

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

Byran Falat Testified August 22, 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
<https://www.facebook.com/InSession>

August 22

Watch this thread for live updates from the Drew Peterson murder trial!

According to Chuck Pelkie, the prosecution is expected to call Illinois State Police trooper Byran Falat.

In Session

Judge Burmila is back on the bench.

He sends for the jury, and asks the State to bring in the next witness.

August 22 at 11:50am · Like · 7

08/22/2012: Prosecutor Chris Koch on direct examination

In Session

Master Sgt. Bryan Falat takes the stand to be questioned by prosecutor Koch.

He is an officer with the Illinois State Police.

August 22 at 11:52am · Like · 5

In Session

Illinois State Trooper Bryan Falat has taken the stand.

He says that on March 1, 2004 he was asleep when he received a call asking him to report to

a scene regarding the death of the ex-wife of a Bolingbrook police officer.

“When I arrived there, Sgt. Pat Collins had not arrived yet. There were several Bolingbrook police officers out in front.”

He left his vehicle, and then waited for Collins to arrive “a couple minutes later.”

“Then myself and Sgt. Collins entered the residence... we went upstairs... we went to the master bedroom.”

“Did you go anywhere else?”

“Yes, into the master bathroom...” Objection.

The parties approach for a sidebar.

August 22 at 12:05pm · Like · 10

In Session

The sidebar ends.

“I observed Miss Savio, naked, deceased in the bathtub.”

He identifies a photograph of the bathroom.

“When I entered, I walked up to the tub area, and looked around. There was no water in the bathtub; the plug for the drain was down. There were parts of her hair that were wet...there was blood or what appeared to be blood coming from her head area, and going down to the drain area.”

He identifies a second photograph of the same bathroom area.

“Did you make any observations of the tub area by her feet?”

“Yes, I was looking around. From her head area, there appeared to be blood. At that point, I did not see any wounds or cuts from the head area.”

“After you made your initial observations, what was the next thing you did?”

“I looked around the bathroom area . . . I was looking for an area in which she would have struck head . . . we were investigating a death at that time, and I didn’t know anything that had happened.”

“Did you move any of the items that were there?”

“No, Sir; I’m not a crime scene tech.”

“As it relates to Ms. Savio, did you touch her at all?”

“No, I wasn’t going to contaminate the scene.”

August 22 at 12:10pm · Like · 11

In Session

“I was looking at the area around the tub, the counter top, any items that might have been knocked over, or that she could have hit her head on.”

“Did you find anything knocked over?”

“No, Sir...I looked around the tub area ... I didn’t find any blood or visible, hair, anything like that.”

“Did you find anything of significance?”

“No, Sir.”

At this time, only he and Sgt. Pat Collins were inside the bathroom.

August 22 at 12:13pm · Like · 10

In Session

“On March 2, 2004, what were your duties?”

“I was to assist Sgt. Collins with the death investigation of Ms. Savio.”

He walked back into the master bedroom, and then walked throughout the residence.

“There was a time period from when we got there until Sgt. Deel got to the scene... I was just looking for anything that would have told me what happened.”

“Do you recall what areas you went into?”

“Yes, the master bedroom; I didn’t move anything or disturb anything.”

“Did you see anything of significance to you?”

“Not at that time...I looked in another room, did not find anything. And then I walked down to the kitchen area . . . there were three things I found: a glass of orange juice on the counter, a package of some kind of pills next to it, and in the microwave a cup of what I believed to be tea or coffee.”

“Was there an entrance door from the outside into the kitchen?”

“Yes, from the garage...I did go through the kitchen, out into the garage...there was an SUV in the garage; there appeared to be a large purse on the front passenger seat . . . it looked just like a big purse to me.”

“Where did you go next?”

“Back into the residence.”

“Did you go into the basement?”

“Yes...I saw the windows; I didn’t touch the windows or the locks. I did observe they weren’t broken. There wasn’t anything I found to inform Sgt. Deel about.”

“Where did you go next?”

“Back upstairs.”

“Was there any type of exit door from the kitchen area to the back yard?”

“I don’t recall . . . once Sgt. Deel arrived, we walked back upstairs to show him where Miss Savio was found. I pointed out an item for him . . . I observed what appeared to be a used condom in the basket or a garbage can in the bathroom. I was told by Sgt. Collins that we were going to leave the residence, and let Sgt. Deel process the scene. And we had to go interview some people.”

With that, he and Sgt. Collins left the Savio residence.

August 22 at 12:21pm · Like · 6

In Session

The parties approach the bench for a sidebar.

August 22 at 12:21pm · Like · 5

In Session

The sidebar ends.

