

COPY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 104

HON. CHARLES H. OLDER, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,

vs.

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

Defendants.

129

No. A253156

REPORTERS' DAILY TRANSCRIPT  
Friday, October 16, 1970  
A. 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 129

PAGES 14040 to 14152

JOSEPH B. HOLLOMBE, CSR.,  
MURRAY MEHLMAN, CSR.,  
Official Reporters

I N D E X

<u>PEOPLE'S WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>
----------------------------	---------------	--------------

JAKOBSON, Gregg	14,077	
-----------------	--------	--

E X H I B I T SPEOPLE'S:FOR IDENTIFICATION

266 - Jacket and two records	14,106
------------------------------	--------

267 - Photostatic copy of lyrics of songs in Beatles album	14,111
---	--------

268 - Revelations 9 photostatic copy	14,130
--------------------------------------	--------

1 LOS ANGELES, CALIFORNIA, FRIDAY, OCTOBER 16, 1970

2 9:50 o'clock a.m.

3 - - - -

4 (The following proceedings were had in the  
5 chambers of the court out of the hearing of the jury, all  
6 counsel being present:)

7 THE COURT: All counsel are present.

8 You all have your copies of the transcript with  
9 the Special Exhibits 8 and 9 transcribed into the Volume  
10 No. 125, the last pages.

11 Why don't I read my edited version of the  
12 letter and you can compare your transcripts. Make sure  
13 that is correct. Then we will have to compare.

14 Did you have the edited version retyped?

15 MR. MUSICH: No.

16 THE COURT: That's because we will read the transcript  
17 itself; all right.

18 So if you will follow along, gentlemen, we  
19 can do this probably off the record. I will simply read  
20 my edited version and you check your transcripts to see if  
21 they conform.

22 (Whereupon the Court reads Special Exhibit 8  
23 from page 14,034 through 14,035, following which the  
24 following proceedings were had on the record.)

25 THE COURT: Was that correct?

26 MR. SHINN: That is correct. I think now, reading

1 the whole letter, your Honor, I think we should delete  
2 "I did not admit being in the second house because I was  
3 not in the second house."

4 It implies, you know, she was in the first  
5 house and the rest were in the second house.

6 I don't mind if we delete that. Do you mind?

7 MR. BUGLIOSI: Yes.

8 MR. HUGHES: Of course that has been my position all  
9 along, that we should delete that because it shifts -- the  
10 fact that she is talking about the second house that she is  
11 not in, is sort of negative.

12 I see the point that you want to leave it in,  
13 Vince, that it is some sort of negative admission that she  
14 was in the first house, but I think that is far over-  
15 shadowed by the idea that she has this knowledge of who  
16 was in the second house, in the context of everything that  
17 has preceded, it could only be these other defendants.

18 I know so far those arguments have not been  
19 persuasive with the Court, but I feel it is incumbent upon  
20 me at least for the record to make them.

2-1

1 THE COURT: All right, gentlemen.

2 Now, No. 9 reads as follows:

3 (Off the record.)

4 THE COURT: Is the transcript correct?

5 MR. FITZGERALD: Yes.

6 MR. SHINN: Yes.

7 MR. MUSICH: Yes.

8 THE COURT: Now we have Special Exhibit No. 11.

9 (Off the record.)

10 THE COURT: Correct?

11 MR. FITZGERALD: Correct.

12 MR. MUSICH: Correct.

13 THE COURT: Anything else, gentlemen?

14 MR. BUGLIOSI: No.

15 MR. KANAREK: Well, is this the time to object on the  
16 ground of hearsay?

17 THE COURT: Apparently the transcript is correct, and  
18 subject to your objections now and the rulings on the  
19 objections, it would be proposed by me that the letters be  
20 read to the jury by the reporter in their edited version  
21 as contained in the transcript, Volume 128, Pages 14,034  
22 to 14,039.

23 So, now is the time to make your objections.

24 MR. KANAREK: Well, your Honor --

25 MR. FITZGERALD: We could be very short.

26 The prosecution has already told us that they

1 will concede that it is hearsay as to Manson, Krenwinkel  
2 and Van Houten.

3 MR. BUGLIOSI: So stipulated.

4 MR. SHINN: And I have <sup>an</sup> objection.

5 THE COURT: I assume that you want the jury instructed  
6 that the letters are being read and are to be considered  
7 solely with respect to Miss Atkins and not for any purpose  
8 as to any of the other defendants?

9 MR. FITZGERALD: Right.

10 THE COURT: And I will so instruct the jury.

11 MR. KANAREK: Again, your Honor, there are two  
12 points.

13 One is that I am trying to get a copy of that  
14 Court of Appeals opinion. I think your Honor would be  
15 convinced by that, without actually -- I mean, I can't  
16 represent a hundred per cent, but I am sure that --

17 THE COURT: Which Court of Appeals opinion?

18 MR. KANAREK: In the Ninth Circuit, in connection  
19 with the Lucille Miller case.

20 THE COURT: What is the point involved? I think you  
21 covered this before.

22 MR. KANAREK: The point is that at the time that  
23 Exhibit 8 came into existence, Roni Howard was an agent of  
24 the police.

25 THE COURT: You have made that point before.

26 MR. KANAREK: Yes, but I think we are entitled to an

1 evidentiary hearing on that where there would be evidence  
2 taken on that issue.

3 THE COURT: Well, there is no evidence, not a shred  
4 of evidence, in the record now to indicate that such is the  
5 case.

3-1

1 MR. KANAREK: Well, that's what we have the hearing  
2 for, your Honor, because I think it is a very -- she  
3 initiated this.

4 THE COURT: You just don't start out with a hearing  
5 without any basis for it, Mr. Kanarek, otherwise you can  
6 claim that every witness that comes along put on by the  
7 prosecution is an agent for the prosecution and ask for a  
8 separate evidentiary hearing.

9 That is absurd.

10 MR. KANAREK: I think we have much here to go on.

11 She is a woman who had much to gain in her state  
12 of mind.

13 She had a very long criminal record, very  
14 sophisticated, undoubtedly, in the ways of law enforcement  
15 and the ways of the police and the ways of getting  
16 immunity and the ways of getting benefits.

17 I think you could make a very good argument that  
18 she was at that time an agent, with the police instigating  
19 her in connection with initiating the correspondence because  
20 Mr. Bugliosi --

21 THE COURT: It is not a question of argument. It is  
22 a question of fact, and we have no facts.

23 MR. KANAREK: We have the police officers here, and  
24 your Honor makes a factual determination based on evidence  
25 under oath, and I think that is the way to do it,  
26 instead of forcing these defendants, like Mrs. Miller, having



1 to sit in prison since 1965 --

2 THE COURT: You had an opportunity to cross-examine  
3 this witness.

4 MR. KANAREK: Not on this point, your Honor.  
5 We have --

6 THE COURT: Why not?

7 MR. KANAREK: Because this is a 1538.5 type of thing.  
8 This is a completely different -- this letter was not  
9 offered while she was on the witness stand.

10 We have a right to interrogate her in connection  
11 with -- with the 1538.5 matter, and I think the Miller case  
12 will substantiate that.

13 THE COURT: It was furnished by the witness; it was  
14 not taken from her.

15 MR. KANAREK: That is what I am saying, your Honor,  
16 that is the difficulty.

17 Your Honor is making a prejudgment, and we cannot  
18 say, your Honor cannot say, I don't think I can say, I  
19 don't think anybody can say.

20 We should base it upon evidence.

21 THE COURT: The People will have to lay a foundation.  
22 What foundation did you have?

23 MR. BUGLIOSI: I laid the foundation on Roni Howard,  
24 your Honor, she got the letter; she identified it.

25 THE COURT: That's right. She did testify she  
26 furnished it to her attorney and authorized him to furnish

1 it to the prosecution.

2 MR. HUGHES: She did not say that.

3 MR. BUGLIOSI: She had no objection, obviously.

4 MR. HUGHES: She said she wondered how the letter got  
5 in the book; she wondered where the letter was, she was  
6 surprised when the police brought it to her in Minnesota.

7 THE COURT: I see no problem with respect to <sup>the</sup> Roni  
8 Howard letter.

9 What is the foundation with respect to the other  
10 two letters?

11 MR. MUSICH: We are still trying to -- Sergeant  
12 Gutierrez is working on trying to find the Sheriff who came  
13 into contact with these letters.

14 Now, whether or not we will be able to find the  
15 exact one who will remember any of these particular letters,  
16 or whether or not there were many of them there that came  
17 through at different times, whether or not --

18 THE COURT:

19 Where did the prosecution get the letters?

20 MR. KAY: From Sergeant Gutierrez, he will testify he  
21 picked the letter up from the jail, from one of the deputies  
22 at the jail.

23 He will testify to that, that the letter was  
24 obtained from the jail.

25 Now he is also trying to find whoever it was that  
26 actually read the letter through the censoring process; that

1 is what he is looking for now.

2 But he will testify that he did pick up the  
3 letter at Sybil Brand.

4 MR. SHINN: The question here, your Honor, is whether  
5 or not they obtained this letter from her foot locker or  
6 took it from her without her permission, your Honor.

7 Now, we are presupposing that she deposited it  
8 in the mail box, your Honor.

9 Now, I guess the District Attorney would have  
10 to bring in the person that took it out of the mail box to  
11 show that she did in fact deposit it in the mail box for  
12 mailing.

13 MR. BUGLIOSI: For the record on appeal we will put  
14 on evidence eventually of it, but as the state of law is  
15 now it really makes no difference whether they seize it  
16 from the foot locker or what; Lanza and Stroud say there are  
17 no rights in the jail under the Fourth and Fourteenth  
18 Amendments. The Fourth and Fourteenth Amendments simply do  
19 not apply.

20 Now, if they beat it out of her, put a gun at  
21 her head and force her to write these words, then it would  
22 be an issue, but the defense is not claiming that the  
23 letter was involuntary written and dictated by the police.

24 MR. SHINN: No.

25 MR. BUGLIOSI: We are trying to expedite it, we are  
26 not in the world of Alice in Wonderland.

1 MR. KANAREK: Well, --

2 MR. BUGLIOSI: I am not addressing you because you are  
3 in that world, I am addressing Mr. Shinn.

4 You are not saying that someone hit her on the  
5 head and said, "Write these words to Kitt Fletcher"?

6 MR. SHINN: We don't know how much force was used.  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

3a-1

1 MR. BUGLIOSI: Forced to get the letter! They could  
2 take it from her if she wrote it under the present state  
3 of the law, the Fourth and Fourteenth Amendments do not  
4 apply to inmates.

5 MR. SHINN: Mr. Bugliosi, if you read those cases  
6 you will see that most of these cases that say they  
7 don't have any rights in jail, they are talking about  
8 people that have already been convicted.

9 MR. KAY: No.

10 MR. BUGLIOSI: No, no.

11 MR. SHINN: The United States cases I have read --

12 MR. FITZGERALD: The scholars are now making a  
13 very clear dichotomy between sentenced prisoners and  
14 those that are pending trial and are presumed to be  
15 innocent.

16 MR. BUGLIOSI: The current state of the law does not  
17 draw that line of demarcation.

18 MR. SHINN: They are leaning that way.

19 THE COURT: Well, the scholars are not going to  
20 decide this case.

21 MR. FITZGERALD: Six months before Miranda was  
22 decided the scholars said it would be decided; and six  
23 months before Escobedo they said the same thing.

24 THE COURT: Some of those things were predictable.

25 MR. FITZGERALD: This is predictable also, so  
26 predictable is this --

3a-2

1 THE COURT: With what degree of accuracy?

2 MR. FITZGERALD: So predictable is this that in  
3 California by legislation they enacted a Bill of Rights  
4 for prisoners, and now prisoners have rights to their own  
5 literary properties and rights to law books.

6 The California Supreme Court recently decided  
7 that sentenced prisoners could decide to represent them-  
8 selves on appeal, and so on and so forth.

9 It is the emerging area of the law.

10 THE COURT: Well, perhaps; but it has not emerged  
11 yet.

12 MR. SHINN: Along those lines a case just came down  
13 last month where two defendants were sentenced to the same  
14 identical crime; one paid a fine and one could not pay the  
15 fine so he had to stay in jail.

16 They reversed that case, the fact that just  
17 because a person cannot pay his fine he should not stay  
18 in jail.

19 MR. KAY: What has that to do with this?

20 MR. SHINN: We have to look a little ahead here,  
21 now. One that is convicted and one who only stands  
22 accused --

23 MR. BUGLIOSI: The point is there is no issue it  
24 was involuntarily written. The issue is how they got it.

25 MR. FITZGERALD: Correct.

26 MR. BUGLIOSI: No matter how they got it under the

3a-3

1 current state of the law, it is admissible.

2 MR. FITZGERALD: Correct.

3 MR. SHINN: To a certain extent. As you say, if they  
4 hit her over the head with a gun -- you've got to draw the  
5 line some place.

6 THE COURT: All right, gentlemen, I think there is  
7 a pending 1538.5 motion.

8 Do the People rest on that motion?

9 MR. MUSICH: On the Roni Howard letter?

10 THE COURT: With respect to the Roni Howard letter.

11 MR. MUSICH: With respect to the Roni Howard letter  
12 the evidence before the Court really shows the parties  
13 were in isolation and separated.

14 There is no evidence to indicate the officers  
15 directed or ordered her to elicit any incriminating state-  
16 ments from Susan Atkins; on the contrary the evidence  
17 indicates after the police talked to her they were  
18 separated in separate cells.

