

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

**Prosecution Offers Stipulations
Defense Begins Presenting Their Case
Court Updates – Monday, August 27, 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 27 at 10:45am

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

Judge Burmila takes the bench (the jury is not present).

Prosecutor Connor confirms that the State is ready to offer some stipulations, as well as move into evidence some exhibits (including two transcripts from television interviews of the defendant).

The defense objects to the transcripts, but the judge overrules the objection and allows them into evidence.

In Session

The defense argues that Dr. Bryan Mitchell's autopsy report should be read into the record.

The State says that is not necessary, since Dr. Larry Blum quoted from it extensively. But according to the defense, if it's not going to be read into the record then there's no reason to admit Dr. Mitchell's report into evidence in the first place.

Judge Burmila: "Well, there certainly was testimony about a vast majority of the information present in this report from Dr. Mitchell . . . I don't see the need to read it specifically to the jury, and the defendant's request that I read it in its entirety is denied."

August 27 at 10:45am · Like · 22

In Session

Judge Burmila notes some passages in both Dr. Mitchell's and Dr. Blum's reports that he is striking before they go into evidence.

"State, do you have any additional live testimony to present?"

Prosecutor Connor: "No, Your Honor."

August 27 at 10:46am · Like · 7

In Session

Attorney Brodsky addresses the Court.

He asks that another passage be stricken, to which the State has no objection.

August 27 at 10:46am · Like · 4

In Session

Brodsky notes his objections to some of the items that the State hopes to enter into evidence.

The judge grants the parties "a very brief recess" so that they can confer about these proposed exhibits.

August 27 at 10:48am · Like · 5

In Session

The judge has left the bench.

The trial is in "a very brief recess."

August 27 at 10:49am · Like · 5

In Session

Judge Burmila is back on the bench.

Attorney Brodsky says that there remain "only a few exhibits" to which the defense is still objecting. One of those objections concerns two photographs that show holes in Kathleen Savio's door.

The judge allows them to be admitted (over the defense objection).

Another exhibit to which the defense objects is the document relating to the cell phone records.

Connor: "We want them to be part of the record."

The judge allows these records to be admitted (over the defense objection).

August 27 at 11:12am · Like · 21

In Session

Brodsky now objects to a photograph of Stacy Peterson, calling it both irrelevant and prejudicial.

However, Judge Burmila allows the photograph to be admitted.

August 27 at 11:14am · Like · 26

In Session

Another exhibit to which the defense objects is part of the medical file of Dr. Gene Neri.

The judge allows the records, but only so the medical records will be complete.

Brodsky then objects to parts of Dr. Vinod Motiani's file; the judge lets them in.

August 27 at 11:18am · Like · 16

In Session

Judge Burmila goes through the entire list of the State's exhibits, confirming which items are being admitted into evidence.

August 27 at 11:20am · Like · 8

In Session

The judge sends for the jury.

August 27 at 11:20am · Like · 10

In Session

The jurors are now inside the courtroom.

Judge: "We have a number of stipulations to present to you . . . each one has been agreed to by the State and the defense.

The first is a November 14, 2002 letter to [prosecutor] Elizabeth Fragale . . . 'On July 5, Mr. Peterson got into my house with a garage opener he programmed for himself . . . I was very afraid for my life . . . Drew was in uniform (SWAT uniform) . . . he was very angry that in our divorce the judge ruled he would have to pay child support; he told me he didn't want to pay anything . . . he asked me several times if I was afraid; I started to panic. He brought out his knife and held it to my neck; I thought I'd never see my boys again. Sincerely, Kathleen Peterson."

August 27 at 11:26am · Like · 25

In Session

Following the reading of this letter, the defense asks for a sidebar.

Once the sidebar ends, the jurors are excused from the courtroom.

Attorney Brodsky asks for a special jury instruction, due to what he worries is the prejudicial effect of the letter.

Judge: "It's the local practice here that the Court reads all the stipulations to the jury, which makes them neutral."

Greenberg: "It's not a stipulation . . . it's a piece of evidence, and should have been read in by the State."

Judge: "We'll clear that up when the jury comes back . . . [but] I said several times that I would be reading the stipulations."

Greenberg: "It's their evidence. I think someone from their side should read that in . . . when it comes from you, Judge, jurors will look at it differently."

Judge; "I said repeated since Friday that I would be reading them all . . . tell me which ones you want me to read and which ones you don't."

August 27 at 11:31am · Like · 13

In Session

Greenberg comes up with a total of four of the agreed-upon stipulations that he believes the State should actually read (rather than the judge).

“It’s not your evidence; it’s their evidence . . . when it comes from you, it has a different intonation to it. Regardless of whatever the practice is, I do not believe that the judge should be reading these stipulations.”

Judge: “It’s not something that I want to do; it’s something that I routinely do.”

Connor responds, argues that the judge should simply read all of the stipulations.

Judge: “The defendant has suggested that the State read the stipulations . . . I guess I can understand the point they’re making, Mr. Glasgow. Pick one of your assistants to read the stipulations . . . and we’ll go from there.”

With that, the judge sends for the jury.

August 27 at 11:35am · Like · 10

In Session

The jurors are now back in the courtroom.

The judge informs them that the parties do not necessarily agree that the previous letter was accurate, only that it was sent.

Prosecutor Koch then proceeds to read other stipulations:

“It is stipulated that if Patrick O’Neil were called to testify, he is the Will County Coroner, and Dr. Mitchell was contracted to do autopsies, and was a licensed doctor in the State of Illinois . . . he was requested to perform an autopsy on Kathleen Savio on March 2, 2004, and prepared an autopsy report.”

