

21828

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BRUCE LEWIS BRIGGS,

CALLLED AS A WITNESS ON BEHALF OF THE DEFENSE,
HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED
AS FOLLOWS:

THE CLERK: STATE YOUR FULL NAME FOR THE COURT AND
SPELL YOUR LAST NAME, PLEASE.

THE WITNESS: BRUCE LEWIS BRIGGS, B-R-I-G-G-S.

THE CLERK: NOW IS LEWIS SPELLED?

THE WITNESS: L-E-W-I-S.

THE CLERK: THANK YOU.

DIRECT EXAMINATION

BY MR. HERWIN: Q. MR. BRIGGS, ARE YOU AN
INVESTIGATOR FOR THE KRAFT DEFENSE TEAM?

A. YES, I AM.

Q. DID I ASK YOU TO DRIVE SEVERAL ROUTES THAT I
SELECTED THAT RELATE TO VARIOUS EVENTS THAT OCCURRED OR
ALLEGEDLY OCCURRED IN THE HALL CASE?

A. YES.

Q. AND IN DOING THAT DETERMINE THE LENGTH OF
TIME IT WOULD TAKE YOU FROM POINT A TO POINT B?

A. YES.

Q. AND THE DISTANCE THAT WOULD BE -- THAT YOU
WOULD HAVE TO TRAVEL TO DO THAT?

A. THAT'S CORRECT.

MR. HERWIN: KAREN, WHAT'S OUR NEXT EXHIBIT NUMBER?

THE CLERK: D-133.

21829

1 (DEFENDANT'S D-133 - MARKED FOR I.D.)

2 BY MR. MERWIN: Q. BEFORE YOU DID THIS DRIVING TO
3 DETERMINE DISTANCES AND TIMES, DID YOU MAKE ANY EFFORT TO
4 MAKE SURE THAT YOUR SPEEDOMETER WAS PROPERLY CALIBRATED?

5 A. YES, I DID.

6 Q. WHAT DID YOU DO?

7 A. I HAD IT CALIBRATED AT A SPEEDOMETER SHOP TO
8 DETERMINE THE DEGREE OF ERROR IN MY ODOMETER.

9 Q. WHAT DID YOU LEARN?

10 A. THE ODOMETER IS 10 PERCENT SLOW, WHICH MEANS
11 IF I DRIVE ONE MILE, IT MEASURES NINE-TENTHS OF A MILE.

12 Q. HAVE YOU TAKEN THAT INTO CONSIDERATION IN
13 DETERMINING DISTANCE AND TIMES?

14 A. YES.

15 Q. LET ME SHOW YOU D-133 AND ASK YOU TO STEP UP
16 HERE IF YOU WILL, BRING THAT POINTER WITH YOU. ON THIS
17 PARTICULAR EXHIBIT WE HAVE THREE DOTS. ONE IS RED. FIRST
18 GIVE US THE GENERAL LOCATION OF THIS.

19 A. THIS IS A BLOWUP OF PAGE 29-D FROM A THOMAS
20 BROTHER'S MAP GUIDE WHICH GENERALLY SHOWS THE SAN JUAN
21 CAPISTRANO AREA.

