

DISTRICT ATTORNEY
SUPREME COURT OF THE STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff-Respondent,

vs.

CHARLES MANSON, SUSAN ATKINS, LESLIE
VAN HOUTEN AND PATRICIA KRENWINKEL,
Defendants-Appellants.

NO. 3016

APPEAL FROM THE SUPERIOR COURT OF LOS ANGELES COUNTY

HON. CHARLES H. OLDER, JUDGE PRESIDING

REPORTER'S TRANSCRIPT ON APPEAL

APPEARANCES

For Plaintiff-Respondent:	THE STATE ATTORNEY GENERAL 600 State Building Los Angeles, California 90012
For Defendant-Appellant Charles Manson:	IRVING KANAREK, Esq.
For Defendant-Appellant Susan Atkins:	DAYE SHINN, Esq.
For Defendant-Appellant Leslie Van Houten:	LESLIE VAN HOUTEN In Propria Persona
For Defendant-Appellant Patricia Krenwinkel:	PATRICIA KRENWINKEL In Propria Persona

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Pages 4501 to 4800

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Murray Mehlman, CSR
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.D2
1 return verdicts of first-degree murder against each of these
2 defendants.

3 I do not have to tell you folks the enormous
4 importance and magnitude of this trial. I also don't have
5 to tell you that it is going to be a long trial. As my
6 associate, Aaron Stovitz, has said, borrowing from
7 Tennessee Williams, "It is going to be a long, hot summer."

8 There is an old Chinese proverb to which I have
9 always subscribed to the effect that "The palest ink is
10 better than the best memory." Since this trial is going to
11 be a long trial with a great number of witnesses, I strongly
12 urge that you take notes during this trial so that later
13 on in the jury room during your deliberations you will be
14 able to refresh your memory as to what each witness
15 testified to. Without notes it is almost an impossible task
16 to remember even the highlights of each witness' testimony
17 much less the details.

18 Mr. Stovitz and I feel confident, ladies and
19 gentlemen, that you will give your whole, undivided attention
20 to all of the evidence at this trial so that you will be
21 able to give the People of the State of California and these
22 defendants the fair and impartial trial and fair and
23 impartial verdict to which they are both entitled.

24 Thank you very much.

25 MR. STOVITZ: May we have a brief recess before
26 calling our first witness, your Honor?

MR. FITZGERALD: May we approach the bench?

THE COURT: Yes, you may, Mr. Fitzgerald.

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

MR. KANAREK: Your Honor, I make a motion first that we adjourn these proceedings and have the court reporter type up this opening statement so that we can edit it. I do not take shorthand. So that we can edit it and go through and make precise points at this point to the Court concerning the misconduct of the prosecutor in connection with his opening statement.

He misconceives the purpose of an opening statement. He has -- first, may I have a ruling on that motion?

THE COURT: Yes. That motion will be denied.

MR. KANAREK: Then, your Honor, I ask that the jury be admonished not to consider the opening statement for any purpose whatsoever in view of the fact that it contains argument, it is an improper opening statement, and including his reference to me about gross discourtesy.

I ask your Honor to admonish the jury that none of that is to be considered for any purpose in connection with the case.

Mere admonishment not sufficing, I ask for a mistrial because of the prejudicial statements.

MR. FITZGERALD: I will join in the motion for a mistrial.

1 MR. SHINN: Join.

2 MR. HUGHES: Join.

3 MR. FITZGERALD: I think Mr. Bugliosi went beyond
4 the permissible bounds in outlining for the jury the
5 evidence; that his opening statement was argument; that
6 it degenerated into namecalling and into drawing rather
7 extensive evidentiary conclusions and, in that respect,
8 really invaded the province of the jury.

9 I think that, in addition, contrary to his
10 representations to the Court that are contained at page
11 4425 of the transcript, Mr. Bugliosi did mention the
12 attempted commission of other offenses when he spoke in
13 his opening statement of Linda Kasabian going with
14 Charles Manson and some of the other defendants to the
15 location of Venice for the purpose of killing another
16 human being.

17 Furthermore, I think that he has suggested
18 to this jury that these defendants are guilty of the
19 murder of an eight-and-a-half-month old foetus child.

20 Mr. Bugliosi is well aware that the California
21 Supreme Court has recently ruled that foetus children
22 do not have the status of human beings and cannot be
23 murdered.

24 I think that for all these reasons his opening
25 statement is improper and I would join in Mr. Kanarek's
26 motion for a mistrial.

1 At the very least, I would ask that this jury
2 be admonished that statements of counsel in opening
3 statement are not evidence and are not to be considered
4 by them as evidence.

5 MR. SHINN: Join.

6 MR. KANAREK: I will join with Mr. Fitzgerald in
7 his comments, except with reference to his last statement.

8 Even though I asked the Court to do that,
9 to admonish them, the fact of the matter is that what the
10 District Attorney has done is grounds for a mistrial,
11 and mere admonition will not do it.

12 We ask for a mistrial.

13 MR. HUGHES: I would join, your Honor, with both
14 Mr. Kanarek's motion and Mr. Fitzgerald's statement.

15 MR. SHINN: Join too.

16 MR. BUGLIOSI: I represent again to the Court that
17 every single solitary thing we said, we are going to put
18 on witnesses to testify to it.

19 I can use my own adjectives.

20 4f fls.

1 For instance, witnesses will testify that, in
2 effect, Manson intended to just about take over the world.
3 Now, I can use the term "meglomania" to describe that
4 situation.

5 With respect to other crimes, referring to the
6 Hinman murder, I never said that we are not going to offer
7 any evidence of the Hinman murder at this trial. I said
8 that Mr. Stovitz and I had not determined whether we were
9 going to offer evidence of the Hinman murder. I certainly
10 wasn't talking about the conduct of the defendants on the
11 night of the La Bianca murders.

12 We intend to offer evidence that not only did
13 they go to the church, but they went to two other homes prior
14 to going to the La Bianca residence.

15 I, at no time, meant to convey that we were
16 not going to offer evidence of the murderous conduct on the
17 night of the La Bianca murders.

18 THE COURT: I found nothing improper about the opening
19 statement except those specific portions which I admonish
20 the jury to disregard.

21 Do the defendants wish to make an opening
22 statement at this time?

23 MR. FITZGERALD: We would, in open court before the
24 jury, ask leave of the Court for the opportunity to reserve
25 any opening statement, if we might.

26 THE COURT: All right.

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1 Then I will ask you that now before we recess,
2 and then the People can call their first witness after the
3 recess.

4 MR. SHINN: Your Honor, we have one more problem.

5 Some of the attorneys and the defendants cannot
6 see the witness stand. Mr. Manson cannot see the witness
7 stand from where he is sitting.

8 THE COURT: He will have to move back to where he can
9 see it.

10 MR. SHINN: Your Honor, the edge of the bench blocks
11 the view off, your Honor.

12 THE COURT: I can't help that.

13 MR. SHINN: Your Honor, we have a right to see the
14 witnesses testify.

15 THE COURT: If you will wait a minute, I will tell you.
16 He will have to move back to where he can see
17 it. It is very simple.

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

22 THE COURT: Do the defendants wish to make an
23 opening statement at this time?

24 MR. FITZGERALD: The defendants, all of them, your
25 Honor, would ask leave of the Court to reserve the making of
26 an opening statement until such time as the prosecution

3
1 has concluded its case and the defendants begin their
2 presentation.

3 THE COURT: Very well.

4 The Court will recess for 15 minutes.

5 Ladies and gentlemen, I remind you that it is your
6 duty not to converse among yourselves or with anyone else
7 on any subject relating to this case nor to form or
8 express any opinion regarding the case until it is finally
9 submitted to you.

10 15 minutes recess.

11 (Recess.)
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1 THE COURT: All parties, counsel and jurors are
2 present.

3 The People may call their first witness.

4 MR. STOVITZ: Mr. Tate, would you kindly take the
5 witness stand.

6 THE CLERK: Sir, would you please raise your right
7 hand and repeat after me.

8 I do solemnly swear --

9 THE WITNESS: I do solemnly swear --

10 THE CLERK: -- that the testimony I may give --

11 THE WITNESS: -- that the testimony I may give --

12 THE CLERK: In the cause now pending --

13 THE WITNESS: -- in the cause now pending --

14 THE CLERK: -- before this Court --

15 THE WITNESS: -- before this Court --

16 THE CLERK: -- shall be the truth --

17 THE WITNESS: -- shall be the truth --

18 THE CLERK: -- the whole truth --

19 THE WITNESS: -- the whole truth --

20 THE CLERK: -- and nothing but the truth --

21 THE WITNESS: -- and nothing but the truth --

22 THE CLERK: -- so help me God.

23 THE WITNESS: -- so help me God.

24 THE CLERK: Would you be seated, please.

25 MR. KANAREK: I make a motion to exclude witnesses,
26 your Honor.

1 THE COURT: The motion is denied.

2 THE CLERK: Would you please state and spell your name,
3 sir.

4 THE WITNESS: Paul J. Tate, T-a-t-e.

5
6 PAUL J. TATE,

7 a witness called by and on behalf of the People, was examined
8 and testified as follows:

9
10 DIRECT EXAMINATION

11 BY MR. STOVITZ:

12 Q What is your business or occupation, sir?

13 A I just recently retired from the United States
14 Army.

15 Q And what was your business or occupation with
16 the United States Army, sir?

17 A I was an intelligence officer for the last 23
18 years.

19 Q And what rank did you retire with, sir?

20 A As Lieutenant Colonel.

21 MR. STOVITZ: Your Honor, I have three photographs
22 that were formerly introduced at the Grand Jury hearing.

23 Is it necessary to show these to counsel?

24 MR. FITZGERALD: It is not.

25 MR. STOVITZ: I have a photograph of a young lady in
26 life. May this be marked People's Exhibit 1 for

1 identification?