August 27 at 11:39am · Like · 7

In Session

Koch: “It was Dr. Mitchell’s opinion that the cause of death of Kathleen Savio was drowning.”

The next stipulation is what Peterson said in an interview on the NBC Today Show, and Koch reads from the transcript.

In the interview, Peterson says he went into Savio’s house because “the next door neighbor [Mary Pontarelli] was upset and wanted to go into the house . . . she was dead in the bathtub . . . I felt her pulse, and being a policeman, I didn’t want to touch or disturb anything.”

Peterson also said that Savio was from “an abusive home life . . . we were always basically trying to outdo each other with different things.”

August 27 at 11:42am · Like · 8

In Session

Koch now reads the second transcript, which is of the defendant's appearance on CNN's Larry King Show.

"The children were with me for the weekend . . . the neighbors were also worried. I had neighbors go into the house, and they found her dead in the bathtub . . . for many years, my children and I were believing she died in a household accident."

August 27 at 11:44am · Like · 8

In Session

Koch reads another stipulation, stating that if Illinois State Police Sgt. James Poortinga testified, he would note specific telephone calls which would be reflected in phone records.

August 27 at 11:46am · Like · 8

In Session

Day by day, Koch goes over the phone records, indicating the dates, times, and lengths of phone calls between Peterson and Savio.

August 27 at 11:47am · Like · 9

In Session

Another stipulation: "It is agree to that if Kevin Stevenson were called to testify, he would say he was a deputy coroner who attended the autopsy of Kathleen Savio . . . a photograph taken at that time would reflect a necklace around her neck . . . toxicology specimens were sent to St. Louis University . . . Michael VanOver took over the custody of the body following its exhumation."

August 27 at 11:51am · Like · 9

In Session

Another stipulation: "If called to testify, Cassandra Cales, Stacy Peterson's sister, would testify" as to Stacy Peterson's cell phone number [he reads the number].

Another stipulation is to the introduction of an aerial map, which shows both Kathleen Savio's and Drew Peterson's homes.

August 27 at 11:54am · Like · 14

In Session

There is a new thread

August 27 at 11:56am · Like · 4

In Session

August 27 at 11:55am

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

Prosecutor Glasgow: "Your Honor, the People rest."

The judge asks to have the jurors removed from the room.

In Session

Attorney Greenberg begins the defendant's motion for a judgment of acquittal.

"They have not offered any evidence as to how she died . . . certainly no evidence that her injuries were inflicted in a criminal manner . . . they have not provided any evidence as to the when, how, or who with respect to this particular incident, or disproved that it was an accident. All they have shown, if anything, is that there was a contentious divorce for a period of time. And that's it. So we would ask that you grant our motion."

August 27 at 11:56am · Like · 4

In Session

Prosecutor Koch responds: "Evidence of the defendant's motive, opportunity, and conduct before and after the death is relevant evidence . . . you have the evidence of what Stacy Peterson relayed to Neil Schori . . . there's reasonable inference that he was in that home that night . . . he came back with a bag of clothes, women's clothing that was not his wife's . . . he told Stacy Peterson that the police would want to interview her, and he worked with her for hours. According to Neil Schori, she did lie to the police . . . the cause of death is drowning, which comports with the bill of indictment in this case . . . both doctors did opine that this was a homicide, Dr. Blum . . . [and] Dr. Case . . . this was a homicide . . . you have the defendant's comments as to how she died . . . all those different statements made by him . . . we believe

those circumstances show this defendant did, in fact, perform the acts of drowning her, with the intent to kill her. We ask that you deny the motion for a directed finding.”

August 27 at 12:04pm · Like · 26

In Session

Greenberg responds, charges that the State is trying to convict Peterson “based on the idiosyncrasies of his past life . . . the State claims they’ve made a circumstantial case . . . [but] they have to establish that Drew Peterson committed this offense. Their doctors say there was a laceration . . . I have no idea what caused the laceration. Do you, Judge? . . . whatever caused the laceration, how is that proving that Mr. Peterson had anything to do with the laceration . . . whatever caused that laceration didn’t cause her to die, didn’t cause her to pass out, that’s what they say. OK, when is the theory, then, Judge . . . we didn’t hear anyone say that there were marks on her from being held underwater . . . was she attacked in the bedroom, attacked downstairs? I don’t know . . . we have no theory as to what happened to this lady . . . we know she drowned, undisputed. If a laceration to the head did not make her pass out, then she would be fighting . . . not a single defense wound on her body, not a single scratch on Mr. Peterson . . . nothing about that at all. Her fingernails were tested for DNA; none of his DNA was found. There is absolutely nothing in this record to explain that somebody drowned her; not a single witness said that she was involuntarily drowned . . . where was a witness saying she was held underwater and drowned? No one said that, Judge . . . are we to assume she was held underwater and drowned? They say it wasn’t an accident; it was a staged scene made to look like an accident. They say that because they don’t want to accept that it was an accident.”