19 Nowhere in the transcript where --

20 THE COURT: The motion I think was directed to all  
21 three of the letters, Special Exhibits 8, 9 and 11.  
22  
23  
24  
25  
26

4 fls.



4-1

1 MR. MUSICH: We will have to bring in Mr. Gutierrez  
2 here to testify where he got the letters, and if we can't  
3 find the actual person who can remember, to say this  
4 letter I edited, or this letter I censored, someone to  
5 give us the ordinary procedures over there about censoring  
6 the mail --

7 THE COURT: You do intend to call Sergeant Gutierrez  
8 to testify where he got the letter?

9 MR. MUSICH: Correct.

10 THE COURT: That is, from the jail?

11 MR. MUSICH: Yes.

12 THE COURT: We can defer the ruling on this. He is  
13 going to have to lay the foundation anyway.

14 I suppose this should be out of the presence  
15 of the jury.

16 MR. BUGLIOSI: In fact, we can bring him back here  
17 right now into chambers.

18 MR. FITZGERALD: Better not do that.

19 THE COURT: No. That can be done in open court.

20 Anything further in respect to Roni Howard?

21 MR. BUGLIOSI: With respect to Roni Howard, the  
22 People would rest in respect to that letter.

23 MR. KANAREK: Your Honor --

24 THE COURT: Don't repeat the same arguments, Mr.  
25 Kanarek. Do you have any evidence you wish to present?

26 MR. KANAREK: No, but under People vs. Crovedi --



1 THE COURT: Do you rest?

2 MR. KANAREK: No. I would like to put on evidence.

3 THE COURT: The time is now. You have made the  
4 motion.

5 MR. KANAREK: I know, your Honor, but I can't do  
6 everything at once.

7 THE COURT: You made the motion yesterday or the day  
8 before.

9 MR. KANAREK: Yes, but I don't know --

10 THE COURT: The People want to put their witness on.

11 If you don't proceed, sir, I am going to rule  
12 on the motion. It is that simple.

13 MR. KANAREK: Under People vs. Grovedi, we have a  
14 right --

15 THE COURT: Under People vs. Grovedi you have had  
16 ample opportunity. You have known about this for months.

17 Do you have anything you want to present?

18 MR. KANAREK: I don't have any witnesses, but I  
19 would ask for a continuance, your Honor.

20 THE COURT: For what purpose?

21 MR. KANAREK: We don't have to do it at this instance.

22 THE COURT: For what purpose?

23 MR. KANAREK: So I can put on the police officers.

24 THE COURT: Make an offer of proof.

25 MR. KANAREK: I can't make a true offer, your Honor,  
26 because you cannot talk to these people and get from them

1 what you want to know.

2 THE COURT: We are talking now about Roni Howard.

3 MR. KANAREK: Yes.

4 I would like to, and I want to, put on the  
5 witnesses who talked to Roni Howard.

6 It doesn't have to be done this instant. This  
7 letter doesn't have to be read this instant.

8 I think there is a very definite probability, I  
9 think there is no question about it, she was an agent of the  
10 prosecution at the time.

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
4a Xls,

1 THE COURT: There is no point in making statements  
2 like that, Mr. Kanarek. I am not interested in your  
3 conjecture now. I want to know whether you have any evidence.

4 MR. KANAREK: I have been candid with the Court.

5 The Court has accommodated the prosecution in  
6 many ways.

7 THE COURT: That is ridiculous. You have had months and  
8 months.

9 MR. KANAREK: This just came up.

10 THE COURT: You raised it.

11 MR. KANAREK: I know. But I can't produce the police  
12 officers instantly.

13 Your Honor has allowed recesses while the  
14 prosecution goes up and talks to witnesses. I would like to  
15 be afforded the same.

16 THE COURT: That is all I want to hear, Mr. Kanarek.  
17 You don't have anything, apparently.

18 MR. KANAREK: Not at this instant, but I can get it.

19 THE COURT: Get it when? Make an offer.

20 MR. KANAREK: The offer I can make is that I will offer  
21 -- I am not going to misrepresent to the Court -- I am going  
22 to offer the police officers who spoke to this woman and I  
23 am going to ask them to testify under oath as to matters  
24 where I believe that they told her to go out and get as much  
25 as they could on Sadie Glutz, or Susan Atkins.

26 That is the way the police operate. That is the

1 way they conceive that it is their job, and I have no doubt  
2 this is what they did, and I think that the Miller case  
3 makes it very clear that she was an agent of the prosecution  
4 at the time this letter came into existence.

5 If she wasn't when they first started their  
6 conversation, I am sure she was an agent at the time when  
7 she wrote a letter to Sadie to have Sadie write back to her,  
8 because the prosecution, the police, probably said, "We  
9 want something in writing; we want something in her own  
10 handwriting."

11 THE COURT: That is absolute, pure speculation without  
12 the slightest evidence.

13 MR. KANAREK: I want to put on testimony.

14 THE COURT: As part of your case you can put it on.

15 MR. KANAREK: Well, then, will your Honor defer  
16 reading these to the jury at this time? If we defer that,  
17 then the harm is not done. You don't have the bell to un-  
18 ring.

19 I would ask that we do that, because I believe  
20 that this will come out this way, because law enforcement,  
21 at that time, was interested in getting as much solid  
22 evidence, as they viewed it, as possible. That is why we  
23 have these search and seizure problems.

24 THE COURT: All you have are beliefs, conjecture and  
25 speculation. You have not one piece of evidence.  
26

4b-1

1 MR. KANAREK: You can't talk to these people. They  
2 won't talk to you.

3 They take Roni Howard away from me, your Honor.  
4 When I started talking to her they --

5 THE COURT: That is enough.

6 MR. SHINN: May I say something, your Honor?

7 THE COURT: Yes.

8 MR. SHINN: I think what Mr. Kanarek is trying to say  
9 is that the fact that Miss Howard did talk to Officer Browne  
10 and Hossman before she talked to Patchett and McGann, I  
11 believe Miss Howard did testify under oath from the stand  
12 that she did talk to these two officers first and then she  
13 talked to Patchett and McGann later, which was taped,  
14 I think Mr. Kanarek is trying to maybe infer that the first  
15 two officers told Miss Howard to take some notes.

16 THE COURT: Of course, this evidence isn't offered  
17 as to Mr. Kanarek's client in the first place.

18 MR. KANAREK: In theory, your Honor, but we all know  
19 that --

20 THE COURT: Actually, Mr. Kanarek.

21 I don't want to hear another argument on that.  
22 You have expressed yourself numerous times on the same  
23 point.

24 MR. KANAREK: I am just trying to respond to the  
25 Court.

26 MR. SHINN: Your Honor, I do believe that we submitted

1 in chambers motions to suppress, and your Honor ruled already  
2 on it.

3 THE COURT: As to Roni Howard?

4 MR. SHINN: Yes. I believe so.

5 Mr. Bugliosi, didn't we submit motions to  
6 suppress in chambers here on Roni Howard?

7 MR. MUSICH: On the letter to Roni Howard?

8 MR. BUGLIOSI: Submitted it?

9 MR. SHINN: Oh, no. That was the statement.

10 I will join Mr. Kanarek's motion, and I would  
11 like to make an objection for the record now on those  
12 three letters we deleted, just for the record.

13 We are through with these three letters, I  
14 believe they are Special Exhibit 8 --

15 THE COURT: Who are these officers that you want to  
16 talk to?

17 You are making a motion. What do you want to  
18 do about it, Mr. Shinn?

19 MR. SHINN: I thought you ruled on the motion already,  
20 your Honor.

21 THE COURT: I wouldn't be talking about it if I had.

22 MR. SHINN: These two officers, I believe, were  
23 Officer Brown and Officer Mossman.

24 THE COURT: What about them?

25 MR. SHINN: They talked to her before.

26 I think Mr. Kanarek has a point.

1 MR. BUGLIOSI: How come you didn't speak to them and  
2 ask them?

3 MR. SHINN: I think I did. I made a motion.

4 THE COURT: You make a motion and you do nothing about  
5 supporting it.

6 MR. SHINN: I am trying to support it now.

7 THE COURT: I am telling you that now is the time.  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

4c Fla.

c-1  
1 MR. SHINN: I did subpoena Officer Browne and  
2 Officer Mossman, your Honor, for the purpose of suppressing.

3 THE COURT: Are they here this morning?

4 MR. SHINN: Mr. McGann has told me he will bring them  
5 here any time I wanted them. I subpoenaed them about two  
6 weeks ago.

7 MR. KAY: They were here. They spent one day outside  
8 the courtroom.

9 MR. SHINN: Then McGann let them go home. We weren't  
10 ready at that time.

11 They are on call now, your Honor.

12 THE COURT: Well, Mr. Shinn, you have made a motion.

13 MR. SHINN: Yes.

14 THE COURT: All right. The time has come if you want  
15 to offer some evidence on behalf of the motion.

16 MR. SHINN: Yes, your Honor. I have the witnesses on  
17 call.

18 THE COURT: This is the day.

19 MR. SHINN: Yes. I am ready to go ahead, your Honor.

20 THE COURT: How can you be ready to go ahead if they  
21 aren't here?

22 MR. SHINN: They are on call, your Honor. Mr. McGann  
23 told me they would be available.

24 THE COURT: That doesn't mean they are here. It means  
25 they are on call.

26 MR. SHINN: Yes.



1 THE COURT: So they are not here,

2 MR. SHINN: I will have them here this afternoon.  
3 Perhaps we can take something else this morning, and I will  
4 have them here this afternoon.

5 MR. MUSICH: The big problem would be an offer of proof  
6 as to whether or not these officers had anything to do or  
7 know anything on the issue as to when Roni was put in isolation.

8 THE COURT: Mr. Shinn's contention is that this  
9 testimony will show that Miss Howard was an agent of the  
10 police.

11 MR. BUGLIOSI: I think the defense should be allowed  
12 to call witnesses for that purpose. There is certainly a  
13 possibility.

14 THE COURT: I am giving them an opportunity.

15 MR. BUGLIOSI: There is a possibility that the police  
16 did tell her to get information.

17 THE COURT: I am giving him an opportunity to call the  
18 witness and apparently he has done nothing about it.

19 MR. SHINN: This is the first time that I knew we  
20 were going to hear this motion.

21 THE COURT: I suggest that you get them over here  
22 as fast as you can. We are not going to delay the trial  
23 while you decide to pursue it.

24 MR. BUGLIOSI: I have Greg Jacobsen out there. Shall  
25 I start putting him on? He will be a long witness.

26 MR. KANAREK: Mr. Bugliosi has promised me that

1 Mr. Wolfer would come back with the map, the aerial map,  
2 that he alluded to.

3 Could he do that this morning?

4 MR. BUGLIOSI: I have got Jacobsen here and I want  
5 to put him on.

6 THE COURT: How long will he be?

7 MR. FITZGERALD: Two days.

8 MR. BUGLIOSI: Yes. You will want to cross-examine.

9 He is going to be a good hour and a half on  
10 direct, your Honor.

11 MR. KANAREK: May I? First of all --

12 MR. BUGLIOSI: I imagine the cross will be rather  
13 lengthy.

14 MR. KANAREK: If we are on the Jacobsen subject, I  
15 would offer for the Court's consideration today's Herald  
16 Express wherein there is, in the Herald Express, I would  
17 gather, what you would call a synopsis or summary of what  
18 Mr. Jacobsen is going to testify to, in clear violation of  
19 the publicity order.

4d-1

1 THE COURT: Who violated the order?

2 MR. KANAREK: I don't know.

3 THE COURT: I don't either.

4 MR. KANAREK: What I am saying is, your Honor, that  
5 our only remedy is to suppress. The order to show cause  
6 in re contempt is a collateral thing, and maybe someone  
7 goes to jail or gets a fine, but the defendants receive  
8 no benefit from it.

9 THE COURT: That suggestion isn't acceptable.

10 In the first place, it wouldn't be acceptable  
11 under any conditions so far as I am concerned. It would  
12 be just as absurd as suppressing the defense evidence if  
13 any of it appeared in the paper.

14 MR. KANAREK: You mean, if the prosecution didn't  
15 inform Mr. Jacobsen not to speak to the press, that wouldn't  
16 be suppressed?

17 THE COURT: We won't get into that now.

18 MR. KANAREK: Then I have another point for you to  
19 consider: The complete and absolute irrelevancy and  
20 immateriality of the testimony of Mr. Jacobsen.

21 THE COURT: I don't know that until I find out what  
22 the questions are.

23 MR. KANAREK: But the danger is this: You can conjure  
24 up --

25 THE COURT: Let's not waste time.

26 MR. KANAREK: I am trying to get this point across

1 to the Court.

2 THE COURT: Anything else?

3 MR. SHINN: I wanted to make my objection to the  
4 three deleted letters, your Honor.

5 THE COURT: What about it?

6 MR. SHINN: I wanted to make an objection that the  
7 deletions are ineffective, and I think it goes to the  
8 prejudice of my client, Susan Atkins, and I object to the  
9 letters.

10 MR. FITZGERALD: Could I incorporate by reference  
11 the remarks and the motions that I made in regard to the  
12 testimony of Roni Howard and Virginia Graham to the extent  
13 that notwithstanding conscientious and diligent deletions,  
14 there is prejudicial material in there as to Patricia  
15 Krenwinkel.