2 THE COURT: People's Exhibit 1 for identification.

3 MR. STOVITZ: I have a photograph of a young man in
4 life, may this be marked as Exhibit 2 for identification?

5 THE COURT: It will be so marked.

6 MR. STOVITZ: And I have a photograph of a man and
7 a woman, may this be marked as Exhibit 3 for identification?

8 THE COURT: It will be so marked.

9 Q BY MR. STOVITZ: I show you Exhibit 1 for
10 identification, sir, do you recognize the person depicted
11 in that photograph?

12 A Yes, I do, that is my daughter, Sharon Tate.

13 Q And what was her real or legal name, so to
14 speak?

15 A Sharon Marie Polanski.

16 Q And her stage name was as you indicated
17 Sharon Tate?

18 A Sharon Tate, yes.

19 Q And how old was Sharon Tate when you last saw
20 her?

21 A She would have been 26.

22 Q And when was it that you last saw her in life,
23 sir?

24 A It was in July, actually the day of the moon
25 landing in 1969.

26 Q And if the moon landing was somewhere between

1 July 20th and July 21st, would it be on that date?

2 A Yes, I believe so.

3 Q And how did you know it was the day of the
4 moon landing?

5 A Well, all of us watched the landing on
6 television as everyone else was doing.

7 Q And when you say "everyone else," who else was
8 there, sir?

9 A Well, at the time there was Abby Folger,
10 Wajciech Frykowski.

11 Later Jay Sebring came in from San Francisco,
12 and came in directly from the airport and joined us to
13 watch the moon shot.

14 Q And where was this taking place, sir?

15 A At Sharon's house.

16 MR. STOVITZ: Your Honor, I have a photograph of what
17 appears to be a house. May this photograph be marked
18 Exhibit 4 for identification?

19 THE COURT: It will be so marked.

20 Q BY MR. STOVITZ: I show you Exhibit 4 for
21 identification.

22 Is this a fair representation of Sharon's house?

23 A Yes, it is.

24 Q Do you of your own knowledge know when Sharon
25 Tate -- we will use her stage name quite commonly, so
26 we will use it now -- moved into that house shown in

1 Exhibit 4?

2 A I cannot recall the exact date. It must have
3 been at the beginning of the year as I recall, as I believe.

4 Q 1969?

5 A Yes, I think so.

6 Q And at the time that she moved into the home
7 depicted in Exhibit 4, did she move in there with Roman
8 Polanski?

9 A Yes, she did.

10 Q Now, directing your attention to Exhibit 2 for
11 identification, you mentioned a person by the name of Jay
12 Sebring.

13 Is that the person shown in Exhibit 2 for
14 identification?

15 A Yes, it is, that is Jay Sebring.

16 Q And what other names, if any, did you know him
17 by?

18 A First name was, I think, Thomas. I knew his
19 father and mother well but I cannot recall the last name.

20 He does have another name.

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Q Besides Sebring?

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A Yes, he does.

3

Q He is commonly known as John Sebring?

4

A No, Jay Sebring.

5

Q Jay Sebring, and for how many months or years
had you known Jay Sebring?

6

7

A I had known Jay since about 1964.

8

Q Do you know what his approximate age was?

9

A No, I do not; I do not.

10

Q And the persons depicted in Exhibit 3 for
identification, the man first, do you know who he was, sir?

11

12

A Yes, Wajciech Frykowski.

13

Q And how long had you known him, sir?

14

A Of course I just met him -- when he came from
New York.

15

16

I had not known him; I had seen him just a
few times. I would say I had seen him ten or fifteen
times. I had probably known him three or four months.

18

19

Q And the young lady depicted in Exhibit 3?

20

A Miss Abigail Folger.

21

Q How long had you known Miss Abigail Folger?

22

A I had known her approximately the same length
of time.

23

24

Q Now, on this day in July did you stay over
at the house or did you just visit for a few hours or
what?

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1 A No, my wife and my other two daughters and
2 myself spent the entire day and stayed for dinner, and
3 during the day there were several people in and out, of
4 course, with us watching the shots, other people, and we
5 spent the entire day, and left there at 11:00 or 12:00
6 o'clock at night.

7 Q When was the next time you either spoke to
8 your daughter or saw her again after that?

9 A Of course I never did see her again after that.

10 Q Did you attend her funeral?

11 A Wait a minute, let me go back.

12 We did, we met the next day and went downtown
13 for a few minutes, and then of course the next time I saw
14 her was of course when she was dead.

15 Q I believe counsel -- will there be --

16 MR. FITZGERALD: There will.

17 MR. STOVITZ: -- a stipulation as to the photographs?

18 MR. FITZGERALD: So stipulated.

19 MR. STOVITZ: We will take that up then at an
20 appropriate time, not now, is that agreeable, Counsel?

21 MR. FITZGERALD: That is agreeable.

22 MR. STOVITZ: Thank you, Counsel.

23 MR. KANAREK: Your Honor, there is no problem on
24 this, that Mr. Stovitz wants to make out of it -- we
25 are not objecting to these pictures. We stipulate.

26 MR. STOVITZ: Thank you, Counsel.

5a-3

1 You may inquire, Counsel.

2 MR. KANAREK: I have no questions.

3 THE COURT: Mr. Fitzgerald?

4 MR. FITZGERALD: I have no questions.

5 THE COURT: Mr. Hughes.

6 MR. HUGHES: I have no questions.

7 THE COURT: Mr. Shinn?

8 MR. SHINN: I have a few questions, your Honor.

9 THE COURT: Very well.

10
11 CROSS-EXAMINATION

12 BY MR. SHINN:

13 Q Mr. Tate, you stated that you knew Mr. Sebring
14 since 1964?

15 A Yes, I did, approximately 1964.

16 Q Did you know him socially?

17 A Socially? I had been to the opening of his
18 shop, I suppose you could call that socially.

5b fls.

5b-1

1 Q And did you have any business contacts with
2 Mr. Sebring?

3 A No, I don't know exactly what you mean by
4 business contacts, in what respect?

5 Q Well, in your association --

6 A I was in the Military during this period.

7 Q You did see him from time to time?

8 A Yes, from time to time I did.

9 Q Since 1964?

10 A Right.

11 Q And you did visit his house?

12 A Yes, yes, I have been to his house.

13 Q And you met him at your daughter's house too
14 at times?

15 A Yes.

16 Q And did you attend any parties at your
17 daughter's house or Mr. Sebring's house?

18 A No, I did not.

19 Q Did you have dinner with him?

20 A With Jay Sebring?

21 Q Yes.

22 A Oh, several times we had dinner and had him at
23 our house for dinner.

24 Q As to Mr. Frykowski --

25 A Yes.

26 Q -- how long have you known him?

5b-2

1 A I would say roughly about four months, three
2 or four months. I had not known Mr. Frykowski very long.

3 Q Did you meet him socially or business?

4 A No, never business. I met him at Sharon and
5 Roman's house.

6 Q And how about Miss Folger?

7 A The same, the same.

8 Q You have known her since what, 1964?

9 A No, no, no, not over five or six months had I
10 known her.

11 MR. STOVITZ: May I inquire, are the jurors having
12 any difficult in hearing?

13 (The jurors indicate in the negative.)

14 MR. SHINN: If they have any difficulty in hearing I
15 would appreciate if they would raise their hands up.

16 THE COURT: Yes, raise your hands if at any time
17 during the course of the trial you have any difficulty
18 hearing.

19 BY MR. SHINN:

20 Q Now, during all your association with these
21 various people I just mentioned --

22 A Yes.

23 Q -- did you at any time observe them under
24 the influence of either drugs or alcohol?

25 A Never.

26 MR. STOVITZ: Objection, your Honor, immaterial.

5b-3

1 THE COURT: Sustained. The answer will be stricken.
2 The jury is admonished to disregard it.

3 MR. KANAREK: Your Honor, may the record reflect I
4 join in that question with Mr. Shinn.

5 THE COURT: You are not cross-examining, Mr. Kanarek,
6 let's proceed.

7 MR. SHINN: At this time I have no further questions.

8 THE COURT: All right.

9 MR. STOVITZ: May Mr. Tate be excused.

10 MR. KANAREK: No, your Honor, I have no objection to
11 Mr. Tate being excused as long as he is put on call and he
12 will represent that he will return at a time -- I don't
13 want to inconvenience the man.

14 MR. STOVITZ: We will represent he will be available.

15 THE COURT: You are excused, Mr. Tate, subject to
16 being recalled,

17 MR. KANAREK: Thank you, your Honor.

18 MR. STOVITZ: Call Mr. Parent.

19 THE CLERK: Will you please raise your right hand
20 and would you please repeat after me:

21 I do solemnly swear.

22 THE WITNESS: I do solemnly swear.

23 THE CLERK: That the evidence I may give.

24 THE WITNESS: That the evidence I may give.

25 THE CLERK: In the cause now pending.

26 THE WITNESS: In the cause now pending.

5b-4

1 THE CLERK: Before this court.

2 THE WITNESS: Before this court.

3 THE CLERK: Shall be the truth.

4 THE WITNESS: Shall be the truth.

5 THE CLERK: The whole truth.

6 THE WITNESS: The whole truth.

7 THE CLERK: And nothing but the truth.

8 THE WITNESS: And nothing but the truth.

9 THE CLERK: So help me God.

10 THE WITNESS: So help me God.

11 THE CLERK: Would you be seated, please.

12 Would you please state and spell your name
13 for the record.

14 THE WITNESS: Wilfred E. Parent, W-i-l-f-r-e-d,
15 P-a-r-e-n-t.

16
17 WILFRED E. PARENT,
18 a witness called by and on behalf of the People, was
19 examined and testified as follows:

20
21 DIRECT EXAMINATION

22 BY MR. STOVITZ:

23 Q Mr. Parent, what is your business and occupa-
24 tion, sir?

25 A I'm a construction superintendent.

26 MR. STOVITZ: Your Honor, I have a photograph of a

1 young man and a young girl, may this photograph be marked
2 as Exhibit 5 for identification?