August 27 at 12:10pm · Like · 8

In Session

Greenberg continues: “What is undisputed in this case? It’s undisputed Monday night that Mr. Peterson went over there and they got a locksmith . . . we know that Mr. Peterson didn’t want to go in that house; he didn’t want to be accused of anything . . . he was afraid there’d be problems. That’s undisputed . . . they go in there and they find a body in the tub, and they scream. And he goes running up the stairs to that bathroom, and he checks that body. And when he checks that body, he says, ‘She’s dead. And what am I going to tell my kids?’ Not a single witness said that he seemed anything less than genuinely upset by that . . . they go into this song and dance about this blue towel; no witness says that Mr. Peterson put that blue towel there . . . Peterson wasn’t there. How is it a staged scene; what’s staged in the scene? . . . don’t you think that if Ms. Savio had these habits to put her hair up and take her jewelry off that Mr. Peterson would know these things? . . . where is any evidence in this record from which someone could conclude that she did not die in the morning? Where is any evidence to contract that? Where is the evidence to conclude that it happened at night, as they want to say? They’ll say, ‘Well, there’s the statement from Neil Schori’ . . . when you evaluate that statement, it’s not specific as to date . . . and look at Rev. Schori; he brought a prover with him to that meeting. I’m Jewish . . . if I want to talk to the rabbi, he does not bring

the cantor with him!"

August 27 at 12:17pm · Like · 5

In Session

Greenberg: "They say there are all these other incidents . . . this supposed July 5 knife incident . . . it's two years almost before she dies, and the evidence of that is rather incredible . . . she doesn't make any prompt report of the incident; she changes her story multiple times . . . we know that she lies; we know that Kathleen Savio lies about things that happened . . . these things could not have happened in the manner in which they say they happened. Because the events in this record aren't consistent . . . we know that Kathleen Savio and Mary Pontarelli were together every day, or almost every day; they were best friends. Mary Pontarelli didn't say anything about this supposed knife incident, because nobody said anything to her about it."

August 27 at 12:20pm · Like · 5

In Session

Greenberg: "If he was going to kill her so they didn't have to get to trial, why didn't he kill her before the January trial date? Why didn't he kill her before the February trial date? . . . what evidence can you point to in this case to say that Drew Peterson committed this crime? You can say they had a storm relationship, a stormy divorce . . . you can say pathologists differ on the conclusions to be drawn from her injuries . . . but none of that puts Drew Peterson in that house, committing a crime that weekend . . . they get up here, and they regurgitate the same stuff."

August 27 at 12:24pm · Like · 5

In Session

Greenberg: "There's nothing here! NOTHING here! . . . did they ever say to you, 'This is the piece of evidence that puts Drew Peterson at the house this weekend' . . . did they ever say that they had a theory about how it was done? No, because they don't . . . they just hope that this jury dislikes Mr. Peterson . . . 'we can't tell you that it wasn't an accident . . . but presume he did it; years later, we want you to presume he did it' . . . they have said that he drowned her in the bathtub. They have said that he drowned her. That is what the indictment reads. And where is the evidence that he drowned her? Even their own doctors say she drowned . . . how did he drown her? Did he hold her down? How did she get the injury to the back of her head? I have never seen a murder case where they do not ask the pathology how that injury was inflicted? . . . how did it get there? . . . nobody said that; nobody said it because they have no theory as to how this happened. It's as if they're trying to nail a clump of Jell-O to a tree, and have it stick there."

August 27 at 12:30pm · Like · 5

In Session

Greenberg: “Where is the evidence, Judge? Where can they say to you, ‘This is what happened in that house, this is how it was done, and this is how this individual did it?’ They didn’t do it. Because they can’t do it.”

August 27 at 12:31pm · Like · 5

In Session

Judge: “The law in the State of Illinois is the law . . . Mr. Greenberg says he doesn’t want to put the Court on the spot; when it comes to motions of this type, the Court is always on the spot . . . in this case, the State has met the corpus delicti, in the Court’s opinion; they demonstrated that a death occurred, and if you believe their pathologists a criminal agency caused it . . . the State is entitled to present a circumstantial case before a fact-finder. What is the role the Court has to play at this juncture at this point? Is there any rational finder of fact who could find the defendant guilty on these facts? There’s no question that much of what’s before this jury right now is in conflict . . . Dr. Mitchell says there’s no significant trauma on the body; the opposite conclusion comes from Dr. Blum, that the trauma on the body IS significant . . . looking in the light most favorable to the State, the jury could return a guilty verdict here . . . the State presented evidence of the defendant’s intent to kill Ms. Savio . . . the testimony of the State’s expert witnesses that Dr. Mitchell’s opinions were wrong, and that the wound to the back of the head would not render Kathleen Savio unconscious . . . some mechanical means would be required to have her inhale fluid . . . if we distill down the State’s case, the jury could find on these facts that the defendant was guilty of this offense . . . the defendant’s motion is denied.”

August 27 at 12:38pm · Like · 28

In Session

The defense asks for a moment.

Judge Burmila grants a brief recess, and leaves the bench.

The trial is in recess.

August 27 at 12:39pm · Like · 9

In Session

The judge is back on the bench (no jury).

Prosecutor Colleen Griffin makes a motion regarding the testimony of proposed defense witness Harry Smith (Kathleen Savio's divorce attorney).

The defense is hoping to call Smith to impeach Savio's credibility.

Griffin: "It's the State's position that Your Honor ruled in our favor regarding the attorney/client privilege."

She argues that "the defendant doesn't get to benefit from the fact that he made the witness unavailable . . . it is a one-way street . . . if Harry Smith's going to get up here and say Kathleen Savio told him she lied under oath, that would be hearsay . . . that wouldn't be impeachment of anything . . . whatever the statement is, it was part of the attorney/client privilege, and that was not waived by Kathleen Savio; it continues past her death."