16 MR. HUGHES: Join.

17 THE COURT: All the motions to suppress are denied.

18 However, we still have pending the motion to  
19 suppress the letters, all of the letters.

20 I am not ruling on that motion at this time  
21 because Mr. Shinn has indicated that he has some evidence  
22 that he wishes to put on in that connection.

23 So, the letters will not be read until those  
24 motions are out of the way.

25 MR. KANAREK: I would like to join with Mr. Fitz-  
26 gerald's comments and make the same reservations.

1 I join in his comments that he incorporated by  
2 reference, and I make the same reservations as to his  
3 comments that I believe I made when he initiated the  
4 comments that he just referred to. But with that reserva-  
5 tion, I join in Mr. Fitzgerald's statements in connection  
6 with these letters, your Honor.

4e Fla.

4E-1

1 THE COURT: Mr. Darrow, do you have the originals of  
2 the Special Exhibits 8, 9 and 11?

3 THE CLERK: You have 11 there, your Honor.

4 MR. KANAREK: Are we going --

5 THE COURT: Just a moment.

6 Do you have 9?

7 THE CLERK: Yes.

8 THE COURT: 8 and 9?

9 THE CLERK: Yes.

10 MR. KANAREK: Your Honor, are we going to object?  
11 I mean, when is our time to object on the ground of hearsay?

12 MR. FITZGERALD: We just stipulated that it is all  
13 hearsay as to Manson, Van Houten and Krenwinkel.

14 MR. KANAREK: All right.

15 Then, your Honor, I am saying that my request is  
16 that the hearsay be excised, your Honor, and that your  
17 Honor not permit --

18 THE COURT: The jury will be instructed, Mr. Kanarek.

19 MR. KANAREK: Your Honor does not want me to go  
20 through and make my objection on hearsay individually to  
21 each and every portion that I deem?

22 THE COURT: It is not necessary?

23 MR. KANAREK: Very well. Just so the record reveals  
24 that. Your Honor is the one to rule.

25 MR. FITZGERALD: I would like to make an observation.

26 THE COURT: The jury will be instructed as I indicated,

1 that letters are to be received solely with respect to  
2 Susan Atkins and are not to be considered for any purpose  
3 as to any of the other defendants.

4 MR. FITZGERALD: I have a suggestion or an observation,  
5 your Honor, about how to proceed right at this moment.

6 I would just as soon not have Greg Jacobsen's  
7 testimony broken up. The prosecution has suggested that  
8 maybe they would like to put him on to utilize the time  
9 available.

10 Maybe we can take our recess now and maybe we  
11 can get the police officers, your Honor, and proceed with  
12 this 1538.5 motion. Otherwise we will break up the  
13 continuity of his testimony.

14 MR. BUGLIOSI: I agree with your point, but we have  
15 quite a few witnesses to contact.

16 MR. KAY: Yes. Mr. Gutierrez handed me a list of  
17 people that dealt with the letter. There would be about  
18 16 witnesses at Sybil Brand.

19 THE COURT: Why is that necessary, if he testifies  
20 that he got it from the jail?

21 MR. KAY: If your Honor feels that is sufficient,  
22 he can testify that he received both letters from the jail.

23 THE COURT: Why does it take 16 people to tell how he  
24 got the letter?

25 MR. BUGLIOSI: He got the letter from the Sheriff's  
26 Office, but I think they are raising the issue as to how the



1 Sheriff's Office got the letter.

2 MR. SHINN: Yes. So all you need is the two  
3 witnesses.

4 THE COURT: He will say that he got it from the jail.

5 MR. KAY: He got it from the sheriffs at Sybil Brand,  
6 yes. In other words, from the censors. They gave him the  
7 letters.

8 MR. MUSICH: Your Honor, if I might suggest that we  
9 check these witnesses and find out whether or not these  
10 witnesses can testify to the chain of command as to the  
11 letter.

12 THE COURT: I think it is just time-wasting.

13 MR. BUGLIOSI: I do, too.

14 THE COURT: I suggest that you put on other witnesses  
15 while you are working out these problems and see if you can  
16 arrive at some kind of a stipulation.

17 Defense counsel yesterday expressed a concern  
18 about the length of the trial. Well, this is the type of  
19 thing that, in my opinion, unnecessarily prolongs it for no  
20 good reason.



5-1

1 MR. FITZGERALD: I agree. I think maybe -- all I am  
2 interested in is establishing that the Sheriff's Office  
3 photocopied letters of Susan Atkins, and perhaps the other  
4 defendants, where they don't as to the other inmates in  
5 the institution, and that they did so as the result of a  
6 request either by the police agencies, the Los Angeles  
7 Police Department or the Sheriff.

8 That is all I am interested in establishing.

9 MR. BUGLIOSI: You can probably call a witness to  
10 testify to that.

11 MR. FITZGERALD: And, No. 2, I am interested in  
12 the prosecution demonstrating that the letter was actually  
13 photocopied in the censorship process rather than seized  
14 from her personal belongings in the jail.

15 Those are the only two points I want to estab-  
16 lish.

17 MR. BUGLIOSI: The last point is the one that raises  
18 a barrel of words and requires maybe 16 people to testify.

19 MR. FITZGERALD: If that is true I am sure we can  
20 work out a stipulation.

21 I anticipated that a witness would testify  
22 "Yes, I was a censor on duty on August 14th, or whatever  
23 date it was, a letter came through, I censored it and  
24 photocopied it."

25 THE COURT: What is the relevance of the first point?

26 MR. FITZGERALD: I think we want to establish on the

1 record there was a concerted effort on the part of the  
2 custodial personnel to actually collect evidence of  
3 guilt as to the defendants.

4 I think our position on appeal is substantially  
5 stronger.

6 We are not dealing with the general right of  
7 the custodial officials to censor mail.

8 We are dealing with agents of the prosecution  
9 actually attempting to gather and collect evidence against  
10 people under their control.

11 And I think, and I don't mean to be absurd,  
12 I think if we establish that this is the case, I am going  
13 to make a motion to your Honor that your Honor transfer  
14 Patricia Krenwinkel to the Ventura County Jail, or the  
15 Orange County Jail, or into the custody of the Federal  
16 authorities so she is not constantly under the scrutiny  
17 of the agents of the prosecution while she is presumed  
18 to be innocent, and pending trial.

19 That is my whole point.

20 THE COURT: You will find when a defendant in a case  
21 of this type is in custody, she is going to be scrutinized  
22 quite closely no matter what jail she is in.

23 MR. KANAREK: The law makes no distinction -- I  
24 think it is -- I forget the Code Section -- you are not  
25 supposed to use any greater restraint on anyone --

26 MR. BUGLIOSI: If you will stipulate she wrote these

1 letters --

2 MR. FITZGERALD: We have.

3 MR. BUGLIOSI: Why don't you make the very very  
4 supplementary stipulation she sent them and they censored  
5 it.

6 MR. SHINN: We don't know that.

7 THE COURT: Mr. Shinn, if she doesn't know where she  
8 sent them, she certainly knows whether they were taken  
9 away from her.

10 MR. FITZGERALD: What she says, and I will be very  
11 honest with you, Judge, she said that a number of things  
12 periodically have been taken.

13 They have a procedure in the jail called a  
14 "shakedown" where they come into people's cells and they  
15 take what they consider to be contraband, and everything  
16 they take they book into her property, however, if it is  
17 not otherwise contraband.

18 If possible we could find out what was in her  
19 property --

20 Well, she says in short that she just doesn't  
21 know.

22 She has had so many shakedowns she does not  
23 know if the letter was the result of a shakedown or if it  
24 was to be mailed. She wrote it with the intention to  
25 mail it, though, that is all she will say.

26 MR. BUGLIOSI: She put it in an envelope and she

1 put a stamp on it!

2 MR. FITZGERALD: That is correct, it was in an  
3 envelope with a stamp on it.

4 MR. BUGLIOSI: We are wasting an enormous amount  
5 of time on incredible details.

6 MR. FITZGERALD: Let's stipulate they were requested  
7 by the prosecution or Los Angeles Police Department to  
8 censor their mail and to photocopy it and I will be happy.

9 MR. BUGLIOSI: How about this other issue of how  
10 the Sheriffs got it.

11 MR. FITZGERALD: If you cannot handle it with one  
12 or two very short witnesses, let's see if we cannot  
13 stipulate,

14 I honestly don't want to be here, Judge.

15 THE COURT: In the meantime, let's get on with  
16 something else.

17 MR. KANAREK: Your Honor, I make the motion that the  
18 prosecution make an offer of proof as to what Mr. Jakobson  
19 will testify to.

20 MR. BUGLIOSI: He will testify to Mr. Manson's  
21 philosophy of life.

22 THE COURT: Why should they make an offer of proof?

23 MR. KANAREK: Because I believe the prejudicial  
24 value far outweighs the probative value.

25 THE COURT: Make your objection as we go along.

26 MR. KANAREK: This will save time, because this witness

1 may never have to testify, your Honor. That will really  
2 save time.

3 THE COURT: Let's proceed, gentlemen, we are just  
4 wasting time now.

5 MR. SHINN: What are we going to do first now?

6 MR. BUGLIOSI: We will put on Gregg Jakobson.

7 MR. SHINN: Then we will put on --

8 MR. BUGLIOSI: Let's finish with Jakobson. He will  
9 be on the stand for a day or so.

10 At noontime at recess get your witnesses  
11 together.

12 MR. SHINN: Okay.

13 (The following proceedings were had in open  
14 court in the presence and hearing of the jury, all counsel  
15 being present.)

16 THE COURT: All counsel and jurors are present.

17 Mr. Fitzgerald, have the defendants indicated a  
18 desire to return to the courtroom and conduct themselves  
19 in a proper manner?

20 MR. FITZGERALD: They have not, your Honor.

21 THE COURT: Are you speaking for all defendants?

22 MR. FITZGERALD: Yes, your Honor.

23 THE COURT: Very well.

a-1  
1 MR. FITZGERALD: If the Court please, I have a  
2 defense witness present, Miss Barbara Hoyt.

3 Would you stand, please?

4 (Miss Hoyt arises.)

5 May this witness be ordered to return without  
6 further order, notice or subpoena on November 19th, your  
7 Honor?

8 THE COURT: Very well. Miss Hoyt, you are ordered  
9 to return to this court on November 19th at 9:45 a.m.  
10 without further order, notice or subpoena.

11 Do you understand?

12 MISS HOYT: Yes.

13 THE COURT: Very well, you are excused.

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

16 THE COURT: For what purpose?

17 MR. KANAREK: I want to make a point to the Court,  
18 your Honor.

19 THE COURT: Let's get on with the trial, Mr. Kanarek.  
20 We were in chambers up to now; you should have brought it out  
21 at that time.

22 Call your next witness, Mr. Bugliosi.

23 MR. BUGLIOSI: People call Gregg Jakobson.

24 THE CLERK: Would you raise your right hand, please.  
25 Would you please repeat after me.

26 I do solemnly swear --

1 THE WITNESS: I do solemnly swear --  
2 THE CLERK: -- that the testimony I may give --  
3 THE WITNESS: -- that the testimony I may give --  
4 THE CLERK: -- in the cause now pending --  
5 THE WITNESS: -- in the cause now pending --  
6 THE CLERK: -- before this Court --  
7 THE WITNESS: -- before this Court --  
8 THE CLERK: -- shall be the truth --  
9 THE WITNESS: -- shall be the truth --  
10 THE CLERK: -- the whole truth --  
11 THE WITNESS: -- the whole truth --  
12 THE CLERK: -- and nothing but the truth --  
13 THE WITNESS: -- and nothing but the truth --  
14 THE CLERK: -- so help me God.  
15 THE WITNESS: -- so help me God.  
16 THE CLERK: Will you please be seated. Please state  
17 and spell your name.  
18 THE WITNESS: Gregg Jakobson, G-r-e-g-g,  
19 J-a-k-o-b-s-o-n.  
20 MR. KANAREK: I gather there is the same relevancy  
21 and materiality --  
22 THE COURT: --s-e-n?  
23 THE WITNESS: -- s-o-n.  
24 MR. KANAREK: Your Honor, may I have the same  
25 relevancy and materiality request as before, and foundation?  
26 THE COURT: You may.



GREGG JAKOBSON,

called as a witness by and on behalf of the People, being  
first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q What is your occupation, Mr. Jakobson?

A Record production, music production.

Q Do you know Charles Manson, one of the defendants in this case?

A I do.

Q When was the first time that you spoke to Mr. Manson?

A May of '68, -- early summer of '68,

Q And where did you meet Mr. Manson at that time?

A Dennis Wilson's house.

Q Who is Dennis Wilson?

A He is a member of the Beach Boys.

Q And you knew Mr. Wilson, is that correct?

A I did.

Q And also Mr. Manson knew Mr. Wilson?

A Yes.

Q And you met Manson at Wilson's place?

A Yes.

Q Did you become friendly with Charles Manson?

A Yes.



1 Q When was the last time that you had any  
2 conversation with Charles Manson?

3 A Late August, maybe as recently as September of  
4 '69.

5 Q And where did you speak to him at that time?

6 A That was at my house in Beverly Glen.

7 Q Within the period of time that you knew him  
8 or that you spoke to him, that is, early summer of 1968  
9 and early September, 1969, did you have many conversations  
10 with Charles Manson?

