

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

3

DEPARTMENT NO. 106

HON. RAYMOND CHOATE, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,

vs.

BRUCE MCGREGOR DAVIS,

Defendant.

203

No. A-267861

REPORTERS' DAILY TRANSCRIPT

Wednesday, December 1, 1971

VOLUME 3

APPEARANCES:

For the People:

JOSEPH P. BUSCH, JR., District Attorney  
BY: ANTHONY MANZELLA  
and  
STEPHEN R. KAY,  
Deputies District Attorney

For Defendant Davis: GEORGE V. DENNY, III

COPY

MARY LOU BRIANDI, C.S.R.  
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Official Court Reporters

1 LOS ANGELES, CALIFORNIA, WEDNESDAY, DECEMBER 1, 1971, 10:12 A.M.

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

4 Let's see. Did we have the entire jury panel,  
5 or what were we working on?

6 MR. KAY: No, we were working individually on the jurors.  
7 I believe we were -- let's see -- on Mr. Bramble.

8 Is that correct, George?

9 MR. DENNY: I don't recall, your Honor.

10 THE COURT: Let me see. Yes. We had gotten to --

11 MR. KAY: I don't think he had taken his seat yet. I  
12 think we had --

13 THE COURT: We had gotten through with Mr. Asano, and we  
14 were about to start with Mr. Bramble when we adjourned.

15 MR. KAY: That's correct.

16 (Proceedings had on an unrelated matter.)

17 THE COURT: All right. The case of People versus Davis?

18 We are in recess for a few minutes, to get -- oh,  
19 we do have Mr. Bramble here. Well, I'll still take a short  
20 break, and then we'll talk to Mr. Bramble.

21 (Recess.)

22 THE COURT: The case of People versus Davis.

23 The record will show -- may show that Mr. Davis is  
24 present, Mr. George Denny for the defendant, and Mr. Kay for  
25 the People.

26 And we have Mr. Bramble in the box, a prospective  
27 juror.

28 VOIR DIRE EXAMINATION OF

29 JAMES H. BRAMBLE

1 BY THE COURT:

2 Q Mr. Bramble, the Court wishes to inquire of you  
3 what you may have heard about this case previously from radio,  
4 television or newspapers; what you may have heard, seen or  
5 read concerning this case.

6 A Well, needless to say, I mean, to the extent that  
7 it's somehow associated with the Manson case, last year or two  
8 -- I mean, the Manson case I followed that; but to the extent  
9 that --

10 Q Have you heard anything at all about this case?

11 A I beg pardon?

12 Q Have you heard anything at all about this case?  
13 Heard, seen or read anything?

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

15 Q Do you know the name Davis? Have you heard of  
16 Mr. Davis?

17 A In a vague way. Maybe I recall, not -- if not  
18 Davis, then the word McGregory. But in my opinion, that's  
19 the extent --

20 Q There's nothing that comes to your mind --

21 A I beg your pardon?

22 Q There's nothing that comes to your mind in  
23 connection with his name at this moment?

24 A No. No, your Honor.

25 Q You have, of course, as you've stated, heard of  
26 Mr. Charles Manson?

27 A Yes, your Honor.

28 Q Did you follow the Tate-LaBianca trial in the

1 newspapers, or --

2 A Well, not in a -- not in a -- well, if I can use  
3 the word, quote, research way. I mean, to the extent that  
4 maybe emblazoned in the headlines, or maybe now and then on  
5 the front page.

6 Q Do you read the newspaper regularly?

7 A Yes. That's a ritual with me.

8 Q Every day?

9 A Well, up until the time, I think, that I  
10 was apprised of the fact by you --

11 Q Well, up until --

12 A -- of this --

13 Q Up until that time, did you read a newspaper  
14 every day?

15 A That is right.

16 Q Do you listen to the radio news reports?

17 A I have somewhat, if I may qualify it, of an  
18 insatiable desire for current events.

19 Q In other words -- in other words, you follow the  
20 news fairly well on television, in the newspapers and on the  
21 radio?

22 A Yes, that's right; with primary interest on  
23 international news, as opposed to --

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1 Q Have you ever heard the name Shorty Shea before?

2 A Yes, your Honor, I have.

3 Q What do you know about that?

4 A (No response.)

5 Q Of course, I read it to you in the indictment,  
6 when you were present.

7 A Well, with that -- well, it seemed like it was a  
8 name associated with the overall Manson case, and --

9 Q In what way, that you could remember?

10 A That -- that somehow or other, he's conspicuous  
11 by his absence now. And I think that he was a part-time  
12 extra or something as -- in reference to the movie industry.

13 Q In connection with that, of course, you know that  
14 he's the alleged victim in this third Count, in the third  
15 Count in this indictment?

16 A Yes.

17 Q He is the alleged victim of the murder charged in  
18 that third Count.

19 Aside from that, do you recall that he was a movie  
20 extra?

21 A An extra, that's right; yes, sir, your Honor.

22 Q Now, have you heard, seen or read that he's  
23 missing, or somebody's looking for him, or anything of that  
24 sort?

25 A Well, I mean, I said that, seemingly, he is  
26 conspicuous by his absence. They haven't found where he is.  
27 They don't know where he is.

28 I said that before.

1 Q Yes. I just wanted to clarify what you meant by  
2 that.

3 You mean by that that he has been looked for and  
4 hasn't been found, and you've read that?

5 A Yes, sir, your Honor, I have.

6 Q What about the name Hinman? Gary Hinman? Have  
7 you heard that name?

8 A I've heard that, yes, sir.

9 Q In what connection have you heard that name?

10 A It seems as though that that was -- Hinman preceded  
11 the others.

12 Q Tell me what you mean by that very cryptic  
13 statement.

14 A (No response.)

15 Q Do you mean that Hinman's death preceded other  
16 deaths?

17 A That's what -- what I think. I'll qualify it:  
18 Judged by what I have read, yes.

19 Q Now, when you say "others," what do you mean? Do  
20 you mean the Tate-LaBianca --

21 A Well, to the extent, I mean, that there was a  
22 relationship between Hinman and -- as you previously mentioned  
23 -- the LaBianca, and the killings of the other two names that  
24 you mentioned.

25 Q Do you know the name Manson Family?

26 A Yes, sir, your Honor. I've heard that.

27 Q What does that mean to you, Mr. Bramble? What does  
28 that mean to you?

1           A       The Manson Family? Well, I think that term of  
2 reference may be a definition of a family, in a loose way,  
3 that -- that was a group, a clan, that -- and --

4           Q       Headed by Mr. Manson?

5           A       Headed by Mr. Manson, yes.

6           Q       Now, do you think it's possible that a man who is  
7 immersed in the news as much as you appear to be could set  
8 aside any items that he may have heard, seen or read concerning  
9 Mr. Shea or Mr. Hinman, and decide the case independently of  
10 those things?

11          A       Well, even apart from -- and I recall, I think, in  
12 the last day or two -- Monday was my initial day, my first  
13 day -- I am of the opinion that I could proceed in such a way  
14 as if the second trial or something -- namely, the verdict --  
15 the first one, you know, the penalty, the first one is to  
16 determine the guilt or innocence, as determined by the  
17 evidence.

18                So, I feel that I could proceed as if there were no  
19 second trial, and I would give my attention to the evidence  
20 which would manifest guilt or innocence of the defendant.

21          Q       Well, what I'm asking you is whether or not you  
22 could ignore any of this publicity that you've heard, seen or  
23 read over the course of the last two years, and decide the case  
24 solely on the evidence and the instructions of law that are  
25 presented in this courtroom?

26          A       I am convinced I can, your Honor.

27          Q       You can do that?

28          A       I am convinced I can.

29          Q       And you won't fill in any gaps --

Ab-1

1 MR. DENNY: Could I --

2 Q BY THE COURT: -- for example, any gaps in  
3 the People's case, if there should turn out to be any such  
4 gaps in the evidence, by what you may have heard, seen --  
5 with what you may have heard, seen or read via the news  
6 media?

7 A No, your Honor.

8 Q Can you ignore those things that you may have  
9 heard, seen or read, for the purpose of acting as a juror  
10 in this trial?

11 A It is my decided belief that I can, your Honor.

12 Q There may be people on the jury who are less  
13 knowledgeable than you, so that if you were selected as a  
14 member of the jury, you might be tempted to say, "Well, I  
15 heard about this," or, "Read about this," or, "Saw this  
16 on television, and I know that it's a fact."

17 Would you be inclined to do that, even if it  
18 were not part of the evidence?

19 A Well, as of this time, of course, I must take  
20 into consideration the brevity of the three days, as I said  
21 before, in my initial appearance as a juror.

22 Well, what I've found, just in little questions,  
23 as -- concerning what is the -- what will happen to me today,  
24 with one or two, even in the way that -- I mean, I've  
25 inquired --

26 Q Have you ever heard of Professor Irwin Corey?

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

28 MR. DENNY: Could we have the juror hold that



Ab-2

1 microphone up? I'm having the same trouble that the reporter  
2 is having hearing, your Honor.

3 PROSPECTIVE JUROR NO. 4: I beg your pardon.

4 Q BY THE COURT: I'm not sure I understand your last  
5 answer. All I am asking you, really, is whether you could  
6 ignore what you may have absorbed from the news media, and  
7 decide the case without reference to it?

8 A Yes, I could, your Honor.

9 Q All right. And will you do that?

10 A Yes, I will, your Honor.

11 Q And can you be fair and impartial in the case?

12 A Yes, I will, your Honor.

13 THE COURT: Mr. Denny?

14  
15 VOIR DIRE EXAMINATION

16 BY MR. DENNY:

17 Q Mr. Bramble, this case, as the Court has told you,  
18 is likely to extend into February, mid-February, perhaps  
19 even late February, depending on the circumstances.

20 It is going to be a long case, with a lot of  
21 witnesses and a lot of testimony.

22 Now, you have not previously had any jury  
23 experience; is that correct?

24 A That's correct, yes, sir.

25 Q All right. Again, keep that up, if you would.

26 Now, sir, it becomes difficult at best, even  
27 with notes, to recollect things that you have heard in the  
28 course of a long trial; and sometimes jurors' memories fail,

Ab-3

1 or they try to refresh each other's recollections, as one  
2 or the other heard it.

3 Now, with this in mind, it appears, sir, from the  
4 Judge's questions thus far, that you have some fund of  
5 knowledge as to the so-called Manson Family, various members  
6 of that so-called Family, or people alleged to be members  
7 of that Family; of various incidents that have occurred,  
8 or are supposed to have occurred, portions of trial testimony;  
9 perhaps portions of stories that have never even been  
10 recorded by witnesses in trial, but just recorded in news-  
11 papers and over television and radio.

12 Now, do you think, sir, that it's possible that  
13 in deliberating, considering the evidence in this case --  
14 which is going to be difficult enough just to try to remember  
15 what the witnesses have said -- you may bring into your  
16 deliberations those things that you have heard outside of  
17 this court?

18 Not intentionally, but because you know,  
19 apparently, so much about the background. Do you think it's  
20 possible, sir, that you may have a tendency to do that,  
21 without wanting to do so?

22 A Well, in my opinion, to the extent of what I  
23 have divulged to his Honor, the Judge, one -- and I reiterate,  
24 in my opinion, again -- could know that much by a -- by the  
25 nature of my work, I drive down the streets, and the huge  
26 headlines, well -- without having made any research or  
27 following in a minute way the proceedings of the case,  
28 which have been in progress some time.

1 THE COURT: Is that a "Yes" or a "No"?

2 MR. DENNY: Well, perhaps I can follow it up, because

3 PAC fls. I don't think it's either, your Honor.

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1 Q You've indicated, sir, that merely from a perusal  
2 of headlines, or from perhaps the flashes of views that come  
3 over the radio or television, anybody who reads those head-  
4 lines or hears those news flashes would have a good deal of  
5 information about the background of the alleged Manson Family  
6 and the cases; is that what you are saying?

7 A Well, not necessarily a good deal. But the amount  
8 of information that I divulged to his Honor, the Judge, and --

9 Q Well, you haven't divulged all of the information  
10 to him that you know about the cases, however; is that  
11 correct?

12 A That is correct.

13 Q Let's run down a little bit, if I may, just  
14 briefly.

15 Who is Tex Watson?

16 A That is the gentleman from Texas.

17 Is that sufficient?

18 Q No. You know more about him than that, I assume?

19 A Who waived extradition for a goodly time, to  
20 the -- that was not practical to -- that it was not practical  
21 to include him in the main trial.

22 Q What do you know about his trial?

23 A Not too much.

24 Q When was he tried?

25 A It's been in the last two or three months, but --

26 Q And what was the verdict?

27 A I think he was guilty. But as I say --

28 Q And what penalty did he get?

1 A I believe it was death.

2 Q And --

3 A But I mean, I have been out of the state on  
4 vacation for the extreme -- or the entire month of October.

5 Q All right.

6 A And in that sense, I was removed from the --

7 Q All right, sir. And what -- when -- when was  
8 that penalty pronounced? Do you recall how recently?

9 A No, I do not.

10 Q All right. You are aware, however, of the  
11 verdict and the penalty having been imposed? The verdict  
12 of guilt and the penalty of death?

13 A Has the penalty been --?

14 Q Not imposed, but pronounced.

15 A Pronounced, yes, sir.

16 Q All right.

17 And has Charles Manson been in trial recently on  
18 any case?

19 A Well, it seemed like he's a -- as I recall, he's  
20 a defendant in the Shea-Hinman, et cetera, cases.

21 Q And what was the outcome on that case, as to  
22 Mr. Manson?

23 A I believe he was other than exonerated.

24 Q In other words, he was found guilty?

25 A Yes.

26 Q And he was found guilty of the murder of Gary  
27 Hinman?

28 A (Indicating affirmatively.)

1 Q You're nodding. The answer is "Yes"?

2 A Yes.

3 Q And he was found guilty of the murder of Shorty  
4 Shea?

5 A Yes.

6 Q And you read about this in the paper?

7 A Either the paper or the radio or television, I  
8 assume.

9 Q All right. And what penalty was pronounced by  
10 the jury that tried him?

11 A The same penalty as to his conviction on the --  
12 on the La Bianca case.

13 Q Are you guessing, now, or do you recall having  
14 seen anything about that?

15 A Well, having made that statement, I think it's  
16 more on that I know from reading or having heard than it is  
17 a guess.

18 So, I think it's factual.

19 Q Do you know where you heard that?

20 A No, I don't recall that. I think in the media,  
21 earlier, after I returned from my month's rest or vacation  
22 in the East; as of the last of October.

23 (Whereupon, the sound of pounding was heard  
24 from the area of the ceiling of the courtroom.)

25 MR. DENNY: Your Honor, I wonder, is there any way  
26 in which we can get that stopped, do you suppose?

27 THE COURT: I suppose. But it's intermittent. Perhaps  
28 we can get along without bothering them.

1 Q BY MR. DENNY: And who else has been tried  
2 recently for the murder of Gary Hinman -- or, strike that --  
3 for the murder of Shorty Shea?

4 A Other than -- what was his name? Watson? Is  
5 that the Texas -- I don't know.

6 Q Does the name Steve Grogan --

7 A I've heard that name, but I can't precisely  
8 tell you of -- what he's charged with or what have you.

9 Q All right.

10 A In all candidness.

11 Q If you are selected to try this case, you are  
12 going to be in a position where you are going to have to  
13 make a determination as to whether or not --

14 MR. DENNY: Your Honor, I think the juror is having  
15 trouble hearing me, with that banging, and I am having  
16 trouble communicating with him.

Ad fls.

Ad-1

1 THE COURT: Just wait until it stops, and go ahead and  
2 talk to him.

3 Q BY MR. DENNY: As I was saying, if you are seated  
4 as a juror, you are going to be in a position of making a  
5 determination as to whether or not Shorty Shea is actually  
6 dead; do you understand that?

7 A (Indicating affirmatively.)

8 Q You're nodding --

9 A Yes.

10 Q -- your head very slowly up and down. That means  
11 "yes," I take it?

12 A Yes. Yes, I'm sorry.

13 Q Now, sir, you have read, heard that a jury -- a  
14 jury sitting right where you are sitting -- has found that  
15 Shorty Shea is dead, and found that Charles Manson is  
16 responsible in some way for his death; do you understand that?

