

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

DEPARTMENT NO. 106

HON. RAYMOND CHOATE, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,

vs.

BRUCE McGREGOR DAVIS,

Defendant.

217

No. A-267861

REPORTERS' DAILY TRANSCRIPT

Wednesday, January 5, 1972

Thursday, January 6, 1972

VOLUME 17

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.  
ROGER K. WILLIAMS, C.S.R.  
Official Court Reporters

1 LOS ANGELES, CALIFORNIA, WEDNESDAY, JANUARY 5, 1972 10:50 AM

2 - - - -

3  
4 THE COURT: You may stand beyond the rail, ladies and  
5 gentlemen. You needn't come in. We still have not yet  
6 selected the alternate jurors, I am sorry to report.

7 (Proceedings had on an unrelated matter.)

8 THE COURT: Those of you who are on the jury in the  
9 case of People vs. Davis, the Court will excuse you now  
10 with the same admonition that I gave you yesterday.

11 You are not to converse amongst yourselves nor  
12 with anyone else, nor permit anyone to converse with you on  
13 any subject connected with this matter, nor are you to form  
14 or express any opinion on the matter until it is finally  
15 submitted to you.

16 I'll excuse you until 9:30 tomorrow morning.

17 All right. Thank you. And you may leave now.  
18 Remember also the admonition that I gave you concerning  
19 publicity. You are to take affirmative steps to avoid any  
20 publicity concerning this trial, Mr. Manson or Mr. Davis.  
21 Good day. See you tomorrow.

22 MR. DENNY: The alternates, too?

23 THE COURT: As to the alternates -- or prospective  
24 alternates, we still have to select three alternates in this  
25 case. There are three of you prospective alternates who are  
26 in the box, I believe Mr. Jeffery, Mr. Chavers and Mr.  
27 Corman.

28 MR. KAY: Mrs. Corman?

1 THE COURT: Pardon me?

2 MR. KAY: Mrs. Corman, I believe.

3 THE COURT: Yes. Pardon me. Mrs. Corman.

4 And counsel have not yet completed voir dire  
5 examination of those prospective alternates. So therefore--  
6 and this Court must recess today for other court business.

7 It's an unusual procedure to have to do this,  
8 but the Court must do this at this time.

9 And so I'll ask all of you to come back tomorrow  
10 morning at 9:30.

11 MR. KAY: Your Honor, may we approach the bench for a  
12 minute?

13 THE COURT: Yes, you may. Come right up here.

14 (Whereupon, proceedings were had at the bench  
15 among Court and counsel, outside the hearing of the  
16 jury, which were not reported.)

17 THE COURT: All right. Will you be here -- let's see  
18 -- five minutes early, at 9:25, ladies and gentlemen?

19 I intend to start at 9:30 promptly with the  
20 selection of the alternates in this matter. 9:25 tomorrow  
21 morning.

22 Remember the admonition that I have just given  
23 to the other jurors who have been selected in this case.  
24 So, will you also observe it yourselves? And I'll see you  
25 tomorrow morning at 9:25.

26 (Whereupon, at 10:01 o'clock a.m., an adjournment  
27 was taken in this matter until 9:30 o'clock a.m. of the  
28 following morning, Thursday, January 6, 1972.)

1-1

1 LOS ANGELES, CALIFORNIA, THURSDAY, JANUARY 6, 1972 9:35 A.M.

2 - - - -

3  
4 THE COURT: People vs. Davis. Mr. Denny is present  
5 and Mr. Kay and the defendant.

6 JUROR CORMAN: Judge, may I ask one question?

7 THE COURT: Not yet. You have to wait one moment  
8 before we can proceed.

9 Yes, the record will show the defendant to be  
10 present, Mr. Denny to be present, Mr. Kay for the People.  
11 And Mrs. Corman is in the box.

12 You can bring the 12 jurors whom we had in the  
13 box, bring them in. The Court intends to excuse them.

14 MR. KAY: Well --

15 THE COURT: I want to tell you gentlemen, we'll only  
16 be running a few minutes here. The Court will have to  
17 adjourn because of this other business that I am obliged to  
18 pursue.