11 A I did.

12 Q In these conversations did Mr. Manson discuss  
13 with you his philosophy on life?

14 MR. KANAREK: Hearsay and conclusion, your Honor.

15 THE COURT: Overruled, you may answer.

16 THE WITNESS: Yes, I did.

17 Q BY MR. BUGLIOSI: Approximately how many times  
18 did you talk with Mr. Manson about his philosophy on life?

19 A Well, innumerable times.

20 Q When you say innumerable, will you give an  
21 approximate figure?

22 A Maybe 100.

23 Q And where did these conversations take place?

24 A Oh, at -- out at the ranch, at my house, at  
25 Dennis's house, in vehicles while we were driving, to and  
26 from places.

Q When you say the ranch you mean Spain Ranch?

1 A Yes, I do.

2 Q And when you say your house, where is that  
3 located?

4 A That is my old house in Beverly Glen where  
5 Dennis and I lived for a year.

6 Q When you met Mr. Manson at Dennis Wilson's  
7 home, was that at the Beverly Glen address?

8 A No, no, that was at Dennis' house down on  
9 Sunset.

10 Q Far out on Sunset Boulevard?

11 A Yes, down by the beach.

12 Q Were many of these conversations just between  
13 you and Mr. Manson or were there any instances when any  
14 other people were present?

15 A There were a lot of instances where other  
16 people were present.

17 Q Like whom?

18 A Oh, some of the girls, Dennis would be there  
19 many times.

20 Q Dennis Wilson?

21 A Yes.

22 Q When you say the girls, about whom are you  
23 referring?

24 A Squeaky, Sandy -- I cannot really -- they were  
25 just around.

26 Q Girls that were with Mr. Manson at the time?

1 A Yes.

2 Q Did you have conversations, however, when you  
3 spoke to Mr. Manson alone?

4 A Oh, yes, yes.

5 Q With respect to his philosophy, I imagine you  
6 covered many subjects with him, is that correct?

7 A Yeah, we got into it pretty good, we debated a  
8 lot of things.

9 Q And some of the subjects you discussed more than  
10 once, is that correct?

11 A Yes.

12 Q Within that period of time, between early  
13 summer '68 and September of 1969 did you ever have any  
14 conversation with Mr. Manson with respect to his philosophy  
15 or view about right and wrong?

16 MR. KANAREK: Assuming facts not in evidence, hearsay  
17 and conclusion, and improper foundation.

18 THE COURT: Overruled, you may answer.

19 Q BY MR. BUGLIOSI: You can answer that yes or no.

20 A Yes.

5B-1

1 Q What did Mr. Manson say, if anything, about  
2 right and wrong?

3 MR. KANAREK: I object on the grounds it is assuming  
4 facts not in evidence, on the grounds of hearsay, on the  
5 grounds of calling for a conclusion, improper foundation,

6 THE COURT: Overruled, you may answer.

7 THE WITNESS: I'm sorry, can I have the question again?

8 MR. BUGLIOSI: Yes.

9 Q What did Mr. Manson say, if anything, about  
10 right and wrong? ✓ ✓

11 A He said there was no such thing.

12 Q No such thing as what?

13 A Right or wrong.

14 Q Did he elaborate on that? T T

15 MR. KANAREK: Your Honor, may I have a continuing  
16 objection on those grounds?

17 THE COURT: Mr. Kanarek, don't keep interrupting, you  
18 asked for a continuing objection and you were given it.

19 MR. KANAREK: I am talking about hearsay, conclusion,  
20 improper foundation and assuming facts not in evidence.

21 May I have a continuing objection on those  
22 grounds?

23 THE COURT: You may.

24 MR. KANAREK: Your Honor said I may?

25 THE COURT: I said you may.

26 MR. KANAREK: Thank you, your Honor. I did not hear

1 you.

2 MR. SHINN: Your Honor, may this be limited to the  
3 declarant, Manson? This is hearsay as to Atkins.

4 MR. BUGLIOSI: No objection. It is offered as to  
5 Manson only.

6 THE COURT: Very well, the jury is instructed that  
7 the testimony of this witness pertains only to Mr. Manson  
8 and is not to be considered for any purpose as to any of  
9 the other defendants.

10 Q BY MR. BUGLIOSI: Did Mr. Manson elaborate on  
11 what he meant when he said there was no such thing as  
12 wrong? ↓ ↓

13 A He believed, or he said he could do no right  
14 or wrong.

15 Q That he personally could do no right or wrong?

16 A Right and wrong was a concept that he did not  
17 hold with.

18 He did not believe in it, ↑ ↑

19 MR. KANAREK: Your Honor, then may I also have as  
20 part of the continuing objection the objection that the  
21 prejudicial value far outweighs the probative value and  
22 also —

23 THE COURT: That will not be a continuing objection.  
24 Let's proceed.

25 MR. KANAREK: Then I would object on the grounds of  
26 trying to show character, your Honor.

Q BY MR. BUGLIOSI: Did he say that he personally could do no wrong?

A Yes.

Q Did Mr. Manson ever discuss with you his concept of good as opposed to bad?

A Yes.

Q What did he say?

A There wasn't any good or bad.

Q Try to talk a little more loudly, Mr. Jakobson, or pull the microphone up to you.

A There wasn't any good or bad.

Q Did Mr. Manson ever discuss with you his philosophy about death?

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

THE COURT: You may not.

MR. KANAREK: Then, your Honor, I would object on the grounds it is impugning the good character of Mr. Manson, improperly, and it is a violation of the Evidence Code.

Also the prejudicial value far outweighs the probative value, along with the continuing objection.

THE COURT: Overruled.

Q BY MR. BUGLIOSI: You can answer that.

A I'm sorry ---

Q Did he say anything about death?

A He didn't believe in it.

Q Well, would you elaborate on that?



1 A He said that he had died a long time ago and  
2 that he had experienced death many times.

3 This was one of the things that we argued about  
4 so much, the subjective and the objective, where they met,

5 Q Did he say there was such a thing as death?

6 A No, it was only a physical change at the end of  
7 the body.

8 ~~Q Try to speak up more loudly, Mr. Jakobson.~~

9 A I am trying to think of the words used, his  
10 words.

11 Q If you cannot think of his words, whenever you  
12 can, of course, relate his words, if you cannot remember  
13 his exact words, just relate the essence or the substance  
14 of what he said.

15 THE COURT: Pull the microphone a little closer,  
16 Mr. Jakobson.

17 THE WITNESS: Death was a physical change that took  
18 place at the end of the life span of the body, and the  
19 spirit went on from there, and that is what was important.

20 It either went on or went back, we never got  
21 into that, but life went on.

22 The essence of life went on.

23 The body did not have much to do with the  
24 essence of life.

25 Q Did he say there was no such thing as death?

26 A Yes, death also is a concept of man that exists



only in the head, in the intellect.

Q This is what he said?

A Yes.

Q Did he say it was a fear born in man's head?

MR. KANAREK: Leading and suggestive, your Honor, also the prejudicial value far outweighs any probative value.

THE COURT: Sustained.

Q BY MR. BUGLIOSI: Did he say anything about death with respect to its being beautiful?

MR. KANAREK: Leading and suggestive, your Honor.

THE COURT: Overruled. You may answer.

THE WITNESS: He said that he had experienced it and it was beautiful.

Q BY MR. BUGLIOSI: Did Charles Manson ever say anything to you with respect to whether he felt it was wrong to kill?

MR. KANAREK: Your Honor, I will object furthermore on the grounds the First Amendment of the right to free speech.

I object on the grounds of the right of freedom of assembly.

If you take this evidence every one of us would be afraid to discuss --

THE COURT: Mr. Kanarek, state your objection and then sit down.

1 MR. KANAREK: I object on the First Amendment, right  
2 to freedom of speech, freedom of association, which is  
3 guaranteed to all of us by way of the due process clause of  
4 the Fourteenth Amendment.

5 THE COURT: State your objection.

6 MR. KANAREK: That is the objection.

7 THE COURT: Overruled.

8 MR. KANAREK: I think the Constitution allows free  
9 speech.

10 THE COURT: That will be enough.

11 MR. KANAREK: In addition to my other objections  
12 and that the prejudicial value outweighs the probative  
13 value.

14 THE COURT: Bear in mind my admonitions to you in  
15 the past, Mr. Kanarek, on the direct examination of a  
16 witness.

17 MR. KANAREK: I understand, your Honor.

18 THE COURT: Very well.

19 THE WITNESS: I need the question again.

20 Q BY MR. BUGLIOSI: Did he say that it was wrong  
21 to kill a human being?

22 MR. KANAREK: Leading and suggestive, your Honor.

23 THE COURT: Overruled.

24 THE WITNESS: He said it was not.

25 But it should be qualified, it came at the  
26 end of a lot of talk.

1 Q All right, you may relate the context in  
2 which that statement came about.

3 MR. KANAREK: May we approach the bench, your Honor?

4 THE COURT: You may not.

5 THE WITNESS: It came at the end of a conversation  
6 that got into:

7 First there wasn't any right or wrong and,  
8 secondly, there wasn't any death, and then it came, so that  
9 it did not matter. ↑↑

5c-1

1 Q What didn't matter?

2 A If someone was killed, death didn't have any  
3 importance.

4 Q Did he say it was wrong to kill?

5 A No, he did not. He did not say it was wrong  
6 to kill.

7 Q He said it was not wrong to kill?

8 MR. KANAREK: Leading and suggestive, your Honor.

9 THE COURT: Overruled.

10 THE WITNESS: Well, I certainly felt he inferred it  
11 because that is one of the points that we were arguing  
12 about and I was taking the other side.

13 BY MR. BUGLIOSI:

14 Q What position were you taking?

15 MR. KANAREK: Your Honor, may I have a continuing  
16 objection on the First Amendment right to freedom of  
17 speech?

18 THE COURT: You may not.

19 MR. KANAREK: I don't wish to interrupt the continuity,  
20 your Honor.

21 THE COURT: Let's proceed. The objection is over-  
22 ruled.

23 THE WITNESS: The position I was taking was that  
24 your big toe is hooked to your head, and it mattered;  
25 that everything had to do with everything else; the  
26 subjective and the objective were of one.

5c-2

1 The never changing and the ever changing were  
2 all hooked up.

3 And he said his stand was that they were not;  
4 that they existed completely separately as a duality.

5 BY MR. RUGLIOSI:

6 Q So he told you then it was not wrong to kill,  
7 is that correct?

8 MR. KANAREK: That's leading and suggestive, your  
9 Honor.

10 THE WITNESS: Yes, that's correct.

11 THE COURT: Objection overruled.  
12 BY MR. RUGLIOSI:

*(Jacobson T on CE the  
Hanson said that when  
you tell someone, you  
are telling yourself)*

13 Q Did Mr. Manson say anything about time?

14 A It does not exist.

15 Q Time does not exist?

16 A Right.

17 Q Did he elaborate on that?

18 A It also is a concept of man.

19 Man invented time. The clock is the invention  
20 and creation of man. It is a concept.

21 Q Did he discuss the concept of pain with you?

22 A It is a concept. It comes from fear.

23 It also is a creation of man. It need not  
24 be there; it does not exist.

25 Q Pain does not exist?

26 A No, it does not exist.

*↑ ↑*

5c-3

1 Q Did he ever tell you --

2 A Except in the head.

3 Q It was strictly mental, not physical?

4 A Yes.

5 Q Did he tell you he ever made an effort to  
6 eliminate pain within himself?

7 A Oh, yes.

8 Q What did he say?

9 A Well, he told me that he had -- that he had  
10 cut the bonds with pain, that he had overcome cold and  
11 heat.

12 To give a for instance, on an acid experience  
13 he had sat out in the cold in the desert in extremely cold  
14 weather without any clothes on and felt no cold for a long  
15 period of time.

16 MR. KANAREK: Your Honor, I would ask --

17 THE WITNESS: This was told to me. I was not there.

18 MR. KANAREK: I would ask that last answer be  
19 stricken, your Honor, his reference to acid.

20 THE COURT: The motion is denied.

21 BY MR. BUGLIOSI:

22 Q Would Mr. Manson ever speak about the establish-  
23 ment?

24 MR. KANAREK: Then, your Honor, I must object on the  
25 grounds of freedom of speech, first amendment right to  
26 express yourself, first amendment right of association,

5c-4  
1 and the prejudicial value far outweighs any probative  
2 value.

3 It is my position, your Honor, these First  
4 Amendment rights including the First Amendment right to  
5 freedom of religion is protected, all of us are protected  
6 by way of the due process clause of the Fourteenth  
7 Amendment.

8 This is infringing Mr. Manson's rights, that  
9 all of us, to talk with each other.

10 THE COURT: I don't want to hear the argument, Mr.  
11 Kanarek?

12 MR. KANAREK: Then may I approach the bench?

13 THE COURT: You may not. The objections are over-  
14 ruled.

15 BY MR. BUGLIOSI:

16 Q Did Mr. Manson ever speak to you about the VV  
17 establishment?

18 A Yes.

19 Q What did he say?

20 A Well, ~~he just felt that they were so far~~ he  
21 did not want to have anything to do with them; that they  
22 were so far wrong that everything that they were and was,  
23 was coming to an end.

24 It was over. The beginning of the end had  
25 begun.

26 The karma was turning. Those are his words, MT



5a-5

not mine.

Q In other words, he did not want to board a sinking ship, as it were. He wanted to leave the establishment?

A Exactly.

MR. KANAREK: Leading and suggestive, your Honor.

