

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

Brian Hafner Testified August 24, 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 24 at 10:39am

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Judge Edward Burmila takes the bench. He sends for the jury.

In Session

The jurors are excused from the courtroom.

Connor addresses the court, says that he believes that the defense wants to make some objections to the next witness ("these would be the training records").

The defense immediately objects. Brodsky: "They want to get in all these training things, things that are completely irrelevant."

Connor indicates that there is indeed particular training that the defendant received regarding evidence handling that the State would like to introduce through this witness.

"It's to show that he obviously has more training than the average individual regarding restraint techniques . . . this defendant could very easily maintain control over Kathleen Savio without any injury to himself . . . there's been testimony this was a homicide, which shows someone else committed this act . . . that the whole point of the training is that officers can restrain any individual without injury to themselves is relevant to the jury."

Judge: "You can't be serious that you want to argue to this jury that the defendant had this training and 'just trust us that he was there, and this is what he did to her when he was there'?"

Connor: "He had been trained in how to restrain an individual. And that allowed him to drown Kathleen Savio."

August 24 at 11:09am · Like · 15

In Session

Brodsky responds, says that this line of testimony has already been precluded.

“It’s nothing but speculation . . . it’s insane, Judge, and it shouldn’t be allowed now . . . it’s beyond the pale . . . they’re going to try to have the jury speculate; they’re trying once more to shift the burden.”

Connor: “Obviously, the defendant’s ability to do this is definitely something the jury can consider; it’s not improper speculation to point out the abilities that the defendant had.”

Judge: “It’s already been ruled on by Judge White. I don’t know why the State, at this late date, would think that it would be allowed to put that on.”

Connor continues, points out that the defendant was once an evidence technician.

“This would basically go to his ability to stage a scene.”

Greenberg points out that Peterson took this training in 1981.

“I think a lot of things have changed . . . it’s sort of like saying, ‘Gee, he has a driver’s license, so he must be a good driver’ . . . they just want to say he once had this training and then somehow argue that 25 years later that he would somehow know how an evidence technician would come in . . . he’s a wonderful evidence technician, but Sgt. Deel is a terrible evidence technician?”

August 24 at 11:15am · Like · 3

In Session

Connor: “This reflects his ability to fool someone like Sgt. Deel.”

Judge: “The admissibility of this evidence goes to the defendant’s knowledge . . . he would be aware, I suppose even 20 years later, of what somebody would generally look for in a crime scene. But the State would still have to make inferences to the jury that the crime scene was altered; that’s another issue whatsoever . . . the information that he would know how to these special holds is unsupported in the record whatsoever . . . so that portion of this witness’ testimony is barred. As far as the defendant’s training as a crime technician . . . that information could be relevant to the jury . . . so that aspect of this is going to be admissible.”

Greenberg: “But they want to argue his knowledge from a certificate, without any supportive information.”

Connor: “The certificate speaks for itself; he WAS an evidence technician . . . I think the

jurors can use their common sense . . . the document speaks for itself; that's an issue of weight."

Judge: "I think the State's entitled to show that he took that class, and that the Bolingbrook Police Department thought he was proficient enough to be appointed to that position."

Greenberg: "We're going to need a continuance, to get the underlying documents . . . we don't even have our files here on this stuff. I don't know if we can even find out what he was taught. That's like saying that when I graduated from law school I was qualified to be a criminal defense attorney. I was not. I may still not be." Judge: "No comment." (LAUGHTER)

August 24 at 11:22am · Like · 7

In Session

Judge: "You've got the weekend. I don't know if you need a continuance."

August 24 at 11:23am · Like · 8

In Session

Greenberg: "We still need to call up his prior testimony."

Judge: "If they just told you about this testimony this morning, I'll give you a minute to pull up that testimony.

We'll be in recess for a minute."

August 24 at 11:24am · Like · 6

In Session

The judge leaves the bench, and the court is in a brief recess.

As Joe Lopez leaves the courtroom, I can hear him say of the prosecution, 'That is desperation!'

August 24 at 11:25am · Like · 7

In Session

August 24 at 11:46am

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The judge is back on the bench.

“Have you located the transcript on Mr. Peterson’s behalf, Mr. Greenberg?”

Greenberg: “Yes.”

With that, the judge sends for the jury.

08/24/2012: Prosecutor John Connor on direct examination

In Session

The jurors are now back in the courtroom, and prosecutor Connor calls the next witness:

Brian Hafner. “I am a lieutenant with the Bolingbrook Police Department.”

He’s been with the Bolingbrook P.D. for about 21 years.

The witness says he is familiar with the kinds of documents that are placed into Bolingbrook P.D. personnel files.

August 24 at 11:50am · Like · 13

In Session

Connor shows the witness three documents.

