

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3 DEPARTMENT NO. 106 HON. RAYMOND CHOATE, JUDGE

4
5 THE PEOPLE OF THE STATE OF CALIFORNIA,
6 Plaintiff,
7 -vs-
8 BRUCE MCGREGOR DAVIS,
9 Defendant.

202

NO. A-267861

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12 REPORTERS' DAILY TRANSCRIPT

13 Tuesday, November 30, 1971

14
15 VOLUME II

16
17 APPEARANCES:

18 For the People: JOSEPH P. BUSCH, JR., District Attorney
19 BY: ANTHONY MANZELLA
and
20 STEPHEN R. KAY,
Deputies District Attorney

21 For Defendant Davis: GEORGE V. DENNY, III

22
23 MARY LOU BRIANDI, CSR
24 ROGER K. WILLIAMS, CSR
25 Official Court Reporters

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1 LOS ANGELES, CALIFORNIA, TUESDAY, NOVEMBER 30, 1971, 10:40 A. M.

2
3 THE COURT: The record will show that all counsel are
4 present.

5 MR. DENNY: Your Honor, may we approach the bench
6 briefly with the reporter?

7 THE COURT: Yes, you may.

8 (Whereupon, the following proceedings were had at
9 the bench among Court and counsel, outside the hearing of the
10 juror:)

11 MR. DENNY: Judge, I just wanted to get the ground rules
12 straight as to how much or how far we should inquire. Is
13 the inquiry to the individual now going to be solely on the
14 issue of publicity?

15 THE COURT: Publicity concerning Mr. Davis, mostly.

16 MR. DENNY: Well, I take it the Court is going to inquire
17 initially?

18 THE COURT: Yes, and then I'll turn it over to you
19 gentlemen.

20 MR. DENNY: And then as far as the issue of hardship goes,
21 each of these witnesses -- each of these prospective jurors
22 thus far except for three, I think there is no hardship. I
23 would hope, however, we may at least ask a few questions to
24 determine --

25 THE COURT: I'm not interested in asking any questions on
26 hardship unless they've responded to me that it would be a
27 hardship and I don't think we should explore that. It would just
28 prolong it.

1 MR. KAY: I agree.

2 MR. DENNY: Well, the only issue, again, on that, with
3 an extended trial, is whether in fact they want to sit on this
4 particular case.

5 MR. KAY: Well, they have a duty if they don't have a
6 hardship.

7 MR. DENNY: Well, I understand that. But there are some
8 jurors who want to sit on a murder case and want to sit on a
9 Manson-related murder case just for the social conversation that
10 is going to be created in the future.

11 THE COURT: Well, I'm not interested in exploring that,
12 devoting a great deal of time to it.

13 MR. DENNY: Well --

14 THE COURT: I'm interested in whether or not they will
15 perform the obligation that is required of him or her.

16 MR. DENNY: Well, your Honor, maybe we can cover that
17 when we're covering the general voir dire after this specific
18 voir dire on publicity, but that's what I wanted to get at,
19 whether this is just going to be related just to --

20 THE COURT: Just to publicity.

21 MR. DENNY: Yes, fine.

22 (Whereupon, the following proceedings were had in
23 open court within the presence and hearing of the prospective
24 juror:)

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VOIR DIRE EXAMINATION OF

MRS. MARY MEISTER

BY THE COURT:

Q Mrs. Meister?

A Yes.

Q Mrs. Meister, the Court would like to ask you whether you had ever heard of the defendant before?

Have you ever heard, seen or read anything concerning Mr. Bruce Davis before?

A No.

Q Have you ever heard, seen or read anything concerning the alleged murder, the homicide of Mr. Hinman, Gary Hinman?

A About him, no.

Q Pardon?

A Not about him.

Q Of Gary Hinman?

A Oh, about the Manson case, I read.

Q Well, do you mean the Manson case involving the death of Gary Hinman?

A Yeah. I read about Hinman, but I never had --

Q What do you know about Mr. Hinman?

A I beg pardon?

Q What do you know about Mr. Hinman?

A That one of the gangs killed him.

Q Have you ever heard the name Shorty Shea?

A Yes.

Q What do you know about that name?

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1 A Well, I read that they killed him. They can't
2 find the body.

3 Q And where did you read that?

4 A In the newspaper.

5 Q What newspaper? The Times?

6 A In the Times, yes.

7 Q Do you read the Times regularly?

8 A Yes.

9 Q And what else do you read? What other news-
10 papers do you read?

11 A The Examiner.

12 Q Do you read a newspaper every day?

13 A Yes.

14 Q Have you also heard, seen or read anything over
15 television and radio?

16 A Sometimes, yes.

17 Q About the Hinman and the Shes matter?

18 A Yes.

19 Q What does the name "Manson Family" mean to you?

20 A Well, I -- I read about the three girls, and --

21 Q What?

22 A And one that was freed, and that she's from
23 New Hampshire, and -- and about --

24 Q Does the name "Manson Family" mean anything to
25 you particularly?

26 A I beg pardon?

27 Q The Manson Family, do you know what that phrase
28 is? Or have you heard --

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A Oh, yes, yes.

Q What does it mean to you?

A To me -- it means to me that they're murderers.

Q Well, now, knowing everything that you know about these -- Hinman and Shea homicides --

A Yes.

Q -- do you think that you could set aside what you might have heard or read and still perform your duty as a juror?

A Yes.

Q If I were to instruct you that you were to set aside whatever opinion you might have formed from what you -- what you may have heard, seen or read concerning the Hinman and Shea killings, --

A Yeah.

Q -- and the Manson Family, and decide all the issues independent of such matters as you've heard, seen or read, do you think you could do that?

A Yes.

Q Do you think you can forget what you might have heard, seen or read?

A Yes.

Q Have you ever done that before?

A At a trial like this?

Q Yes.

A No.

Q Do you know the name Steve Grogan?

A Steve Broda?

1 Q Grogan.

2 A No.

3 Q You never heard it before?

4 A No.

5 Q How about Mr. Davis' name? Are you sure --

6 A No.

7 Q -- sure you've never heard that name before?

8 A No, I have never heard his name.

9 Q All right.

10 Have you heard the name Charles Manson?

11 A About Manson? Yes.

12 Q What do you know about Mr. Manson?

13 A Well, he was the leader of the gang.

14 Q Do you know any other names of members of the
15 gang?

16 A Well, Watson. And the three girls. That's all
17 I remember.

18 Q That's all you remember.

19 Do you think that your -- that if you are
20 called upon -- when you are called upon as a juror --

21 A Yes.

22 Q -- to decide any issue in this case, that you
23 will -- that you will fill in any gaps with any information
24 that you might have picked up from the newspapers, the radio
25 or television?

26 A No.

27 Q You would not?

28 A No.

1 Q Would you decide the case only on what you hear--
2 A Yes.
3 Q -- from the witness stand --
4 A Yes.
5 Q -- and see in this courtroom?
6 A Yeah.
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1 Q By way of evidence and by way of instructions?

2 A Yes.

3 Q Can you be fair and impartial, even if you should
4 learn that Mr. Davis is associated with Mr. Manson and was
5 part of this "Manson Gang" that you've read about?

6 A Yes.

7 Q Do you think you can?

8 A Yes.

9 Q You wouldn't be too prejudiced against him --

10 A No.

11 Q -- so that you could start out with -- without
12 his having to convince you of his innocence?

13 A No.

14 Q Do you understand, at this moment, he's presumed
15 to be innocent?

16 A Yes.

17 Q Do you understand that?

18 A Yes.

19 Q And that he must be proven guilty beyond a reason-
20 able doubt before you can vote for guilty?

21 A Yes, I know that.

22 Q Now, having that in mind, and -- do you think that
23 this publicity might have affected you to such an extent that
24 you could not give him the benefit of that presumption of
25 innocence?

26 A No.

27 THE COURT: All right, gentlemen. You may inquire.

28 MR. DENNY: Yes. Thank you, your Honor.

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VOIR DIRE EXAMINATION

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BY MR. DENNY:

Q Mrs. Meister, first, are those glasses necessary for you to wear in the courtroom?

A No, not all the time. I wear it on account of the sun.

Q I see. Now, you indicate that you heard --

THE COURT: It would probably be well to take those off if you don't need them.

PROSPECTIVE JUROR NO. 1: I beg your pardon?

THE COURT: It would probably be well to take them off, if you don't need them.

PROSPECTIVE JUROR NO. 1: I put those drops in, so I wear them for a while.

THE COURT: I see. You put some drops in this morning?

PROSPECTIVE JUROR NO. 1: Last night.

THE COURT: I see.

PROSPECTIVE JUROR NO. 1: Why? Must I take them off?

THE COURT: If it would not bother you. But if it would bother you, if the light would bother you, keep them on.

PROSPECTIVE JUROR NO. 1: Yeah.

3 fols.

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1 Q BY MR. DENNY: As far as Mr. Hinman goes, ma'am,
2 you say that you read that one of the gang killed him?

3 A Well, I read that the gangs killed him. I
4 don't know which one.

5 Now, this -- now I hear that he killed him
6 (indicating), but I don't know which one.

7 Q When you say "he," you are pointing to Mr. Davis?

8 A Yeah, that's what I heard in court, he's the one
9 that killed him, but I didn't know -- I never read about him.
10 I never read anything about him.

11 Q Now, when you say you heard in court that Mr.
12 Davis killed him, from whom did you hear that?

13 A Well, yesterday they said -- they brought him
14 in -- he's one of the gang, but I don't know for sure that
15 he killed him.

16 Q Who did you hear that from? That "he" killed
17 Mr. Hinman? From whom?

18 A I didn't hear from nobody. I heard that he was
19 one of the gang.

20 Q From whom did you hear that?

21 A Well, they were talking he's in the Manson gang.

22 Q Who was talking?

23 A I don't remember.

24 Q Well, when you say "they were talking," you mean
25 the other jurors?

26 A That he belongs in their gang.

27 Q Ma'am.

28 THE COURT: Listen to the question now, would you?

1 JUROR NO. 1: Huh?

2 THE COURT: Would you listen to the question, Mrs.
3 Meister. This attorney wants to know from you where you
4 heard this.

5 JUROR NO. 1: Well, here. I heard it yesterday.

6 Q BY MR. DENNY: Did you say --

7 THE COURT: Did I tell you?

8 JUROR NO. 1: I don't remember. I think you started
9 out, I think, he was in the Manson gang. I didn't even know
10 that he was in the Manson gang and you said that --

11 THE COURT: Well, Mr. Denny wants to know who told you
12 that, if you got it --

13 JUROR NO. 1: Nobody told me outside.

14 THE COURT: Pardon?

15 JUROR NO. 1: Nobody told me from outside. I never
16 read in the paper -- I never read anything about him.

17 THE COURT: All right, what you heard yesterday was
18 what I read to you?

19 JUROR NO. 1: Yes. Yes.

20 THE COURT: In the indictment?

21 JUROR NO. 1: That's all, yes.

22 THE COURT: All right.

23 Q BY MR. DENNY: Well, ma'am, you indicated that
24 "they said." That you were talking to some people and
25 "they said he was in the Manson gang."

26 A No, I wasn't talking to anybody. No, I wasn't
27 talking to anybody.

28 Q Well, when you used the --

1 A No, I heard when the Judge -- the Judge's
2 statements, what it was all about. That's all I know.
3 Because I didn't know anything about him.

4 Q Well, ma'am, let me ask you, and if I may, let
5 me ask you the question, and then you answer, all right?

6 A Yeah.

7 Q All right.

8 Now, a little earlier you said "they said" that
9 he was one of the Manson gang.

10 A Yes.

11 Q Did you mean by "they" the Judge or did you
12 mean by "they" some of the people --

13 A No, it is what the Judge said. I didn't know
14 nothing about him before.

15 Q In other words, when you say "they" --

16 A Whatever I heard, I heard in the court.

17 Q All right.

18 When you said, then, "they said," you meant
19 "he said," the Judge said; is that what you said?

20 A Yeah, that he belonged from the gang, from the
21 Manson -- the Manson gang.

22 Q Now, from the Judge's reading of the indictment
23 in this case, you have assumed that Mr. Davis belonged to the
24 Manson gang?

25 A Yes, yes.

26 Q What made you assume that?

27 A Well, I heard it.

28 Q You heard a charge read that he was charged --

1 A Yes.

2 Q -- along with Charles Manson --

3 A Yes.

4 Q And Susan Atkins --

5 A Yes.

6 Q -- and some other people --

7 A Yes.

8 Q -- with these crimes?

9 A Yes.

10 Q And from that charge --

11 A Yes,

12 Q -- you have jumped to the conclusion that he was
13 then a member of the Manson gang; is that right?

14 A That's what I thought, he was a member of the
15 Manson gang.

16 Q Simply from the Judge's reading of the Judge's
17 charge?

18 A Yes.

19 Q Or from talking to anyone else about it?

3a fls. 20 A No, just from the charge.

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1 Q All right.

2 And did you hear the judge say that the reading of
3 that charge is not evidence and doesn't in any way state a
4 fact --

5 A Hmmm?

6 Q -- that he is a member of any gang or Manson
7 Family or anything?

8 A Well, maybe he's not, I don't know until I hear the
9 rest of the statement. I don't know.

10 Q All right. Who did you hear killed Gary Hinman?

11 A Well, yesterday, I heard that he did.

12 Q And do you believe from what you heard that he did?

13 A Well, I don't know until I hear more.

14 Q Well, what did you hear that makes you say now
15 that he, meaning Mr. Davis, that you point to him, killed --

16 A I don't know for sure.

17 Q -- Mr. Hinman?

18 A That's what I heard.

19 Q What was it that you heard that makes you --

20 A I think the judge says that he's -- he's accused
21 of killing Hinman.

22 Q And that makes you believe that he did kill
23 Hinman?

24 A I don't know. I have to hear more of it.

25 Q All right. Who else, to your knowledge, from any-
26 thing other than what you heard from this judge, had anything
27 to do with the death of Gary Hinman; do you know?

28 A Well, the things that I read in the paper.

3a-2

1 Q What did you read in the paper about that, ma'am?

2 A That someone killed him, I know, from the Manson
3 gang, but I don't remember who was the really killer of him.

4 Q Do you remember when you read this information?
5 Recently?

6 A I read many times about it.

7 Q Many times?

8 A Yes.

9 Q Over the past year you've read various and sundry
10 things?

11 A Yes, sure.

12 Q Do you recall that there had been several trials
13 concerning people who had been charged with the death of
14 Mr. Hinman?

15 A Well, I don't know that. I didn't read everything,
16 but I read some of it.

17 Q You read the paper daily, ma'am?

18 A Not every day.

19 Q Both papers?

20 A Yeah, yeah, I read --

21 Q Well, both papers?

22 A Yeah, sometimes I read about it.

23 Q All right.

24 And have you more or less, as far as you would
25 say, kept up on the doings of the Manson gang as they were
26 reported in the papers?

27 A I didn't keep up exactly on it. Whenever it would
28 come to mind that I was interested in it, I read about it.

3a-3

1 Q Have you within the past month read any reports
2 of anybody being found guilty of killing Gary Hinman?

3 A No.

4 Q Have you read anything in the past month about
5 Mr. Manson --

6 A No.

7 Q -- being found guilty of any crime?

8 A No.

9 Q Or being on trial for any crime?

10 A Well, I know this week he's on trial.

11 Q How do you know that?

12 A I saw it on television.

13 Q What did you see on television?

14 A That they brought him into the court here. I
15 don't know what happened because I didn't read the paper
16 yesterday. And I didn't watch too much television.

17 Q Well, do you watch television as a rule every day,
18 television news?

19 A Well, I have different programs that I like.

20 Q Well, do you have regular news programs that you
21 like to watch?

22 A Well, they didn't show much about Manson. They
23 just showed him going into the courtroom.

24 Q Ma'am, if you listen to my questions specifically
25 and try to answer that, we can perhaps speed up this process.

26 A Yes.

27 Q Do you have specific television news programs --

28 A Yeah.

3a-4

1 Q -- that you watch as a regular thing?

2 A No. No, no.

3 Q Do you watch a regular news on Channel 2 or
4 Channel 4?

5 A Not all the time.

6 Q What news, ma'am?

7 A From the world news, Cronkite or George Putnam,
8 you know.

9 Q Well, that's what I'm trying to get.
10 You do that more or less on a regular basis, do
11 you?

12 A No, I don't watch regular, but I watch the news.

13 Q All right.

14 Now, you say in the last few days you haven't
15 followed television very much?

16 A No.

17 Q All right.

18 A I have no time.

19 Q Do you know what Mr. Manson was coming into court
20 for? For what charges he was coming to court for?

21 A Well, I heard on television they said that they
22 accused him of some more crimes that he did.

23 Q Do you know what crimes those were?

24 A I didn't -- I didn't listen too much to it. I
25 was busy.

26 Q Now, you say Shorty Shea -- you say "they killed
27 him."

28 Who killed Shorty Shea?

3b fols.

29 A I don't know. I don't know who killed him.

3b-1

1 Q Well, who have you heard killed Shorty Shea?

2 A What I read in the newspaper, Manson's gang.

3 I don't know who killed him.

4 Q Well, when you say "Manson's gang" --

5 A Yeah.

6 Q -- have you heard or read anything more specific
7 about that? Who is supposed to have killed Shorty Shea?

8 A No, no. I just read they killed him and they
9 can't find the body. They're looking for the body.

10 Q Well, when did you read that?

11 A Oh, it's a month ago or two months ago.

12 Q Was that in connection with some --

13 A With --

14 Q -- some publicity concerning a trial that was
15 going on at that time?

16 A No, not a trial. Just a newspaper gave it out,
17 because they're still looking for the body.

18 Q Have you read anything about anybody being found
19 guilty of killing Shorty Shea?

20 A No.

21 Q Or heard anything on television about that?

22 A No.

23 Q And as you sit there at this time, having read
24 what you have read --

25 A Yeah.

26 Q -- and heard what you have heard --

27 A Yeah.

28 Q -- that they're looking for the body and Manson's --

3b-2

1 A They couldn't find the body.

2 Q You feel that Shorty Shea is dead now?

3 A Beg your pardon?

4 Q Do you feel from what you have read and what you
5 have seen on television that Shorty Shea is now dead?

6 A I don't know. I don't know whether he's dead
7 or not. Maybe he ran away somewhere, I don't know.

8 THE COURT: Anything further?

9 MR. DENNY: Yes, your Honor, I do have some.

10 THE COURT: Go ahead.

11 MR. DENNY: Well, your Honor, I can terminate my voir
12 dire if the Court is going to permit a challenge under 1073,
13 subdivision 2 at this point.

14 THE COURT: The Court would not.

15 MR. DENNY: Well, I would like to continue, then.

16 Q BY MR. DENNY: Have you heard of the name Bobby
17 Beausoleil, ma'am?

18 A Who?

19 Q Bobby Beausoleil?

20 A No.

21 Q Now, what -- what are your feelings as you sit
22 there, based on the publicity that you've seen in the news-
23 papers and heard over TV, about the Manson Family? How do
24 you feel about that?

25 A Well, the way they -- the way I read, I don't
26 know.

27 The way I see in the newspapers so they were --
28 they were murderers. But I don't know until I -- you know,

3b-3

1 until I go through the trial and hear more evidence. You
2 can't always go by papers, what you read.

3 Q You say the way you've heard they were murderers
4 or they were --

5 A That's what it said about his -- his gang. I
6 wouldn't know who did it.

4 fls.

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1 Q Well, do you feel from what you've read that any-
2 body, then, connected with the Manson gang could be termed a
3 murderer?

4 A Well, I don't know yet, till I hear more evidence.

5 Q Well, separate and apart from any evidence that you
6 might hear, --

7 A Yes.

8 Q -- before you came into this courtroom --

9 A Yes.

10 Q -- was it your feeling at that time, based on what
11 you'd heard and read, that anybody who was part of the Manson
12 gang --

13 A Um-hmm.

14 Q -- was then involved somehow in murder?

15 A Well, I wouldn't know. I have to hear more of it.
16 I couldn't say.

17 And I couldn't go everything what I read in the
18 paper.

19 Q In other words, you formed no opinion about any-
20 body connected with the Manson gang, except Charlie Manson;
21 is that right?

22 A Yes -- well, the other -- the three girls.

23 Q You felt they were murderers? No question?

24 A And the other girl, that they -- she's in New
25 Hampshire now.

26 Q Well, you did form the opinion that they were
27 murderers?

28 A Well, I don't know. I didn't -- well, it said in

4-2
1 the papers. I don't know whether they were murderers or not.

2 And about that girl that they freed. I don't know
3 if she was really a murderer or not. I know that -- that they
4 let her go home.