THE COURT: Overruled.

THE WITNESS: Exactly.

BY MR. BUGLIOSI:

Q Did Manson ever say that he was Jesus Christ?

MR. KANAREK: Objection on the grounds of freedom of religion is guaranteed to all of us by the First Amendment.

Further its prejudicial value far outweighs its probative value.

Freedom of expression, freedom of association guaranteed by the due process clause of the Fourteenth Amendment, and also, of course, the continuing objections.

THE COURT: Overruled, you may answer.

THE WITNESS: Yes.

BY MR. BUGLIOSI:

Q He said he was Jesus Christ?

A Yes.

Q Did he ever say he was the devil?

A Yes.

Q Did Charles Manson ever discuss with you his feelings about the relationship between black and white

5c-6

people?

A Many times.

Q Did he mention the philosopher Nietzsche?

A Yes.

Q That he had read Nietzsche?

A He was familiar with him.

Q What did Mr. Hanson say with respect to the relationship between black and white people?

MR. KANAREK: Your Honor, I will object on the grounds--

Since your Honor would not grant me a continuing objection, which I would welcome so I would not have to interrupt -- I would object and do object on the grounds of the First Amendment's right to freedom of religion, freedom of expression, freedom of association, freedom of speech.

I will object further on the grounds that the prejudicial value far outweighs any probative value.

I object on the further ground that it infringes Mr. Hanson's right, his political rights.

This is becoming a political trial.

THE COURT: That will be enough. Sit down.

The objections are overruled.

5d file.

5d-1

Q What did Mr. Manson say about the relationship between black and white people -- their relative worth, the level of existence between them?

A There was much said about that, and the essence of what was said, going back to the question about Nietzsche, that the white race was more evolved than the black race.

Q The white race was more evolved?

A Yes, sir.

Q You are using the term evolved to mean more developed?

A Yes.

Q More advanced?

A Yes, evolutions, progressive development, yes, more evolved, more advanced.

Q Than the black people?

A Yes.

Q What else did he say?

A They were to serve Whitey.

Q Blackie was to serve Whitey?

A Yes.

Q Did he say that was the black person's sole purpose here on earth?

MR. KANAREK: Leading and suggestive, your Honor.

THE COURT: Sustained.

BY MR. BUGLIOSI:

Q Did he say what the black person's purpose was

5d-2

here on earth?

A In effect what was said was that the black man was going to take the white man's place; that the white man was to move on and the black man was to become the establishment.

It was his turn.

Q Now, did he say whether the black man should actually occupy positions of leadership in our society?

MR. KANAREK: Leading and suggestive, your Honor, also the First Amendment rights that I have enunciated before as well as the fact that the prejudicial effect far outweighs the probative value.

THE COURT: Sustained.

BY MR. BUGLIOSI:

Q When you say he thought the black man should become the establishment, what would he say with respect to that?

MR. KANAREK: Same objection, and 3-

THE COURT: Overruled.

THE WITNESS: The black man was going to rise up, take the place of the white man in society, and the white man, the white men that were left--and there would be very few--would be then living in the desert.

BY MR. BUGLIOSI:

Q Well, before we get into that --

He said the black man would become the

*Not that Manson himself said the word "rise". The black man would rise up. Of course, the word "rise" was printed in black at the bottom of the page.*

1 establishment, is that correct?

2 A Yes.

3 Q Did he envision for instance a black man  
4 becoming President?

5 MR. KANAREK: I object, your Honor. This invades  
6 the First Amendment rights --

7 THE COURT: The objection is sustained.

8 The question is ambiguous.

9 BY MR. BUGLIOSI:

10 Q When the black man became the establishment  
11 did Mr. Manson say what role the black man would have in  
12 the establishment?

13 MR. KANAREK: May I object on the First Amendment  
14 rights, your Honor, if I could have a continuing objection--

15 THE COURT: Overruled.

16 THE WITNESS: The whole idea was that the black man  
17 was to serve the white man in every capacity, <sup>including</sup> ~~and~~ ~~including~~  
18 being President of the United States, being a chief of  
19 police, being a judge, in every capacity.

20 He would become the establishment. There would  
21 be no white establishment left.

22 BY MR. BUGLIOSI:

23 Q So then the black man would be the President,  
24 the legislators, the police, et cetera, is that correct?

25 A Absolutely, they would be serving.

26 Q But their sole function would be to serve

↑↑

1 white men, is that correct?

2 A Yes.

3 MR. KANAREK: Leading and suggestive, your Honor.

4 THE COURT: Overruled.

5 BY MR. BUGLIOSI:

6 Q Did he discuss with you the sexual or  
7 physical relationship that a white should have with a  
8 black?

9 MR. KANAREK: Object, the prejudicial value far  
10 outweighs the probative value.

11 THE COURT: Sustained.

12 BY MR. BUGLIOSI:

13 Q Did Mr. Manson ever speak to you, Mr. Jakobson,  
14 about a black-white conflict or physical confrontation?

15 MR. KANAREK: I object on the grounds of the First  
16 Amendment rights and the prejudicial value far outweighs  
17 the probative value.

18 THE COURT: Overruled.

19 THE WITNESS: Often.

20 BY MR. BUGLIOSI:

21 Q Did he give this black-white war or conflict  
22 a name?

23 A Yes.

24 Q What name did he give it?

25 A Helter Skelter.

26 Q Did he mention Helter Skelter to you many times?

1 A Yes.

2 Q Did he say there was going to be a black-white  
3 war?

4 A Oh, he believed that it was imminent.

5 Q That it was imminent?

6 A Yes.

7 Q That it was going to happen very soon?

8 A Yes, it was beginning.

9 MR. KANAREK: Your Honor, if I could have a continuing  
10 objection to this Helter Skelter and all of this, I wouldn't  
11 have to interrupt.

12 If I may, on the grounds of free speech and  
13 the First Amendment, that is all your Honor has to do,  
14 and then I won't interrupt.

15 Mr. Bugliosi is obviously going to go into  
16 detail on this.

5a fls.



5e-1

1 THE COURT: Ask your next question, Mr. Bugliosi,

2 MR. KANAREK: Then I do make the motion, your Honor,  
3 to strike all of this testimony concerning Helter Skelter.

4 THE COURT: The motion is denied.

5 Q BY MR. BUGLIOSI: So, in other words, Helter  
6 Skelter, then, was the black-white war, is that correct?

7 A It was.

8 Q Did Mr. Manson indicate to you how he envisioned  
9 this black-white war would start?

10 A It would begin by the ripping off of some  
11 white families in their homes.

12 Q By whom?

13 A By the blacks.

14 MR. KANAREK: Your Honor, I ask that be stricken  
15 under the First Amendment grounds, also the prejudicial  
16 value far outweighs the probative value.

17 THE COURT: Denied.

18 Q BY MR. BUGLIOSI: Did he tell you what he  
19 meant when he said the black man would rip off some white  
20 families in their homes?

21 A Yes, he was pretty adamant, I remember, because  
22 it was -- well, --

23 He said, he used the words "ripped off,"  
24 and those stuck in my mind, and then he went further to  
25 say that they would really be cut up and dismembered and  
26 so on.

MR. KANAREK: I ask that that be stricken, your

1 Honor, on the grounds the prejudicial value far outweighs  
2 any probative value, and further on the First Amendment  
3 grounds, your Honor.

4 THE COURT: Denied.

5 Q BY MR. BUGLIOSI: After the black-white war or  
6 Helter Skelter commenced in that fashion by the black man  
7 ripping off some white families, did he say where the battle  
8 would eventually lead?

9 MR. KANANEK: Same objections, your Honor.

10 THE COURT: Overruled.

11 THE WITNESS: It would be everywhere, it would be in  
12 the streets, it would be open confrontation.

13 Q BY MR. BUGLIOSI: Between blacks and whites?

14 A Yes.

15 Q Did Mr. Manson indicate to you who he thought  
16 would prevail in this black-white war?

17 A Oh, the blacks would win.

18 Q Did he tell you why he felt the blacks would  
19 win?

20 A It was their turn. It was their turn. It was  
21 time for them to take the place of whitey.

22 Whitey's karma would have turned.

23 Q When you use the word karma, what do you mean by  
24 that?

25 A Well, that is Charlie's word; my meaning  
26 would be different.

1 Karma is action and reaction.

2 Q Did Mr. Manson ever tell you --

3 A What you do comes back to you.

4 Q Did Mr. Manson ever tell you what he meant by  
5 the word karma?

6 A Well, that is more or less what he meant.  
7 That is his definition, that is his definition more than mine.

8 Q His definition, then, was karma was action and  
9 reaction?

10 A Yes.

11 Q Whatever you did come back to you?

12 A Yes.

13 MR. KANAREK: Your Honor, I would ask that be  
14 stricken on the grounds of equal protection of the law  
15 in that when I previously tried to bring before the court  
16 the definition of the word karma your honor would not take  
17 judicial notice of it, when we suggested the dictionary  
18 definition of it, your Honor.

19 I make an equal protection argument.

20 I ask this last answer be stricken.

21 THE COURT: Denied.

22 Q BY MR. BUGLIOSI: Did Mr. Manson say what he  
23 intended to do during this black-white war?

24 A Yes.

25 Q What did he say?

26 A He was going to go to the desert with his

people and completely avoid it then.

Q Did he say where in the desert he was going to go?

A He firmly believed that there was a pit, a bottomless pit in the Death Valley area that could be lived in, and inhabited, and quite possibly was inhabited.

Q Did he say he intended to inhabit the bottomless pit during Helter Skelter?

A Yes.

Q Now, you have indicated that Manson said that he believed the black man would prevail in this war with the white man.

Did he tell you whether or not he felt the black man would be able to handle being the Establishment, handle the reins of power?

A Ultimately no, they wouldn't. They would have to come back.

Q Why wouldn't they be able to handle the reins of power?

A It just wasn't their thing. It was a creation of white man's, and they would not be able to handle it. They would not want it. They would just finally put it down, give it back to the white man that was left.

Q Did he say who the white man was who would be left?

A Well, he would be left and anybody else who had

17,100  
been into the desert with him, and survived Helter Skelter.

1 Q So then the black man eventually would come  
2 to Mr. Manson, is that correct?

3 A Yes, in essence, yes.

4 Q Now, for what purpose would the black man come  
5 to Mr. Manson as far as Mr. Manson was concerned?

6 A For help, to give it back, he would not want it  
7 after he had it.

8 Q In other words, the black man would want to  
9 turn over the Establishment to Mr. Manson, is that  
10 correct?

11 A Right, yes.

12 Q Did Mr. Manson ever discuss with you the *and to the same thing*  
13 recording group called the Beatles? *↑ ↑*

14 A Yes.

15 Q And their role, if any, in the scheme of life?

16 A Many times.

17 Q What did he say about the Beatles? *↑ ↑*

18 MR. KANAREK: Your Honor, this is clearly a violation --

19 THE COURT: State your objection.

20 MR. KANAREK: I object on the grounds, your Honor, of  
21 free speech, freedom of association, prejudicial value far  
22 outweighs any probative value.

23 THE COURT: Overruled.  
24  
25  
26

5-1

1 THE WITNESS: What did he say?

2 MR. BUGLIOSI: What were his feelings about  
3 the Beatles? What did he say about them?

4 A He believed that they were prophets and they  
5 were prophesying Helter Skelter if you were listening to  
6 them, if you were tuned in. That is what they were  
7 prophesying. They were the leaders of the movement,  
8 within the words and context of their songs.

9 Q They were prophesying the fact that Helter  
10 Skelter was imminent?

11 A Yes.

12 Q Did he ever say that he believed the Beatles  
13 were speaking to him through the lyrics of their songs?

14 MR. KANAREK: Leading and suggestive.

15 THE COURT: Overruled.

16 THE WITNESS: Oh, yes.

17 MR. BUGLIOSI: Q What did he say?

18 A Well, that is exactly what they were doing,  
19 and he intended to follow their advice.

20 He put great stock in what the Beatles said  
21 in their songs, that the lyric content meant a lot to him.

22 C And he said that he believed that the Beatles  
23 were speaking to him?

24 A Yes. And anybody else that was tuned in,  
25 that was listening to them.

26 Q Did he speak about the Beatles frequently?

1 A Yes.

2 Q Would you say he indicated that he worshiped  
3 them?

4 MR. KANAREK: Then I will object on the grounds of  
5 freedom of religion, your Honor, on the First Amendment  
6 right.

7 THE COURT: Overruled.

8 You may answer.

9 THE WITNESS: I don't know about worship.

10 He thought an awful lot of the Beatles. They  
11 were -- well, he thought an awful lot of them. ↑ ↑

12 MR. BUGLIOSI: Q Did you ever hear Mr. Manson  
13 play Beatle records?

14 A Yes.

15 Q Frequently?

16 A Yes, when the new one came out.

17 Q When you say "the new one," what album are you  
18 referring to?

19 A At the time it was the white Beatle album, the  
20 double album.

21 Q Do you know when it came out?

22 A Late '68, early '69. Maybe early '69.

23 Q And have you seen that album before?

24 A Have I seen it?

25 Q Yes. Have you physically seen the jacket and  
26 album?



1 A Oh, yes. I have a copy of it. Sure.

2 MR. BUGLIOSI: Your Honor, I have here an album,  
3 apparently by the Beatles. It doesn't have any name, just a  
4 white album.