3 THE COURT: It will be so marked.

P 5 Id. 4 BY MR. STOVITZ:

5 Q I show you Exhibit 5 for identification, do
6 you recognize the young man depicted in that photograph?

7 A Yes, I do, that is my son Steven and his girl
8 friend, Tina.

9 MR. SHINN: May we have a short recess, your Honor?

10 MR. STOVITZ: It won't be necessary, the witness
11 says he is okay, he just wants a drink of water.

12 BY MR. STOVITZ:

13 Q When was the last time that you saw your
14 son alive, Mr. Parent?

15 A I had seen him the evening before.

16 Q That is the evening before August 8, 1969?

17 A That's correct.

18 Q And where was that you saw him, sir?

19 A He was at home.

20 Q And where was home?

21 A At 11214 East Bryant Road, El Monte.

22 Q And did he have possession of an automobile
23 or the use of an automobile at that time?

24 A Yes.

25 Q What kind of an automobile was it, sir?

26 A A '65 Rambler Ambassador.

JC-1

1 MR. STOVITZ: Your Honor, I have a photograph of what
2 appearsto be a white automobile, may this photograph be
3 marked Exhibit 6 for identification?

4 THE COURT: It will be so marked.

5 Q BY MR. STOVITZ: I show you Exhibit 6 for
6 identification, sir, is that a fair representation of that
7 Ambassador automobile?

8 A It definitely is.

9 Q And was that automobile registered in your name,
10 sir?

11 A Yes, it was.

12 Q And you allowed your son to use it?

13 A I bought it for my son.

14 Q And when was the last time, to your knowledge,
15 that you either saw or heard from your son prior to the
16 evening hours of August 8th, 1969?

17 A He did not come home the night that it happened.

18 Q Had you seen him when he left or did you leave
19 before he did?

20 A I leave early in the morning, about 6:15.

21 Q And you did not hear from him again after you
22 left?

23 A No, but he did come home for lunch that day.

24 Q You don't know that of your own knowledge?

25 A No, sir.

26 Q And the next thing you heard was that he was

502
1 deceased?

2 A That's correct.

3 MR. STOVITZ: Counsel, the same stipulation with
4 respect to this witness?

5 MR. FITZGERALD: Yes, we offer to stipulate that
6 the decedent is deceased.

7 MR. STOVITZ: Thank you.

8 Q How old was your son, sir?

9 A 13.

10 MR. STOVITZ: You may inquire, Counsel.

11
12 CROSS-EXAMINATION

13 BY MR. FITZGERALD:

14 Q Mr. Parent, was your son employed at Jonas-Miller
15 Stereo on Wilshire Boulevard near Beverly Hills?

16 A Yes, sir.

17 Q And in what capacity was he employed there, sir?

18 A To the best of my knowledge he was selling
19 equipment.

20 Q Was he selling to the best of your knowledge
21 hi-fi and stereo equipment?

22 A Yes, sir.

23 Q And how long had he been employed, do you know,
24 sir?

25 A Approximately three weeks.

26 Q And did he work in the evening hours usually?

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1 A Yes, he did.

2 Q Was it in the nature of a part-time employment?

3 A Yes, it was.

4 Q Was your son also very interested, aside from
5 his employment, in the area of hi-fidelity and stereo
6 equipment?

7 A Definitely.

8 Q Could we refer to your son as a hi-fi or
9 stereo bug?

10 A I would not say he was a bug. He has been
11 doing it since he was about four or five years old.

12 Q I meant it certainly in no derogatory sense.
13 What I meant is was it his hobby? Was he
14 very interested and involved in it?

15 A Definitely, definitely.

16 Q Did he have stereo equipment at your home in
17 El Monte?

18 A Yes, he did.

19 MR. FITZGERALD: Thank you, sir.

20 THE COURT: Mr. Hughes?

21 MR. HUGHES: No questions.

22 THE COURT: Mr. Shinn?

23 MR. SHINN: No questions.

24 THE COURT: Mr. Kanarek?

25 MR. KANAREK: No questions, your Honor.

26 MR. STOVITZ: May this witness be excused, your Honor?

1 MR. FITZGERALD: He may, your Honor.

2 THE COURT: You are excused, Mr. Parent, thank you.

3 MR. BUGLIOSI: The People call Winifred Chapman.

4 May we approach the bench, your Honor, briefly?

5 (The following proceedings were had at the
6 bench out of the hearing of the jury.)

7 MR. BUGLIOSI: Your Honor, we are going to introduce
8 a large map of the Tate residence. It is wider and longer
9 than anything we have here.

10 However, I put a backboard on it yesterday;
11 it will fit on that mount, over there.

12 Now, it is a map of the Tate residence, the
13 diagram. Where shall we put the diagram?

14 The Court is kind of filled, and it is almost
15 too far away over there for the jury to see all the
16 individual moves, and there is no room over there.

17 THE COURT: What about the door leading to the
18 chambers, can you put it there? That can be wheeled
19 around.

20 MR. BUGLIOSI: Will the jury be able to see it, though?

21 It is up to the Court, what the Court wants to
22 do.

23 THE COURT: Let's find out.

24 MR. BUGLIOSI: Either there or right here. I hate to
25 invade this area. That is no man's land.

26 THE COURT: What about this stand right here, there is

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1 a stand which has been brought in for that purpose.

2 MR. BUGLIOSI: This is a big, large map.

3 THE COURT: As long as it is mounted it will sit on
4 that stand.

5 MR. BUGLIOSI: It will sit on that stand?

6 THE COURT: Yes.

7 MR. BUGLIOSI: Very good. Would you want to leave
8 the large map right here then?

9 THE COURT: As long as you turn it so I can get a
10 glimpse of it.

11 MR. FITZGERALD: While we are at the bench we would
12 make a motion to exclude witnesses.

13 It is my understanding, if my understanding is
14 correct, that your Honor denied that motion.

15 THE COURT: Do you wish to argue it now?

16 MR. KANAREK: It is an abuse of discretion, your Honor,
17 in this case there is absolutely no reason why they have
18 to be in here.

19 THE COURT: Who are we talking about?

20 MR. KANAREK: Witnesses not on the stand.

21 THE COURT: You tell me why it is an abuse of
22 discretion.

23 MR. KANAREK: If you balance, especially in this
24 courtroom, which there is a minimum of space --

25 THE COURT: What are you talking about?

26 MR. KANAREK: If you balance the right of the

1 defendants that the statements by the witnesses be free and
2 untainted of what they heard previously in the trial
3 against their being in the courtroom, there is no balance.

4 THE COURT: So far we have had nothing but identifi-
5 cation witnesses.

6 MR. KANAREK: I know, your Honor.

7 THE COURT: By fathers.

8 MR. KANAREK: My position is, your Honor, that you
9 cannot tell, there is no reason they should be here, the
10 classical reason to exclude witnesses is to keep them honest.
11 I should think the prosecution would want not to inject
12 error into this record.

13 THE COURT: What are you talking about, "error"?
14 What error?

15 MR. KANAREK: By having a witness here.

16 THE COURT: Mr. Kanarek, let's set the record straight,
17 there is no law that requires the Court to exclude wit-
18 nesses. It is within the discretion of the Court, and
19 there is no abuse of discretion for denying it except -- I
20 cannot imagine what kind of a case it would be.

21 It is always a matter of discretion.

22 MR. KANAREK: What I am saying --

23 THE COURT: I don't want to hear any more argument on
24 that subject.

25 MR. HUGHES: I would join, your Honor, though.

26 MR. SHINN: Join.

1 THE COURT: All right, the People have no objection to
2 it, the witnesses will be excluded.

3 MR. KANAREK: Thank you, your Honor.

4 THE COURT: Not because you have it as a matter of
5 right, any right to have them excluded. Let's make that
6 perfectly clear.

7 MR. KANAREK: I have no pride about it. All I care
8 about is the result. I would like them out of the court-
9 room.

10 THE COURT: All right.

11 Anything further?

12 MR. BUGLIOSI: No, your Honor, apparently, then, we
13 will leave it right here and the witness will have to leave
14 the witness stand, of course.

15 THE COURT: We have the hand microphone that she can
16 use.

17 MR. BUGLIOSI: Okay, very good.

18 Where is the hand microphone?

19 MR. FITZGERALD: Right here. (Indicating)

20 THE COURT: Is it on now?

21 MR. FITZGERALD: It is, yes.

22 (Whereupon, counsel return to the open courtroom
23 and are then recalled by the Court to the bench once again
24 outside of the hearing of the jury.)
25
26

5d-1

1 THE COURT: The bailiff informs me that Mr. Shinn
2 just gave a copy of this document, a typed one-page
3 document, purportedly with what they typed it has the
4 name Charles Manson at the bottom, to the press, is that
5 right, Mr. Shinn?

6 MR. SHINN: Most of them had it already, your
7 Honor.

8 THE COURT: How did you know that?

9 MR. SHINN: I was informed this morning.

10 THE COURT: Why did you have to give it to them?

11 MR. SHINN: I did not hand it out this morning.

12 THE COURT: You just now handed it to someone.

13 MR. SHINN: Yes.

14 THE COURT: Apparently you thought he did not have
15 a copy.

16 MR. SHINN: Yes.

17 THE COURT: What is the purpose of it?

18 MR. SHINN: I don't know.

19 THE COURT: Then why did you hand it to him?

20 MR. SHINN: He asked me for it. They were handed
21 out this morning and he asked me for this one.

22 THE COURT: I am going to have this marked as an
23 exhibit; we will mark it as a Special Exhibit, the
24 Court's Special Exhibit 1.

25 It will become part of the record but it
26 will not be shown to the jury.

5d-2

1 I am interested in knowing what your motive
2 is in handing out a copy of this to the press, Mr. Shinn.

3 MR. SHINN: Well, your Honor, most of them had it
4 this morning already, your Honor.

5 THE COURT: What was your motive for handing it
6 to the press?

7 MR. SHINN: They asked me for it and I gave them a
8 copy.

9 THE COURT: Did Mr. Manson write this?

10 MR. SHINN: That I don't know, your Honor.

11 MR. BUGLIOSI: There is only one problem, marking
12 that as an exhibit, as I see it, four months from now
13 this might be slipped in with the other exhibits unin-
14 tentionally.