22 Q. WHAT DOES THE RED DOT REFLECT?

23 A. THE LOCATION OF THE RESIDENCE WHERE THE
24 PARTY WAS BEING HELD WHEN MARK HALL WAS LAST SEEN ALIVE.

25 Q. CETRANGOLO?

26 A. AT THAT TIME, YES.

21830

1 Q. WHAT IS THE BLUE DOT?

2 A. THAT IS THE ON RAMP TO THE I-5 AT ORTEGA
3 HIGHWAY.

4 Q. WHAT IS THE GREEN DOT?

5 A. THAT'S THE ON RAMP UP TO I-5 AT JUNIPERA
6 SERRA ROAD.

7 Q. WHAT IS THE MOST DIRECT ROUTE FROM THE RED
8 DOT TO THE BLUE DOT GOING ON STREETS?

9 A. DOWN TO CAMINO CAPISTRANO UP BY THE MISSION,
10 ACROSS THE FREEWAY TO THE ON RAMP.

11 Q. AND HOW FAR IS THAT?

12 A. 1.1 MILES.

13 Q. WHAT IS THE CLOSEST STREET ROUTE FROM THE
14 RED DOT TO THE GREEN DOT?

15 A. SIMPLY DOWN TO CAMINO CAPISTRANO UP TO
16 JUNIPERO SERRA OVER TO THE FREEWAY.

17 Q. HOW FAR IS THAT?

18 A. ONE MILE EVEN.

19 THE COURT: MR. MERWIN, DO YOU WANT SOME HELP WITH
20 THAT?

21 MR. MERWIN: THIS ONE WILL BE ALL RIGHT. LET ME
22 MARK THIS D-134.

23 (DEFENDANT'S D-134 = MARKED FOR I.D.)

24 BY MR. MERWIN: Q. LOOKING AT D-134, WHAT PART OF
25 THE COUNTY DOES THIS SHOW?

26 A. IT'S PART OF ORANGE COUNTY AND PART OF

21831

1 RIVERSIDE COUNTY. GENERALLY THE CLEVELAND NATIONAL
2 FOREST.

3 Q. WHAT DOES THE RED DOT REPRESENT?

4 A. THE LOCATION WHERE MARK HALL'S BODY WAS
5 FOUND.

6 Q. WHERE IS BEDFORD PEAK?

7 A. RIGHT THERE (INDICATING).

8 Q. JUST SLIGHTLY NORTH ON THIS MAP --

9 A. YES.

10 Q. -- OF THE RED DOT. NOW THERE ARE A NUMBER
11 OF LINES DRAWN IN HERE, APPARENTLY TRACE VARIOUS ROUTES
12 THAT COULD BE USED TO REACH THE RED DOT --

13 A. THAT'S CORRECT.

14 Q. -- FROM VARIOUS PLACES OUTSIDE OF CLEVELAND
15 NATIONAL FOREST?

16 A. THAT'S CORRECT.

17 Q. LET'S TAKE THE ONE -- LET'S START WITH THE
18 ONE IN THE TOP THAT STARTS, HEADS DOWN. WHERE DOES THIS
19 START?

20 A. THERE ARE TWO LOCKED GATES ON THIS ROUTE
21 MOST OF THE TIME.

22 ONE IS HERE AT SKYLINE DRIVE ON THE SOUTH END
23 OF CORONA, ANOTHER HERE AND BEEK'S PLACE. BUT THIS IS ONE
24 OF THE PUBLIC ACCESS ROUTES INTO THE CLEVELAND NATIONAL
25 FOREST.

26 THE COURT: WHEN DID YOU MAKE THESE DRIVES?

21032

1 THE WITNESS: WITHIN THE LAST WEEK, YOUR HONOR.

2 THE COURT: THANK YOU. ALL RIGHT.

3 BY MR. HERWIN: Q. HOW ABOUT THE BOTTOM RIGHT
4 ROUTE? LOOKS LIKE IT'S A --

5 A. THE BLACK ONE?

6 Q. WHERE IS THAT COMING FROM, WHERE DOES IT GO?

7 A. NOT ALL THIS IS SHOWN. THIS COMES OFF THE
8 ORTEGA HIGHWAY NEAR THE EL CARISO (PHONETIC) FIRE STATION,
9 PAST SANTIAGO PEAK AND JOINS OR IS THE MAIN DIVIDE ROAD.

10 Q. THEN YOU HAVE A ROAD DESIGNATED BY RED.
11 WHAT DOES THAT TRACE OR DEPICT?

12 A. THAT COMES IN AT THE END OF SILVERADO CANYON
13 WHERE THERE'S ALSO A LOCKED GATE MOST OF THE TIME. THE
14 RED ROUTE IS THE MAPLE SPRINGS TRUCK TRAIL, WHICH JOINS
15 THE MAIN DIVIDE ROAD AND COMES BACK TO THE CRIME SCENE.

