

Excerpt from True Stories of Law & Order: SVU

Chapter 17

L&O SVU: "Counterfeit," Season 3

A woman is found raped and murdered in her car. The investigation points to police officer who is accused of raping the woman during a traffic stop.

TRUE STORY: In 1986, California Highway Patrol officer Craig Peyer murdered college student Cara Knott during a phony traffic stop. Peyer had been stopping and sexually harassing women motorists for some time.

Cheryl Johnson looked in her rearview mirror and saw every driver's nightmare: Flashing red lights and that pitiless silhouette behind the wheel of a patrol car. The pretty, blonde-haired nurse had no idea why she was being pulled over, but she dutifully slowed down her car and came to a stop on the shoulder of the freeway. The cop turned on his car's speaker and told her to back the car up to the Mercy Road exit and pull off the freeway. This seemed pretty odd to Johnson, but she knew that California Highway Patrolmen are deadly serious about their job, so she put the car in reverse and did as she was told.

The area of I-15's Mercy Road exit was a no-man's land, a dead end road beyond which was a bridge spanning a dried-out creek bed, overgrown weeds, and trash. At night, the entire area was pitch black. When they were safely off the freeway, the officer told her to get out and approach his car. He motioned for her to get into the passenger seat, which she did. The cop, Johnson noticed, was spit-and-polish. For

someone who spends the entire day sitting in his car and driving around, the CHP officer kept his car immaculate. He was a somewhat stocky guy, his hair parted neatly and not one of them out of place. He wasn't necessarily good-looking, but he had a nice face. Up close, he seemed like a pleasant enough guy. He began lecturing her about the importance of safe driving and pointed out that one of her headlights was loose. He didn't enjoy writing up tickets, but he had seen some pretty bad accidents and a lot of blood in his time—one of the worst crashes resulting from faulty headlights.

Then the cop changed the subject to more personal matters. As he turned off his police radio, he started asking Cheryl Johnson about her personal life. Where did she grow up? Did she have a boyfriend? What did she do for a living? Cheryl answered his questions. Although she made small talk with him and didn't feel overtly threatened—the cop's questions stopped just short of inappropriate—she *was* getting the willies. To be sitting here with a CHP officer, the very symbol of order and structure, in a context that simply didn't make sense—it was just way too much of a dichotomy, it was surreal.

Then he started talking about how dangerous the area they were now sitting in was. "Somebody could get raped or murdered here, and nobody would ever know," the police officer said. "At least I'm with you."¹ *Is he trying to tell me something?* Johnson wondered. *Is he really concerned about my safety or this some sort of veiled threat? And if it's a real warning, why did he make me to come down here in the first place?*

Finally, after ninety minutes of chatting with the CHP officer, Cheryl finally got the courage to make it clear that she needed to leave. She got out of the patrol car and into hers. “What was *that* all about?” Johnson thought as she pulled her car off the Mercy Road exit and hit the freeway.

* * *

As it would turn out, Johnson was only one of many women pulled over by CHP officer Craig Peyer. A by-the-book cop in every way but one, Peyer had a penchant for pulling women over at the Mercy Avenue exit under the ruse of offering them a lesson on highway safety. His real intent was to . . . talk. That’s all. When he saw a good-looking woman drive past, he’d floor his car and pull her over. Of course, when someone flies past at seventy miles per hour, mistakes can be made. Once, when he stopped a brunette that had caught his eye, she turned out to be a long-haired he. On another occasion, Peyer made the right choice—the woman was indeed good-looking—but her husband was lying in the fully reclined passenger seat taking a nap. When Officer Peyer saw the man, he curtly gave them a speeding ticket and took off down the freeway.

Peyer’s highway stops were so out of the ordinary that the CHP occasionally received a phone call from an irate driver who didn’t think too much of Peyer’s little highway safety seminars. Apparently, though, the cop’s bosses were old-school: *These people may not like it now, but they’ll thank us later.* They even praised the officer for his diligence and enjoined him to keep up the good work.

But Craig Peyer's strange habit, and the CHP's incurious attitude about it, would come to a head one cold night in December 1986.

