

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

Deputy Coroner, Michael VanOver Testified August 7, 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)**

In Session
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August 7

WATCH THIS THREAD FOR LIVE UPDATES FROM THE DREW PETERSON MURDER TRIAL

A spokesperson for the Will County District Attorney says prosecutors will call Michael VanOver, a deputy coroner. The second witness is expected to be Robert Deel, an Illinois State Police evidence technician. Deel’s testimony is likely to be lengthy, but other potential witnesses for today are Illinois State Police investigator Pat Collins, coroner Pat O’Neil, and Bolingbrook police officer James Coughlin.

In Session

Most of the attorneys appear to be inside the courtroom, as is defendant Drew Peterson.

James Glasgow and Steve Greenberg are chatting amiably in the hallway.

August 7 at 10:05am · Like · 2

In Session

All of the attorneys are now in the courtroom. We should be starting momentarily.

August 7 at 10:09am · Like · 4

In Session

Judge Burmila has just taken the bench.

“I received some motions last night... when are we going to address those?”

It is decided that the Court will take at least one witness today, and then perhaps the motions will be argued.

Judge: "Let's get the first witness on before we worry about the second."

He sends for the jury.

August 7 at 10:17am · Like · 2

In Session

During this recess, most of the prosecutors remain at their table inside the courtroom.

Defendant Drew Peterson stands at the defense table, facing the spectators and chatting with several people.

Most of the defense attorneys are milling around the courtroom and the hallway.

August 7 at 11:17am · Like · 1

08/07/12: Prosecutor Kathleen Patton on direct examination

In Session

August 7

WATCH THIS THREAD FOR LIVE UPDATES FROM THE DREW PETERSON MURDER TRIAL

The jurors are now seated, and the Prosecution calls its first witness of the day: Michael VanOver (questioned by prosecutor Kathy Patton).

He is a deputy coroner for Will County, and goes over the training and experience that qualifies him for that position. He was working in that position on March 1, 2004, and was dispatched to the Savio home, arriving at approximately 11:14 am.

In Session

"There was a deceased individual that was the ex-wife of a Bolingbrook police sergeant... I went upstairs into the residence and was shown where the decedent was."

"What part of the second floor?"

"In a bathroom, off of a bedroom...I seen [sic] a Caucasian female, lying in a bathtub."

August 7 at 10:25am · Like · 2

In Session

The witness identifies a Polaroid photograph he took that morning.

“It is a photograph of the decedent lying in the bathtub.”

After the defense has an opportunity to look at the photo, they ask for a sidebar.

August 7 at 10:26am · Like · 4

In Session

The sidebar is now over.

Over the defense objection, the photograph is projected for the jurors.

The witness says he took the photograph “immediately upon coming into the bathroom area.”

“Is it part of your record?”

“Yes.”

“Do you recall the name of the individual in the tub at that time?”

“It was Kathleen Savio... I touched the body and found it to be cool to the touch... I found lividity to be present... there was purge coming from the nose and mouth, and there were some abrasions... the blood has stopped circulating in the body, and so it takes the path of least resistance, and would come out the nose or the mouth. It [the body] had some rigor mortis ... it was slight... I had been led to believe that there was no signs of life prior to my arrival... the tub didn't have any water in it, and there was bottles of shampoo and whatnot, bath products, around the tub itself... the tub was clean, except for a trail of purge. The drain was closed.”

“Did you move the body in any way?”

“No, not at that time.”

August 7 at 10:34am · Like · 4

In Session

The witness is now shown another photograph.

“It appears to be a laceration on the back of the head.”

“Did you observe that laceration?”

“No, I did not” (and he wasn’t present when the photograph was taken).

Before the prosecution can ask its next question, the defense asks for another sidebar.

August 7 at 10:35am · Like · 2

In Session

The sidebar has now ended.

“When the body was in the tub, did you observe her hair at all?”

“I did... it appeared to be dry and matted.”

“What kind of hair did she have?”

“It was thicker hair; the length I don’t recall.”

“You didn’t examine her head that night, to see if there were any injuries to it?”

“I did not.”

August 7 at 10:36am · Like · 4

In Session

“Did you observe any injuries to her body?”

“I specifically recall there being an abrasion on her left buttocks.”

The witness is shown another photograph.

“What does that appear to be?”

“An abrasion on her left buttocks.”

The witness did not take this photograph but says it accurately reflects what he saw at the scene.

The photo is then published for the jury.

“When you observed that, how would you describe what you saw?”

“As an abrasion that was not a weeping abrasion; it wasn’t in a scabbing form. It appeared to be drying out.”