17 A Yes.

18 Q Now, sir, do you think that's going to affect,  
19 somehow, your deliberations on determining whether in fact  
20 Shorty Shea is dead?

21 A Well, in the absence of having been informed  
22 here today that the evidence was -- what have you -- I mean,  
23 it's circumstantial, that I don't think it would --

24 Q Well, let me interrupt.

25 A -- it would affect me so that I could be -- I  
26 could not be effective to one side or the other.

27 Q It would affect you to that extent?

28 A No, I don't think so.



1 Q It wouldn't affect you in any way?

2 A No.

3 Q Well, sir, you heard the judge, I believe, read to  
4 the assembled jurors -- I don't think you were in the box at  
5 the time; you were seated behind the rail -- the definition of  
6 evidence, both direct and circumstantial evidence.

7 Did you hear that?

8 A I don't recall.

9 Q I beg your pardon?

10 A I don't recall having heard that.

11 Q Well, I don't think it's a misstatement of what  
12 the judge read to you, to say that there are two types of  
13 evidence, direct and circumstantial; and both are accepted  
14 in court, and that a case may be proved by both direct and  
15 circumstantial or either direct or circumstantial.

16 A That's right.

17 Q And the People are going to try to prove this  
18 case -- they're going to try to prove that Shorty Shea is  
19 dead -- by circumstantial evidence, you see.

20 Now, you say you are aware that this was  
21 circumstantial, and you are aware that a judge -- that a jury  
22 has already found, through circumstantial evidence, that Shorty  
23 Shea is dead.

24 Now, with one jury already having found that, do  
25 you think you are going to be in a very good position -- when  
26 you know that -- do you think you are going to be in a posi-  
27 tion where it's going to be likely that you are going to  
28 argue -- "Well, that jury was wrong"?

1           A       Well, I am aware of the fact that you pose the  
2 question and I answer. But -- but it's incumbent upon you to  
3 prove otherwise, to what -- even though that's been said, that  
4 I, maybe, think about that.

5                   Do I make clear what I said?

6           Q       No.

7                   (Whereupon, a pounding was heard from the area  
8 of the ceiling of the courtroom.)

9           Q       BY MR. DENNY: Can you clarify what you said?

10          A       Well, I think the -- I mean, you made the -- I  
11 mean, you made the statement that the jury has proved, by me,  
12 that he -- what was it? But I said: It's incumbent upon you  
13 to prove that I don't recall that the fact that he hasn't,  
14 despite whatever the -- the decision on the part of the jury.

15          Q       Are you saying, sir, that that jury, having found  
16 that he was dead, that he was killed, and that Mr. Manson had  
17 something to do -- but the main thing being that that jury  
18 having found that he was dead and was murdered -- that it's  
19 then incumbent upon me to prove otherwise?

20          A       Well, wasn't that circumstantial evidence?

21          Q       Presumably so, sir. Let's assume that.

22                   Assuming that, and assuming the jury, based on  
23 circumstantial evidence, made that finding, is it your state of  
24 mind now that it is now incumbent upon me to prove to you that  
25 that jury was wrong?

26          A       No.

27          Q       Well, what is your state of mind in that respect,  
28 sir? Because I have not been able to follow your last two  
29 statements.

1 A (No response.)

2 Q Specifically, insofar as that -- your knowledge of  
3 the return of the finding of guilt of Charles Manson, of the  
4 murder of Dorothy Shea, how does that affect your state of mind,  
5 sir, as far as your responsibility as determining that issue  
6 in this case, or your ability to determine that issue in this  
7 case?

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8 A Well --

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1 THE COURT: Keep that mike up.

2 PROSPECTIVE JUROR NO. 5: I judge that I should, with  
3 no thought, except the finding of another jury, by the stress  
4 you are putting on that point.

5 Q BY MR. DENNY: That's what you feel at this time?

6 A Evidently, I interpret that that's what you are  
7 asking for.

8 Q No, sir. That's not what I am asking for.

9 I am merely asking whether that is in fact what  
10 you would intend to do.

11 A Well, prior to you having said that, and to the  
12 extent -- I mean, that I have followed the proceedings of the  
13 case or cases a little, I told you prior to this that in  
14 spite of the finding of the jury, that I would remember that  
15 it was circumstantial evidence.

16 I said that sometime -- some minutes ago.

17 Q Taking that as a starting point, the fact that  
18 it was circumstantial evidence upon which they returned that  
19 verdict, I have told you that you are going to be asked to  
20 make the same finding, based essentially on circumstantial  
21 evidence again.

22 Do you understand that?

23 A Yes.

24 Q All right. So you are going to be asked to  
25 find that Shorty Shea was killed, based on circumstantial  
26 evidence, the same as this other jury; do you understand  
27 that?

28 A Well, is it possible -- is it possible that some

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1 of the evidence may be -- or witnesses that may be in this  
2 precise trial may, to a degree, negate that?

3 Q Well, now, that's possible. That is possible.

4 In fact, I am reasonably certain that that may  
5 happen.

6 MR. KAY: Well, I will object to Mr. Denny's making  
7 that gratuitous comment, which is untrue.

8 MR. DENNY: Well, let me --

9 THE COURT: Yes, Mr. Denny. That --

10 MR. DENNY: Well, yes. Let me withdraw that statement,  
11 being properly reminded that I cannot try my case to you at  
12 this point.

13 Q But assuming that's so, assuming just what  
14 happened, what you have posited as a possibility does happen,  
15 you don't know the evidence that went on in that other case.

16 A That's right.

17 Q So you don't know whether the very same evidence  
18 is coming out in this case as came out in that case; you  
19 don't know whether the witnesses are going to tell the same  
20 story or not.

21 For all you know, the very same evidence may come  
22 in in this case that came in in the case that you know  
23 resulted in a finding of the killing of Shorty Shea.

24 You won't know if there's any difference. All  
25 you know is that another jury, based on what you understand  
26 to be circumstantial evidence -- and whatever quantum of it  
27 you don't know, has found that Shorty Shea did die, and  
28 did die by criminal means.

1 MR. KAY: Well, I'm going to object to that statement.  
2 I don't think that's even a question. I think Mr. Denny's  
3 just making a statement to Mr. Bramble.

4 MR. DENNY: Well, this is --

5 MR. KAY: I don't think he's asking him a question.  
6 I'll object to it on that ground.

7 MR. DENNY: That's preliminary to the question, your  
8 Honor.

9 MR. KAY: Well, I'd object to Mr. Denny making a  
10 statement.

11 THE COURT: I think it does assume some facts -- well,  
12 the objection is overruled.

13 If you understand it --

14 Have you gotten to the question yet?

15 MR. DENNY: I was just about to.

16 THE COURT: All right.

17 Q BY MR. DENNY: All right.

18 Now, Mr. Bramble, since you will not know the  
19 difference -- whether there is any difference in the evidence  
20 in this case, compared with the evidence in the Manson case,  
21 in which he was found guilty of the murder of Shorty Shea,  
22 do you feel it's going to, in some way, influence your  
23 ability to be truly partial, to know that another jury,  
24 sitting right in that box, has found that Shorty Shea was  
25 murdered?

26 MR. KAY: I think that Mr. Denny misspoke. I think  
27 he meant "impartial." He said "to be truly partial."

28 THE COURT: That's true. I think that if you --

1 MR. DENNY: Well, if I said --

2 THE COURT: -- shorten your questions to Mr. Bramble,  
3 you would have better results.

4 Q BY MR. DENNY: Do you understand my question,  
5 sir?

6 A Uh -- yes. But -- I mean, as I say, I'm not  
7 familiar with these proceedings; and I trust, if I am, I  
8 will be told -- am I out of order? -- but the question you  
9 posed to me was speculative.

Af fls.

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1 Q Hold the microphone, please.

2 A It was hypothetical. You said "if this."

3 Q Well, you see, we have to put some hypothetical  
4 questions to you in this process, because only you know what  
5 may go on in your head, --

6 A Yeah.

7 Q -- what may go on in your gut, as a reaction to  
8 evidence.

9 Do you see? And we are trying to find out that  
10 right now. This is the time when we try to find, in a hypo-  
11 thetical way, what may go on in your head. Do you see?

12 Now, when you are called upon to judge the  
13 evidence --

14 THE COURT: Let's take a recess.

15 Mr. Kuczera, --

16 THE BAILIFF: Yes, sir?

17 THE COURT: -- will you go up and handcuff that man with  
18 the hammer?

19 THE BAILIFF: Yes, sir.

20 THE COURT: We will recess in this matter. Let's go  
21 ahead with Mr. --

22 MR. DENNY: For what period of time, your Honor?

23 THE COURT: Ten minutes. We are in recess.

24 MR. KAY: Your Honor, may the juror be excused to go  
25 out in the hall and get --

26 PROSPECTIVE JUROR NO. 5: Well, when you say I'm  
27 excused, do you mean I am finished?

28 THE COURT: During the recess, you are admonished not to



AF-2

1 converse amongst your fellow jurors -- or with your fellow  
2 jurors or with anyone.

3 PROSPECTIVE JUROR NO. 5: But I return here, your Honor,  
4 I mean?

5 THE COURT: Yes.

6 MR. KAY: In ten minutes.

7 PROSPECTIVE JUROR NO. 5: Thank you.

8 THE COURT: Don't form or express any opinion on the  
9 matter until it is finally submitted to you, should you be  
10 chosen.

11 (Mid-morning recess.)  
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1 THE COURT: All right. The record will show that both  
2 counsel are present. Mr. Davis is present. Mr. Bramble is  
3 present.

4 Do you wish to proceed, Mr. Denny?

5 Mr. Bramble, are you feeling well? I notice  
6 that you move rather slowly.

7 JUROR NO. 4: It's just my natural move, your Honor.

8 THE COURT: Do you wish to raise that microphone.

9 JUROR NO. 4: It is just my natural move, your Honor.

10 THE COURT: You haven't been taking any medication or  
11 anything of that nature?

12 JUROR NO. 4: No.

13 THE COURT: Go ahead.

14  
15 VOIR DIRE EXAMINATION (Continued)

16 BY MR. DENNY:

17 Q Mr. Bramble, maybe we can return to the matter we  
18 were discussing concerning your ability to put out of your  
19 mind the knowledge you have that one jury has already  
20 determined that Shorty Shea is dead and that Shorty Shea was  
21 murdered.

22 Now, do you think that you, in determining that  
23 issue in this case can completely put that out of your mind,  
24 that knowledge that you now have about the other jury verdict?

25 A I would not be able to put it out of mind in the  
26 most literal sense. I mean, I heard it. But, I mean, for all  
27 practical reasons I could if there was evidence and what have  
28 you that would bring about the lessening of the belief.

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1 Q In other words, it would take some evidence  
2 produced in this court -- well, let me strike that.

3 In your opinion it would be necessary for the  
4 defense to produce some evidence to lessen that effect in  
5 your deliberations, is that correct, to show that jury was  
6 wrong, that he didn't die, that he wasn't killed, that he  
7 wasn't murdered?

8 A I guess it is a matter of degree, but I would say  
9 yes.

10 MR. DENNY: All right, I'll challenge the juror under  
11 1073, Subdivision 2, and 1076.

12 THE COURT: Do you wish to be heard?

13 MR. KAY: May I ask Mr. Bramble a question?

14 THE COURT: Yes.

15  
16 VOIR DIRE EXAMINATION

17 BY MR. KAY:

18 Q Mr. Bramble, if you were instructed by Judge  
19 Choate that you were to completely disregard the prior jury's  
20 verdict; in other words, you make your verdict solely on the  
21 evidence that you hear in this courtroom, could you do that?

22 A Yes.

23 Q No doubt about that in your mind?

24 A That's right.

25 Q And you could completely disregard that prior jury  
26 verdict and judge Mr. Davis, his guilt or innocence, solely  
27 on the evidence you hear in this courtroom?

28 A Yes.

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1 MR. KAY: I have no questions, no further questions.

2 MR. DENNY: I'll renew the challenge, your Honor.

3 THE COURT: Well, I think Mr. Bramble is a very well-read  
4 man concerning the events surrounding Mr. Manson and the Manson  
5 Family, and possibly this case, and I think he's been somewhat  
6 frank in stating that he can't put those matters out of his  
7 mind in answering the way he has answered Mr. Denny's last  
8 question.

9 Accordingly, the Court would grant the challenge.

10 Thank you, Mr. Bramble.

11 All right, let's move on to the next juror, Cano.

12 Come forward, Mr. Cano, please.

13 You may be seated in that seat where the microphone  
14 is, if you would, please.

15 JUROR NO. 6: Yes, sir.

16

17

VOIR DIRE EXAMINATION OF

18

YGNACIO CANO

19

BY THE COURT:

20

Q Mr. Cano, we're interested in knowing whether  
21 you've heard of this case before?

22

A No, I have not.

23

Q Have you ever heard of Bruce Davis before?

24

A No, I haven't.

25

Q You've heard of Charles Manson?

26

A Yes.

27

Q And have you heard the name or phrase Manson Family?

28

A Yes.

1-4

1 Q What does that mean to you?

2 A Well, to me it only mean what the name imply. It  
3 was just like a family, living together or joining together.

4 Q A group of people that lived together or stayed  
5 together?

6 A Yes, sir. That is correct, sir.

7 Q And did you -- have you read anything about Charles  
8 Manson in the last month?

9 A No, I have not.

10 Q Have you heard any news reports via radio or  
11 television concerning Mr. Manson in the last month?

12 A No. No, sir.

13 Q Have you heard the name Gary Hinman before I  
14 mentioned it in the indictment?

15 You recall I read the indictment to the entire  
16 jury panel and I mentioned the name Gary Hinman and I also  
17 mentioned the name Shorty Shea?

18 A Yes, sir, I heard of them.

19 Q Before I did that on Monday, had you heard that  
20 name Gary Hinman?

21 A Yes, I had.

22 Q Had you heard the name -- in what connection had  
23 you heard it?

24 A Oh, well, through a conversation with my son.

25 Q I see.

26 A And my family.

27 Q What did you and your son talk about in connection  
28 with the name Gary Hinman?

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1 A Well, the only thing they said, it was some -- some  
2 other thing coming out on the case of the Manson Family.  
3 That's about it.

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1 Q Well, whom do you know Gary Hinman to be, from what  
2 you have learned about him?

3 A I never did learn anything about him, except his  
4 name; that was all.

5 Q I see. You don't know whether he was a victim --

6 A No.

7 Q -- or whether he was a member of the Manson Family?

8 A No.

9 Q -- or anything of that nature?

10 A No, not at all.

11 Q What about the name Shorty Shea?

12 A Yes, I heard his name, too.

13 Q What have you heard about that name?

14 A The only thing I heard about that name was that he  
15 was a -- a movie actor at one time, and that he had been --  
16 had disappeared, and they were looking for him.

17 Q I see. Now, if I were to ask you -- if I were  
18 to instruct you that you were to forget anything -- not forget,  
19 but set aside, for the purpose of acting as a juror in this  
20 case -- anything that you now remember, from the publicity  
21 media, --

22 A Yes.

23 Q -- the television, radio, news articles or anything  
24 that you may have heard from your son or anyone else --

25 A Yes.

26 Q -- concerning Mr. Davis, Mr. Manson, Mr. Shea,  
27 Mr. Hinman, could you set such matters aside and make a  
28 decision in this case based solely on the evidence and the

2-2  
1 Court's instructions of law?

2 A Yes, I'm positive I can.

3 Q And will you do that?

4 A Yes.

5 Q And will you be fair and impartial in this case?

6 A Yes.

7 Q And are you certain of your ability to set aside  
8 anything you may have heard --

9 A Yes.

10 Q -- and decide this case independently of anything  
11 that you may have heard?

12 A Yes, I am.

13 THE COURT: Mr. Denny?

14 MR. DENNY: Thank you, your Honor.

15  
16 VOIR DIRE EXAMINATION

17 BY MR. DENNY:

18 Q Mr. Cano, --

19 A Yes, sir.

20 Q -- do you regularly subscribe to any newspaper?

21 A No. The only paper we subscribe to is a  
22 Catholic news monthly -- weekly magazine. It's called  
23 "Tidings."

24 Q You say "we subscribe."

25 A We, in our home.

26 Q All right. And when you say that you have  
27 discussed Gary Hinman or heard of Gary Hinman through  
28 conversations with your son, and your family, does your son



1 live with you?