19 MR. KAY: Would your Honor care to talk to our mad  
20 witnesses that have come back for three days?

21 THE COURT: I realize what your problems are.

22 MR. DENNY: Your Honor, may we approach the bench for  
23 just a few minutes?

24 THE COURT: Yes.

25 (Whereupon, proceedings were had at the bench  
26 among Court and counsel, outside the hearing of the  
27 prospective alternate juror, which was not reported:)

28 THE COURT: Are the 12 jurors here?

1 Mrs. Obradovich here? She is in front.

2 Vasquez, and Miss Frazier I see here. Mr. Gould,  
3 I saw him. Mr. Timothy, where is he?

4 And Muldrow, I see her. Mr. Cano, Menard and  
5 Aughinbaugh, Gipson, Craven and Sandberg, Mrs. Sandberg.

6 I'm going to have to excuse you again, ladies  
7 and gentlemen. We won't be able to begin the case today.  
8 We'll be working just a very short time attempting to find  
9 alternate jurors. And quite possibly we will be able to  
10 begin the case tomorrow. It is not entirely the fault of  
11 counsel, if any, either counsel. It is court business that im-  
12 pels us to take some time off today. It is a rather unusual  
13 circumstance. It has not happened before, but the Court is a  
14 member of a subcommittee of a committee, and I must work on  
15 that committee today. And so I'll excuse you until 9:30  
16 tomorrow morning and hopefully we will be able to begin the  
17 case tomorrow.

18 Remember the same admonishment that I have hereto-  
19 fore given you, you are not to converse amongst yourselves,  
20 nor with anyone else, nor permit anyone to converse with you  
21 on any subject connected with this matter, nor are you to  
22 form or express any opinion on the matter until it is finally  
23 submitted to you.

24 See you tomorrow morning.

25 (Whereupon, the jury retired from the courtroom,  
26 and the following proceedings were had:)

2-1

1 THE COURT: Now, Mrs. Corman is in the box, and I  
2 believe that you, Mr. Denny, were asking her some questions.

3 MR. DENNY: Yes.

4 THE COURT: Do you recall at all where you were?

5 MR. DENNY: Yes, I do, your Honor.

6 THE COURT: Very well.

7 (Pause in the proceedings while a discussion off  
8 the record ensued at the counsel table between Mr. Kay and  
9 Mr. Denny.)

10 MR. DENNY: I'm reminded, your Honor, by Mr. Kay that  
11 she indicated that she did have a question to ask of the  
12 Court.

13 THE COURT: Mrs. Corman?

14 PROSPECTIVE JUROR CORMAN: Well, I wanted to ask one  
15 question. There was one question I heard you ask the other  
16 jurors that you didn't ask me, and that was: Did I have  
17 anyone in the law enforcement?

18 I don't, but my son is an attorney. He hasn't  
19 practiced for 16 years, in the law business. He's in  
20 politics, --

21 THE COURT: Is he --

22 PROSPECTIVE JUROR CORMAN: -- a congressman.

23 THE COURT: -- a member of the California Bar?

24 PROSPECTIVE JUROR CORMAN: Yes, he is.

25 THE COURT: And where is his office?

26 PROSPECTIVE JUROR CORMAN: Well, he --

27 MR. KAY: He's a congressman, your Honor.

28 PROSPECTIVE JUROR CORMAN: A congressman now. He

2-2

1 hasn't practiced law for 16 years.

2 THE COURT: I wondered at the name. Your son is James  
3 Corman?

4 PROSPECTIVE JUROR CORMAN: That's right. But I didn't  
5 know if that made a difference. And I thought I should let  
6 you know, so you wouldn't have to do this other questioning,  
7 if it did.

8 THE COURT: All right.

9 Go ahead, Mr. Denny.

10  
11 VOIR DIRE EXAMINATION OF  
12 EDNA V. CORMAN

13 BY MR. DENNY:

14 Q Mrs. Corman, do you feel that that rather  
15 august position held by your son, in the legislative branch  
16 of our federal government, would have any bearing on the way  
17 you would --

18 A Well, I --

19 Q -- determine the facts of this case?

20 A I don't see how it could. But I didn't know what  
21 your point was. You know, you asked all that, the others,  
22 and I just thought I should tell you.