16 Q. ONE LAST ONE IS DEPICTED HERE WITH A YELLOW
17 HIGHLIGHTER. WHAT IS THAT?

18 A. THAT IS THE OLD MINE CAMP ROAD ALSO KNOWN AS
19 SILVERADO MOTORWAY WHICH ALSO BEGINS JUST OFF THE END OF
20 THE PAVEMENT AT SILVERADO AND IS NOW PERMANENTLY CLOSED.

21 Q. YOU KNOW IF THAT WAS OPEN IN 1976?

22 A. YES, IT WAS.

23 THE COURT: MITCH, WHY DON'T YOU SEE IF YOU CAN
24 ASSIST.

25 (INTERRUPTION IN PROCEEDINGS.)

26 BY MR. HERWIN: Q. DID I ASK YOU TO DETERMINE THE

21833

1 DISTANCE FROM DORIS LANE'S HOME TO SAN JUAN CAPISTRANO?

2 A. YES.

3 Q. AND WOULD YOU SHOW US WHERE DORIS LANE'S
4 HOME IS ON THIS MAP?

5 A. REPRESENTED BY THE BLUE DOT.

6 Q. AND WHAT ROUTE DID YOU TAKE TO GET TO SAN --

7 A. DIRECTLY DOWN THE SAN DIEGO FREEWAY TO SAN
8 JUAN CAPISTRANO.

9 Q. DID YOU DETERMINE THAT DISTANCE?

10 A. YES, I DID.

11 Q. WHAT WAS THAT?

12 A. HAVE TO LOOK AT MY NOTES.

13 MR. MERWIN: I WILL MARK THIS EXHIBIT D-135. THANK
14 YOU.

15 (DEFENDANT'S D-135 - MARKED FOR I.D.)

16 BY MR. MERWIN: Q. HOW FAR WAS THAT?

17 A. 22.7 MILES.

18 Q. DID YOU DETERMINE YOUR -- LENGTH OF TIME IT
19 TOOK YOU TO GET THERE?

20 A. YES.

21 Q. HOW LONG DID IT TAKE TO YOU DRIVE THAT?

22 A. THIRTY-FIVE MINUTES.

23 Q. DRIVING WHAT SPEED?

24 A. SPEED LIMIT.

25 Q. WHAT TIME OF DAY OR EVENING, NIGHT?

26 A. THAT WAS ON A SATURDAY EVENING.

21854

1 Q. ROUGHLY WHAT TIME?

2 A. 9:00 P.M.

3 Q. WHAT WERE TRAFFIC CONDITIONS LIKE?

4 A. LIGHT TO MODERATE.

5 Q. DID YOU MAKE AN EFFORT TO DETERMINE THE
6 DISTANCE AND DRIVING TIME FROM SAN JUAN CAPISTRANO TO THE
7 CRIME SCENE WHERE WE HAVE THE RED DOT ON THIS EXHIBIT?

8 A. YES.

9 Q. AND THAT'S THE CRIME SCENE AREA NEAR BEDFORD
10 PEAK?

11 A. YES.

12 Q. DID YOU TRY -- DID YOU MAKE THAT DRIVE USING
13 SEVERAL DIFFERENT ROUTES?

14 A. YES, I DID.

15 Q. FIRST, GENERALLY, WHY DON'T YOU SHOW US ON
16 THIS LARGER ONE. I KNOW IT DOESN'T HAVE ALL THE ROUTES IN
17 THERE, BUT JUST GIVE US A GENERAL FEEL FOR THE DIFFERENT
18 ROUTES.

19 A. OKAY. HERE IS THE END OF SILVERADO CANYON.
20 THE NOW CLOSED MINE CAMP ROAD OR SILVERADO MOTORWAY WOULD
21 GO DIRECTLY FROM HERE TO THE RED DOT.