5 Q Have you read anything recently concerning Tex
6 Watson?

7 A Who?

8 Q Tex Watson?

9 A Yes. Well, I read that they found him guilty.

10 Q You did read that?

11 A I read it in the papers.

12 MR. DENNY: All right. I have no further questions, your
13 Honor, at this time.

14 THE COURT: The People?

15 MR. KAY: No questions, your Honor.

16 THE COURT: Thank you. Would you go out and go to Room
17 102, then?

18 PROSPECTIVE JUROR NO. 1: 102?

19 THE COURT: To Department 102. And the Court will be
20 calling you again, Mrs. Meister.

21 PROSPECTIVE JUROR NO. 1: You'll call me again?

22 THE COURT: Yes. Stay with the other group of jurors,
23 if you would, please.

24 PROSPECTIVE JUROR NO. 1: What is it?

25 THE COURT: Stay with the other group of jurors, if you
26 would, please.

27 PROSPECTIVE JUROR NO. 1: Okay. Thank you, sir.

28 (Whereupon, the prospective juror exited the

1 courtroom, and the following proceedings were had:)

2 THE COURT: You have a challenge to make outside of the
3 presence of this lady? Mr. Denny?

4 MR. DENNY: Well, I'll reiterate my challenge under
5 1073, Subdivision 2.

6 I'm not sure whether a challenge under 198 of the
7 CCP would be in order, but I do make the challenge under 1073,
8 Sub 2.

9 THE COURT: The Court believes that although she has
10 formed some opinions, that under 1076, she can set aside what
11 she may have heard, seen or read, and will set it aside, and
12 will decide the issues without regard to what she's heard, seen
13 or read concerning Mr. Manson and/or the Manson Family.

14
15 VOIR DIRE EXAMINATION OF

16 JOHN H. ROBINSON

17 BY THE COURT:

18 Q Mr. Robinson, we are inquiring of you about what
19 you may have heard, seen or read in the newspapers about this
20 case or possibly some other cases.

21 Have you ever heard of Bruce Davis before?

22 A No, I haven't, your Honor.

23 Q Can you recall having read his name, seen it -- seen
24 or heard it over television or on radio?

25 A No, I can't remember that.

26 Q Have you ever heard the name Shorty Shea?

27 A Yes, I have.

28 Q In what connection have you heard that?

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1 A Well, I -- nothing; no more than he was killed
2 by them -- by the Manson cult or something.

3 Q And when you say "Manson cult," what group are you
4 referring to?

5 A Well, the people that was with him, followed him.

6 Q The people with whom? Mr. Manson?

7 A Yes.

8 Q The people that were associated with Charles
9 Manson?

4a fols.

10 A Yes.

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1 Q In other words, at this point, you have heard that
2 Mr. Shea is dead, and that somebody has been convicted of --

3 A Yeah. Well, I heard he was dead. And that's about
4 the extent of my knowledge of it.

5 Q Do you know whether anyone has ever been prose-
6 cuted for his death before?

7 A No, not as I know of.

8 Q So that so far as you know, this is the first
9 prosecution that -- that you've heard of?

10 A Well, I've heard that Manson had been prosecuted
11 for something, but this -- this Shorty Shea, who killed him
12 or how or what happened, I couldn't -- I couldn't verify that
13 statement.

14 Q Is it your belief that he is dead? From what
15 you've --

16 A No more than what I heard. That's all I know.

17 Q Have you heard the name Gary Hinman?

18 A Hmm -- no, sir. I don't remember.

19 Q You don't remember ever having heard that?

20 A No, I don't.

21 Q Did you ever hear the name Bobby Beausoleil?

22 A No.

23 Q Do you read the newspaper daily?

24 A No, I don't read very much, Judge.

25 Q Where do you hear or see or read your news?

26 A Mostly on TV. I quit reading. My eyesight is
27 not too well, so I don't read.

28 Q What you do is listen to television programs,

4a-2

1 listen or watch television programs?

2 A Well, I watch TV.

3 Q For the news?

4 A Not for the news. I watch different programs.

5 Q Well, where do you get most of your information
6 from about the news?

7 A Oh --

8 Q You don't get it from the newspapers, you say.
9 Where do you get it?

10 A Well, no more than just TV, radio.

11 Q I see.

12 Now, what do you know about the term "Manson
13 Family"?

14 A No more than what they say.

15 Q Well, what do they say?

16 A They just said that "Manson Family." And so what
17 that means, I don't know.

18 Q What does that mean to you?

19 A To me, it's just --

20 Q Yeah.

21 A -- uh -- they're closely related.

22 Q People associated with Mr. Manson?

23 A Yes.

24 Q Do you recall whether anyone -- whether you've
25 heard, seen or read that anyone was prosecuted for the murder
26 of Gary Hinman?

27 A No. It might have been said, but I didn't pay
28 it too much attention. And I mean, I wasn't interested in

4a-3

1 what happened.

2 Q In view of all you know about the Manson Family,
3 and about Mr. Manson, and what you've read or heard or seen
4 concerning the Shea case, the Shea homicide, do you feel that
5 you could set aside everything that you may have heard, seen
6 or read, and make your determination of any issues in this
7 case fairly and impartially, in trying Mr. Davis on these
8 charges?

9 A Yes.

10 Q You think you can be fair and impartial, and that
11 you can set aside anything you may have read, seen or heard?

12 A Yes.

13 Q You understand you have an obligation -- that the
14 People have an obligation to prove the fact that Mr. Shea is
15 indeed dead?

16 A Yes.

17 Q And that he died by some criminal means, in order
18 to prove a murder?

19 A That's right.

20 Q You understand that?

21 A Sure.

22 Q Well, you wouldn't -- would you assume, from what
23 you've read, that he's dead? And not require the People to
24 prove this beyond a reasonable doubt?

25 A It would have to be proven. And with this man,
26 it will have to be proven that he was -- was knowing anything
27 about it.

28 Q You mean -- when you say, "It would have to be

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1 proven," you mean the death would have to be proved to you
2 beyond a reasonable doubt, --

3 A Yes, that's right.

4 Q -- aside from what you learned in the newspaper?

5 A Surely.

6 Q Or radio or television?

7 A So I don't know what happened.

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1 Q In other words, you won't -- will you or will you
2 not rely on the television, radio or newspaper reports in order
3 to fill in what you don't hear from the evidence, if that is the
4 case?

5 If you don't hear enough from the evidence to
6 satisfy you beyond a reasonable doubt, --

7 A Well --

8 Q -- will you fill in what you may have learned
9 from the news media?

10 A Well, to tell you the truth, Judge, your Honor,
11 I -- I didn't pay any of this case too much attention,
12 because -- because I just wasn't interested in it. And it was
13 a shame, I mean, but --

14 Q Can you set aside what you may have learned from
15 the news media?

16 A Sure, I can.

17 Q And will you do that?

18 A I will.

19 Q And can you be fair and impartial in deciding any
20 issue that you might be called upon to decide in this case?

21 A I will.

22 THE COURT: Mr. Denny?

23 MR. DENNY: Yes. Thank you, your Honor.

24

25 VOIR DIRE EXAMINATION

26 BY MR. DENNY:

27 Q Mr. Robinson, you just stated to the Court, "I
28 didn't pay any attention to it, and it was a shame."

1 What did you mean by that?

2 A Well, what I heard, it was.

3 Q What was it that you heard that makes you say
4 it was a shame?

5 A Oh, just the mass murders.

6 Q This mass murder?

7 A Yes.

8 Q Which mass murder?

9 A What do they call it? The -- I'm speaking about
10 Mr. Manson. I don't know anything about these other people.
11 That he killed two or three different people in
12 their home, and -- so I'd say it's a shame.

13 Q Well, did you hear that anybody else was involved
14 with Mr. Manson in connection with those killings that you say,
15 "is a shame"?

16 A Uhhh -- was it two ladies? I think it -- I heard
17 it was two ladies.

18 Q And I take it you have some feelings, then, about
19 Mr. Manson and -- and those who follow him --

20 A No, I don't.

21 Q -- as a result of that?

22 A No, it didn't bother me.

23 Q Any more than anybody else who killed two or three
24 people in their homes; is that right?

25 A It doesn't bother me.

26 Q Now, when you say you've heard about Shorty Shea,
27 have you heard him characterized as "Stuntman Shorty Shea"?

28 A No. I just heard "Shorty Shea." Just vaguely; I

1 remember that.

2 Q And I think you indicated that you heard he was
3 killed by members of the Manson cult; is that what you --

4 A Yes, something like that, yes.

5 Q And you've called it the "Manson cult." Is this --

6 A Well, I'm --

7 Q -- the term you use? Is this the term you use
8 in describing people who follow Mr. Manson?

9 A Well, that's what the news media called them.

10 Q And had you in any way heard anything about
11 attempts by law enforcement officers to locate Shorty Shea?
12 Had you read anything or heard anything about that?

13 A I can't recall right now, because I -- I didn't
14 pay that too much attention.

15 Q The only thing you can say is that you know you
16 heard he was dead?

17 A Yes.

18 Q How recently did you hear that?

19 A I don't know. Sometime last year, I guess.

20 Q I beg your pardon?

21 A Sometime last year, I guess.

22 Q Within the last couple of months, or the last
23 month, you haven't heard or read anything --

24 A No.

25 Q -- about him?

26 A No, I don't read.

27 Q Oh. Well, you haven't heard over television or
28 radio about Shorty Shea being dead?

1 A Yeah, I've heard about him being dead.

2 Q In the last month or so you've heard this?

3 A Something like that. I don't know. I didn't pay
4 it -- like I say, I didn't pay it too much attention. When it
5 happened, I don't know.

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1 Q Now, when you say that you've heard about him being
2 dead, is it your belief, based on what you've heard, that he is
3 dead?

4 A Well, if they -- have he been found?

5 Q I'm asking you, sir. I can't answer those
6 questions.

7 A (Laughing.)

8 Q Right now, as you sit there, do you think that,
9 based on what you've heard and read, that Shorty Shea is dead?

10 A Yes, I believe he's dead.

11 Q And with that feeling, do you feel that, then,
12 that it's going to take much to convince you, as far as any
13 proof in this case, that he is dead?

14 A Well, that's according to how it -- how I will be
15 approached with it, --

16 Q Well --

17 A -- with the case.

18 Q Well, let me put it this way. Do you feel,
19 with the feeling that you presently have, that Shorty Shea is
20 dead? That the defendant in this case is going to have to
21 bring up some proof to show that, somehow, that he isn't dead?

22 A Well, of course, yes. They will have to prove to
23 me that he is dead, or prove to me that he's not dead.

24 Q Well, now, who do you say is going to have to prove
25 to you that he is dead?

26 A The Court.

27 Q In other words, are you saying that although you
28 think he is dead, based on what you've read --

1 A Just on what they say. I haven't read anything.

2 Q -- or what they say, although you think that he's
3 dead, it's going to take proof in court, and proof to you
4 beyond a reasonable doubt and to a moral certainty, before you
5 would find that he was actually dead?

6 A That's right.

7 Q Is that what you're saying?

8 A That's right.

9 Q And that if you didn't get that proof to that
10 degree, as the Court has mentioned the People have to prove
11 their case, you would not bring in a murder verdict against
12 anybody charged with this killing; --

13 A No.

14 Q -- is that what you are saying?

15 And is it your state of mind, sir, as you sit
16 there, that the defendant in this case would not have to prove
17 that Shorty Shea was alive, but that the People, who have all
18 of the burden, would have to prove that he was dead?

19 A Well, I would have to know it. I would have to
20 believe that he was dead.

21 Q Well, again, my question is very specific on this.
22 Do you feel at this time that you would not find him dead
23 unless the People proved that he was dead, and dead by
24 criminal means, and proved it beyond a reasonable doubt and to
25 a moral certainty?

26 A When they do that, then I could bring a verdict.
27 Then, I mean, I can say he's guilty or not guilty.

28 Q Well, one more point here, as long as we are on

1 that particular subject -- and it's a little bit beyond the
2 scope of where we are supposed to be, but as long as we've
3 brought it up -- and that is: You understand that even if the
4 People do, to your satisfaction, prove that Mr. Shea is dead,
5 and even if they prove to your satisfaction that he may have
6 died by criminal means, that before you could bring in a
7 verdict of guilt in this case as to this defendant, you have to
8 believe beyond a reasonable doubt and to a moral certainty
9 that this defendant was guilty, criminally liable for that
10 death? Do you understand that?

11 A Yes, I understand you a little bit. But it seems
12 -- but it seems like that you are asking me two different
13 questions.

14 Now, first, you are asking me about the man's
15 death, --

16 Q That's right.

17 A -- and then again you are telling me: Whether
18 this man killed him or not.

19 Q That's right.

20 A Now, you are telling me about -- you will prove to
21 me that the man is dead; then, you'll have to prove to me that
22 this man killed him.

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1 Q Right. And prove it beyond a reasonable doubt and
2 to a moral certainty, --

3 A That's right.

4 Q -- both of those things?

5 A Sure.

6 Q And before you would vote guilty in this case,
7 that's the proof you would require?

8 A That's right.

9 Q In spite of what you've read?

10 A That's right. I haven't read anything.

11 Q I'm sorry again, sir.

12 In spite of what you've seen or heard on the
13 television or radio; is that right?

14 A That's right.

15 Q Now, sir, on the subject -- and again, it's
16 a little bit out of the scope -- but do you have such trouble
17 with your vision that you would be unable to see the witnesses
18 testifying from the witness stand up there? To see their
19 faces?

20 A No, I don't have that kind of problem. I can see.
21 I can see people. But I just don't read.

22 Q You can see me fine, and the gentleman sitting
23 to my left here (indicating)?

24 A Surely.

25 Q So, you can see the expression on their faces as
26 they testify?

27 A Sure.

28 Q All right, sir. Now, again, as far as the Manson

1 Family, you indicated to the Court that you felt that these
2 were people who were closely related. And I take it that is
3 correct --

4 A Um-hmm.

5 Q -- and if it were shown in this case that this
6 defendant did have some relationship with Mr. Manson -- was,
7 as the newspapers have termed, a member of this group -- would
8 you feel -- again, not based on any evidence that you might
9 hear, but we are talking about your feelings right now --
10 would you feel down deep inside of you that -- "Well, because
11 of that relationship, I have a feeling right now that he is
12 probably more guilty than not"?

13 A No, sir. I don't have any feeling whatsoever,
14 whether he's guilty or not guilty.

15 Q Do you feel that anybody connected with the Manson
16 Family probably is guilty of anything they're charged with,
17 anything that the State has brought charges against them for?

18 A No, not really. Because people have a way of doing
19 things, that they don't let their close friends know about.

20 Q You mean other people?

21 A Yes.

22 Q Well, but I'm talking specifically now about this
23 group of people and what you've heard about them.

24 A Well, they're human. They're people.

25 MR. DENNY: All right, sir.

26 THE COURT: Anything further?

27 MR. DENNY: No, your Honor. That's all.

28 THE COURT: The People?

1 MR. KAY: Nothing further. No questions, your Honor.

2 THE COURT: Mr. Robinson, will you return very quickly to
3 102 and stay with the other jurors until we call you, please?

4 (Whereupon, prospective juror No. 2 exited the
5 courtroom, whereupon, the following proceedings were had:)

6 THE COURT: The Court believes that Mr. Robinson would be
7 qualified under 1076 of the Code.

8 (Whereupon, prospective juror No. 3 entered the
9 courtroom, and the following proceedings were had:)

10 THE COURT: Mr. Takemoto, would you come forward, please?

11
12 VOIR DIRE EXAMINATION OF
13 BEN T. TAKEMOTO

14 BY THE COURT:

15 Q Mr. Takemoto, we want to find out whether you have
16 ever heard of this man Bruce Davis.

17 A No, sir.

18 Q You've never heard, seen or read anything about
19 him?

20 A I read about him.

21 Q Where?

22 A In the paper.

23 Q What did you read about Mr. Davis?

24 A Oh, some time ago.

25 MR. MANZELLA: Your Honor, excuse me. If -- would you
26 inquire if he was going to get paid for his services?

27 THE COURT: Oh, yes.

28 Q Mr. Takemoto, did you find out about your employ-

1 ment?

2 A They were supposed to call you. Didn't they call
3 you yesterday at --

4 Q No one has called the Court, that the Court knows
5 about.

6 A Oh. Then there must be a letter following it,
7 then, either today or tomorrow.

8 Q Well, did they tell you orally whether or not you
9 would be paid?

10 A No, they didn't tell me.

11 Q What company is it you work for?

12 A Ralphs.

13 Q Well, Mr. Takemoto, what did you hear about
14 Mr. Davis? Hear, see or read about him?

15 A Oh, I didn't hear -- just that he was in the --
16 with the Manson gang.

17 Q When did you hear that?

18 A Oh, some time ago.

19 Q By "Manson gang," what do you mean by that? Do you
20 mean the people associated with Charles Manson?

21 A Yes.

22 Q And have you heard about -- do you know Gary
23 Hinman? Have you ever heard about Gary Hinman?

24 A Yes.

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1 Q What have you heard about Gary Hinman?
2 A That he was slayed.
3 Q Do you know where he lived?
4 A No.
5 Q Do you know who is alleged to have killed him?
6 A No.
7 Q Other than what I have told you yesterday?
8 A No.
9 Q How about the name "Shorty Shea"? Have you
10 heard that?
11 A No.
12 Q Have you heard, seen or read the name Shorty
13 Shea?
14 A No.
15 Q Stuntman?
16 A I don't ever recall.
17 Q Stuntman Shorty Shea?
18 A Oh, that's at Spahn Ranch?
19 Q Yes.
20 A Yes, I just read about it.
21 Q What do you remember about that name, Shorty
22 Shea?
23 A That he ran -- that he operated the Spahn Ranch,
24 I think.
25 Q And do you know anything more about him?
26 A No, I don't.
27 Q What are your thoughts about the Manson Family
28 from what you have heard, seen or read in the newspapers, on

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1 television or radio?

2 A What do I think of them?

3 Q Yes.

4 A I don't know. I think they're queer to me.

5 Q You think they're a little queer?

6 A Yes.

7 Q And if it should develop that Mr. Davis was
8 associated with Mr. Manson --

9 A Uh-huh.

10 Q -- would that prejudice you against Mr. Davis
11 to such an extent that you would not be able to be fair and
12 impartial in deciding the other issues that you might be
13 called upon to decide?

14 A Oh, I think I could be fair.

15 Q Can you set aside whatever you may have heard,
16 seen or read and be fair and impartial in spite of that,
17 what you have heard, seen or read?

18 A Hmm, I can't say for sure. It is pretty --

19 Q You're not sure that you could put those things
20 out of your mind that you have heard --

21 A No.

22 Q -- or seen or read?

23 A No, unless I hear all of the evidence.

24 Q In other words, you would have to hear the
25 evidence; is that what you are saying?

26 A Yes.

27 Q Well, at this point we're interested in knowing
28 whether or not you can set aside what you may have heard,

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1 seen or read and decide the case only on the evidence that's
2 produced here and the Court's instructions --

3 A Oh --

4 Q -- of law.

5 A -- I see.

6 No, I don't think I can.

7 Q It would be too tough for you, too difficult?

8 A Yes, because I have a set mind on --

9 Q You have a set mind in respect to the Manson
10 Family and the people associated with Mr. Manson?

11 A Yes, disrespect for them.

12 MR. DENNY: Challenge under 1073, Subdivision 2, and
13 1076, your Honor.

14 THE COURT: The Court grants the challenge, Mr. Take-
15 moto. Thank you for being frank with the Court concerning
16 your opinions and you are excused. The Court does excuse
17 you.

