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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 104 HON. CHARLES H. OLDER, JUDGE

106

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

CHARLES MANSON, SUSAN ATKINS,
LESLIE VAN HOUTEN, PATRICIA KRENWINKEL,

Defendants.

No. A253156

REPORTERS' DAILY TRANSCRIPT
Tuesday, September 29, 1970
P. M. SESSION

APPEARANCES:

For the People: DONALD A. MUSICH, STEPHEN RUSSELL KAY, [redacted] and VINCENT T. BUGLIOSI, DEPUTY DISTRICT ATTORNEYS

For Deft. Manson: I. A. KANAREK, Esq.

For Deft. Atkins: DAYE SHINN, Esq.

For Deft. Van Houten: [redacted] RONALD HUGHES, Esq.

For Deft. Krenwinkel: PAUL FITZGERALD, Esq.

VOLUME 106

PAGES 12081 to 12162

JOSEPH B. HOLLOMBE, CSR.,
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Official Reporters

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LOS ANGELES, CALIFORNIA, TUESDAY, SEPTEMBER 29, 1970
2:05 o'clock p.m.

- - - -

THE COURT: All parties, counsel and jurors are present. You may continue, Mr. Kanarek.

MR. KANAREK: Yes, thank you, your Honor.

JUAN FLYNN,

the witness on the stand at the time of the noon recess, resumed the stand and testified further as follows:

FURTHER CROSS-EXAMINATION

BY MR. KANAREK:

Q Mr. Flynn, would you please tell us your address?

MR. BUGLIOSI: It's immaterial, your Honor; it's irrelevant.

MR. KANAREK: It's most relevant, your Honor --

MR. BUGLIOSI: May we approach the bench on it?

MR. KANAREK: Smith vs. Illinois --

MR. BUGLIOSI: That deals with a different issue.

MR. KANAREK: We have a particular issue.

THE COURT: Gentlemen, let's stop the colloquy.

The objection is overruled. You may answer.

THE WITNESS: This is the address that I can be reached, 21[illegible] Bryant Street, Canoga Park.

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BY MR. KANAREK:

Q Canoga Park?

A Canoga Park.

Q Is that an apartment, Mr. Flynn?

A No.

Q I notice you are reading it from a piece of paper; you don't have it memorized, is that correct?

A Yes, I have it memorized. This is the address that you could reach me at.

Q Where do you live, Mr. Flynn?

A In Canoga Park.

Q Would you tell us the address, please?

MR. BUGLIOSI: I request an offer of proof as to why he wants to know.

MR. KANAREK: So that we can contact people, your Honor, so that we can contact people.

THE COURT: All right, Mr. Kanarek, you have your answer.

THE WITNESS: I stated that you could reach me through this address.

BY MR. KANAREK:

Q Yes, but I would want to know, please, if you would tell me where you live, Mr. Flynn.

A I don't want to tell you.

MR. KANAREK: Well, will the Court order him to answer that, please; may we have an answer?

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THE COURT: Answer the question.

THE WITNESS: Okay, it's just a block from there.

BY MR. MANAREK:

Q Would you state the address, please.

A Just a block from there, it's Independence and Partenia, you know.

Q Would you state the address, please.

A I wouldn't know the number of the house you know.

Q Does anyone else live in that house with you?

A Yes.

Q Who?

A Mr. Swartz.

Q What is his first name?

A Johnny.

Q Johnny Swartz, you mean the man from Spahn Ranch?

14 fls. A Yes.

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Q And directing your attention, then, Mr. Flynn, having in mind the automobile that you testified to wherein you testified certain people drove off in an automobile.

A Yes.

Q Have you ever stated that that automobile was a Plymouth?

MR. MUGLIONI: Asked and answered, your Honor.

THE COURT: Sustained.

MR. KARAPIK: Q Do you remember, Mr. Flynn, having a conversation with Mr. F. L. Cartucci on August the 16th, 1970?

A Yes.

Q Do you remember having that conversation?

A Well, I remember, if you want to know something about it.

Q You mean, if I don't -- you mean --

A If you are just going to stand there, you know, and expect me to tell you a conversation without giving me a point to talk about.

THE COURT: There is no question pending.

Let's get on with the next question.

You already asked that question and received an answer.

MR. KARAPIK: Q Now, did you discuss the automobile that you say you saw people drive off in with

Mr. Sartucci?

A Yes.

Q I ask you now --

Counsel, I am reading from Page 14, Lines 20 to 23.

(Mr. Kanarek shows a document to Mr. Bugliosi.)

MR. KANAREK: Q I show you Page 14, Mr. Flynn, and I ask you to read over to yourself Lines 20 to 23.

I am asking you to read that to yourself, Mr. Flynn.

A Yes.

Q Lines 20 through 23.

A "What kind of a car" --

Q Read it to yourself. Just to yourself, Mr. Flynn. Lines 20 to 23.

(Pause while the witness reads.)

MR. KANAREK: Just to yourself.

Have you read it to yourself?

Does it take you all this time to read those three lines?

THE WITNESS: Well, did you give me a certain time to read it?

MR. KANAREK: I am asking you to read 20 to 23. I want to know if you require all that time to read those three lines?

THE WITNESS: I have read it.

Q BY MR. KANAREK: Have you read it?

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A Yes.

Q In answer to a question: "What kind of car did they leave in?

"A A Plymouth.

"Q A Plymouth?

"A A Plymouth."

Did you give those answers to Mr. Sartucci?

A If they are stated in that piece of paper, I could have.

Q Well, my question is --

A If they are stated on the Information that you base your conversation from, I believe that I did, then.

Q In other words, what you are telling me, if it is written down on this piece of paper, then you are going to accept it as 100 per cent goupel truth that you said it; right?

MR. BUGLIOSI: Badgering the witness, your Honor.

MR. KANAREK: I am asking him. He initiated it.

THE COURT: Overruled.

You may answer.

THE WITNESS: I didn't say that I was going to accept it, you see.

MR. KANAREK: Q My question is: To those questions, Mr. Flynn, did you give those answers?

A Well, as I stated, you know, that if what you base your question --

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THE COURT: Answer the question, Mr. Flynn.

THE WITNESS: Okay.

I could have, yes.

MR. KAHANEK: Q Is your answer yes?

A Yes.

Q Or no? Or you don't know?

A Yes. I know. Okay.

Q You remember, as you are sitting there on the witness stand, testifying under oath now?

A Yes.

Q You remember that you told Mr. Sartucci it was a Plymouth, is that correct?

A Yes.

Q Now, I ask you to read --

May I approach the witness, your Honor?

THE COURT: Yes, you may.

MR. KAHANEK: Q Now, would you read over Lines 24, at the bottom of Page 14, through Line 5 at the top of Page 15.

A To Line 5?

Q Yes, at the top of Page 15, Mr. Flynn.

Is that clear?

From the bottom, Line 25 -- pardon me -- Line 24, at the bottom of Page 14, through Line 5, at the top of Page 15.

A 15?

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Q Yes.

Through Line 5 at the top of Page 15.

Just read those over to yourself.

(Pause while the witness reads.)

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Q Did you give these answers to those questions?

A Yes.

Q You remember that you did?

A Yes.

MR. KAMAREK: (Reading)

"Q Do you remember whose car that was?

A Yes.

MR. KAMAREK: I am now reading. You don't have to answer. I am now reading what is on the paper.

"Q Do you remember whose car that was?

"A A Plymouth or a yellow Ford. There was the yellow Ford there at the time.

"Q Whose car was that?

"A That was Johnny Swartz's car. He let them use it. Then when Linda Kasabian came back she borrowed David Handbom's --"

Then there is a question mark after that in the script, something like that. "And she split, and he kept saying to me, 'Where is my car? Where is my car?'"

Q Now, is it a fact, Mr. Flynn, that there was more than one car at the ranch?

A Well, that I saw more than one car in use, you see, by Mr. Manson.

Q My question, Mr. Flynn --

A I answered. I says "Yes, there was more than

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one car that I saw in use by Mr. Manson."

Q My question is, was there more than one car at the ranch?

A Yes, there was more than one car that was running that I saw in use by Mr. Manson.

Q Mr. Flynn, my question --

You may have some question you may wish to answer, my question is merely:

Was there more than one car at the ranch?

A Yes, there was more than one car that I saw in use at the ranch, and I saw Mr. Manson use them.

Q Now, you have in your testimony --

A Yes.

