

**Drew Peterson Trial 2012 - Murder of Kathleen Savio  
People of the State of Illinois v. Drew Peterson (09CF-1048)  
Will County, Joliet, Illinois**

**State Opening Statements July 31, 2012**

**A Personal Collection of Found Materials ("as is")  
(Note: This is "not" an official legal court transcript)  
(Dialog spacing done below for format and reading ease)**

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In Session  
<https://www.facebook.com/InSession>

July 31

Prosecutors in the Drew Peterson trial are expected to call Tom and Mary Pontarelli, Robert Akin, and Chris Wolzen as their first witnesses. Tom and Mary Pontrarelli are Peterson's neighbors who found Kathleen Savio's body in 2004.

In Session will post some minor updates on the the trial in the thread below.

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In Session

Judge Burmilla has just taken the bench.

"One housekeeping thing we need to do is there's one juror that was not sworn in. I took care of that this morning, so all the jurors are now sworn."

The judge says there is one motion that needs to be addressed this morning.

Defense attorney Steve Greenberg says that one of his concerns is what can and can't be said during openings.

"If either side starts saying things in their opening, and they aren't proven up later on, the jurors will hear that ... some of these things are of serious concern. If the State starts getting into the specifics of the hearsay statements, we have many objections to that ... all of Kathleen Savio's statements that 'Drew's going to kill me' are not admissible."

He cites case law to back up his position.

July 31 at 9:57am · Like · 2

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In Session

Greenberg continues to go over case law that he believes backs up his position regarding use of hearsay during the openings.

"We're worried about that."

July 31 at 10:00am · Like

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In Session

Greenberg also mentions motive evidence.

"When a person dies, and they're already divorced, the individual is considered as a living person under the statutes. For years, we've been hearing that Drew did this for financial reasons . . . But there's a divorce decree where a judge said this was a fair settlement. They have zero evidence to show . . . that if anything happened to her he was going to benefit. So I don't think they should be allowed to argue that he was in way benefitting from her death."

July 31 at 10:06am · Like · 1

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In Session

Greenberg wraps up by arguing that the State should not be allowed to claim that "this was a staged crime scene... they shouldn't be able to get into this in their opening, because they have no evidence of it... they can't say Drew was at the house, because they have no evidence of it... how can they say these things in opening statement? Because they want to believe it's true."

July 31 at 10:10am · Like · 1

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In Session

The prosecution responds by arguing that there is no pertinent law that limits what can be said during openings, and disputes the case law cited by the defense.

July 31 at 10:10am · Like · 1

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In Session

Prosecutors say they are not sure what the defense is taking about regarding a staged crime scene, "If this was a murder, it was indeed a staged crime scene, because it was not an accident."

July 31 at 10:12am · Like · 7

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In Session

Prosecutor Connor offers some case law to the Court.

Greenberg complains, says the defense was not provided with this info prior to the hearing.

The judge agrees, but lets Connor proceed, and says if the defense needs time later to look at this material, that can be arranged.

July 31 at 10:13am · Like · 1

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In Session

Greenberg responds, repeats that the defense believes that "anything they can't prove came directly from the horse's mouth, meaning Drew, they shouldn't get into."

He once again disputes the Prosecution's supposition that this was a staged crime scene.

"They did all their fancy CSI testing, and they didn't find anything ... they want to call it a staged crime scene before they can establish that it was a crime scene."

July 31 at 10:25am · Like · 1

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In Session

Greenberg now dismisses the proposed testimony of Harry Smith, Savio's divorce attorney.

"To say that Savio was worse off (financially) after she died than beforehand... nobody (can say that). "

July 31 at 10:27am · Like

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In Session

The arguments are now over.

Judge Burmila denies the motion to limit the State's opening.

He notes that the prosecution never has to prove motive, but if they decide to argue motive they need to prove it, "We're not going to have a mere whiff of a motive".

He says he can't rule in advance on the issue of a staged crime scene.

"I'm not going to limit the State from doing that, other than to follow the law."

July 31 at 10:30am · Like

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In Session

The judge asks "are we ready for the jury now?"

July 31 at 10:31am · Like

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In Session

The attorneys are engaged in a sidebar.

July 31 at 10:32am · Like · 1

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In Session

July 31

Opening statements are about to begin in the Drew Peterson trial.

In Session will provide live updates from the courtroom in this tread.

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In Session

The jurors have now entered the courtroom.

The judge gives them some preliminary instructions, warning them against conducting any independent investigation.

July 31 at 10:42am · Like · 4

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In Session

Judge Burmila tells the jurors that they may take notes throughout the trial, should they decide to do so. He warns them, however, that notes or no notes they need to pay close attention to all testimony.

July 31 at 10:43am · Like · 3

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In Session

Notebooks are being passed out to the jurors.

July 31 at 10:44am · Like · 3

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In Session

The judge tells the jurors that they will now hear opening statements, which are not evidence. State's Attorney James Glasgow begins for the State.