18 JUROR NO. 3: All right.

19 THE COURT: You are to report to Room 253 --

20 THE CLERK: They go to the New Hall of Records.

21 THE COURT: All right, go to the New Hall of Records,
22 then,

23 What room?

24 THE CLERK: I don't know. It is the 15th floor.

25 THE COURT: Go to the 15th floor of the New Hall of
26 Records and report there.

27 JUROR NO. 3: 15th floor.

28 What room do I go to?

5-4

1 THE CLERK: I'm sorry, I don't know that.

2 THE COURT: You're going to have to find that out.

3 Find that out.

4 JUROR NO. 3: All right, thank you.

5 THE COURT: Let's have Mrs. Aldinger in.

6 MR. DENNY: Your Honor, could we get the spelling of
7 her name?

8 THE COURT: O-l-l-i-n-g-e-r.

9 THE CLERK: A-l-d-i-n-g-e-r.

10 MR. DENNY: That's the way it was spelled, but she
11 pronounces it "Ollinger."

12 THE COURT: Would you spell your name for me?

13 JUROR NO. 4: A-l-d-i-n-g-e-r.

14
15 VOIR DIRE EXAMINATION OF

16 MISS ERNA R. ALDINGER

17 BY THE COURT:

18 Q And how do you pronounce it?

19 A "Ollinger." The "d" is silent.

20 Q Oh, I see. "Ollinger." I wrote it down
21 differently.

22 Have you ever heard of Bruce Davis before?

23 A No, I haven't.

24 Q Ever seen anything on television or heard anything--

25 A Oh, I don't have any --

26 Q -- on radio concerning Mr. Davis?

27 A Well, in the first place I don't have a TV, so I
28 couldn't have seen him on there.

5-5

1 Q Yes.

2 A And I usually hardly ever get the paper.

3 Q You don't read a paper daily?

4 A Not the daily paper, no. And I get the Sunday
5 and I just look at a certain section, and that's all.

6 Q I see.

7 Have you ever heard the name Gary Hinman before
8 I said it in court here yesterday?

9 A Uh, I don't know if I did or -- probably did hear
10 it.

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- 1 Q Do you know in what connection?
- 2 A No, huh-uh.
- 3 Q Have you ever heard of the name Shorty Shea before
- 4 I said it here yesterday?
- 5 A No.
- 6 Q Have you ever heard the name Charles Manson?
- 7 A I've -- yes.
- 8 Q Tell us what you know about Charles Manson?
- 9 A Well, not too much. Usually I don't listen to the
- 10 news on the radio at all.
- 11 Q Well, is he a governor of the state or is he a
- 12 judge or what is he?
- 13 A Well --
- 14 Q We just want to know generally what you know about
- 15 Charles Manson.
- 16 A Oh, just what I did hear was somebody -- he
- 17 belonged to what you call a cult. That's all I know.
- 18 Q He belonged to a cult?
- 19 A Yeah, that's all.
- 20 Q All right. Have you formed any opinions about --
- 21 A No.
- 22 Q -- what you have heard, seen or read --
- 23 A No, huh-uh.
- 24 Q -- about what -- well, wait until I ask you about
- 25 whether or not you have formed an opinion and about what the
- 26 opinion is all about, and then you can answer, all right?
- 27 A Okay.
- 28 Q Have you formed any opinions about the people that

5a-2

1 have associated with Mr. Manson?

2 A No, huh-uh.

3 Q Have you had any determination or formed any
4 opinion that those people are good or bad or otherwise?

5 A No. If I did hear something, it just went in one
6 ear and out the other. I never paid much attention to it.

7 Q Well, would you be able to set aside whatever you
8 may have heard about Mr. Manson or people associated with
9 Mr. Manson and decide the case without reference to it?

10 A Uh, I probably could.

11 Q Will you decide the case only on the evidence
12 that's received here and the Court's instructions of law?

13 A Yes, just on the evidence.

14 Q Will you allow anything that you have heard, seen
15 or read to enter into any judgment that you might make?

16 A No. If I did hear something before, prior, well
17 I wouldn't let that bother me at all.

18 Q What do you mean you wouldn't let it bother you?

19 A Well, I wouldn't let it interfere with the evidence.

20 Q And you can be fair and impartial in spite of what
21 you may have heard, seen or read about the Manson Family?

22 A Yes, uh-huh.

23 Q You don't know the name Shorty Shea?

24 A I don't recall hearing that name at all.

25 THE COURT: You may examine.

26 MR. DENNY: No questions.

27 MR. KAY: No questions, your Honor.

28 THE COURT: Mrs. Aldinger, thank you very much. Would

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1 you return to Room 102, Department 102. We'll be calling you
2 again.

3 PROSPECTIVE JUROR NO. 4: Okay.

4 THE COURT: Sims.

5
6 VOIR DIRE EXAMINATION OF

7 AUDREY SIMS

8 BY THE COURT:

9 Q Mrs. Sims, we'd like to know what has been the
10 extent of your exposure to the publicity concerning this
11 case, and some other cases.

12 But first, have you ever heard of Mr. Davis
13 before?

14 A No.

15 Q Heard, seen or read about him at all?

16 A No, not until yesterday.

17 Q Until yesterday had you heard anything at all
18 about the name Gary Hinman?

19 A I really don't remember. I probably have, but I
20 really don't remember.

21 Q How about the name Shorty Shea?

22 A Yes, I remember that name.

23 Q What do you remember about him? Before yesterday.

24 A Yeah.

25 Q What did you know about him?

26 A I think -- I'm not really sure. I think in
27 connection with him being a stuntman or something to that
28 effect. I really don't know. That's what I connect it with

5a-4

1 right now.

2 Q Did you read, hear or see that he was deceased,
3 supposedly deceased or anything that you can remember of that
4 nature?

5 A Just vaguely, yes, that he was deceased.

6 Q Did you read any speculation about who was
7 alleged to have been responsible for --

8 A No, no, I have not paid that much attention.

9 Q You heard the name Charles Manson before, of
10 course?

11 A Yes.

12 Q And Manson Family, you've heard that phrase?

13 A Yes.

14 Q What does that phrase mean to you?

15 A I don't know if I can give you a meaning.

16 Q Well, what does it mean just to you?

17 Is it a group of people that are associated --

18 A Oh, I see what you mean -- yeah, okay.

19 I understand it is a group of people who follow
20 Charles Manson. He was their leader in some way.

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1 Q Have you heard, seen or read anything about
2 Charles Manson in the last, hmm, last month?

3 A I have not been reading about the case, but I
4 have been hearing things on the news and I can't tell you
5 exactly what I remember, because I hear it and don't hear it.

6 Q Have you ever heard the name Bobby Beausoleil?

7 A I don't remember.

8 Q Have you ever heard the name Mary Brunner?

9 A Uh, I think so.

10 Q In what connection, do you know?

11 A Uh, I saw a picture of her in a Times magazine
12 that she went to Brandeis University and that she was on the
13 wanted list, I believe. But I'm not sure.

14 Q How about Steven Grogan? Have you ever heard that
15 name?

16 A I don't think so.

17 Q Do you read a newspaper daily?

18 A Yes. Uh, yes.

19 Q Look at television?

20 A Yes.

21 Q Do you look at a news program daily on television?

22 A Yes, I do.

23 Q How about radio? Do you frequently listen to the
24 news?

25 A Uh, I listen to the radio, your Honor, and I
26 hear the news, not particularly for the news, but I hear it.

27 Q How about magazine articles? Do you -- have you
28 read any magazine articles about the Manson Family?

5b-2

1 A No, I have not.

2 Q Any books about the Manson Family?

3 A No.

4 Q Well, as the trial progresses, if you should be
5 chosen as a juror, Mrs. Sims, you may remember other alleged
6 facts, other things that you have heard, seen or read from
7 the news media.

8 What I want to know from you is if I were to
9 instruct you that you were not to allow any matters that you
10 discussed with anyone that you heard, seen or read concerning
11 this case or Mr. Manson to enter into your judgment on any
12 issue involved in the case, are you capable of setting such
13 matters aside?

14 A Yes.

15 Q I'm not saying forget them, because you probably
16 can't forget them. But you can set them aside for the reason
17 of making an independent judgment based on the evidence that's--

18 A Yes, I can.

19 Q And will you set those things aside?

20 A Yes.

21 Q That you may have heard, seen or read for the
22 purpose of acting as a juror in this case and being fair and
23 impartial?

24 A Yes.

25 THE COURT: Mr. Denny.

26
27 VOIR DIRE EXAMINATION

28 BY MR. DENNY:

5b-3

1 Q Yes, ma'am, have you discussed with anyone over
2 the past two years the Manson Family, the Tate-La Bianca
3 killings and things of that kind?

4 A I'm sure I did when I first heard about it.

5 Q All right.

6 I think everybody did.

7 And you followed the news concerning those for
8 a period of time, did you?

9 A A very short period.

10 Q Then, would you say your interests just
11 slackened?

12 A Yes.

13 Q Do you know the outcome of the Tate-La Bianca
14 trials?

15 A Not really. I'm sure I heard it on the news,
16 but I did not read it in the paper.

17 Q When you say you have heard something vaguely
18 about Shorty Shea, stuntman, stuntman Shorty Shea, do you
19 recall when it was that you last heard anything about the
20 stuntman, Shorty Shea?

21 A I would say within the last week.

22 Q All right. And do you remember in what connection
23 you heard any reference to stuntman Shorty Shea within the
24 last week?

25 A I think in connection with Charles Manson and
26 someone else whose names I don't remember. But I'm really
27 not sure, to be honest with you.

28 Q Do you recall in what connection you heard Charles

5b-4

1 Manson during this reference to Shorty Shea? How was he
2 tied in with Shorty Shea, in other words?

3 A Uh, he was connected with his death and the death
4 of someone else.

5 Q Was this a report on the progress of a trial?

6 A Yes, yes.

7 Q Do you remember what the report indicated?

8 A No, I don't.

9 Q Do you recall whether this was a television or
10 a radio --

11 A Television.

12 Q -- report?

13 A Television. It was television.

14 Q And do you recall any other reports recently or
15 anything that you had read recently, say within the last
16 month or two, pertaining to Charles Manson and any charges
17 or trial connecting him to the death of Shorty Shea or the
18 alleged death of Shorty Shea?

19 A No, I really don't. Other than yesterday, I
20 believe, something -- a headline or something. But --

21 Q Do you recall what that headline said?

22 A Uh, yes. That Charles Manson got a life sentence.
23 And that's all I read.

24 Q Well, you appear to be -- well, let me withdraw
25 that.

26 Based on that headline and what you heard over
27 the radio before, do you draw any conclusions as -- from your
28 reading and your hearing as to what may have occurred with

5b-5

1 Charles Manson?

2 A That's difficult to answer, because I have been
3 on jury duty for a month and I've been instructed, you know,
4 that I am not to draw conclusions, so I'm trying to practice
5 that. And I really have not given it any serious thought.

6 fls.

6
1 Q All right. Well, do you have any feelings, as you
2 sit there at this time, based upon what you've heard, seen and
3 read, other than what you've heard and seen in this courtroom,
4 but based on your reading and your listening outside of the
5 courtroom, do you have any feelings at all as to whether or not
6 Shorty Shea is or is not alive?

7 A No, I have no feelings about it right now.

8 Q You have no preconceived ideas concerning that?

9 A No.

10 Q Now, you say you heard something about another
11 person in connection with Charles Manson and Shorty Shea. Was
12 that Steve Grogan?

13 A Well, I don't --

14 Q Does that name ring a bell?

15 A No, it doesn't.

16 Q And when you say Charles -- the "Manson Family"
17 to you means a group of people who followed Charles Manson, do
18 you have any other concepts or idea about what their philosophy
19 was?

20 A No, I don't. I have wondered, but I don't have any
21 ideas.

22 Q As you sit there now, do you feel that there's
23 some evil connotation, based on what you've heard, seen and
24 read, about the Manson Family?

25 A I can't say that I do. I still wonder. I don't
26 know any more now than I did before.

27 Q All right. Do you feel that anyone who might be
28 included within the ranks of -- and again, using the term

1 "Manson Family" as the papers have used it -- anyone included
2 within those ranks is probably more likely guilty than innocent
3 of any crime charged against him?

4 A No.

5 Q In other words, it would take the same kind of
6 evidence to convict any person connected with the Manson Family
7 as it would take for you, sitting as a juror, to convict any
8 other person --

9 A Yes.

10 Q -- related to any other family, group, organiza-
11 tion, or as an individual; is that right?

12 A Yes.

13 MR. DENNY: All right. I have no further questions.

14 MR. KAY: No questions, your Honor.

15 THE COURT: All right. Mrs. Sims, would you go back
16 to Department 102 and stay there until we call you?

17 Mrs. Dittebrandt is next, I believe.

18 Come forward, Mrs. Dittebrandt. Just take any seat
19 there, if you would, and use that microphone.

20
21 VOIR DIRE EXAMINATION OF

22 COZETTE L. DITTEBRANDT

23 BY THE COURT:

24 Q Mrs. Dittebrandt, have you ever heard the name
25 Bruce Davis before?

26 A No, I haven't.

27 Q Have you heard the name Charles Manson?

28 A Yes, I have.

1 Q And have you heard the name Shorty Shea?

2 A Yes.

3 Q What do you know about the name Shorty Shea?

4 A I don't know much about it. I just remember
5 reading the headline in the paper.

6 Q What did you read in the paper?

7 A Well, something about him being murdered. That's
8 all I --

9 Q About Shorty Shea being murdered?

10 A Yes.

11 Q Do you know any more details of --

12 A No, I don't. I didn't read -- frankly, I'm not
13 interested in it, so I --

14 Q And you didn't follow it?

15 A No.

16 Q Do you know the name Gary Hinman, other than from
17 what I read you yesterday?

18 A No, I don't.

19 Q Never remember having heard, seen or read it?

20 A It seems to me the name is a little familiar, but --

21 Q You can't remember in what context?

22 A No, because I haven't read any of the details.

23 Q Well, do you have any preconceived ideas about the
24 Manson Family, whether they're good or bad, good or evil?

25 A Am I supposed to say that here?

26 Q Yes, you can.

27 A I think they're evil.

28 Q And on what do you base your judgment?

1 A Because of what happened.

2 Q What? Do you mean the Tate-LaBianca murders?

3 A Yes.

4 Q You read about that case, followed that case?

5 A No, I didn't follow it completely. I know what
6 happened.

7 Q Well --

8 A I didn't go into detail on it.

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1 Q Well, assuming the evidence should disclose now --
2 and we are asking you more or less to prejudge in a certain way,
3 in putting this question, but we are interested -- and we are
4 doing it because we want to find out what your state of mind is
5 in relation to what you may have heard, seen or read from the
6 news media.

7 A Um-hmm.

8 Q Assuming that Mr. Davis is proved to be -- by the
9 evidence is proved to be a member of the Manson Family, would
10 that tar him right away with the same brush as these other
11 people?

12 A I think it would, yes.

13 Q And would you be unable, then, to be impartial --

14 A Yes, I'm afraid I would.

15 Q -- in determining the question of his guilt or
16 innocence?

17 A (Indicating affirmatively.)

18 MR. DENNY: 1073, Sub 2 challenge, your Honor.

19 THE COURT: Thank you for being so frank.. It saves us
20 time, Mrs. Dittebrandt. And you are excused.

21 You can go up to Room -- I don't know the room yet;
22 I think it's floor 15 of the new Hall of Records.

23 PROSPECTIVE JUROR NO. 6: All right. Thank you.

24 THE COURT: Whom have we eliminated? Takemoto and
25 Dittebrandt? Right?

26 MR. KAY: Right.

27 MR. DENNY: Yes, your Honor.

28 THE COURT: All right. The next person.

1 Mrs. Muldrow?

2 PROSPECTIVE JUROR NO. 7: Yes.

3
4 VOIR DIRE EXAMINATION OF

5 MRS. EDDIE MULDROW

6 BY THE COURT:

7 Q Mrs. Muldrow, have you ever heard the name Bruce
8 Davis before?

9 A Well --

10 Q Heard the name of the defendant before?

11 A Oh, yesterday.

12 Q Before yesterday?

13 A I may have, but I don't recall. Because I don't
14 listen to the news very much.

15 Q Do you read a newspaper daily?

16 A No.

17 Q Look at television news reports daily?

18 A Not daily. Sometimes.

19 Q Do you ever listen to a radio?

20 A Only when I am on my way to work.

21 Q And that's what, every morning --

22 A Yes.

23 Q -- or nearly every morning?

24 A Yes.

25 Q Five days a week, anyhow?

26 A Yes.

27 Q Where do you work?

28 A Bank of America.

1 Q Yes, I recall. What branch?

2 A The main office.

3 Q So, you drive a half-hour or so a day and listen to
4 the news; is that right?

5 A Yes. About fifteen minutes going and fifteen
6 minutes going back.

7 Q So, you can't recall whether you heard Davis's name
8 before?

9 A No, I can't.

10 Q Have you heard the name, before yesterday, when I
11 read it to you, the name Shorty Shea? Donald Jerome "Shorty"
12 Shea?

13 A I think I can remember the "Shea." I don't know
14 about the "Shorty."

15 Q You think you can remember "Shea"?

16 A Yes.

17 Q How about the name Hinman? Gary Hinman? Have you
18 ever heard, seen or read that?

19 A Yes, I remember that one.

20 Q Do you remember in what connection you've heard the
21 name Shea or Hinman? Or Shea and Hinman?

22 A No, I can't say.

23 Q Have you heard the name Manson Family?

24 A Oh, yes.

25 Q And if it should be shown that Mr. Davis is a member
26 of the Manson Family, or was associated with Mr. Manson, would
27 that arouse such prejudice in your mind against Mr. Davis that
28 you couldn't be fair and impartial in judging other issues --

1 or, I should say -- issues that would be presented to you in
2 the case?

3 A No.

4 Q Do you think that you could set aside whatever
5 you may have heard, seen or read about Mr. Davis, if you should
6 remember something that you don't now?

7 A Yes.

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1 Q Do you think you could set it aside, and set aside
2 anything that you may know about Mr. Manson and the Manson
3 Family, and make any judgment on any issue involved in this
4 case aside from such matters that you may have heard, seen or
5 read?

6 A Yes.

7 Q In other words, you'd have to be exercising a
8 judgment on the evidence presented, based upon the evidence
9 presented in this courtroom, and the Court's instructions
10 alone?

11 A Yes.

12 Q Do you understand that?

13 A Yes.

14 Q And you wouldn't fill in any gaps with what you
15 might remember from a news report?

16 A No.

17 Q And aside from -- are you sure about your ability
18 to do that?

19 A Yes.

20 Q And the next question is:
21 Will you do that?

22 A Yes.

23 Q And you can be fair and impartial?

24 A Yes.

25 THE COURT: Mr. Denny?

26
27 VOIR DIRE EXAMINATION

28 BY MR. DENNY:

1 Q Ma'am, as far as the TV and newspapers, you say you
2 rarely, if ever, read or watch TV?

3 A Well, I watch TV, but I very seldom watch the news.

4 Q All right. Now, do you recall -- what is the most
5 recent thing that you've heard about Charles Manson on the
6 radio?

7 A Uh -- about the -- the case that is going -- well,
8 I don't know if it's over, or the one that was going on, the
9 sentence, where they're going to determine his sentence. That
10 was the last thing.

11 Q Can you hold that up a little bit closer to your
12 mouth?

13 A Okay.

14 Q Thank you.

15 What his sentence was going to be in the case that
16 was going on?

17 A Yes.

18 Q And do you know what that case was? What he was
19 charged with?

20 A Wasn't it a murder?

21 Q What murder?

22 A Tate- -- the Tate murder?

23 Q When was it that you heard this report, this latest
24 report that you --

25 A Must have been -- what? Sometime this week.

26 Q And as far as you know, that had reference to the
27 Tate murders?

28 A Yes.

1 Q All right. Do you have any information at all, as
2 you try to rack your brain now, to think about it, of having
3 heard of anyone else having been charged with the same crimes
4 that the judge read to you, that are presently charged against
5 Mr. Davis?

6 That is, charged with killing Gary Hinman or
7 Donald "Shorty" Shea?

8 A Well, Manson's name is the most one that stands out.
9 The other names are more or less vague.

10 I didn't pay too much attention to it.

11 Q I'm sorry. You say you didn't pay much attention.
12 As the judge was reading the names, is that what you meant?

13 A Oh, no, no. I meant on the news.

14 Q On the news?

15 A Yes. The Manson name would stand out, more than the
16 others.

17 Q Well, have you heard on the news that Mr. Manson was
18 charged with these same killings?

19 A Well, it's related.

20 Q You say he's related?

21 A No, it's related.

22 Q What is related?

23 A The Manson Tate-LaBi- -- La- --

24 Q LaBianca?

25 A Yes.

26 Q You say that's related?

27 A Well, this is more or less what I was relating it
28 to.

1 Q Well, I'm afraid we are separated by more than
2 distance here. Let me try to get squared away.

3 As far as what you have heard Charles Manson being
4 charged with, --

5 A Yes.

6 Q -- have you heard only that he has been charged
7 with the Tate and the LaBianca killings?

8 A Yes, as I can recall.

9 Q Have you heard anything or read anything that he
10 has been charged with any other killings?

11 A No, I can't say I have.

12 Q All right. Now, getting away from Charles Manson
13 for a minute, and going to the charges that the Court read to
14 you concerning the alleged decedents in this case, Gary Hinman
15 and Shorty Shea, who were supposed to have been killed, and
16 Mr. Davis is charged with their murder -- or their murders --
17 have you heard or read about any other people having been tried
18 for those murders --

19 A No.

20 Q -- or alleged murders?

21 A No.

22 Q All right. Now, have you heard about the Spahn
23 Ranch?

24 A Yes. Isn't that the one where the Manson Family
25 lived? Is that the one? If that's the Spahn Ranch.

26 Q All right. And have you heard anything, other than
27 that, about the Spahn Ranch? Have you heard about any
28 activities there?