22 THE MAPLE SPRINGS TRUCK TRAIL GOES DOWN HERE,
23 JOINING THE MAIN DIVIDE ROAD, COMES BACK UP TO THE RED DOT.

24 THE SKYLINE DRIVE ENTRANCE TO CORONA YOU'D
25 DRIVE OUT ON THE 91 DOWN LINCOLN TO CHASE STREET ONTO
26 SKYLINE DRIVE UP TO THE GATE UP HERE, WHICH COMES INTO THE

21835

1 CRIME SCENE.

2 AND WE HAVE THE ORTEGA HIGHWAY HERE, RIGHT
3 ABOUT HERE IS THE EL CARISO (PHONETIC) FIRE STATION. THE
4 ROAD ISN'T SHOWN, BUT IT COMES ALL THE WAY FROM THE ORTEGA
5 TO THE CRIME SCENE.

6 Q. TO GIVE US A LITTLE MORE DETAIL, LET'S GO
7 BACK TO D-134.

8 SO DID YOU DETERMINE THE DISTANCE FROM SAN
9 JUAN CAPISTRANO TO THE CRIME SCENE USING THE RED ROUTE ON
10 THIS MAP?

11 A. YES.

12 Q. AND WHAT WAS THAT DISTANCE?

13 A. 42.4 MILES.

14 Q. AND HOW LONG DID THAT TAKE?

15 A. ONE HOUR AND 50 MINUTES.

16 Q. DRIVING WHAT SPEED?

17 A. FOR A GREAT DEAL OF IT, FIVE TO TEN MILES AN
18 HOUR. VERY ROUGH TERRAIN.

19 Q. WAS THERE ANY TRAFFIC TO SPEAK OF?

20 A. NOT OFF ROAD, NO.

21 Q. WHAT TIME OF DAY DID YOU MAKE THAT TRIP?

22 A. THAT WAS DONE DURING THE DAYLIGHT HOURS THIS
23 PAST SATURDAY.

24 Q. WOULD THAT BE A TOUGH DRIVE TO DO AT NIGHT?

25 A. YES.

26 Q. WHY?

21036

1 A. HILLY TERRAIN, BLIND CURVES, LARGE ROCKS IN
2 THE ROADWAY.

3 Q. DID YOU MAKE AN EFFORT TO DETERMINE THE
4 DISTANCE FROM SAN JUAN CAPISTRANO TO THE CRIME SCENE USING
5 THE YELLOW ROUTE?

6 A. WELL, I HAD TO ESTIMATE THAT BECAUSE THAT
7 ROAD FROM THE END OF SILVERADO IS CLOSED NOW. / BUT USING A
8 MAP SCALE AND ESTIMATING THE YELLOW PORTION OF THE ROAD TO
9 BE ABOUT THREE AND A HALF MILES, THEN THE TOTAL DISTANCE
10 WOULD BE 30.7 MILES.

11 Q. ANY WAY TO ESTIMATE HOW LONG IT WOULD TAKE
12 TO DRIVE?

13 A. IT'S JUST AN ESTIMATE, BUT I WOULD SAY 15 TO
14 20 MINUTES.

15 Q. THE YELLOW PORTION?

16 A. THE YELLOW PORTION, YES.

17 Q. WHAT WOULD THAT MAKE IT FROM SAN JUAN
18 CAPISTRANO TO OUR RED DOT, THE CRIME SCENE, VIA THE YELLOW
19 ROUTE?

20 A. THAT'S 30.7 MILES.

21 Q. OKAY. DID YOU MAKE AN EFFORT TO DETERMINE
22 HOW FAR IT WAS FROM SAN JUAN CAPISTRANO TO THE CRIME SCENE
23 USING ORTEGA HIGHWAY OR THE BLACK ROUTE?