23 Q Sometimes the judge doesn't know what our point  
24 is on asking those questions, either.

25 A Well, I mean, he hadn't asked me that. I  
26 intended to say that when he did, you know, but he didn't.

27 Q All right.

28 A I don't see why it could. He lives in Washington,

2-3

1 D. C. I won't see him now until the middle of February.

2 THE COURT: Did we inquire about your jury experience?

3 I wonder if I --

4 PROSPECTIVE JUROR CORMAN: What?

5 THE COURT: Have you had any jury experience?

6 PROSPECTIVE JUROR CORMAN: The only one is since I have  
7 been called this time, in a civil case, --

8 THE COURT: I see.

9 PROSPECTIVE JUROR CORMAN: -- a damage suit. And then,  
10 we didn't decide it after listening two weeks.

11 THE COURT: I see.

12 PROSPECTIVE JUROR CORMAN: That's the only one.

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

2a fol



2a-1

1 THE COURT: And I believe you stated that you were --  
2 you have been a widow for some 40 years?

3 PROSPECTIVE JUROR CORMAN: That's right.

4 THE COURT: Go ahead, Mr. Denny.

5 MR. DENNY: Thank you.

6 BY MR. DENNY:

7 Q Ma'am, as far as -- we were on the subject of  
8 your religious magazines --

9 A Yes.

10 Q -- that you got. I wonder, do you listen to  
11 Reverend Hinkle's broadcasts of the Daily Word --

12 A No, I don't.

13 Q -- in the morning?

14 A I never listen to my TV; only at night.

15 Q I see.

16 A I'm too busy.

17 Q All right. And do you have any feelings at all  
18 that because of any religious beliefs or convictions that you  
19 have, that they would tend to make you feel perhaps more  
20 inclined toward leniency for the defendant in this case?

21 A No, I don't.

22 Q On the other hand, are your religious convictions  
23 such that you feel perhaps that you might cast yourself in  
24 the role, say, of the avenging angel of justice?

25 A No, I do not.

26 Q These questions may seem a little facetious, but  
27 strangely enough, there have been people, sitting almost in  
28 the seat where you are sitting, who have felt almost that way,

1 and have disqualified themselves for that reason.

2 You don't feel that your --

3 A No, I don't.

4 Q -- your religious convictions, one way or another,  
5 are such that they would have a bearing on your determination  
6 of the guilt or innocence --

7 A I do not.

8 Q -- of the defendant?

9 A No, I do not.

10 Q All right. Now, again, ma'am, I don't want to  
11 press the issue, but I noticed that in listening to the  
12 Judge this morning -- in just a short colloquy that was had--  
13 you did seem to strain forward to hear him.

14 A Well, maybe -- I didn't know that I did it. But  
15 maybe -- maybe I do. I do have to listen. They talk fast,  
16 and --

17 Q Well, I am just concerned, frankly, about that  
18 one issue. But if you are not concerned about it, if you  
19 don't feel that you would have any difficulty, seated as an  
20 alternate juror here -- and you would be sitting up in the  
21 last seat in the last row here (indicating), the farthest  
22 from the witness box -- and if you feel that there might be  
23 some difficulty in your hearing in getting not only all of  
24 the questions -- not only all of the answers from the witnesses  
25 who will be talking into that microphone, but all of the  
26 questions from the lawyers -- who may not be using a microphone,  
27 or probably won't be using a microphone -- if you feel there's  
28 a problem there, I would certainly appreciate it if you'd let

1 the Court and the attorneys know.

2 If you feel that there will be no problem, then  
3 we'll go by that.

4 A Well, I -- I don't think so. But if you think  
5 so, why -- (shrugging her shoulders).

6 Q Well, I --

7 A I didn't have any trouble in the other -- hearing  
8 them. But they didn't talk on a microphone. But they were  
9 right close to us.

10 Q That was one of the small courtrooms --

11 A Yes.

12 Q -- over in the New Courthouse?

13 A Yes.

14 Q All right.

15 THE COURT: Mrs. Corman, if you do have any trouble  
16 hearing, would you be embarrassed at all in raising your  
17 hand?