5 It has two records, two albums contained therein.

6 In fact, the word Beatles is impressed on the  
7 jacket, also in white.

8 May the jacket and the two records, which  
9 comprise one album, may they collectively be marked  
10 People's next in order?

11 THE COURT: 266.

12 MR. BUGLIOSI: Q I show you what appears to be  
13 a Beatles album.

14 Is this the album that you were referring to,  
15 Mr. Jakobson?

16 A Yes.

17 Q And you have seen this album before?

18 A Many times.

19 Q In fact, you have a copy of it?

20 A Yes.

21

22

23

24

25

26

6a-1

1 Q Did you see this album -- not this particular  
2 one, but a duplicate of this album -- in Mr. Manson's  
3 possession?

4 A At the ranch.

5 Q You will have to talk up.

6 A Yes, I did. At the ranch.

7 Q Where?

8 A At the ranch.

9 Q When you say "the ranch," you mean the Spahn  
10 Ranch?

11 A Yes, I do.

12 Q I am removing the actual records.

13 Do you remember seeing those records out at  
14 Spahn Ranch?

15 A Sure. Yes.

16 Q Okay.

17 Did you see Mr. Manson play these records out  
18 at the Spahn Ranch?

19 A Yes.

20 Q He played them on a record player, of course?

21 A Yes.

22 Q Did he make any statements to you about the  
23 record player?

24 A Well, there usually wasn't one there, but  
25 because of the new Beatles album there was one there.

26 Q Did he say that he went out and bought a

6a-2

1 record player to play this album?

2 A Well, he went out and got one, yes.

3 Q He told you that?

4 A Well, it just wasn't there normally, and it was  
5 now there to play the album.

6 THE COURT: Pull the microphone closer, please. Right  
7 up close to you.

8 THE WITNESS: Yes, sir.

9 MR. BUGLIOSI: Q How often did Mr. Manson play  
10 this album out at Spahn Ranch?

11 A A number of times. A lot of times. It was  
12 played over and over again.

13 Q Did you hear Mr. Manson play any other Beatles  
14 albums?

15 A No.

16 Q Just this one here?

17 A Yes. It was the current Beatle album.

18 Q Were there any particular songs in this  
19 particular Beatle album that Manson played the most?

20 A Well, Blackbird, Revelations 9.

21 Q Is that Revelations 9 or Revolution 9?

22 A Revolution 9.

23 Sexy Sadie, Blackbird and Revolution stands  
24 out to me.

25 Q What about Helter Skelter?

26 A Yes. Helter Skelter, of course, yes.

6a-3

1 Q What about Piggies?

2 A Well, that is in one of those songs that I  
3 mentioned, isn't it?

4 Q I am referring to that white album now.

5 Among the songs in the white album are,  
6 of course, Helter Skelter, Blackbird and Piggies, and also  
7 Revolution 9.

8 A I am sorry. The songs all run together with  
9 me. I don't associate much with the titles. But yes, the  
10 title Piggy.

11 Q Do you recall him playing the song by the  
12 Beatles Piggies; is that correct?

13 A Yes.

14 Q And Blackbird?

15 A Yes.

16 Q And Helter Skelter?

17 A Right.

18 Q And Sexy Sadie?

19 A Yes, that's right.

20 Q And Revolution 9?

21 A Yes.

6b fls.

26

6b-4

1 Q Now, there are several other songs in this  
2 album.

3 Did he play the ones that I have just mentioned  
4 more than the other songs?

5 A Yes.

6 They were all played, but those were referred  
7 to more.

8 Q Those five?

9 A Yes.

10 Q Did Mr. Manson appear to know the words to  
11 those songs?

12 A That is what I meant. He could quote from  
13 those songs.

14 He used some of the verses of those songs in  
15 his own music.

16 You know, it was a couple of years ago, so  
17 it all runs together.

18 Q You say he could quote from the songs? In  
19 other words, without having the lyrics in front of him,  
20 he would quote them verbatim?

21 A Yes, he would quote verses from them.

22 Q Those songs?

23 A Yes.

24 Q The five that we have referred to?

25 A Yes.

26 MR. BUGLIOSI: Your Honor, I have here a photostatic

1 copy of what appears to be the lyrics of the songs in that  
2 Beatles album, the previous exhibit.

3 May it be marked People's next in order?

4 THE COURT: 267.

5 MR. BUGLIOSI: Referring to the song Helter Skelter,  
6 Mr. Jakobson, I am going to read you the lyrics and ask  
7 you if Mr. Manson placed any particular interpretation on  
8 them, if you know?

9 MR. KANAREK: Your Honor --

10 MR. BUGLIOSI: Let me ask you this: Did Mr. Manson  
11 place any interpretation on the song Helter Skelter?

12 MR. KANAREK: Your Honor, that is within freedom of  
13 expression, free speech.

14 THE COURT: The question is ambiguous, whether he  
15 placed any interpretation.

16 Are you asking him what he said, Mr. Bugliosi?

17 Is that what you mean?

18 MR. BUGLIOSI: I am going to ask what he said when  
19 I find out whether he placed an interpretation on it.

20 THE COURT: That is a matter for speculation.  
21 The objection is sustained.

22 MR. BUGLIOSI: Q. Did Mr. Manson say that the  
23 Beatles were attempting to convey any message in the song  
24 Helter Skelter?

25 MR. KANAREK: Leading and suggestive, your Honor.

26 THE COURT: Overruled.

1 THE WITNESS: Yes. It --

2 MR. BUGLIOSI: Q Before you go into that, Mr.  
3 Jakobson, let me read the lyrics to the song, and then  
4 you tell me what message, if any, Mr. Manson thought the  
5 Beatles were attempting to convey.

6 MR. KANAREK: I object to the reading of the lyrics,  
7 any more than I can take and read the Ninth Psalm, or  
8 anything, your Honor, to a witness.

9 I object to this procedure. It is improper.

10 Mr. Bugliosi is testifying to immaterial and  
11 prejudicial matters. I object to his reading this song.

12 THE COURT: Probably you should lay a foundation  
13 first, Mr. Bugliosi, as to whether or not this witness knows  
14 whether this is a lyric from the Beatles song.

15 MR. BUGLIOSI: Yes, sir.

16 Q I show you People's 267 for identification,  
17 Gregg.

18 Directing your attention to the words "Helter  
19 Skelter" here, and then there are some verses that follow;  
20 one, two, three, four, five, six, seven, eight, nine,  
21 ten verses.

22 Take a look at those lyrics and tell the Judge  
23 and the jury whether you remember them or recognize that  
24 these are lyrics of the songs, or of the song that you heard  
25 out at Spahn Ranch.

26 (Pause while the witness examines.)

THE WITNESS: Yes, they are.



6-01

1 MR. BUGLIOSI: Q Let's just direct your  
2 attention for the moment, Mr. Jakobson, to the title  
3 Helter Skelter.

4 What interpretation, or what did Mr. Manson say  
5 the Beatles were attempting to convey when they sang the  
6 song Helter Skelter?

7 MR. KANAREK: I object on the grounds of the First  
8 Amendment right of freedom of expression, free speech  
9 guarantee to all of us by the due process clause of the  
10 Fourteenth, freedom of assembly, and also the prejudicial  
11 value far outweighs any probative value.

12 THE COURT: Overruled.

13 THE WITNESS: Helter Skelter, Charlie's interpretation  
14 was, the revolution was the rising up of the black man,  
15 the Armageddon, the last battle in the streets to be  
16 fought.

17 Q Did he actually mention the Armageddon? Did  
18 he actually mention the word?

19 A Yes.

20 Q Did he mention the word, the Apocalypse?

21 MR. KANAREK: Leading and suggestive, your Honor.

22 THE COURT: Overruled.

23 THE WITNESS: Quite possibly. I am sorry, that word  
24 doesn't stand out to me.

25 Armageddon does, though, as the last battle  
26 between right and wrong, good and bad, and so on.

1 Q So, he said that the Beatles in their song  
2 Helter Skelter were talking about the last battle between  
3 the blacks and whites?

4 A Yes.

5 Helter Skelter was going to come down, it was  
6 coming down.

7 Q Directing your attention, Mr. Jakobson, to the  
8 seventh verse.

9 Do you see the words:

10 "When I get to the bottom, I go back to  
11 the top of the slide"?

12 Did he place any interpretation on the word  
13 "bottom"?

14 MR. KANAREK: Your Honor, that is leading and  
15 suggestive, over and above all the other objections I have  
16 made. The First Amendment, your Honor.

17 THE COURT: It is ambiguous.

18 The objection is sustained.

19 MR. BUGLIOSI: All right.

20 Q Did Mr. Hanson say what, if anything, the  
21 Beatles were attempting to convey when they used the  
22 word "bottom" in that verse?

23 A The bottomless pit.

24 Q In the desert?

25 A Right. Correct.

26 Q Directing your attention, Mr. Jakobson, to

1 another song entitled Blackbird.

2 Would you briefly look at the verses of that  
3 song and indicate whether you heard these words out at  
4 Spahn Ranch when the Beatles album was being played?

5 A Many times.

6d.

Q Did Mr. Manson tell you what he felt the Beatles meant by the word "Blackbird"?

A It was the black man. "Take these broken wings and learn to fly."

THE COURT: Keep your voice up, sir.

THE WITNESS: Yes, sir.

The lyrics speak for themselves. It is an easy analogy to me.

MR. BUGLIOSI: All right.

Q Directing your attention to the first verse here: "Blackbird singing in the dead of night, take those broken wings and learn to fly. All your life you were only waiting for this moment to <sup>arise</sup> arrive."

What did Mr. Manson say about this verse?

A It was the black man's time to arise, pick himself up and arise.

It is there.

Q Did Manson use the word "arise" or did he use the word "rise"?

Did he say "arise" or "rise"?

MR. KANAREK: Your Honor, the prejudicial value far outweighs any probative value, and it is leading and suggestive in the context of this trial, and other matters that have been brought before the Court.

THE COURT: Overruled.

THE WITNESS: That is pretty close between "rise" and

1 "arise."

2 MR. BUGLIOSI: All right.

3 Q In the context of this song, I take it he  
4 used the word "arise," is that correct?

5 A Sure.

6 Q When you were speaking about the black-white  
7 war, was the language "The black man would rise up"?

8 A "Rise up," yes.

9 Q Directing your attention to the lyrics of the  
10 song entitled Figgies.

11 Would you look at those lyrics and tell the jury  
12 whether you remember those lyrics as being in the song that  
13 you heard out at Spahn Ranch when the album was being  
14 played?

15 A I heard the song being played, yes, at the  
16 ranch.

17 You mean on the album?

18 Q Yes.

19 A Yes.

20 Q You do remember the lyrics?

21 A Yes, sure. I heard them.

22 Q Did Mr. Manson indicate what the Beatles  
23 meant by the word "Figgies"?

24 A Well, they were the Establishment.

25 Q Did Mr. Manson say the Figgies were the  
26 Establishment?

1 A Yes.

2 Q Directing your attention to the first verse.  
3 "Have you seen the little piggies crawling in the dirt."

4 Did he say who the little piggies were?

5 A It was all lumped together. They were the  
6 children of the Establishment. There was no definite age  
7 separation.

6a-1

1 Q Directing your attention to the second verse  
2 "Have you seen the bigger piggies in their starched  
3 white shirts."

4 Did he say who the bigger piggies in the starched  
5 white shirts were?

6 A Again, it was the establishment.

7 Q Who were the bigger piggies? Were they the  
8 older people in the establishment?

9 A Yes. Sure.

10 Q I don't want to put any words in your mouth  
11 now.

12 Did he say the bigger piggies were the older  
13 members of the establishment?

14 A No, he didn't say that the bigger piggies were  
15 the older members of the establishment.

16 The establishment is the establishment. It  
17 stands by itself.

18 Q And the piggies were the establishment?

19 A Yes.

20 Q Directing your attention to the fourth verse.

21 "In their stys with all their backing they  
22 don't care what goes on around. In their eyes there is  
23 something lacking. What they need is a damned good  
24 whacking."

25 Did he place any interpretation on that?

26 A Well, the last line, Charlie would sometimes



6e-2

1 borrow words of other people and use them in his own song,  
2 and he used that. He liked that.

3 Q What line?

4 A "What they need is a damned good whacking."

5 Q What did he say the Beatles meant by that?

6 A Well, once again, that goes back to it was  
7 Whitey's turn to get a good whacking because he had given  
8 out so many good whackings.

9 Q Whitey's turn to get a good whacking at the  
10 hands of whom?

11 A In this case it would be at the hands of the  
12 black man.

13 Q Directing your attention to the last verse in  
14 the song "Piggies."

15 "Everywhere there is lots of Piggies living  
16 Piggy lives. You can see them out for dinner with their  
17 Piggy wives, clutching forks and knives, to eat their  
18 bacon."

19 Did he say the Beatles meant anything by that  
20 particular verse?

21 A I can't place any other kind of significance  
22 on it than I have already done with the rest of the other  
23 verses, really.

24 Really, that verse doesn't stand out any more  
25 than the other part of the song.

26 Q You do recall that particular verse being played

1 out at Spahn Ranch?

2 A Oh, sure.

3 Q Did Manson ever quote that particular verse?

4 A "Little Piggy lives" -- I think so -- "with  
5 their Piggy wives."

6 Q "Clutching forks and knives to eat their bacon"?

7 A I can't really say yes to that.

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
6f fls.

6f  
1 Q This other song, Revolution 9, that didn't  
2 have any lyrics to it, did it?