Q -- looking into the depths of your mind, you have a desire in this to get Mr. Manson somehow in this testimony, is that right, Mr. Flynn?

A I would not agree with you.

Q You don't agree with me?

A No, I say no.

MR. LANAHAN: I see.

Your Honor, may the record reflect, I think there was about at least a ten-second lag between the question and the response.

15a fls.

15a-1

Q Well, my question, Mr. Flynn, then, is what kind of car did they leave in?

A A yellow Ford.

Q A yellow Ford?

A Yes, yes.

Q And when you stated on August the 18th, 1970, just a few weeks ago --

A Yes.

Q -- that it was a Plymouth, that was incorrect, is that right, Mr. Flynn?

A The Plymouth was incorrect.

Q I see, and since that date have you discussed the yellow Ford with Mr. Bugliosi?

A When I came down on my free will, here, you know --

Q There are lots of things that may or may not be true, Mr. Flynn, but would you just answer that question, please.

Do you have the question in mind, Mr. Flynn?

A If I discussed this with Mr. Bugliosi?

Q Yes, the matter of the Ford.

A Well, I submitted my testimony to him.

Q Did you discuss a yellow Ford with Mr. Bugliosi?

A I submitted my testimony about the yellow Ford to Mr. Bugliosi.

Q Since August of 1970 you have discussed the

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yellow Ford with Mr. Bugliosi, is that correct?

A I submitted my -- you know -- to Mr. Bugliosi about the yellow Ford and, you know --

Q Do you understand the word, discuss, Mr. Flynn?

A This is talk, you know, --

Q Discuss?

A Talk, you know.

Q Right.

Now, did you talk with Mr. Bugliosi concerning a yellow Ford since August, 1970, August 18th, 1970?

A Yes.

Q Now, do you recall discussing with Mr. Sartucci--

A Yes.

Q Mr. Flynn --

A Uh-huh.

Q -- wherein you stated to Mr. Sartucci something concerning a knife, and Mr. Manson, in connection with the -- with Mr. Manson making statements to you in connection with the Sharon Tate murders?

A I don't know if I talked with him about that.

Q You don't know.

Well, would you look back in your mind and tell me whether on August the 18th, 1970, at about 4:00 o'clock in the afternoon -- pardon me -- about 2:00 o'clock in the afternoon --

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A Uh-huh.

Q -- were you in the Police Building with Sergeant Sartucci?

A Yes.

Q Did you discuss with him the matter of --

Did you tell him something about Mr. Manson and a knife in connection with the statements you said Mr. Manson made about the Sharon Tate murders?

A No, I don't remember discussing that with him.

Q You don't remember that.

Well, may I ask you then to just read over, just read over to yourself at this time --

A Uh-huh.

Q -- Mr. Flynn --

MR. KANARE: May I approach the witness, your Honor?

THE COURT: You may.

BY MR. KANARE:

Q Would you begin -- now, again I am asking you just to read to yourself, please, beginning at page 3, line 2, would you read that over to yourself through line 18?

16 fls. A Yes.

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Q Just to yourself.

A From No. 2 down right?

Q. From No. 2, Page 3, through Line 18; and please do not read from the sheet at this time.

(Pause while the witness reads.)

MR. KANAREK: Q Now, have you read over Lines 2 through 18?

A Yes.

Q Does that refresh your recollection as to whether or not you discussed the matters set forth in Lines 2 through 18 at Page 3 with Mr. Sertucci?

Now, do you know what I mean by recollect, Mr. Flynn? Do you know what recollect means?

A Well, thinking back, huh?

Q That is what you understand the word recollect means?

A Okay. You tell me.

Q I am not telling you.

A I am asking you what recollect is.

Q Well, do you recall, as you sit on the witness stand right now -- not because it is written on this paper, but because you, in fact, as you sit there right now, in your mind, are thinking, without looking at this paper -- do you recall discussing the matters that are set forth in Lines 2 through 18 at Page 3?

A No. I don't recall them, but -

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Q You don't recall discussing these matters with Mr. Sartucci?

A I know that I talked to him.

Q But you don't recall these matters that are set forth in Lines 2 through 18 is that correct? As you sit on the witness right now, you don't recall stating those things is that right?

A Yes, I recall some of it but not all of it.

Q Pardon?

A I recall some but not all.

Q Now you do recall?

A I recall some of it.

Q Would you tell us, then, -- you may read it again if you so desire -

Would you tell us, were the questions set forth at Lines 2 through 18 asked of you, and did you give the answers that are set forth in Lines 2 through 18 at Page 3?

Did you give those answers?

A They don't sound like me.

Q Well, will you tell us, Mr. Flynn? Would you look at it? Take your time. I am sure Judge Older will grant you all the time that you want. And would you then give me an answer to the question, please.

Just read it over to yourself again. Don't read from the page at this time.

A Page 13, right?

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Q Line 18, Mr. Flynn. Through Line 18.

(Pause while the witness continues to read.)

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THE WITNESS: There is a small mistake here though.

BY MR. KANAREK:

Q My question is, Mr. Flynn: After reading that, do you recall giving the answers that are set forth there to the questions that are set forth there between lines 2 and 16?

A Well, if I did, you know, I must have -- yes, I did. Yes, I did.

Q You recall now?

A Yes.

Q You have an independent recollection?

A Yes.

Q As you sit there in the witness stand?

A Yes.

Q You remember that you gave these questions --

A Yes.

Q -- gave the answers set forth here to the questions?

A Yes.

MR. KANAREK: All right.

(Reading.)

"Q When did you first become aware of the fact that Charles Manson was being charged with the crimes that he is presently on trial for?

"A I became aware of the crimes that he is being charged with when he admitted to me of

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"the killings that were taking place as we have discussed from the television news media.

"Q Okay. Just to clarify that point. I assume you were at some location when you saw the television programs that mentioned some murders?

"A Yes.

"Q What murders in particular?

"A The Sharon Tate murders.

"Q Was there any conversation about the La Biancas, or was that all at the same time, or what?

"A Well, I don't know if it was at the same time, but he led me to believe, he told me that he was the main cause for these murders to be committed."

Now, Mr. Flynn, did you, at any time, mention to Mr. Cartucci that this took place in a kitchen?

MR. BUGLIOSI: I object. If he wasn't asked that question, your Honor, there would be no way for him to answer it. So, I object on the grounds that it is totally irrelevant.

MR. FANARA: Your Honor, the question is --

MR. BUGLIOSI: It is irrelevant.

If he was asked that question and he didn't answer it that way, then it would be relevant.

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THE COURT: Do you wish to come to the bench, Mr. Kanarek?

MR. KANAREK: Yes, your Honor.

(Whereupon Mr. Kanarek and Mr. Buglioni approach the bench and the following proceedings occur at the bench outside of the hearing of the jury:)

MR. KANAREK: Yes, your Honor.

MR. BUGLIONI: I think this is improper impeachment.

If he made an inconsistent statement, that is impeachment. If he made an inconsistent statement.

But, your Honor, "Did you tell him about the kitchen area?" That is not impeachment.

I might bring up several things that he told Sartucci, but it wouldn't be relevent and the Court wouldn't let me bring it in.

He told Sartucci a lot of things that I can't get into evidence.

I think he can only go into --

THE COURT: There is a difference, of course, between what you can do on direct and what you can do on cross.

16b fls.

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MR. BUGLIOSI: I understand that, your Honor, but I don't think it is proper impeachment. "Did you tell him about the kitchen area?"

If he was asked and he said, "No, it was not in the kitchen, it was in the bunk house," that is something different. But, "Did you tell him it was in the kitchen area," I will object on the ground it is calling for hearsay. It is also irrelevant.

MR. KANAREK: May I respond to that?

THE COURT: Yes.

MR. KANAREK: The fact of the matter is, if you read the colloquy, he indicates that the place that the discussion took place was during the TV performance. If you read the colloquy, your Honor.

THE COURT: I am not going to read the colloquy, Mr. Kanarek. It is not in evidence. It hasn't been offered to me. I don't know what you are talking about.

MR. KANAREK: I am saying that --

MR. BUGLIOSI: What if it was at two places? Maybe it was.

Do you want me to bring that out, too?

MR. KANAREK: I am saying that counsel can try to clear it up, if he wishes, but my position is that this colloquy clearly shows that these conversations took place at the time when there was a viewing of the television broadcast. There is no question about it, if you read the

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colloquy.

Furthermore, he says he became aware of the crimes when he admitted the killings.