“Could you identify what that is?”

“[The first] is a memo that indicates that the position of evidence tech has been appointed to [two officers] and Peterson.”

This memo is then published, over a defense objection.

“What is the date on that memo?”

“Jan. 6, 1984.”

“Who are the officers appointed to that position?”

“Ofcs. Peterson, Dodge, and Twomey... that would be Ofc. Drew Peterson.”

He then identifies the defendant in the courtroom.

The next document is “a certificate of achievement for 8 hours of basic crime scene, dated 1988.”

The final document is “a certificate of completion for Drew W. Peterson, dated July 9, 1981. He had completed a course in evidence handling and introduction for forensic techniques.”

“Who was that certificate issued for?” “Drew Peterson.”

That completes the direct testimony of this witness.

August 24 at 11:54am · Like · 14

08/24/2012: Defense Attorney Steve Greenberg on cross examination

In Session

Greenberg begins his cross.

“Did you look through the entire personnel file?” Objection/Overruled.

“I did not.”

“Have you seen any evidence technician training certificates that postdate 1988?”

“I have not.”

“Let’s start with 1988 and go backwards . . . the 1988 course, how long was that course?”

“The certificate says it was 8 hours.”

“What did they teach?”

“Basic crime scene techniques . . . I don’t know exactly what they taught in that class.”
Objection/Overruled.

The prosecution asks for a sidebar.

August 24 at 11:56am · Like · 7

In Session

The sidebar ends.

The judge asks to have the jury excused from the courtroom.

August 24 at 11:57am · Like · 4

In Session The jurors are now gone, and the witness leaves the stand.

Connor then withdraws his objection, so the jury and the witness return to the courtroom.

August 24 at 11:58am · Like · 5

In Session

Greenberg: "In 1988, you were not yet a police officer?"

"I was not."

"You don't know what crime evidence classes were like necessarily in 1988?"

"I do not."

In 1991, when you went to the police academy, did they teach you about using a digital camera?" Objection/Sustained.

"How about in 1988?"

"I don't even know if they were around then."

"How about the 1981 course; how long was that?"

"I don't think I can you from this certificate . . . I have no idea what they taught in that class . . . I would not know . . . I'm sure they taught something, but I would not know." (LAUGHTER)

"So all you can tell us is he's got a certificate?"

"That's correct."

"And in 1984, he got appointed as an evidence tech?"

"That's correct."

"Can you tell us if he ever processed a crime scene?"

"I could not answer that . . . I do not know where he was in the department in 1984. I know he was appointed on Jan. 6, 1984; that's all I can tell you."

"You don't know if he paid attention to the courses he took?"

"I do not know."

August 24 at 12:03pm · Like · 5

In Session

“You actually worked with Sgt. Peterson, didn’t you?” Objection.

The parties go to a sidebar.

August 24 at 12:04pm · Like · 3

In Session

The sidebar ends.

“Are you aware of any scene Sgt. Peterson ever processed?”

“No.”

Once again, the parties go to a sidebar.

August 24 at 12:04pm · Like · 3

In Session

The sidebar ends.

The jury and the witness are excused from the courtroom.

August 24 at 12:05pm · Like · 4

08/24/2012: Defense Attorney Greenberg does an “Offer of Proof”

In Session

The jurors are now gone.

Ofc. Hafner is still present, and Greenberg makes an offer of proof.

“Do a lot of officers take courses similar to the short course Mr. Peterson took in 1988?”

“Usually officers that are being groomed to become evidence technicians will begin with a class like that.”

That ends the offer of proof, and the witness is excused from the courtroom.

The judge sustains the prosecution’s objection to this line of testimony.

August 24 at 12:08pm · Like · 12

08/24/2012: Defense Attorney Greenberg continues cross examination

In Session

The jurors and the witness are now back inside the courtroom.

“Do you know if in either of those courses they taught detection?”

“Again, I can’t testify as to anything that they taught in the 80s.”

“How to stage a crime scene?”

“Same answer.”

“How to clean up?”

“I don’t know what they taught in that class.”

The ends the cross-examination of this witness; there is no redirect, so he is excused.

August 24 at 12:10pm · Like · 4

08/24/2012: Court Issues Re: Cassandra Cales, Harry Smith, Rick Mims

In Session

The State asks for a sidebar.

August 24 at 12:10pm · Like · 4

In Session

The sidebar ends.

The jurors are now gone.

Connor says that the next potential witness is Stacy Peterson’s sister, to identify which phone number Stacy used.

Greenberg objects to this witness, insisting that it’s hearsay.

Judge: “I don’t believe it is . . . how would that be hearsay?”

Greenberg: “How come we got a list of people last night, and now we’re getting different people?”