August 27 at 1:11pm · Like · 15

In Session

Griffin continues, cites case law that she believes supports the State's position.

"The defendant made this witness unavailable . . . through his malfeasance, through his own acts . . . to impeach a witness on behalf of a defendant who made her unavailable . . . we would ask this Court not to break the attorney/client privilege."

August 27 at 1:16pm · Like · 10

In Session

Defense attorney Brodsky responds, says that the point of impeaching Savio is to ensure that the defendant is not "convicted by a lie . . . they haven't cited one case – not one – that talks about a limited waiver . . . the July 5th incident was something she didn't complain about until she was served; she was very angry . . . the interplay between these two is great."

Brodsky then cites case law in support of his argument.

August 27 at 1:21pm · Like · 7

In Session

Brodsky: "Our defense here is that Ms. Savio is not credible . . . there are multiple instances here of Ms. Savio fabricating; this is just another one . . . this flies in the face of the defendant's right to get a fair trial . . . somebody whose hearsay is admitted can only be impeached through additional hearsay."

Griffin: "This Court specifically found there were four privileged conversations, and that three would remain privileged . . . again, we would ask the Court grant out motion."

August 27 at 1:26pm · Like · 5

In Session

Judge Burmila makes his ruling: "I disagree with [defense] counsel that there can be no partial waiver of the attorney/client privilege . . . what's determinative of this motion is there is a prohibition in the State of Illinois against specific act impeachment . . . while it's a close call, I don't believe that this specific form of impeachment would be appropriate. And the defendant will not be allowed to impeach Kathleen Savio's testimony by this avenue."

So, apparently, the defense will not be able to use Harry Smith's testimony to impeach Kathleen Savio.

August 27 at 1:31pm · Like · 18

In Session

The judge has left the bench.

The trial is in recess until 1:30 CT/2:30 ET.

August 27 at 1:31pm · Like · 7

In Session

August 27 at 2:48pm

Watch this thread for the latest from the Drew Peterson murder trial!

Judge Burmila is back on the bench.

Defense attorney Greenberg addresses the Court, revisits the defense argument for calling attorney Harry Smith in an attempt to impeach the credibility of victim Kathleen Savio.

In Session

"She perjured herself under oath . . . I think that's a different situation, not a specific act of misconduct in a vacuum . . . if, in fact, she perjured herself, we would have no way of knowing until Mr. Smith actually disclosed this to someone . . . I think this is not a specific act of misconduct in the traditional sense . . . it goes to the oath, and what the oath means to the individual."

Prosecutor Griffin responds: "I'm not really sure what counsel is talking about . . . we don't know what was said, what was done . . . this is nothing different than a specific act of misconduct that the defendant is trying to bring in . . . I think Your Honor's previous ruling should stand."

August 27 at 2:48pm · Like · 10

In Session

Judge Burmila: "I understand the argument Mr. Peterson is making now . . . but my ruling is applicable to this additional argument as well. And the State's motion in limine is granted."

August 27 at 2:49pm · Like · 20

In Session

The attorneys approach the bench for a sidebar.

August 27 at 2:52pm · Like · 4

In Session

The sidebar ends.

The judge leaves the bench.

August 27 at 2:58pm · Like · 2

In Session

Judge Burmila is back on the bench.

He then sends for the jury.

August 27 at 3:07pm · Like · 5

08/27/2012: Defense Attorney Steve Greenberg on direct examination

In Session

The jurors have returned to the courtroom.

The defense calls its first witness: Mary Pontarelli (questioned by Attorney Greenberg).

The witness repeats that she lived next door to Drew and Kathleen Peterson.

“Would you say you were her best friend?”

“Yes . . . at least three or four times a week.”

“Your son was extremely close with her?”

“Yes.”

“You’d go on vacations together?”

“Yes.”

“The kids would all play together?”

“Yes.”

“During that time, you got to know both Kathleen and Drew well?”

“Yes, I did.”

“Did you ever see Drew get mad at Kathleen?”

“No.”

“Did you ever see Drew strike her?”

“No . . . he was very nice, very respectful, a good neighbor.”

“Was he a happy guy?”

“Yes . . . he joked a lot.”

“He’d say things tongue in cheek a lot?”

“Yes, he’s a funny guy. He’d make jokes a lot . . . not in a mean way, in a fun way.”

“On the day that Kathleen was found in the tub, you went in there?”

“Yes, I did . . . I went in the first time, ran out into the bedroom, and then went back in.”

“You never saw any blue towel there?”

“No, I did not . . . I did kneel down by the bathtub.”

“Onto the floor?”

“Yes.”

August 27 at 3:08pm · Like · 7

In Session

The witness is shown a photograph.

“Do you remember how high up that tub is?”

“No.”

“What did you do?”

“I braced my arms on the rim of the tub and I touched Kathy. I touched her back and felt her hair was wet, and seen [sic] the cut she had on her head.”

“Possible you moved her head a little one way or the other?”

“No, I don’t believe I did.”

According to Mrs. Pontarelli, Savio “usually” had her hair up in a clip when she was about to bathe.

“Did Drew seem upset that night?”

“He seemed worried . . . he seemed upset.”

“Did it ever seem as if he was faking it?” Objection/Sustained.

“Would you know if he was being sincere?”

“I’m not sure.”

The witness is then asked about her hearsay hearing testimony, which Greenberg starts to read. Objection.

The judge calls the attorneys to a sidebar.

August 27 at 3:11pm · Like · 5

In Session

The sidebar ends, and the witness is shown a copy of the transcript of her hearsay hearing testimony.