That is impeaching this witness on another aspect, because clearly, in the kitchen there was no TV. There was nothing mentioned about TV.

And he said at that time he didn't -- there was no awareness as far as the crimes were concerned, there was no connection.

In other words, it wasn't simultaneous with the awareness of the crimes having occurred that Mr. Manson said he did it.

This is impeaching in several different ways. It is impeaching what this witness has already stated.

MR. BUGLIOSI: There is no impeachment, your Honor.

THE COURT: That is a matter for argument.

MR. BUGLIOSI: All right.

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THE COURT: I really don't see the objection, Mr. Bugliosi.

MR. BUGLIOSI: Well --

THE COURT: You can bring it out on redirect examination, if you want. But I think there is some implication in the question, I consider it to be a straightforward question.

MR. BUGLIOSI: I don't think it's proper cross-examination, your Honor, to ask a witness, "In a previous conversation did you tell someone this, did you tell someone that?"

You can go all the way down the line. I have never seen that sort of examination.

THE COURT: Lots of times.

MR. BUGLIOSI: Did they ask you whether such and-such did occur? What did you say?

THE COURT: This is clearly relevant.

MR. BUGLIOSI: It would be relevant if they asked him where it occurred and he never told them, or he gave them a different place.

But he is not even being asked.

THE COURT: I think questions like this carry within themselves the seeds of their own destruction.

If a lawyer asks a question like that and does not follow it up, the other attorney usually turns the

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1 weapon against him on his re-examination, so it is self-
2 curing.
3 MR. BUGLIOSI: I will withdraw the objection.
4 THE COURT: I think he has the right to ask the
5 question.
6 MR. BUGLIOSI: Your Honor, on these addresses, if
7 they really want to go out there and talk to people, swell.
8 If they want to do that, if they want to make that offer of
9 proof.
10 THE COURT: You tell me what Smith vs. Illinois
11 means, if it doesn't mean that.
12 MR. BUGLIOSI: If they want to do that?
13 THE COURT: I cannot investigate their motives.
14 He has the right to know, as I read the case.
15 MR. BUGLIOSI: All right.
16 (The following proceedings were had in open
17 court in the presence and hearing of the jury:)
18 MR. KANAREK: Your Honor, may that last question be
19 read?
20 THE COURT: Well, it's quite a ways back, Mr. Kanarek,
21 would you reframe the question.
22 Q BY MR. KANAREK: Mr. Flynn, did you tell
23 Mr. Sartucci that this alleged -- I will withdraw it.
24 Did you tell Mr. Sartucci that this supposed
25 knife incident, Mr. Manson saying these things about the
26 murders, that it took place in the kitchen?

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A. Well, I talked to Sartucci, you know, and I told him about an incident in the kitchen, yes.

Q You did tell him about an incident in the kitchen?

A Yes.

Q I see. Now -- and that was on August the 18th, 1970, right? You were down there in the Police Building?

A Yes.

Q All right. Now, would you read over -- now, again, Mr. Flynn --

MR. KANAREK: I think Mr. Bugliosi and I can agree.

(Consultation between Mr. Bugliosi and Mr. Kanarek.)

MR. KANAREK: Mr. Bugliosi and I are in agreement, your Honor, I think --

(Further discussion between Mr. Kanarek and Mr. Bugliosi.)

Q BY MR. KANAREK: Mr. Flynn, then, would you read over these pages.

Mr. Flynn, would you read over these pages to yourself and tell me now, again. Just read them to yourself, Mr. Flynn, and would you tell us --

MR. BUGLIOSI: I submit, this is improper cross-examination, your Honor.

MR. KANAREK: Well, your Honor, then --

THE COURT: Well, he has not asked the question yet.

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1 Finish the question, Mr. Kanarek.

2 Q BY MR. KANAREK: Would you tell me whether there

3 is any reference anywhere in those pages to the kitchen.

4 I am speaking now of the incident that you

5 testified to about the knife.

6 A Yes.

7 Q And about Mr. Manson making statements about the

8 Sharon Tate - about the murders.

9 A Yes.

10 Q Seven murders.

11 A Yes.

12 MR. BUGLIOSI: Same objection, your Honor.

13 THE COURT: What's the objection?

14 MR. BUGLIOSI: It's improper cross-examination.

15 MR. KANAREK: Well, your Honor, I can represent to

16 the Court that this is a transcript that has been furnished

17 me by the District Attorney as purporting to reflect --

18 THE COURT: What is your objection?

19 MR. BUGLIOSI: It is improper. He is trying to prove

20 a negative, and there may have been several conversations

21 with Mr. Sartucci.

22 This is implying everything is within those

23 pages.

24 MR. KANAREK: The question will reveal that I asked

25 him concerning this precise conversation in the Police

26 Building in connection with this very day, your Honor.

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THE COURT: I think you will have to lay more of a foundation, Mr. Kanarek, whether this is all of the conversation.

THE WITNESS: There is some more conversation.

THE COURT: Just a moment.

Q BY MR. KANAREK: Mr. Flynn, when you were present with Mr. Sartucci was there a lady or a man taking down --

A. A man.

Q -- like Mr. Hollombe?

A. A man.

Q Taking down every word that was said, right?

A. Right.

Q And that was on August the 18th, 1970, right?

A. Yeah.

MR. KANAREK: May I approach the witness, your Honor?

THE COURT: You may.

MR. KANAREK: May I have those?

(Documents handed to Mr. Kanarek.)

Q BY MR. KANAREK: You see here on Page 16, do you remember about how long it was Mr. --

A. Read this?

Q No, my question is about how long did you talk to Mr. Sartucci in the presence of a man who was taking down every word that was being said?

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MR. BUGLIOSI: Well, this is assuming a fact not in evidence. It is assuming that court reporters get down every word, and I think everyone knows that they don't.

They make errors very, very frequently. This has been shown in this court.

Number two, your Honor, I object on the grounds of the best evidence rule.

I have no objection to introducing this whole document into evidence as an exhibit and letting the jury read it.

The document is the best evidence of the conversation, not Mr. Flynn's interpretation of it.

This is clearly in violation of the best evidence rule, your Honor.

MR. KANAREK: Well, your Honor, after that speech may we either approach the bench or may I answer him in open court?

THE COURT: The objection is sustained, Mr. Kanarek.

Please proceed.

MR. KANAREK: Mr. Flynn --

May I approach the witness, your Honor?

THE COURT: You may.

Q BY MR. KANAREK: Now, Mr. Flynn, I show you a picture?

A Yes.

Q And I will ask you do you recall that scene?

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A. Yes.

Q. When did you see that scene?

A. On the ranch.

Q. At the Spahn Ranch?

A. Yes.

MR. KANAREK: I think we have gone through ZZ.

THE COURT: The next exhibit for the defendants will be AB.

MR. KANAREK: AB, your Honor? Thank you.

May I just mark this AB, your Honor?

Q. BY MR. KANAREK: I show you, Mr. Flynn, a scene and ask you if you recognize that, that scene.

A. That is the raid.

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Q That is the day of the raid?

A Yes.

MR. KANAREK: Would the next be A --

MS. FITZGERALD: AC.

AC id. THE COURT: AC will be the next letter.

MR. KANAREK: Yes, your Honor, thank you.

BY MR. KANAREK:

Q I show you a scene that seems to have -- do you recognize that?

A That is the ranch.

Q Is that it on the day of the raid?

A It looks like it. They were wearing baseball caps out there.

MR. KANAREK: May this be marked AD, your Honor?

AD id. THE COURT: It will be so marked.

BY MR. KANAREK:

Q I show you this and ask you if you recognize that uniform that was being used on the day of the raid, and that type of equipment?

A Yes.

MR. KANAREK: May this be marked AE, your Honor?

AE id. THE COURT: It will be so marked.

BY MR. KANAREK:

Q I show you a picture that appears to be some sheriff's deputies.

A That is at the ranch.

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17m-2

Q Was that at the ranch on the day of the raid, Mr. Flynn?

A Well, I don't know if it was on the day of the raid, but I know they were wearing them caps.

Q On the day of the raid?

A Yes, the day of the raid.

MR. KANAREK: And may this be marked AF, your Honor?

AF id.

THE COURT: So marked.

BY MR. KANAREK:

Q I show you a picture and ask you if that appears to be a scene from the day of the raid?

A Something like that, yes.

MR. KANAREK: May it be marked AG, your Honor?

THE COURT: So marked.

AG id.