15 THE COURT: I assure you it won't be.

16 MR. BUGLIOSI: Now and then exhibits get back
17 there just through inadvertence; sometimes it is forgotten
18 why it was admitted.

19 THE COURT: Mr. Darrow, this will be marked as
20 the Court's Special Exhibit 1, and it is not to be shown
21 or exhibited to the jury or to anyone else, as far as
22 that goes, other than counsel in the case.

23 THE CLERK: Is it in reference to any motion, your
24 Honor?

25 THE COURT: No, this is on the Court's own motion.

26 The record already reflects where it came

45d-3

1 from.

2 All right, anything further?

3 Are you intending to prejudice your own case,
4 Mr. Shinn?

5 MR. SHINN: No, your Honor.

6 THE COURT: I am at a complete loss to understand
7 why you would give something like this to the press.

8 MR. SHINN: Most of the press already had it.

9 THE COURT: You cannot possibly know that, whether
10 most of the press had it already or not.

11 MR. SHINN: I was told, your Honor, and someone
12 talked to me when I went out for recess, your Honor.

13 THE COURT: Well, it appears to me that you are not
14 very much concerned about the type of publicity that is
15 given to the press, or whether it affects your client or
16 not.

17 MR. SHINN: Your Honor, if I initiated it, that
18 would be a different story.

19 THE COURT: Apparently it was initiated by you
20 just now because someone saw you hand it to a member of
21 the media.

22 All right, let's proceed.

23 MR. FITZGERALD: I would like my client to see
24 this witness testify.

25 THE COURT: She will have to be moved around to
26 some place where she can see.

1 Are you ready to proceed, Mr. Bugliosi?

2 MR. BUGLIOSI: Yes, your Honor.

3 THE COURT: This stand will have to be turned
4 so the jurors at the far end of the box can see it. It
5 will have to be parallel to the jury box.

6 (The following proceedings were had in open
7 court in the presence and hearing of the jury:)

8 THE CLERK: Would you raise your right hand.

9 Would you please repeat after me:

10 I do solemnly swear --

11 THE WITNESS: I do solemnly swear --

12 THE CLERK: -- that the testimony I may give --

13 THE WITNESS: -- that the testimony I may give --

14 THE CLERK: -- in the cause now pending --

15 THE WITNESS: -- in the cause now pending --

16 THE CLERK: -- before this court --

17 THE WITNESS: -- before this court --

18 THE CLERK: -- shall be the truth --

19 THE WITNESS: -- shall be the truth --

20 THE CLERK: -- the whole truth --

21 THE WITNESS: -- the whole truth --

22 THE CLERK: -- and nothing but the truth --

23 THE WITNESS: -- and nothing but the truth --

24 THE CLERK: -- so help me God.

25 THE WITNESS: -- so help me God.

26 THE CLERK: Would you be seated, please.

1 MR. KANAREK: Your Honor ordered witnesses
2 excluded, would your Honor interrogate as to whether
3 anyone in the audience is a witness.

4 MR. STOVITZ: Mr. Parent had been excused as a
5 witness and Mr. Tate who has testified.

6 THE COURT: They will not be excluded.

7 MR. KANAREK: Mr. Tate may well be called as a
8 witness.

9 THE COURT: He will not be excluded.

10 MR. STOVITZ: Mr. Garretson, would you kindly step
11 outside.

12 MR. KANAREK: Is Mr. Stovitz representing there
13 are no other witnesses, your Honor?

14 MR. STOVITZ: Let's see, now, are there any
15 people in the courtroom who have been subpoenaed as
16 a witness?

17 Sergeant Calkins is our investigating
18 officer. He is not going to testify to anything this
19 young lady is going to testify to.

20 May he remain with the permission of the
21 Court?

22 THE COURT: He may.

23 MR. STOVITZ: Sergeant Gutierrez, who will not
24 testify to anything that this young lady will testify
25 to, he is also an investigator.

26 THE COURT: He may remain.

1 MR. KANAREK: I understand there are are two
2 investigating officers present.

3 THE COURT: They will both remain.

4 MR. KANAREK: May the record reflect we would ask
5 they be excluded, your Honor?

6 THE COURT: Let's proceed, gentlemen.

7 THE CLERK: Would you please state and spell your
8 name for the record.

9 THE WITNESS: Winifred Chapman, W-i-n-i-f-r-e-d,
10 C-h-a-p-m-a-n.

11
12 WINIFRED CHAPMAN,
13 called as a witness by and on behalf of the People, having
14 been first duly sworn, was examined and testified as
15 follows:

16
17 DIRECT EXAMINATION

18 BY MR. BUGLIOSI:

19 Q Is it Miss or Mrs. Chapman?

20 A Mrs.

21 Q Mrs.?

22 A Yes, sir.

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Q Mrs. Chapman, what is your occupation, ma'am?

A Cook and caterers.

Q Speak a little more loudly.

A A cook and a cateress.

Q Did you ever work as a cook or a housewoman for Roman Polanski and his wife, Sharon Marie Polanski?

A Yes.

Q When did you work for them, Mrs. Chapman?

A I don't know how to phrase that. Do you want the time when I first started, approximately how long I have been with them, or how do you mean?

Q When did you first start working for them?

A Let's see, June in 1968.

Q And in what capacity did you work for them at that time?

A As a cook and a housekeeper.

Q Where were they living at that time, Mrs. Chapman?

A 1600 Summit Ridge Drive.

Q Were they renting there or did they own a home?

A They were renting.

Q Do you know from whom?

A Harry and Patty Duke.

Q Is this address you gave me in West Los Angeles?

A Yes.

Q Did the Polanskis eventually move to the address

5#2

1 10050 Cielo Drive, Los Angeles?

2 A Yes.

3 Q Do you recall when they moved there?

4 A In February of '69.

5 Q Did you continue to work for them?

6 A Yes.

7 Q As a housekeeper?

8 A Yes.

9 Q And as a cook?

10 A Yes.

11 Q I show you People's Exhibit 4 for identifi-
12 cation.

13 Do you recognize what is shown in this photo-
14 graph, Mrs. Chapman?

15 A That is the house on Cielo Drive.

16 Q This is the house that Roman Polanski and his
17 wife were living in; is that correct?

18 A Yes.

19 MR. BUGLIOSI: Your Honor, I have here an aerial
20 photo of a residence. May it be marked People's --

21 THE CLERK: 7.

22 MR. BUGLIOSI: -- next in order, I believe it is 7?

23 THE COURT: It will be so marked.

24 Q BY MR. BUGLIOSI: I show you People's 7 for
25 identification, Mrs. Chapman, what is shown in that photo-
26 graph?

JE3
1 A Yes, that is the estate up there.

2 Q It is an aerial photo of the Polanski residence?

3 A Yes, yes.

4 Q To the left of the photograph, is that the
5 driveway leading to the residence?

6 A Yes.

7 Q All right, I notice that between the home here,
8 and another home, there appears to be a swimming pool.

9 Does this swimming pool -- is this part of the
10 Tate residence?

11 A Yes.

12 Q It was on the premises?

13 A Yes.

14 Q What about the home to the rear of the
15 swimming pool, was that part of the premises?

16 A It was part of the premises but the Polanskis
17 did not live in that home.

18 Q Do you know who lived in that home to the rear
19 of the Polanski residence?

20 A Yes, the owner.

21 Q Do you know who the owner was?

22 A Mr. Altabelli.

23 Q During the time that you were working for
24 Mr. and Mrs. Polanski was Mr. Altabelli living to the rear
25 of the residence?

26 A Yes.

5-4
1 MR. BUGLIOSI: Your Honor, I have here a diagram
2 purportedly of the Roman Polanski residence. May it be
3 marked People's next in order, People's 8 for identification?

4 THE COURT: It will be so marked.

5 Q BY MR. BUGLIOSI: Mrs. Chapman, I wonder if you
6 would temporarily leave the witness stand and approach the
7 diagram over here, ma'am?

8 (Witness complies.)

9 You will have to speak into the microphone.

10 Looking at this diagram, ma'am, do you recognize
11 this as being a diagram of the Roman Polanski residence at
12 10050 Cielo Drive?

13 A Yes.

14 Q There is a square here marked garage. Do you
15 see that garage there?

16 A Yes, I do.

17 Q This garage was the first building that one
18 would see as they enter the premises?

19 A Yes.

20 Q You recognize this cluster of rooms here as
21 being the Roman Polanski residence?

22 A Yes, I do.

23 Q And the home to the rear, would that be the
24 residence of Mr. Altaballi?

25 A Well, I was never inside that home, I only saw
26 that from the outside.

6-1

1 Q Is it commonly referred to as a guest house?

2 A Yes.

3 Q Do you recognize this point up here as being the
4 gate which leads to the Tate residence?

5 A Yes.

6 MR. BUGLIOSI: The witness desires to sit down
7 temporarily.

8 Are you getting faint, ma'am?

9 THE WITNESS: Yes.

10 MR. BUGLIOSI: Would you like to take a recess?

11 THE WITNESS: Yes.

12 MR. BUGLIOSI: The witness requires a five-minute
13 recess, your Honor. She is becoming very faint.

14 THE COURT: We will take a brief recess.

15 Please remember the admonition, do not converse
16 among yourselves nor with anyone else about any matter
17 connected with this trial, nor form or express an opinion
18 in the case until it is finally submitted to you.

19 (Recess.)

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

22 You may proceed, Mr. Bugliosi.

23 MR. BUGLIOSI: Q Mrs. Chapman, will you step down
24 off the witness stand again with the microphone in your
25 hand.

26 (The witness leaves the witness stand and

1 approaches the board.)