At this point, the witness asks for a glass of water, with which he is provided.

August 7 at 10:44am · Like · 3

In Session

“Recall observing a wine glass [around the tub], or a glass of any kind?”

“No, I do not... I was told by the Bolingbrook officer that the Illinois State Police were going to be investigating this, so I stood down until they arrived.”

“What is your function at a death investigation?”

“To gather demographic information about the decedent, to gather any medication, to speak to family members.”

“Did you do any of that before the state police arrived?”

“No, I did not.”

The state police arrived “in excess of an hour,” and this witness met with Trooper Robert Deel.

“We went and looked at the decedent, and Trooper Deel took some photos. We looked for medication bottles, and we went down to the kitchen area, where we did find some medication bottles. Then we went back up to the bathroom area, and prepared the body for transport... we removed the body from the bathtub, turned the body over in the tub so the extremities could be reached, so the body could be picked up and put in a body bag... Trooper Deel put paper bags over the hands...I picked up the lower end of the body... it goes into a body bag, on the floor next to the tub.”

August 7 at 10:45am · Like · 3

In Session

“Did anyone else help you put the body in that bag?”

“Trooper Deel... Trooper Deel put paper bags on the decedent’s hands, and taped them... the body was on the bag, but the bag had not been zipped up... I wore rubber gloves (as did Deel).”

“Were you looking for any injuries to the body?”

“Yes... I was looking for obvious signs of trauma, gunshot wounds, stabbing wounds.”

“Were you primarily looking for major trauma?”

“Yes, I was... looking for signs of stabbings, gunshot wounds, blunt force.”

“You didn’t see any stabbings or gunshots wounds, did you?”

“I did not.”

August 7 at 10:46am · Like · 3

In Session

Prosecutor Patton continues her direct examination by showing the witness a photograph of “a hand with a cut or abrasion on it.”

“You didn’t take that photograph?”

“No.”

“You don’t know whose hand it is?”

“No.”

“Do you remember seeing an abrasion such as that on Kathleen Savio?”

“No, I do not.”

“You were wearing gloves that day?”

“Yes.”

“When you lifted the body, did your hands cut Kathleen Savio?” Objection/Overruled.

“No, I did not.”

August 7 at 10:47am · Like · 4

In Session

“Was there a homicide or suspicious death protocol in place at the time you examined the body?” Objection.

The parties go to a sidebar.

August 7 at 10:47am · Like · 2

In Session

The sidebar ends, and the defense objection is overruled.

“Did you follow the protocol that evening?”

“We did not... after the hands had been bagged, I asked if they thought there was something wrong here. And they stated no, they were doing it for preventative purposes.”

VanOver explains how protocol would have required for the body to be placed on a white sheet, and then eventually placed in a sealed body bag.”

“What was the next thing you did?”

“We transported the body down to the first level of the residence, placed it upon the cot we use to transport...” Objection/Sustained.

“Who was with me?”

“Trooper Deel, and a couple of other officers who were present to help us move the body.”

“Where did the body go?”

“It went onto a cot, and then went out to the coroner vehicle, and was placed in the coroner vehicle.”

He left at approximately 3:00 am and drove to the county morgue.

“I brought the body in and did a processing for that, which entails weighing the body, logging it into the book, and making a toe tag.” After that, the body was “placed into a cooler. And I dictated my report, for a secretary to type.”

“What time was it when you were dictating the report?”

“Probably close to 4:00 am.”

“What else did you do?”

“I went home... at approximately 8:00 am, I would have called and advised the deputy coroner who was coming on shift, to tell him what the case was and what time the autopsy would be.”

August 7 at 10:54am · Like · 2

In Session

“When you carried the body of Kathleen Savio down the stairs, did you bang against the side of the wall?” Objection/Sustained.

“Did you cause any damage to the body of Kathleen Savio?”

“No, I did not.”

“Did you observe a towel on the tub?”

“Yes, I did.”

“And that is in the photo?”

“Yes, it is.”

That ends the direct examination of this witness.

Judge Burmila asks that the jurors be taken out of the courtroom.

August 7 at 10:55am · Like · 2

In Session

The jurors are now absent. The witness also leaves the courtroom.

Judge Burmila: “The record should reflect that the defense claims a photo was never tendered to them; the State disputes that. There may also be some black and white photos that the defense may not have seen, and they want to see them before they begin their cross-examination.”

Prosecutor Connor thinks the original photos may be in his office, and is making efforts to retrieve them (which should take 15 or 20 minutes).