BY MR. KANAREK:

Q I show you a picture which appears to be of you, Mr. Flynn.

A That is the day of the raid.

Q Is that a picture of you the day of the raid?

A Yes, yes.

Q A picture taken of you in front of what area?

A The saloon, and here is the kitchen door.

Q The door is the door to the kitchen?

A The door is the door to the kitchen.

MR. KANAREK: Thank you. May this be marked AH, your Honor?

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17a-3
AH id.

THE COURT: It will be so marked.

BY MR. MANAREN:

Q I show you a picture which shows one, two, three, four, five, at least six police cars.

Does that appear to be a scene from the day of the raid?

A Yes, it looks like the day of the raid.

MR. MANAREN: May that be marked AI, your Honor?

AI id.

THE COURT: It will be so marked.

BY MR. MANAREN:

Q I show you a picture which shows what appears to be a deputy sheriff walking in a rural area next to a road, does that appear to be on the day of the raid?

A This appears like the ranch.

Q Does that appear to be a picture showing a scene on the day of the raid?

18 fls.

A Well, it could be.

1B-1
AJ id.

MR. KANAREK: May it be marked AJ, your Honor?

THE COURT: It will be so marked.

MR. KANAREK: Thank you.

BY MR. KANAREK:

Q I show you a picture and ask you if that appears to be a scene on the day of the raid?

A Yes. They were all wearing baseball caps.

MR. KANAREK: Thank you.

May it be marked AK, your Honor?

AK id.

THE COURT: It will be so marked.

MR. KANAREK: Thank you.

BY MR. KANAREK:

Q I show you a picture and ask you whether that appears to be a scene that you recognize from the day of that raid?

A That is not at the ranch, though.

Q In other words, looking at the picture --

A It looks like the police station.

Q Well, were you at the police station on the day of the raid?

A Yes.

Q Does that appear to you to be the police station that you were taken to on the day of the raid?

A It looks similar to it.

MR. KANAREK: May this be marked, your Honor, AL?

AL id.

THE COURT: It may be so marked.

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MR. KANAREK: Thank you.

BY MR. KANAREK:

Q I show you another picture and ask you, Mr. Flynn, does that appear to be -- do you recognize that as the police station?

A This just looks like a bunch of police people in there.

Q Does that appear to be the police station that you were at on the day of the raid?

A I can't remember it that well, not the police station.

Q Very well. Thank you, Mr. Flynn.

Now, you will notice a helicopter in this picture.

A Yes.

Q Did you see ahelicopter over the ranch on the day of the raid?

A Yes.

Q Does that appear to be an area that is a part of or near the Spahn Ranch?

A Yes.

MR. KANAREK: May this be marked next, your Honor, AM?

AM id.

THE COURT: It will be so marked.

MR. KANAREK: Thank you.

Q I show you a picture showing about, I think,

CieloDrive.com ARCHIVES

18-3

1 five motorcycles and police officers.

2 Does that appear to be a scene that you saw on

3 the day of the raid?

4 A I didn't see a bunch of motorcycles up there.

5 Q You saw no motorcycles?

6 A I didn't see those motorcycles up there.

7 Q On the day of the raid, you don't remember

8 these motorcycles?

9 A I don't remember them, no.

10 Q I show you a picture with a helicopter and ask

11 you if you recognize this area of the Spahn Ranch; the

12 picture also showing the helicopter?

13 A Yes, this is from the water trough.

14 Q Does that appear to be a helicopter to you?

15 A Yes. That is the water trough right there.

16 (Indicating.)

17 Q And how far is the water trough from the road,

18 from Santa Susanna Pass Road?

19 A About three and a half times the length of

20 this room.

21 Q You mean from here to where the clock is?

22 A Three and a half times.

23 Q Would you say about a hundred and eighty feet;

24 something like that?

25 A About three and a half times the length of this

26 room.

CieloDrive.com ARCHIVES

18-4
AN id.

MR. KANARECK: May this be marked, your Honor, AN?

THE COURT: It will be so marked.

MR. KANARECK: Thank you.

BY MR. KANARECK:

Q I show you another picture of a helicopter, and it shows you what appears to be a rocky area.

Do you recognize that rocky area?

A Yes.

Q What part of the Spahn Ranch is that?

A That is behind the Spahn Ranch.

Q How far is that from the road?

A Maybe less than a quarter of a mile, or a quarter of a mile. Something like that.

MR. KANARECK: May this be marked AO, your Honor?

AO id.

THE COURT: AO.

MR. KANARECK: Thank you.

BY MR. KANARECK:

Q I show you a helicopter, a picture with a helicopter, and there appears to be some rural area in the picture.

Do you recognize that rural area?

A That is by the bathroom.

Q At the Spahn Ranch?

A Yes.

MR. KANARECK: May this be marked AP, your Honor?

AP id.

THE COURT: It will be so marked, AP.

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18-5

18a

MR. KANAREK: Thank you.

BY MR. KANAREK:

Q I show you a picture of a helicopter, and this appears to be a rural area.

Could you tell us if you recognize that rural area?

A This is the bathroom and the shack. Here is the shack. The trailer was next to it where I was sleeping.

MR. KANAREK: Thank you.

May this be marked AQ, your Honor?

AQ id.

THE COURT: AQ.

MR. KANAREK: Thank you.

BY MR. KANAREK:

Q I show you a picture and ask you if you recognize that area?

A No.

Q You don't recognize that area?

A No.

Q Would you answer audibly, Mr. Flynn.

A No.

Q Now, I show you a picture of a helicopter with the word "Sheriff" on it.

Did you see a helicopter that day over the ranch?

A Yes.

MR. KANAREK: May this be marked, your Honor, AR?

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AR id

THE COURT: AR.

The question is: Did you see that helicopter?

MR. KANAREK: No. I asked did he see a helicopter.

I think that is enough foundation, unless the District Attorney is objecting, your Honor.

THE COURT: AR.

MR. KANAREK: Thank you.

Q Now, I show you a picture showing a rural area with a helicopter.

Would you tell us if you recognize that area?

A It looks like from the main house.

Q Directing your attention to the area where the helicopter is.

How far is that from the main road, or from Santa Susanna Pass Road?

A I couldn't tell you.

Q Does that appear to be the Spahn Ranch?

A Yes. Behind the Spahn Ranch.

MR. KANAREK: May this be marked next in line, your Honor, AS?

AS id.

THE COURT: AS.

MR. KANAREK: Thank you.

Q Here is a picture with a helicopter in what appears to be a rural area.

Will you tell us if you recognize that?

A Yes.

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Q What does that appear to be?

A That is a buggy shed.

Q How far from the main road is the helicopter? How far, would you say?

A Well, I couldn't tell you.

Q You have no way of telling? You don't know, Mr. Flynn?

A I don't know how far from the helicopter to the --

Q To the main road, Santa Susanna Road.

A I don't know.

Q How far is this shed from the main road?

A One and a half times the length of this room.

MR. KANAREK: Thank you.

May this be marked next, your Honor, AT?

AT id. THE COURT: Yes.

Will counsel approach the bench, please?

(Whereupon all counsel approach the bench and the following proceedings occur at the bench outside of the hearing of the jury:)

THE COURT: Mr. Kanarek, you seem to be spending a lot of time on this.

MR. KANAREK: Yes, your Honor.

THE COURT: What is the relevance?

MR. KANAREK: The relevance, your Honor, is to show the raid.

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Our position is that the raid was such --

THE COURT: You have the testimony of the witness that there was a raid and that helicopters were present.

MR. KANAREK: But pictures are much more graphic.

If counsel will stipulate, I can do it without the witness' testimony.

THE COURT: Do what without the witness' testimony?

MR. KANAREK: Show that this was a military operation on the part of the police, your Honor.

THE COURT: But you have marked about six or eight pictures of a helicopter, a single helicopter.

MR. KANAREK: Yes. Over different areas.

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THE COURT: We all know that helicopters fly around. That is not surprising. What is the point of that?

MR. KAMARCK: To show the invasion by State action, the invasion of the private rights of the people that were living there.

THE COURT: What does that have to do with the issues in this case?

MR. KAMARCK: What is that, your Honor?

THE COURT: What is the relevance of that to the issues in this case?

MR. KAMARCK: It is relevant, your Honor, because, as I say, it shows the presence, the intensity of the hatred for Mr. Manson by law enforcement.

THE COURT: I don't follow your thinking.

MR. KAMARCK: Well, your Honor, as I say, if this were actually like --

THE COURT: Mr. Manson was only one of quite a number of people that were present, isn't that right?