The Knott family had just celebrated Christmas and was planning to spend the next week relaxing. Sam and Joyce Knott were the proud parents of four great children: Cynthia and Cheryl were older and on their own; Cara was a student at San Diego State University, and John was the youngest. Sam ran a tight ship, wanting to know where his younger ones were at all times and demanding they call if their plans had changed or if they were going to be home late. It wasn't a control issue as much as it was Sam's best trait: affection for his family. Joyce and Sam Knott knew what great kids they had, and they wanted to protect them at all costs. At the urging of Sam, Cara and her mother even took a self-defense course together. You never know when you're going to need to protect yourself, Sam said. It's best to be prepared. In the class, Cara and Joyce learned that the minute you feel threatened, you should explode: Kick with your feet and scratch with your hands. The perpetrator will most likely flee.

Two nights after Christmas, as the Knotts were watching TV, the phone rang. It was Cara calling from her boyfriend Wayne's house. She had been taking care of Wayne, who had come down with the flu. The rest of his family was visiting relatives in another part of the state, and Cara had been taking care of him ever since Christmas. She was on her way home, she told her father. She wanted to see her parents and siblings; Wayne would be okay one night on his own. The Knotts were

looking forward to seeing Cara. She hadn't been home for a couple of days and Christmas just wasn't quite the same without her.

Everyone got involved in a movie and it wasn't until about two hours after Cara had called that they realized how much time had passed. She should have been home an hour ago. They assumed she got held up taking care of Wayne, and that she was probably on her way home now. Just to make sure, Sam called Wayne who said Cara had left his house at 8:30, right after she called. The Knotts knew something was not right. It wasn't like Cara to deviate from the plan without letting someone know. Instantly, everyone had the same thought. They got into their cars and began driving different routes to Wayne's house. Cara's parents, siblings, and brother-in-law Bill, Cynthia's husband, drove all night and found no sign of Cara or her white Volkswagen Bug. Wayne, flu and all, searched as well.

As the hours passed, everyone involved became more and more convinced that something awful had happened to Cara. They drove in shifts: Someone would be home to man the phone, while others searched I-15, the side roads, and gas stations. Then, when someone came home, the other person would get in the car and join the search.² They would flag down police when they saw them, but get no help. First of all, a person had to be missing at least twenty-four hours before an official report could be filed. Second, a twenty-year-old girl a few hours late coming home? Please.

At about 7:00 a.m., Cynthia and Bill pulled off I-15 at the Mercy Road exit. They drove around the desolate area and saw nothing but scrub, grass, weeds, and

garbage. The desolate area gave them the creeps. They couldn't imagine what Cara would be doing down here, but when Bill saw some barriers set up blocking vehicles from a bike path, something told him to explore the area. There was just enough room to pull the car through. They didn't have to drive very far before they saw Cara's car. Cynthia jumped from the car before Bill had even stopped it.³

Cara's pocketbook was in the car, the keys were in the ignition, and the driver's side window was rolled partly down, but Cynthia saw no other sign of her sister. Bill and Cynthia rushed to the nearest phone. First they called the police, then the house. Soon, the Knotts and the police officers were milling around the lone VW Bug.

Craig Peyer finished his shift that night and went home. He lived with his third wife, Karen, who thought as highly of Craig as his fellow cops did. Peyer was a stand-up guy who took his job seriously, as evidenced by the fact that he consistently gave out more tickets than anyone. And, of course, when he wasn't handing out speeding tickets, he was educating drivers on the hazards of highway travel. His peers even noticed that his badge was always newly polished. He might have been a little too gung-ho for some guys, but he always greeted people with a sincere smile and a willingness, always, to chat about any subject under the sun.

There was, however, another side to Officer Peyer, and only those who knew him intimately had ever seen it. His first wife, for instance, would tell you that he never polished his own badge, that he made a point of making her do it, and that he

openly flirted with other women in front of her, and that when she confronted him about it, he would get violent. And his second wife would tell you that Craig constantly stalked her after their divorce.⁴

Craig Peyer, it turned out, was a “guy’s guy.” Once, after giving one of his wives an expensive-looking necklace, he told the fellas that the stones were fake, but she couldn’t tell. He liked that. Another time, the safety-first highway patrolman put used tires on his wife’s car, but told her they were new. And just to make sure he fit in well with the guys, he told stories about how he operated behind enemy lines in ‘Nam with Special Forces troops. In reality, he fixed helicopters while serving in Vietnam.⁵

Karen must have noticed the scratches on Craig’s face when he came home from his shift on December 28th. If she asked what happened, he probably told her the same story he wrote on an injury report at work—that he slipped on some gasoline when he was filling his tank at the station and fell face first into a chain-link fence. Better to be considered a spaz than a cold-blooded killer.