1 A Well, they said they were looking for some bodies
2 or something like that.

3 Q All right. And do you recall whose body was being
4 searched for there at the Spahn Ranch at any time?

5 A I can't remember any names.
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1 Q Was that a long time ago that you heard about
2 that?

3 A Oh, would it be something like six to nine
4 months ago or something like that?

5 Q All right.

6 And do you recall whether a body was ever found,
7 bodies were ever found?

8 A I can't recall.

9 Q Now, as far as the Manson Family itself goes,
10 what does that mean to you?

11 A Well, there's a lot of girls and boys all together,
12 I guess, living on the -- what ranch was that?

13 Q The Spahn Ranch again?

14 A The Spahn Ranch. Yeah.

15 Q All right.

16 Now, have you heard or read anything -- well,
17 let me put it this way.

18 Based on what you have heard or read, do you have
19 any idea as you sit there now that there is some evil connota-
20 tion about the Manson Family as it has been called?

21 A Evil connotation, let me see.

22 Q Or to put it a little bit plainer, do you think
23 that they're all a group of evil people or out to do evil
24 deeds, anybody who is a member of the Manson Family?

25 A Well, I wouldn't know. I really don't know
26 whether they're out to do evil or -- I don't know.

27 Q All right, fine. That's all we're asking,
28 whether you do or not or how you feel about it. Not only

7-2

1 your knowledge, but your feelings down in here (indicating).

2 A (Nods head.)

3 Q Do you have any kind of antagonistic feelings
4 towards the Manson Family based on what you have read or
5 any members thereof?

6 A Well, I wouldn't have any reason to.

7 Q All right, fine.

8 THE COURT: Anything further?

9 MR. DENNY: No, no further questions.

10 THE COURT: Gentlemen?

11 MR. KAY: No questions, your Honor.

12 THE COURT: Mrs. Muldrow, you may return to the group
13 of jurors. We'll be calling you in later.

14 JUROR NO. 7: Okay, thank you.

15 THE COURT: You just follow Mr. Kuczera back there.

16 He's going to go back to 102. You are excused.
17 You don't need to really go back to Department 102, just be
18 back with them at 2:00 o'clock.

19 JUROR NO. 7: Thank you.

20 THE COURT: Next one is Miss Bourgeois.

21 JUROR NO. 8: Yes.

22
23 VOIR DIRE EXAMINATION OF
24 MISS MARIE A. BOURGEOIS

25 BY THE COURT:

26 Q Have you previously heard of Mr. Bruce Davis?

27 A I don't believe so, no.

28 Q Have you heard of a man named Steven Grogan?

7-3

1 A The name is familiar.

2 Q In what way, can you think?

3 A Only perhaps that I might have heard it sometime

4 in the past in the news or --

5 Q In what connection, any idea?

6 A No, I have no idea.

7 Q For all you know it might be a football player

8 or --

9 A That's quite possible.

10 Q Have you heard before I told you yesterday about

11 the indictment there and read the indictments to you, had

12 you heard the name Gary Hinman?

13 A Yes, I had.

14 Q In what connection?

15 A In other involvements in -- with the Manson trial

16 that I had heard from the news and other sources. That --

17 Q That's your best recollection of what you know

18 about Gary Hinman?

19 A I -- excuse me, I really don't know too many

20 details. I didn't follow the case closely at all.

21 Q Do you think that he is a member -- Gary Hinman

22 is currently a member of the Manson Family; is that what you

23 mean?

24 A Not that I know of.

25 Q Well, what does the name mean to you at all, if

26 anything?

27 A It is just a name that I heard during the course

28 of hearing about the trials before.

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Q I see.

When you say "the trials before," are you talking about the Tate-La Bianca trial?

A Uh, yes.

Q Have you heard anything about Mr. Manson, heard, seen or read anything about Mr. Manson in the last month?

A No, nothing at all.

7-5

1 Q Have you heard the name Shorty Shea?

2 A Yes, on several occasions.

3 Q In what connection?

4 A He is supposedly a victim of, uh, a murder,
5 Possibly by the Manson group. I only know what I have heard
6 from the news.

7 Q Should the evidence disclose that Mr. Davis was
8 associated with Mr. Manson, perhaps he is a member of the
9 Manson Family, would that be so prejudicial in your mind
10 against Mr. Davis that you couldn't be fair and impartial in
11 deciding other issues in the case?

12 A I think not.

13 Q If I were to instruct you that you were not to
14 allow any matters that you may have discussed with anyone or
15 that you may have heard, seen or read via newspaper, radio
16 or television concerning this case or Mr. Davis or Mr. Manson
17 to enter into your judgment on any issue involved in this
18 case, are you capable of setting such matters aside?

19 A I believe so.

20 Q When you say "I believe so," is there any doubt
21 in that expression?

22 In other words, I am referring to your capability--

23 A Yes.

24 Q -- of objectivity, of setting aside what you may
25 have heard, seen or read in deciding the matter basically on
26 the evidence and the instructions that are given to you in
27 this court. Disregarding the news articles in the news
28 media.

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Are you capable of doing that?

A Yes.

Q And will you do that?

A Yes.

Q For example, on the point of Mr. Shea's death, you have mentioned that you have heard that he has been murdered.

A Uh-huh.

Q Would you fill in the gaps in the People's case -- you understand the People have to show --

A Uh-huh.

Q -- that Mr. Shea is deceased.

Would you fill in any gaps from what you have heard, seen or read from the news media?

A I would have to base my opinions on what I would hear as evidence for this particular case.

Q I see. And can you be fair and impartial in this case? By "impartiality," I mean by that, being equally fair to each side?

A Yes.

THE COURT: Mr. Denny,

MR. DENNY: Does the Court plan to go after the noon hour?

THE COURT: No, it is noon now, so we'll recess until 2:00 o'clock.

And the Court will ask you to be back in that seat at 2:00 o'clock, Mrs. Bourgeois. You are excused until then.

7z-7

1 JUROR NO. 8: Thank you.

2 THE COURT: Is 2:00 satisfactory? We can resume a
3 little earlier, if you wish.

4 MR. DENNY: I can resume earlier, if you wish.

5 MR. KAY: 2:00 is fine with us.

6 THE COURT: From time to time the Court may ask you to
7 reassemble earlier. We might pick up a little time that way.

8 All right, we're in recess.

9 (Whereupon, at 12:00 o'clock noon the noon
10 adjournment was taken.)
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1 LOS ANGELES, CALIFORNIA, TUESDAY, NOVEMBER 30, 1971, 2:09 P. M.

2
3 THE COURT: The case of People versus Davis?

4 All right. The record will show all counsel to
5 be present. The defendant is present.

6
7 VOIR DIRE EXAMINATION (Continued) OF

8 MARIE A. BOURGEOIS

9 BY THE COURT:

10 Q Miss Bourgeois, the Court had begun to ask you
11 about what you had heard, seen or read in connection with this
12 case, and Mr. Manson and the Manson Family.

13 A Yes.

14 Q Since talking to us, have you recalled anything
15 else that you may have heard, seen or read concerning
16 Mr. Davis?

17 A No, nothing at all.

18 Q Nothing at all?

19 A Hmm-mm.

20 THE COURT: I think we had gotten to the point where I
21 was about to permit you to ask Miss Bourgeois questions on
22 voir dire.

23 MR. DENNY: I believe so, your Honor.

24 THE COURT: Proceed, Mr. Denny.

25
26 VOIR DIRE EXAMINATION

27 BY MR. DENNY:

28 Q Miss Bourgeois, you say that you don't believe you

1 have heard anything about Mr. Davis, --

2 A No.

3 Q -- other than his name being read here?

4 A No, sir.

5 Q Do you recall having read anything, any time, about
6 Mr. Davis having given himself up to the police? Anything of
7 that kind?

8 A Not that I can recall.

9 Q All right. And you say Grogan's name is familiar
10 to you? Steve Grogan, or Clem Grogan?

11 A Vaguely. It could be, as Judge Choate said, just
12 a sports figure. It seems familiar to me. I don't remember
13 where I heard it, or what connection I heard it in.

14 Q Do you recall hearing it in connection with the
15 Manson group or Manson Family or the name Manson?

16 A I haven't the faintest idea.

17 Q All right. Where did you get most of your
18 information from concerning Mr. Manson and anything related
19 to him? From what source?

20 A From the newspapers and from television reports.

21 Q You regularly read a newspaper --

22 A Not very regularly.

23 Q -- or several?

24 Do you take a subscription to one?

25 A No.

26 Q Do you regularly watch a particular news
27 broadcast on television?

28 A When I have the time, I try to watch the news.

1 But that's not very often, I'm afraid.

2 Q All right. Do you regularly listen to a news
3 broadcast on the radio?

4 A When it's part of what I am listening to, yes.

5 Q Is this normally driving to and from work?

6 A Usually driving home from work I have a chance to
7 hear one news broadcast.

8 Q All right. Is it your best recollection at this
9 time that you have heard no news broadcasts, seen nothing in
10 television, read nothing on -- in any newspaper concerning
11 any trials pertaining to the alleged murders of Gary Hinman and
12 Shorty Shea?

13 A I can't say that I have seen nothing, heard
14 nothing. I can't recall any exact details about any of these
15 cases; just that I've heard them passing in the news.

16 I don't always have a chance to sit down and
17 pay exact attention to what it is I am hearing or what it is I
18 am reading.

19 Q Well, let me make a distinction, anyway, --

20 A All right.

21 Q -- in this question, --

22 A Um-hmm.

23 Q -- concerning any information you may have heard
24 about the alleged murders themselves, as distinguished from
25 any information you may have seen or heard about trials
26 pertaining to those alleged murders.

27 Do I make myself clear?

28 A Yes.

1 Q In other words, normally, there's pre-trial
2 publicity, and then there may be publicity during the course of
3 the trial.

4 A Yes, sir.

5 Q Now, in your mind, as you sit there now, can you
6 recall whether there's any distinction, as far as you are
7 aware, of having heard of some publicity concerning trials of
8 persons accused of killing Gary Hinman and Shorty Shea?

9 A I can state that the information that I have, as
10 brief as it might be, has been gathered by listening to the
11 reporters commenting on trials previously in progress --

8a fols.

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1 Q And --

2 A -- and what connection they might have with
3 events happening later on, such as trials taking place at
4 this time.

5 Q Well, I'm not sure that I quite understand that
6 answer.

7 A Well --

8 Q You say you've heard announcers talking of
9 trials --

10 A Yes.

11 Q -- previously in progress. And what --

12 A During the course of the trials.

13 I guess during the course of the Tate-La Bianca
14 trial, it would be the custom of the reporters to mention
15 various defendants, various witnesses, and any connections
16 that they might have with the case at hand, and what they
17 might speculate might happen in the future to these people --
18 concerning, perhaps, Hinman or Shorty Shea.

19 Q Well, could you tell us, as a for-instance,
20 what you've heard in that connection? Without --

21 A Well, I can't --

22 Q Without being specific? But you seem to have
23 some idea in mind of having heard some reporter or some
24 commentator, at least, say that something might happen in
25 connection with Hinman and Shea matters, based on what
26 happened in Tate and La Bianca.

27 Is that what you are telling us?

28 A I believe so. I can just vaguely remember

8a-2

1 some sort of remark by a reporter -- I don't know who he was
2 or what newscast it might have been; it just seems -- you
3 know, it just seemed quite natural at the time to me.

4 I don't remember any details or anything whatso-
5 ever.

6 Q All right. But this, as far as your recollection
7 can --

8 A Yes.

9 Q -- he brought to the fore now, was at a time
10 during the Tate and La Bianca trial?

11 A It was quite a while ago, yes.

12 Q All right. Now, do you have any specific
13 recollection of having heard, seen or read anything since
14 that trial, about anybody in connection with the Manson
15 Family being charged, being tried for the murders of Gary
16 Hinman and Shorty Shea?

17 A I believe so.

18 Q And what have you heard about that?

19 A Uh -- I believe another trial took place. I'm
20 not terribly sure. I haven't followed it.

21 As I say, I wasn't terribly interested in it all.

22 Q All right. And to your knowledge, was that a
23 trial of Mr. Manson or some other people --

24 A I believe it was Mr. Manson; I'm not sure.

25 Q You don't know of anyone besides Mr. Manson who
26 may have been tried on that charge?

27 A It's possible there might have been, but I can't
28 recall if there was.

9 fls.

1 Q And have you heard, seen or read anything about
2 the possible outcome of that trial?

3 A I don't believe so, no.

4 Q Heard any rumors while you were waiting to be
5 called as a juror about the trial in which Mr. Manson was then
6 being tried?

7 A Uh, no. To tell you the truth, between the time
8 I took my exam and the time I was called as a juror, I had
9 completely forgot I had taken the exam. I really didn't
10 discuss it, whatsoever, with anyone.

11 Q All right. Now, in as far as what you have heard,
12 seen or read about the Manson Family --

13 A Uh-huh.

14 Q -- you do have some idea of what the Manson Family
15 means to you?

16 A Yes.

17 Q What does it mean to you?

18 A I understand that he lived with quite a number of
19 people, male and female alike. They considered him their
20 leader. They lived on a ranch, I believe. Uh, communal-type
21 living. And this was his family, him and his followers, if
22 followers is the correct term. As I see it, uh-huh.

23 Q All right. Now, again, do you have any feelings
24 as you sit there knowing only what you have read, seen or
25 heard in the news, radio and television that there's any sort
26 of evilness connected with this Manson Family?

27 A No more so than with anybody else. I -- it is
28 quite difficult to say evil in itself, what is it. I don't

1 think so.

2 Q Do you have any feelings there that anybody who
3 might have been connected with Mr. Manson or associated with
4 his group that has been called the Family or the Manson Family --

5 A Uh-huh.

6 Q -- that they are somehow criminally oriented?

7 A Well, not knowing them personally, I can't say.
8 I can't -- I can make a judgment from what I have read and
9 what I have heard, but I really don't think it would be
10 a proper judgment without knowing them.

11 Q Well, again --

12 A Uh-huh, uh-huh.

13 Q -- we're trying to see --

14 A Yes.

15 Q -- what that judgment is that you might make --

16 A Right.

17 Q -- sitting there.

18 Based on what you have heard, seen or read --

19 A Yeah.

20 Q -- you say you have such a judgment?

21 A Uh, a judgment? I don't think so. I don't have
22 any particular --

23 Q Or a feeling, let's say.

24 A No, I don't have one feeling one way or the other
25 about them. It is just sort of a noncommittal idea. I have
26 never really gotten into the case.

27 THE COURT: If I were to instruct you that you are not to
28 allow any matters that you have discussed with anyone --

1 JUROR NO. 8: Yes.

2 THE COURT: -- that you have heard, seen or read about
3 this case, Mr. Davis or Mr. Manson, to enter into your
4 judgment --

5 JUROR NO. 8: Yes.

6 THE COURT: -- to enter into your mind on any issue
7 involved in this case -- in deciding any issue involved in
8 this case --

9 JUROR NO. 8: Uh-huh.

10 THE COURT: -- are you capable of doing that?

11 JUROR NO. 8: I believe so, I've never really gotten
12 into any heated discussions with anyone about the case.

13 THE COURT: The next question is would you be?

14 In other words, will you do that?

15 JUROR NO. 8: I don't think that anyone else could --

16 THE COURT: This is what I mean.

17 JUROR NO. 8: All right.

18 THE COURT: Will you set aside such matters for the
19 purpose of making an independent judgment on any issue that
20 you might be called upon to decide, if you are selected as a
21 juror?

22 JUROR NO. 8: Yes.

23 THE COURT: Excuse me for interrupting.

24 MR. DENNY: Yes, your Honor. That was fine.

25 Q BY MR. DENNY: Just a couple of more matters.

26 Now, you said you had heard that Shorty Shea was
27 supposedly a victim of murder?

28 A Yes.

1 Q Possibly by the Manson group, is that correct?

2 A Uh-huh.

3 Q Is that correct?

4 A This is what I had heard from the news media,
5 yes.

6 Q Had you heard how he was supposed to be murdered?

7 A I believe that I had, but I don't remember at the
8 time -- at this time how it was.

9 Q Have you heard anything recently concerning how he
10 was supposed to have been murdered?

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11 A No, nothing at all recently.
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1 Q Again, as the Court says, no matter what you have
2 heard about this case, no matter what the papers say --

3 A Uh-huh.

4 Q -- you're going to require the People in this
5 case to prove to you beyond a reasonable doubt and to a moral
6 certainty, as the Judge has discussed it previously with all
7 of the jurors --

8 A Uh-huh.

9 Q -- that, in fact, Mr. Shea was murdered, if that
10 may be a fact; is that correct?

11 Perhaps my question should be rephrased.

12 A Perhaps.

13 Q You hesitate.

14 Before you would find that Mr. Shea has, in
15 fact, been murdered --

16 A Uh-huh.

17 Q -- you would insist that the People prove that
18 by evidence here, not by anything that was in the paper?

19 A Of course.

20 Q Not by anything that you have heard, seen or
21 read, but to prove it beyond a reasonable doubt and to a
22 moral certainty; is that it?

23 A Of course I would have to hear the evidence for
24 myself, from the People.

25 Q All right.

26 I'll pass, your Honor.

27 MR. KAY: No questions, your Honor.

28 THE COURT: All right, the Court finds that Miss

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1 Bourgeois can set aside what she may have heard, seen or
2 read concerning this case or Mr. Davis or Mr. Manson, and
3 that she can decide any issues that she might be called upon
4 to decide without regard to what publicity she may have
5 heard, seen or read.

6 The Court will ask you to return to Department
7 102. We'll be calling you again to this department.

8 JUROR NO. 8: Yes.

9 THE COURT: Very shortly.

10 JUROR NO. 8: Thank you.

11 MR. DENNY: Your Honor, before the next prospective
12 juror comes in, may we approach the bench without the
13 reporter?

14 THE COURT: Yes, you may.

15 Mrs. McKissack -- just one second, gentlemen.
(Proceedings had on unrelated matters.)

16 THE COURT: Mr. Denny, you wish to put something on
17 the record?

18 MR. DENNY: Yes, your Honor.

19 I have spoken with Mr. Manzella and Mr. Kay, and
20 my feeling is, your Honor, that in a trial of this magnitude,
21 a murder case -- frankly, in any trial -- it is not in the
22 interests of either the defense or the People to have jurors
23 of the apparent incapacity of Juror No. 1 and, I believe,
24 Juror No. 4, Mrs. Meister and Mrs. Aldinger -- or Miss
25 Aldinger.

26 I don't believe it's in the interests of justice,
27 and I think Mr. Kay and Mr. Manzella agree, and would agree
28 to stipulate to excuse them.

10 fls.

1 THE COURT: Well, shall I chalk a peremptory challenge
2 up for each of you, then? One each?

3 MR. KAY: Oh, no.

4 MR. DENNY: I don't think that's necessary, your Honor.

5 THE COURT: It is not part of the --

6 MR. DENNY: And I have stated to them also, in response
7 to Mr. Kay's suggestion, that if it appears to all of us --
8 as I think has occurred to all of us, the Court and counsel --
9 that any other jurors are of similar mentality, that perhaps
10 the same procedure for their excuse could be followed.

11 THE COURT: That's Aldinger and Meister?

12 MR. DENNY: Yes, your Honor.

13 THE COURT: Then is it -- well, let's get Mr. Davis
14 back in. I think perhaps he should be here.

15 THE BAILIFF: Yes, sir.

16 THE COURT: Off the record.

17 (Whereupon a discussion was had among Court
18 and counsel which was not reported.)

19 THE COURT: Mr. Davis, your attorney and the attorneys
20 for the People have indicated that each side wishes to
21 stipulate that there are two jurors in the box, presently in
22 the box, that may be excused by the Court, without either
23 side being charged with a peremptory challenge.

24 Those two jurors are Mrs. Meister, Juror No. 1,
25 and Juror No. 4, Mrs. Aldinger.

26 Do you so stipulate and agree?

27 THE DEFENDANT: Yeah, I agree.

28 THE COURT: Very well. The Court then would excuse

1 Mrs. Meister and Mrs. Aldinger.

2 MR. KAY: The People so stipulate, for the record, your
3 Honor.

4 THE COURT: Fine. Thank you, Mr. Kay.

5 All right. Does anyone need a break? You didn't
6 get a chance to get out of the courtroom.

7 MR. DENNY: No, it's all right, your Honor.

8 THE COURT: Anyone else?

9 (No affirmative response.)

10 THE COURT: All right. Let's call another juror, then.
11 Where are we? Bourgeois -- Melton. Melton, Bukzin and
12 Fowler.

13 THE BAILIFF: Yes, your Honor.

14 MR. KAY: And Dunn.

15 THE COURT: And Dunn, yes.

16 (Whereupon, prospective juror No. 9 entered
17 the courtroom, and the following proceedings were
18 had:)

19 THE COURT: Mrs. Bukzin, we have received word from --
20 Who was it whom you talked to?

21 (Whereupon, a discussion was had off the record
22 at the bench between the Court and the clerk.)