2 A No. His family. My daughter-in-law and him and  
3 my wife. It was only a discussion, that just happened to pop  
4 up in about a couple of minutes.

5 Q Just happened to pop up?

6 A Yes, just happened to pop up, you know, in the  
7 conversation.

8 Q Has this been recent, sir?

9 A No, this has been quite a long time ago, sir.

10 Q Do you remember about how long ago you had the last  
11 discussion?

12 A Oh, I don't recollect the exact time, but it's  
13 been about a couple of months, I guess.

14 Q And do you know if that was in relationship to any  
15 trial --

16 A No.

17 Q -- that was going on?

18 A No, none whatsoever. It was just a case that  
19 something else had developed, and this -- and this thing that  
20 had been gone -- that had been going on, and that's all; nothing  
21 else.

22 Q Well, that's what I'm trying to get at, you see.  
23 It was a case that something else had developed in the trial  
24 that was going on?

25 A No trial that I know of. No trial mentioned at  
26 all.

27 Just something that had come up, during a conversa-  
28 tion, that had developed somewhere -- well, to me, it was just

1 names, --

2 Q I see.

3 A -- nothing else.

4 Q Does the phrase "Musician Gary Hinman" --

5 A Yes.

6 Q -- ring a bell?

7 A Yes. I remember him being a musician, yes.

8 Q And do you recall any more about who Gary Hinman  
9 might have been, with that sort of nickname attached to it,  
10 "Musician Gary Hinman"?

11 A Well, the only thing that I attached to it -- and  
12 my son attached to it -- is that he's also a musician. That's  
13 why it come up.

14 But that's why the name, you see, has come out;  
15 and it was -- the name of Hinman come out. But that was just--

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1 Q Well, can you recall what conversation you and  
2 your son --

3 A Well --

4 Q -- and his family had?

5 A I guess it was kind of a joke, in a way, on my  
6 part to him.

7 Q What was that?

8 A I said, "Well, I hope you have a better sense of  
9 music than -- you don't get into trouble on account of it."

10 So, we just dropped it there. That was all.

11 Q I see. And I think you mentioned to the judge  
12 that you don't know what connection Gary Hinman had with  
13 Mr. Manson --

14 A No, none whatsoever.

15 Q -- or -- all right, sir.

16 Now, insofar as your knowledge of Shorty Shea,  
17 you did say he was a movie actor at one time, you believed.  
18 And "he disappeared, and they're looking for him."

19 A Yes. I remember that particular part in the  
20 newspaper; and at the time --

21 Q Do you remember about how long ago it was?

22 A Oh, it's been quite a few -- about a year or more,  
23 I guess.

24 Q And do you remember a -- specifically, what  
25 steps were taken, according to what you read, to try to find  
26 this gentleman?

27 A Well, I read that -- that he was in a ranch  
28 somewhere out in the -- the City of L. A.; and that they

2a-2

1 were looking around for him, or -- or traces of him or what.  
2 That's as far as I remember.

3 And I didn't hear any more.

4 Q You haven't heard any more recently?

5 A No, I haven't heard any more recently.

6 Q Or talked with your son?

7 A No, I haven't talked to my son about that or  
8 anything like that any more.

9 Q By the way, your son is not in any way personally  
10 connected with Gary Hinman, --

11 A None whatsoever.

12 Q -- to your knowledge?

13 A No, none whatsoever.

14 Q Other than the general --

15 A The general atmosphere of music.

16 Q Of music?

17 A That's right.

18 Q Okay. And based on what you've read, as you  
19 now say, something over a year ago or something, --

20 A Yes.

21 Q -- do you have a feeling, as you sit there now,  
22 that Shorty Shea probably is dead?

23 A I have no idea or comment to make on that,  
24 because -- well, like everybody says, I heard -- it's a  
25 mystery.

26 Q It's -- I didn't get that.

27 A It's a mystery.

28 Q Oh, a mystery. All right. Fine.

2a-3

1 Now, had you heard anything about the Tate and  
2 the La Bianca murders?

3 A Yes, I did hear something about it, when they  
4 were first developing.

5 Q And did you follow anything about the trial of  
6 the defendants in that case?

7 A No. I never have followed anything on the trial  
8 at all; just --

9 Q You don't know what the outcome of that case was?

10 A Well, you mean the disposition of the trial over  
11 there?

12 Q Yes.

13 A Yes, I did remember that it was -- the death  
14 penalty on two counts or something like that.

15 Q All right. And do you have any feelings, now,  
16 as you sit there, that the Manson Family, as it's been  
17 called in the papers --

18 A Um-hmm.

19 Q -- or anybody connected with it has got to be  
20 some sort of evil person?

21 A No, none whatsoever.

22 Q Or that this is an inherently evil group?

23 A No.

24 Q And if it's shown by the evidence in this case  
25 that Mr. Davis was associated with Mr. Manson in that group,  
26 do you feel, from what you've read and heard about things --  
27 other things in connection with Mr. Manson and the group, --

28 A Yes.

1 Q -- that that would sort of influence your think-  
2 ing about Mr. Davis?

3 A No. No, sir.

4 Q So that you couldn't be fair in determining --

5 A No, I could be fair.

6 Q -- in determining whether he's guilty or inno-  
7 cent?

8 A No, I could be fair.

2b fls.

2b-1

1 MR. DENNY: I think you can. Thank you, sir.

2 PROSPECTIVE JUROR NO. 6: Thank you.

3 MR. KAY: I have no questions, your Honor.

4 THE COURT: Thank you, Mr. Cano.

5 Will you return to the group out in the hallway,  
6 then, please, Mr. Cano? And we'll ask that another juror  
7 come in -- whom I believe is Miss Andreasen.

8 THE BAILIFF: Yes, your Honor.

9 THE COURT: We will be calling you back later.

10 PROSPECTIVE JUROR NO. 6: Thank you. Thank you.

11 THE COURT: Miss Andreasen, you may take that seat  
12 where the microphone is, if you would, please.

13 You are prospective juror No. 9.

14  
15 VOIR DIRE EXAMINATION OF

16 MRS. KATHERYN ANDREASEN

17 BY THE COURT:

18 Q The Court wishes to know from you whether you  
19 have heard, seen or read anything about this case, prior to  
20 the time that you came to the courtroom on Monday, and the  
21 Court read the indictment to you?

22 A No, I never followed the case very closely,  
23 except for what I saw in the headlines in the papers.

24 Q I see. You have heard about the case before,  
25 then, through reading the headlines?

26 A Yes.

27 Q And have you heard Mr. Davis' name before?

28 A No, I never had.

1 Q Well, then, what you are referring to is some-  
2 thing involving Mr. Manson?

3 A Yes.

4 Q Do you know that Mr. Manson was prosecuted for  
5 something in these courts?

6 A Yes, I do.

7 Q And what do you know or believe that he was  
8 prosecuted for?

9 A I believe he was prosecuted for murdering some  
10 people.

11 Q Yes. Which people? What people?

12 A Sharon Tate.

13 Q You are talking about the Tate-La Bianca murders?

14 A Yes, uh-huh.

15 Q And do you know anything about the Manson Family,  
16 from what you've heard, seen or read?

17 A No. Because I never followed it very closely.  
18 I wasn't too interested in it.

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

20 A Well, as I -- the little that I have read about  
21 it, it's a group of people that were with him, and --

22 Q With Mr. Manson?

23 A Yes, as followers of some sort.

24 Q I see. Now, if a person were a member of the  
25 Manson Family, if the evidence were to show that, would you,  
26 from what you've read, have developed such a prejudice  
27 against such a person that you couldn't be fair and  
28 impartial in determining the issues that might be presented



1 in a trial involving that person?

2 A Well, your Honor, I have never followed it  
3 very closely. I don't know too much about it.

4 Q Do you think you could be fair and impartial  
5 in spite of the fact that you may have read something about  
6 the Manson Family that was not complimentary to them?

7 A Well, yes, I could. Because as I say, I have  
8 never followed it closely.

9 Q Well, do you read a newspaper daily?

10 A Yes.

11 Q What newspaper do you read?

12 A Well, I usually get the Herald-Examiner on the  
13 way home from work.

14 Q And do you read -- have you read any magazines  
15 or books about Charles Manson or the Manson Family?

16 A No, I have not.

17 Q Do you watch television news programs regularly?

18 A Not very often.

19 Q Not as a regular thing?

20 A No.

21 Q How about radio news programs?

22 A Very seldom.

23 Q Have you heard the name Steve Grogan?

24 A No, I have not.

25 Q Have you heard the name Bobby Beausoleil?

26 A No.

27 Q If I were to instruct you were not to allow  
28 any matters that you might have discussed with anyone --

1 friends or relatives -- concerning Mr. Manson or Mr. Davis,  
2 or this case or any cases which Mr. Manson might have been  
3 involved, that you are not to allow those discussions nor  
4 anything that you may have heard, seen or read in the news  
5 media about the same matters to enter into your judgment in  
6 deciding any issue in this case, do you think you are a person  
7 who is capable of doing that?

8 A Yes, I do.

9 Q Can you set aside such matters -- not forget them,  
10 because it may be too difficult to forget them -- but can you  
11 set them aside for the purpose of acting as a juror in this  
12 case, and be fair and impartial?

13 A Yes, I think I can.

14 Q And can you decide any issue that might be  
15 presented to you independently of such matters?

16 A Yes.

17 Q And will you do that?

18 A Yes, I would.

19 Q And can you be fair and impartial in this case?

20 A I believe I can.

2c fls.

2c-1

1 Q Are you expressing any doubt when you say "I  
2 believe"?

3 A No.

4 Q Or does that mean an affirmative, strong "yes"?

5 A Yes, uh-huh.

6 THE COURT: All right. Mr. Denny?

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

8

9 VOIR DIRE EXAMINATION

10 BY MR. DENNY:

11 Q Mrs. Colvin -- Mrs. Andreassen; I'm sorry. I have  
12 done that twice, now, getting the wrong people here.

13 May I have just a moment, your Honor?

14 THE COURT: Yes.

15 Q BY MR. DENNY: Did you follow the news somewhat,  
16 when the Tate murders first broke?

17 A At the very beginning, yes.

18 Q All right. Did you follow any news of the trial of  
19 that case?

20 A No, I did not.

21 Q All right. Now, was this sort of a general  
22 aversion to news of that kind, to news of murder, et cetera?

23 A Not in particular. Mainly because it was the  
24 headlines in the paper, more or less. It's the first thing  
25 you would glance at.

26 Q No. But I am -- perhaps I've used the wrong word.

27 The fact that you did not continue to read about  
28 this, was this because things of this kind are just distasteful

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1 to you?

2 A Not distasteful. I just wasn't interested; that's  
3 all.

4 Q All right. And have you noted, in the Herald-  
5 Examiner -- which apparently has covered Mr. Manson and his  
6 activities at quite some length -- stories from time to time  
7 about trials going on in which Mr. Manson is a participant?

8 A I have read about them, yes.

9 But as I say, I have never followed definitely the  
10 whole course of any trial.

11 Q Oh, yes. There was an escape, recently, in which a  
12 headline headlined in the Herald-Examiner: MANSON FOLLOWER  
13 ESCAPES.

14 Did you see that?

15 A Yes, I did.

16 Q And did you read that story?

17 A No, I didn't pay very much attention to it.

18 Q All right. Have you continued, in the last several  
19 months, to fairly regularly read the Herald-Examiner?

20 A Yes.

21 Q And have you noted, from time to time, stories  
22 about a trial going on, in which Charles Manson was a defendant?

23 A I suppose I have. But I really -- as I say, I  
24 didn't pay too much attention to it. I -- I just glance at the  
25 paper, more or less.

26 I don't sit down and read it from cover to cover.

27 3 fols.  
28

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1 Q Well, have you seen any headlines in that paper  
2 that caught your eye within the last month or so concerning --

3 A No.

4 Q -- Charles Manson?

5 A No.

6 Q Or any trial in which he is a party?

7 A No, I didn't pay any attention to it.

8 Q All right. And when you say the Manson Family  
9 was a group of people who were with him, do you know anything  
10 more about the Manson Family as it has been called in the  
11 newspapers?

12 A No, I do not.

13 Q Do you have any feelings as you sit there about  
14 those people who were involved with Mr. Manson in this so-  
15 called Family organization?

16 A No, I don't. I just don't have any feelings for  
17 them at all. I just don't understand people that, as a group  
18 like that that are together and their reasons for doing their  
19 particular things, but I really formed no opinion on it, what-  
20 soever.

21 Q Well, do you, based again on what you heard or  
22 read about them, do you have any strong feelings of disapproval?

23 A No, I don't.

24 Q Just sort of standoffish bewilderment sort of?

25 A Well, it is not bewilderment. It is just I  
26 wasn't interested, that's all.

27 Q All right.

28 If the evidence in this case shows that Mr. Davis

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1 has been involved with this group called the Manson Family,  
2 as they say, would you feel some antipathy towards him, some  
3 antagonism towards him for having been associated with that  
4 group?

5 A No, I don't think so. I feel it would be his  
6 own business.

7 Q All right. The mere fact, then, if that be a  
8 fact, that he was associated with them, wouldn't influence  
9 you one way or -- well, wouldn't influence you -- I'll have  
10 to take that back.

11 I think I have no further questions of this juror.

12 MR. KAY: We have no questions.

13 THE COURT: All right, Mrs. Andreassen, the Court will  
14 excuse you.

15 JUROR NO. 9: Thank you.

16 THE COURT: And allow you to go back to the hallway  
17 with your fellow prospective jurors.

18 We want Mr. DeLoach in now.

19 That moved along fast.

20 Mr. DeLoach, you may be seated at the chair where  
21 the microphone is, if you would, please.

22

23 VOIR DIRE EXAMINATION OF

24 TOMMY DeLOACH

25 BY THE COURT:

26 Q Mr. DeLoach, we want to know from you whether you  
27 have ever heard of this case, heard, seen or read of this  
28 case before, this case involving Mr. Davis?

3-3

1 A No, I haven't.

2 Q Have you ever heard Mr. Davis's name before?

3 A No.

4 Q Now, before I read to you -- excuse me -- the

5 indictment on Monday, had you ever heard the name Gary Hinman?

6 A No, I haven't.

7 Q Or Shorty Shea?

8 A No.

9 Q Have you heard, seen or read that name in any way?

10 A No, huh-uh.

11 Q You have heard the name Charles Manson?

12 A Yeah, I heard it.

13 Q And in what connection had you heard Manson's

14 name?

15 A Well, I heard it over the news.

16 Q Over the news?

17 A Uh-huh.

18 Q And what about the names? What did the news

19 reveal to you about Mr. Manson?

20 A Well, I really didn't pay it no attention, you

21 know.

22 Q Pardon?

23 A Like, you know, you're driving along, you listen to

24 a radio station, and they cut in with the news.

25 Q Well, do you know generally, can you tell us

26 generally what you heard about Mr. Manson?

27 A Well, I heard about the killing.

28 Q Oh, it was the Tate-LaBianca killings that you

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1 heard about Mr. Davis?

2 A No.

3 Q Just in connection with Mr. Manson?

4 A Just that one.

5 Q What does the name Manson Family mean to you?

6 A Nothing.

7 Q Well, doesn't it have any connotation to you at  
8 all? Are they a basketball team, a hockey team, a baseball  
9 team or dance act?

10 A No. You know, I just never give it no thought,  
11 you know. I mean --

12 Q Well, the Manson Family, have you heard that  
13 phrase?

14 A I've heard the phrase. I'd just say it is a group  
15 of people, you know.

16 Q Group of people who associate with Mr. Manson?

17 A Yeah, uh-huh.

18 Q If it should develop that Mr. Davis was one of  
19 those so-called members of the Manson Family, from what you have  
20 read, heard or seen, would you have such prejudice against him  
21 or any person who is associated with Mr. Manson that you could  
22 not give him a fair trial?

a fols.