MR. KAMARCK: Yes. But our position is that this was primarily directed against Mr. Manson.

THE COURT: You can't show that by showing these photographs.

MR. KAMARCK: No, but I can show a military operation.

When the police come out and arrest someone for a traffic ticket, your Honor, they don't bring automatic weapons and helicopters.

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THE COURT: Is there any way that we can speed this up?

MR. KANAREK: I will be glad to.

THE COURT: Can you stipulate to anything in the way of photographs, Mr. Bugliosi?

MR. BUGLIOSI: Let me see them.

MR. FITZGERALD: These are the ones already marked.

MR. KANAREK: I would be glad to pass on to other things. I would be glad to get together with Mr. Bugliosi on this and see if we can't stipulate.

THE COURT: The witness has not identified a number of these photographs.

MR. BUGLIOSI: And he is not the one to do it.

We had two sheriffs on the stand. The main one was Gleason and they passed over Gleason, who was in charge of the raid.

THE COURT: If you are trying to lay a foundation for the admission of the photographs with this witness, you are not being successful, at least with a number of them. He says he doesn't know. "It looks like this," and "It may be that."

MR. KANAREK: Those that he doesn't know I am putting aside, your Honor.

MR. BUGLIOSI: Let me say this: I am going to recall Sergeant Gleason to the stand for other testimony, and maybe at that time we can go into this.

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MR. KANAREK: It is agreeable.

THE COURT: In the first place, if you will look at the photographs, if you can stipulate to the foundation for all of them, you can reserve your objection as to relevance and materiality to the time that the offer is made, and we can save a great deal of time.

MR. KANAREK: That is agreeable.

MR. BUGLIOSI: All right.

MR. KANAREK: Shall we take the afternoon recess, your Honor?

THE COURT: Yes. We will take the recess at this time.

(Whereupon, all counsel return to their respective places at counsel table and the following proceedings occur in open court within the presence and hearing of the jury:)

THE COURT: Ladies and gentlemen, we will take our afternoon recess.

Do not converse with anyone or form or express any opinion regarding the case until it is finally submitted to you.

The Court will recess for 15 minutes.

(Recess.)

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THE COURT: All parties, counsel and jurors are present.

Anything further, Mr. Kanarek?

MR. KANAREK: Yes, your Honor.

Q Now, Mr. Flynn, as a matter of fact it's a fair statement, Mr. Flynn, that you have not told us the truth in this courtroom concerning the knife at your throat?

A You are saying that, sir.

Q I am asking you, Mr. Flynn.

A I told you the truth.

Q Then is there some reason, is there some reason -- I will withdraw that and ask you this way:

Did you tell Mr. Sartucci when you were at the Police Building on August 12th, 1970, did you tell Mr. Sartucci about the knife at your throat when Mr. Manson made these statements to you?

MR. BUGLIOSI: We have the tape-recorded conversation, your Honor, let's introduce that into evidence.

The question violates the best evidence rule.

THE COURT: Overruled.

MR. KANAREK: May I say this --

THE COURT: The objection is overruled, Mr. Kanarek, the witness can answer the question.

THE WITNESS: Sir?

MR. KANAREK: May the question be read, your Honor?

THE COURT: Read the question.

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(Whereupon, the reporter reads the question as follows:

"Q Then is there some reason, is there some reason -- I will withdraw that and ask you this way:

Did you tell Mr. Sartucci when you were at the Police Building on August 18th, 1970, did you tell Mr. Sartucci about the knife at your throat when Mr. Manson made these statements to you?")

THE WITNESS: Well, I told them the truth.

Q BY MR. KANIFEK: Mr. Flynn, my question is, as a matter of fact you made no statement to Mr. Sartucci in your interview of August the 18th, 1970 about a knife at your throat at a time when Mr. Manson supposedly made these statements to you, did you, because it did not happen, is that right, Mr. Flynn?

A I did not mention it if it is not in the record because, you know, I says, you know, "I'll bring it up here."

Q Oh, you'll bring it up here?

A Yes.

Q You had it in your mind -- in other words, you deliberately lied to Mr. Sartucci, is that right?

A No.

MR. BUGLIOSI: Badgering the witness. It's a misstatement, your Honor.

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1 THE COURT: Sustained.

2 THE WITNESS: I did not lie to him.

3 THE COURT: There is no question pending.

4 Q BY MR. KANAREK: You were holding that back, is

5 that it, Mr. Flynn, to spring it on us in this courtroom, is

6 that right?

7 A No. I told officers about this before, you see.

8 Q And Mr. Flynn, are you telling us -- do you

9 remember when the man was there taking down all the notes,

10 like Mr. Hollomb is here in this court?

11 A Yes.

12 Q You were talking to Mr. Bartucci on August 18th,

13 1970?

14 A Yes.

15 Q You deliberately did not tell him about the

16 knife at the throat?

17 A You say deliberately. I say I might not come

18 up with it.

19 Q You might not have come out with it?

20 A Yes.

21 Q It wasn't a very important point. The reason it

22 wasn't is because it never happened, is that right?

23 MR. BUGLIOSI: Argument, your Honor.

24 THE COURT: Sustained.

25 Q BY MR. KANAREK: You were at the Police

26 Building because you wanted to be there and help the police,

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is that right?

A. Well, you see, I was asked if I was willing to testify by the officers, you see, or come down and see the District Attorney, you see and I says yes, you know, so it might not have sprung right there, but I know it happened.

Q. You know it happened?

A. Yes.

Q. I see.

A. Yes.

Q. You mean, Mr. Flynn, that you made it up for the purposes of this courtroom is that correct, Mr. Flynn?

MR. BUGLIOSI: Badgering the witness, your Honor. He is lying.

THE COURT: I did not hear you, Mr. Bugliosi.

MR. KANAREK: Who is lying?

MR. BUGLIOSI: You are, sir.

THE COURT: I admonish you, Mr. Bugliosi.

20

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MR. KANAREK: Your Honor, may we approach the bench?

THE COURT: No need to approach the bench.

The objection is overruled.

Is there a question pending?

Do you have an unanswered question?

(The record was read by the reporter.)

MR. KANAREK: Your Honor, in view of Mr. Bugliosi's statement, I would ask to be sworn. He has accused me of lying in the presence of the jury.

THE COURT: You are asking questions, which you have a right to do, Mr. Kanarek.

The jury is admonished to disregard the comment of Mr. Bugliosi.

MR. KANAREK: May the last question be read, your Honor, before Mr. Hollombe leaves?

THE COURT: Yes.

(The record was read by the reporter.)

THE WITNESS: No.

BY MR. KANAREK:

Q You are hesitating in your answer, Mr. Flynn.

A Well, I didn't make it up. I just came here to tell you the truth.

Q You mean, you came here to tell us what you decided to tell us; is that right?

A What Mr. Hanson said to me, you see.

Q Did anyone in the police building, Mr. Cartucci,

20-2

keep you from telling him about Mr. Manson putting a knife at your throat when, supposedly, he made this statement?

MR. BUGLIOSI: That assumes someone asked him. I object.

THE COURT: Read the question.

(The question was read by the reporter.)

THE COURT: I think the question is ambiguous, Mr. Kanarek.

Reframe the question.

MR. KANAREK: Q Did Mr. Sartucci ask you "When did you first become aware of the fact that Charles Manson was being charged with the crimes that he is presently on trial for?"

Did Mr. Sartucci ask you that, Mr. Flynn?

A Yes.

Q And, Mr. Flynn, directing your attention to the time that you were in the kitchen, you are telling us, the time that you were in the kitchen.

A Yes.

Q Do you have that in mind?

A Yes.

Q What kind of a knife was that, Mr. Flynn?

A It was just a kitchen knife.

Q A kitchen knife?

A Yes.

It was a little kitchen knife like this

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(indicating). It was sharp.

MR. KANAREK: Mr. Flynn is showing us --

THE WITNESS: About a foot. About like that.

MR. KANAREK: That is a foot?

THE WITNESS: It is a foot to me.

I am saying it is about like that.

MR. KANAREK: Your Honor, I suggest that is about eight inches.

THE WITNESS: Okay.

MR. KANAREK: Q It was a little kitchen knife?

Where did it come from, Mr. Flynn?

A From the table.

Q You saw Mr. Manson pick it up?

A Yes.

Q You saw him pick it up?

A Yes, he picked it up from the table.

Q I see.