23 THE COURT: (Continuing) -- from a Mr. Grant of the
24 California Canadian Bank, that you will be paid, and that you
25 will not lose any job or any status as a result --

26 MR. MANZELLA: Your Honor, that was Mrs. Bukzin. This
27 is Mrs. Melton.

28 THE COURT: This is Mrs. Melton? Oh, I'm sorry.

1 MR. MANZELLA: She doesn't work for the Canadian Bank.

2 THE COURT: You don't?

3 PROSPECTIVE JUROR NO. 9: No.

4 MR. KAY: She works for the County.

5
6 VOIR DIRE EXAMINATION OF

7 MISS BIRDIE L. MELTON

8 BY THE COURT:

9 Q Oh. That does explain to me, Miss Melton, why
10 you looked so puzzled.

11 But you will not be fired from the California
12 Canadian Bank, that you didn't work for.

13 All right.

14 Miss Melton, the reason you are here is because
15 we want to find out what you may have heard, seen or read
16 about Mr. Davis previously.

17 Have you ever heard, seen or read anything about
18 Mr. Davis, Bruce Davis?

19 A No, I've never heard his name mentioned until
20 yesterday.

10a fls.

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1 Q Until yesterday, when I read the indictment?

2 A Right.

3 Q Had you ever heard the name Shorty Shea before I
4 read the indictment yesterday?

5 A I don't recall.

6 Q Or Jerome Shea, or Donald Jerome Shea?

7 A No.

8 Q Or had you ever heard the name Gary Hinman? Heard,
9 seen or read?

10 A I've heard the name Gary Hinman, yes, sir.

11 Q Do you know in what connection you've heard that
12 name, other than yesterday?

13 A If I'm not mistaken, something I heard on the news,
14 it had something to do with the Manson murder.

15 Q Recently, or --

16 A Oh --

17 Q -- far back or when?

18 A Maybe three weeks ago. I don't recall.

19 Q Do you recall what it was?

20 A Just the name mentioned, of something with the
21 Manson affair.

22 Q You've heard the name Charles Manson, of course?

23 A Yes.

24 Q And the Manson Family?

25 A Yes.

26 Q What does that phrase mean to you, "Manson Family"?

27 A Uh -- well, something like a clan of people, more or
28 less.

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10a-2

1 Q With Mr. Manson in some way involved?

2 A I -- from what I've heard or read, it's a group of
3 people, and Mr. Manson is part of the group.

4 Q I see. Now, are you an avid newspaper reader?

5 A No.

6 Q Do you read every day?

7 A No, I don't.

8 Q Where do you learn the news? Where do you
9 hear or see the news?

10 A I get parts on television, mostly.

11 Q And radio?

12 A Seldom. And in coffee break chitchats, things
13 like that.

14 Q I see. Some of it is from an exchange with your
15 fellow workers and friends?

16 A Yes. So, some of it, you might say, is hearsay;
17 because I didn't read it.

18 Q I see. Well, we'll tell you now that even what you
19 read is hearsay.

20 A (Laughing.)

21 Q Have you formed any opinion about people who are
22 associated with Mr. Manson, or who may be associated with
23 Mr. Manson?

24 A No, I haven't.

25 Q Do you regard people -- well, let's say, for
26 example, that in this case Mr. Davis -- it is established by
27 the evidence -- is an associate or a friend of Mr. Manson.

28 Now, would that prejudice him in your eyes so

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1 greatly that you would not be able to be fair and impartial
2 in determining issues that you may be called upon to
3 determine if you are chosen as a juror in this case?

4 A No. Because evidence hasn't been presented to me,
5 so I couldn't form any opinion at all on this -- on Mr. Davis.

6 Q Now, if -- if you do happen to remember hearing,
7 seeing or reading Mr. Davis's name, or remember anything more
8 about Mr. Shorty Shea, who is -- who, as you know, is alleged
9 to be a victim in Count III, of murder -- or about Gary Hinman
10 -- and knowing what you do know about Mr. Manson, and possibly
11 about this case -- can you still set all that aside and make a
12 judgment on any issue that will be presented to you, in-
13 dependently of such matters?

14 A You're saying to me to answer it, even if I happen
15 to hear something, --

16 Q Yes.

17 A -- to disregard that?

18 Q Yes. Well, if you remember -- for example, you may
19 remember something about Mr. Davis that, at this moment you
20 cannot recall, something that you've heard, seen or read in the
21 past.

22 Will you be able to -- are you capable -- are you
23 the type of person who is capable of setting aside that type
24 of thing that she has heard, seen or read, and making a
25 decision independently, based upon the evidence that's produced
26 in the courtroom, and the Court's instructions?

27 A At this time, I might say yes.

28 If I happen to get a hold of an old newspaper or

10a-4

1 something like that, it might --

2 Q Or something might be in your memory that you
3 cannot quite recall.

4 What I am asking you is whether you are the kind of
5 a person who is capable of setting such matters aside for the
6 purpose of making an independent decision?

7 A Well, do you want me to be very truthful?

8 Q Very truthful, yes.

9 A I can't say: Yes, I could really do that.

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1 Q Are you of such a mind that you believe that what
2 you have heard, seen or read about the Manson Family might
3 affect your judgment, in making a decision about this case,
4 or something that's involved in this case?

5 A It could have a bearing on it.

6 Q You don't think that you could be completely
7 independent in making such a decision?

8 A I don't think I could, your Honor.

9 MR. DENNY: Yes. A challenge under 1073, Subdivision
10 2 and 1076, your Honor.

11 THE COURT: The Court grants the challenge and does
12 excuse you, then, Miss Melton.

13 PROSPECTIVE JUROR NO. 9: Thank you.

14 MR. DENNY: Thank you, Miss Melton.

15 THE COURT: Thank you, Miss Melton.

16 Mrs. Bukzin?

17 Miss Melton, you report to the New Hall of
18 Records, the 15th floor. There's a jury assembly room there.

19 Is that where you came from?

20 PROSPECTIVE JUROR NO. 9: No, I came from the courthouse.

21 THE COURT: From the courthouse.

22 Are you sure there's a --

23 THE CLERK: I guess they moved over there. That's
24 where -- I called -- there's a jury assembly room.

25 THE COURT: I guess that's where the jury assembly
26 room is, the 15th floor of the New Hall of Records.

27 Mrs. Bukzin?
28

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VOIR DIRE EXAMINATION OF

MRS. MARJORIE J. BUKZIN

BY THE COURT:

Q Mrs. Bukzin, we are delighted to find that California Canadian Bank will pay you, and you will not lose status or your job, according to Mr. Grant, who talked to Mrs. Holt today.

A That's what he tells me. I'm slightly surprised.

Q We are interested at this time in asking you about what you may have heard, seen or read about this case previous to yesterday, previous to your appearance in --

A May I ask you a question before we go into this?

Q Yes.

A I am wondering -- I have a boy who's about 17, and I understand that when you -- when you are sequestered -- in other words, this could be several days; am I correct? I am assuming so.

Q Do you mean after the case has been presented, --

A Yes, right.

Q -- and the jury is sequestered --

A Right.

Q -- to deliberate on the case?

A Yes.

Q I'm not sure at this moment whether I will sequester you. But it's quite likely that you will be sequestered. I may or may not.

The law allows the Court some discretion in that respect now.

1 A In other words --

2 Q Yes. To answer your question, you will be -- you
3 may be sequestered for however long it may take you to arrive
4 at a decision; or, should there be a mistrial, that -- that
5 might take several days.

6 A Okay. This -- this concerns me, because of this
7 boy, because he would be alone.

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1 Q He's 17 years old?

2 A Yeah, about -- well, yes, this month he's 17,
3 right. This really concerns me very much.

4 Q He will -- is he ill?

5 A No, it is just that without supervision -- there
6 would be no supervision.

7 Q He's not ill, he's just 17?

8 A That's right. And I feel -- I feel that this
9 one day would be one thing, but longer than that I think it
10 would be an impossibility for me. This is really -- I'm
11 very concerned about this. This I am very concerned about
12 because he would be completely carte blanche with everything,
13 the car and what have you, and there would be no supervision.
14 And this concerns me because there isn't anyone that I could
15 delegate this kind of responsibility to.

16 Q You know, as a juror this could happen to you
17 in any case?

18 A I know that.

19 Q If a judge decides to sequester you?

20 A I know that. I realize that. That's a problem.

21 Q Of course, that's off in February.

22 Is it possible that you could arrange something
23 by that time?

24 A I think the problem is that no one wants the
25 responsibility of this sort of thing.

26 Q Do you have a relative or a friend that --

27 A That's it, I don't. I don't have anyone that I
28 could request this sort of thing of.

1 Q You're asking, then, to be excused?

2 A Yes, this -- I am. Yes, I am very concerned about
3 it.

4 Q Would you be so concerned that you couldn't
5 properly concentrate on what you are supposed to work on?

6 A That's what I am worried about.

7 THE COURT: Gentlemen?

8 MR. DENNY: So stipulate, your Honor.

9 MR. KAY: So stipulate, your Honor.

10 THE COURT: These gentlemen have kindly agreed that you
11 may be excused.

12 JUROR NO. 10: I am sorry about it, but thank you very
13 much.

14 THE COURT: Go to Room -- I don't know the room number.
15 It is floor 15 of the new Hall of Records. It is diagonally
16 across the street from the Hall of Justice.

17 JUROR NO. 10: Floor 15, diagonally?

18 THE COURT: It is the 15th floor of the new Hall of
19 Records, and I'm not sure of the room.

20 JUROR NO. 10: 15th floor of the new Hall of Records.
21 Thank you.

22 THE COURT: You're welcome.

23 Fowler and Dunn.

24 We're not doing too well here.

25 MR. DENNY: We're moving, Judge.

26 THE COURT: In what direction?

27 MR. KAY: How long did Irving take for the first twelve?

28 THE COURT: Would you come forward, Mrs. Fowler, please.

1 JUROR NO. 11: Where?

2 THE COURT: You may be seated in any convenient chair
3 there.

4 JUROR NO. 11: All right.

5
6 VOIR DIRE EXAMINATION OF
7 CHRISTINE FOWLER

8 BY THE COURT:

9 Q Mrs. Fowler, we're interested in knowing whether or
10 not you have ever heard anything about this case.

11 A Yes.

12 Q Before you appeared yesterday.

13 A Yes, I had. I read a great deal about it. I
14 seen it on TV and I read it in newspapers.

15 Q Do you think -- what have you heard about it?

16 A Well, I've heard about the disposition of the case.

17 Q Have you heard about -- do you know who Shorty Shea
18 is?

19 A I have heard of him, but I don't know who he is.
20 I think that was the man that was in Texas, wasn't it?

21 Q The man who what?

22 A In Texas.

23 Q Have you heard the name Gary Hinman, heard, seen or
24 read the name Gary Hinman?

25 A Yes, I understand he was --

26 Q Who is Gary Hinman?

27 A I understand he was a man that was killed.

28 Q Have you heard of the name Manson Family?

1 A Yes, I've heard of them.

2 Q What do you believe that family to be?

3 A Well, I believe they are pretty far out. Mostly
4 drugs, I believe.

5 Q Mostly drunks?

6 A Drugs.

7 Q Drugs.

8 Do you have a preconceived opinion that the people
9 in the Manson Family are good or bad or --

10 A I think they're very misguided, to say the least,

11 Q Well, let me ask you this.

12 Have you read, heard or seen so much publicity
13 concerning this case that you couldn't set aside -- you could
14 not set aside what you have heard, seen or read and decide the
15 case fairly and impartially without reference to what you have
16 heard, seen or read?

17 A Well, I believe that I answered that in the
18 affirmative yesterday, but I have had second thoughts about it
19 during this long night.

20 Q You think it might influence you?

21 A It just might. Unconsciously, it might.

22 Q So, you are not definite and certain about
23 whether you could be fair and impartial in view of all you
24 know about the case?

25 A It depends entirely on who's on trial, I think.

26 Q Well, we have a purported Manson Family member on
27 trial.

28 A Uh-huh.

1 Q And knowing that, do you think you could be fair and
2 impartial in view of what you have heard, seen or read?

3 A Well, I will also answer that again by saying I
4 would have to know exactly what it is she is accused of -- or
5 he.

6 Q Do you remember my reading the indictment yester-
7 day?

8 A Yes.

9 Q And that indictment accuses him of murder in the
10 first Count.

11 A Yes.

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1 Q A count of conspiracy to commit murder.

2 A Yes.

3 Q In the second count.

4 And a third count charges him with another count
5 of murder.

6 Now, having those serious charges in mind --

7 A Uh-huh.

8 Q -- and remembering that he is purported to be a
9 member of the Manson Family; and remembering, too, everything
10 that you have heard, seen or read, do you believe that you
11 could be fair and impartial?

12 A Well, I would try, but we're all frail human
13 beings. It just might not --

14 Q That indicates to me that you are being extremely
15 honest in weighing your ability in that you are not sure that
16 you could be fair.

17 A I would want to be fair. I have always tried to
18 be fair all my life. But who knows under stress what you will
19 do.

20 Q In view of all the publicity that you have read --

21 A Yes, that's it. And another thing -- may I say
22 something?

23 Q Surely.

24 We are interested in your viewpoint.

25 A Last night --

26 Q Go ahead.

27 A Last night after Laugh-In --

28 Q Yes.

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1 A -- right after Laugh-In, the news came on. Just
2 a little blurb on it. He started to talk about the Manson
3 case. And I was in the kitchen washing dishes and I couldn't
4 get in there and turn it off in time. And I heard this. And
5 I know you told us not to.

6 Q Well, you are very conscientious.

7 A Well, I ran, but I didn't get far.

8 Q What you are saying, basically, is you're not
9 sure of your ability to set aside these things that you have
10 learned?

11 A Not entirely sure. Not entirely sure. I would
12 like to be fair, because I try to be fair with my girls, too.

13 Q Well, that's very laudable, and the Court commends
14 you for that.

15 MR. DENNY: I would make a challenge under Section 1073,
16 Subsection 2, your Honor.

17 THE COURT: The Court grants that. Thank you, Mrs.
18 Fowler in your evaluation of your ability.

19 Mrs. Dunn or Mr. Dunn. Mr. or Mrs.?

20 MR. DENNY: Mrs. Mary G. Dunn.

21 THE COURT: Did you tell Mrs. Fowler where she is to go?

22 That's Room -- we had better find the room.

23 It is the 15th floor of the New Hall of Records,
24 which is diagonally across the street from the Hall of
25 Justice. 15th floor of the New Hall of Records.

26 THE CLERK: There is no room number. It is the jury
27 assembly room. She says you can't miss it.

28 THE COURT: There is a jury assembly room on that 15th

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1 floor.

2 JUROR NO. 11: Jury assembly room?

3 THE COURT: Yes.

4 JUROR NO. 11: Thank you.

5
6 VOIR DIRE EXAMINATION OF

7 MRS. MARY G. DUNN

8 BY THE COURT:

9 Q Mrs. Dunn.

10 A Yes.

11 Q You may be seated there and use that microphone
12 there.

13 We're interested in knowing whether you have heard,
14 seen or read anything about this case previously?

15 A No, I have not.

16 Q Have you ever heard, seen or read about Mr. Davis'
17 name?

18 A No.

19 Q Have you -- you have heard the name Charles
20 Manson?

21 A Oh, yes.

22 Q And Manson Family?

23 A Yes.

24 Q Have you heard the name Shorty Shea before I
25 read it to you in the indictment yesterday?

26 A Yes, yes.

27 Q And in what connection have you heard that name?

28 A I can remember that he was a stuntman, I believe

11a-4
1 he was.

2 Q Yes, he's been referred to, the Court remembers,
3 as a stuntman Short Shea.

4 A Uh-huh.

5 Q In the newspapers.

6 A Actually, that's all I can recall.

7 Q You don't know in what other connection you have
8 heard his name?

9 A No.

10 Q You realize from what I have read to you yesterday
11 that he is alleged to be the victim of --

12 A Oh, yes, yes.

13 Q -- murder in Count III?

14 Other than that, no --

15 A That's all.

16 Q How about Gary Hinman? Had you heard that name
17 before?

18 A Yes.

19 Q In what connection had you heard that?

20 A That he had been killed.

21 Q Do you know anything about -- do you remember
22 anything about the details of what you heard, saw or read
23 in connection with Gary Hinman?

24 A Well, he was a composer or a music writer, I
25 believe, and I think someone entered his house, but I can't
26 remember for sure.

11b, fls.

11-b-1

XXXX

1 Q Now, Mr. Davis you may judge from what I read in
2 the indictment, is alleged to have been associated with
3 Mr. Manson.

4 Let's say that, that is established in the
5 evidence.

6 Would that thereby raise such prejudice in your
7 mind against Mr. Davis, the mere association with Mr. Manson,
8 that you could not be fair and impartial in making any
9 decisions that you might be called upon to make, other
10 decisions in the case?

11 A No, I don't think so.

12 Q If I were to instruct you, if the Court were to
13 instruct you that you are not to allow any matters that you
14 might have discussed with anyone or that you may have heard,
15 seen or read concerning Mr. Davis and Mr. Manson, this case,
16 to enter into your judgment on any issue involved here, are
17 you capable in your own mind of setting such matters aside?

18 A Oh, yes.

19 Q Will you do that?

20 A Yes, I would.

21 Q And can you be fair and impartial?

22 A Yes.

23 Q And will you be?

24 A Yes.

25 MR. DENNY: Yes, thank you, your Honor.

26
27 VOIR DIRE EXAMINATION

28 BY MR. DENNY:

1 Q Mrs. Dunn, when is the last time you heard anything
2 about Shorty Shea?

3 A It's been quite a long time.

4 Q You haven't heard, seen or read anything
5 recently about Shorty Shea?

6 A No, I very seldom read those things.

7 Q Well, assuming that you just don't read about
8 them, sometimes by accident, really, or without intentionally
9 going out of your way you see something in the paper, a head-
10 line catches your attention.

11 Has any headline caught your attention or any
12 bold-face print in any newspaper concerning Mr. Manson
13 recently?

14 A Not recently.

15 Q When's the last time you saw, heard or read any-
16 thing about Mr. Manson?

17 A Well, I think it must have been several weeks
18 ago, at least.

19 Q All right. And do you recall what that was?

20 A No, I don't. Just -- just remembered seeing the
21 name.

22 Q Seeing the name?

23 A Uh-huh.

24 Q Do you spend much time listening to radio news
25 broadcasts?

26 A No.

27 Q Do you listen to them at all?

28 A Well, sometimes I have a station on the radio that

1 plays music and has some news in between.

2 Q Uh-huh.

3 A But mostly I just pay attention to the music.

4 Q All right. And how about TV? You have a regular
5 TV news show that you --

6 A I don't turn the television on. It is in the
7 house. I don't turn it on.

8 Q I see. All right.

9 Had you heard or followed at all -- well, let me
10 take it in two different steps.

11 Had you heard about the Tate-LaBianca murders?

12 A Yes.

13 Q Did you follow those at all for any period of time?

14 A Well, I never read the complete stories, ever.
15 There would be small headlines. Some large headlines some time
16 back. But I didn't read them.

17 Q How about the trial? Did you follow any --

18 A No, I did not.

19 Q Is this just because such things don't interest
20 you or that particular case you didn't want to read about for
21 some particular reason?

22 A Well, I really didn't want to watch that particular
23 case, but I don't watch television, personally, unless it is an
24 educational or travelog or something of that sort.

25 Q Well, let's take reading.

26 Do you receive a subscription to a newspaper?

27 A Yes.

28 Q Daily.

1 And did you read about the Tate-LaBianca case?

2 A I did not read any of the stories.

3 Q All right.

4 Now, as far as Mr. Hinman, you indicated that you
5 had heard that he had been killed, is that correct?

6 A Yes.

7 Q Do you recall about when you last heard any
8 information concerning Mr. Hinman?

9 A No, it must have been quite some time ago.

10 Q Was this in connection with a trial, do you recall,
11 or a trial of somebody?

12 A Well, I think -- I think it was about the time that
13 the other trial was on -- that the Manson trial was on, and it --
14 the name was mentioned once or twice in a small by-line. But I
15 don't read those stories.