The witness says he and Sgt. Collins went next door to Steve Carcerano’s house, where they met Mary and Tom Pontarelli, Steve Carcerano, and Steve Maniaci.

“Mary Pontarelli was visibly upset; her eyes were red and glassy...during the interview, she

began to cry at times. Tom's eyes were red and glassy, Steve Carcerano's eyes were red and glassy...Mr. Maniaci's eyes were again red and glassy; he teared up several times during the interview."

After these four people were interviewed, he was told by Sgt. Collins that they needed to go to the Bolingbrook Police Department to interview Drew Peterson.

"I told Sgt. Collins that I didn't think it was a good idea to interview Mr. Peterson at the police headquarters."

However, Sgt. Collins was his boss, and was in charge of the investigation.

"Where did you end up going?"

"To the Bolingbrook Police Department."

August 22 at 12:26pm · Like · 7

In Session

At the Bolingbrook P.D., the men went to the lunch room. "I recall a big table, and glass."

He identifies the defendant in the courtroom as the man he interviewed that night.

"When you met with the defendant..." Objection.

The defense asks for a sidebar.

August 22 at 12:27pm · Like · 3

In Session

The sidebar ends.

"Do you recall what time you began to speak with the defendant?"

"Approximately 6:10 am."

"Who was present?"

"Just myself, Sgt. Pat Collins, and Drew Peterson."

"Did other people come and go out of that room?"

"Not during our interview...the majority of it was conducted by Sgt. Pat Collins."

“What was your role?”

“To take notes, and write down what was said.”

“What question did you ask the defendant?”

“There was a question Sgt. Collins asked about any financial gain...I asked exactly what financial gain Mr. Peterson might get from Ms. Savio’s death. He said they had a \$300,000 house that was all his now.”

The witness describes the defendant as “jovial...he was joking almost with us.”

“What other observations did you make about his demeanor?” Objection.

The parties go to a sidebar.

August 22 at 12:32pm · Like · 5

In Session

The sidebar ends.

The interview with Peterson lasted until 7:15 am, after which he and Sgt. Collins went back to their headquarters.

“Was there another interview you conducted?”

“Yes, with Stacy Peterson...at her residence, the following day, March 3rd, at 3:00 pm.”

“When you found out you were going to interview Stacy Peterson at her house, what if anything did you say?”

“I was told by Sgt. Collins that Drew Peterson would be there during the interview, in the same room.”

“Who was Stacy Peterson?”

“His wife.”

August 22 at 12:35pm · Like · 12

In Session

“When you got there, do you recall where you went?”

“We walked into the residence and met with Stacy Peterson and Drew Peterson, and walked

down into the basement area ...we walked down the stairs, and it was at that time that Sgt. Collins told me that Drew was going to actually be in the interview. And so we moved to the side and talked about it ...I told Sgt. Collins that I did not think it was a good idea that Drew was in the same room as Stacy, that we never interview two people in the same room.”

“What’s the next thing that happened?”

“We began the interview: myself, Sgt. Collins, Drew Peterson, and Stacy Peterson. We were sitting at a table in the basement; Sgt. Collins was on my right. Drew and Stacy were sitting right next to each other, less than a foot away.”

“What was your role during the interview?”

“To assist with the interview and take notes.”

“How long did that interview take place for?”

“Approximately an hour...during the interview, Stacy Peterson became upset at times, and began to cry when she talked about the death of Miss Savio and the children.”

“After you conducted the interview with Stacy Peterson, what’s the next thing you did?”

“I believe we went back to our headquarters, and began to talk about the case... after we interviewed Stacy on March 3, 2004, I did one further interview with a paramedic on the 10th. But on the 9th I was assigned to two other cases, so I was off the case about a week later... I believe my last day [at Investigations] was at the end of April or beginning of May, 2004.”

“Did you have any other involvement in this investigation?”

“No, Sir.”

August 22 at 12:39pm · Like · 8

In Session

The witness attended Kathleen Savio’s original autopsy.

That concludes the direct examination of Sgt. Falat.

August 22 at 12:41pm · Like · 4

08/22/2012: Defense Attorney Joseph Lopez on cross examination

In Session

Joe Lopez begins his cross-examination of Illinois State Police trooper Sgt. Bryan Falat.

The witness is asked about the homicide investigation training that he received at the state police academy.

“You were first assigned to be a patrol officer?”

“Yes.”

“You’ve been trained to write reports?”

“Yes.”

“You’ve written numerous reports from 1997 through 2004?”

“Yes.”

“You probably investigated hundreds of crashes?”

“Quite a few crashes, yes.”

“And that required lots of reports?”

“Yes.”