Cara’s family remained congregated around the VW on the brisk morning of December 28th. It was a tangible sign of Cara, and they didn’t want to leave it. None of Knotts had slept, but they weren’t tired. Deep down, every one of them was assuming the worst.

One of the police who arrived on the scene took a walk down the bike path. When he reached the bridge, he looked down into the gulley sixty-five feet below. There was Cara Knott, dressed in sweats and her favorite white leather boots. The officer looked over towards the Knotts and back down to Cara. He'd have to call homicide.

The Knott family's emotions alternated from fuming anger at the police for not taking their panic seriously during the hours Cara was missing to overwhelming shock and anguish that the last moments of this beautiful girl's promising life were spent in sheer terror, probably crying for her family, and that she had been dumped over the bridge like a piece of refuse. No, this was not happening. No way.

Teams of detectives, uniformed officers, and crime-scene units scoured the area. They measured a set of distinct, extra-wide tire tracks near Cara's car, scanned the entire area for clues, took fingerprints from the VW, and picked up tiny fiber samples from Cara's clothing. She had clearly been choked, but medical experts couldn't determine whether it was the cause of death.

Everyone was a suspect—especially Wayne Bautista's father Jaime, who was taking a particularly keen interest in the case. Rumors spread that this was the work of a serial murderer from Washington, the Green River Killer, who was believed to have been in the area at the time. Some people who had been driving down I-15 at the time of the murder came forth and told police about a strange hitchhiker near Mercy Road who was waving money at cars trying to flag them down.

The newspapers grabbed the story and held on. As the police went about their business as quietly as possible, tracking down every lead and tip no matter how goofy it sounded, a local television reporter decided to use Cara's murder as a springboard for a story. She contacted the California Highway Patrol and asked if she and her cameraman could ride with an officer on patrol for a segment on highway safety. No problem, they would be happy to accommodate her. And they knew just the man for the job: Craig Peyer, the resident expert on highway safety. And so, on the evening news, one day after the murder of Cara Knott, there was CHP Officer Craig Peyer, looking right at the camera, comfortable as could be, offering sage advice to women about how to keep themselves safe when confronted by a strange man on the highway.

Then one day soon after the news segment, it hit CHP Sergeant John McDonald: The complaints about Craig Peyer from drivers pulled over at Mercy Road, the wide tire tracks at the crime scene, the scratches on Peyer's face. A hunch would have been something to mull over, but with the pieces fitting so perfectly together, McDonald didn't hesitate to call detectives. The last thing he ever thought he'd be doing was phoning homicide with a tip about a fellow cop. Homicide felt the same way they got the call. *A cop? A cop murdered Cara Knott?* Nevertheless, they searched Peyer's patrol car. Initially, they found nothing, but when they dug down into the trunk, there under the spare tire, was a length of yellow nylon rope. CHP cars were equipped with two ropes; this third was definitely not CHP standard issue. They called the highway patrolman in for questioning.

When Peyer came in, detectives didn't waste any time. They wanted to put him on the spot to see what his reaction would be. They told him that the tire tracks matched his car and that they knew about the complaints from female drivers he pulled over at Mercy Road. They had to be honest, from their side of the table it looked really bad for him. Peyer protested his innocence, but began to get panicky—and his interrogators exploited it. They got in his face, shouting that they knew he did it, that he had killed a beautiful young woman and that he was going down, it was only a matter of time.⁶

Peyer struggled but succeeded in maintaining his cool. He didn't break down against the interrogators' onslaught. But he made a fatal slipup. When the detectives asked him about the ropes, Peyer replied, "Those are the only two ropes, I don't know about any other rope."⁷ That was it. They had never mentioned the third rope. How did Peyer know about it if he hadn't put it there? Their question about the rope had been purposefully vague—a classic interrogator's trick—and Peyer had fallen right into the trap.

Craig Peyer's murder trial began the following May. The prosecution couldn't determine a motive or declare the rope in the trunk as the murder weapon (investigators found no skin or blood on it), but they had mountains of circumstantial evidence. It turned out that Peyer had written a traffic ticket at 10:20 p.m. on the night of the murder but suspiciously crossed out the time and penned in 9:20 to give himself an alibi for his whereabouts. He also seemed to have an obsession with the

Mercy Road Exit. Once, he brought a rookie down there to show her the ropes and commented that if a person happened to have killed someone, it would be the perfect place to dump the body.