16 Q You say Mr. Hinman's name was mentioned in connec-
17 tion with the Tate-LaBianca trial?

18 A Well, I remember -- it's been quite a while.

19 But there would be quite a few names mentioned and
20 I remember that he was in music and I like music.

21 Q I see.

22 A I didn't know who he was, actually.

23

24

25

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27

28

lc fol

11c-1

1 Q I see. You read down, at least, in the fine
2 print or the small print that far?

3 A The middle print. The --

4 Q That he was a musician or in music or a composer,
5 is that it?

6 A Yes, uh-huh.

7 Q And I think from your answer you also read that
8 someone entered his house?

9 A Yes.

10 Q Do you remember any more details that you read
11 about that?

12 A No. No.

13 Q Did you read anything about how he was killed?

14 A No.

15 Q And as to Shorty Shea, do you recall hearing or
16 reading about any details as to how he is alleged to have
17 been killed?

18 A No.

19 Q Or whether people were looking for him or not?

20 A No, I don't.

21 Q Does the Spahn Ranch mean anything to you?

22 A I think that it was where old movie sets were.
23 I don't really know.

24 Q Do you recall reading anything about the Spahn
25 Ranch in connection with --

26 A No.

27 Q -- Mr. Manson?

28 A No. No -- well, I know he was there.

11c-2

1 Q How do you know that?

2 A There were -- there were small headlines.

3 Now, when my husband was living he did have a
4 news broadcast on at night, but I was in the kitchen and I
5 never watched them.

6 Q All right. Was Mr. Manson, in any of the cases
7 that he was involved in, ever a topic of discussion with you
8 and your husband?

9 A No.

10 Q Or with you and anyone else?

11 A No.

12 Q And as far as the term "Manson Family," what
13 does that mean to you?

14 A It was a group of people, I believe, a group of
15 persons.

16 Q It doesn't mean anything more to you than simply
17 that?

18 A No. It was a group who -- who -- uh, lived
19 together.

20 Q Do you know where?

21 A No.

22 Q And did they have any particular leader, do you
23 know?

24 A Well, I assume it was Mr. Manson.

25 Q Simply because his name was appended to the group?

26 A Yes.

27 Q All right. And do you have any feelings from
28 anything you've heard, seen or read about whether this group

11c-3

1 was inherently evil or anything of that kind? Whether
2 anybody associated with it must be some sort of evildoer;
3 do you feel that?

4 A Well, I -- I really don't know how to explain
5 this because I would never think of living like that and it --
6 it, to me -- it wouldn't be the right way to live. I don't
7 know if it is evil.

8 Q Well, do you mean simply from the standpoint of
9 this communal type of living?

10 A Yes.

11 Q You would say this about any communal group; is
12 that right?

13 A That's right.

14 Q All right. But assuming for the sake of our
15 discussion here that there's communal group A, communal group
16 B and a communal group named the Manson Family group.

17 Do you have any particular feelings that the Manson
18 Family group is in any way different from any of these others?

19 A I don't know if they're different.

20 Q Than these other groups?

21 A I don't know how any of the others live.

22 Q Would your feeling, I take it, from a sense of
23 morality involved, is that when you say, "I wouldn't live
24 that way myself"?

25 A Well, I prefer more comforts, let's say.

26 Q Well, is it simply the creature comforts or the
27 idea of the morality of the group living that you find
28 distasteful to you?

11c-4

1 A Well, it -- it is not the way I would want to
2 live from both standpoints, perhaps.

3 Q All right. And assuming that the evidence
4 discloses that Mr. Davis was a member of this group, would
5 you feel that he was therefore a bad man and should be
6 convicted of the crime of which he is charged for that reason?

7 A Not for that reason, no.

8 Q Only if the People prove to you beyond a reason-
9 able doubt and to a moral certainty?

10 A Yes.

11 Q That he is guilty of this charge?

12 A Yes.

13 Q And for no other reason?

14 A No.

15 Q All right.

16 I have no further questions, your Honor.

17 MR. KAY: No questions, your Honor.

18 THE COURT: All right, thank you, Miss Dunn.

19 Let's see, you are the last of 12. Let's bring
20 the rest of the panel in.

21 MR. KAY: Maybe we can take our afternoon recess?

22 THE COURT: Yes, we'll take an afternoon recess now.
23 Bring the rest of the panel in and draw names and fill the
24 blanks. The Court will excuse Mrs. Meister and Mrs. Aldinger,
25 I suppose, while the group --

26 THE BAILIFF: Excuse me, sir, I already sent them back,
27 sir.

28 THE COURT: Oh, have you already sent them back?

1 THE BAILIFF: Yes, sir.

2 THE COURT: Well, that's satisfactory. Just bring the
3 prospective jurors in.

4 THE BAILIFF: All right, sir.

5 THE COURT: Thank you, then. You're well ahead of me.

6 All right, we're in recess.

7 MR. KAY: How long will the recess be, your Honor?

8 THE COURT: How long do you want?

9 MR. KAY: I don't know.

10 THE COURT: Ten or fifteen minutes.

11 MR. KAY: Okay, thank you.

12 fls.

(Afternoon recess.)

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12-1

1 THE COURT: We have one, two, three, four, five
2 prospective jurors in the box presently.

3 And the record will show that the defendant is
4 present with his counsel.

5 A PROSEPECTIVE JUROR: We can't hear you, sir.

6 THE COURT: Thank you.

7 The record will show that the defendant, Bruce
8 Davis, is present with his counsel, Mr. Denny. Mr. Kay and
9 Mr. Manzella are present.

10 There are five prospective jurors in the box.

11 Mrs. Holt, will you select names to fill the
12 seats?

13 THE CLERK: J. C. Anderson; that's initial J, initial
14 C; last name, A-n-d-e-r-s-o-n.

15 THE COURT: Mr. Anderson, you would be prospective juror
16 No. 1.

17 THE CLERK: Robert D. Chapman; C-h-a-p-m-a-n.

18 THE COURT: Mr. Chapman, you would be next to
19 Mr. Robinson, yes.

20 THE CLERK: James H. Bramble; B-r-a-m-b-l-e.

21 Bennie B. Bellfield; B-e-n-n-i-e; last name,
22 B-e-l-l-f-i-e-l-d.

23 Mrs. Katheryn Andreasen; K-a-t-h-e-r-y-n; last
24 name, A-n-d-r-e-a-s-e-n.

25 Tommy DeLoach; T-o-m-m-y; last name, D-e, capital
26 L-o-a-c-h.

27 Miss Eileen F. Bartold; E-i-l-e-e-n; last name,
28 B-a-r-t-o-l-d.

VOIR DIRE EXAMINATION OF

J. C. ANDERSON

BY THE COURT:

Q Beginning with Mr. Anderson, Mr. Anderson, were you present yesterday when the Court explained the nature of this case and read the indictment, conversed with the first twelve jurors, prospective jurors in the box?

A Yes, I was.

Q To those questions of a general nature that I put to those prospective jurors, would your answers be any different?

A No.

Q I'm going to ask you about your attitude toward the penalty, the death penalty.

Have you -- have you understood what the Court said yesterday concerning the death penalty?

A Yes, I do.

Q What we want to know from you now is whether you have such views concerning the death penalty that you would automatically refuse to impose it, regardless of the evidence that might be produced?

A No, I wouldn't.

Q Or would you automatically impose it, regardless of the evidence --

A No, I wouldn't.

Q -- being produced?

Or are your views -- or do you have such views concerning the death penalty that you could not be fair and

1 impartial in determining the first phase of the case
2 involving the question of guilt or innocence?

3 A No.

4 Q The Court asked about the question of hardship,
5 and I'll ask you whether it would constitute a hardship to
6 you to serve on this jury?

7 A Uh -- yes, it would, in one way. I'm not sure so
8 far whether the company would pay me or not. I just started
9 the job that I am on now two days. I've only been working
10 there for two days.

11 Q What company is that?

12 A For Allied Chemical Corporation. And I was told
13 that I would be paid --

14 Q Where's that? In El Segundo?

15 A Manhattan Beach.

16 Q Manhattan Beach.

17 Well, can you ascertain that in the next day and
18 let us know?

19 A Yes, I can.

20 Q Would your attitude be that you would be willing
21 to serve, if you were paid?

22 A Yes, I would.

23 Q That is, if your employer would pay you?

24 A Yes, correct.

25 Q Now, do you know of any reason why you couldn't
26 be fair and impartial in this case?

27 A No, I don't.

28 THE COURT: Pass the microphone on to Mr. Chapman.

VOIR DIRE EXAMINATION OF

ROBERT D. CHAPMAN

BY THE COURT:

Q Mr. Chapman, you were present yesterday and were able to hear everything of the proceedings, were you not?

A Yes, I was.

12a fol

12a-1

1 Q Would your answers be any different than the
2 majority of jurors responded to the questions of a general
3 nature that I put to the prospective jurors as a whole?

4 A Yes. I cannot accept capital punishment.

5 Q In respect to capital punishment, let me ask you,
6 then: Are your views concerning capital punishment such that
7 you would automatically refuse to impose it in any case,
8 regardless of the evidence?

9 A In any case.

10 Q In any case.

11 A Regardless of the --

12 Q And your reaction would be automatic?

13 A Yes. I cannot accept it at all.

14 Q Are your views concerning capital punishment such
15 that you could not be fair and impartial in determining the
16 question of guilt or innocence?

17 A Yes, they are.

18 Q In other words, knowing that some person, upon
19 being found guilty, would have to have a jury determine
20 whether the death penalty or life imprisonment would be
21 imposed would be a situation wherein you could not be fair
22 and impartial?

23 A If there's the slightest possibility, I could not
24 have any part in it.

25 Q I see. So that you couldn't be fair and impartial,
26 even in the first phase, --

27 A No.

28 Q -- is that right?

12a-2

1 A Yes.

2 Q So that your reaction would be that you would
3 never vote to impose the death penalty in any case?

4 A Yes.

5 MR. MANZELLA: Your Honor, People would respectfully
6 challenge Mr. Chapman, under Section 1073, Subdivision 2 and
7 Section 1074, Subdivision 8 of the Penal Code.

8 THE COURT: All right. The Court grants the challenge,
9 and you are excused, Mr. Chapman.

10 Would you report tomorrow morning, Room 253 in the
11 courthouse?

12 PROSPECTIVE JUROR NO. 3: 253?

13 THE COURT: Tomorrow morning at 9:00 o'clock.

14 Let's select another person to fill that seat.

15 THE CLERK: Fujio F. Asano; F-u-j-i-o; middle initial
16 F.; last name, A-s-a-n-o.

17
18 VOIR DIRE EXAMINATION OF

19 FUJIO F. ASANO

20 BY THE COURT:

21 Q Mr. Asano, were you present yesterday when the
22 Court explained the nature of this case and talked with
23 prospective jurors?

24 A Yes.

25 Q Would your answers be any different than the
26 majority of those prospective jurors responded to the
27 questions of a general nature?

28 A No.

12a-3

1 Q Would it be any hardship to you to serve as a
2 juror in this case?

3 A I haven't checked yet.

4 Q You have not yet checked?

5 A No, sir.

6 Q Well, make it your obligation, if you would,
7 please, to do that soon.

8 What you are talking about is whether your
9 employer would pay you?

10 A That's right, sir.

11 Q And by whom are you employed?

12 A Japan Airlines.

13 Q Japan Airlines. All right.

14 Do you have such views concerning the death
15 penalty that you would automatically refuse to impose it,
16 regardless of the evidence that may be produced?

17 A No, sir.

18 Q Or do you have such views concerning it that you
19 would automatically impose it, regardless of the -- regard-
20 less of the evidence?

21 A No, sir.

22 Q Or do you have such views concerning it that you
23 couldn't be impartial in determining the question of guilt
24 or innocence?

25 A Well, I have a friend that was murdered in --
26 in an act of violence; and that might persuade me to be a
27 little severe, maybe, in my way of thinking.

28 MR. DENNY: I didn't hear the last two words.

1 THE REPORTER: "In my way of thinking."

2 Q BY THE COURT: You state that you are -- that you
3 are inclined to be severe. Do you mean by that that you are
4 inclined to favor the death penalty over life imprisonment?

5 A Yes.

6 Q For somebody who is convicted of murder of the
7 first degree?

8 A Yes, sir.

9 Q Is that a fixed idea in your mind, so that if you
10 sat on a jury wherein somebody was convicted of murder of the
11 first degree, that you would automatically impose the death
12 penalty?

13 A No, sir.

14 Q Would you look at the evidence to determine
15 whether, in the particular case in which you were sitting,
16 in your discretion, the death penalty would be justifiable?

17 A Yes, sir.

18 Q Well, would you be fair and impartial in deter-
19 mining the question of guilt or innocence?

20 A Yes, sir.

21 Q Regardless of your viewpoint concerning the death
22 penalty?

23 A Yes, sir.

24 THE COURT: All right. Pass the microphone to Mr.
25 Bramble, please.

26
27 VOIR DIRE EXAMINATION OF

28 JAMES H. BRAMBLE

1 BY THE COURT:

2 Q Mr. Bramble, do you have such views concerning the
3 death penalty that you would automatically refuse to impose it,
4 regardless of the evidence?

12b fls. 5 A No.
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12b-1

1 Q Or conversely, would you automatically impose it,
2 regardless of the evidence --

3 A No.

4 Q -- in any conviction of murder of the first
5 degree?

6 A (Indicating negatively.)

7 MR. DENNY: Your Honor, could we have the witness --
8 or, the juror hold that up, so that we can hear a little
9 better?

10 PROSPECTIVE JUROR NO. 3: How's that?

11 MR. DENNY: Perfect.

12 Q BY THE COURT: You nodded, and it's difficult
13 for the reporter to catch it.

14 Did you say "No" to that last question?

15 A That's right, um-hmm.

16 Q Could you be impartial in determining the question
17 of guilt or innocence?

18 A As opposed to the death penalty or life
19 imprisonment, yes.

20 MR. DENNY: I'm sorry. I didn't understand.

21 THE COURT: Yes.

22 MR. DENNY: Could I have that sentence reread, before
23 the "Yes"?

24 THE COURT: Did you get that, Mr. Williams?

25 THE REPORTER: I believe so. I believe he said:

26 "As opposed to the death penalty or
27 life imprisonment, yes."

28 Q BY THE COURT: In other words, your feelings about

1 the death penalty would not enter into your judgment as to
2 the question of guilt or innocence?

3 A That's right.

4 Q Would it be a hardship to you, Mr. Bramble, to
5 serve on this jury?

6 A No. At your suggestion, yesterday, I contacted
7 the office, the Post Office Department, and they informed me
8 that after 30 days -- which I'm in now -- I can apply for
9 an extension; and I interpret that as being an indication
10 that I could continue.

11 Q It's been the Court's experience -- you work for
12 the United States Post Office?

13 A Yes.

14 Q It's been the Court's experience that Post Office
15 employees have been paid. So that might ease your mind.

16 MR. DENNY: Your Honor, I wonder if, in the questioning
17 of the new jurors, the Court would ask them those basic
18 background questions.

19 The Court has simply asked them if their answers
20 would be essentially the same, and has not gotten into the
21 basic background questions that you asked the other jurors.

22 THE COURT: No, I hadn't gone into those. I thought
23 perhaps I'd skip over them for the moment and come back,
24 until we see who is left after I've gone over the basics
25 here.

26
27 VOIR DIRE EXAMINATION OF
28 BENNIE B. BELLFIELD

1 BY THE COURT:

2 Q Mr. Bellfield, would it constitute a hardship
3 to you to serve on this jury?

4 A No, sir.

5 Q Who is your employer?

6 A Tri-dair Industry.

7 Q And you have ascertained that you would be paid?

8 A Yes.

9 Q Do you have such views concerning the death
10 penalty, Mr. Bellfield, that you could not be impartial
11 in determining the issue of guilt or innocence?

12 A Yes, sir.

13 Q And -- in other words, are you saying to me that --
14 that you couldn't be impartial in determining guilt or
15 innocence, if you knew that a person would face a penalty
16 phase at a later time, wherein he might receive a death
17 sentence?

18 A Yes, sir.

19 Q Do you have such views concerning the death
20 penalty that you would automatically refuse to impose it,
21 regardless of the evidence?

22 A Yes, sir.

23 Q Or would you ever vote to impose the death penalty
24 in any case?

25 A No.

26 Q Are your views such that you would refuse to
27 even consider imposing the death penalty?

28 A Yes, sir.

1 MR. MANZELLA: Your Honor, the People would respectfully
2 challenge Mr. Bellfield under Section 1073, Subdivision 2 and
3 Section 1074, Subdivision 8 of the Penal Code.

4 MR. DENNY: Your Honor, may I inquire briefly before
5 the Court rules?

6 THE COURT: I think there's very little need to do so.
7 Mr. Bellfield seems clear.

8 MR. DENNY: Well, may I ask him two questions, your Honor?

9 THE COURT: Very well.

10
11 VOIR DIRE EXAMINATION

12 BY MR. DENNY:

13 Q Mr. Bellfield, you understand that there are two
14 separate trials, in effect, one for guilt, and, if there's
15 a finding of guilt, one for imposition of one penalty versus
16 the other, --

17 A Yes.

18 Q -- life versus death?

19 Now, do you feel that you would be able to do
20 your duty as a juror and determine, from the evidence,
21 whether the defendant were guilty or innocent of first degree
22 murder?

23 A Yes, sir.

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28
12c fls.

12c-1

1 Q It's just that you feel that you would not be
2 able to vote for the imposition of the death penalty in the
3 second portion; is that correct?

4 A True.

5 Q But in the first portion, you could listen to
6 the evidence and determine the guilt or innocence, even if
7 it showed that he might be guilty of first degree murder; is
8 that correct?

9 A Yes.

10 MR. DENNY: I oppose the challenge, your Honor.

11 MR. MANZELLA: Our challenge would be made under
12 Section 1073, Subdivision 2, then, your Honor.

13 THE COURT: All right. The Court will grant the
14 challenge.

15 Thank you, Mr. Bellfield. And you are excused.

16 You are to report to Room 253 tomorrow morning
17 at 9:00 o'clock. That's the jury assembly room over in the
18 courthouse.

19 Pick another name to fill in for Mr. Bellfield.

20 THE CLERK: Ygnacio Cano; Y-g-n-a-c-i-o; last name,
21 C-a-n-o.

22
23 VOIR DIRE EXAMINATION OF

24 YGNACIO CANO

25 BY THE COURT:

26 Q Mr. Cano, were you present yesterday when the
27 Court explained the nature of this case and instructed the
28 jury and talked to prospective jurors?

1 A Yes.

2 Q Would your answers be any different than the
3 majority of jurors responded to the questions of a general
4 nature?

5 A No.

6 Q Would it be any hardship to you to serve on
7 this case?

8 A No.

9 Q Do you have such views concerning the death
10 penalty, Mr. Cano, that you would automatically refuse to
11 impose it, regardless of the evidence in the case?

12 A No.

13 Q Or do you have such views concerning it that
14 you would automatically impose it upon a conviction of
15 murder of the first degree?

16 A No.

17 Q Are you of such an opinion concerning the death
18 penalty that you could not be fair and impartial in deter-
19 mining guilt or innocence in the first phase?

20 A No.

21 THE COURT: All right. Pass the microphone then to --
22 is it Mrs. or Miss Bartold?

23 PROSPECTIVE JUROR NO. 11: Miss Bartold.

24

25 VOIR DIRE EXAMINATION OF

26 MISS EILEEN F. BARTOLD

27 BY THE COURT:

28 Q Miss Bartold, you were present yesterday and

1 heard the entire proceedings?

2 A Yes, sir.

3 Q Would your answers be any different than the
4 majority of jurors have responded to the questions of a
5 general nature that I've put to the prospective jurors?

6 A No, sir.

7 Q Concerning the question of hardship, would it be
8 a hardship to you to serve on the case?

9 A No, sir.

10 Q Do you have such views concerning the death
11 penalty that you would automatically refuse to impose it in
12 any case?

13 A Yes, sir.

14 Q Would you ever consider imposing the death
15 penalty in any case?

16 A No.

17 Q Are your views such that you would refuse to
18 even consider imposing the death penalty in any case?

19 A Yes, your Honor.

20 Q Could you, by reason of your -- of your views
21 concerning the penalty, be fair and impartial in determining
22 the question of guilt or innocence?

23 A Yes.

24 Q But in the penalty phase, you would -- your
25 reaction would be automatically to vote against the death
26 penalty?

27 A Yes, sir.

28 MR. MANZELLA: The People --

1 MR. KAY: -- ten seventy -- go ahead.

2 MR. MINZELLA: The People respectfully challenge Miss
3 Bartold, under 1073, Subdivision 2, your Honor.

4 THE COURT: The Court grants the challenge, Miss
5 Bartold. You are excused.

6 Room 253 at 9:00 o'clock tomorrow morning,
7 please.

8 Take another name, please.

9 MR. DENNY: Your Honor, for the record, may I note
10 my objection to the challenge?

11 THE COURT: Yes. The record may so show.

12 THE CLERK: Amos W. Compton; A-m-o-s; last name,
13 C-o-m-p-t-o-n.

14
15 VOIR DIRE EXAMINATION OF

16 AMOS W. COMPTON

17 BY THE COURT:

18 Q Mr. Compton, were you present yesterday, and did
19 you hear the entire proceedings?

20 A Yes, sir, I did.

21 Q Would your answers be any different than the
22 majority of jurors have responded to the questions of a
23 general nature that I've put to the panel as a whole?