It was a knife that you were using before to prepare your food?

A I don't know if it was the one I was using. I was using a fork.

Q You prepared your food with a fork? I see.

What kind of a handle did this knife have?

A Well, I forget right now.

Q How wide was the blade?

A About this wide. (Indicating.) I'd say a half an inch.

a fls.

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20a-1

Q How thick was the blade?

A It was just a knife blade. That thick. (Indicating.)

Q Could you give us a dimension for it, Mr. Flynn?

A Well, just a knife blade.

Q And this eight inches that you have shown us, or whatever distance you showed us, does that include the length of the handle?

A Yes.

Q How long was the handle?

A I don't remember the knife too well, you know.

Q Do you have difficulty remembering the knife?

A The knife, yes. The knife itself, you know. Except that it was at my throat, and I remember that.

Q I see.

A Yes.

Q What happened, Mr. Flynn, after Mr. Hanson took the knife back? Where did he place the knife?

A Well, I was sitting like this, and he put it on this side. He set it down.

Q And you kept on eating?

A Well, he says, "If you are going to do me like that," you know, "Then here is the knife," you know, "and you kill me," you see.

In words like that, you see.

Q Now, Mr. Flynn, did you take LSD?

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A I have taken it seven times, eight times.

Q Have you ever had delusions, Mr. Flynn?

A Well --

MR. BUGLIOSI: Ambiguous, your Honor.

THE WITNESS: What is a delusion?

THE COURT: Do you understand the question?

THE WITNESS: What is a delusion?

THE COURT: You don't understand the question?

THE WITNESS: No.

THE COURT: All right.

BY MR. KANARAK:

Q You have taken quite a bit of LSD; is that right, Mr. Flynn?

A Well, it is quite an amount for me.

Q You have taken quite a bit?

A It is quite an amount for me.

Q My question is, Mr. Flynn: You have taken it on many occasions?

A I have taken it seven, eight times, yes.

Q Now, do you ever have occasion, Mr. Flynn, when you take --well, would you describe for us, when you took this LSD, what effect did it have on your mind?

A Well, mostly on my legs. They shook, and I felt like pissing on myself, you know. And it was just, you know, it was just like that.

Q Now, on occasion, Mr. Flynn, do you have some

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difficulty in remembering whether, in fact, something did occur, or whether you just thought about it?

A Well, you will have to be more specific about what occurred, you see.

A lot of things occur, you know.

What are you driving at that you want me to answer you?

21fls.

21-1

Q My question -- may I have an answer to that question, Mr. Flynn?

A As to what occurred?

Q Do you remember the last question I asked you?

A Would you frame it again?

MR. KANAREK: May it be read, your Honor?

THE COURT: Read the question.

(Whereupon, the reporter reads the pending question.)

THE COURT: Do you understand the question?

THE WITNESS: Well, did occur what?

THE COURT: Do you understand the question?

THE WITNESS: No.

THE COURT: I suggest you reframe the question.

MR. KANAREK: Yes, your Honor.

Q BY MR. KANAREK: Now, Mr. Flynn, do you -- have you had the experience of on occasion not knowing whether something in fact happened or not, something that you think did happen?

MR. MEGLIOLI: Ambiguous.

THE COURT: Do you understand the question?

THE WITNESS: Yes, sir.

THE COURT: You may answer. The objection is overruled.

THE WITNESS: Something that I think happened and in fact did not happen, you say?

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1 Q BY MR. KANAREK: Do you understand the question,
2 Mr. Flynn?
3 A Well, that is what I am --
4 Q Will you listen to the court reporter, I
5 think the Judge will allow the question to be read to you,
6 if you wish, instead of asking me Mr. Flynn, would you
7 take the question from the court reporter if Judge Older
8 allows it to be read.
9 THE COURT: Apparently he still does not understand
10 it, Mr. Kanarek.
11 Try again.
12 MR. KANAREK: Yes, your Honor.
13 Q BY MR. KANAREK: Mr. Flynn, have you had the
14 experience of not knowing whether something that you thought
15 happened had in fact happened?
16 A I don't understand the question.
17 Q You don't understand that question?
18 A No.
19 Q Have you had the experience, Mr. Flynn, of
20 in your mind thinking that something happened when really it
21 never happened.
22 Have you ever had that experience?
23 A Yes.
24 Q That happens from time to time with you, is that
25 correct?
26 A I don't understand you.

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Q You don't understand that last question?

A No.

MR. KANAREK: May that be read, your Honor?

THE COURT. Well, if he doesn't understand it, Mr. Kanarek, reading it won't help.

Reframe it.

MR. KANAREK: Very well.

Q BY MR. KANAREK: Mr. Flynn, have you stated that you were all mixed up? Have you stated that in the last couple of years?

A Have I ever stated that?

Q Have you stated in the last couple of years that you are all mixed up?

A I have stated that I was the most mixed-up man in the whole world.

Q You have stated that?

A Yes, yes, I have stated that.

Q And you have stated -- and it is during this period of time that you have taken LSD, is that a fair statement? Is that true?

A Well, I don't understand your question.

Q Have you stated this on many occasions, Mr. Flynn, have you stated on many occasions that you are the most mixed-up man in the world?

A In the whole world.

Q Have you stated this on many occasions in the

CieloDrive.com ARCHIVES

21A

1 last couple of years?

2 A. Well, I have stated myself like that.

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CieloDrive.com ARCHIVES

21a-1

Q On many different occasions you have stated this, is that correct, Mr. Flynn?

A I wouldn't say that. I wouldn't say that.

Q Well, on how many different occasions then have you stated this?

A Just when I felt like it.

Q Well, would you tell us on how many occasions then did you state it?

A Just when I felt like it, you know.

Q Well, can you think back and tell us how many times?

A Well, let's say one time, okay?

Q Pardon?

A Let's say one time.

Q You stated it only once?

A Yes.

Q I see.

A Okay.

Q Now, directing your attention to your thinking and your state of mind right now, right this instant, right now, this minute, would you say that you are the most mixed up man in the world?

A Well, the environment -- the change -- but it's not mixed up, you know.

Q Would you say that right now you feel that you are the most mixed up man in the world, right this minute?

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21a-2

A I wouldn't say that.

Q You wouldn't say that?

A No.

Q Do you feel you are mixed up right now?

A I wouldn't say that.

Q You mean that is untrue?

A You are saying that.

Q Mr. Flynn, do you understand that I am not saying anything? I am asking you questions.

A You mean that it is untrue, my statement that I am mixed up, is that what you are saying?

Q You know what I mean when I say --

A Well, you are saying that I am mixed up, you see, and that it is untrue, and my statement is untrue. That is what you just told me.

Q Do you know what I mean when I say questions? Yes or no, Mr. Flynn, do you know what a question is, Mr. Flynn, a question, when someone asks you a question, right?

Do you know what that means when someone asks you a question, right?

Do you know what that means when someone asks a question?

A Yes.

Q Now, do you know the difference between asking a question and giving an answer? Do you know the difference?

A Yes.

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Q And so my question to you is, Mr. Flynn --

A Yes.

Q -- as you sit there on the witness stand right now --

A Uh-huh.

Q -- do you feel that you are the most mixed up man in the world?

A No.

Q Now, at times in the past you have stated that you are the most mixed up man in the world, is that correct?

MR. BUGLIOSI: Asked and answered, your Honor.

THE COURT: Overruled.

THE WITNESS: Yes.

BY MR. KANARAK:

Q My question is, Mr. Flynn, how many times have you stated that in the last couple of years?

MR. BUGLIOSI: Asked and answered.

THE COURT: Sustained.

BY MR. KANARAK:

Q Now, when you spoke, Mr. Flynn -- let me ask you this:

Would you tell us, Mr. Flynn, in August of 1969 -- let's take the day of the raid, do you remember the day of the raid, right?

A Yes.

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21B-1

Q How many times before the day of the raid in 1969 had you taken LSD?

A Let's say about six or seven times.

Q And when you took this LSD, besides the effects that you have already told us about, what effect did it have, other effects, other than what you have already told us?

A Well, the impression that it left me under, you see, is that a person that would use this to re-course his life, you see, would be the type of person that was not content at the moment he took it, you see, so this is the type of effect and the kind of reasoning that it gave me, you see, that is the effect.

Q When you took the LSD, Mr. Flynn, then is it true that it affected your mind and your thinking?

A Well, it could have.

Q Well, did it?

MR. LUGLIOSI: Calls for a medical conclusion, your Honor.