23 A No, I wouldn't.

24

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3-a  
pg. 1

1 Q Can you be fair and impartial in this case in spite  
2 of what you have read; heard or seen concerning Mr. Manson?

3 A Yes, uh-huh.

4 Q Have you ever heard the name Gary Hinman? I don't  
5 know whether I asked you this before. I guess I did.

6 A No, you never asked me that before.

7 Q Have you ever heard the name Gary Hinman before?

8 A No, huh-uh.

9 Q Now, if something should come to your mind that you  
10 have heard, seen or read concerning this case and Mr. Manson or  
11 Mr. Davis, do you think that you could set that aside? Not  
12 forget it, but set it aside, together with anything else that  
13 you may now remember about Mr. Manson, Mr. Davis or this case  
14 from the news media, from what you have heard, seen or read?

15 A Yeah.

16 Q Could you set it aside?

17 A Yes, I could.

18 Q Could you, acting as a juror, could you act  
19 independently of such matter and decide this case only from the  
20 evidence that's received here in court and the Court's  
21 instructions of law?

22 A Yes, I could.

23 Q Will you do that?

24 A Yeah, I would.

25 Q Will you be fair and impartial in the case?

26 A Yes.

27 THE COURT: Mr. Denny.

28 VOIR DIRE EXAMINATION

29 BY MR. DENNY:

3a-2

1 Q Do you subscribe to any paper, sir?

2 A No, I don't even take papers.

3 Q Do you occasionally read a newspaper of any kind?

4 A Sports.

5 Q Sports section?

6 A Yeah.

7 Q Of what paper?

8 A Well, I used to play the horses so I used to buy

9 the Los Angeles Times and the Herald-Examiner just to get the

10 sports out of it.

11 Q And do you regularly watch any kind of TV news

12 program at all?

13 A No.

14 Q Do you watch TV?

15 A I watch TV, but, see, I work nights so I don't

16 get to look at the news too often.

17 Q Do you drive to and from work?

18 A Yeah.

19 Q Do you listen to the radio when you're driving?

20 A Yeah.

21 Q Do you listen to the music station?

22 A Just KGFJ.

23 Q Just what?

24 A Music station.

25 Q Did you say KPF --

26 A KGFJ.

27 Q KGP --

28 A KGFJ.

3a-3

1 Q Have you talked with anybody at all at any time  
2 about Charlie Manson or the Tate-LaBianca killings?

3 A No, I've heard people discussing it but I don't  
4 ever take part in it.

5 Q This is at work?

6 A Yeah, but that was a long time ago. I couldn't  
7 remember, you know.

8 Q But at the time there was a lot of publicity about  
9 this, you heard your fellow employees at the post office  
10 talking about it?

11 A Yeah, the guys talking about --

12 Q You say you never joined in, you just listened?

13 A Well, I never listened too much, just -- it didn't  
14 interest me too much.

15 Q Did you know what the outcome of that particular  
16 trial was?

17 A Uh --

18 Q The verdict or the penalties?

19 A No, I don't.

20 Q And have you heard anything recently, either over  
21 the news or from friends or from fellow jurors while you're  
22 sitting in the jury room waiting to be sent out concerning any  
23 trial of Charlie Manson going on during the last couple of  
24 months?

25 A I think I heard someone say his trial was in here  
26 the other day sometime.

27 Q What -- was this from one of your fellow jurors?

28 A Yes, somebody in there (indicating).

3a-4

1 Q And do you recall what they said about that trial  
2 or what the trial was for?

3 A No. They had some TV cameras somewhere out there  
4 and they say it must have been the Manson Family trial he was  
5 having.

6 Q That was on Monday, when you were first here?

7 A I think it was Monday, yeah.

8 Q Was there some scuttlebutt going around at that  
9 time as to what was happening in connection with Mr. Manson?

10 A No. I heard, I think one of the ladies, say just  
11 there was a lot of TV cameras out there. They think -- they  
12 thought that was what it was, the Manson case.

13 Q Did they say what was happening in the Manson case  
14 at that time?

15 A Oh, no, huh-uh.

16 Q Did you --

17 A They say -- they didn't know for sure themselves.  
18 They said it must have been the Manson case, the trial was  
19 going on at that time.

20 Q But do you know what he was being tried for?

21 A Well, I assume he was being tried for murder.

22 Q Beg pardon?

23 A I assume he was being tried for the murder that  
24 they say he committed in Hollywood out there.

25

26

27

28

3b fol

3b-1

1 Q Which murder?

2 A The Tate case.

3 Q I see.

4 And to your knowledge has anybody yet been tried  
5 for the murder of Gary Hinman?

6 A No, I don't know about that.

7 Q Or do you know if anybody has yet been tried for  
8 the alleged murder of Shorty Shea?

9 A No, I don't.

10 MR. DENNY: I have no further questions.

11 THE COURT: Gentlemen?

12 MR. KAY: We have no questions.

13 MR. DENNY: Oh, your Honor, may I have one further point  
14 of inquiry?

15 THE COURT: Yes.

16 BY MR. DENNY:

17 Q Sir, have you heard anything among your fellow  
18 workers at the time that there was all this conversation  
19 that you overheard about Charlie Manson, about his feelings  
20 toward black people?

21 A No, huh-uh.

22 Q Do you have any knowledge at all about any  
23 information?

24 A No, I wouldn't know how he feels about black  
25 people.

26 Q Or about white people?

27 A No, I don't.

28 Q Or about yellow people?

3b-2

1 A No, I don't know nothing about him, you know.

2 MR. DENNY: Okay, I have no further questions.

3 THE COURT: Thank you, Mr. De Loach.

4 Would you get Mrs. Colvin and, Mr. De Loach,  
5 would you return to the group in the corridor, please.

6 MR. DENNY: Your Honor, are we going to have time to  
7 question her?

8 THE COURT: Pardon?

9 MR. DENNY: Are we going to have time to question her  
10 before the noon recess?

11 THE COURT: Maybe not. It is a couple of minutes of  
12 12:00. Let's go ahead, though, and take her.

13  
14 VOIR DIRE EXAMINATION OF

15 MRS. BERNICE COLVIN

16 BY THE COURT:

17 Q Mrs. Colvin, would you be seated where the  
18 microphone is.

19 The Court wishes to know from you whether you  
20 have previously heard about this case via the press, the  
21 radio or television or by any other means other than what  
22 I have told you in the indictment?

23 A You mean just within the last few days?

24 Q Other than what I have told you in reading the  
25 indictment, have you heard anything about this case?

26 A Yes, I think quite sometime ago I read something  
27 in the paper about it.

28 Q Concerning these two alleged homicides?

3b-3

1 A I really can't remember this fellow's name at all.

2 Q Mr. Davis? Are you speaking of Mr. Davis?

3 A I just can't remember his name at all.

4 Q You can't remember that he was involved?

5 A No.

6 Q Have you heard the name Hinman before?

7 A Yes.

8 Q Gary Hinman?

9 A Yes.

10 Q And what have you heard about him?

11 A Well, I knew he was killed.

12 Q Have you heard the name Shorty Shea?

13 A Yes.

14 Q And what have you heard about him?

15 A That they thought he was also killed. I don't --

16 Q Have you heard the name Manson Family?

17 A Surely.

18 Q What does that mean to you?

19 A It means, uh, Mr. Manson and his followers were

20 involved in that, uh, bizarre affair out in the --

21 Q Are you talking about the Tate-La Bianca trial

22 and those killings?

23 A Yes.

24 Q Have you heard that anyone has heretofore been

25 prosecuted for these two killings that are alleged here,

26 the Shea and Hinman killings?

27 A No.

28 Q What -- those killings that you are referring to,

3b-4

1 then, are some of those killings that I have referred to as  
2 Tate-La Bianca?

3 A Yes, sir.

4 Q Do you know what Spahn Ranch -- what does Spahn  
5 Ranch mean to you?

6 A I think it was -- it is a deserted movie set,  
7 if I recall.

8 Q Does it have any connection in your mind with the  
9 Manson Family or the Manson group?

10 A Yes.

11 Q Do you read a newspaper daily?

12 A Oh, not daily. No, sorry.

13 Q How about television and radio?

14 A Yes, I usually watch the news on television.

15 Q As a matter of habit you usually watch it?

16 A 6:00 o'clock news usually.

17 Q How about radio, radio report?

18 A Yes.

19 Q How do you hear those, driving to and from work?

20 A In the morning before we leave for work.

21 Q If I were to instruct you -- if the Court were  
22 to instruct you that you were not to allow any matters  
23 that you have discussed with anyone or any matters that you  
24 may have heard, seen or read from the news media concerning  
25 Mr. Davis, this case, Mr. Manson to enter into any judgment  
26 that you might be called upon to make as a juror in this  
27 case, would you be capable of doing that?

28 A I believe I would.



1 Q Are you expressing any doubt when you say "I  
2 believe"?

3 A Well, I am quite sure -- I mean, as sure as I --

4 Q In other words, you would be required by this  
5 instruction not to forget what you've read, heard or seen,  
6 but to set it aside for the purpose of acting independently  
7 as a juror?

8 A I see.

9 Q In determining the case therefore by the  
10 instructions of law that I give you and the evidence that's  
11 produced in this court only?

12 A I see.

13 Q In other words, forgetting for the moment or  
14 setting aside for the moment and during the course of your  
15 jury duties anything that you may have heard, seen or read;  
16 do you understand?

17 A Yes.

18 Q And is it your firm belief that you can do that?

19 A Yes, sir.

20 Q And will you do that?

21 A Yes, sir.

22 Q And can you be fair and impartial in --

23 A I think I can.

24 THE COURT: All right, we'll resume at 2:00 o'clock.  
25 You are excused until 2:00. Don't discuss this case with  
26 anyone. Don't form or express any opinion on the matter  
27 until it is finally submitted to you.

28 We'll see you at 2:00 o'clock.

(Whereupon, at 12:05 o'clock p.m. the noon  
recess was taken, the herein proceedings to  
be resumed at 2:00 o'clock p.m.)

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1 LOS ANGELES, CALIFORNIA, WEDNESDAY, DECEMBER 1, 1971, 2:15 P.M.

2  
3 THE COURT: The record will show the defendant is  
4 present; Mr. Denny for the defendant, and Mr. Kay for the  
5 People.

6 I think the Court had concluded with any questions  
7 of Mrs. Colvin. You may proceed, Mr. Denny.

8  
9 VOIR DIRE EXAMINATION OF  
10 BERNICE COLVIN

11 BY MR. DENNY:

12 Q All right. Mrs. Colvin, I note in the little  
13 scratchings I made while you were answering the judge, you  
14 talked about your concept of the Manson Family, and I think  
15 your response was something about the fact that -- "Well,  
16 they were involved in that bizarre affair out in --" and then  
17 you tailed off.

18 A Out in the canyon, I think it was in -- wasn't it?  
19 Something in a canyon?

20 Q Yes. And your description of the bizarre affair  
21 is certainly appropriate, I think.

22 From what point did you start reading news  
23 reports of those crimes, --

24 A The next day.

25 Q -- right from the start?

26 A Yeah, uh-huh. Right from the start.

27 Q And did you more or less follow that, --

28 A For several days.

1 Q -- as it unfolded?

2 A Yes.

3 Q And of course, it went on, as far as the publicity  
4 and the trial and all of that, for a good deal more than  
5 several days. More than a year, in fact.

6 Did you follow it kind of off and on, through --

7 A Just off and on, yes.

8 Q As something would hit the headlines or so, you'd --

9 A Yes.

10 Q -- read the headlines and perhaps the story below?

11 A Right.

12 Q And follow it as it made the news on radio or TV?

13 A Yes, sir.

14 Q And do you know the outcome of that trial?

15 A Well, I really honestly can't say. It seems that  
16 the -- there have been several. In the back of my mind, it  
17 seemed like there have been several. In the back of my mind,  
18 it seemed like there have been several trials; and I just --  
19 that I didn't follow it that closely.

20 Q Well, that's sort of interesting, because we are  
21 again interested in what you know about several trials.

22 Do you have any specific knowledge as to what  
23 trials have been going on, in which Manson Family members, as  
24 we use that term, have been involved?

25 A Well, it seems like Manson's been on trial several  
26 times, as I recall, and --

27 Q When is the most recent time that you recall?

28 A I just don't remember.

1 Q Well, have you heard, read or seen anything in the  
2 last couple of months pertaining to Manson --

3 A Yes.

4 Q -- being on trial?

5 A Yes, I think I have.

6 Q And do you remember what he was on trial for?

7 A I don't even remember when that was. I'm sorry.

8 I've just sort of glossed over it, the recent one.

9 Q I see. Have you heard of any other people being  
10 on trial connected with the Manson group, within the last  
11 couple of months?

12 A No, I don't believe so.

13 Q Have you been made aware of -- by any means -- of  
14 the results of any of these trials that you kind of hazily  
15 recall?

16 A Yes. It seems that he was -- that he was found  
17 guilty of murder, on one of them at least.

18 Q One of the recent ones, you are talking about?

19 A Um-hmmm.

20 Q And do you know who he was found guilty of  
21 murdering?

22 A No. It's just hazily in my mind. It's just  
23 all run together. I really don't know.

24 Q Well, in connection with your knowledge about Gary  
25 Hinman, have you heard him referred to as Musician Gary  
26 Hinman?

27 A Yes.

28 Q And how recently would you say was the most

1 recent time that you've heard him discussed?

2 A Oh, you mean his name on the news or something  
3 like that?

4 Q Yes.

5 A I just don't recall.

6

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4a fol

4a-1

- 1 Q Well --
- 2 A It hasn't --
- 3 Q You were about to say something, and I interrupted
- 4 you. You say it hasn't what?
- 5 A It hasn't been just within the last couple of
- 6 weeks, I don't think.
- 7 Q Well, would you say it would be over a year ago,
- 8 or more recent than that?
- 9 A No, I think probably more recent than that.
- 10 Q You think probably within the last couple of
- 11 months?
- 12 A Maybe, um-hmm.
- 13 Q And do you have any recollection at all in what
- 14 connection you heard him mentioned, or heard his name
- 15 mentioned?
- 16 A No, I don't.
- 17 Q Would you say you get most of your news reports
- 18 via newspaper?
- 19 A No, by the radio and television.
- 20 Q I see. You have regular programs that you watch
- 21 or listen to?
- 22 A Um-hmm. I don't just sit right down and listen
- 23 to them, but it's on, and it's -- you hear parts of it,
- 24 you know, and things that you are interested in.
- 25 Q Yes. Since -- looking at my notes, I note that
- 26 you did answer to the Judge, you see the 6:00 o'clock news
- 27 regularly, and daily, in the mornings, you listen to radio
- 28 newscasts.

4a-2

1 A Well, not just -- you don't just listen to it,  
2 but it's on when I am getting ready for work, and --

3 Q And to your knowledge, have you heard anything  
4 recently, or seen anything on TV --

5 A I may have. I just -- I probably did, you know,  
6 but it just didn't stand out in my mind, so I just don't  
7 remember it.

8 Q Now, if during the course of this trial, you  
9 hear something -- if you are seated as a juror -- and you  
10 hear something that all of a sudden flashes a recollection --

11 A Could very well.

12 Q -- in your mind -- this is possible, you think?

13 A Very possible.

14 Q All right. Now, if that were to happen -- as  
15 you say, it is possible it could happen -- do you think you'd  
16 have any trouble in excluding that information from your  
17 deliberations, as to whether the People have proven their  
18 case or not?

19 A I think so.

20 Q And relying only on the evidence that comes  
21 from the witness stand here?

22 A I think I could.

23 Q You'd have no trouble in excluding that?

24 A I don't believe so.

25 Q All right. I know this is sort of a speculative,  
26 iffy question, but again, do you feel there's any chance at  
27 all that you would confuse anything that you might have  
28 heard about Manson -- or the Manson related cases, or Shorty



1 Shea or Gary Hinman -- that you might confuse any of that  
2 in the course of a long and extended trial with the  
3 testimony that you would be hearing from the witness stand?