24 A No.

25 Q Would it be a hardship to you to serve in the
26 case?

27 A Yes, it would.

28 Q In what way?

1 A I have a second job, and I wouldn't be paid on it.
2 Q What is the nature of your work?
3 A I work for the Post Office,
4 But I also work at a dental lab.
5 Q At night?
6 A Yes.
7 Q How long have you been carrying on two jobs?
8 A Going on two years.
9 Q And what are you, an independent operator in
10 the dental lab? Or do you work as an employee?
11 12d fls. A As an employee.
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1 Q And you have ascertained that you will not be
2 paid?

3 A Yes.

4 Q What is it, a small dental lab?

5 A Yes.

6 Q Are you single or married?

7 A Married.

8 Q Children?

9 A I have a child by my first marriage, in New York.

10 Q Are you supporting that child?

11 A Yes.

12 Q Do you need your entire income to support your-
13 self, your child, and your current spouse?

14 A Yes.

15 THE COURT: Yes?

16 MR. DENNY: Your Honor, may I inquire briefly?

17 THE COURT: Yes.

18
19 VOIR DIRE EXAMINATION

20 BY MR. DENNY:

21 Q Sir, have you had any prior jury experience?

22 A No.

23 Q And you understand that you won't be locked up
24 here in the course of this trial; it is not anticipated that
25 you would be locked up during the course of the trial. The
26 only time that you might be would be during the course of
27 deliberations.

28 Do you understand that?

12d-2

1 A Yes, I do.

2 BY THE COURT:

3 Q In other words, the Court would generally recess --
4 the latest time probably would be 5:00 o'clock; we might run
5 that late -- but you could conceivably be working.

6 A Well, it depends, really, on how the man's work
7 runs during the day, that -- if -- you know, he has work to get
8 out early the next morning, then sometimes I have to get there
9 as early as possible, because he has work to do --

10 Q What time do you generally get to work at the lab?

11 A Well, I usually work in the mornings.

12 Q When do you work at the post office?

13 A In the afternoons.

14 Q What time do you begin work at the post office?

15 A 3:15.

16 Q And at the lab?

17 A Usually around 8:30 or 9:00.

18 Q Where is the laboratory?

19 A On Crenshaw Boulevard, in the Crenshaw District.

20 THE COURT: Gentlemen, any other questions?

21 MR. KAY: May it be stipulated that this juror be
22 excused, your Honor? Mr. Denny?

23 MR. DENNY: Yes. I don't see how he's serving on the
24 jury at all, your Honor. But I'll stipulate to that -- on any
25 jury.

26 THE COURT: You've just sacrificed this 30 days of
27 working at the laboratory, then, --

28 PROSPECTIVE JUROR NO. 11: Yes.

12d-3

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THE COURT: -- in order to act as a juror?

PROSPECTIVE JUROR NO. 11: Yes.

MR. DENNY: That's how.

THE COURT: Well, the Court appreciates your sacrifice of those earnings, in your service as a juror.

And these gentlemen have stipulated that you may be excused, so you are excused.

PROSPECTIVE JUROR NO. 11: Thank you.

THE CLERK: Mrs. Bernice Colvin; C-o-l-v-i-n.

MR. DENNY: Was that B or V, Joyce.

THE CLERK: V like in Victor.

VOIR DIRE EXAMINATION OF
BERNICE COLVIN

BY THE COURT:

Q Mrs. Colvin, were you present yesterday when the Court explained the nature of this case and talked to two prospective jurors?

A Yes, I was.

Q Would your answers be any different than the majority of jurors responded to the questions that the Court put to the group as a whole?

A No.

Q Would it be a hardship to you to serve in this case?

A No.

Q Do you have such views concerning the death penalty that you would automatically refuse to impose it in any

12d-4

1 case, regardless of the evidence?

2 A No, sir.

3 Q Or would you automatically impose it, without
4 regard to the evidence, upon a conviction of a murder first --
5 a murder of the first degree?

6 A No, sir.

7 Q Could you be fair and impartial in determining
8 the question of guilt or innocence?

9 A I believe I could.

10 THE COURT: Very well. Pass the microphone on, then, to
11 Mr. DeLoach, would you?

12
13 VOIR DIRE EXAMINATION OF

14 TOMMY DeLOACH

15 BY THE COURT:

16 Q Mr. DeLoach, would it constitute a hardship to you
17 to serve in this case?

18 A No.

19 Q Were you here yesterday, and did you hear the
20 entire proceedings?

21 A Yes, I did.

22 Q And would your answers be any different than the
23 majority of jurors responded to the questions of a general
24 nature, that I have put to the prospective jurors as a group?

25 A No, it wouldn't.

26 Q Do you have views concerning the death penalty
27 that -- such that you would automatically refuse to impose the
28 penalty, regardless of the evidence?

12d-5

1 A No, I don't.

2 Q Or would you automatically impose it, regardless of
3 the evidence?

4 A No.

5 Q Would your views concerning the death penalty
6 keep you from being fair and impartial in deciding the first
7 phase of the case?

8 A No, they wouldn't.

9 THE COURT: All right. Pass the microphone on, then,
10 to Mrs. Andreassen.

11

12

VOIR DIRE EXAMINATION OF

13

KATHERYN ANDREASEN

14

BY THE COURT:

15

Q Is that it?

16

A Yes.

17

Q Mrs. Andreassen, were you present yesterday --

18

A Yes, I was.

19

20 Q -- and did you hear the proceedings, the entire
21 proceedings?

22

A Yes, I did.

23

24 Q Would your answers be any different than the
25 majority of viewers responded to the questions of a general
26 nature?

27

A No.

28

Q Would it be a hardship to you to serve?

29

A No.

30

Q Would you have such views concerning the death

12d-56

1 penalty that you would automatically refuse to impose it,
2 regardless of the evidence?

3 A No.

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1 Q Or would you automatically impose it upon a
2 conviction of murder of the first degree without regard to the
3 evidence?

4 A No, I wouldn't.

5 Q And do you believe that you can be fair and
6 impartial in determining the question of guilt or innocence?

7 A Yes, I do.

8 THE COURT: Let's go back to Mr. Anderson, then.

9
10 VOIR DIRE EXAMINATION OF

11 J. C. ANDERSON

12 BY THE COURT:

13 Q Mr. Anderson, the Court wishes to know from you
14 whether you've been a juror before, where you work, the nature
15 of your work, whether you are related to or the friend of any
16 law enforcement officer, whether you are married, what type of
17 work your spouse does and where you reside.

18 Do you remember all of those things?

19 Start with your jury experience.

20 A I've never had any jury experience before. And I
21 reside in the Silverlake Hills area and I am a laborer for
22 Allied Chemical Corporation.

23 Q Are you related to any law enforcement officer?

24 A No.

25 Q Or a friend of any law enforcement officer, as I
26 have explained law enforcement officer to be?

27 A Yes, I do have one friend in the Sheriff's
28 department.

13-2

1 Q Tell us about that relationship.

2 A Uh, it is a friend of mine that I met through
3 diving. I see him perhaps maybe once in a while.

4 Q You are in a scuba class with him?

5 A Yes, I was.

6 Q And do you see him often?

7 A No, not very. It was just during these classes
8 and they're over now.

9 Q Do you think that would affect your judgment?

10 A No, not at all.

11 Q All right.

12 And is there a Mrs. Anderson?

13 A No, there isn't. I'm single.

14 Q Pass the microphone on to Mr. Asano.

15

16 VOIR DIRE EXAMINATION OF

17 FUJIO F. ASANO

18 BY THE COURT:

19 Q Would you answer those questions, then, and would
20 the rest of you remember the questions I ask so when I come to
21 you you can give me the answers?

22 A I work for Japan Airlines. My duties are special
23 passenger service representative.

24 Uh, I don't have any friends among the law
25 enforcement personnel.

26 I live near Wilshire and Vermont and I am a retired
27 military personnel. And Japan Airlines is my second job
28 after -- uh, first job after retiring.

13-3

1 Q Is there a Mrs. Asano?

2 A Yes, there is a Mrs. Asano.

3 Q Where does she work?

4 A She works for Singer Company.

5 Q And you reside in what general area?

6 A Near Wilshire and Vermont.

7 Q I see. All right, fine.

8 Do you know of any reason why you couldn't be fair
9 and impartial in this case?

10 A No.

11 THE COURT: Pass the microphone on to Mr. Bramble.

12

13 VOIR DIRE EXAMINATION OF

14 JAMES H. BRAMBLE

15 BY THE COURT:

16 Q Begin with your jury experience, Mr. Bramble.

17 A I've never had any jury experience.

18 As I stated before, I work for the post office.

19 I don't have any acquaintances or friends
20 associated with the police department.

21 Q Or with law enforcement?

22 A Law enforcement, excuse me.

23 I live in the general area of MacArthur Park.

24 Q Which park?

25 A MacArthur Park.

26 Q And is there a Mrs. Bramble?

27 A No, single.

28 THE COURT: You might pass it on to Mrs. Sims.

13-4

1 Were you asked, Mrs. Sims --

2 PROSPECTIVE JUROR NO. 5: Yes.

3 THE COURT: That's right, I believe you are a stewardess?

4 PROSPECTIVE JUROR NO. 5: Yes.

5 THE COURT: What lines are you flying on?

6 PROSPECTIVE JUROR NO. 5: United Airlines.

7 THE COURT: Out of International, mostly?

8 PROSPECTIVE JUROR NO. 5: Yes.

9 THE COURT: I think we covered most of your background
10 otherwise. Thank you.

11
12 VOIR DIRE EXAMINATION OF

13 YGNACIO CANO

14 BY THE COURT:

15 Q Mr. Cano.

16 A Yes.

17 Q Begin with your jury experience.

18 A I haven't had no experience at all. And I am a
19 retire from my job that I had.

20 MR. DENNY: I'm sorry, I can't hear.

21 PROSPECTIVE JUROR NO. 6: I retire from the electrical
22 craft. I haven't had no jury experience. I've been retired
23 for two years. And I live in East Los Angeles. My wife
24 works part-time as a seamstress. And I have no law enforcement
25 friendship or knowledge of anyone.

26 Q BY THE COURT: When you say you worked in the
27 electrical craft, were you an electrical contractor?

28 A No, I work in the electrical work as a pullman,
29 electrician, railroad sleeping car business.

13a-1

1 Q I see.

2 Can you think of any reason why you couldn't
3 be fair and impartial?

4 A No, I don't.

5 THE COURT: All right, you might pass the microphone
6 back, then, to -- Mrs. Colvin should be next.

7 Did we cover Mrs. Dunn? Didn't we get some
8 personal details from you, Mrs. Dunn?

9 PROSPECTIVE JUROR NO. 12: Yes.

10

11 VOIR DIRE EXAMINATION OF
12 BERNICE COLVIN

13 BY THE COURT:

14 Q Mrs. Colvin.

15 A I work as a secretary for the Southern California
16 Gas Company. My husband is employed with ARCO. And we live
17 in East Los Angeles. I have no relatives --

18 Q What does your husband do for ARCO?

19 A He's the supervisor of office services.

20 Q As a secretary, are you involved at all with legal
21 work?

22 A No, purchasing department.

23 Q All right.

24 I interrupted you. You live where?

25 A East Los Angeles and --

26 Q Go ahead.

27 A And I have no relatives in the law enforcement or
28 friends.

1 Q Have you been a juror before?

2 A On Municipal Court once.

3 Q How long ago?

4 A Uh, several years, maybe six years.

5 Q Can you think of any reason why you couldn't be
6 fair and impartial in this matter?

7 A No, sir.

8 THE COURT: Pass it on to Mr. DeLoach, then.

9

10 VOIR DIRE EXAMINATION OF

11 TOMMY DeLOACH

12 BY THE COURT:

13 Q Mr. DeLoach.

14 A I never had any jury experience before, and I don't
15 have no friends on the law -- on the law enforcement. I work
16 for the post office. I am a mail handler. I live in West
17 Los Angeles.

18 Q By the way, do you work with this other gentleman?
19 Was it Mr. Bramble who is also in the post office? Do you know
20 him?

21 A No, I don't.

22 Q You're not working with him at all?

23 A No.

24 Q You're not working against him?

25 A No.

26 (Laughter.)

27 Q BY THE COURT: All right, go ahead. I'm sorry.

28 A I am divorced.

1 Q I'm sorry?

2 A I am divorced.

3 Q You are divorced?

4 A Yes.

5 Q Any children?

6 A Two.

7 Q And where do you say you reside?

8 A West Los Angeles.

9 Q Can you think of any reason why you couldn't be
10 fair and impartial in this case?

11 A No, no reason.

12 THE COURT: Pass it on, then, would you, please, to
13 Mrs. Andreassen.

14
15 VOIR DIRE EXAMINATION OF

16 KATHERYN ANDREASEN

17 BY THE COURT:

18 Q Mrs. Andreassen.

19 A Yes.

20 Q Give us your jury experience and tell us your
21 background.

22 A I have never had any jury experience before.

23 Q Go ahead.

24 A I work at Regional Medical Programs at UCLA. I
25 am single and I live in the Wilshire District.

26 Q Are you acquainted with or a friend of any --

27 A Oh, no, I am not.

28 Q -- any law enforcement officer?

1 A No.

2 Q Can you think of any reason why you couldn't be
3 fair and impartial?

4 A No, I do not.

5 THE COURT: All right, I think that covers our jury so
6 far as personal background is concerned.

7 Let's go on for another half-hour.

8 We'll ask the rest of you to retire to Department
9 102 again and we'll begin with Mr. Anderson. And except for
10 Mr. Anderson, we'll ask everyone in the box to go back to
11 102 except for Mr. Asano and Mr. Bramble who should wait out-
12 side of the court.

13 (Whereupon, the balance of the prospective jury
14 panel retired from the courtroom, and the following proceedings
15 were had:)

16 THE COURT: Pick up that microphone, Mr. Anderson.

17

18 VOIR DIRE EXAMINATION OF

19 J. C. ANDERSON

20 BY THE COURT:

21 Q Mr. Anderson, we wish to inquire of you what you
22 may have heard, seen or read via any of the publicity media
23 concerning this case.

24 Have you heard, seen or read anything about this
25 case ever before?

26 A No, not this particular case at all.

27 Q Do you know the name Shorty Shea?

28 A Uh, it rings a bell somewhere, but I --

1 Q Other than having heard it yesterday when I read
2 the indictment, do you know the name?

3 A No, I believe not.

4 Q And other than hearing it yesterday when I read the
5 indictment concerning the first Count, had you heard the name
6 Gary Hinman?

7 A Yes, I had.

8 Q In what way?

9 A Uh, connected with the Charles Manson murder trial,
10 and in -- uh, back a few years ago.

11 Q Now, in respect to Charles Manson, did you follow
12 the trials that he's been involved in?

13 A Uh, no, I hadn't.

14 At the time I knew about it because it was on every
15 newspaper, radio and television, you know.

13 b fol

1 Q Whom do you know Gary Hinman to be as near as you
2 can remember?

3 A As near as I can remember, he was, I believe,
4 someone else that was connected in some way. That they had
5 allegedly murdered, also.

6 Q You're talking about the Tate-LaBianca murders?

7 A Yes.

8 Q Sharon Tate?

9 A All of these, yes.

10 Q And you believe that Hinman was one of those
11 persons who was murdered in the course of that particular
12 incident?

13 A Yes, I believe it was.

14 Q Now, if it should develop that Mr. Davis was
15 a friend and associate of Mr. Manson, would you by reason of
16 that information being given to you or your learning that
17 information in the course of this case be so prejudiced against
18 him or would you be so biased that you would be unable to be
19 impartial in determining other issues involved in the case?

20 A No, I -- I wouldn't.

21 Q Do you think you could be fair and impartial in
22 spite of the fact that Mr. Davis might -- might be established
23 was a friend of Mr. Manson?

24 A Yes.

25 Q Do you read a newspaper daily?

26 A Uh, if they throw it in the right direction at my
27 apartment, yes, I'll read it. Otherwise, I don't really have
28 time.

1 Q Otherwise you look around in the shrubbery, and then
2 give up?

3 A Right, either at my neighbor's door or the dog has
4 stolen it or something.

5 Q Do you look at television reports?

6 A Yes, occasionally. I haven't been lately. I do --
7 I'm very seldom home and, you know, I'm out doing a lot of
8 things.

9 Q Do you listen to the radio news reports?

10 A Yes.

11 Q And have you heard anything about Mr. Manson in the
12 last month?

13 A Hmmm, no, I believe not. Not that I can remember
14 at all.

15 Q Now, if you should remember anything that at this
16 moment you can't recall about Mr. Davis or this case --

17 A Uh --

18 Q -- do you think that you can set that matter aside
19 and do you think that you can set aside anything that you may
20 have learned about this case and Mr. Manson and make any
21 judgment that you might be called upon to make in this case
22 independently of such publicity?

23 A Certainly, yes.

24 Q Will you decide the case only on the evidence
25 that's presented in the course of this trial and the Court's
26 instructions to you?

27 A Yes, I will.

28 Q And will you completely disregard whatever that is

1 you may have heard, seen or read via radio, newspaper,
2 television or any discussions that you might have had with
3 friends?

4 A Oh, I won't watch it.

5 Q Pardon?

6 A I wouldn't watch it if --

7 Q I mean what you have -- I would tell you that you
8 are not to watch it during the course of the trial, of course,
9 but I mean anything that you have learned up to this point,
10 can you disregard for the purpose of being a juror in this
11 case in making a -- judgements that are required of you in this
12 case?

13 A Yes, I believe I could.

14 Q And will you do that?

15 A Yes, I will.

16 Q Do you think you can be fair and impartial in
17 the case?

18 A Yes, I do.

19 Q Where did you say you lived?

20 A Uh, Silverlake area.

21 THE COURT: Mr. Denny, any questions?

22 MR. DENNY: Yes, your Honor.

23
24 VOIR DIRE EXAMINATION

25 BY MR. DENNY:

26 Q Mr. Anderson, does the name Spahn Ranch also
27 ring a bell?

28 A Uh, yes, it does.

29 Q And what sort of bell does it ring?

1 A Uh, that back at the time of the -- uh, uh -- at the
2 time of the Tate murders and so forth, I heard the name
3 mentioned with someone that they were looking for out there that
4 had been murdered.

5 Q Do you know who they were looking for?

6 A No, I don't. I'm not positive.

7 Q To your knowledge you say this person had been
8 murdered as you --

9 A Yes, as I can remember it. This was -- they were
10 looking around on the Spahn Ranch. Body, somebody's body.

11 Q And do you know if they found it?

12 A No, I don't.

13 Q Now, if it turns out that in this particular case
14 there is evidence to show that there were people digging around
15 the Spahn Ranch looking for the body of Shorty Shea, uh,
16 would that in any way affect -- well, strike that.

17 Would the matter which you read concerning that
18 affect your judgment as to whether or not Shorty Shea was
19 actually killed or murdered?

20 A No, it wouldn't.

21 Q In other words, before you make such a determina-
22 tion in this case, you would have to be convinced beyond a
23 reasonable doubt and to a moral certainty, based on what you
24 heard from that witness stand and only that; is that correct?

25 A Yes, very definitely.

26 Q As to whether or not even he was dead, is that
27 correct?

28 A Yes.

1 Q All right.

2 Does my statement concerning the name Shorty Shea
3 -- this, and the fact that there might be evidence to show
4 that people were digging around Spahn Ranch to find Shorty
5 Shea, does that jog your memory to the effect that that is
6 what you read about?

7 A Uh, yes, it does.

8 Q All right. And do you recall, then, after having
9 your memory jogged in that respect, anything further on that?

10 A Uh, only that -- the only thing I can remember
11 connected at all with Spahn Ranch was that the -- uh, the
12 Manson troop was supposedly of -- stayed there for a little
13 while and someone -- er, one or two persons were murdered
14 there and they were -- the authorities had reason to believe
15 that their bodies were there somewhere on the ranch and that
16 they were looking for them.

17 Q Now, you say you heard or read that one or two
18 people were murdered there?

19 A Yes.

20 Q All right.

21 Again, if it turns out that there is evidence
22 presented that at least one person involved in this case is
23 supposed to have been murdered there, at least this is the
24 theory of the People's case, would you bring into your
25 determination of whether, in fact, that person was killed
26 there that material that you had heard or read from the
27 newspapers?