MR. KAMINE: Your Honor --

THE COURT: Overruled, you may answer.

THE WITNESS: I wouldn't say so.

Q BY MR. KAMINE: It had no effect on you?

A I wouldn't say so.

Q Pardon?

A I wouldn't say so, no, no effect.

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Q It had no effect on you?

A No. I wouldn't say so.

Q Well, after you took the LSD you, as far as -- did you see any colors when you took LSD?

A Well, yes.

Q You saw a lot of colors, right?

A Yes.

Q A lot of cubes?

A Well, would you describe the colors, what did you see?

MR. BUGLIOSI: It's irrelevant, your Honor.

THE COURT: Sustained.

Q BY MR. KANAREK: Did you ever take LSD with Linda Kasabian, Mr. Flynn?

A No.

Q Did you ever take LSD in Linda Kasabian's presence?

A No.

Q Did you take LSD at the Spahn Ranch?

A Yes.

Q Did you take LSD in the summer of 1969?

A I don't remember.

Q Well, now, you told us that LSD had no effect on you. You took it six or seven times for no effect?

A I did not say it didn't have no effect on me. I feel that it didn't have effect on me.

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Q What it what?

A That it didn't have, you know, an effect on me.

Q That it did or did not?

A It didn't.

Q It didn't?

A No, it didn't serve nothing, you see, except laying down and shaking, you know.

Q Now, did you see a television program, Mr. Flynn, where that television program had anything to do with any of the murders in connection --

THE COURT: (to Mr. Manson) Put your feet on the floor, sir.

MR. BUGLIOSI: It's ambiguous, your Honor.

THE COURT: Did you finish the question, Mr. Kanarek?

MR. KANAREK: I will be glad to rephrase it, your Honor.

THE COURT: Read the question.

(Whereupon, the reporter read the pending question as follows:

"Q Now, did you see a television program, Mr. Flynn, where that television program had anything to do with any of the murders in connection --")

MR. BUGLIOSI: It's ambiguous.

MR. KANAREK: I hadn't finished it, your Honor.

Q BY MR. KANAREK: Did you see a television

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program, Mr. Flynn, in connection with -- that had anything -- or stated -- where the program had something to do with any of the murders that we are concerned with in this case?

A Yes.

Q And is that, Mr. Flynn, how you found out -- I will withdraw that and ask you.

Did you see a program, a television program concerning these murders at the Spahn Ranch?

A Concerning the murders?

Q Yes.

A Are you talking about Tate and La Bianca?

Q That is what I am talking about.

A Yes.

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21c-1

Q And did this television program cover all seven murders?

A Well, they just reported the murders.

Q Pardon?

A They reported the murders on television, I don't know how they do that, you know, but they do.

Q Did the television program you are speaking of, did that program talk about the Sharon Tate murders and the La Bianca murders?

A No, I think they just talked about Tate.

Q Just talked about the Sharon Tate murders?

A Something like that, yes.

Q Right?

A Well, I'll tell you what I saw.

Q I'm not asking -- Mr. Flynn, I think the Judge--

THE COURT: He is trying to explain the answer, Mr. Lanarek, which he has a right to do.

MR. LANAREK: Yes, your Honor.

THE COURT: Have you finished your answer?

THE WITNESS: I wanted to tell him something about the television program.

THE COURT: That you saw?

THE WITNESS: Yes, sir.

MR. LANAREK: Your Honor, I am not soliciting what the program was which he purportedly saw.

THE WITNESS: They were talking about --

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THE COURT: Just a moment.

MR. KANAREK: May we have the question read, your Honor?

THE COURT: Reframe the question.

(To the witness.)

Listen to the question and just answer the question.

BY MR. KANAREK:

Q My question, Mr. Flynn, is, did the program talk about the Tate murders and the La Bianca murders, two different sets of murders?

Now, that is all my question is, Mr. Flynn.

A I just saw the Tate -- the Tate.

Q You just saw the Tate murders, right?

A Yes.

Q And that is the time that you had this matter with the knife and so forth with Mr. Manson, is that right?

A Well, it was after that.

Q Pardon?

A It was after that.

Q It was after that?

A Yes.

Q Now, Mr. Flynn, how long after that was it?

I am only asking for time now, Mr. Flynn.

A It could have been two, three, four days, you know, something like that.

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21c-3

Q Or it might not have happened at all, is that right, Mr. Flynn?

A What might not have happened?

Q You don't know what I am talking about?

A Well, you just asked me how long after that was the conversation between me and Mr. Manson.

Did you say that?

Q The question is not clear? I am saying it might not have happened at all, is that correct, Mr. Flynn?

A What might not have happened?

Q You don't know what we are talking about?

A Well, would you repeat the question.

MR. [illegible] Yes.

Q My question is, maybe the conversation that you are speaking of did not happen at all, Mr. Flynn.

A The conversation between --

Q Is that possible?

A The conversation between me and Mr. Manson?

Q The conversation that you say occurred between yourself and Mr. Manson, involving the knife.

Is it possible that that did not happen?

A It happened, Mister.

Q Pardon?

A It happened, Mister.

Q It happened?

A Yes, sir.

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Q No question?

A I said it happened.

Q You said it happened?

A I say it happened.

21d fls.

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Q I see. Now, at the time that it happened, how many television programs had you seen concerning these murders, the Tate murders and the La Bianca murders?

A We watched television every night, you know.

Q You watched television every night?

A When we was in the trailer, yes.

Q Well, that does not answer the question, Mr. Flynn.

A Well, I can't give you an account of how many, you know but I was aware, you know, because it was there.

Q Well, my question is how many times.

Would you give me an answer to that question, please?

A You want me to give you an estimate of how many times?

Let's say, two, three, four days that I watch on television, you know.

Q Now, when I say the La Bianca murders to you, Mr. Flynn, how many murders does that bring to your mind?

A I don't know.

Q Pardon?

A I don't know.

Q You don't know?

A Uh-uh.

Q And when I say the Tate murders to you, how many murders does that bring to your mind?

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A It was seven -- seven.

Q Pardon me?

A Seven.

Q The fake murders were seven?

A Seven.

Q Now, when you saw these -- you say you saw these TV broadcasts, two, three, four days, right?

A Some that length of time, yes.

Q On how many different occasions during the day?

Did you see just one a day or two a day, or how many?

A Well, we watched television at night, you know, and just when the news reporters had it, you know, in the television.

Q Well, do you know on how many different occasions, how many of them you saw?

A They might bring it out two times a night, something like that, when they tell about it.

Q Now how far, Mr. Flynn, how far was the kitchen from where the TV was, Mr. Flynn?

A I would say the length of this room, maybe just a little bit shorter, this length of this room.

Q And in order to get to the kitchen from the TV place, how did you get there?

A Well, in order to get from the TV place to the

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kitchen, right?

Q Right.

A How did I get there? Well, you walk outside the trailer you had two or three little steps; you went down the steps and you went walking down like that, you know, you hit the boardwalk and you walk about 10, 12 feet and then the door was right there.

Q You opened the door, right there was the kitchen, and it standed alongside like that, you know, it was a long kitchen.

Q All right, now, on the night that you say Mr. Henson made these statements --

A I said day.

Q Oh, pardon -- it was during the day he made these statements, right?

A Right.

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22-1

Q What time of the day?

A Oh, well, the truck got there about 10:00, 11:00; something like that.

You know, in the morning the hay truck got there, and then I started unloading it with the truck driver. Then we unloaded the hay truck and I went in the kitchen.

Q Now, on the day that Mr. Manson, you say, made these statements --

A Yes.

Q Did you watch TV where there was anything about these so-called murders?

A Well, I was working, you know. I kept active around the ranch.

Q Then you didn't see any TV concerning these so-called murders on the day that you say Mr. Manson made these statements?

A I said before that. Before that.

Q It was before that how many days, Mr. Flynn?

A I will say two, three days, four days.

Q Five days?

A No. It was right around there.

Q Now, outside of that one time, Mr. Flynn, that one time, have you ever seen that knife other than that one time when you saw it, when you say Mr. Manson had it?

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22-2

A Well, I saw lots of knives up there. I don't remember if I saw that one again or not, you know, but I saw lots of knives up there.

Q Well, when you were sitting at the table, were you sitting at the table when Mr. Manson came into the room?

A Yes.

Q And at the time you were sitting at a table, was your back to the door?

A I was sitting like this, and the door was like that. (Indicating.)

MR. BUGLIOSI: To your left rear?