Judge: “We’ll take a very brief recess.”

August 7 at 10:57am · Like · 3

In Session

The judge is off the bench, and the court is in recess, pending the arrival of the photographs in question. Once the defense has a right to look at the photos, then the trial will resume.

August 7 at 10:58am · Like · 2

In Session

August 7

WATCH THIS THREAD FOR LIVE UPDATES FROM THE DREW PETERSON MURDER TRIAL

Everyone is heading back into the courtroom.

It appears that the trial will resume momentarily.

In Session

Judge Burmila is back on the bench. The defense confirms that it has now seen the photo in question, but repeats that it hasn't seen it before. Nevertheless, the judge finds no discovery violation (because the photo is so similar to others) and sends for the jurors and the witness.

August 7 at 11:28am · Like · 5

08/07/12: Defense Attorney Darryl Goldberg on cross examination

In Session

The jurors and witnesses are now back inside the courtroom, and defense attorney Darryl Goldberg begins his cross-examination of Michael VanOver.

“This is not the very first time you’ve testified in this case?”

“That is correct.”

The witness is asked about his testimony at the 2010 evidence hearing.

“One question you were asked was, ‘You’re not sure, you don’t know what happened in this particular case?’

‘No, I don’t remember’... isn’t that right?”

“What you just stated there, I don’t even know what the question was.”

The witness is then shown a transcript of his February 9, 2010 testimony and reads it to himself.

August 7 at 11:32am · Edited · Like · 3

In Session

“Is your memory refreshed about the questions you were asked?”

“About this particular question, yes.”

“Now you suddenly remember exactly how you removed her from the tub?”

“I do remember... that’s correct.”

“You’re sure Bob Deel not only helped you remove her from the tub, but some other officers helped move Ms. Savio down the stairs?”

“Yes, to the best of my recollection.”

Once again, the witness is confronted with his earlier testimony, in which he said that he couldn’t remember if anyone else helped the witness and Trooper Deel remove the body.

“You don’t dispute the accuracy of that transcript? That was the answer you gave?”

“That is correct.”

August 7 at 11:33am · Like · 3

In Session

“Let’s talk about your testimony... you went upstairs into the master bathroom?”

“Yes.”

“You made your pronouncement after you saw signs of lividity, obvious signs of death?”

“Yes.”

“There’s no time stamp on this Polaroid?”

“No.”

“There is a date, just not a time?”

“That’s correct.”

“You spoke to two Illinois State Police officers in November of 2007?”

“Yes.”

“In a small interrogation room?” Objection/Overruled.

“Yes.”

“You told them what your involvement was in Kathleen Savio’s death investigation?”

“Right... I don’t recall their names.”

“A man and a woman?”

“Correct.”

“And you told them you didn’t recall if you made up the pronouncement, or waited until Bob Deel got there?”

“I guess it’s what I told them; I don’t recall.”

Once again, the witness is shown a transcript to refresh his recollection.

“So in 2007, you didn’t have any recollection whether you went up there with Bob Deel and took photos, or you did it earlier that night?”

“Yes... when I talked to them, I hadn’t had a chance to look at my report.”

August 7 at 11:38am · Like · 4

In Session

The witness is now asked about his three-page single-spaced report.

“It talks about your observations and what you particularly did on this death investigation?”

“Yes.”

“You’ve been trained how to prepare reports?”

“Correct.”

“And you review them?”

“I did not have an opportunity to review that report... [but] subsequently.”

“You’ve also had extensive law enforcement experience, 17 years?”

“Yes.”

“You understand the importance of having accurate reports?”

“Yes.”

“And know they’re supposed to be complete, and truthful?”

“Yes.”

“You understand that people rely on the accuracy of those reports?”

“Yes.”

“Particularly Coroner O’Neil?”

“Yes.”

“Because when he impanels a coroner’s jury...” Objection/Sustained.

August 7 at 11:41am · Like · 6

In Session

“This is your official record, and preserves your investigation?”

“Yes.”

“There is not one word in your report about your taking a photograph?”

“I’d have to look at my report.”

The three-page report is then shown to the witness.

“There’s not one word whatsoever about you taking any photographs in this case?”

“Not in that report.”

“Not in any report?”

“That’s correct.”

“So there’s nothing about when you would have taken a photograph?”

“It’s not reported that way.”

“There’s not any mention whatsoever about other officers helping you remove Ms. Savio down the steps, helping you and Trooper Deel, right?”

“No.”