18 PROSPECTIVE JUROR CORMAN: No. We were told to do  
19 that in the other case.

20 Q BY MR. DENNY: Mighty fine. All right. Now,  
21 ma'am, as far as the other questions that I asked the other  
22 jurors, I just want to ask you one or two.

23 First of all, you heard me ask about if any of  
24 the jurors found themselves in the minority position,  
25 perhaps just one, they were the only one voting in that  
26 particular fashion, whether it was for guilt or innocence,  
27 and all of the other -- all of the 11 others were of the  
28 opposite opinion; and, in good conscience, they were voting

1 their feelings, their convictions different from yours,  
2 would you vote with them merely in order to bring in a  
3 unanimous verdict, if you weren't convinced of the correct-  
4 ness of their position?

5 A I don't think I would. They might convince me,  
6 but you know, they'd have to --

2b fls.

2b-1

1 Q They would have to convince you of the  
2 correctness of their position?

3 A They would.

4 Q Otherwise, you wouldn't let the mere weight of  
5 numbers, no matter how well intentioned they might seem to be,  
6 change your mind from what you thought was the correct  
7 position; is that right?

8 A That's right.

9 Q On the other hand, I take it you would be, as  
10 Mr. Kay has asked all the other jurors, reasonable in your  
11 approach to the evidence?

12 A I would.

13 Q And would discuss with them your -- your views?  
14 You wouldn't just close your mind and say, "I know what I know,  
15 and nothing you say will convince me to the contrary,"

16 Is that right?

17 A That's right.

18 Q But you would also, I hope, attempt to convince  
19 them of the correctness of your viewpoint --

20 A I would.

21 Q -- if you were in a minority? Or even if you were  
22 in the majority, to convince the minority members; is that  
23 right?

24 A That's right.

25 Q Now, did you hear the other questions that I  
26 asked of the other jurors, during the early --

27 A Yes, I did.

28 Q -- period?

2b-2

1 Do you feel that your answers would be essentially  
2 the same as --

3 A I do.

4 Q -- those who remained there on the panel?

5 A Yes, I do.

6 Q All right. Now, despite the fact that this is a  
7 murder case -- and, as you say, it's never pleasant to sit on a  
8 murder case -- do you have any reservations whatsoever about  
9 sitting to determine the guilt or innocence -- and possibly  
10 the life or death -- of Mr. Bruce Davis in this case?

11 A Would I have any what, did you say?

12 Q Would you have any reservations whatsoever about  
13 sitting as a juror, and your ability to fairly try the issues  
14 of both guilt or innocence and perhaps even the issues of life  
15 or death?

16 A Well, I would do my best. And I don't -- if I --  
17 if it's necessary for me to sit on it, I am willing to do  
18 whatever.

19 If you think I am -- that they want me here, why,  
20 I am willing to do it. Well, not -- and if not, I am willing  
21 to be excused.

22 But I will do my best; that's all.

23 MR. DENNY: That's all we can ask of any juror.

24 Thank you, Mrs. Corman, very much.

25 THE COURT: Pass for cause?

26 MR. DENNY: Pass for cause, your Honor.

27 MR. KAY: Thank you, your Honor.  
28

2b-3

## VOIR DIRE EXAMINATION

1  
2 BY MR. KAY:

3 Q Mrs. Corman, if you are seated as an alternate  
4 juror here, will you promise me that, if you have any  
5 difficulty whatsoever in hearing a witness, that you will  
6 immediately raise your hand, and tell the judge that you are  
7 having difficulty?

8 Because, we don't want you to miss any of the  
9 evidence for either side, for the prosecution or for the  
10 defense.

11 So, will you promise me that?

12 A I will. I raised my hand, and I was the only one  
13 in the jury that did, when one man got so low. I did, and they  
14 told him to speak up.

15 So, I'm not afraid.

16 Q That's good. And also, if you can't hear one of  
17 the attorneys -- either myself or Mr. Manzella or Mr. Denny --  
18 you know, don't hesitate, because we are not going to bite you  
19 or anything. And we want you to hear.

20 We wouldn't be here if we didn't feel that we had  
21 something that we wanted you to hear.

22 Have you determined, in your own mind, that if you  
23 feel that the evidence in this case warranted it, that you  
24 could vote to impose the death penalty against Mr. Davis?