2 MR. BULGIOSI: Approach the diagram, please.

3 I have here another photograph, your Honor, of a
4 building. May it be marked --

5 THE CLERK: 9.

6 MR. BUGLIOSI: I believe it already is marked. I
7 will withdraw that. It is marked People's 6 for
8 identification.

9 Q Mrs. Chapman, going back to this garage here,
10 I show you People's 6 for identification.

11 Does this appear to be a photograph of the
12 garage that is shown in this diagram?

13 A Yes.

14 THE COURT: Mr. Bugliosi, that was previously marked
15 as an Ambassador automobile.

16 MR. BUGLIOSI: Yes, but it also has the garage.

17 Q Do you know Abigail Folger? Did you ever know
18 Abigail Folger?

19 A Yes.

20 Q Did she ever live at the Tate residence?

21 A Yes.

22 Q When did she move into the Tate residence?

23 In referring to the Tate residence, I am
24 referring to the Polanski residence.

25 A In April, 1969.

26 Q Did she move in with anyone?

1 A Yes. Wajiciech Frykowski.

2 Q I show you People's Exhibit No. 3 for identifi-
3 cation.

4 Does this appear to be a photograph of Abigail
5 Folger and Wajiciech Frykowski?

6 A Yes.

7 Q Where did Abigail and Wajiciech live inside the
8 Tate residence?

9 A Well, while the Polanskis were out of town,
10 they lived in the big master bedroom, but when Mrs. Tate
11 returned, then they were in the bedroom here.

12 Q You are referring to this bedroom right here?

13 A Yes.

14 Q Did Abigail and Wajiciech stay in the same
15 bedroom?

16 A Yes.

17 MR. BUGLIOSI: May I mark this bedroom as Wajiciech and
18 Abigail?

19 THE COURT: Very well.

20 Do you wish to sit down?

21 THE WITNESS: Yes.

22 (The witness returns to the witness stand.)

23 Q BY MR. BUGLIOSI: What was the occasion,
24 Miss Chapman, for Abigail Folger and Wajiciech Frykowski
25 moving into the Polanski residence?

26 MR. FITZGERALD: Objection, your Honor. It calls for

1 a conclusion and speculation; and it is lack of first-hand
2 knowledge.

3 MR. SHINN: Join.

4 THE COURT: It is also ambiguous.

5 The objection is sustained.

6 MR. BUGLIOSI: Q Did Mr. Polanski and his wife,
7 Sharon, move out of the residence at any time?

8 A They didn't move out. They went away on busi-
9 ness trips.

10 Q In March of 1969, did they leave temporarily?

11 A Let's see now. I think he, if I am not mis-
12 taken, Mr. Polanski, left in March, and Mrs. Polanski left
13 in April.

14 I think -- I don't think, I know. -- they both
15 did not leave at the same time.

6a-1

1 Q Do you know where Mr. Polanski went?

2 A To Brazil.

3 Q How about his wife Sharon Marie?

4 A When she left she went to Rome.

5 Q Do you recall that Mr. Polanski left in
6 March of '69 and Sharon Marie left in April of '69; is
7 that correct?

8 A Yes.

9 Q Did Wajciech Frykowski and Abigail Folger
10 move into the residence about the same time that Sharon
11 left --

12 A Yes.

13 Q -- for Rome?

14 A Yes.

15 Q Did you continue working for Abigail and
16 Wajciech in the same capacity that you had worked for
17 Mr. and Mrs. Polanski?

18 A Yes.

19 Q How many days per week did you work at the
20 residence, ma'am?

21 A Four to five days a week while the Polanskis
22 were away, and five or six days a week when they were in
23 town.

24 Q Did you ever stay overnight?

25 A Yes.

26 Q When, if at all, did Sharon return to the

6a-2

1 residence?

2 A The latter part of July, I think the 18th;
3 somewhere around there.

4 Q 1969?

5 A '69, yes.

6 Q Did Roman return with her?

7 A No.

8 Q Did you continue working for -- I will withdraw
9 that.

10 When Sharon returned to the residence in
11 July of 1969, did Abigail and Wajciech continue living
12 there at the residence?

13 A Yes.

14 Q Did you continue working in the same capacity?

15 A Yes.

16 Q Do you recall the date August the 8th, 1969,
17 a Friday?

18 A Yes.

19 Q Were you working at the Tate residence that day?

20 A Yes.

21 Q What time did you leave the premises that day?

22 A Between 4:00 and 4:30 in the evening.

23 Q Do you recall who you saw on the premises or
24 inside the residence that day, Friday, August the 8th,
25 1969?

26 A Yes.

6a-3

1 Q Who was that?

2 A A painter was there.

3 Q Mr. Guerrero?

4 A Yes.

5 Q Anyone else?

6 A We had guests for lunch, Joanne Petit, an
7 actress, and another lady. I didn't know her name.

8 Q What time did Joanne Petit and her friend
9 arrive?

10 A It was after 1:00.

11 Q And you say "we" had lunch. Are you referring
12 to Joanne Petit and her friend and Sharon?

13 A And Gibby and Wajiciech.

14 Q All five of them?

15 A All five of them.

16 Q You addressed her as Gibby? You say Gibby?
17 You mean Abigail Folger?

18 A Yes.

19 Q What time did Joanne Petit and her friend leave?

20 A About 3:30.

21 Q P.m.?

22 A Yes.

23 Q Did you see anyone else inside the Tate
24 residence or on the premises that day?

25 A Not inside. The gardeners were working outside
26 in the yard, but not inside the house.

6a-4

1 Q Do you know the names of the gardeners?

2 A I knew the first names, not the last.

3 Q Does the name Tom Vargas ring a bell?

4 A Yes.

5 Q Do you recall seeing anyone else on the
6 premises that day, August the 8th, 1969, a Friday?

7 A No.

8 MR. BUGLIOSI: Your Honor, I have a photograph here
9 of the front door of the residence. May it be marked
10 as People's next in order?

11 THE CLERK: 9.

P 9 Id. 12 THE COURT: 9.

13 MR. BUGLIOSI: Is that People's 9 for identification?

14 THE COURT: Yes. It will be so marked.

15 MR. BUGLIOSI: Q Mrs. Chapman, I show you
16 People's 9 for identification.

17 Do you know what is shown in this photograph?

18 A The door leading to the front of the house.

19 Q Referring to the Polanski residence now?

6b fls. 20 A Yes.

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6b-1

Q On the date August the 8th, 1969, a Friday, did you have occasion to wash that front door?

~~MR. FITZGERALD: Objection, your Honor. Leading and suggestive.~~

~~THE COURT: Overruled.~~

~~MR. BUGLIOSI: You may answer the question.~~

A I did wash it.

~~BY MR. BUGLIOSI:~~

Q About what time of day did you wash the front door?

A Before lunch.

Q Why did you wash the front door?

A Well, it was splattered. The dog had marked it up. So I just cleaned the whole door.

Q What dogs are you referring to?

A Well, Mrs. Polanski had a dog and Gibby had one.

Q What was the dog's name, Sharon's dog's name?

A That dog was named Prudence.

Q What about Abigail's dog's name?

A Tom.

~~Q Was there a dog also named Sapperstein?~~

~~A Yes.~~

Q Whose dog was that?

A That belonged to the Polanskis, but Sapperstein was dead. He wasn't there at that time. He had been run

~~over~~

Q Now, you say you washed the outside of the front door because the dog's prints were on the outside of the front door?

A Yes. It was muddy.

Q Did you frequently wash the outside of the front door to the residence?

A Yes.

Q About how frequently?

A A couple of times a week.

Q Did you wash, on this particular Friday now, August the 8th, 1969, did you wash the entire front door?

A Yes.

Q Or just portions of it?

A No. The entire door.

Q What did you wash it with?

A I washed the windows with vinegar and water, and the other part with soap and water.

~~Your Honor, this is too much. Too much.~~

~~THE COURT: Do you feel all right?~~

~~MR. BUGLIOSI: Do you feel all right?~~

~~THE WITNESS: Well, I will try to go on a little farther, but not much longer.~~

~~MR. BUGLIOSI: Calm down.~~

~~Your Honor, I have here another photograph.~~

~~It appears to be a photograph of the interior of a room,~~

1 ~~a residence.~~

2 ~~May it be marked as People's next in order,~~
3 ~~People's 10 for identification?~~

4 ~~THE COURT: It will be so marked.~~

5 ~~BY MR. BUGLIOSI:~~

6 Q I show you People's 10 for identification,
7 ma'am, a photograph.

8 Do you know what is shown in that photograph?

9 A The doors in the master bedroom that lead to
10 the swimming pool.

11 Q Was this the bedroom that Sharon Tate and her
12 husband Roman occupied when they were living there?

13 A Yes.

14 Q Do you recall ever washing the inside of this
15 back door to the master bedroom?

16 A Yes.

17 Q How often did you normally wash the inside
18 of the back door?

19 A A couple of times a week. ~~I got all the~~ ↑ ↑
20 ~~prints off of it.~~

21 ~~MR. SHINN: Your Honor, I move to strike the last~~
22 ~~part of the answer.~~

23 ~~THE COURT: That portion will go out, "I got all the~~
24 ~~prints off of it."~~

25 ~~The jury is admonished to disregard that~~
26 ~~portion.~~

1 ~~THE WITNESS: That is why I washed it.~~

2 ~~MR. SHINN: Thank you.~~

3 MR. BUGLIOSI: Q Why did you find it necessary ✓✓
4 to wash this door to the master bedroom that often,
5 ma'am?

6 A Because of the dog prints and the handprints.
7 They used that door quite a bit.

8 Q When you say "they," to whom are you referring?

9 A The Polanskis and their guests when they were
10 there. They were swimming. We had guests quite often
11 there.

12 Q This is the door that they exited to go to
13 the swimming pool?

14 A Yes. They exited and entered, too.

15 Q Did you wash the inside of the back door, the
16 one that is shown in the photograph, People's 10 for
17 identification, that Friday, August the 8th, 1969?

18 A No.

19 Q Did you wash it earlier in the week?

20 A On Tuesday.

6c fls.

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SCQ1

1 Q That would be August the 5th, 1969?

2 A Yes.

3 Q About what time of day did you wash it?

4 A Oh, in the afternoon.

5 Q Did you wash the entire door?

6 A No.

7 Q What portion of the door did you wash?

8 A I washed that part on the inside, and on the
9 outside I washed the lower part. ↗ ↗

10 ~~THE COURT: You will have to keep your voice up.~~

11 ~~MR. SHINN.~~

12 MR. SHINN: Will counsel indicate what the witness
13 has stated, your Honor, what portion of the door was washed?

14 THE COURT: Did you hear the answer?

15 MR. SHINN: NO.

16 THE COURT: Read the answer.

17 ~~(The answer was read.)~~

18 MR. BUGLIOSI: Mrs. Chapman, will you please take
19 this crayon here and encircle that portion of the door that
20 you washed that Tuesday, August the 5th, 1969.