August 7 at 11:44am · Like · 2

In Session

“Miss Patton asked you questions about soap scum... that was unusual to you, that there was no soap scum in the tub, and you thought that was suspicious?”

“Right.”

“You didn’t tell Trooper Deel that you thought this was a homicide?”

“No, I did not.”

“You didn’t voice any objection when Trooper Deel told you this was an accident?”

“No, I did not.”

“You asked Trooper Deel if there was any reason to believe this was a suspicious death, and they said no... you didn’t put in your report that you disagreed with that in any way?”

“No, I did not.”

“You put in your report that there were no signs of foul play?”

“Yes.”

“You also put in that report that there were no signs of any trauma or struggle in the bathroom area?”

“I did.”

“No signs of trauma on the body?”

“That’s correct.”

“And on March 25, you told Susan Doman... “ Objection/Sustained.

The defense then asks for a sidebar.

August 7 at 11:48am · Like · 3

In Session

The sidebar ends, and the question regarding Susan Doman is withdrawn.

The judge tells the jurors to disregard it.

Attorney Goldberg continues his cross-examination.

"The protocol... all that entails is bagging hands?"

"Correct."

"And that was done in this case?"

"Yes."

"To preserve evidence?"

"Yes."

"And the body was placed on a white sheet, which was done in this case, and placed in a body bag?"

"Yes."

"So the only difference is a toe tag and an additional body bag?"

"A lock tag, not a toe tag."

"Other than that, there is zero distinction?"

"Correct."

August 7 at 11:51am · Like · 3

In Session

"You gave Anna Doman the preliminary results of the autopsy, that Ms. Savio drowned?"
Objection/Sustained.

"I had a conversation with Anna Doman; I don't recall when it was."

"Would it refresh your recollection if I showed you a report?"

"Yes."

The report in question is handed to the witness.

"Do you recognize that as an official report from the Will County Coroner's Office?"

"Yes."

"Does that refresh your recollection about when a conversation occurred with Anna Doman?"

"No, it does not."

“So you have no recollection of speaking to Anna Doman on March 2, 2004?”

“No, I don’t.”

However, the witness recalls speaking to Doman at one time.

“She never told you that Drew told her [Savio] she’d never make it to the divorce settlement?”

“I don’t remember the conversation.”

“You’d remember if she told that to you, correct?”

“Correct.”

“She never told you that Drew was going to murder her, and make it look like an accident?”

“I don’t recall that conversation.”

“You’d remember that, wouldn’t you?”

“Yes, I would.”

August 7 at 11:57am · Like · 2

In Session

“I want to know if you recall Trooper Deel arriving at the homed at 1:45 am on March 2?”

“I do.”

“That’s when those pictures were taken by Trooper Deel?”

“I observed him take pictures, yes.”

“And that’s when you took your picture, right?”

“No.”

“Well, that’s when you told the State Police, that you took them together”

“I took the picture when I got there, with my Polaroid camera, when I went up with Ofc. Sutton (?).”

“But you told the State Police in 2007 that you took it with Trooper Deel?”

“I don’t recall that... in this case, I took my picture when I went up with Ofc. Sutton (?).”

Once again, the witness acknowledges that he didn't say anything at the time to Trooper Deel that he felt the death was suspicious.

"You never did that?"

"No, I didn't."

"You never went up to Dr. Mitchell after the autopsy and said, 'Hey, Doc, you got it wrong,' did you?"

"Dr. Mitchell never told me what the manner of death was." Objection.

The defense asks for a sidebar.

August 7 at 12:01pm · Like · 3

In Session

The sidebar ends, and the jurors and witness are excused.

Judge Burmila: "I think we should put this issue on the record, in open court.

This is the second time the defense has tried to go into the results of the inquest... the State interjected into its opening statement this entire subject."

Prosecutor Patton: "This witness was not there; it's not appropriate for this witness."

Judge Burmila then asks the witness to return to the stand, and the jurors come back to the courtroom.

August 7 at 12:05pm · Like · 2

In Session

Goldberg continues his cross.

"Did there time you learned an inquest was done in regard to Ms. Savio's death?"

"Yes."

"And you learned the inquest jury found the cause of death was an accident?"

"Yes."

"You didn't dispute that with anyone, did you?"

"I did not."

This ends the cross-examination.

August 7 at 12:07pm · Like · 2

08/07/12: Prosecutor Kathleen Patton on redirect examination

In Session

Kathy Patton begins her redirect examination.

The witness says he felt Savio's death appeared suspicious.

"What made you feel that way?"

"The fact that there were no obvious signs of a fall in the bathroom. I don't know how she would have drowned otherwise... it was clean, there was like nothing in it [the tub]."