4 A It's very possible.

5 Q Well, do you feel that, with that very possibility  
6 in mind, that it might influence your ability to be fair and  
7 impartial in judging the guilt or innocence of Mr. Davis in  
8 this case?

9 A I don't believe it would.

10 Q In other words, you think that you would be  
11 able to consciously set aside anything that you may have  
12 heard or anything that comes to mind that you may have heard,  
13 and even though you hear a lot of evidence in this case, put  
14 that little bit that you'd heard outside of the court, or  
15 seen outside of the court, in a separate category and not  
16 consider that?

17 A I would try.

18 Q Well, certainly, that's what we would have to  
19 ask you to do. And when you say you would try, do you think,  
20 as best you can foresee that eventuality, do you think you  
21 could do that, so that there wouldn't be any chance of your  
22 sort of infecting the testimony here with that hearsay and  
23 the rest of it that you might have seen or heard out of  
24 court?

25 A I believe so.

26 Q Now, in response to the Judge's question about  
27 Shorty Shea, I think you answered that, "They thought he  
28 was killed."

1           A     Well, as I recall, I -- it didn't seem like they  
2 found his body, if he's the one I am thinking of.

3                     Or maybe I have that mixed up with something  
4 else, too.

5           Q     Well, I think that there has been some publicity  
6 given to that fact.

7                     Now, do you recall having read, heard or seen  
8 anything in addition to just those bare facts -- not that  
9 they are facts -- but the news or the publicity that they  
10 had not been able to -- and when you say "they," that's  
11 talking about the police -- had not been able to find  
12 Shorty Shea's body?

13          A     The last I remember of hearing, that they still  
14 hadn't found his body. That's all I remember.

15          Q     And do you recall hearing or reading any  
16 publicity about the attempts that had been made to locate  
17 this gentleman?

18          A     Yes. It seems that they did try to find his  
19 body on the -- on the -- what was the place?

20          Q     The Spahn Ranch?

21          A     The Spahn Ranch, yes.

22          Q     All right. And do you recall reading specifically  
23 how they attempted to do this?

24          A     No, I don't.

25          Q     Do you recall --

26          A     It seems like they dug -- dug a few holes.

27          Q     I see. Now, if there's evidence in this case  
28 concerning the attempts that were made -- perhaps even the

1 use of bulldozers or a number of manhours used; you do have  
2 some information now that you got from an outside source  
3 about those attempts -- do you think you'll have any trouble  
4 in disassociating that information that you presently have  
5 from any information that you get from the witness stand  
6 in determining the guilt or innocence of the defendant in  
7 this case?

8 A No.

9 Q As far as, again, your feelings about the Manson  
10 Family, based on what you've seen, heard or read, do you  
11 feel -- do you have any feelings of antipathy or revulsion  
12 or anger or --

13 A Certainly.

14 Q -- toward the Manson Family?

15 A I thought it was a terrible thing.

16 Q Well --

17 A If they did it, whoever did it, it was a terrible  
18 thing.

19 Q Well, when you say, "it was a terrible thing,"  
20 what do you have reference to?

21 A The murders.

22 Q And which murders?

23 A Well, I -- right then, I was thinking of the  
24 Tate-La Bianca.

5 fls.

5-1

1 Q Well, do you know how many people were tried for  
2 these murders?

3 A No, I don't.

4 Q Do you have any feeling at all that "the Manson  
5 Family" was tried for those murders?

6 A Yes, I think so.

7 Q Well, when -- when we put it that way, and you say  
8 you believe that the Manson Family was tried for those murders,  
9 what do you think of when you think of the Manson Family being  
10 tried for those murders? What number of people or -- what do  
11 you think of --

12 A Well, the only ones I can recall right now is  
13 Mr. Manson and Miss Atkinson or Miss Atkins or whatever her  
14 name was. Right now that's all I can think of.

15 Q Well, do you have -- I'm not sure whether I asked  
16 you or not.

17 Do you know what the outcome of that trial was?

18 A I think that they were found guilty.

19 Q And do you know what penalty was adjudged?

20 A No, I don't.

21 Q Now, you say it was a terrible thing and you do  
22 have some sort of feelings of revulsion over what occurred,  
23 as anyone would.

24 A Now, what are you talking about now?

25 Q The Tate-LaBianca --

26 A The Tate, yes.

27 Q Murders.

28 That's what we have been discussing.

5-2  
1 A Yes.

2 Q If it were shown by the evidence in this case  
3 that Mr. Davis was associated with the so-called Manson  
4 Family, would this, do you think as you sit there now based  
5 on what you have seen, heard or read, would this kind of  
6 prejudice you against Mr. Davis in light of your feelings  
7 about this prior case?

8 A It probably would.

9 Q And do you feel it would be difficult, having  
10 those feelings, to be completely impartial in judging the  
11 evidence?

12 A I think it might.

13 Q And do you feel it would then possibly be unfair  
14 for him to have you sit and determine his guilt or innocence?

15 A It might be at that, yes.

16 MR. DENNY: Thank you very much. I appreciate that.

17 JUROR NO. 11: You're welcome.

18 MR. DENNY: And under those circumstances, your Honor, I  
19 would challenge the juror under 1073, Subdivision 2 and 1076.

20 THE COURT: The People.

21 MR. KAY: Submit it.

22 THE COURT: All right, Mrs. Colvin, the Court will  
23 excuse you, then.

24 JUROR NO. 11: All right.

25 THE COURT: And, Miss Colvin, you are to report to  
26 Room 253.

27 THE CLERK: No, to the 15th floor of the new Hall of  
28 Records.

5-3

1 THE COURT: I see, 15th floor of the new Hall of Records.  
2 THE CLERK: 15th floor.  
3 THE COURT: It is diagonally across the street from the  
4 Hall of Justice.  
5 MR. DENNY: Thank you, ma'am.  
6 THE COURT: I think we have eliminated just two, so  
7 let's get two more. One for Mr. Bramble and another for  
8 Colvin.  
9 You might ask Mr. Asano or Mr. Anderson to come  
10 in. We want to find out whether or not they will be paid.  
11 Take two names for Bramble and Colvin respectively.  
12 THE CLERK: Mrs. Loleta M. DuBois, L-o-l-e-t-a, last name  
13 D-u-B-o-i-s.  
14 MR. KAY: That's for Mr. Bramble?  
15 THE COURT: For Mr. Bramble.  
16 MR. KAY: Okay, thank you.  
17 THE CLERK: Mrs. Rachel Melendez, R-a-c-h-e-l, last name  
18 M-e-l-e-n-d-e-z.  
19 THE COURT: Melendez. DuBois and Melendez.  
20 THE BAILIFF: Yes, sir.  
21 Sir, do you want Mr. Asano and Mr. Anderson first?  
22 THE COURT: Yes, please. Let's have them first.  
23 (Whereupon, prospective jurors Anderson and  
24 Asano were brought into the courtroom, and the following  
25 proceedings were had:)  
26 THE COURT: Mr. Anderson and Mr. Asano, you may just  
27 stand right where you are.  
28 Mr. Anderson, have you found out whether Allied

5-4

1 Chemical will pay you or not?

2 MR. ANDERSON: Yes, I have, your Honor, and I found out  
3 that I haven't been paid since I've been here, in fact, due to  
4 a company contract. I was misinformed last week. When I did  
5 leave my foreman told me I would be paid for the first 21  
6 days. And I talked to the big boss today and he said I  
7 haven't even been paid for the time I have already spent here.

8 THE COURT: And they won't pay you beyond the 30 days?

9 MR. ANDERSON: They won't even pay me now. I'm not  
10 being paid now, your Honor, at all.

11 THE COURT: Well, do you wish to be excused?

12 MR. ANDERSON: Yes, I do.

13 MR. DENNY: I will so stipulate, your Honor.

14 MR. KAY: We will so stipulate, too.

15 THE COURT: The Court will excuse you from jury duty  
16 right now if it is a situation of your not being paid.

17 MR. ANDERSON: It is.

18 THE COURT: If that's what you want.

19 MR. ANDERSON: Yes.

20 THE COURT: As I understand, you only worked two days  
21 for the company or something like that when you were called  
22 for jury duty?

23 MR. ANDERSON: Yes, that's right.

24 THE COURT: The Court would thank you for serving on  
25 jury duty and hope sometime after you are established with the  
26 company you will come back and serve as a juror again.

5a, fol

5a-1

1 Mr. Asano, what have you found out about Japan  
2 Airlines?

3 MR. ASANO: Uh, they'll let me be on jury duty for  
4 two months they said.

5 THE COURT: Two months?

6 MR. ASANO: Yes, sir, with pay.

7 THE COURT: After that they will not pay you?

8 MR. ASANO: Well, they're not too sure.

9 THE COURT: They're not sure.

10 Well, this would go a little beyond two months,  
11 if the estimate is correct.

12 MR. ASANO: I see.

13 As it is, airlines aren't doing too well and  
14 operating on minimum manpower, so it creates a hardship  
15 all around.

16 THE COURT: Would you be concerned about your job in  
17 the event that it went beyond the two months?

18 MR. ASANO: It could happen, yes.

19 MR. KAY: May I inquire?

20 Mr. Asano, how much time have you spent on jury  
21 duty so far?

22 MR. ASANO: This is the third day.

23 MR. KAY: This is the third day?

24 So, say, if we went like two months and one week  
25 on this case or two months and two weeks, would the one or  
26 two weeks really make that much difference to you? I mean,  
27 you don't think they would fire you, do you?

28 MR. ASANO: Oh, I don't think so.



5a-2

1 MR. KAY: You're too valuable an employee, aren't you?

2 MR. ASANO: Yes, I think so.

3 MR. KAY: Okay. I think there's a chance that we  
4 could finish this case maybe at the first part of February,  
5 and I think that it is close enough so that he wouldn't be  
6 fired or anything.

7 MR. DENNY: May I inquire, your Honor?

8 THE COURT: Yes.

9 MR. DENNY: Mr. Asano, as far as you know, if you do  
10 go beyond or if this trial goes beyond the two-month period,  
11 and you are required, then, sitting as a juror to sit right  
12 along to the end of it, and it may go beyond two months,  
13 two and a half months where it is presently pegged, possibly  
14 longer, is there a possibility you may not be paid whether  
15 you are fired or not, you may not be paid because of the  
16 price problems with the airlines that you have mentioned?

17 MR. ASANO: Yes, there may be a possibility I will  
18 not be paid if I am absent for such a period.

19 MR. DENNY: And do you think you can absorb two or  
20 three weeks, possibly a month's loss of pay?

21 MR. ASANO: I don't think so.

22 MR. DENNY: Do you feel, sir, if it is getting towards  
23 the time when your pay may be cut off and the case is still  
24 going on, and then you are in a period where you are not  
25 receiving pay and you are deliberating in the jury room  
26 that you might just possibly want to hurry the verdict along  
27 so that you could get back and get back to work?

28 MR. ASANO: I may be in that type of mental situation,

1 yes.

2 MR. DENNY: Well --

3 MR. KAY: May I inquire on one further thing?

4 Mr. Asano, when could you find out for sure  
5 whether or not you would be paid after two months? Can you  
6 get a definite answer from your employer?

7 MR. ASANO: I just called my New York office. They  
8 said up to two months they'll consider paying me, but beyond  
9 that it is hard to say, you see.

10 MR. KAY: Well, could you possibly call somebody back,  
11 maybe even call the head office in Tokyo, if it is there or  
12 something and get a real definite answer whether they will  
13 pay you or won't? We're very interested in you getting a  
14 definite answer and the Judge is interested and if you could  
15 just get a real definite answer, would they pay you, say,  
16 for three months of jury service or only pay you for two  
17 months?

18 THE COURT: I think he's done about as well as he can.  
19 Stipulate there is a hardship?

20 MR. DENNY: I would so stipulate, your Honor.

21 THE COURT: The People don't have to engage in the  
22 stipulation, but the Court certainly thinks in view of what  
23 he has learned, his possible state of mind should he be in  
24 the course of deliberations and concerned about the prospect  
25 of not being paid, that he should be excused.

26 Thank you, Mr. Asano.

27 Would you report to Room -- well, not Room, but  
28 floor 15 of the New Hall of Records?

1 MR. ASANO: Thank you, sir.

2 THE COURT: That's diagonally across the street. The  
3 Court will excuse you.

4 Call another name for Mr. Asano, then.  
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5b fls.

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1 MR. KAY: And Anderson.

2 THE COURT: Pardon?

3 MR. KAY: And Anderson.

4 THE COURT: And Anderson.

5 The first name chosen will be for Anderson's  
6 seat.

7 THE CLERK: Rosa N. Smith, R-o-s-a, S-m-i-t-h.

8 And Elias L. Flores, E-l-i-a-s, last name F-l-o-r-  
9 -e-s.

10 Let's get Mr. or Mrs. Smith and Mr. Flores in that  
11 line outside, too, then.

12

13

VOIR DIRE EXAMINATION OF

14

LOLETA M. DuBOIS

15

BY THE COURT:

16

Q This is -- how do you pronounce your name?

17

A Either DuBois or DuBois.

18

Q Mrs. DuBois?

19

A Yes, sir.

20

Q Mrs. DuBois, we would like to know from you

21

whether you have heard of this case before?

22

A No, sir. No.

23

Q That is not --

24

A Not before this.

25

Q -- before you came into the courtroom on Monday?

26

A No, sir.

27

Q Have you heard Mr. Bruce Davis's name before?

28

A No, I hadn't.

5b-2

1 Q You heard the name Charles Manson?

2 A Yes, sir.

3 Q Was that in connection with the Tate-LaBianca --

4 A Yes, sir.

5 Q -- homicides?

6 A Yes, sir.

7 Q Have you heard it in any other connection, in  
8 connection with any other homicide?

9 A Not that I can remember.

10 Q Do you read the newspapers daily?

11 A I haven't since you cautioned us not to.

12 Q Before the caution that I gave you, have you read  
13 the newspapers daily?

14 A Not completely. And if you mean anything that has  
15 anything to do with the case, no, I hadn't noticed.

16 Q When was the last time that you can remember that  
17 you read anything concerning Mr. Manson?

18 A Well, I can't say. I do know there was a great  
19 deal on television at one time and it was about then.

20 Q How long ago?

21 A Oh, dear, I'm not very good at remembering.

22 Q A month, two months, a year?

23 A Oh --

24 Q Approximately.

25 A Oh, I'd say several months, approximately.

26 Q Have you heard the name Steven Grogan?

27 A No, sir.

28 Q Before I read the indictment, had you heard the

1 name Shorty Shea, Donald Jerome Shorty Shea? Seen or heard  
2 it or read it some place?

3 A I might have heard the name Shorty something some  
4 place but that's --

5 Q And can you remember in what connection?

6 A No, I don't think I paid that much attention.  
7 Could have been on television, sir, but I didn't pay atten-  
8 tion.

9 Q How about Hinman, the name Gary Hinman?

10 A No.

11 Q Would it be a hardship for you to serve in this  
12 case?

13 A No, not really.

14 Q Concerning the death penalty, do you have such  
15 views about it that you would automatically refuse to impose  
16 it regardless of the evidence that might be produced in the  
17 case?

18 A No, sir.

19 Q Or would your views be such concerning that  
20 penalty that you would automatically impose it without regard  
21 to the evidence upon a conviction of murder in the first  
22 degree?

23 A No, sir.

24 Q Or would you be unable, because of your views  
25 concerning the death penalty to be impartial in the first  
26 phase of the case as I've explained that to you?

27 A No, sir.

28 Q You could be fair and impartial?

1 A I believe so.

2 THE COURT: All right, Mr. Denny. Concerning publicity.

3 MR. DENNY: Yes.

4

5 VOIR DIRE EXAMINATION

6 BY MR. DENNY:

7 Q Do you regularly read a newspaper? You said that  
8 you hadn't read it cover-to-cover as a regular thing, but  
9 do you take a newspaper?