“So when it came to working at this temporary duty assignment, it was kind of a step up?”

“I wouldn’t say that. It was different . . . it was investigations, as opposed to working patrol . . . my duties were to assist and to try to learn from the investigators who were already there . . . we had a field training program, where they’d go over stuff with us.”

“Was Patrick Collins your field training officer?”

“I don’t know if he was at that time.”

August 22 at 12:44pm · Like · 7

In Session

The witness repeats that he Sgt. Collins was his supervisor in this investigation. He arrived at the scene about 45 minutes after he was first called about it. He did not see Drew Peterson at the scene.

“There were Bolingbrook police officers on the scene?”

“Yes.”

“The paramedics were not there, were they?”

"Yes...we interviewed one a couple days later."

"Did somebody brief you before you entered the residence?"

"Commander George and Sgt. Collins."

"When was it that Sgt. Collins came?"

"A little after I did...we walked in there together."

"Did you see the paramedics exit the residence?"

"Well, they were outside."

"So you never saw them inside the residence?"

"No."

"Nobody told you that it was a homicide, did they?"

"No."

August 22 at 12:48pm · Like · 5

In Session

Sgt. Falat identifies a photo showing the orange juice and pills on the kitchen counter.

"You looked in the microwave?"

"I looked in the cup."

"You don't remember if it was still warm, do you?"

"I did not touch it."

"Did you point it out to Sgt. Collins?"

"Yes."

"And to Sgt. Deel?"

"Yes."

"You said there was a purse in the car?"

"Yes."

“Did you put that purse on the kitchen table?”

“No.”

“You are unaware of any Illinois State Police officers who might have done that in your presence?”

“That is correct.”

“Did you look in the purse?”

“Yes . . . I can’t remember what was in there.”

August 22 at 12:59pm · Like · 5

In Session

The judge decides to call the lunch recess at this time.

He leaves the bench, and the trial is in recess until 1:15 CT/2:15 ET.

August 22 at 12:59pm · Like · 3

In Session

August 22

Watch this thread for live updates from the Drew Peterson murder trial!

The parties are all going into the courtroom. The trial should be resuming shortly.

In Session

Judge Burmila is back on the bench.

He sends for the witness and the jury.

August 22 at 2:26pm · Like · 9

In Session

The jurors are back inside the courtroom, and defense attorney Joe Lopez resumes his cross-examination of Illinois State Police Master Sergeant Bryan Falat.

"In regard to the purse, you said you left it in the vehicle?"

"Yes."

"Did you see Deel take a photograph of it?"

"No, Sir."

"You were basically with Collins most of the time?"

"Yes."

"This was your second homicide investigation?"

"This was the third homicide investigation I was at."

"But it wasn't being treated as a homicide investigation, was it?"

"That's not true...it was a death investigation, that I said might be a homicide."

"You know that it was declared an accident?"

"No, I do not know that." Objection.

The prosecution asks for a sidebar.

August 22 at 2:31pm · Like · 13

In Session

The sidebar ends.

"Did you attend a coroner's jury?"

"No."

"But you subsequently learned it had been declared an accident?" Objection/Sustained.

"Did you prepare any reports in this case?"

"I typed two of them: Stacy Peterson, and I believe there was one other one?"

"Was it the paramedic, maybe?"

"I do not recall...all the reports were Sgt. Collins' reports; a couple he asked me if I could type them up for him, because he had fallen behind." Objection/Sustained.

"Whenever you'd prepare a report, you would read it before you signed it?"

"Correct...in Investigations they'd initial them."

"You didn't make any mistakes in your reports?"

"I can't say there's no mistakes in there."

"You took notes, didn't you?"

"I took some note, and Sgt. Collins took some notes."

"You're trying to make these reports as accurate as possible?"

"Yes."

"The report itself becomes part of the investigations?"

"Yes, Sir."

"When you had this interview with Stacy, that was at the house?"

"Yes."

"And you spoke to Steve Maniaci, and that was at someone's house?"

"Yes."

"And you spoke to Tom Pontarelli?"

"Yes."

"At his house?"

"At Steve Carcerano's house."

"You never spoke to Nicholas Pontarelli?"

"No, Sir."

"And when you went to speak to Mr. Peterson's wife, you did that at her house?"

"Yes, hers and Mr. Peterson's house."

"Sgt. Collins was present, and Mr. Peterson was present?"

"Yes."

“And someone else was present?”

“That’s not true.”

“Wasn’t a baby present?”

“No.”

“Nowhere in that report does it reflect that Sgt. Peterson was present?”

“That’s true.”

August 22 at 2:37pm · Like · 6

In Session

The witness denies knowing anything about who placed the blue towel in the Savio bathroom.