"I guess I did say that."

"Would you have told the police if you thought he wasn't being sincere?"

"Yes."

"Kathy was a fighter, right?"

"Yes."

"Do you know what she was like?"

"Yes."

"Know what her temper was like?"

"Yes."

"Did you ever see her with any red marks around her neck?"

"No."

"IN the fall of 2003, did you ever notice her wearing clothing that appeared to be concealing an injury on her neck?" Objection/Sustained.

"Did you ever notice any injury to her neck in the fall of 2003?"

"No."

"Do you have any indication how she would react?"

"She would defend herself. She's tough. She wouldn't let anyone hit her without fighting back."

That ends the direct examination of this witness.

There is no cross, and so the witness is excused.

August 27 at 3:15pm · Like · 5

08/27/2012: Defense Attorney Joel Brodsky on direct examination

In Session

The defense calls its second witness:

Illinois State Police Master Sergeant Bryan Falat (questioned by attorney Brodsky).

He repeats that he was assigned to the death investigation of Kathleen Savio Peterson.

“One of the witnesses you interrogated was Stacy Peterson?”

“Yes.”

“You testified how she was questioned in the basement of her house that she shared with Drew Peterson?”

“Yes.”

“You were the one taking notes, and typing up the statements?”

“I took notes on Stacy Peterson, and I typed that report.”

The witness is shown a document.

“It’s a report for the interview of Stacy Peterson.”

“That’s your typed-up version of the report that you took from her on March 3, 2004?”

“Yes.”

“You took the notes for this interview?”

“Yes, Sir.”

“In the top line . . .” Objection.

The parties approach the sidebar.

August 27 at 3:20pm · Like · 6

In Session

The sidebar ends.

“It has your name and Sgt. Collins’ name on it?”

“Yes, Sir.”

Once again, the parties approach a sidebar.

August 27 at 3:20pm · Like · 3

In Session

The sidebar ends.

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

August 27 at 3:20pm · Like · 4

In Session

The jurors and the witness are now gone.

Prosecutor Koch argues that the defense should not be able to bring in additional statements of Stacy Peterson.

Brodsky responds, says the purpose of this testimony is to rebut Rev. Schori's testimony about what Stacy told him about the night in question.

"When she gave her statement back in 2004, she did not provide an alibi or give any indication where...Drew Peterson was."

Judge: "Don't we have two separate issues here: if he asked her to lie, and if she did lie? You're trodding a path that has consequences, that might cause me to revisit rulings I've made with regards to this whole area . . . just so you understand that . . . you're the captain of the ship, you just go right away."

Brodsky: "Let me take a moment to talk to my shipmates."

A moment later, Brodsky decides to continue his direct examination of Sgt. Falat.

August 27 at 3:31pm · Like · 9

In Session

The witness and the jurors are returned to the courtroom.

Brodsky resumes his direct examination of Sgt. Falat.

"You not only interviewed Stacy, with Drew Peterson in the room, but Drew Peterson was also interviewed previously, in the police station?"

"Yes."

"Did you see any marks on him, as if he'd been in a struggle?"

"No."

“You didn’t see any scratches on his face?”

“No.”

“You didn’t see anything to indicate he’d been in a struggle?” Objection/Overruled.

“No.”

“Did anybody ever say anything to you about Kathy sleeping with a knife?”

“No, Sir.”

“Did anybody say anything to you about Drew Peterson breaking into Kathy Peterson’s house and holding her at knifepoint?”

“No, Sir.”

“And they knew you were investigating the death of Kathleen Savio?”

“Yes.”

That ends the direct examination of this witness.

August 27 at 3:31pm · Like · 4

In Session

The attorneys approach for a sidebar.

August 27 at 3:31pm · Like · 3

08/27/2012: Prosecutor Chris Koch on cross examination

In Session

The sidebar ends.

Prosecutor Koch begins his cross.

“You talked to four individuals over at the Carceranos’?”

“Correct.”

“Your job was to gather basic information as to what had occurred that night?”

“Yes.”

That ends the cross-examination.

August 27 at 3:32pm · Like · 5

08/27/2012: Defense Attorney Steve Greenberg on redirect examination

In Session

The witness can't remember what the defendant was wearing at either his interview or Stacy's.

"You were there investigating a death?"

"That's correct."

"You were taught that the first 24 hours were the most important time in any investigation?"

"Yes, I've heard that."

There is no more redirect and no recross, so the witness is excused.

August 27 at 3:35pm · Like · 6

In Session

Before the next witness can testify, the attorneys go to another sidebar.

August 27 at 3:40pm · Like · 3

In Session

The sidebar ends.

The jury leaves the courtroom.

Prosecutor Mary Patton is objecting to the next defense witness.

August 27 at 3:40pm · Like · 3

In Session

There is a pause, while the attorneys attempt to locate a transcript of the testimony of Susan Doman. There is an issue of some sort regarding exactly when Mrs. Doman was at the Savio

house (and when exactly the defendant may have told her, “Ha, ha, I found the will”).
August 27 at 3:44pm · Like · 4

In Session

Judge: “You certainly wouldn’t be able to impeach Anna [Doman’s] testimony with something Susan said to the insurance agent. Or vice versa . . . I don’t see the support in my minutes or in the transcript that would identify this as testimony impeaching her so that it would be admissible . . . how would the fact that one person said that to the insurance agent indicate that the other person was being untruthful? . . . I don’t see how this impeaches that testimony . . . the witness is not going to be able to testify to either of those, because they don’t impeach anything.”