21 THE WITNESS: (Witness marks.)

22 Q BY MR. BUGLIOSI: Did you wash any other
23 portion?

24 A I washed here.

25 THE COURT: You will have to keep your voice up.

26 MR. BUGLIOSI: Louder.

6C2

1 THE WITNESS: The lower part on the outside.
2 You have it closed. I can't encircle the outside.

3 Q BY MR. BUCLIOSI: I am referring now to the
4 inside of the back door.

5 A Just that.

6 Q Okay. Just the area encircled here in crayon.
7 Is that correct?

8 A Yes.

9 Q Why did you single out this particular area of
10 the door to wash?

11 A Because of fingerprints getting around it.

12 MR. BUCLIOSI: Okay.

13 May I have just a moment, your Honor?

14 (Pause.)

15 Q On the date August the 8th, 1969, had
16 Mr. Polanski returned to the residence?

17 A No.

18 Q He was still away; is that correct?

19 A Yes.

20 Q Was Sharon pregnant on August the 8th, 1969?

21 A Yes.

22 Q Do you know how far along she was?

23 A About eight months.

24 Q On that Friday, August the 8th, 1969, had you
25 contemplated at any time staying overnight?

26 A No.

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Q Had you been asked to stay overnight?

A No. But as I was leaving, she asked why I wanted to go home..

Q You say "she." Are you referring to Sharon?

A Mrs. Polanski, yes.

Q What did you tell her?

A Let's see. How did I phrase that?
I told her I wanted to go home so I could get comfortable.

She thought it was too hot in my apartment and I could be more comfortable out there. But I went home.

Q Did you leave the premises with anyone?

A Yes.

Q Whom did you leave with?

A With Dave and another gardener. I didn't know his name.

Q Dave, Tom Varga's brother?

A Yes.

Q And Dave himself is a gardener?

A Yes.

Q And you left around 4:30 p.m.?

A Yes.

Q Who was inside the Polanski residence, if anyone, when you left at 4:30?

A Only Mrs. Polanski.

Q That is Sharon?

1 A Yes.

2 Q She was there by herself?

3 A Yes.

4 Q Did everything seem to be in order inside the
5 residence?

6 A Yes.

7 Q When had Abigail and Wajciech left?

8 A Let's see. Gibby left at a quarter to 4:00,
9 and Wajciech left at 4:00 o'clock.

10 Q You are talking about p.m.?

11 A Yes.

12 Q When is the next time, if at all, that you
13 returned to the Polanski residence, ma'am?

14 A 8:30 Saturday morning.

15 Q That is the following morning?

16 A Yes.

17 MR. BUGLIOSI: I have no further questions of this
18 witness at this time, your Honor.

19 THE COURT: All right.

20 You may step down.

21 MR. STOVITZ: We intend to call this witness again,
22 and we have made an offer to counsel that if they wanted to
23 reserve their cross-examination until a subsequent time, it
24 would be agreeable to us.

25 If that would be so, I would ask that this
26 witness be excused at this time as the witness is

6C5 1 experiencing some pain from the recent automobile accident.

2 MR. SHINN: Your Honor, we would want to cross-examine
3 this witness at this time, your Honor.

4 THE COURT: All right.

5 We will take our noon recess, then, until 2:00
6 p.m.

7 Do not converse among yourselves, ladies and
8 gentlemen, nor with anyone else on any subject relating to
9 the case, nor form or express any opinion regarding the
10 case until it is finally submitted to you.

11 (Whereupon, at 12:00 o'clock p.m. the court
12 was in recess.)

LOS ANGELES, CALIFORNIA, FRIDAY, JULY 24, 1970

2:08 P.M.

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

MR. BUGLIOSI: I have a few more questions.

I have here a photograph, your Honor, of the interior of a bedroom in a residence. May it be marked People's next in order?

THE CLERK: 11, your Honor.

MR. BUGLIOSI: 10 or 11, your Honor.

THE CLERK: 11.

THE COURT: It will be so marked.

MR. BUGLIOSI: I have here a photograph of the interior of a bedroom, another photograph of the interior of the bedroom, may it be marked People's 12 for identification?

THE COURT: It will be so marked.

MR. BUGLIOSI: I have here another photograph of an interior of a bedroom, may it be marked People's 13 for identification?

THE COURT: It will be so marked.

MR. BUGLIOSI: I have here another photograph, your Honor, showing what appears to be a living room of a residence. May it be marked People's 14 for identification?

THE COURT: It will be so marked.

MR. BUGLIOSI: I have here a photograph, your Honor,

1 depicting a pool. May it be marked People's 15 for
2 identification?

3 THE COURT: It will be so marked.

4 Q BY MR. BUGLIOSI: Mrs. Chapman, I show you
5 People's 11 for identification. Do you know what is shown
6 in this photograph?

7 A The master bedroom.

8 MR. BUGLIOSI: All right.

9 THE COURT: Hold the microphone up close, please.

10 THE WITNESS: The master bedroom.

11 Q BY MR. BUGLIOSI: I show you People's 12 for
12 identification. Do you know what is shown in that photo-
13 graph?

14 A That is the master bedroom.

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3-1

1 Q People's 11 and People's 12 are both
2 photographs of the master bedroom?

3 A Yes.

4 Q I show you People's 13 for identification.
5 Do you know what is shown in that photograph?

6 A That is the bedroom occupied by Gibby and
7 Wojciech.

8 Q Frykowski?

9 A Yes.

10 Q I show you People's 14 for identification.
11 Do you know what is shown in that photograph?

12 A The living room.

13 Q Of the Polanski residence?

14 A Yes.

15 Q I show you People's --

16 THE COURT: What was the answer?

17 THE WITNESS: The living room of the Polanski
18 residence.

19 THE COURT: Keep your voice up, please.

20 BY MR. NUGLIOSI:

21 Q I show you People's 15 for identification.

22 Do you know what is shown in that photograph?

23 A The swimming pool.

24 MR. NUGLIOSI: Mrs. Chapman, would you please
25 again step down from the witness stand, ma'am, and
26 approach the diagram over here?

3-2
1 (The witness leaves the witness stand and
2 approaches the diagram.)

3 MR. BUGLIOSI: Speak into the microphone.

4 THE WITNESS: Yes.

5 MR. BUGLIOSI: Q Now, directing your attention
6 again to People's 11 and 12 for identification, the master
7 bedroom, where do you find this master bedroom on this
8 diagram here?

9 A Right here. (Indicating.)

10 Q Where it says "bedroom"?

11 A Yes.

12 MR. BUGLIOSI: Your Honor, may I insert the word
13 "master" above "bedroom"?

14 THE COURT: Very well.

15 (Mr. Bugliosi indicates.)

16 MR. STOVITZ: May the record show that that is on
17 People's Exhibit 8, the large diagram?

18 THE COURT: Yes.

19 BY MR. BUGLIOSI:

20 Q Now, on August the 8th, 1969, who was living,
21 or who slept in the master bedroom?

22 A Mrs. Polanski.

23 Q Now, earlier this morning, Mrs. Chapman, you
24 indicated that Wojciech and Abigail were sleeping in
25 this particular room. Do you wish to correct your
26 testimony on that?

B-3

1 A Yes, I do.

2 Q All right.

3 Where on this diagram do you find the bedroom
4 where Wajciech and Abigail slept?

5 A Here.

6 Q The bedroom right below?

7 A Yes.

8 MR. BUGLIOSI: May I mark this bedroom "Wajciech and
9 Abigail," your Honor?

10 THE COURT: Very well.

11 MR. BUGLIOSI: And may I cross out "Wajciech and
12 Abigail" which I inserted this morning, your Honor, on
13 the diagram?

14 THE COURT: You may.

15 In file.
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1 BY MR. BUGLIOSI:

2 Q Directing your attention again to People's 14
3 for identification.

4 You indicated that was the living room of the
5 Polanski residence.

6 Do you find the living room depicted on this
7 diagram?

8 A Here.

9 Q And this diagram properly designates the
10 living room, ne'ant?

11 A Yes.

12 Q Directing your attention to People's 15 for
13 identification again, the pool.

14 To the pool depicted on this diagram?

15 A Yes.

16 Q Right where it says "pool" here?

17 A Yes.

18 Q You will have to answer out loud.

19 A Yes.

20 MR. BUGLIOSI: Thank you.

21 You may resume the witness stand.

22 (The witness resumes the witness stand.)

23 MR. BUGLIOSI: No further questions at this time,
24 your Honor.

25 THE COURT: Cross-examination?

26 MR. FITZGERALD: Yes.

CROSS-EXAMINATION

BY MR. FITZGERALD:

Q Mrs. Chapman, you were familiar with the Polanskis, Roman and Sharon, since 1958; is that correct?

A No. '68.

Q Excuse me. Since 1968.

Was that in mid-year 1968?

A Yes.

Q And that is when Roman Polanski and Sharon Polanski were living at a different address; is that correct?

A Yes.

Q So, for how long a period of time did you know Roman and Sharon Polanski?

A Oh, about a year and four months -- four -- something -- five. I don't know.

Q And that was in your capacity as a caterer and a cook; is that correct?

A A cook and a housekeeper.

Q All right.

But I believe you stated when you were asked your occupation this morning, you indicated that you were a caterer and a cook; is that right?

A Yes, I am.

Q But you had some housekeeping duties for the Polanskis; is that correct?

1 A Yes. Yes.

2 Q Yes that both at the Cielo Drive address and
3 the previous address where you worked?

4 A Yes.

5 Q I take it, though, that you did not perform
6 any heavy housekeeping duties; isn't that correct?

7 A Not too heavy, no.

8 Q For example, did you have occasion to wash
9 walls or ceilings?

10 A No.

11 Q Did you ever have occasion to do any heavy
12 cleaning of rugs or anything like that?

13 A No.

14 Q Even that sort of cleaning work was necessary,
15 isn't it true that the Polonskis would bring in other
16 help to assist you? Isn't that correct?