24 A. YES, I DID.

25 Q. AND HOW FAR IS THAT?

26 A. 52.1 MILES.

21837

1 Q. HOW LONG DID THAT TAKE TO DRIVE?

2 A. TWO HOURS AND 45 MINUTES.

3 Q. AT WHAT SPEED?

4 A. ONCE AGAIN, ONCE YOU ARE OFF THE ROAD, IT'S
5 FIVE TO TEN MILES AN HOUR.

6 Q. WOULD THAT BE A DANGEROUS WAY TO APPROACH
7 THAT AREA AT NIGHT?

8 A. YES, IN MY OPINION.

9 Q. DID YOU DRIVE FROM SAN JUAN CAPISTRANO TO
10 THE CRIME SCENE USING THE CORONA OR BLUE ROUTE?

11 A. YES, I DID.

12 Q. AND HOW LONG DID THAT TAKE?

13 A. TIME OR MILEAGE?

14 Q. START WITH MILEAGE.

15 A. 62.5 MILES, TWO HOURS AND 10 MINUTES.

16 Q. WOULD THAT BE A DIFFICULT DRIVE OR NOT?

17 A. A LITTLE LESS SO THAN THE OTHERS, BUT STILL
18 DANGEROUS AT NIGHT.

19 Q. DID YOU DETERMINE HOW LONG IT WOULD TAKE TO
20 GO FROM THE CRIME SCENE TO THE KRAFT RESIDENCE USING THE
21 RED ROUTE?

22 A. KRAFT PARENTS' RESIDENCE?

23 Q. YES.

24 A. YES, I DID.

25 Q. HOW MANY MILES IS THAT?

26 A. 38.7.

21838

1 Q. AND HOW LONG DID THAT TAKE TO DRIVE?

2 A. ONE HOUR AND 50 MINUTES.

3 Q. DID YOU DETERMINE HOW FAR IT WAS FROM THE
4 CRIME SCENE TO THE KRAFT FAMILY RESIDENCE USING THE YELLOW
5 ROUTE AND ESTIMATING FOR THE AREA THAT YOU COULDN'T
6 ACTUALLY DRIVE?

7 A. YES, I DID.

8 Q. HOW FAR IS THAT?

9 A. TWENTY-SEVEN MILES.

10 Q. HOW LONG WOULD THAT TAKE TO DRIVE?

11 A. ESTIMATED ONE HOUR.

12 Q. DID YOU MAKE THE SAME DETERMINATION, FOR
13 INSTANCE, CRIME SCENE TO KRAFT'S FAMILY RESIDENCE USING
14 ORTEGA HIGHWAY OR THE BLACK ROUTE?

15 A. YES.

16 Q. HOW FAR IS THAT?

17 A. 73.7 MILES.

18 Q. AND HOW LONG DID THAT TAKE TO DRIVE?

19 A. THREE HOURS AND 20 MINUTES.

20 Q. AT WHAT SPEED?

21 A. ON THE ORTEGA AND THE FREELAY AT THE SPEED
22 LIMIT, BUT OFF THE ROAD FIVE TO TEN MILES AN HOUR.

23 Q. AGAIN, THAT WOULD BE A DANGEROUS ROUTE TO
24 USE AT NIGHT?

25 A. YES.

26 Q. DID YOU MAKE THE SAME TRIP FROM THE CRIME

21839

1 SCENE TO THE KRAFT FAMILY RESIDENCE USING THE CORONA OR
2 BLUE ROUTE?

3 A. YES.

4 Q. HOW MANY MILES IS THAT?

5 A. 51.7.

6 Q. HOW LONG DID THAT TAKE TO DRIVE?

7 A. ONE HOUR 48 MINUTES.

8 Q. HAVE YOU COMPUTED THE TOTALS FOR THE VARIOUS
9 ROUTES YOU TOOK TO GET FROM -- AND I DON'T KNOW WHETHER
10 YOU HAVE OR YOU HAVEN'T.

11 A. I HAVE.

12 Q. FROM THE LANE RESIDENCE USING THE LANE
13 RESIDENCE, THE BLUE DOT DOWN TO SAN JUAN CAPISTRANO, UP TO
14 THE CRIME SCENE, AND BACK TO THE KRAFT RESIDENCE USING THE
15 VARIOUS ROUTES.