3 A Nothing discernible. It is all background.

4 Q Did Mr. Manson say what the Beatles meant by  
5 Revolution 9, by that song, Revolution 9?

6 A Yes.

7 It really was, or it directly paralleled  
8 Revelations 9, the Beatles.

9 Q You are referring to the last book in the New  
10 Testament, Revelations 9?

11 A Yes.

12 There was one discernible line repeated over  
13 and over in the song: "Number 9. Number 9."

14 Q In Revolution 9?

15 A In the song, yes.

16 Q In other words, when you play the song  
17 Revolution 9, in the background music you can hear the  
18 discernible word "9," you say?

19 A Yes.

20 Q Were you aware of any musical compositions that  
21 Manson made himself?

22 A Lots of them.

23 Q Did these songs frequently contain his own  
24 lyrics?

25 A Yes.

26 Q Did any of the songs Mr. Manson wrote contain  
within their lyrics the term Helter Skelter?

1 MR. KANAREK: Object, your Honor, on the same grounds,  
2 if I may; on the First Amendment ground, the right to  
3 earn a living, the right to go out and try to write or do  
4 whatever we want. This invades that.

5 Mr. Bugliosi is bringing in these matters and --

6 THE COURT: Have you finished your objection?

7 MR. KANAREK: -- the prejudicial value far outweighs  
8 any probative value.

9 THE COURT: Overruled.

10 THE WITNESS: Yes, he did. He sang it.

11 Now, I don't remember if it was a direct --  
12 if it was a line from the Beatie song or if it was his  
13 own.

14 As I said, sometimes he would pull a line from  
15 another song and interweave it in his own, with his own  
16 lyrics, and they changed constantly a lot.

17 MR. BUGLIOSI: You were out at Spahn Ranch frequently?

18 A. Yes.

19 I was going to say, it is hard to be specific  
20 when it comes to the lines of songs.

21 Q. But you did hear Mr. Manson sing a song or songs  
22 containing the words Helter Skelter; is that correct?

23 A. Yes.

24 Q. You were out at the Spahn Ranch frequently during  
25 the period of time that we have referred to earlier; is that  
26 correct?

1 A On and off I was, yes.

2 Q Did you ever see the words Helter Skelter  
3 written at Spahn Ranch?

4 A Yes.

5 Q Where?

6 MR. KANAREK: Your Honor, I will object to that also  
7 on the grounds of the prejudicial value far outweighing  
8 any probative value.

9 THE COURT: Overruled.

10 You may answer.

11 THE WITNESS: There was a room called -- it was an  
12 old saloon in one of the old sets.

6g-1

BY MR. BUGLIOSI:

Q Among the front buildings at the ranch?

A Right.

Q Right off Santa Susanna Road there?

A Yes.

And there was a big mural in day-glo colors. *✓*  
It glowed with blue light. It depicted Helter Skelter,  
and it was written.

*Helter Skelter*  
Q The words were written?

A Yes. And there was a picture of the mountains  
and the desert and Goler Wash, and so on, and Helter Skelter  
coming down out of the sky.

Q Something like a map?

A It was more like a mural that covered the whole  
wall. It was rather impressive.

Q The reason I say "map" is that you mentioned  
Goler Wash.

A Yes.

Q You are familiar with Goler Wash?

A Right.

Q This is in the Death Valley area?

A Yes.

Q Have you been up there?

A Yes.

Q So you know where Goler Wash is?

A I do. *↑↑*

6g-2 1

Q Have you been up to Barker Ranch?

2

A Yes.

3

Q How far is Goler Wash from Barker Ranch?

4

A It is just off of Goler Wash. It is almost in Goler Wash. It is in the immediate proximity.

6

Q Barker Ranch is in the immediate proximity of Goler Wash?

8

A Yes.

9

Q And you say that on this mural there were the words Helter Skelter as coming down fast?

11

A Helter Skelter. Not coming down fast.

12

The picture was coming down out of the heavens, like rocks or objects. They were painted, in other words, the mountains and so on, were painted. Not with words.

15

Q At the bottom of the mural were there the words Goler Wash?

17

A Yes. I am a little fuzzy on that but --

18

Q Were the words Death Valley at the bottom of the mural?

20

A I seem to recollect that, yes.

21

Q You indicated that Mr. Manson used the term Helter Skelter fairly frequently in his every-day conversation; is that correct?

24

A Yes.

25

Q What about the word "pigs"? Did he use the word "pigs" frequently?

26



6g-3

1 A Not as much as Helter Skelter.

2 Q But he did use the word "pigs"?

3 A On occasion, yes.

4 Q You testified earlier as to what Mr. Manson said  
5 the Beatles meant by the word "Piggies" in that particular  
6 album.

7 Did Mr. Manson ever tell you what he meant by  
8 the word "pigs"?

9 A Well, I am sorry.

10 Before, what I said was, it wasn't my inter-  
11 pretation of what the Beatles meant, it was Charlie's  
12 interpretation of what the Beatles meant.

6h fls.

6h-1

1 Q You testified to what Charlie said the Beatles  
2 meant by the word "Piggies" in that particular album.

3 A That's right.

4 Q Did Manson ever tell you what he meant by the  
5 word "pigs," when he used the word "pigs"? Did he ever tell  
6 you what he meant by that?

7 A No. I don't distinguish any difference.

8 Q In other words, he used the word "pigs" to  
9 mean establishment also?

10 A Yes.

11 Q The white establishment?

12 A Yes.

13 Q You mentioned earlier in your testimony  
14 Revelations 9, the last book of the New Testament; is that  
15 correct?

16 A Yes.

17 Q Did Mr. Manson speak about Revelations 9 rather  
18 frequently?

19 A Yes, he did.

20 Q Did he ever quote any passages in Revelations 9  
21 to you?

22 MR. KANAREK: Your Honor, I will object to that on  
23 the grounds of freedom of religion.

24 I suppose we all have quoted the Bible, your  
25 Honor.

26 And also freedom of speech.

1 THE COURT: Overruled.

2 THE WITNESS: Yes. He used it to parallel the  
3 Beatles' position in life.

4 BY MR. BUGLIOSI:

5 Q About Helter Skelter?

6 A Well, no. I am referring now to Revelations 9.

7 If you are familiar with Revelations 9, it  
8 says "Four men with hair as women," meaning long hair,  
9 "The power coming from their mouths. One of them will  
10 die," as did the fifth Beatie.

11 There is a strong parallel. The analogy is  
12 there. All you have to do is read it.

13 He was familiar with it and he used it.

14 Q He was familiar with the language of Revelations  
15 9?

16 A Yes.

17 Q Did he ever quote any passages of Revelations 9  
18 to you?

19 A Yes.

20 Q Verbatim?

21 A Pretty much so.

22 Q Did Mr. Manson ever ask you to read Revelations  
23 9?

24 A Yes.

25 Q Did he actually hand you a Bible and open up  
26 the pages of the Bible to Revelations 9?

A Yes, he did.

1 A Yes, he did.

2 Q And asked you to read it?

3 A Yes.

4 It was startling the comparison that can be  
5 made *between the two.*

6 Q All right.

7 A Between the two.

8 Q Did you actually read Revelations 9 in Mr.  
9 Manson's presence?

10 A Yes, I did.

11 MR. BUGLIOSI: Your Honor, I have here a photostatic  
12 copy of Revelations 9 taken from the Revised Standard  
13 Edition of the Bible.

14 May it be marked People's next in order?

15 MR. KANAREK: That is ambiguous. Standard Edition  
16 of whose Bible?

17 THE COURT: 268.

18 MR. KANAREK: Your Honor,

19 MR. BUGLIOSI: I even have the Douay version.

20 MR. FITZGERALD: Let's put that in.

21 MR. KANAREK: How about the King James version.

22 MR. BUGLIOSI: I have the King James.

23 Which one do you want?

24 If they have no particular preference, your  
25 Honor, I have here the Revised Standard Edition of the Bible.

26 MR. KANAREK: Your Honor, I object. It is ambiguous.

1 THE COURT: It is being marked for identification.

2 MR. KANAREK: Yes. You are correct, your Honor.

3 Yes.

61 fls.

91 L  
1 MR. BUGLIOSI: Q Directing your attention to  
2 People's 268, and particularly the 9th chapter here,  
3 Revelations 9.

4 Are you familiar with the language of  
5 Revelations 9?

6 A Well, I have read it. I am not really familiar  
7 with it. I can't quote it.

8 Q You have read Revelations 9 before, is that  
9 correct?

10 A Yes.

11 Q Directing your attention to the 9th chapter,  
12 verse 1, the language: "And the fifth angel blew his  
13 trumpet and I saw a star falling from heaven to earth, and  
14 he was given the key of the shaft of the bottomless pit."

15 Did Mr. Manson ever tell you what that  
16 language meant?

17 A Well, the bottomless pit meant a lot to  
18 Charlie.

19 THE COURT: Is the answer yes?

20 THE WITNESS: Yes.

21 MR. BUGLIOSI: Q What did he say?

22 A The bottomless pit was the bottomless pit in  
23 the desert, Death Valley.

24 Q Where Mr. Manson intended to go?

25 A Where he intended to go.

26 Q And escape Helter Skelter?

A As a refuge, yes.

Q Directing your attention to the 4th verse,  
"They were told not to harm the grass of the earth or  
any green growth or any tree, but only those of mankind who  
have not the seal of God upon their forehead."

Did Mr. Manson say what that language meant?

MR. KANAREK: Your Honor, may I object to that on  
the grounds of freedom of religion, freedom of speech,  
and the prejudicial value far outweighs any probative  
value?

THE COURT: Overruled.

You may answer.

THE WITNESS: Charlie said --

THE COURT: Is the answer yes?

THE WITNESS: I am sorry, I will have to have the  
question.

MR. BUGLIOSI: Very well.

Q Directing your attention to the 4th verse --

THE COURT: Listen to the question, sir.

THE WITNESS: I am listening, your Honor. It gets  
lost in the exchange.

THE COURT: What I mean is, rather than giving an  
explanation, the question could be answered yes or no;  
did he say something about it or didn't he?

THE WITNESS: Yes, he did.

MR. BUGLIOSI: Q About the 4th verse?

A Yes.



Q About the "Seal of God upon their forehead"?

A Yes, he did.

Q What did he say about that?

A That the men that had the mark he would know and they would be with him.

It was very subjective.

Q The men that had what mark?

A The mark on their forehead.

It was never clear what kind of a mark, whether it was a green light or any kind of a mark. I don't know.

He would recognize it. He knew it.

MR. KANAREK: I would ask that that be stricken, your Honor, because of the prejudicial value outweighing any probative value. That last statement about the mark.

THE COURT: Denied.

MR. BUGLIOSI: Directing your attention to the eighth verse. "Their hair like women's hair and their teeth like lion's teeth."

Q Did Mr. Manson say what that meant?

A Yes.

Their hair like women's. They had long hair like women.

And I think like lion's teeth meant the power was in the mouth, the bite, the word.

Q Whom did Mr. Manson say this language was referring to here?

1 A Whom did he say this language was referring to?

2 Q "Their hair like women's hair." Did Manson say  
3 whose hair it was, what the Beatles meant?

4 A Oh, I thought it was a foregone conclusion that  
5 we were drawing that analogy.

6 Q So, when Manson said their hair like women's  
7 hair and their teeth like lion's teeth, it referred to the  
8 Beatles recording group?

9 A Absolutely, correct.

10 Q Directing your attention to Verse 14. "Saying  
11 to the sixth angel who had the trumpet, release the four  
12 angels who are bound at the great river Euphrates."

13 Did Manson say who the four angels were?

14 A The four angels were the Beatles.

15 Q These questions are whether or not he said  
16 anything, not what did he say. That would be the next  
17 question.

18 THE WITNESS: I am sorry. I am jumping ahead, yes.  
19 I am sorry.

20 MR. BUGLIOSI: Q What did he say about that?

21 A He said those were the Beatles.

22 Q The four angels?

23 A Yes.

24 Q Directing your attention to verse 15, which  
25 reads: "So the four angels were released who had been  
26 held ready for the hour, the day, the month and the year

to kill a third of mankind."

Did he say what that language meant?

MR. KANAREK: Your Honor, that solicits nothing  
but prejudicial value.

THE COURT: Overruled.

THE WITNESS: Yes.

6k-1

Q What did he say?

A He said that those were the people that would die in Helter Skelter.

Q A third of mankind?

A Yes.

Q The white people?

A Yes.

Q You were reading Revelations 9 in his presence; is that correct?

A Yes.

Q As you read that particular verse, Verse 15, did he say anything to you? Did he say anything for emphasis? Did he point anything out to you? Did he use his fingers, et cetera? Anything like that?

A Yes.

Q All right. You may relate what he did and what he said.

A In the course of my reading this page in the Bible, he would point up the obvious parallels between what the written word in the Bible said and what the Beatles did in existence now.

He kept drawing the analogies.

Q As you kept reading Revelations 9, he kept drawing analogies for you between Revelations 9 and the Beatles and his concept of Helter Skelter?

A Yes.

6k-3

Q Directing your attention to Verse 17, which reads: "And this was how I saw the horses in my vision, the riders wore breastplates the color of fire and sapphire and sulphur, and the heads of the horses were like lions heads, and fire and smoke and sulphur issued from their mouths."

Did he say what that language meant?

A Yes.

Q What did he say?