17 A Yes.

18 Q And you would, more or less, direct these
19 other people; is that right?

20 A Not necessarily. I wouldn't always be
21 there when the other help was there.

22 Q Now, what did your housekeeping duties
23 consist of at the Cielo Drive address?

24 A Well, it consisted of the cooking and keeping
25 the house in order.

26 Q Would you refer to that as light housekeeping?

1 A Yes, I would.

2 Q And what would that be? Picking up, dusting?

3 A That's right.

4 Q Because I am not a cleaning person, perhaps
5 you could explain your duties as a housekeeper.

6 I understand what a cook does but what about
7 a light housekeeper?

8 A Well, I think I have just explained it.

9 Q Did you have a regular schedule for your
10 housekeeping duties at the Cielo Drive address?

11 A I did. The schedule varied according to
12 how much entertaining we did.

13 Q Did the Polanskis entertain a great deal?

14 A Yes.

15 Q Would they usually entertain at particular
16 times of the week?

17 A Well, I don't know how to answer that.

18 There were times we had guests for breakfast,
19 lunch and dinner.

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Q Were there also times that you would come to work in the morning and you were informed that the preceding evening there had been a large party with a number of people present?

A I didn't have to be informed. I could always tell.

Q How could you tell?

A By the house.

Q The house would be messy, is that right?

A Well, I wouldn't say just messy, I could tell by the dishes and what-have-you approximately how many people had been there.

Q You could tell by the ash trays?

A That's right.

Q Did the Polanskis do any entertaining during the early days of August, 1969?

A The early days -- we had dinner guests the second night of her arrival.

Q That would be in July, would it not?

A Yes.

Q What about August?

A Let's see, the early days we had guests for lunch several times.

Q Isn't it a fact that there was a large party, in fact, to your knowledge, that there was a large party at the Polanski residence on the evening of August 7, 1969?

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A Yes.

Q And did you clean up after that party?

A No.

Q Was there some reason for that?

A I was not there. The people that took care of the party did the cleaning.

Q So when you arrived on the morning of August the 7th the house was in order, is that correct?

A Oh, wait now, you said August the 7th; no, no, no.

Let me change all that. No, there wasn't any party there on that Friday, no, no.

There was one there the previous Friday, the previous Friday.

Q Now, do you think that August the 7th was a Friday?

A Yes, but I have to change that, there was no party there that night.

Q What if I were to tell you that August the 7th was a Thursday, would that refresh your recollection?

A 7th, 8th -- well, I guess it would. Now you are confusing me now.

Q I'm not trying to confuse you. If you want some time to think, you may have it.

A Let's see, on a Thursday had there been a party --

Q Perhaps we can attack it this way.

1 A Yes, you'd better.

2 Q You arrived some morning, and quite tragically
3 and unfortunately you saw some dead bodies, isn't that
4 correct?

5 A Yes.

6 Q Okay, what day was that?

7 A That was on a Saturday.

8 Q The day before, then, would be a Friday, wouldn't
9 it?

10 A That's true.

11 Q And you testified this morning that you were at
12 the Polonski residence the day before which would be
13 Friday, right?

14 A Yes.

15 Q Now, I am asking you if the night before
16 Friday, Thursday to your knowledge if there was a party at
17 the Polonski residence.

18 A Not to my knowledge, no.

19 Q When was the last time before Saturday, early in
20 August, that there was a party to your knowledge at the
21 Polonski residence?

22 A The previous Friday, whatever date that would
23 have been, the Friday before the 6th, to my knowledge.

24 Q Now, did you have a regular housekeeping
25 schedule; for example, did you have a schedule set out
26 where you would do a particular item of house cleaning on

Monday, say for example, wash the windows on Monday,
wash the walls on Tuesday?

A Yes.

Q That sort of thing.

A Not wash any walls, no.

Q Did you have a schedule?

A Yes.

Q Could you give us your weekly schedule for your
housekeeping duties as best you can recall?

A I would have to have time to think that one
over.

Q Did you ever talk to any police officers about
a cleaning schedule that you had at the Rolanski residence?

A I don't recall it.

Q You have talked to people about this case, have
you not, before you testified here this morning?

A What do you mean, to officers?

Q To anybody.

You talked to people about this case, haven't
you?

A Oh, yes.

Q And you talked to police officers, haven't you?

A Certainly.

Q And you talked to police officers more than
once, haven't you?

A Oh, yes.

9-5
1 Q You talked to police officers early in August,
2 didn't you?

3 A Yes.

4 Q And you talked to police officers recently,
5 haven't you?

6 A Yes.

7 Q At any time did any police officers ask you
8 about your cleaning schedule?

9 A I don't recall it.

10 Q At any time did police officers ask you about
11 washing doors or walls?

12 A Not about washing walls, no.

13 Q What about washing doors?

14 A Yes.

15 Q Did police officers ask you about washing doors?

16 A Yes.

17 Q And did they ask you some questions about it?

18 A Yes.

19 Q Did you give them some answers?

20 A Yes, I did.

21 Q What did they ask you and what did you answer?

22 A Now, what do you mean by that? You are con-
23 fusing us.

24 THE COURT: Read the question.

25 (Whereupon, the reporter reads the question
26 as follows:

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"Q What did they ask you and what did you answer?"

A Well, at different times they asked me different questions. Now, I don't know how to answer that.

Q BY MR. FITZGERALD: Isn't it a fact, Mrs. Chapman, that you don't remember washing any deer in the master bedroom on Tuesday --

A Oh, yes, I do; yes, I do.

Q You remember that?

A Yes.

Q What else did you clean on Tuesday, August 5th?

A On Tuesday? I did the living room and the bedroom thoroughly.

I did the living room and the master bedroom thoroughly.

Q What sort of cleaning did you do Monday, August 4th?

A Oh, let's see. What did I do? I did do the laundry.

I did not do too much in the house at all. I did the laundry and worked in the kitchen.

94-1

1 Q What did you do on Wednesday, August 6th,
2 in terms of housekeeping?

3 A I was off, and I was also off on Thursday.
4 I did nothing.

5 Q You did not work until Friday the 8th; you
6 did not come back to work until Friday the 8th?

7 A That is true, that is true.

8 Q How is it that you happen to remember that
9 you washed the door in the master bedroom?

10 MR. STOVITZ: That is objected to as argumentative,
11 your Honor.

12 I will withdraw the objection.

13 THE COURT: You may answer.

14 THE WITNESS: Well, I remembered because I did.

15 BY MR. FITZGERALD:

16 Q Did any police officers ask you whether you
17 washed a door in the master bedroom?

18 A Yes, I think so.

19 Q Do you recall when they first asked you
20 about washing --

21 A No, I don't recall the date or the time,
22 no, no.

23 Q Do you recall what they asked you?

24 A Well, they asked me about the door.

25 Q What did they ask you about the door, the
26 best you can recall?

9a-2

1 A Yes, how often I cleaned it and when was the
2 last time I had done it.

3 Q What did you reply in response to the question
4 "How often did you clean it?"

5 A I kept up with those two particular doors at
6 least twice a week because of the prints.

7 Q And that was to wash fingerprints off the door?

8 A Fingerprints and the dogs, yes, the dog marks.

9 Q Did police officers, in asking you questions,
10 ask you whether you were washing fingerprints off doors?

11 A What do you mean ask me if I was washing
12 fingerprints off doors? That is what I did.

13 Q Did police officers ask you if you were
14 quote washing fingerprints off the door unquote?

15 A I don't remember what they mentioned about, I
16 don't recall.

17 Q From time to time did you also wash finger-
18 prints off the furniture in the home?

19 A Certainly, I kept the prints off.

20 Q Did you wash the fingerprints off tables,
21 within the Polanski residence?

22 A Tables, yes. I did not wash them. I just
23 polished them, I polished them.

24 Q Did you ever wash fingerprints off walls?

25 A No, not the walls.

26 Q Did you ever wash fingerprints off cupboards or

1 anything in the kitchen?

2 A Yes, oh, yes.

3 Q Many times, is that correct?

4 A Yes.

5 Q Was there a television set in the Polanski
6 residence?

7 A Yes.

8 Q Did you have occasion to wash fingerprints
9 off the television set?

10 A Yes, I kept them polished. I did not wash
11 it. I polished it.

12 Q Was there a stereo or Hi Fi set within the
13 Polanski residence?

14 A Yes.

15 Q Did you wipe or wash fingerprints off that?

16 A No, that was built into a cupboard, no.

17 Q Now, were you attempting to wash human
18 fingerprints off the master bedroom door leading to the
19 pool?

20 A Uh-huh, around the doorknob.

21 Q You were not interested in wiping dog paw
22 prints?

23 A Oh, yes, I did, always.

24 The pool door and the front doors.

25 Q So the dogs would make marks on the inside
26 of the bedroom --

1 A On the outside, on the outside.

2 Q The dogs were never in the house?

3 A Oh, yes, they were in the house, but their
4 prints would be more on the outside of the doors when
5 their feet were wet.

6 Q Well, on Tuesday, August 5th, did you wash
7 the inside and the outside of the door leading to the
8 pool area?

9 A Yes, the lower part of the outside and around
10 the doorknob and what have you where there were prints,
11 yes.

12 Q Were you able to see human fingerprints?

13 A Well, if I did not see any I did not wash it.

14 Q Mrs. Chapman, you were obviously familiar
15 with Mr. Polanski's occupation, were you not?

16 A Yes.

17 Q And to the best of your knowledge, he was a
18 film director, wasn't he?

19 A Yes.

20 Q And he had numerous canisters of film within
21 the Polanski residence, did he not?

22 What I'm referring to, and by talking about
23 a canister of film, it is usually a round cylindrical
24 tin box.

25 A Yes, yes.

26 Q Did you ever wipe any fingerprints or anything,

1 or did you dust or clean those film canisters?

