following his instinct. He wanted the scene preserved as quickly as possible.

"That would be fine," Scott replied.

At 11:17, Brocchini and Evers drove Scott to his place of business, exactly four miles away. Scott sat in the passenger seat of the detective's unmarked sedan; Evers followed closely behind in a patrol car.

car. Scott was a fertilizer salesman for Tradecorp, a company headquartered in Spain. His territory spanned California, Arizona, and New Mexico, but the base of operations was a one-story warehouse in an industrial area of Modesto, at 1027 North Emerald Avenue.

Just as they had searched the Petersons' home, the detectives intended to scrutinize Scott's place of business. They were particularly interested in the boat he had taken on his afternoon fishing expedition, a fourteen-foot aluminum Sears Gamefisher stored inside his warehouse.

The officers observed that there were two entrances to the warehouse, a single-car roll-up door and a door that led to an office area. "I'm the only one with the key, since I'm the only employee," Scott told them as he unlocked the office door.

"There's no electricity," he then announced as he led the men inside. Neither officer flipped the light switches to test his assertion. Although Brocchini would be criticized for fingering Scott so early as he did, at this point he was still willing to take Scott's word about the electricity. Grabbing a Streamline flashlight with a rechargeable battery, the detective spotted a computer and a fax machine with an incoming fax in the tray. He noted the date, December 24, and the time it had been sent, 14:28, or 2:28 P.M. "Tell me about this fax?" he asked Scott.

"I think I received it before I left to go fishing," Scott replied. "It's from New Jersey, so there's a three-hour time difference."

Once again, Scott's stories weren't making any sense. "If you got it at 11:28, that would have been a kind of late to go to Berkeley," the detective mused. "It's cutting it kind of close leaving Modesto at 11:28 and arriving in Berkeley at 12:54."

"Well, maybe I got it when I got back from Berkeley, but I remember getting it and reading it."

"Would you roll up the door so I can at least position my car in front of the shop, so I'll have some light besides this flashlight?" Brocchini requested.

"Sure." Striding to the warehouse area, Scott heaved open the roll-up door while the detective repositioned his vehicle, using his high beams to illuminate the boat. Only later did it occur to him that if Scott's computer and fax machine were working that morning, the electricity was certainly working then.

The boat sat atop its trailer. It appeared dry on the outside, but there was water visible in the bow. The detective noticed a chunk of concrete with a rebar hoop on one end on the floor of the boat. Scott identified it as a homemade anchor, but there was no rope attached. Brocchini paused for a moment to examine what appeared to be concrete debris along the rib line inside the boat. It was not on the actual rim, but on the edges inside of the vessel that ran horizontal to the bottom and up both sides. There did not appear to be any reason that concrete particles would be there or on the table nearby. He noticed scratches on one side as well.

A pair of yellow rubber gloves and a short red docking line lay inside the boat. Both were wet. On the ultralight rod and reel, and a similar saltwater rig, were also in the boat. The freshwater rod was fitted with a small Mitchell reel spooled with braided line with a small lure tied to the end. The reel was missing its crank handle. The saltwater rig, a new-looking Master Brand rod and reel, was broken down into parts. The reel was spooled with what appeared to be seventeen-pound monofilament line. A small buzz lure, used for top water bass fishing, hung from the line. Both rod and reel had what appeared to be residue, possibly salt, on the exterior. A small tackle box sat nearby.

As Brocchini photographed the boat, Scott said, "I hope you don't show those to my boss." Scott apparently worried that he would get in trouble for using the warehouse to store his boat. Even granting that different people react differently under stressful conditions, any good investigator would have noticed the behavior as odd. As Brocchini noted, "This appeared to be suspicious concern from

hus-band of a missing woman.”

After the warehouse search, Detective Brocchini and Officer Evers took Scott to the Modesto Police Department headquarters at 600 Tenth Street for a formal interview. The downtown building was just minutes from the Peterson home, around the corner from the county jail.

“I haven’t been taking notes all night,” Brocchini told Scott as they pulled into the station house. “I’d like to sit down so I can take some notes and get a more thorough statement from you.”

Scott agreed.

The men went upstairs to an interrogation room and began the taped conversation at midnight. They would not finish until 1:30 that morning.

What follows is the first complete rendering of the taped interview between Brocchini and Scott Peterson, including those portions not admitted at trial.

Detective Brocchini started a tape recorder, then began to speak. “Pretty much, Scott, we’ll just go over what we already talked about so I can make some notes.”

Scott mumbled his agreement.

“Tell me about the morning?”

Very matter-of-factly, Scott recited their activities. “Ah, okay. I don’t know what time we got up, but he did say that Laci was up first and had cereal for breakfast. He noted that his pregnant wife got sick if she did not eat as soon as she got out of bed.

“I laid around in bed longer, I got up at, I don’t know, eight o’clock or so.” Brocchini noted that Scott made no mention of anybody making the bed. “I showered. We were watching her favorite show, *Martha Stewart [Living]*. Watched a little bit of that.”

“You didn’t watch the whole thing through?” Detective Brocchini interjected.

“No.”

“You remember what part you saw?”

“I don’t know, some cooking deal, cookies of some sort. They were talking about what to do with meringue.” This trivial fact would become a crucial reference point at trial, one that would prove embarrassing for the prosecution but even more damning for Scott.

“I can’t remember your house ... the converted garage area, is that your TV room?” the detective asked.

“Yeah.”

“Did you eat any breakfast?”

“I had a bowl of cereal.”

The events Scott described in that first interview struck me as odd when I first reviewed the transcript of this conversation. Police photographs in the kitchen showed no cereal bowls or other breakfast dishes in the sink. There were bowls in the dishwasher, but no one looked in the refrigerator to see if Laci had begun marinating French toast for her brunch the next day, as Scott would later claim. This item would have been evidence that she was alive in the morning hours on Christmas Eve. Of course, if Laci had cleaned the kitchen that morning, that would have been one more activity—along with mopping the floor and possibly making the bed—that would have delayed her walk with McKenzie.

“Okay,” the detective prompted. “When did you realize you were gonna go fishing?”

“Ah, that was the morning decision, it either—”

“That’s a morning decision?” Brocchini asked.

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