A This referred to the spoken word, the lyrics of the Beatles songs, the power that came out of their mouths.

Q The power that came out of the mouth of the Beatles?

A Yes.

Q Directing your attention to Verse No. 20, which reads: "The rest of mankind who were not killed by these plagues did not repent of the works of their hands nor give up worshipping demons and idols of gold and silver and bronze and stone and wood which cannot either see or hear or walk."

Did Manson place any significance -- or did he say what that language meant?

A If he did, I am not really clear on that specific verse.

It comes to me all in one ball as the whole

6k-3

chapter there, Chapter 9.

Q Within that particular verse, let me draw your attention to some specific language.

"Worshipping demons and idols of gold and silver and bronze."

Did he say what that language meant?

61 fls.

A Yes.

6L-1

1 Q What did he say?

2 A That represented the material worship of the  
3 Establishment: automobiles, houses, money.

4 Q The emphasis by the Establishment, then, on  
5 material possessions, is that correct?

6 A Yes.

7 Q What was Mr. Manson's philosophy vis-a-vis  
8 material possessions?

9 MR. KANAREK: Your Honor, that is clearly a violation ---

10 THE COURT: Sustained.

11 MR. BUGLIOSI: Q What did Mr. Manson say about  
12 material possessions?

13 MR. KANAREK: Your Honor, again, the prejudicial  
14 value far outweighs any probative value, as well as the  
15 free speech.

16 THE COURT: Overruled.

17 You may answer.

18 THE WITNESS: That is difficult to answer because it  
19 changed as I knew Charlie.

20 It was one thing, and it became another in the  
21 course of time that I knew him.

22 Q BY MR. BUGLIOSI: Originally, what did  
23 Mr. Manson say about material possessions when you first  
24 met him?

25 MR. KANAREK: Prejudicial value only, your Honor.  
26 No probative value.



1 THE COURT: Overruled.

2 THE WITNESS: What did he say about them?

3 MR. BUGLIOSI: Q About material possessions,  
4 when you first met him.

5 A He said that you didn't need them; that you  
6 didn't own them, they owned you. You couldn't possess  
7 something, it possessed you.

8 Q And you indicated that at some later point in  
9 time you discerned a change in Mr. Manson concerning his  
10 concept of material possessions; is that correct?

11 A Yes.

12 Q When did you notice this change, approximately?

13 A In the Spring of 1969, May.

14 Q Would you articulate the nature of that  
15 change?

16 MR. KANAREK: Your Honor, the prejudicial value far  
17 outweighs any probative value.

18 THE COURT: Overruled.

19 THE WITNESS: It was a complete contradiction to  
20 everything Charlie had said to me before, and the way his  
21 life style completely changed even.

22 MR. BUGLIOSI: Q In what respect?

23 A To the point where at one time he had nothing,  
24 and then to the other extreme where he started amassing  
25 material things.

26



1 Q Like what?

2 A Firearms, vehicles, money.

3 Q And you found this to be a contradiction in  
4 Mr. Manson?

5 A Completely.

6 Q Did he indicate why he wanted firearms, vehicles,  
7 money?

8 A Two reasons -- yes, he did indicate that,

9 Q What reasons did he give?

10 A Helter Skelter was coming and he needed them to  
11 go to the desert.

12 He needed them to survive in the desert. A P

13 MR. KANAREK: Your Honor, I ask that answer be  
14 stricken as having any prejudicial value and no probative  
15 value.

16 THE COURT: Overruled.

17 Q BY MR. BUGLIOSI: You, of course, are familiar  
18 with the Tate murders, is that correct?

19 A Yes.

20 Q Which happened, Mr. Jakobson, around August 9th,  
21 1969.

22 Did you see Mr. Manson after August 9th, 1969?

23 A Yes, I did.

24 Q Approximately when?

25 A Later on in that month, maybe the first of  
26 September, very roughly the end of August, first of

1 September.

2 Q Was that the first time after August 9th that  
3 you saw him, or did you see him before that?

4 MR. KANAREK: That is ambiguous, first with respect  
5 to what?

6 MR. BUGLIOSI: All right, I will reframe the question.

7 Q BY MR. BUGLIOSI: After August 9th, 1969 when  
8 is the very next time that you saw Mr. Manson?

9 MR. KANAREK: Your Honor, may I inquire on voir dire  
10 as to why this man would have any recollection of August 9th?

11 THE COURT: No, you may not, sir.

12 You may answer the question.

13 THE WITNESS: I cannot place a specific date on it.  
14 It was later August. It could have been a week or two weeks.

15 Q BY MR. BUGLIOSI: Where did you see him at that  
16 time?

17 MR. KANAREK: Wait. Your Honor, I don't believe he  
18 finished, -- a week or two weeks -- but I don't get the  
19 time. He has not stated a time.

20 THE WITNESS: May I qualify this?

21 Q BY MR. BUGLIOSI: Yes.

22 A By saying that Charlie would come by my house  
23 where I was living there in Beverly Glen, and Dennis Wilson  
24 was living, at all different times of the day and night,  
25 at no set time.

26 Sometimes at 5:00 in the morning, sometimes 3:00

1 in the afternoon, sometimes with people, sometimes by himself.

2 So it is hard to say exactly when.

3 All I know is that it was later on in August  
4 and September.

5 Q Now, did you observe any change in Mr. Manson's  
6 demeanor in late August?

7 MR. KANAREK: I object, your Honor.

8 That has -- that is --

9 THE COURT: State the objection.

10 MR. KANAREK: The objection, your Honor, first of all  
11 it has only prejudicial value which outweighs any probative  
12 value.

13 I know I have a continuing objection on  
14 conclusion, but it is just calling for a conclusion.

15 It is really a way of trying to get some  
16 character evidence before us all.

17 THE COURT: Overruled.

18 THE WITNESS: Yes.

19 Q BY MR. BUGLIOSI: What change did you notice  
20 in his demeanor?

21 Well, ~~as I testified before~~, the change was  
22 like part of a pattern that began in the spring of '69  
23 and became more and more agitated and radical until the  
24 last time I saw him it was like that of a -- the only thing  
25 I can compare it to is I have seen cats that have been  
26 caught in cages, like bobcats and things, and that is what

✓ ✓  
27

1 I can compare it to.

2 The electricity was almost pouring out of him.  
3 His hair was on end. His eyes were wild. He was like an  
4 animal that moved just like an animal in a cage. ^ ^

5 MR. KANAREK: I ask that be stricken on the basis,  
6 your Honor, it has only prejudicial value.

7 It has no probative value.

8 THE COURT: Overruled. The motion is denied.

9 Q BY MR. BUGLIOSI: Did Mr. Manson ever speak to  
10 you about animals?

11 MR. KANAREK: Your Honor, I must object to this as  
12 calling -- soliciting material that has only prejudicial  
13 value.

14 THE COURT: Overruled.

15 THE WITNESS: Yes.

16 Q BY MR. BUGLIOSI: Did he say he loved animals?

17 A Yes.

18 Q Do you recall any incident in the desert when  
19 you ran over a spider or something like that?

20 A Yes.

21 Q In Mr. Manson's presence?

22 A Yes.

23 Q Where was that at?

24 A That was in Collier Wash.

25 Q Approximately when?

26 A That was exactly four days before Thanksgiving

1 in 1968.

2 MR. KANAREK: Then may I ask that be stricken on  
3 remoteness, if nothing else, it's in 1968.

4 THE COURT: The motion is denied.

5 Q BY MR. BUGLIOSI: Was this an unintentional  
6 act on your part?

7 A Yes.

8 Q You were driving a jeep or what?

9 A I was driving a jeep.

10 Q Did Mr. Manson appear to get very upset with  
11 you?

12 A Yes, he was upset.

7a

7A-1

1 Q Did Mr. Manson ever tell you how he related to  
2 other human beings?

3 MR. KANAREK: I must object to that, your Honor, on  
4 the grounds it is really -- the Evidence Code forbids this  
5 kind of character type of evidence.

6 It invades the First Amendment rights.

7 THE COURT: Overruled.

8 THE WITNESS: Yes.

9 BY MR. BUGLIOSI:

10 Q What did he say?

11 A He related to all human beings on their level  
12 of need, on their level.

13 Q Would you elaborate on that?

14 A Well, Charlie had a face, a mask for each  
15 person that he dealt with.

16 Q Did he tell you that?

17 A Yes, yes.

18 Q He told you that he had a mask for everyone  
19 with whom he dealt?

20 A Yes.

21 Q Did he tell you how many masks or how many  
22 faces he had?

23 MR. KANAREK: Your Honor, I must object on the  
24 grounds of character, this type of character evidence is  
25 expressly forbidden by the Evidence Code.

26 THE COURT: Overruled.

7a-2

THE WITNESS: Yes.

BY MR. BUGLIOSI:

Q What did he say?

A That he had a thousand faces.

Q He told you this?

A Yes.

Q Dependent upon whom he was talking to?

A Yes.

Q Or the particular occasion?

A Yes.

MR. KANAREK: Your Honor, may I ask that all of that be stricken on the grounds the prejudicial value far outweighs the probative value, about the mask and a thousand faces and all of that?

THE COURT: Will counsel approach the bench, please.

(The following proceedings were had at the bench out of the hearing of the jury:)

THE COURT: What is the relevancy of this, Mr. Bugliosi?

MR. BUGLIOSI: The relevancy goes towards his domination over the Family; that he was a very bright person.

He had a different face for different individuals.

If he puts on a face here in court as being peace loving, I can certainly argue this is just one of



7a-3

1 his faces, because he has told people that he has a face  
2 for different people at different times.

3 It is extremely relevant.

4 We are not talking about his propensity to rob  
5 or rape or anything like that. We are talking about Manson  
6 saying that he is a very clever person who acts according  
7 to the occasion.

8 Of course the jury is a group of people and he  
9 is acting in a certain fashion around them.

10 I certainly feel that during the defense he is  
11 going to articulate that he is a peace loving man.

12 THE COURT: This should be a matter for rebuttal.

13 MR. BUGLIOSI: Technically yes, your Honor, but  
14 rather than call the man back --

15 THE COURT: My rules are technical.

16 MR. BUGLIOSI: I think it can come in actually right  
17 now.

18 THE COURT: That is why I am trying to find out the  
19 relevancy.

20 MR. BUGLIOSI: The defense on cross-examination, I  
21 remember Mr. Hughes in particular referring to songs by  
22 Manson that conveyed love and peace.

23 So actually I think this can come in right now  
24 on that rationale and also on the rationale that it showed  
25 the strength and the power --

26 THE COURT: Hold your voice down.



7a-4

1 MR. BUGLIOSI: I'm sorry.

2 THE COURT: Don't make a speech for the Courtroom.

3 MR. BUGLIOSI: I'm sorry, your Honor.

4 It shows the strength and the power of the  
5 man's personality that he has so many faces, and he is  
6 aware.

7 Speaking to different people at different  
8 times he actually uses a different face, and this again  
9 is something from which we can draw the inference that he  
10 had dominion and control over his family.

11 THE COURT: I understand all that.

12 I am concerned with the relevancy of the  
13 matters in issue in this case.

14 MR. BUGLIOSI: I would start off by saying, No. 1,  
15 the jury has already heard it.

16 No. 2 -- that has a lot of significance,  
17 obviously, the fact that they already heard it.

18 THE COURT: How do you mean?

19 MR. BUGLIOSI: They already heard him testify to  
20 this particular point.

21 THE COURT: They heard who testify?

22 MR. BUGLIOSI: Mr. Jakobson.

23 THE COURT: Well, yes, that's right. That is the  
24 reason I called you to the bench, because I cannot always  
25 anticipate what a witness is going to say.

26 The questions are sometimes raised in my mind

7a-5

1 after I hear the answer.

2 MR. BUGLIOSI: I agree, but the fact he has uttered  
3 the words and the jury has heard them is not something that  
4 at the present time we should forget about as not having  
5 significance.

6 The second point --

7 THE COURT: I don't consider this to be of great  
8 moment, but how far do you intend to proceed?

9 MR. BUGLIOSI: I am dropping it right now. I am  
10 going on to a different subject.

11 MR. KANAREK: I would ask your Honor --

12 THE COURT: It is now 12:00 o'clock.

13 MR. KANAREK: I have a motion.

14 My motion is that you admonish the jury not  
15 to consider these questions and answers about faces,  
16 thousand faces, for any purpose.

17 It is a violation of the Evidence Code and it  
18 is a violation of our law.

19 It is an injection of bad character which  
20 cannot be done against the defendant.

21 I ask for a mistrial. This goes to the  
22 integrity of Mr. Manson.

23 Mere admonishment not sufficing, my motion is  
24 for a mistrial on the basis of waiving jeopardy, your  
25 Honor.

26 MR. BUGLIOSI: It comes in under domination, your

1 Honor, and to rebut the cross-examination already before  
2 the Court.

3 MR. KANAREK: There is no such thing.

4 THE COURT: The motion is denied.

5 MR. BUGLIOSI: Thank you, your Honor.

6 THE COURT: We will recess at this time.

7 (The following proceedings were had in open  
8 court in the presence and hearing of the jury:)

9 THE COURT: We will take our noon recess at this  
10 time, ladies and gentlemen, do not converse with anyone  
11 or form or express any opinion regarding the case until  
12 it is finally submitted to you.

13 The court will recess until 2:00 p.m.

14 You may step down.

15 (Noon recess.)  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

8 fls.