Judge: "That I can't answer."

The judge calls another recess at this time, so that the defense and prosecution can discuss upcoming witnesses.

August 24 at 12:15pm · Like · 7

In Session

The judge leaves the bench.

The trial is in recess, pending another witness.

August 24 at 12:15pm · Like · 4

In Session

August 24 at 12:52pm

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Judge Burmila is back on the bench.

The State says that there are some stipulations which may eliminate the need for any more prosecution witnesses.

Regarding Cassandra Cales, Stacy's sister, there will be a stipulation as to Stacy's cell phone number in 2004.

There are also some other phone records and four court orders that may Brodsky says he sees no relevance to.

The judge asks to see these documents.

In Session

The judge examines the documents in question.

Attorney Greenberg says that he has a discovery issue with at least one of them.

August 24 at 12:56pm · Like · 3

In Session

Judge: "I'm troubled by [two paragraphs in one of the documents]. Because of that, I'm not inclined to admit it . . . the other question I have is, can this be presented in a vacuum?"

He allows one of the documents, but says he's "missing the connection" regarding a second one.

August 24 at 1:01pm · Like · 2

In Session

Judge Burmila denies the admissibility of the second document.

August 24 at 1:04pm · Like · 1

In Session

The judge asks if there is a transcript available of earlier witness Teresa Kernc.

It doesn't appear that there is one.

August 24 at 1:07pm · Like · 2

In Session

The judge leaves the bench.

The trial is in recess until 1:15 CT/2:15 ET.

August 24 at 1:08pm · Like · 3

In Session

August 24 at 2:49pm

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Judge Burmila returns to the bench. He says that he has reviewed the transcript of Teresa Kernc.

Prosecutor Koch: "The next witness the State intends to call will be Harry Smith. There are a couple of questions I'd like to bring to the Court's attention . . . there's a letter that was presented to Harry Smith, that Miss Savio presented to Mr. Smith . . . we believe Harry Smith can testify as to the foundational elements of that letter . . . it's the State's position that the

letter could come in through Harry Smith's testimony without opening the door to any privileged information that Mr. Smith maintains he still has . . . that's the first clarification we want to ask the Court's guidance on . . . also, there was some discussion made as to any kind of offer of proof of Mr. Smith prior to him testifying . . . we believe Harry Smith will be able to testify."

Judge: "What is the date of this statement to her sister that the defendant allegedly said he was going to kill her?"

Koch: "Anna Doman's statement was approximately six weeks before her death."

In Session

Attorney Brodsky responds: "I'm really at a loss here. My client is not charged with the July 5th incident . . . now, they're trying to introduce this evidence as motive . . . I've never seen an attempt to get in such collateral evidence . . . all this is going to is to lay the foundation for the March 22 court order. It's an agreed order."

Judge: "One of these I already ruled on . . . [two more] are admitted . . . this one I said before already this morning was inadmissible."

August 24 at 2:57pm · Like · 5

In Session

The judge/attorney exchange continues at length.

Brodsky argues that through this letter the State is putting Kathleen Savio's credibility at issue. Should that happen, "Then I want Mr. Smith to take the stand and tell us about this privileged information he has, about how she took the stand and lied . . . they can't have their case [sic] and eat it, too."

August 24 at 3:03pm · Like · 4

In Session

Prosecutor Colleen Griffin joins the discussion.

Judge: "This exhibit is going to be admitted. This is a statement signed by Ms. Savio . . . if the defense wants to call Mr. Smith to impeach him, tell me the date and I will compel him to be here."

August 24 at 3:10pm · Like · 18

In Session

Judge: "I'm going to take a break.

You guys get your act together, and let me know."

Judge Burmila leaves the bench, and the trial is in recess.

August 24 at 3:11pm · Like · 3

In Session

The attorneys have just disappeared into the back hallway.

They are presumably on their way to Judge Burmila's chambers.

August 24 at 3:33pm · Like · 7

In Session

Chuck Pelkie has just informed us that attorney Harry Smith will now NOT be testifying today.

He MAY be back on Monday.

August 24 at 3:45pm · Like · 4

In Session

I have just been informed that the jury has been excused for the day.

August 24 at 3:59pm · Like · 5

In Session

Judge Burmila is back on the bench.

He confirms that all of the State's stipulations will be presented at 9:00 Monday morning, and that attorney Harry Smith has been alerted to be present Monday morning, should the defense choose to call him.

The State confirms that it does not plan to call any additional live witnesses, and should be resting as soon as it presents its stipulations.

August 24 at 4:02pm · Like · 8

In Session

August 24 at 4:05pm

The jury has been excused in the Drew Peterson Murder Trial.

The prosecution is expected to rest its case Monday morning.