25 A I do.

26 Q And I take it that you could impose the death  
27 penalty if you felt that it was right in this case?

28 A I do.

2b-4

1 Q Now, did you understand what I told the other  
2 jurors, about reasonable doubt, and about that being the  
3 prosecution's only burden in this case? And do you think you  
4 understand that?

5 A I think I do.

6 Q All right. Okay.

7 And you wouldn't hold the prosecution to any higher  
8 burden of proof than that, would you?

9 A No.

10 Q All right. Okay.

11 You realize that that's it; that we only have to  
12 prove Mr. Davis guilty of these three charges beyond a reason-  
13 able doubt, and not to -- beyond all doubt, or to an absolute  
14 certainty, or beyond a shadow of a doubt, but only beyond a  
15 reasonable doubt.

16 Now, on Count No. 3 in this case, you've heard both  
17 myself and Mr. Denny state that the prosecution will not be  
18 able to produce the body of Donald Jerome Shea, or photographs  
19 of the body.

2c fol

20

21

22

23

24

25

26

27

28



2c-1

1 Now, does this make you automatically close your  
2 mind to the case on Count No. III, or are you willing to  
3 keep an open mind and let the evidence convince you of Mr.  
4 Davis' guilt beyond a reasonable doubt, if the evidence can  
5 do so?

6 A I am.

7 Q And you'll keep an open mind?

8 A I will.

9 Q And do you think you understand the explanation  
10 I gave the other jurors, and that Mr. Denny gave the other  
11 jurors, about the distinction between direct and circumstan-  
12 tial evidence?

13 A I do.

14 Q And will you follow all the Court's instructions  
15 on that?

16 A I will.

17 Q And you understand that under the law of  
18 California, neither direct nor circumstantial evidence is  
19 more entitled to more weight than the other? In other words,  
20 they're equal in the eyes of the law.

21 Do you have any quarrel with that instruction?

22 A No, I don't.

23 Q And can you think of any reason why you couldn't  
24 give the People of the State of California, who Mr. Manzella  
25 and I represent in this case, a fair trial?

26 A No.

27 Q And will you promise me that if you are selected  
28 as a regular juror, after you are an alternate juror -- if

1 one of the regular jurors has to leave, and you take their  
2 place -- that when you get in the jury room, that you'll  
3 just be as reasonable as you possibly can be?

4 A I will.

5 MR. KAY: Okay. Thank you. I'll pass for cause.

6 THE COURT: Both sides pass for cause. The peremptory's  
7 with the defendant.

8 MR. DENNY: We'll accept the alternate panel as  
9 constituted.

10 THE COURT: With the People.

11 MR. KAY: We will accept the alternate panel as  
12 constituted, your Honor.

13 THE COURT: Very well. All right. Get the other two  
14 in, will you?

15 THE BAILIFF: Yes, sir.

16 THE COURT: We'll have to begin tomorrow morning.  
17 We could set it for 2:00 and see whether or not -- if you  
18 want to make opening statements at 2:00 -- to see whether  
19 or not this work that I am working on --

20 MR. KAY: Do you mean 2:00 tomorrow?

21 THE COURT: This afternoon.

22 MR. KAY: Well, our regular jury has been excused.

23 THE COURT: -- could be accomplished.

24 That's true. I did excuse them until tomorrow.  
25 That's right.

26 All right. That's what we'll have to do.

27 As I told you at the bench, I assume that I will be engaged  
28 all day, in any event, so that we are --

1 THE BAILIFF: The entire panel, your Honor?

2 THE COURT: Yes. Bring in the entire panel.

3 The three alternates, as I see it, are Mr.  
4 Jeffery, Mr. Chavers, and Mrs. Corman.

5 MR. KAY: Right.

6 THE COURT: Do you want to bring the witnesses in,  
7 too? And I'll order them back.

8 MR. KAY: Okay. Thank you.

9 THE COURT: Mr. Jeffery, Mr. Chavers, would you take  
10 your seats in the box?

11 We have selected three alternate jurors now,  
12 ladies and gentlemen, so the Court will excuse the balance  
13 of the panel.

14 The Court thanks you, and you are excused.  
15 Would you return to the 15th floor of the New Hall of  
16 Records, right away?