16 A. I HAVE.

17 Q. COULD YOU TELL US WHAT YOUR DETERMINATIONS
18 WERE?

19 A. USING THE RED ROUTE, TOTAL OF 103.8 MILES,
20 TRAVEL TIME OF 4 HOURS AND 15 MINUTES.

21 USING THE ORTEGA HIGHWAY OR BLACK ROUTE,
22 IT'S A TOTAL 148.5 MILES, 6 HOURS AND 40 MINUTES.

23 USING THE CORONA OR BLUE ROUTE, AT THE TOP,
24 A TOTAL OF 136.9 MILES, 4 HOURS AND 33 MINUTES.

25 AND USING THE YELLOW ROUTE ESTIMATING FOR
26 TIME AND DISTANCE, 86.4 MILES, 2 HOURS AND 35 MINUTES.

21040

1 MR. HERMINE: I HAVE NOTHING FURTHER. THANK YOU.
2 WE'D OFFER THESE EXHIBITS IN EVIDENCE.

3 THE COURT: ALL RIGHT. THEY WILL BE RECEIVED. ANY
4 QUESTIONS, MR. BROWN?

5 MR. BROWN: I JUST HAVE A COUPLE QUESTIONS.

6 THE COURT: OKAY. DO YOU WANT ANY OF THESE
7 DIAGRAMS?

8 MR. BROWN: WE DON'T NEED THAT ONE ANYMORE. JUST
9 THIS ONE HERE. THIS WOULD BE 134.

10 THE COURT: ALL RIGHT. ALL YOUR QUESTIONS RELATE
11 TO 134.

12 CROSS EXAMINATION

13 BY MR. BROWN: Q. MR. GRIGGS, WHAT WAS THE MILEAGE
14 BETWEEN THE ON RAMP AT SAN JUAN CAPISTRANO AND THE START
15 OF THE YELLOW ROAD HERE OR THE ROAD THAT YOU HAVE BEEN
16 REFERRING TO AS THE MINE CAMP ROAD?

17 A. I DON'T HAVE THAT ON THESE COMPUTATIONS. I
18 DID MEASURE THAT SEPARATELY. AS I RECALL, I THINK IT'S 22
19 MILES, BUT I CAN'T BE POSITIVE.

20 Q. YOU THINK IT WOULD BE 22 MILES FROM THE ON
21 RAMP NEAR SAN JUAN CAPISTRANO TO THE NORTHBOUND 405
22 FREEWAY; IS THAT CORRECT?

23 A. MY MILEAGE WAS MEASURED FROM THE CETRANGOLO
24 RESIDENCE IN SAN JUAN CAPISTRANO, BUT I THINK IT'S 22
25 MILES.

26 Q. THAT WOULD BE FROM THE RESIDENCE TO THE ON

21841

1 KAMP IN SAN JUAN?

2 A. THAT'S CORRECT.

3 Q. ON UP THE 405 FREEWAY TO THE WHAT WOULD BE
4 THE HARBOR -- THE NEWPORT BEACH FREEWAY?

5 A. EL TORO ROAD TO SANTIAGO CANYON ROAD TO
6 SILVERADO WOULD BE THE MOST DIRECT ROUTE.

7 Q. YOUR 22 MILES WOULD STOP RIGHT DOWN HERE
8 WHERE THE PAVED ROAD INTO SILVERADO CANYON STOPS?

9 A. THAT'S CORRECT.

10 Q. HOW MANY MILES WOULD YOU ESTIMATE IT IS UP
11 THESE -- THIS YELLOW ROAD HERE, THE MINE CAMP ROAD?

12 A. I ESTIMATED ABOUT THREE AND A HALF, I THINK.

13 Q. TALKING A TOTAL MILEAGE OF APPROXIMATELY 25
14 OR 26 MILES, WOULD THAT BE FAIR TO SAY, OR IS IT 22 MILES
15 FOR TOTAL MILEAGE?

16 A. ACCORDING TO MY FIGURES, WITH THE ESTIMATES,
17 IT'S 30.7 MILES ALL THE WAY.

18 Q. OKAY. AND THIS YELLOW ROAD WAS THE ROAD
19 THAT THE SHERIFF'S VEHICLES TOOK THE AFTERNOON AND THE
20 NIGHT OF JANUARY 3RD?

21 A. AT LEAST ONE OF THEM DID, YES, TO MY
22 KNOWLEDGE.

23 Q. THAT WOULD BE JANUARY 3RD, 1976; IS THAT
24 CORRECT?

25 A. CORRECT.

26 MR. BROWN: THANK YOU VERY MUCH, MR. BRIGGS.