July 31 at 10:46am · Like · 3

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### **07/31/2012: Prosecution James Glasgow on State's Opening Statements**

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In Session

Prosecutor Glasgow: "The evidence will show that on March 1, 2004, Kathleen Savio's lifeless body was found in her bathtub . . . Kathleen Savio was murdered, and it was staged to look like an accident."

July 31 at 10:54am · Like · 2

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In Session

Glasgow says that in June, 2002 Peterson broke into Savio's home and threatened her at knifepoint. He starts to describe an incident in which Peterson allegedly tried to hire someone to kill Savio, but the defense strongly objects, and the parties go to a sidebar.

July 31 at 10:56am · Like · 3

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In Session

There are no cameras allowed in the courtroom, but In Session has a crew in the courthouse to bring you the trial. We're providing live updates on FB and Twitter as well.

July 31 at 10:59am · Like · 3

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In Session

The jurors have been excused from the courtroom.

Greenberg vigorously argues against the State mentioning this alleged incident in its opening.

Glasgow responds, says it is admissible.

Greenberg responds, argues this issue is not admissible at trial.

July 31 at 11:00am · Like · 2

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### **07/31/2012: Defense Attorney Steve Greenberg motions for a MISTRIAL**

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In Session

Judge Burmila agrees with the defense, says there was no prior notice from the State that they intended to admit this evidence.

Greenberg then asks for a mistrial, because this information "is so prejudicial."

July 31 at 11:01am · Like · 2

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In Session

Glasgow asks to have the court reporter read back exactly what he said in his opening.

He then says any damage is not sufficient to warrant a mistrial.

Judge Burmila questions Greenberg about why this should warrant a mistrial; the defense insists that a mistrial is warranted.

Ultimately, Judge Burmila denies the defense motion, but warns the prosecution that the incident will not be mentioned again. "It's denied for now."

However, the judge reserves the right to reverse itself, if it turns out later that the statement has indeed prejudiced the jury.

July 31 at 11:06am · Like · 1

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### **07/31/2012: Prosecution James Glasgow continues Opening Statements**

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In Session

The jurors return to the courtroom.

The judge officially sustains the defense objection, and tells the jury to disregard the last statement.

July 31 at 11:08am · Like · 2

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In Session

Glasgow continues his opening. He moves to the Peterson divorce, with the property settlement to come later. Stacy and Drew had a son, and subsequently got married.

July 31 at 11:09am · Like · 2

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In Session

We've started a new thread for the Peterson trial updates.

July 31 at 11:13am · Like · 2

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In Session

July 31

The prosecution is giving its opening statement right now in the Drew Peterson murder trial.

In Session will provide live updates in this thread.

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In Session

The prosecutor says that Drew snuck into Savio's house and held a knife to her throat, and said that he could kill her right there "and no one would ever know."

July 31 at 11:12am · Like · 5

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In Session

? "On Feb. 17, 2004 the defendant picked up his children for visitation... The kids were due back Sunday evening. The defendant says he went to the door, but no one answered...so he took the kids and went home."

July 31 at 11:14am · Like · 3

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In Session

?"Upon finding his wife not there, he makes no attempt to ask others where she might be. He simply goes home. The next day, Monday, March 1st, he begins a barrage of phone calls . . . He finally makes a call to (neighbor) Mary Pontarelli . . . 'she wanted to go in that night.'"

July 31 at 11:16am · Like · 4

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In Session

A locksmith is contacted directly by the defendant. When the door is opened, the people sent in are four civilians . . . while the watch commander stands outside on the porch.

July 31 at 11:17am · Like · 5

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In Session

There was an investigation by the Illinois State Police...within an hour, the investigator came to the conclusion that this was an accident. The law at that time required a coroner's inquest...which, upon incomplete evidence, they ruled an accident.

July 31 at 11:19am · Like · 3

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In Session

Glasgow says "that all changed" when Pastor Shori was called for jury duty, said he had information, and the body was exhumed. Following a second autopsy, the pathologist ruled that the death was a homicide. And Dr. Mary Chase, a neuro-pathologist will say "there are injuries not consistent with a fall in that bathtub."

July 31 at 11:22am · Like · 8

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In Session

?Jennifer Fitzgerald As of right now, the only witnesses we know that are expected to testify are Tom and Mary Pontarelli, Robert Akin, and Chris Wolzen. Tom and Mary Pontrarelli are Peterson's neighbors who found Kathleen Savio's body in 2004.

July 31 at 11:24am · Like · 7

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In Session

Glasgow: This is not the time for argument; it's time for an overview...this is not a case where you'll have DNA, fingerprints, or a videotaped confession. When you've heard all the evidence, you'll be able to determine that Drew Peterson killed Kathleen Savio beyond a reasonable doubt.

The Prosecution opening ends.

Judge calls for a ten minute recess.



July 31 at 11:27am · Like · 3

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In Session

Judge Burmila is back on the stand. He sends for the jury.

July 31 at 11:42am · Like · 1

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In Session

There is a new thread for the defense's opening statements.

July 31 at 11:43am · Like

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