THE WITNESS: Yes. Like that.

BY MR. KAMAREN:

Q Now, at the time you were sitting at the table, did you hear a door open, when Mr. Manson came in?

A I might have.

Q Pardon?

A I might have.

Q Well, did you?

A Well, I looked like this, you know. (Indicating.)

Q You looked at him when he came through the door? You heard the sound of the door and you looked up and there was Mr. Manson?

A Yes.

Q Then what did Mr. Manson do?

A Well, he just went like this. (Indicating.)

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1 Q He brushed off his shoulder?
2 A Uh-huh, yes.
3 Q Now, did you tell Mr. Sartucci about Mr. Manson
4 brushing off his shoulder?
5 A I could have told him, yes.
6 Q Did you, Mr. Flynn?
7 A I don't remember.
8 Q In fact, you didn't; right?
9 A I don't remember.
10 Q Did you tell Mr. Sartucci about anyone else
11 being in the room when Mr. Manson came in in connection with
12 this knife incident?
13 A I don't remember.
14 Q Now, some of these questions we have asked you
15 you have waited 15 or 20 seconds to answer; right?
16 MR. BUGLIOSI: Badgering the witness, your Honor.
17 THE COURT: Sustained.
18 BY MR. KANARE:
19 Q You are saying that there is no question in your
20 mind, you don't remember that, is that right, Mr. Flynn?
21 MR. BUGLIOSI: Ambiguous, your Honor.
22 THE COURT: Sustained.
23 BY MR. KANARE:
24 Q Did you tell Mr. Sartucci about anybody else
25 being in the room when Mr. Manson came in?
26 MR. BUGLIOSI: Asked and answered.

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MR. KANAREK: No, it hasn't, your Honor.

THE COURT: Overruled.

BY MR. KANAREK:

Q Did you?

A What?

Q Did you tell Mr. Sartucci about anyone else being in the room when Mr. Manson first came into the kitchen?

A I probably did. I don't remember, you know.

Q You probably did?

A Yes.

Q How long did your conversation with Mr. Sartucci last in the police building?

A Well, I was with him most of the day, you know.

Q You were with him most of the day before you went to the police building; right?

A Yes.

Q You went to the police building after having discussed it with Mr. Sartucci most of the day, right?

A Yes.

Q And Mr. Sartucci ended up your conversation of many hours by having a court reporter there and you telling what you had told previously to him with a court reporter or with a man taking down the words the way this gentleman is here; right?

A Well, there was a man, yes, like that.

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Q And that was at the end of the day after you had many hours of conversation with Mr. Sartucci; is that right?

MR. BUGLIOSI: Conversation about what, your Honor? It is ambiguous.

MR. KAPANEK: That is not ambiguous.

I am asking whether we had --

MR. BUGLIOSI: Conversation about what?

MR. KAPANEK: I am not required to ask the question that Mr. Bugliosi wants.

MR. BUGLIOSI: It is ambiguous.

THE COURT: Read the last question.

(The question was read by the reporter.)

THE COURT: Overruled. You may answer.

Just a moment.

To make it clear, let's go back and read the last two questions.

(The record was read by the reporter.)

THE COURT: Now you may answer.

THE WITNESS: I talked with him that day.

MR. KAPANEK: Pardon?

THE WITNESS: I talked with him that day for that many hours.

Q BY MR. KAPANEK: And after the many hours of conversation, at the end of all this long conversation with Mr. Sartucci, you were taken into a room and there was a

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court reporter or a man like this gentleman here, taking down the questions and the answers is that right?

A Yes.

Q That was after the long conversation, right?

A Yes.

Q All right.

And is it a fair statement -- let me ask you, Mr. Flynn -- when is the first time in your lifetime that you mentioned to anybody this surprised use of a knife by Mr. Hansen on you? When is the first time in your life that you mentioned that?

A Well, there was some officers in Shoshone, you see and I talked to some officers in Shoshone that came up there.

Q What officers did you talk to?

A I guess they were from Independence.

Q Would you tell us their names?

A I don't know their names.

Q You don't know their names?

A No.

Q All right.

Would you tell us who else you have told this to?

A Well, I told that to some officers before.

Q Well, tell us who they are, Mr. Flynn.

A Well, I can't recall all the police force and

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give you every name, you know.

Q Well, did you tell it to Mr. Sartucci on August the 18th, 1970?

A I might have, and then I might not.

Q You might have and you might not?

A Yes.

Q Because it never happened?

MR. BUGLIOSI: That is argumentative.

It may not have been discussed, your Honor.

THE COURT: Sustained.

MR. KANAREK: Q Well, then would you tell us who else?

Now, there are the officers in Shoshone that you told this to, you tell us.

A You tell us what?

Q You are telling us that there were some officers in Shoshone you told this to; right?

A Yes.

Q But you don't know whether you told it to Officer Sartucci or not; right?

A I don't know. It might not have been brought up, you know.

Q It might not have been brought up?

A Yes.

Q Well, you knew when you were speaking to Officer Sartucci that you were supposedly telling him things that

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would be used in this trial, is that correct?

MR. BUGLIOSI: Calls for a conclusion, your Honor.

THE COURT: Sustained.

MR. KAHARE: Q Did you discuss this with Mr. Bugliosi?

A Well I was asked if I would --

Q My question is -- that can be answered yes or no.

A Yes.

22a

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22b-1

Q Before you took the witness stand, Mr. Flynn, did you tell Mr. Bugliosi about this supposed knife incident?

A It is not supposed to me.

Q Would you just tell me, Mr. Flynn, did you discuss it with Mr. Bugliosi?

A Yes.

Q So, you have told it to Mr. Bugliosi and the officers in Shoshone?

A Uh-huh.

Q Right?

A Yes.

Q And you don't know whether you told it to Mr. Sartucci or not; is that right?

A Well, I can't remember that well, you well.

Q You have difficulty remembering; is that it?

A No. It is that, you know, I am not used to this, you know.

Q You are not used to this?

A Yes.

Q Well, when you were down in the police building; is it a fair statement, Mr. Flynn, that Mr. Sartucci was certainly friendly with you, wasn't he?

A Yes.

Q And it was a friendly atmosphere down there; everybody was nice to you; right?

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A Yes.

Q Is that correct? Is that correct?

A Yes.

Q Did anybody tell you to hold anything back when you were in the police building talking to Mr. Sartucci?

A No.

Q So, it is Mr. Bugliosi, and will you tell me anyone else that you told this to?

A I can't remember anyone else.

Q Now, Mr. Flynn, you have stated that you are not interested in becoming famous because of this case; is that right?

A That I am not interested?

I said that I didn't come here to pompous myself on the matter that you are debating here.

MR. KANAREK: Your Honor, may the record reflect, I think it was, some 15 seconds before the witness answered this last question.

MR. BUGLIOSI: The record should reflect that he also looked at Mr. Kanarek very quizzically and scratched his head also, your Honor, in total disbelief.

BY MR. KANAREK:

Q Mr. Flynn, you do consider yourself a movie actor; is that right?

You are a movie actor, right?

A I have participated in that type of activities.

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Q Pardon?

A I participated in that type of activities.

Q Did you hope to participate in the future in that kind of activity?

A I have no objection to it, you see. I just don't like discussing it with you, you know.

Q But, Mr. Flynn, is it your desire to pursue your movie career?

A Yes.

Q It is? That is true?

A Yes.

Q And have you thought that by being someone who came to this court -- I will withdraw that.

You recognize, do you not, that there is lots of publicity in this case about Mr. Manson, right?

A Well, it is the type of publicity that I wouldn't want, I will tell you that right now, you big catfish.

Q Correct.

Mr. Flynn, it is not the kind of publicity that --

THE COURT: On that, Mr. Kanarek, on that note, we will adjourn.

MR. KANAREK: Your Honor, I have just one more question, if I may. Just one question on this note.

THE COURT: I am sure there will be more tomorrow.

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1 MR. [illegible] Yes, your Honor.

2 THE COURT: Ladies and gentlemen, do not converse

3 with anyone or form or express any opinion regarding the

4 case until it is finally submitted to you.

5 The court will adjourn until 9:45.

6 MR. FITZGERALD: Could we meet briefly, your Honor,

7 after court?

8 THE COURT: The defendants?

9 MR. FITZGERALD: Yes. Among themselves.

10 THE COURT: Very well.

11 (Thereupon at 4:15 o'clock p.m. the court

12 was in recess.)

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