10 A We do take the morning Times, but I don't usually  
11 read all these things in the paper.

12 Q And do you regularly watch a particular news  
13 broadcast?

14 A Oh, sometimes I do.

15 My husband watches it in the evening, but I  
16 don't always pay attention.

17 Q Did you follow -- after the initial onslaught  
18 of publicity on the Tate-LaBianca --

19 A No, sir, I couldn't. I didn't think -- I just  
20 couldn't. I didn't like that.

21 Q You speak rather feelingly about that.

22 Do you have some strong feelings about that?

23 A No, that -- I always used to have the idea that  
24 whatever's in the paper, the news, well, take some of it and,  
25 you know, try to be sensible in the manner that you do take  
26 this news. I mean, I just don't care the way they present it.

27 Q Well, is it too sensationalized?

28 A I believe so.

1 Q Well, did the sensationalism turn you off or did  
2 the fact of the murders as they were related, as you read  
3 about them, just horrify you so that you didn't want to read  
4 any more about them?

5 A Well, I think that the news media make too much of  
6 everything and I just don't -- I usually don't read that sort of  
7 thing or watch it on television.

8 Q Well, why not?

9 A Well, for that simple reason that I think they make  
10 too much of it sometimes.

11 Q In other words, it isn't some sort of revulsion  
12 about murders or crime?

13 A Oh, I can't say that I enjoy murder or crime to  
14 read or see about. I mean, I just -- I don't have -- I just  
15 don't like the way it is presented.

16 Q All right. And I take it, then, that you didn't  
17 really follow the news as it related to the trial, the trial  
18 having occurred about a year or so after the events of the --

19 A No, I didn't, no.

20 Q -- Tate-LaBianca?

21 A No.

22 Q And do you recall what is the most recent informa-  
23 tion that has come to your knowledge about Mr. Manson or any of  
24 the Manson Family?

25 A Well, it may sound pretty stupid, but I really  
26 can't recall. I guess I just don't like the way things are  
27 presented in the news and I just ignored that.

28 Q Well, not to go too far afield, but would you have



1 the same feelings, say, about the Calley court-martial? Did  
2 you read anything about the Calley court-martial, the  
3 My Lai massacres?

4 A I read the headline possibly once and I didn't  
5 read the complete thing on it. I just saw there was something  
6 in the paper about it.

7 Q I see. Now, the Manson Family has been referred  
8 to in the news. You've heard it referred to, that term Manson  
9 Family, have you?

10 A I guess so. Yes, yes, I have. Yes.

11 Q All right. And does that have some particular  
12 connotations as you think about it?

13 A Well, you know, it seems like it is so far away  
14 from me that I just -- I never thought of it that much. In  
15 other words, it had nothing personal to do with me so I  
16 probably didn't ponder on it and read it and talk about it or  
17 anything else because it -- that's the way it was.

18 Q Well, do you know what the Manson Family is  
19 supposed to be composed of or comprised of?

20 A Well, I understand it was a group of people that  
21 looked up to one person, and that's about all I do know.

22 Q Do you know or have you read anything about their  
23 philosophy or alleged philosophy or philosophies or --

24 A No, I didn't, no.

6 fol

6-1

1 MR. DENNY: All right. I have no further questions,  
2 your Honor.

3 THE COURT: The People?

4 MR. KAY: I have no questions.

5 THE COURT: All right. Thank you, Mrs. DuBois.

6 PROSPECTIVE JUROR NO. 4: Yes, sir.

7 THE COURT: The Court will call you again.

8 PROSPECTIVE JUROR NO. 4: All right. Thank you, sir.

9 THE COURT: You might be seated for just a moment.  
10 Let's bring the other jurors in.

11 All right. Miss DuBois, you might just remain  
12 where you are. One, two, three, four -- you were in the  
13 correct seat, too.

14 PROSPECTIVE JUROR NO. 4: It's right there.

15 THE COURT: Bring the other jurors in.

16 THE BAILIFF: Yes. Just a moment, your Honor.

17 THE COURT: That would be Smith, Flores, Melendez.

18 (Pause in the proceedings.)

19 THE COURT: Come forward, please.

20 You're Mrs. Smith?

21 PROSPECTIVE JUROR NO. 11: Melendez.

22 THE COURT: Mrs. Melendez. You would be in seat  
23 No. 2, 3, 4, 5 from the end, in the back.

24 Mrs. Smith?

25 PROSPECTIVE JUROR NO. 1: Um-hmm.

26 THE COURT: You would be No. 1.

27 THE BAILIFF: Down here (indicating).

28 THE COURT: And Mr. Melendez would be No. -- he would

6-2

1 be next to -- I'm sorry, your name is --

2 PROSPECTIVE JUROR NO. 3: Flores.

3 THE COURT: Flores. And you would be --

4 MR. DENNY: No. 3.

5 THE COURT: -- next to Mrs. DuBois there in the  
6 front, Juror No. 3.

7  
8 VOIR DIRE EXAMINATION

9 BY THE COURT:

10 Q I'll ask all of you, is there anyone of you who  
11 would suffer a hardship as a result of service in this case?

12 JUROR NO. 1: (Indicating.)

13  
14 VOIR DIRE EXAMINATION OF

15 MRS. ROSA N. SMITH

16 BY THE COURT:

17 Q I see. Mrs. Smith?

18 A Well, I talked to personnel on my job yesterday--

19 Q For whom do you work?

20 A National Cash Register. And he said that he  
21 thought -- he is not sure himself if I'll get paid. And  
22 my time was up on the 25th, and they were expecting me back.

23 Q There was a National Cash Register employee  
24 whose employer informed him that he would be paid, previously.  
25 Now, I don't know whether there has been any change in the  
26 policy of the company.

27 A Well, his actual answer was -- when I asked him,  
28 he said, "I think we'll pay you."

6-3

1 Q Well, that was my information. If you find out  
2 differently, I would ask you to -- to inquire again, just to  
3 make sure. And if you find out differently, let us know.

4 A Okay.

5 MR. DENNY: I'm sorry, your Honor. Did Mrs. Smith  
6 say that her time was up on the 25th?

7 PROSPECTIVE JUROR NO. 1: Yeah. It was Thanksgiving  
8 Day, but I started on the 26th of October.

9 MR. DENNY: I don't --

10 BY THE COURT:

11 Q Oh, you did?

12 A Yes.

13 Q Well, we have been working it like this. Anyone  
14 who has completed his 30 days, we'll excuse, if you have  
15 completed that 30 days, and you wish to be excused.

16 Gentlemen, do you have any objection?

17 MR. KAY: No, we will so stipulate.

18 MR. DENNY: I would stipulate to that, your Honor.

19 THE COURT: There's no reason to treat you any  
20 differently than anyone else. So I'll thank you, on behalf  
21 of this court and all the other judges of the court, for  
22 having given your time in the last 30 days. We appreciate  
23 it.

24 Doing jury service is certainly an important  
25 civic duty, and the fact that you didn't avoid it indicates  
26 to me that you have a fine sense of responsibility.

27 PROSPECTIVE JUROR NO. 1: Thank you very much.

28 THE COURT: All right. We will get another person in

6-4

1 your place, then, and you can be excused.

2 Pick another name, would you?

3 And thank you, Mr. Denny. I assumed that was  
4 the 25th of December that she was talking about.

5 Is there anyone else in that category of you  
6 three?

6a fls.

7 (No affirmative response.)  
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1 THE CLERK: Mrs. Elvera -- last name, I-z-a-g-u-i-r-r-e;  
2 the first name is E-l-v-e-r-a.

3 THE COURT: The last name, I-z-a- --

4 THE CLERK: -- g-u-i-r-r-e.

5 THE COURT: Izaguirre, huh?

6 (Whereupon, Prospective Juror No. 1 entered  
7 the courtroom, and the following proceedings were  
8 had:)

9 THE COURT: How do you pronounce your name?

10 PROSPECTIVE JUROR NO. 1: Izaguirre. Elvera.

11 THE COURT: You would be in seat No. 1 here in the  
12 front.

13  
14 VOIR DIRE EXAMINATION OF

15 MRS. ELVERA IZAGUIRRE

16 BY THE COURT:

17 Q Mrs. Izaguirre, would it constitute a hardship  
18 to you to serve as a juror in this case, as I've explained  
19 a hardship?

20 A No.

21 Q It would not?

22 A No.

23 Q I will ask all of you, now, except Mrs. DuBois,  
24 who has answered these questions, is there anyone of you  
25 who, because of your feelings concerning the death penalty,  
26 who would automatically refuse to impose it in any case,  
27 regardless of the evidence?

28 (No affirmative response.)

1 Q If there isn't any affirmative -- if there is an  
2 affirmative response, say it out loud.

3 Is there anyone of you, who, because of your  
4 feelings concerning the death penalty, could not be fair and  
5 impartial in determining the first phase of the case concern-  
6 ing guilt or innocence?

7 (No affirmative response.)

8 Q Or is there anyone of you who, because of your  
9 feelings concerning the death penalty, would automatically  
10 vote to impose the death penalty, regardless of the evidence  
11 in the case?

12 (No affirmative response.)

13 Q Mrs. Izaguirre, would you tell me, have you had  
14 jury duty before?

15 A No, I have not.

16 Q And how about your work? Where do you work?

17 A I work for United California Bank, main office.  
18 I am an assistant operations officer.

19 Q I see.

20 And is there a Mr. Izaguirre?

21 A Yes, there is.

22 Q And what does he do?

23 A He's a sheet metal journeyman for White Metal  
24 Products in Lynwood.

25 Q In what general area do you reside?

26 A Northeast Los Angeles.

27 Q Are you acquainted with or related to any law  
28 enforcement officer?

1 A No, I am not.

2 Q Do you know of any reason offhand why you  
3 couldn't be fair and impartial in this case?

4 A No.

5 THE COURT: All right. Pass it along to Mr. Flores,  
6 then.

7 VOIR DIRE EXAMINATION OF

8 MR. ELIAS L. FLORES

9 BY THE COURT:

10 Q Mr. Flores, give us your answers to the same  
11 questions, beginning with jury duty?

12 A I have had no jury duty before. I live in  
13 Hollywood. I work for Water & Power.

14 Q What do you do for Water & Power?

15 A I am an electrical craft helper.

16 Q And is there a Mrs. Flores?

17 A Yes, there is.

18 Q Is she employed outside the home?

19 A No, she's a housewife.

20 Q All right. And are you related to or a friend  
21 of any law enforcement officer?

22 A No, I'm not.

23 THE COURT: I think that takes care of the basics,  
24 then. Pass it on to Mrs. DuBois.

25

26 VOIR DIRE EXAMINATION OF

27 MRS. LOLETA M. DuBOIS

28 BY THE COURT:



1 Q Mrs. DuBois, would you give us your background,  
2 beginning with your jury experience?

3 A I have had no jury experience. I've never been  
4 in a courtroom before.

5 Q Are you employed outside the home?

6 A Not now. I'm retired. I was a practical nurse.  
7 And my husband is employed for ITT Gilfillan..  
8 That's in Van Nuys.

9 He's a mills operator.

10 Q Are you a friend or relative of any law enforce-  
11 ment officer?

12 A No.

13 Q And in what area do you and he reside?

14 A The Wilshire. Wilshire District.

15 THE COURT: All right. Thank you. Pass that back to  
16 Mrs. Melendez.

17  
18 VOIR DIRE EXAMINATION OF  
19 RACHEL MELENDEZ

20 BY THE COURT:

21 Q Mrs. Melendez, begin with your jury experience  
22 and give us your background.

23 A I've served in a civil suit, and I work for  
24 Pacific Telephone, in Los Angeles.

25  
26  
27  
28  
6b fls.

6b-1

1 Q What do you do for Pacific Telephone?

2 A Oh, I am an order writer. We --

3 Q Is there a Mr. Melendez?

4 A No, I'm divorced.

5 Q And what type of work did he do, if any?

6 A Spot welding.

7 Q And are you related to or a friend of any law  
8 enforcement officer?

9 A No.

10 Q In what area do you reside, did you say?

11 A In the northeast.

12 THE COURT: All right. Thank you. We will excuse  
13 Mrs. DuBois to go back to -- have we questioned Mrs. DuBois  
14 on publicity?

15 MR. KAY: Yes.

16 MR. DENNY: Yes. No further questions.

17 THE COURT: We will excuse you, then, to go back to the  
18 group.

19 And would the three of you simply wait outside the  
20 door -- well, two of you wait. And we'll talk to  
21 Mrs. Izaguirre about publicity.

22

23 VOIR DIRE EXAMINATION OF

24 ELVERA IZAGUIRRE

25 BY THE COURT:

26 Q All right. What the Court is interested in,  
27 Mrs. Izaguirre, is whether, in spite of what you have seen,  
28 heard or read, you can be fair and impartial in deciding any

6b-2

1 issue that may be presented to you in this case, and decide the  
2 case independently of such matters that you may have seen, heard  
3 or read concerning Mr. Manson, Mr. Davis, or this case.

4 Do you understand?

5 A Yes.

6 Q What I want to ask you first is whether or not  
7 you've heard anything whatever about the case.

8 A Well, about the Manson --

9 Q About this case.

10 A Oh, about this case? No.

11 MR. DENNY: Your Honor, may the juror take the micro-  
12 phone?

13 PROSEPTIVE JUROR NO. 1: I'm sorry.

14 MR. DENNY: Thank you.

15 Q BY THE COURT: About this case, nothing?

16 A No.

17 Q Have you heard Mr. Davis's name before?

18 A Only when we were in the courtroom.

19 Q Only since Monday?

20 A Right.

21 Q Have you heard, seen or read the name Steven  
22 Grogan before?

23 A No.

24 Q And before Monday, had you ever heard the name  
25 Shorty Shea? Heard, seen or read it?

26 A I had heard the name.

27 Q In what connection?

28 A In the newspaper, I believe. With the Manson --

6b-3

1 I -- I don't recall exactly. I know I heard the name, but --

2 Q You heard the name?

3 A Yes, sir.

4 Q And you don't know in what connection?

5 A No.

6 Q Had you ever heard him referred to as stuntman  
7 Shorty Shea? Stuntman? Does that bring it back to your  
8 mind?

9 A I'm trying to think.

10 Q It does not?

11 A No.

12 Q So, at this point, all you know is what I read to  
13 you in the indictment concerning Shorty Shea?

14 A Yes, sir.

15 Q Except that there was some association with the  
16 Manson Family?

17 A Right, yes.

18 Q How about the name Gary Hinman?

19 A Yes, I've heard that. Is he the musician or  
20 something?

21 Q Musician Gary Hinman, yes.

22 A Yes.

23 Q And what have you heard, seen or read concerning --

24 A Well, it's been so long, --

25 Q -- that name?

26 A -- I can't --

27 Q You are not really being tested. We just want to  
28 find out --

6b-4

1 A No. I'm trying to think now of exactly what --

2 Q We are not going to give you a numerical score or  
3 anything like that, or a pass or a fail. We simply want to know  
4 what's in your mind concerning those names.

5 Musician Gary Hinman?

6 A That he was killed in -- I think I read it in the  
7 paper; and also in the news, during that time, that they found  
8 him dead.

9 Q Have you read anything in the last two months about  
10 Charles Manson?

11 A I believe I've read a couple of articles in the  
12 newspaper, during --

13 Q Do you recall what they were?

14 A About his trial, I believe.

15 Q About what trial?

16 A His last one, the last one.

17 Q In the last -- the last trial that he had concerned  
18 what? Do you know?

19 A Uh -- exactly the particulars, I don't. I'm sorry.

20 Q Do you know what he was charged with?

21 A With murder.

22 Q And do you know whose murder he was charged with?

23 A Well, I know the LaBiancas and the Sharon Tate.

24 Q The Tate-LaBianca?

25 A Yes.

26 Q So, your best memory is that the last time you  
27 read about Mr. Manson was in connection with the Tate-LaBianca --

28 A Yes.

6b-5

6c fol

1 Q -- homicides; is that right?

2 A Yes.

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1 Q Would you be so prejudiced against a member of the  
2 Manson Family -- you know that term, Manson Family?

3 A Yes.

4 Q (Continuing) -- that you could not be fair and  
5 impartial in deciding any issue in this case?

6 A No.

7 Q Now, if I were to instruct you that you were not to  
8 allow any matters that you discussed with anyone concerning  
9 Mr. Manson, Mr. Davis or this case to enter into your  
10 judgment in this case, on any issue that you might have to  
11 decide, that you were to likewise ignore or set aside anything  
12 that you may have heard, seen or read in the news media, are  
13 you capable, in your mind, of doing that?