August 27 at 3:50pm · Like · 24

In Session

Based on the judge’s ruling, the defense will apparently not be calling Joseph Steadman.

Judge Burmila calls a brief recess so that the defense team can plan its next move.

The judge leaves the bench, and the trial is in recess.

August 27 at 3:53pm · Like · 13

In Session

The judge is back on the bench.

He sends for the jury.

August 27 at 4:12pm · Like · 4

08/27/2012: Defense Attorney Joel Brodsky on direct examination

In Session

The jurors are back in the courtroom, and the defense calls its next witness:

Joseph Steadman (questioned by attorney Brodsky).

He is a claims adjustor for Old Republic Life Insurance.

“I received a telephone call from the sister of Kathleen Savio . . . I got her name and

telephone number and some of the information from her. And I told her I would have to get the underwriting file, and I would get back to her.” Objection/Overruled.

The witness is shown a copy of his records for this claim.

August 27 at 4:12pm · Like · 7

In Session

“After you got the underwriting file together, what’s the next thing you did?”

“I called Anna Doman back. And I found out that her sister died on March 1, 2004, but the sister told me . . .” Objection/Sustained.

“After you called Ms. Doman, did you discover who the beneficiaries were?”

“Her sons.”

“Thomas and Kristopher?”

“Yes.”

“And Mr. Drew Peterson was not a beneficiary?”

“Not at that time . . . because they were minors, I advised her we wouldn’t be able to pay benefits directly to them. Someone would have to be appointed guardians of their estate.”

He then sent a memo to his supervisor, asking him how he should handle the matter.

August 27 at 4:14pm · Like · 5

In Session

The witness is next asked about another memo in the file, dated April 21, 2004. Objection.

The prosecution asks for a sidebar.

August 27 at 4:16pm · Like · 6

In Session

The sidebar ends.

The witness is asked to look at another document.

"Sir, this looks like the same memo."

After a moment, Brodsky realizes the witness is correct.

"Recall the next step you took in the investigation?"

"I called Mrs. Doman back, and I advised her that Mr. Peterson would have to pursue the claim. I received a telephone call from Mr. Peterson."

"What did you do next?"

"I set up a file, and I waited to hear from Mr. Peterson."

"Did you then receive a proof of loss?"

"After I spoke to him, I basically told him what information we would need to process the claim . . . I received proof of loss from him."

"That would be the next step you took?"

"Yes, Sir."

August 27 at 4:21pm · Like · 6

In Session

Now, the witness is once again shown a copy of the April 21, 2004 memo in his claim file.

"Were the proof of losses on Mr. Peterson's behalf, or on behalf of the minors?"

"On behalf of the minors . . . I called Mr. Peterson on the telephone; I had some questions for him."

"Did he give you information?"

"Yes, he did . . . I followed up on part of the information he gave me. I asked him if he knew the name and phone number of the Illinois State Police officer handling the case."
Objection/Sustained.

"Did you follow up with the police officers?"

"Yes, I did, Sir."

"Did you receive documents which appointed Mr. Peterson as guardian for his two children?"

"Yes, I did."

“Did you receive information regarding the cause of death?”

“Yes . . . if Mr. Peterson murdered her, he would not be eligible to be the guardian.”

“Did the insurance company eventually pay the claim?”

“Yes.”

“In full?”

“Yes . . . one million dollars, plus interest.”

That concludes the direct examination of this witness.

August 27 at 4:24pm · Like · 5

08/27/2012: Prosecutor John Connor on cross examination

In Session

Connor begins his cross.

He shows the witness an internal memo from March, 2004.

But before the witness can be asked any questions, the attorneys approach for a sidebar.

August 27 at 4:27pm · Like · 3

In Session

The sidebar ends.

The policy was originally taken out on “Sept. 17, 1997 . . . for one million dollars.”

“Who was the beneficiary?”

“Drew Peterson . . . April 10, 2002, the beneficiary changed to her two minor sons, Thomas and Kristopher.”

That ends the cross.

August 27 at 4:27pm · Like · 10

In Session

The witness “believes” that Peterson knew he was no longer the beneficiary of the policy at

the time that Savio died.

That ends the redirect.

On recross, Connor asks, "You don't know when he found out he wasn't the beneficiary, do you?"

"I believe it was due to their divorce."

"But you don't know when he found out?"

"No."

With that, the witness is excused.

August 27 at 4:31pm · Like · 13

08/27/2012: Defense Attorney Joseph Lopez on direct examination

In Session

The defense calls its next witness: Joseph Basile (questioned by attorney Joe Lopez).

He is employed as an FBI special agent, assigned to the Chicago office.

"Did you become involved in regard to a death investigation involving Mr. Peterson?"

"It was actually the death of Kathleen Savio . . . I conducted several interviews, mostly of police officers of the Bolingbrook Police Department."

According to the witness, he is allowed to testify only with regard to "the 302" report that he has prepared in this case.

"You can tell us that you were so assigned on April 10, 2008?"

"I'd have to look at the 302."

The witness is then shown the 302 report.

"The interview was conducted on April 10, 2008 . . . I was assigned by two others."

He names the two others who were with him at the time (both with the Illinois State Police).

"Was your assignment to interview a certain Bolingbrook police officer?"

"Yes."

"Did you interview that witness?"

“Yes.”

“Do you remember the name of the witness you testified that day?”

“James Coughlin . . . [employed by] the Bolingbrook Police Department.”