The prosecution then paraded twenty women to the stand, who, one after another, chronicled their run-ins with Officer Peyer. Each one had been pulled over and brought down to Mercy Road, where Peyer talked to them about everything from the weather to relationships.

Witnesses included a gas station attendant who saw Peyer pull up and fill his car not long after the murder took place. The attendant said that Peyer commented that he'd had a terrible night. He then took out his nightstick from the trunk and cleaned it off with a rag.

In addition to the physical evidence of the tire tracks and scratches on Peyer's face (documented in the injury report), the prosecution showed the jury proof that blood samples taken from Cara's boots matched Peyer's. They also presented six pieces of thread: three gold fibers on the victim's clothing, which matched those of a patch on Peyer's uniform, and three purple fibers taken from Peyer's clothing matching those from the sweatpants Cara wore that night.

Pretty damning evidence. But Robert Grimes, Peyer's defense attorney, had a habit of pulling a rabbit out of his hat when he needed to. And he needed to here. Grimes was particularly skilled at cross-examination, and when he got hold of the prosecution's expert witnesses, he had their heads spinning—and the jurors'.

The prosecution had lots of evidence, but their case wasn't buttoned up as tightly as they would have preferred. Grimes built the smallest investigative mistakes and most minuscule chance of inaccuracy into gigantic mountains. By the time he got through with the deputy coroner, the jurors were wondering if the guy even had a college degree in science. And Grimes got the State's fiber expert to admit that there is no way to be absolutely sure about where the fibers came from.

Grimes's strategy was to make it seem that the homicide detectives and DA were convinced early on that Peyer was guilty, and that they ignored evidence that steered them away from the CHP officer. For instance, he pointed out that police found fingerprints in Cara Knott's car that didn't belong to her, her family, or Craig Peyer. Even now, with Peyer was on trial, they still didn't know whose prints those were! And what about that hitchhiker? Did the police even *try* to locate him?

It worked. The jurors couldn't come to a consensus, and declared a hung jury. Peyer walked.

District Attorneys will occasionally decide that a retrial in the case of a hung jury isn't worth it. Craig Peyer could only have been so lucky. For the second trial, the first prosecutor, a life-time San Diegan, was passed by. Instead, the DA chose to go with the new kid on the block—Paul Pfingst, an aggressive lawyer from New York, who had just made the move to the left coast.

Pfingst approached the case from a different angle than his predecessor's. He learned from the previous prosecutor's mistakes, and from watching the first trial he knew the defense tactics and strategy backward and forward. Sure, there was plenty of circumstantial evidence, and he planned to make full use of it. But, more importantly, he wanted to disarm his foe before the trial even started. In hearing after hearing, Pfingst went for Grimes's throat.

Joe Cantlupe and Lisa Petrillo provide a comprehensive outline of events in their book about the Peyer case, *Badge of Betrayal*. First, Pfingst successfully argued that the mention of the so-called mystery hitchhiker should be banned. This person, Pfingst said, was not a suspect and was never interrogated or even seen, for that matter, by the police.

Pfingst also blocked the use of defense witnesses testifying that Peyer had actually scratched his face on the chain link fence. In the first trial, Grimes skillfully used these witness to cast a shadow of doubt in the jurors' minds. These people were simply repeating what Peyer had told them; none of them saw Peyer take his spill. Their testimony was hearsay, Pfingst contended.

It might be said that the DA's office won the trial in the judge's chambers. In the end, the jury handed in their verdict: guilty of murder in the second degree. Craig Peyer was sentenced to twenty-five to life.

For over two decades, Craig Peyer has maintained his innocence from behind the bars of California's Men's Colony medium-security prison. In 2004, he had a chance to prove that innocence. California prosecutors approached him with an offer they thought he couldn't refuse. DNA technology had come a long way in the past twenty years, and they wanted to test his DNA to see if it truly matched the blood spots found on Cara Knott's boots. Peyer refused to take the test. When asked why by his parole board, he stood mute.

Today, Joyce Knott lives alone. Fifteen years after losing her daughter, she lost her husband. Sam Knott died of a heart attack while driving in his car in 2001, just a few hundred feet from the spot where Cara was murdered. He had just been picking up trash at a memorial park set up in Cara's honor. He was only sixty-three years old.