“But you never saw Sgt. Peterson in that house?”

“No, Sir.”

He repeats he got the call around midnight, and responded to the scene about 45 minutes later.

“The paramedics and other people were outside?”

“That’s right.”

August 22 at 2:37pm · Like · 4

In Session

“You were present for the interview with Mary Pontarelli?”

“Yes.”

“Did you prepare that report?”

“That may have been the other one I did; I’d have to see the report.”

“In the reports, how can you tell when you write the report?”

“It shows who typed it.”

“It has the person’s initials?”

“Yes, Sir.”

“If it says ‘typed by B.F.’ who would that be?”

“That would be myself.”

“Were other people present when you were speaking to people in the basement?”

“No.”

“So did you single them out one-by-one?”

“Yes.”

“Remember which house you went to?”

“It was within proximity, next door, two houses down, three houses.”

“How did you know it was Carcerano’s house?”

“That’s what we were told when we got there.”

The witness repeats he saw no broken windows at Savio’s house.

“After you went upstairs, where did you go next?”

“To the kitchen . . . I searched the kitchen, and then went to the garage or the basement next.”

“What were you looking for?”

“Anything . . . anything that could tell me what happened to Miss Savio . . . we found someone deceased in a bathtub with no water. So it raised my suspicions right away, Sir.”

August 22 at 2:43pm · Like · 18

In Session

“You looked through that entire first floor living area for anything in particular?”

“Anything out in the open.”

“And you didn’t see anything?”

“No, Sir.”

He repeats that he searched the basement, but didn’t see anything.”

“You looked carefully, and thoroughly?”

“Until I was told to go next door by Sgt. Collins...we were only in the house for approximately half an hour.”

August 22 at 2:43pm · Like · 8

In Session

The witness is shown a photograph.

“That’s a photograph of the vehicle in Miss Savio’s garage, with the door open.”

“Do you see the purse in there?”

“Yes.”

“Do you see Kleenex in there?”

“Yes.”

The photograph is then published.

The witness repeats that the purse or bag was in the same position that’s seen in the photograph.

“You didn’t really touch anything, other than looking inside the purse?”

“That’s correct.”

“Were the garage doors closed?”

“Yes.”

“When you went in, was the garage door locked?”

“It was unlocked.”

“When you entered it, was there anybody else in the house?”

“I don’t recall if there were any Bolingbrook police officers in the house.”

“Was Deel up in the bathroom with you?”

“Yes...he arrived shortly after we did...to process the entire house.”

“Did he get there maybe ten of fifteen minutes after you did?”

“I don’t even want to guess.”

That ends the cross-examination of Sgt. Falat.

August 22 at 2:49pm · Like · 10

08/22/2012: Prosecutor Chris Koch on redirect examination

In Session

“Her hair, there were parts of it that were dry. The back part appeared to be damp, or soaked with damp material, which I believe to be blood.”

“Was Nick Pontarelli present at the Carcerano house when you went to interview the individuals?”

“Yes, he was upstairs sleeping.”

“Do you know where Nick Pontarelli was?” Objection/Sustained.”

“Whose responsibility was it to collect anything from the residence?”

“Sgt. Deel.”

“Know how many paramedics were there when you arrived?”

“No.”

“Know how many were there to begin with?”

“No.”

He repeats that the covers on Savio’s bed were drawn back, but doesn’t know how they were originally situated.

August 22 at 2:55pm · Like · 8

08/22/2012: Defense Attorney Joseph Lopez on recross examination

In Session

Lopez begins his recross.

“Wasn’t Sgt. Peterson a witness to Stacy’s statement?”

“Yes.”

“But you didn’t put that in your report?”

“No.”

August 22 at 2:56pm · Like · 6

In Session

The witness denies that he opened the vertical blinds in Kathleen Savio’s bedroom.

“When you went through the residence, you did not have to collect evidence?”

“No, that was Sgt. Deel’s job.”

“But you did point out items to Sgt. Deel, such as the juice and the condom?”

“Yes.”

That concludes the testimony of Sgt. Falat, and he is excused from the stand.

August 22 at 2:58pm · Like · 8

In Session

There is a brief sidebar, after which the judge asks to the jury excused from the courtroom.

Judge: “While the State is making the next witness available to Mr. Goldberg for a few minutes, we’re going to take a recess.”

August 22 at 2:59pm · Like · 5

In Session

Judge Burmila has left the bench, and the court is in a brief recess.

The next witness is going to be Dr. Vinod Motiani, one of Kathleen Savio’s personal physicians.

August 22 at 2:59pm · Like · 8