17 And Mrs. Corman and gentlemen, you have the same  
18 obligations that the other jurors who have been sworn have.  
19 We'll swear you now, together.

20 Would you please rise?

21 THE CLERK: You and each of you do solemnly swear  
22 that you will well and truly try the cause now pending  
23 before this court, and a true verdict render therein,  
24 according to the evidence and the instructions of the  
25 Court, so help you God?

26 THE ALTERNATE JURORS: I do.

27 THE COURT: Please be seated.

28 You must listen just as attentively as any of

1 these jurors who have been sworn, because you may be called  
2 upon to fill in for anyone of them at any time.

3 Do you all understand that?

4 (The three alternate jurors answered in the  
5 affirmative.)

6 THE COURT: And the Court will admonish you from time  
7 to time, and you are to follow and heed that admonishment,  
8 just as the other jurors must.

9 I will admonish you that you are not to discuss  
10 this case amongst yourselves, with the other jurors, or with  
11 anyone; that you are not to allow anyone to discuss it with  
12 you during the time that you are an alternate juror or a  
13 juror;

14 And you are not to form or express any opinion  
15 on the matter until it's finally submitted to you.

16 You are not to allow yourself to be exposed to  
17 any publicity concerning the case, concerning Charles Manson,  
18 the Manson Family, or Mr. Davis.

19 The Court orders you that you are to avoid -- take  
20 affirmative steps to avoid -- such matters.

21 If a radio program is turned on in your presence,  
22 and there's nothing you can do to avoid it, except leave the  
23 room or turn the radio off, well, do that.

2d-1

1 And if you see a headline -- sometimes, you can't  
2 avoid a headline. But you are not to read the balance of the  
3 paper.

4 Ask somebody to cut it out for you, if you are  
5 curious and want to know something about it later.

6 But is there any question in your minds, in any  
7 of your minds, about that?

8 Yes, Mrs. Corman?

9 ALTERNATE JUROR CORMAN: I just wanted to ask you:

10 Are we allowed to tell our own relatives that we  
11 are going to sit on this jury?

12 THE COURT: Oh, you may state that you are sitting on a  
13 case --

14 ALTERNATE JUROR CORMAN: Yeah.

15 THE COURT: -- involving People versus -- entitled  
16 People versus Davis.

17 ALTERNATE JUROR CORMAN: Yeah. I see.

18 THE COURT: You needn't state what it's about. Just tell  
19 people that you will be involved until the latter part of  
20 February. That's all right.

21 All right. I'll excuse you until tomorrow at  
22 9:30. Tomorrow morning at 9:30.

23 Do you have some witnesses that need to be ordered  
24 back?

25 MR. KAY: Yes, your Honor. I have Mr. Michael Erwin.

26 The other three witnesses are down at coffee, and  
27 I can't get them. But I wonder if --

28 THE COURT: Well, will you be using -- assuming you

2d-2

1 make your opening statements tomorrow morning, would you be  
2 using Mr. Erwin?

3 MR. KAY: Yes, we would. He would definitely be one of  
4 our first witnesses.

5 THE COURT: Are you Mr. Erwin?

6 MR. ERWIN: Yes, I am.

7 THE COURT: I'm sorry to cause you to come back again,  
8 Mr. Erwin.

9 MR. ERWIN: That's all right.

10 THE COURT: But the Court orders you to return tomorrow  
11 morning --

12 MR. KAY: I wonder if we could have him, say, about  
13 11:30?

14 THE COURT: All right.

15 MR. KAY: Would that be all right?

16 MR. ERWIN: Yeah, that's fine.

17 THE COURT: All right. At 11:30.

18 And your other witnesses?

19 MR. KAY: Well, I can't locate them now.

20 THE COURT: Do you wish me to wait, or will you be able  
21 to lasso and hogtie them back in?

22 MR. KAY: How much longer is the Court going to be here?

23 THE COURT: Well, I intended to leave now, to go to the --

24 MR. KAY: Well --

25 THE COURT: -- other courthouse.

26 MR. KAY: We'll make it.

27 THE COURT: All right. We are in recess, then, until  
28 9:30 tomorrow morning.