28 A No, I wouldn't. What I -- uh, in my way of

1 thinking and reasoning, what I have read in the newspaper and
2 what would be presented here in the courtroom as evidence, uh,
3 either way, whether it would agree with the paper or disagree
4 with the paper would be totally two different things. And to
5 me whatever would be presented here before me is solely what
6 I would determine any judgment on.

7 Q All right, fine.

8 Now, I notice that you used a phrase, "The Manson
9 group" rather than a phrase that has normally been applied to
10 them as the Manson Family.

11 You have heard of the Manson Family, as the
12 papers --

13 A Oh, yes, I have. Different words are nice to use.
14 It all means about the same thing.

15 Q Good enough.

16 And do you have any feelings at this time about
17 the Manson Family, based on what you have heard, read or seen in
18 the various news media about them?

19 A Well, other than the fact that, you know, what
20 allegedly did happen and what they've already determined, what-
21 ever this is, that has already occurred, uh, it struck me as,
22 uh, you know, quite a thing to be happening, I would say, in
23 this day and age, but not unbelievable.

24 Q Well, you mean quite a thing to be happening, are
25 you talking now about the murders that occurred of the Tate and
26 LaBiancas?

27 A Yes, the Tate-LaBianca murders.

28 Q All right.

1 Have you heard of the Manson group, Family, unit,
2 body, whatever, being involved in any other murders, supposed
3 to be involved in any other murders, alleged to be involved?

4 A Uh, no, I don't believe I have.

5 At the time, you know, all of these things were
6 happening, uh, my reading of the material as it was being
7 reported was very -- very little. I knew enough to find out
8 what was happening and, uh, -- in fact, I don't even remember
9 what happened at the trial, a lot of things that happened at
10 the trial. I don't follow that stuff in the paper very much.
11 It doesn't interest me to read it. Once it has happened and
12 I've read about it, fine, I know what it is about, you know.
13 But other than that, I don't follow things like that. I have a
14 thing about the media, the newspaper, you know. I believe that,
15 you know, the whole thing was quite well dealt in sensation-
16 alism, you know, and so forth, and it was farly overpublicized
17 and so forth.

18 Q Agreed.

19 All right, now, sir, going back to Gary Hinman.

20 Did you indicate to the Court that you are of the
21 opinion that Gary Hinman was one of those murdered in these
22 so-called Tate-LaBianca murders or was he?

23 A Yes, I believe it was, I'm not sure -- uh, myself,
24 if it was the Tate-LaBianca -- the Sharon Tate murder -- some-
25 where along that line. I think it was.

13d fol

1 Q Well, did you --

2 A I associate some of these things with these cases.
3 It is like I said before, you know, what I did read, you know,
4 I just more or less skimmed through it and, you know, there
5 you have it. For all I know Gary Hinman might be sitting
6 in the back of the courtroom right now.

7 Q All right. You heard, however, the fact that the
8 defendant in this case, Mr. Davis, is charged with the murder
9 -- charged in one of the counts with the murder of Gary
10 Hinman?

11 A Uh, yes.

12 Q All right. And with conspiracy to commit murder
13 and robbery, also, of Gary Hinman?

14 A Uh-huh.

15 Q Now, having heard that, does it refresh your
16 recollection as to having heard, read or seen anything else
17 about anyone else being charged with that offense?

18 A Hmmm, no, it doesn't.

19 MR. DENNY: All right, I have no further questions.

20 MR. KAY: No questions, your Honor.

21 THE COURT: Mr. Anderson, would you go over to
22 Department 102, then, and the next man we want in is
23 Mr. Asano. And Mr. Bramble.

24 And be sure and contact Allied, if you will.

25 As a matter of fact, you can be excused for the
26 evening and the balance of the prospective jurors, group of
27 prospective jurors, the panel can be excused now.

28 MR. DENNY: Well, your Honor, I wonder if the Court

1 would admonish them at the close of the day. I think they
2 should be admonished as they previously have been. They have
3 not been so admonished.

4 THE COURT: All right, I'll accept your suggestion.
5 You may bring them in.

6 JUROR NO. 1: Sir, I should know from Allied Chemical
7 by tomorrow afternoon. I called my foreman today and the big
8 boss is out of town and should be back by tomorrow afternoon.

9 THE COURT: Fine.

10 JUROR NO. 1: So I should know then whether they're
11 going to --

12 THE COURT: All right, you may wait here. The rest of
13 the jurors will be coming in.

14
15 VOIR DIRE EXAMINATION OF

16 FUJIO F. ASANO

17 BY THE COURT:

18 Q Mr. Asano.

19 A Yes.

20 THE COURT: Well, perhaps you'd better go outside. I'm
21 sorry. Just wait outside the door.

22 Q Mr. Asano, we're interested in finding out whether
23 or not you have ever heard of this case before? Have you ever --

24 A I've heard of the Manson case, but I never heard of
25 Mr. Davies.

26 Q Never heard of Mr. Davis.

27 Have you heard of this particular indictment
28 before?

1 A No, I haven't.

2 Q Did you know the name before you heard me read it
3 in the indictment -- you know the name Shorty Shea?

4 A No, I don't know who he is.

5 Q Had you ever heard the name Gary Hinman before you
6 heard it yesterday, when I read it yesterday?

7 A What was that name again, sir?

8 Q Gary Hinman.

9 A No, I don't think so.

10 Q All right.

11 A It sounds familiar, but I --

12 Q Sounds familiar to you, but you don't know it?

13 A No.

14 Q You've heard the name Charles Manson, you said?

15 A Yes, I --

16 Q Do you know anything about Mr. Manson, that you have
17 heard, seen or read in the press or any of the news media in
18 the last month that you can tell us?

19 A Well, uh, I've read some things about his doings,
20 yes.

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1 Q In the last month, can you remember anything
2 about him that you've heard, seen or read?

3 A Yes. I've read something about the case.

4 Q What do you remember?

5 A Well, that -- about the Tate case and the La
6 Bianca case.

7 Q The Tate-La Bianca case?

8 A Yes.

9 Q That's the only thing that you could remember,
10 the Tate-La Bianca case?

11 A Yes, that's right.

12 Q Well, what does the name "Manson Family" mean to
13 you?

14 A In what respect?

15 Q Yes. What are they?

16 A Oh, I -- my impressions are that --

17 THE BAILIFF: Excuse me, your Honor. The jury's about
18 to come in.

19 Q BY THE COURT: Go ahead.

20 A (Continuing) -- is that they are -- oh, so-called
21 hippies or something.

22 Q A group of hippies, --

23 A Yes.

24 Q -- led by --

25 A Led by Charles Manson.

26 (Whereupon members of the prospective jury
27 panel began to file into the courtroom.)

28 THE COURT: They needn't sit down. Everybody can stand,

14-2

1 Mr. Kuczera. We are just going to excuse them.

2 (Pause in the proceedings while the jurors
3 filed into the courtroom.)

4 THE BAILLIFF: They're all in, your Honor.

5 THE COURT: Ladies and gentlemen, the Court admonishes
6 you that during this recess, that -- that's about to come --
7 you are not to converse amongst yourselves nor with anyone
8 else, nor permit anyone to converse with you on any subject
9 connected with this matter.

10 (Whereupon, murmurs of "Can't hear you" were
11 heard from several members of the prospective jury
12 panel.)

13 MR. DENNY: They can't hear you, your Honor.

14 THE COURT: The Court admonishes you that during the
15 recess, you are not to converse with anyone, nor permit
16 anyone to converse with you on any subject connected with
17 this matter, nor are you to form or express any opinion
18 on the matter until it is finally submitted to you, should
19 you be chosen as a juror.

20 The Court further admonishes you that during this
21 recess -- and any subsequent recess, should you be chosen as
22 a juror -- you are not to hear, see or read anything in
23 connection with this case, Mr. Davis, Mr. Charles Manson or
24 anything concerning Mr. Manson.

25 Is there anyone who does not understand that?

26 (No affirmative response.)

27 THE COURT: All right. I'll excuse you, then, until
28 9:45 tomorrow morning. The Court tries to start on time.

14-3

1 We couldn't do it this morning, because I have a number of
2 things that I must call every day, and a calendar that must
3 be called first before we can begin this case.

4 (Pause in the proceedings while a discussion
5 off the record ensued at the bench between the
6 Court and the bailiff.)

7 THE COURT: I am told that there are 23 other matters
8 that I must call on the calendar tomorrow morning. Let's
9 make it 10:00 o'clock. And perhaps we can start at 10:00
10 o'clock -- I'm not sure -- if those matters go fast.

11 (Pause in the proceedings while a discussion
12 off the record ensued at the bench between the Court
13 and the Clerk.)

14 THE COURT: All right. Then, would you assemble at
15 10:00 o'clock -- you are excused until 10:00 o'clock --
16 on the far side of the Hall of Justice? That is, on the
17 north side of the Hall of Justice, in the corridor between
18 Department 102 and 103?

19 And you should be quiet, because those courts
20 will be conducting business. And I don't want any of you
21 jailed for contempt. I would have to come and get you out,
22 in order to have you serve as jurors, and it would be a lot
23 of trouble.

24 So don't disrupt court over there tomorrow.
25 Good night. I'll see you tomorrow morning.

26 One thing. I want Mr. Bramble to wait and Mr.
27 Cano to wait outside in the corridor.

28 The rest of you are excused.

(Whereupon the members of the prospective jury panel exited the courtroom, and the following proceedings were had:)

THE COURT: Let's get back to Mr. Asano.

BY THE COURT:

Q Mr. Asano, do you read a newspaper daily?

A Yes, I do.

Q Do you see television news reports nightly?

A No, I don't.

Q Radio? Do you listen to the radio news reports every day?

A Sometimes.

Q Sometimes you do and sometimes you don't? It's not a matter of regular practice, then?

A No, it isn't.

Your Honor, I just spoke to my management --

14a fls. 16

14a-1

1 Q Yes?

2 A And they say that the Prime Minister of Japan is
3 due in Los Angeles the first part of February. And since
4 I am key personnel in handling the VIP's in this area,
5 they would like to have me at the airport, taking care of
6 the Prime Minister.

7 Q If you were not present, would that -- would that
8 be likely to result in some demotion for you, or some --

9 A It might affect the performance of the personnel
10 at the airport, and that may affect the --

11 Q Likewise affect you?

12 A Me and -- well, more -- the manager more than me.

13 Q Well, that's not a very good reason, Mr. Asano.

14 The Prime Minister of Japan is an important man,
15 of course, but --

16 A And they said they may not pay me. But they have
17 to discuss it with the American Region Headquarters, which
18 is in New York.

19 Q I see.

20 A Before they give me the answer.

21 Q I see. So you still don't know that answer?

22 A Not yet, sir.

23 Q I see.

24 A The New York office has closed already, so --

25 Q If you are paid, would it otherwise result in
26 any hardship, if you were not present to handle those
27 things that the company wants you to handle?

28 A Hardship on me, or the company?

1 Q Yes, personally.

2 A Personally? Well, if they don't pay me, it
3 would.

4 Q Yes. Aside from that, though, now?

5 A No.

6 Q Aside from that. Don't misunderstand me. We
7 are not ignoring the fact that you would not be paid, if
8 you in fact are not going to be paid, because that would be
9 ample excuse in the Court's opinion for your not serving, --

10 A Yes.

11 Q -- for the Court finding that there would be
12 hardship.

13 So don't be concerned about that. You looked
14 somewhat worried about that.

15 But what I mean is, these other facts that you
16 have told us about, other factors, they would not result
17 in any hardship for you, the fact that you would not be
18 able to handle the Prime Minister's arrival? That would be
19 a matter which would not be any personal hardship, but which
20 would --

21 A Well, I guess not.

22 Q Well, let's find out --

23 A Not for me, anyway.

24 Q It would be for somebody else?

25 A Somebody else, yes.

26 Q All right. Let's wait, then, and see whether
27 or not you are paid. If you are not going to be paid, well,
28 the Court will excuse you.

1 Do you think that you could set aside whatever
2 you may have heard, seen or read from publicity media, over
3 the course of the last two years, concerning Mr. Manson --
4 or concerning this case -- if you should happen to remember
5 anything that you have heard, seen or read about this case?
6 And decide this case independently of such matter, basing
7 your judgment only upon the evidence that's received here in
8 this case and the Court's instructions?

9 A Yes, sir.

10 Q And will you do that?

11 A Yes, I will.

12 Q And you do think you could be fair and impartial
13 in the case?

14 A Yes.

15 THE COURT: All right. You may examine.

16 MR. DENNY: Thank you.

17
18 VOIR DIRE EXAMINATION

19 BY MR. DENNY:

20 Q Now, Mr. Asano, have you heard the name
21 "Steve Grogan" or "Clem Grogan"?

22 A No, I haven't.

23 Q And have you heard -- well, let me go to the
24 Judge's question.

25 You answered that, that in the last month you
26 had heard about some of Manson's doings. I think that's
27 essentially what you said; is that right?

28 A Yes. Oh, I've read some articles on the Manson

1 case.

2 Q Now, do you know where it was that you read
3 these articles, sir?

4 A Oh, in the Japanese magazines,

5 Q And -- these are Japanese language magazines?

6 A Yes, that's right. Published in Japan.

7 Q In Japan?

8 A Yes.

9 Q And these magazines pertained -- or, the articles
10 in the magazines pertained to the Tate and the La Bianca
11 killings, did they?

12 A Yes, that's right.

13 Q Did they include information on any other crimes
14 that Mr. Manson is supposed to have committed or been involved
15 in?

16 A Oh, it mentioned something about Mr. Hinman,
17 whoever that is.

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1 Q All right. And do you recall what was mentioned
2 in that connection?

3 A Just vaguely, that Mr. Hinman was murdered by
4 a member or members of the Manson clan.

5 Q And do you know what members or how many members?

6 A No, I don't know.

7 Q Or how he was supposed to have been killed?

8 A Well, I believe Mr. Manson did not do things
9 directly, but had somebody else do the killings for him, if
10 I'm correct.

11 Q That's as far as your reading goes?

12 A That's right, yes.

13 Q All right. Or rather, say, as far as you are
14 correct in recalling what was written?

15 A Yes.

16 Q All right. Does the name Bobby Beausoleil or
17 Robert Beausoleil -- B-e-a-u-s-o-l-e-i-l -- it may be
18 pronounced by some people "Boe-so-leal" or "Boe-so-lail" --
19 if you read it, Bobby Beausoleil, --

20 A No.

21 Q -- does that ring a bell?

22 A No. I've never heard of that name.

23 Q Or Susan Atkins?

24 A Yes, I've heard of that name, yes.

25 Q And in what connection?

26 A That she's a key witness in this case -- no;
27 let me see.

28 Yes, that's right.

1 Q How about Linda Kasabian?

2 A I've heard of that name, but I cannot connect it
3 with the case, except that she was a member of the Manson
4 Family.

5 Q It's kind of hard to keep track of the players
6 without a score card, huh?

7 A That's right.

8 Q All right. Now, how about the Spahn Ranch?
9 Does that ring a bell at all?

10 A No, it doesn't. But I remember that the Manson
11 Family lived out on a ranch in Death Valley somewhere.

12 Q Um-hmm.

13 A But I don't know if that's the Spahn Ranch or
14 not.

15 Q All right. That name, at any rate, doesn't ring
16 a bell to you?

17 A No, it doesn't.

18 Q All right. Now, I believe you answered the
19 Court that the Manson Family, as far as you were concerned,
20 were a group of so-called hippies, --

21 A Yes.

22 Q -- is that right?

23 A That's right.

24 Q And as you sit there, sir, what are your feelings
25 about the Manson Family, as a group of hippies?

26 A Well, what do you mean by "feelings"?

27 Q Well, do you feel, for instance, that they are
28 a band of outlaws, for instance?

1 A I've never given it serious thought, so --

2 Q Well, would you do so now?

3 A Well, my impression is that they're a group of
15 fls. 4 people that's living differently from the ordinary society.

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1 Q You approve or disapprove of that, of that life
2 style as you have read about it?

3 A Well --

4 MR. KAY: Your Honor, I am going to object to that as
5 being irrelevant as far as the publicity. I don't think
6 that's --

7 THE COURT: Overruled, you may answer.

8 A Well, I guess it is up to every individual
9 whether he or she lives the way he wants, just so they don't--
10 they live within the law and order.

11 Q BY MR. DENNY: All right. And if the evidence
12 discloses in this case that Mr. Davis was associated with
13 that group of people that has been termed by the various
14 media "the Manson Family," do you feel this in and of itself
15 would cause you to believe that he's probably guilty of one
16 or more of the crimes that are charged against him?

17 MR. MANZELLA: Excuse me, your Honor, I believe the
18 way that question is phrased it calls for an opinion based
19 upon possible evidence in the case rather than publicity.

20 MR. DENNY: Let me rephrase the question.

21 MR. MANZELLA: I don't believe Mr. Denny meant to ask
22 it that way.

23 MR. DENNY: If it can be misconstrued, let me rephrase
24 it, sir.

25 Q BY MR. DENNY: If it is disclosed here that Mr.
26 Davis was associated with the Manson group, would that fact,
27 based on your feelings about what you have seen, heard or
28 read about the Manson Family, cause you to believe that he is

1 probably guilty of the crimes that are now charged against
2 him?

3 A Well, it depends on what evidence that is
4 produced in this court.

5 Q In other words, you're not going to find this
6 man guilty of any charge unless you are convinced beyond a
7 reasonable doubt and to a moral certainty, based on the
8 evidence here, that he is guilty?

9 A That's right.

10 Q And not by anything you've read?

11 A No, that's right.

12 Q All right.

13 I have no further questions.

14 MR. KAY: No questions, your Honor.

15 THE COURT: All right, thank you, Mr. Asano.

16 Call the other two who are waiting outside into
17 the courtroom, would you, please?

18 THE BAILIFF: Yes, sir.

19 THE COURT: We'll adjourn for the day.

20 Find out from your employer, if you will, Mr.

21 Asano --

22 JUROR NO. 3: Yes.

23 THE COURT: -- what the answer is as to the paycheck.

24 JUROR NO. 3: All right, sir.

25 THE COURT: And I'll see you tomorrow, sir.

26 Gentlemen, the Court excuses you until 10:00
27 o'clock tomorrow, all three of you.

28 Remember the admonishment I have heretofore given

1 the other jurors. Good night.

2 (Whereupon, the three prospective jurors retired
3 from the courtroom, and the following proceedings
4 were had:)

5 MR. DENNY: Your Honor, may I address the Court?

6 THE COURT: Yes.

7 MR. DENNY: Mr. Davis has spoken to me twice on the
8 subject now, and I would like to bring it to the Court's
9 attention and request the Court to determine from the
10 authorities and make an order, if necessary, that he be
11 accorded the opportunity, at least, to take a shower on his
12 return from court daily. Apparently this is done as a
13 matter of course for other prisoners, but the fact that he
14 is special transportation makes it that he skips that
15 procedure, apparently.

16 THE COURT: I see Mr. Kuczera nodding, and I can under-
17 stand everyone's concern at the counsel table over that,
18 and would make such an order.

19 MR. DENNY: Thank you very much, your Honor.

20 Your Honor, may I, before the Court leaves the
21 bench -- I would like to put on record that which I brought
22 up in chambers the other day before we get too far into this
23 jury selection process. And I meant to do before the
24 passage of time yesterday. And that is, your Honor, to
25 state for the record that I believe that the People proceeding
26 to impanel a jury and to voir dire them on a death penalty
27 in this case is, in the light of the return of the verdicts
28 against Mr. Manson, and in light of the evidence of which I

1 am aware, an act of bad faith in that I don't believe that
2 the death penalty is warranted in this case. Certainly if
3 it is warranted in any case, it would have been for Mr.
4 Manson, I think, based on the evidence presented to this
5 Court.

6 I have spoken to one of the jurors and received
7 other information concerning the deliberations and I don't
8 believe that the People have not received similar reports
9 from those jurors, and I think that by attempting to voir
10 dire a jury and get a jury which may impose the death
11 penalty is simply seeking a guilt oriented jury and that it
12 is, again, wasting a lot of time, wasting a lot of the
13 taxpayers' money, but, furthermore, is, if not a violation of
14 due process and equal protection, the next closest thing to
15 it. And I do feel that -- well, I make that motion.

16 MR. KAY: Briefly, may I state for the record, your
17 Honor, that it is not bad faith. That we strongly believe
18 that Mr. Davis does deserve the death penalty and we will
19 do everything in our power to see that justice is served and
20 that he does get the death penalty.

21 THE COURT: I don't know the course of your motion.
22 Maybe it is simply a matter you want to put on the record
23 and, if so, it is on record.

24 MR. DENNY: Thank you, your Honor.

25 THE COURT: I'll see you gentlemen tomorrow and, again,
26 at 10:00 o'clock.

27 MR. KAY: See you tomorrow morning.

28 (Whereupon at 4:35 o'clock p.m. the evening
adjournment was taken.)