14 A Yes, I think I can. Yes.

15 Q Do you think that you could make a judgment on  
16 any issue that's presented to you, independently of such  
17 matters?

18 A Yes.

19 Q And decide -- will you decide the case only on the  
20 evidence that's presented here, and on the Court's instruc-  
21 tions of law?

22 A Yes.

23 Q And are you certain about your ability to set  
24 aside such matters as you may have heard, seen or read?

25 A Yes, I think I can.

26 THE COURT: Mr. Denny?

27 MR. DENNY: Thank you, your Honor.

28

VOIR DIRE EXAMINATION

1 BY MR. DENNY:

2 Q Ma'am, I would like to get into the area of what  
3 you have heard most recently concerning Mr. Manson.

4 Do you recall, going back in point of time,  
5 chronologically, what is the most recent thing? And when  
6 most recently have you heard anything about Mr. Manson?

7 A I think the last time I remember reading something  
8 was when they brought him back from -- from where -- to this --  
9 to the Hall of Justice, to try him.

10 But I don't remember exactly for what, because --  
11 well, it's like anything else. You read about it, and then  
12 you just sort of forget it, and -- with me, working and  
13 everything, I really don't have that much time to go into the  
14 newspaper; only what I hear from the news, on television, and  
15 -- and I can't recall --

16 Q All right. Have you heard on radio or television  
17 anything more recently than that that you have just told us  
18 about, concerning Mr. Manson?

19 A I think before we came into court they said that  
20 he was here, and that they had sentenced him. I think --  
21 this is -- I'm trying to think back now, and I can't -- that  
22 he had been in the -- in the Hall of Justice; that he had  
23 appeared before the courts on Monday.

24 This was in the morning. We heard someone mention  
25 that.

26 Q And when you say "they said that he was here,"  
27 who is the "they"?

28 A Well, it was a group of people that I had heard



1 mention it.

2 Q Well, a group of your fellow jurors?

3 A No, we were in the assembly -- well, in the  
4 assembly room -- yes, fellow jurors. But not the ones that  
5 are here now.

6 It was that they had heard -- I don't know; it was  
7 just a conversation.

8 Q Some other prospective jurors in the assembly  
9 room?

10 A Yes.

11 Q And they were discussing that Mr. Manson was here  
12 in the Hall of Justice?

13 A Yes.

14 Q Was there any indication as to what court he was  
15 in? Do you know what court he was in, if he was here?

16 A No.

17 Q And have you heard anything about what the purpose  
18 was of his being in court on Monday?

19 A I'm trying to think back to see if I can really  
20 remember, but --

21 No, I can't recall. I really can't.

22 Q All right. Now, prior to this bit of information  
23 that apparently you just happened to overhear in the assembly  
24 room, can you recall, prior to that time, what is the last bit  
25 of information you heard, say, via radio or TV concerning  
26 Mr. Manson?

27 A Well, that he had received the death penalty, for  
28 the Tate murders; and I think he received life, if I'm not

1 mistaken, for -- I don't know whether it was the LaBianca or  
2 not; I'm not sure.

3 Q When was that that you heard that?

4 A I can't recall. I really can't.

5 Q Well, was it within the last couple of weeks that  
6 you heard that?

7 A It seems to me longer than that, maybe it was  
8 within the last couple of weeks.

9 Q Well, have you -- do you recall specifically  
10 hearing at any time, say within the last six months, that  
11 Mr. Manson received a life sentence for any crime he's  
12 supposed to have committed?

13 A Yes, but I can't seem to find exactly the time that  
14 I heard it, or when I did.

15 I'm not even sure, because you -- you know, you  
16 read, and you hear, and I can't really associate the time  
17 element involved.

18 I'm sorry.  
19  
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6d fol

6d-1

1 Q All right. Your association of the name  
2 Shorty Shea -- you say it has some association with Manson?  
3 As far as you are aware of?

4 A Well, I -- I recall the name, but I don't know,  
5 you know, what aspect. I recall -- now -- I can't seem  
6 to really, you know, piece it together.

7 Q Does the juxtaposition of Shorty Shea and  
8 Spahn Ranch ring any kind of bell to you?

9 A Yes, it does.

10 Q And what sound does that make? What bell does  
11 that ring?

12 A I read something about it, I believe.

13 Q And do you --

14 A Sometime back.

15 Q And do you recall what it was that you read?

16 A That he was missing or something, or -- or they  
17 couldn't locate him, I believe, yes.

18 Q All right. And did you recall -- do you recall  
19 reading or seeing or hearing anything about attempts that  
20 had been made to locate him at Spahn Ranch? In or about  
21 Spahn Ranch?

22 A No, I don't recall.

23 Q As far as you are aware, the only publicity that  
24 you know of about Shorty Shea is that supposedly he was  
25 missing?

26 A Right.

27 Q Now, the People are going to try to show in  
28 this case that not only is he missing, but he's dead; and

6d-2

1 that he died by criminal means; and that my client, Mr. Davis,  
2 had something to do with it.

3 Now, do you feel that anything you might have  
4 read or heard in the connection of Shorty Shea being  
5 missing would -- would cause you perhaps to -- to feel that --  
6 that the People's case has already been partially proven in  
7 your mind?

7 fls.

8 A No.

7-1

1 Q That he probably is dead?

2 A No. I'd have to see the evidence, I couldn't --

3 Q And unless you had that evidence here in court  
4 and were convinced of that evidence beyond a reasonable  
5 doubt and to a moral certainty, you wouldn't even find that  
6 he was dead, much less dead by criminal means; is that  
7 right?

8 A That's correct.

9 MR. DENNY: All right, I have no further questions.

10 MR. KAY: I have no questions on publicity, your Honor.

11 THE COURT: All right, thank you.

12 Would you go out and join your fellow prospective  
13 jurors there. We'll be calling you back.

14 MR. KAY: Would this be a good time for our afternoon  
15 break, your Honor?

16 THE COURT: I suppose so. We've been going now for  
17 about an hour. All right, we'll take ten minutes.

18 MR. KAY: Thank you.

19 (Afternoon recess.)

20 THE COURT: Let the record show that both -- all counsel  
21 are present and that the defendant is present.

22

23 VOIR DIRE EXAMINATION OF

24 MR. ELIAS L. FLORES

25 BY THE COURT:

26 Q Mr. Flores.

27 A Yes.

28 Q Is the prospective juror in the box?

7-2

1 Mr. Flores, we wish to know from you whether you  
2 have ever heard of this case before Monday, when you came  
3 into this court?

4 A No, I haven't.

5 Q Have you ever heard of Mr. Davis?

6 A No.

7 Q Have you ever heard of Mr. Charles Manson?

8 A Yes, I have.

9 Q When was the last time you heard, saw or read  
10 anything about Mr. Manson?

11 A About two weeks.

12 Q About two weeks ago?

13 A Uh-huh.

14 Q What was that? Do you remember what that was  
15 about?

16 A No, I don't.

17 Q Do you know whether it was in connection with  
18 some court action?

19 A Yes, it was with Gary Hinman.

20 Q It was in connection with --

21 A I believe it was.

22 Q It was in connection with the death of Gary  
23 Hinman?

24 A Yes, it was.

25 Q Do you recall what the news article was and what  
26 it referred to in connection with Mr. Hinman?

27 A No, I don't.

28 Q Had you ever heard the name Hinman before coming

7-3

1 into this courtroom?

2 A Yes, I have.

3 Q Heard, seen or read it?

4 A Well, I didn't read about it too much.

5 Q Pardon?

6 A I didn't read about it too much. I just heard  
7 about it.

8 Q You heard about it. And what had you heard  
9 about it, do you recall?

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

11 Q Have you heard the name Shea?

12 A Yes. That might have been the name, Shorty Shea.

13 Q Shorty Shea?

14 A Yes, the one they killed on the ranch.

15 Q The one that what?

16 A The one that -- I think there was three people  
17 involved that they killed on the ranch and they buried him  
18 or something like that.

19 Q Oh, I see. And that's your best recollection of  
20 what you heard about Shorty Shea, that he was killed on the  
21 ranch?

22 A Yes.

23 Q Are you speaking of Spahn Ranch?

24 A It might have been the one, yes.

25 Q You can't remember the name of the ranch?

26 A No.

27 Q When you say "they killed him," you mean Mr.  
28 Manson and some of the people who were associating with Mr.

7-4

1 Manson?

2 A Yes, uh-huh.

3 Q In view of what you have read, do you think that  
4 you could try somebody who -- sit as a juror, try somebody  
5 who might be a member of the Manson Family and still be fair  
6 and impartial to him in deciding any issue in the case?

7 A Yes, I could.

8 Q Do you know the name Steven Grogan?

9 A No, I don't.

10 Q Do you know the name Bobby Beausoleil?

11 A No.

12 Q Do you remember any of the facts about the Hinman  
13 homicide that you recall right now?

14 A No.

15 Q Or anything about the Shea homicide that you can  
16 recall at this moment?

17 A It has been a long time. Uh --

18 Q If I were to instruct you that it is your obliga-  
19 tion as a juror, should you be chosen as a juror to sit in  
20 the box, not to allow any matters that you have discussed  
21 with anyone concerning Mr. Manson or this case or any case  
22 in which Mr. Manson might have been involved, not to allow  
23 anything that you have heard, seen or read concerning this  
24 case and Mr. Manson or Mr. Davis to enter into your judgment  
25 in deciding any of the issues that will be presented to you  
26 as a juror, do you think that you could set such matters  
27 aside?

28 A Yes, I could.



7-5

1 Q Could you follow that instruction?

2 A Yes.

3 Q You have no doubt, for example, that you could  
4 set aside what you have learned in connection with the  
5 newspaper reports or the television or radio reports con-  
6 cerning Mr. Shorty Shea's death?

7 A Yes.

8 Q And would you judge the case based only upon  
9 what you may have -- what you may hear from the witness stand  
10 and in this courtroom of evidence, of the evidence and the  
11 Court's instructions?

12 A Yes.

13 Q And will you do that?

14 A Yes.

15 Q And can you be fair and impartial in spite of  
16 what you may have heard, seen or read or discussed with  
17 your friends concerning Mr. Manson or the Manson Family?

18 A Yes.

19 THE COURT: You may inquire.

20 MR. DENNY: Thank you, your Honor.

21

22

#### VOIR DIRE EXAMINATION

23

BY MR. DENNY:

24

25 Q Mr. Flores, you read about the Tate-La Bianca  
26 killings, I take it?

26

A Yes.

27

28 Q And did you more or less follow that news in  
the newspapers and over radio or TV before the trial?

1 A Not too closely, no.

2 Q Off and on?

3 A Just off and on, yes.

4 Q And how about during the trial? Were you aware  
5 of when the trial in that case began?

6 A You mean the Tate?

7 Q Not specifically the Tate, but in general the  
8 fact that a trial --

9 A Oh, yes.

10 Q -- of Manson and some girls began?

11 A Yes.

12 Q Do you recall reading about that?

13 A Yes, I do.

14 Q Do you recall off and on reading or hearing about  
15 things occurring during the course of that trial?

16 A Yes.

17 Q And do you recall what the verdict was in that  
18 case?

19 A It was guilt. Manson -- Charles Manson was  
20 guilty and, uh --

21 Q Anybody else?

22 A The two girls that were involved in that.

23 Q All right. And do you remember what penalty was  
24 voted in that case?

25 A I don't.

26 Q You don't recall?

27 A On Manson I do, but the girls I don't know.

28 Q What was it on Mr. Manson?

1           A       It was -- he was guilty; is that what you mean?  
2           Q       No, I mean --  
3           A       The penalty?  
4           Q       You understand after a finding of guilt, if  
5 there is a finding of guilt, then they determine whether it  
6 is life or death; do you recall hearing which it was?  
7           A       Yes, it was death.  
8           Q       And you say you don't recall whether it was  
9 death or life for the girls?  
10          A       No, I don't.  
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8 fls.

8-1

1 Q All right, sir. Now, most recently, you have  
2 heard of Mr. Manson being tried on another charge, or some  
3 other charges?

4 A Yes.

5 Q Do you know what charges he was most recently  
6 being tried for?

7 A It was a murder charge.

8 Q One or more?

9 A I believe it was one.

10 Q And who was he alleged to have murdered?

11 A Murdered?

12 Q You said it was a murder charge, didn't you?

13 A Yes.

14 Q Who was he --

15 A I'm not sure if it was Hinman or Shorty Shea.

16 Q Do you recall by any chance reading that he was  
17 charged with both of those crimes?

18 A No.

19 Q Just one, as far as you are aware?

20 A Yes.

21 Q Do you recall reading anything recently about  
22 Gary Hinman?

23 A No.

24 Q When is "recently"? Within the last couple of  
25 months?

26 A No.

27 Q You did, however, recall reading within the last  
28 couple of months?

8-2

1 A No.

2 Q You did, however, recall reading within the last  
3 couple of months about Shorty Shea; is that right?

4 A Yes.

5 Q And what have you heard within the last couple of  
6 months about Shorty Shea?

7 A Just that he was killed on the ranch by Manson and  
8 -- I think it was two other accomplices.

9 Q And how was he killed?

10 A I think it was a knife. I'm not sure.

11 Q And did you read what happened to Shorty Shea after  
12 he was killed?

13 A He was buried.

14 Q And do you remember any other facts about -- when I  
15 say "facts," I am talking about the things that you read in the  
16 paper, at least, about this case of Shorty Shea's alleged death.

17 A No.

18 Q I'm not sure whether the judge asked you, but in  
19 relationship to the people who you say -- the two accomplices  
20 who were charged with him -- do you recall Steve Grogan, that  
21 name being one of the people charged with him?

22 A No, I don't. "Steve" sounds familiar, but "Grogan,"  
23 no.

24 Q Or Clem? Clem Grogan?

25 A I think so, yeah. Clem.

26 Q You've read about that?

27 A Um-hmmm.

28 Q And have you read anything specifically about any

8-3

1 finding of guilt or innocence about this Clem?

2 A No.

3 Q Do you know whether he was tried also on the  
4 charge?

5 A No.

6 Q And do you know whether a jury brought in a  
7 finding of guilt or innocence as to Mr. Manson on this Shorty  
8 Shea charge?

9 A No, I don't.

10 Q Now, when was the last time, as best you can  
11 recall, the most recent time that you heard anything or read  
12 anything or saw anything about Manson and the Shorty Shea  
13 charge? How recently?

14 A About two or three months ago.

15 Q Two or three months ago?

16 A About that, yes.

17 Q Perhaps my notes are wrong, but in response to  
18 that same question, when the judge asked you, I think you  
19 said: About two weeks ago, you heard something about Manson,  
20 but you don't remember what. "I believe it was in connection  
21 with the death of Hinman."

22 A Hinman, yes.

23 Q Well, was that about two weeks ago?

24 A I can't remember. I don't read the paper that  
25 often.

26 Q Well --

27 A I just read the sports page, and that's about it.

28 Q Well, you hear things on the radio, or hear them

8-4

1 or see them on TV, don't you?

2 A Yes, I do.

3 Q And your -- to your best knowledge, was it about  
4 two weeks ago that you heard something connecting Mr. Manson  
5 and Mr. Hinman's name?

6 A I couldn't really say.

7 Two weeks, a month, two months; I really don't  
8 know.

9 Q Well, apparently you have read, sir, that -- at  
10 least, insofar as the publicity you've seen or heard or read --  
11 that Shorty Shea is supposed to have been killed by Mr. Manson  
12 and two associates or accomplices; as you say?

13 A Yes.

14 Q And supposedly his body -- he was killed by a  
15 knife, and his body buried somewhere?

16 A Yes.

17 Q Now, do you understand that Mr. Davis here is  
18 being charged with that same crime, the death and the killing,  
19 the murder of Shorty Shea? Do you understand that --

20 A Yes.

21 Q -- in this case?

22 And you seem to know -- or at least, have an  
23 awful lot of information -- well -- about that case that  
24 you've heard outside of this courtroom; is that right?