August 27 at 4:38pm · Like · 6

In Session

“Did you have occasion to ask him what he observed in the Will County Courthouse, in regard to Mr. Drew Peterson?”

“Yes.”

The witness is shown his report, to refresh his recollection.

“Did Ofc. Coughlin tell you who he was with that day?”

“Yes, Ofc. Trece (?).”

“Did he tell you he saw Drew Peterson there?”

“Yes.”

“Did he tell you Drew Peterson was attending a hearing regarding his divorce from Ms. Savio?”

“I don’t recall.”

Once again, the witness is shown his report.

“I was told by Mr. Coughlin that he saw and talked to Mr. Peterson, who was attending a hearing regarding his divorce from Ms. Savio . . . he originally saw him in a courtroom, where the matter was being heard.”

“Did he tell you he peeked into a courtroom where the matter was being heard?”

“Yes.”

“Did he tell you the attorneys were laughing hysterically?”

“Yes.”

“Was he able to give you a time frame when that occurred? . . . in Feb. of 2004?”

“Yes.”

“And Mr. Coughlin looked into the courtroom and made an observation?”

“Yes.”

“You didn’t get it wrong in your statement, did you?”

“No.” Objection/Overruled.”

“Did he ever mention he saw Mr. Peterson by an elevator?”

“I’d have to review the report again . . .not within this paragraph, although this report is six pages long.”

There is a pause, as the witness reads the entire report to himself.

“Did you use the word ‘elevator’ anywhere in there?”

“No.”

That concludes the direct examination of this witness.

August 27 at 4:47pm · Like · 5

08/27/2012: Prosecutor Kathleen Patton on cross examination

In Session

Prosecutor Patton asks for a sidebar.

August 27 at 4:47pm · Like · 2

In Session

The sidebar ends.

Patton: “Didn’t he also tell you that the defendants said the laughter was the result of Savio getting all his money?”

“Yes.”

“Didn’t he also tell you that the defendant said, “My life would be much easier if she were dead?”

“Yes.”

August 27 at 4:48pm · Like · 20

08/27/2012: Defense Attorney Joseph Lopez on recross examination

In Session

The cross is now finished, and Lopez begins his redirect.

The witness concedes that the report might not reflect the exact words that Peterson told Ofc. Coughlin.

“These are words that were conveyed to me by Mr. Coughlin.”

“They may not be verbatim of Mr. Coughlin?”

“Correct.”

August 27 at 4:51pm · Like · 4

In Session

On recross, the witness acknowledges that his report has quotation marks in it. He says that, to the best of his ability, he wrote verbatim what Coughlin told him.

The parties then go to a sidebar.

August 27 at 4:51pm · Like · 5

In Session

The sidebar ends, and after one quick question the witness is excused.

August 27 at 4:52pm · Like · 5

In Session

The defense asks for a sidebar.

August 27 at 4:53pm · Like · 3

08/27/2012: Defense Attorney Steve Greenberg on direct examination

In Session

August 27 at 5:02pm

Watch this thread for the latest from the Drew Peterson murder trial

The sidebar ends.

The next witness is Rob Sud (questioned by attorney Greenberg).

He is a Bolingbrook police officer.

He goes over his professional background, and describes the training that he has received (including 1998 training as an evidence technician). He worked as an evidence technician in his previous police position in the village of Lisle, Illinois (but not in Bolingbrook).

In March, 2004, he was a Bolingbrook patrol officer.

The evening of March 1, around 10:44, he received a radio call instructing him to telephone the dispatch center.

“I was told to respond to Pheasant Chase . . . Sgt. Peterson was there, and his ex-wife was found deceased.”

He arrived a couple of minutes later.

“One officer responded with me as well.”

When he arrived, the paramedics were already in the upstairs bathroom.

“Did you see Sgt. Peterson?”

“By the front door . . . he indicated that the deceased person in the bathroom upstairs was his ex-wife.”

The witness says he prepared a report on his actions that night.

“I proceeded to go to the upstairs, to investigate what was going on. First, I went up to the main bedroom, and met with two individuals who were in the bedroom at the time.”

“Tom Pontarelli and Steve Carcerano?”

“Yes . . . [then] I went into the bathroom . . . I observed the paramedics checking vital signs on the female in the bathtub. . . . they indicated there were no vital signs, at which case I asked everybody to leave . . . and then I secured the area for the time being.”

“Do you recall seeing a blue towel on the side of the bathtub?”

“I do not recall seeing one.”

“Did you have a chance to observe Sgt. Peterson?”

“Yes . . . he appeared visibly upset . . . I had no other conversation with him.”

After speaking to Tom Pontarelli, he also spoke to Mary Pontarelli.

“I was just gathering basic information.”

“You didn’t learn anything suspicious, did you?”

“No, I did not.”

In Session

Eventually, the witness walked around the house with one of his commanders (but saw nothing suspicious). Just before 1:00, the Illinois State Police arrived to take over.

“Had anyone gone upstairs”

“No one went upstairs.”

He remained until 3:56, when the house was secured.”

“When the state police left, were you given any items?”

“Keys to the house, and a garage door opener.”

August 27 at 5:04pm · Like · 7

In Session

The witness identifies the defendant inside the courtroom.

That concludes the direct examination.

August 27 at 5:04pm · Like · 7

08/27/2012: Prosecutor John Connor on cross examination

In Session

Prosecutor Connor begins his cross.

“At some point, you did have to leave the residence for a brief time frame?”