August 7 at 12:09pm · Like · 3

In Session

He dictated his report over the telephone to a secretary at the coroner's office.

"It gets typed up and gets there before the pathologist does the autopsy."

"What do you with the photograph, after you take it?"

"I leave it at the morgue."

"Is that what you did in this case?"

"Yes."

"So it's part of your report?"

"Yes." Objection/Overruled.

"Did you tell the State Police when you talked to them that you were suspicious of this incident?" Objection/Overruled.

"Yes."

"Did you detail the reasons you were suspicious?"

"I don't recall the total conversation... but, yes."

August 7 at 12:11pm · Like · 3

In Session

"Did you indicate in your dictation in any way that you thought this was a suspicious incident?"

"They told me no."

"When you say no into the dictation machine, are you intending to transmit or communicate..."
Objection/Sustained.

"When you looked at your report, is 'no' observed in any way different than other words?"

"Yes, it's capitalized... that they did not feel that it was, but... I felt that it was."

"Is that what you meant by that remark, 'No'?"

"Yes."

August 7 at 12:14pm · Like · 5

In Session

"Was there anything about the position of the body that was suspicious to you?"
Objection/Overruled.

"Is there anything else that caused you to be suspicious?"

"The way the body was positioned in the tub... it was a fairly small tub, and it seemed as if a person would have fell I don't believe they would have come to rest that way."

August 7 at 12:17pm · Like · 4

In Session

"Is it your job when you write your report to make a decision as far as the investigation?"
Objection/Sustained.

"Ultimately, what is your job at the scene?"

"My job is to be with the body... I investigate the body itself until it goes to the morgue. And from there it goes to the pathologist."

August 7 at 12:17pm · Like · 4

08/07/12: Defense Attorney Darryl Goldberg on recross examination

In Session

The redirect examination is now concluded, and Goldberg begins his recross.

“You thought there were no signs of foul play or trauma, that’s what you put in your official report?”

“Yes.”

“You didn’t tell a single person in 2004 that you thought Ms. Savio’s death was suspicious?”

“I don’t remember telling anyone.”

The same is true for 2005 and 2006.

“Her death suddenly became suspicious in 2007 after you were called in to the State’s Attorney’s office?” Objection/Overruled.

“I told them what I felt back then.”

“Before you were called in, you didn’t tell a single person whatsoever that you thought Ms. Savio’s death was suspicious, did you?”

“No.”

That ends VanOver’s testimony, and he leaves the stand.

August 7 at 12:22pm · Like · 7

08/07/12: Court discussion regarding objections calling CSI Robert Deel

In Session

Prior to the next witness, the attorneys approach the bench for a sidebar.

August 7 at 12:22pm · Like · 4

In Session

The jury has now left the courtroom.

The prosecution confirms that Robert Deel will be the next witness.

Attorney Steve Greenberg: "This gets into areas I think the State should not be allowed to get into... my understanding with Sgt. Deel and also Investigator Collins is that they want to get into the investigation was possibly not done probably... the problem I have with this argument is the State doing almost what the defense is supposed to do... raising reasonable doubt, trying to raise questions about the investigation. I don't think the State can do that. The inference the State wants to draw is, 'Had they done more, there might be evidence.' The problem with that is they didn't do more, and it's totally irrelevant that they didn't do things... their failure to do anything doesn't lead to any conclusion that makes it more likely than not that a crime was committed, or that Mr. Peterson committed a crime... it's burden-shifting... it's very troubling to me... so we're asking that you restrict them from getting into that."

August 7 at 12:29pm · Edited · Like

In Session

Prosecutor Coleen Griffin responds, denies that this is burden-shifting in any way. She says that witness Deel should be able to testify about this issue.

Greenberg then responds. "That's speculation... the whole thing is just irrelevant speculation... it's burden-shifting, because they're leaving it to us to fill in the blanks... what is the relevancy of what he didn't do? It's got no relevancy."

Judge Burmila: "I can't tell the State what to argue... as far as the officer's role in the investigation, he's entitled to tell what he did in this particular case, and I believe he's entitled to tell what he would ordinarily do... but I don't believe any of those questions would lead to burden-shifting... the State is not going to be allowed to infer that there were fingerprints or blood and they missed it, and if they had only found it it would have proved the defendant was there... they can't ask the jury to speculate as to what they would have found if they'd done more... if they ask a question that Mr. Peterson believes is inappropriate, I'm sure that he'll object."

August 7 at 12:32pm · Like · 2