25 A Yes.

26

27

28

8a fol

8a-1

1 Q Now, as you sit there right now, based on what  
2 you have seen, heard and read, do you feel that Shorty Shea  
3 is probably dead?

4 A From what I've heard and read, yes.

5 Q And do you feel, as you sit there now, that based  
6 on all of this, it would be necessary for the defendant to put  
7 on some evidence to convince you that Shorty Shea was not  
8 dead?

9 A That's kind of hard to answer.

10 Q I know it is. But this is the only way we have of  
11 getting inside your mind at the present time, and we have to  
12 ask you questions to -- sometimes that are a little hard --

13 A I would have to say: Yes.

14 Q So that it would be a little difficult, then, for  
15 you to be completely fair to the defendant in evaluating his  
16 guilt or innocence of this particular charge, because of what  
17 you know about the case; is that right?

18 A I'm not saying that, no.

19 Q Well, you are saying you are going to put a  
20 burden on the defendant, however, to convince you that Shorty  
21 Shea isn't dead; isn't that right?

22 A No. I'd go only by what they prove -- what  
23 evidence they bring up, showing that he did kill him.

24 But just because they couldn't bring anything up  
25 that Shea was alive, I wouldn't convict him of guilty, just  
26 because he couldn't show any evidence that he was alive.

27 Q Well, let's go back a few questions, if I may,  
28 to your present state of mind.



1                   Because you indicated to me earlier, a few  
2 minutes ago, that you feel that Shorty Shea is probably dead, --

3           A       Yes.

4           Q       -- is that right?

5                   And you feel that he's probably been killed;  
6 is that right?

7           A       I don't feel that. I just read that.

8           Q       Well, is it your state of mind, though, that,  
9 based on what you've seen, heard and read, the probabilities  
10 are that Mr. Shea has been killed?

11          A       Yes.

12          Q       All right. And with that knowledge -- well,  
13 let me go back here.

14                   The People are going to try to prove that here  
15 by evidence.

16                   Now, already you have the feeling that it's some-  
17 what proven, to your satisfaction, based on what you've seen,  
18 heard and read; is that correct?

19          A       Yes.

20          Q       All right. So that as far as you are concerned,  
21 then, the People kind of already have gone a part of the way  
22 toward proving it to your satisfaction, --

23          A       Yes.

24          Q       -- based on what you've seen, heard and read;  
25 is that correct?

26          A       Yes.

27          Q       So that it wouldn't take much more evidence for  
28 the People to prove that to your satisfaction, prove it beyond

1 a reasonable doubt, and to a moral certainty; is that right?

2 A Yes.

3 Q And with that in mind, it's going to be kind of  
4 hard for you to put all of that that you know or have read  
5 or seen or heard about Mr. Shea out of your mind, in consider-  
6 ing the guilt or innocence of this defendant; is that correct?

7 A It might be, yes.

8 Q And do you feel -- again, you are the only one  
9 who can tell us, sir -- but with that present state of mind,  
10 do you feel that it would be fairer to the defendant in this  
11 case, for a person with all of that information that you have  
12 and the feelings that you have about it, not to sit and judge  
13 him?

14 A I think it would, yes.  
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9 fls.

9-1 1 Q And that it would then not be possible, really,  
2 for you to put all of that that you have heard, seen and read  
3 out of your mind and judge him only on what you hear from the  
4 witness stand?

5 A I really couldn't answer that real honestly. If  
6 I say yes, but I just might, you know, be partial to what  
7 I do know about it.

8 Q I appreciate your honesty, sir, and appreciate  
9 your answers.

10 And I would challenge the witness under 1073,  
11 Subdivision 2 and 1076.

12 THE COURT: All right, the challenge is granted. The  
13 Court excuses you, Mr. Flores, to report to the 15th floor of  
14 the new Hall of Records.

15 JUROR NO. 3: Uh, what room is that?

16 THE COURT: Can he be released or -- can he be released  
17 now rather than going there? It is ten minutes of 4:00. I  
18 see no point in your going to the jury assembly room.

19 All right, report back at 9:00 o'clock tomorrow  
20 to the jury assembly room.

21 JUROR NO. 3: I don't need that paper?

22 THE COURT: No, I'll send it back.

23 JUROR NO. 3: Thank you.

24 MR. DENNY: Your Honor, before the next juror comes in,  
25 may I just request that in this particular case it didn't  
26 make much difference because of all the information that this  
27 witness had, but in voir diring the jury, if the Court could  
28 allege to the -- could refer to the Shea homicide not as the

9-2

1 Shea homicide, the same way it does as the Hinman homicide,  
2 but as the alleged Shea homicide? I don't dispute the fact  
3 there was a death of Gary Hinman, but I think it is very  
4 prejudicial to the defendant to have the Court repeat over and  
5 over again the Shea homicide which, in effect, is, I think, a  
6 judicial determination from the bench that there has indeed  
7 been a homicide.

8 THE COURT: All right.

9 MR. DENNY: I would appreciate it, your Honor.

10 MR. MANZELLA: The People would ask the Court refer to  
11 both homicides the same way, whichever way the Court refers  
12 to it, so it doesn't look like the Court is making a comment.

13 THE COURT: Both sides are correct. The Court did not  
14 intend to make such an inference and it was inadvertent and  
15 the Court will put alleged in front of each use of the word  
16 homicide from now on. If I forget, remind me.

17 MR. DENNY: Thank you, your Honor.

18 THE COURT: Let's have the next juror in.

19 There's a judge's meeting at 4:00 o'clock,  
20 Mrs. Holt, today?

21 THE CLERK: Yes.

22  
23 VOIR DIRE EXAMINATION OF

24 RACHEL MELENDEZ

25 BY THE COURT:

26 Q Mrs. Melendez, you may just be seated there any  
27 place that's convenient.

28 It is Mrs., isn't it?

1 A Yes.

2 Q Mrs. Melendez, we're interested in knowing whether  
3 you have heard anything about this case previous to coming into  
4 the courtroom here on Monday?

5 A No, I hadn't even heard his name.

6 Q You never heard Mr. Davis's name?

7 A No.

8 Q Had you heard the name Charles Manson?

9 A Yes.

10 Q Manson Family?

11 A Yes.

12 Q Where had you heard that? Over the television,  
13 radio?

14 A No -- yes, when it all occurred.

15 Q And when you say "it all occurred," when the Tate-  
16 LaBianca homicides occurred?

17 A Yes.

18 Q Have you ever heard of Shorty Shea before Monday,  
19 when I read the indictment?

20 A I think I may have heard the name, but I didn't  
21 know there was any connection.

22 Q How about Hinman?

23 A No, not --

24 Q Gary Hinman; you don't recall that name?

25 A No.

26 Q What do you remember about the name Shorty Shea?

27 A Well, I don't -- nothing. I just heard it  
28 mentioned. I am not one for listening much.

1 Q What did you learn about --

2 A Well, I'm not one for listening to the news, so I  
3 just -- I don't know. I might have just heard the name. I  
4 don't know. I'm not sure.

5 Q You can't remember in what way you heard the name?  
6 It is alleged that he is the victim in the third Count of this  
7 indictment. It is alleged that he is a victim of a homicide;  
8 you understand that?

9 A Oh, yes.

10 Q Now, have you -- had you previously heard that  
11 Mr. -- heard, seen or read that Mr. Shorty Shea was deceased?

12 A No.

13 Q Would somebody who was a member of the Manson  
14 Family, by reason of what you have heard, seen or read, start  
15 a defense with you prejudiced against him as a result of those  
16 things that you have heard, seen or read?

17 A Of, uh --

18 Q Would you be prejudiced against a person who was a  
19 member of the Manson Family because of what you have heard,  
20 seen or read?

21 A Hmmm --

22 Q So that you could not give him or her a fair  
23 trial?

24 A Oh, no.

25

26

27

28

9a-1

1 Q Do you read a newspaper daily?

2 A No.

3 Q Look at the television every day?

4 A No.

5 Q Do you hear a news reporter over the radio  
6 every day?

7 A No.

8 Q Do you think that what you may have heard, seen  
9 or read, that you can set aside that matter that you have  
10 heard, seen or read concerning Mr. Manson, concerning this  
11 case or Mr. Davis if something should be recalled to your  
12 mind, that you could set it aside and independently decide  
13 any issue that you are called upon to decide in this case,  
14 independently of such matter?

15 A I think so, yes.

16 Q Are you uncertain?

17 A No.

18 Q Are you at all uncertain about your ability to  
19 decide this case apart from anything that you may have heard,  
20 seen or read in the news media? Are you uncertain about  
21 your ability to set such matters aside?

22 A No.

23 Q And will you decide the case based only upon  
24 the evidence that's produced here in court?

25 A Yes.

26 Q And the Court's instructions?

27 A Yes.

28 Q And can you be fair and impartial to the defendant?

9a-2

1 A Yes.

2 Q Can you be -- that's a wrong way to put it.

3 You can be fair and impartial, that's equally  
4 fair to each side?

5 A Yes.

6 THE COURT: Mr. Denny.

7 MR. DENNY: Thank you, your Honor.

8  
9 VOIR DIRE EXAMINATION

10 BY MR. DENNY:

11 Q Mrs. Melendez, as far as the Tate-La Bianca case,  
12 you say you did hear about it when it occurred, is that  
13 correct?

14 A Yes.

15 Q And through what source did you hear it? The  
16 newspaper, radio, TV or all three?

17 A All three.

18 Q Did you follow that for a while when it hit the  
19 papers? So much in the news, on TV and radio?

20 A A little bit. I read some.

21 Q How about at the time of the trial? Did you --  
22 were you aware when the trial began?

23 A Yes.

24 Q And off and on did you read, see or hear things  
25 about --

26 A Yes.

27 Q -- the trial of that case?

28 A On the radio, yes.



9a-3

1 Q Is that where you get most of your news, via  
2 the radio?

3 A Yes.

4 Q Is this going to and from work, perhaps, or what?

5 A Yes.

6 Q I see. Do you listen to a news station or a  
7 music station that just sort of has news intermittently?

8 A No, I listen to a music station.

9 Q Now, did you become aware of the outcome of that  
10 Tate-La Bianca trial?

11 A You mean --

12 Q That is the verdict of guilt or innocence?

13 A Yes.

14 Q And what was the verdict, to your knowledge, as  
15 to Mr. Manson, say? Was he found innocent or guilty?

16 A Oh, guilty.

17 Q Were there any other people found innocent or  
18 guilty with him?

19 A I can't remember. Wasn't he tried with two or  
20 three girls?

21 Q Yes, he was, ma'am.

22 Do you recall the verdicts as to them?

23 A No, I'm not sure.

24 Q All right.

25 Do you know what the sentence was that was voted  
26 for Mr. Manson in that case?

27 A I think it was death.

28 Q All right. Did you hear this discussed at all

9a-4

1 when it occurred by any of your friends or your family?

2 A No.

3 Q Now, can you think back to when is the most  
4 recent time that you heard, seen or read anything about  
5 Charles Manson?

6 A Well, here Monday, that --

7 Q What was that?

8 A Well, we're not to speak of it or -- you know,  
9 just what the Judge said.

10 THE COURT: You mean in court?

11 JUROR NO. 11: Yes.

12 Q BY MR. DENNY: When the Court read the indictment  
13 and told you not to read anything concerning Mr. Manson.

14 A Yes.

15 Q All right. But -- but separate and apart from  
16 anything in court that you have heard, could you tell us  
17 what is the most recent thing and approximately when most  
18 recently outside the court via radio, TV, newspaper or  
19 another friend or relative that you've heard anything about  
20 Charles Manson?

21 A Well, I haven't really kept up with it.  
22  
23  
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10 fls.

10-1

1 Q Assuming you haven't kept up with it, --

2 A Yeah.

3 Q -- you may have heard something, just offhand,  
4 recently? Do you recall having done so?

5 A No, not really.

6 Q And insofar as Shorty Shea, you say you think you  
7 have heard it just mentioned?

8 A Um-hmmm.

9 Q Do you recall how recently you may have heard  
10 something about Shorty Shea? Again, other than in this  
11 courtroom?

12 A No, I can't be sure, because I'm not one for  
13 listening to the news.

14 Q I understand that. Sometimes --

15 MR. KAY: Mr. Denny, the other jurors are coming in.

16 THE COURT: They can all stand.

17 THE BAILIFF: Yes, sir.

18 MR. DENNY: I'll stop in mid-question, Mrs. Melendez.

19 (Pause in the proceedings while the prospective  
20 jurors filed into the courtroom.)

21 THE COURT: All of the prospective jurors are in the  
22 courtroom now.

23 As to those of you who have completed your 30  
24 days, except for those who are in the box -- I believe  
25 Mrs. Sims is still in the box, as prospective juror No. 5;  
26 also, Mrs. Melendez is in the box presently -- even though  
27 you've completed your 30 days, too, have you not?

28 PROSPECTIVE JUROR NO. 11: Yes.

1 THE COURT: I will ask Mrs. Sims and Mrs. Melendez to  
2 remain in the box.

3 However, the following who have completed their  
4 30 days of jury duty, and whose names have not been picked by  
5 the clerk, I shall excuse.

6 Anna Michalowski. Would you raise your hand?

7 PROSPECTIVE JUROR MICHALOWSKI: (Indicating.)

8 THE COURT: Bernice Graham?

9 PROSPECTIVE JUROR GRAHAM: (Indicating.)

10 THE COURT: Jean Bair?

11 PROSPECTIVE JUROR BAIR: (Indicating.)

12 THE COURT: Pat Miller?

13 PROSPECTIVE JUROR MILLER: (Indicating.)

14 THE COURT: Florence Dissman?

15 PROSPECTIVE JUROR DISSMAN: (Indicating.)

16 THE COURT: All right. The Court thanks you ladies  
17 for having completed the 30 days of service as jurors for  
18 the Superior Court. The Court believes that the service of  
19 jury duty is an extremely important obligation of a citizen,  
20 and the Court believes that those who do undertake jury duty are  
21 fulfilling a responsibility that is a very grave one, and one  
22 that is very necessary to our system of justice.

23 And the Court appreciates your service. It's  
24 easy, sometimes, to find an excuse for not serving. The fact  
25 that you ladies whose names I called have chosen not to seek  
26 an excuse, but have served, indicates to me that you have a  
27 fine sense of responsibility, and the Court compliments you and  
28 thanks you and does excuse you from further service on this

1 panel.

2 How many are left, other than the twelve who are  
3 in the box, now? How many are left, other than the twelve who  
4 are in the box?

5 One, two, three, four, five, six, seven, eight,  
6 nine, ten, eleven, twelve -- oh, we have plenty of you to go  
7 yet.

8 (Laughter.)

9 THE COURT: All right. I'll excuse you now, with the  
10 admonition that I've given you heretofore.

11 You can read newspapers now, if you wish to, and  
12 look at television or hear radio. But at this moment, the  
13 Court will tell you that you are to avoid any news report which  
14 makes any reference to Mr. Manson. You are to -- or any news  
15 report of any kind, newspaper, television or radio -- or to  
16 this case.

17 I doubt that there will be any, but if you happen  
18 to see a headline or happen to hear something, well, tune out --  
19 or, turn it off, or put it away from you.

20 And don't discuss this case with anyone, nor  
21 permit anyone to discuss it with you, nor form nor express any  
22 opinion on the matter until it is finally submitted to you,  
23 should you be chosen as a juror.

24 I'll excuse you all now.

25 How many items do we have on tomorrow's calendar?

26 THE CLERK: Six.

27 THE COURT: I'll excuse you all now until 9:45 tomorrow,  
28 and I'll expect to see you all then. Report a little early.

1 I'm afraid it's going to have to be the hallway  
2 again. We don't have another courtroom or assembly room where  
3 you can wait.

4 I know that that's pretty dismal out there. The  
5 Court tried -- the Court and counsel will try to hurry this  
6 along for you.

7 So, you are excused for now, and I'll see you at  
8 9:45 tomorrow morning.

9 Mrs. Melendez, that pertains to you, too.

10 PROSPECTIVE JUROR NO. 11: Thank you.

11 (Whereupon, at 4:10 P. M., an adjournment was  
12 taken in this matter until 9:45 A. M. of the following  
13 morning, Thursday, December 2, 1971.)  
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