“I did . . . I ascertained the details of why they entered the home. Mr. Pontarelli, his wife, and his son were no longer at the residence, so I went to their home to speak to them.”

In all, he was gone for about 15 minutes.

“During the time you were gone, do you know what occurred at the residence during that time frame?”

“I do not.”

That ends the cross

August 27 at 5:07pm · Like · 26

08/27/2012: Defense Attorney Steve Greenberg on redirect examination

In Session

The witness says his report reflects that he left briefly to speak to the Pontarellis.

“But it doesn’t say that you specifically left the residence?”

“It may not.”

The witness is shown his report.

“It doesn’t exactly say that.”

“It does say that you were not the only officers there?”

“Correct.”

He names some of the other officers who had arrived at the scene.

“They came out because it was another officer?”

“Correct.”

“There were at least four other officers there?”

“Right.”

“There was no grand meeting between you to cover something up?” Objection/Sustained.

“It didn’t appear to you that there had been a struggle anywhere?”

“I don’t remember anything like that.”

“And you noted in your report that no struggle had occurred?”

“Yes.”

That concludes the redirect; there is no recross, and so the witness is excused.

August 27 at 5:14pm · Like · 9

In Session

The judge asks to have the jurors removed from the courtroom.

Once they're gone, he asks the State if it's filing a motion in limine regarding a conversation between Harry Smith and Stacy Peterson. Prosecutor Griffin says that she doesn't have that motion written up, but that she's prepared to argue it orally.

“It's my understanding the defense is seeking to call Harry Smith regarding a telephone conversation in which Stacy asked Mr. Smith if she could get more money out of Drew if she threatened to tell the police he killed Kathleen Savio . . . that still leaves the question of the cases that we cited earlier . . . this doesn't go to impeachment of the statements that she made to Rev. Schori. It doesn't even say that she was going to extort money, just that she asked about it . . . this does not directly impeach what Harry Smith said that she told him . . . it's intrinsic evidence that would not be allowed for impeachment . . . and, again, she cannot be rehabilitated except by her coming in and telling what she meant by any of these statements . . . there are specific rules for impeachment in Illinois; this simply does not fall under one of them . . . I believe there's no rule in Illinois that would allow for the impeachment of Stacy's statements to Neil Schori with this intrinsic evidence.”

August 27 at 5:20pm · Like · 19

In Session

Attorney Greenberg responds. “I don't understand the argument.”

Judge: “I understand the argument the State is making . . . [but] I don't have any case law at my fingertips here . . . it sure raises into question what the person wanted to do with that information. Do you have any case law, other than that one case you already submitted?”

Prosecutor Griffin offers some additional cites to back up her position.

“We can't just impeach her credibility with an attempt to talk about ‘maybe’ doing a bad act.”

August 27 at 5:27pm · Like · 6

In Session

Greenberg responds: “Frankly, I don't follow the argument.”

Judge: “None of the case law submitted to this point says what the State is arguing. I don’t see how we can make a resolution to this without looking at the applicable law . . . so I guess I’ll have to see that case law before I can make a decision.”

Greenberg: “So we should tell Mr. Smith to come back another day?”

Judge: “I don’t want to do that . . . but I’m going to have to see this case law, if it’s out there, to support what they’re arguing . . . so will everybody be ready to go with this argument first thing tomorrow morning? . . . we will convene with regard to this argument at 8:30 tomorrow morning.”

August 27 at 5:31pm · Like · 10

In Session

The defense apparently has one more witness available this afternoon.

The judge leaves the bench, pending the procurement of that witness.

The trial is in a brief recess.

August 27 at 5:32pm · Like · 7

In Session

It appears that the defense is hoping to call Thomas Peterson – the elder of the defendant’s two sons with Kathleen Savio – as its next witness.

The prosecution, however, has objected to this testimony, and so both sets of attorneys are back in chambers with the judge.

August 27 at 5:46pm · Like · 10

08/27/2012: Defense Attorney Joseph Lopez on direct examination

In Session

August 27 at 6:03pm

Watch this thread for the latest from the Drew Peterson murder trial

Judge Burmila is back on the bench.

He sends for the jury. The jurors are now back in the courtroom.

The defense calls its next witness: Darrin Devine.

He is a special agent for the Illinois State Police.

He is questioned by Joe Lopez.

On June 6, 2008, he interviewed Kristin Anderson.

“Did she ever indicate anything about Ms. Savio keeping a knife under her mattress?”

“No.”

That ends the direct examination of this witness.

08/27/2012: Prosecutor John Connor on cross examination

In Session

After a long pause, prosecutor Connor begins his cross.

“Miss Anderson didn’t mention anything about a knife under her mattress?”

Is there anything that might reflect your recollection?”

“Yeah . . . it’s been four years.”

The witness is shown a copy of his report, which he reads silently to himself.

”When you took that report, what did she tell you about observing a knife?”

“That she did keep a knife under the mattress.”

“And by ‘she’ you mean Kathleen Savio?”

“Yes.”

That ends the cross-examination; there is no redirect, and so the witness is excused.

August 27 at 6:06pm · Like · 17

In Session

The attorneys approach the bench for a sidebar.

August 27 at 6:06pm · Like · 3

In Session

The sidebar ends.

Judge Burmila: "We'll be in recess until tomorrow morning."

August 27 at 6:07pm · Like · 6

In Session

August 27 at 6:07pm

Testimony in the Drew Peterson trial will pick up tomorrow morning at 10 a.m. ET.