2 A No.

3 Q Were there numerous film canisters?

4 A They were in the cupboard where the stereo
5 was, no.

6 Q And there was photographic equipment there
7 in the Polanski residence, was there not, large film
8 cameras?

9 A No, I did not see any large film cameras.

10 MR. FITZGERALD: Now, may I approach the witness,
11 your Honor?

12 THE COURT: You may.

13 BY MR. FITZGERALD:

14 Q Directing your attention to People's Exhibit
15 14, which depicts the inside living room of the Polanski
16 residence, I notice that in the forefront of this
17 photograph, Mrs. Chapman, there appears to be a wooden
18 ladder, is that correct?

19 A Yes.

20 Q Did you ever have occasion to clean that
21 wooden ladder?

22 A No.

23 Q Where did that wooden ladder lead to if
24 anywhere?

25 A Up to the loft.

26 Q There is a loft in the living room, is that

1 correct?

2 A Yes.

3 Q It appears to be located adjacent to a large
4 fireplace, isn't that correct?

5 A Yes.

6 Q What is in that loft if anything?

7 A Well, there was not a lot of furniture up
8 there. There was carpeting, the Polanskis had put there,
9 and, let's see, there was a telephone up there and a
10 couple of ashtrays.

11 There wasn't much up there.

12 Q Was there a bed up there?

13 A No.

14 Q Was film stored in that location?

15 A Not up in the loft. If there was any stored
16 it had to be in the cupboard up there. I don't go in
17 there, I did not have to.

18 Q Were there cupboards up there?

19 A Yes, there were closets on either side.

10 file.

10-3
1 pool?

2 A No. I would bring the dishes in, the glasses or
3 what-have-you.

4 No, I did not work out there.

5 Q From time to time there were more dishes in the
6 pool area than there were at other times; isn't that correct?

7 A I wouldn't say there were that many dishes.
8 There were mostly glasses.

9 Q But when people would use the pool, I take it
10 they would eat on or near the pool; is that right?

11 A Eat out there? No. Not when I served. I
12 served in the dining room.

13 Q Did you ever come to work in the morning and see
14 that there were dishes or glasses in the vicinity of the
15 pool?

16 A I said glasses, yes. Yes.

17 Q And I take it there was pool furniture near the
18 pool?

19 A Oh, yes.

20 Q What did that consist of?

21 A There were tables. There was one table, I
22 know; possibly two tables; and chairs out there.

23 Q And it was on these tables that from time to
24 time you would see glasses; correct?

25 A Yes.

26 Q Were you ever present when guests would use the

10-2

1 Q Did Mr. Altobelli have some dogs?

2 A Yes. He had one that I knew of.

3 Q How far was the guest house from the main house,
4 if you know?

5 A I don't know because I never went back there.

6 Q In your experience and to your knowledge,
7 Mrs. Chapman, was it customary for guests at the
8 Tolanski residence to use the master bedroom as a dressing
9 room when they would use the pool?

10 A Yes. The master bedroom and the bath, yes.

11 Q And could you give us some sort of an indication
12 or an estimate of the number of people who visited the
13 Tolanskis and used the pool?

14 A Why, no, I couldn't.

15 Q In your experience, was it frequently the case
16 that people, guests, would use the swimming pool?

17 A Yes.

18 Q And from your examination of the premises, when
19 you would come to work in the morning, was it your
20 impression that the pool had been used the night before at
21 various parties or functions?

22 MR. STOVITZ: That is objected to as calling for
23 speculation and conjecture, your Honor.

24 THE COURT: Sustained.

25 Q BY MR. FITZGERALD: Mrs. Chapman, did you ever
26 have anything to do with the cleaning or the maintenance of
any pool furniture that might have been located near the

10-1

1 Q Did you ever perform light housekeeping duties
2 in connection with any of the furniture or ash trays or
3 cupboards in the loft area, the living room?

4 A I would empty the ash trays. I didn't go in
5 the cupboards for anything.

6 Q Now, you pointed out on the diagram that near
7 the main house there is a so-called guest house; is that
8 right?

9 A Yes.

10 Q The guest house is where Mr. Altabelli lived;
11 is that right?

12 A Yes.

13 Q But Mr. Altabelli wasn't living there during
14 the early days of August, was he?

15 A He was out of town.

16 Q And there was somebody living in the guest
17 house, though, wasn't there?

18 A Yes.

19 Q Who was that?

20 A Bill Garretson.

21 Q And he was a young man, was he not?

22 A Yes.

23 Q And he had something to do with Mr. Altabelli's
24 dogs; right?

25 A I don't know what he did for the dogs. I know
26 he was his house boy.

pool?

A Yes. When they were there in the afternoon, yes.

Q Did Mr. Frykowski use the pool from time to time, to your knowledge?

A Often. Daily.

Q What about Gibby Folger?

A Yes.

Q What about Mrs. Polanski?

A Yes.

Q Were you also familiar with Thomas John Sebring, also known as Jay Sebring?

A Yes.

Q He was a frequent visitor to the Polanski residence, was he not?

A No.

Q He was not a frequent visitor?

A Not a frequent visitor.

10A-1

1 Q How often, if at all, did you remain overnight
2 in the Polanski residence?

3 A Not too often.

4 Q Once a month? Twice a month? Once a week?

5 A I couldn't term it like that. It would all
6 depend on what I was doing, or even if I weren't doing any
7 work, if I were tired and didn't feel like going home, then
8 I would stay.

9 Q When was the last time before that Saturday
10 morning that you remember staying over the Polanski residence
11 overnight?

12 A The last night I stayed was the day after
13 Mrs. Polanski returned. We had guests for dinner and I
14 served a late dinner. So I stayed all night.

15 Q When was that?

16 A The day after Mrs. Polanski returned from
17 Europe. Now, whatever date that was.

18 Q That would be in July?

19 A Yes.

20 Q Where would you sleep when you would stay over-
21 night?

22 A My bedroom was the room that she was turning
23 into a nursery.

24 Q And that room was being painted on Friday,
25 August the 6th, was it not?

26 A Yes.

1 Q And there were two painters at the Polanski
2 residence that afternoon, the afternoon of Friday, August
3 the 8th; isn't that correct?

4 A No.

5 Q No, there weren't?

6 A No.

7 Q One painter?

8 A And he wasn't there in the afternoon. He was
9 there in the morning.

10 Q And he left at noon?

11 A He left around 12:30, 1:00; something like that.
12 I let him in about 8:30, a quarter to 9:00.

13 Q What time did you leave Friday afternoon; do
14 you recall?

15 A Between 4:00 and 4:30.

16 Q Up until the time you left on Friday, had any-
17 body used the pool, to your knowledge, that day?

18 A Yes.

19 Q Who was that?

20 A Joanne Petit, and whoever else was with her.
21 They were all in the pool before I served lunch.

22 I served a late lunch that day. We had guests
23 for lunch.

24 Q Did you assist in the planning of a party for
25 the evening of Friday, August the 8th?

26 A In the planning of a party for Friday? No.

1 Q Were your housekeeping duties on Friday any
2 different than they were on any other day of the week?

3 A No. Except I served a very late lunch.

4 Q Now, I take it on Friday you knew that you were
5 going to work on Saturday; is that correct?

6 A Yes.

7 Q Was there some reason why you were going to work
8 on Saturday?

9 A Yes. Because she wanted me in on Saturday.

10 Q Did you ever see movies being made at the
11 Polanski residence?

12 A Movies in the house, you mean?

13 Her photographer would come up there and take
14 pictures of her out of doors, when we were at the Cielo
15 house.

16 Q Was that Mr. Katami?

17 A Yes.

18 Q What I was referring to was movie motion pic-
19 tures. Did you ever see movie motion pictures being made
20 inside the house or in the pool area?

21 A No.

22 Q Did the house have the facilities for showing
23 motion pictures?

24 A I don't know.

25 Q Did you ever see a screen within the living room?

26 A No.

1 Q And a projector set up to show films?

2 A No.

3 Q Did you ever see a video tape player in the home
4 itself?

5 A (Pause.)

6 Q Do you know what a video tape player is?

7 A I am trying to think. I don't think so. I
8 don't know.

9 I am not going to worry about that.

10 MR. FITZGERALD: This, your Honor, concludes my
11 aspect of the cross-examination.

12 I wonder, before I defer to other counsel,
13 if I might approach the bench with counsel?

14 THE COURT: Very well.

10b-1 1 (Whereupon all counsel approached the
2 bench and the following proceedings occurred at the
3 bench, outside of the hearing of the jury:)

4 MR. FITZGERALD: There were two matters that I
5 would like to bring to the Court's attention.

6 One is simply a housekeeping matter that we
7 discussed among ourselves. For the trial, we would like
8 to alter the order of cross-examination by counsel.

9 When Mr. Rainer was counsel, I started
10 first, and then it was going to be Mr. Rainer, Mr. Kanarek
11 and Mr. Shinn.

12 If the Court please, we would like to alter
13 that procedure. I will continue to ask or cross-examine
14 witnesses first, then it will be Mr. Shinn, Mr. Kanarek
15 and Mr. Hughes, if that is agreeable.

16 THE COURT: Very well.

17 MR. FITZGERALD: We did it because of the respec-
18 tive evidence.

19 THE COURT: Mr. Shinn will be second rather than
20 third.

21 MR. FITZGERALD: Yes.

22 The other matter that I wanted to approach
23 the bench for.

24 I would like to make a demand to see any
25 statements or any notes made by this witness to police
26 officers earlier in the case.

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1 Mr. Bugliosi had represented to me that,
2 to his knowledge, none existed, but that he had had a
3 conversation with this witness in his office, in the
4 District Attorney's Office.

5 So the record might be clear, I would like to
6 make a demand, for impeachment purposes, for any statements
7 or any memoranda or records of such a statement made by
8 this witness, Mrs. Winifred Chapman, to agents of the Los
9 Angeles Police Department or other agents of the prosecu-
10 tion.

11 MR. BUGLIOSI: I interviewed her in my office and I
12 went over what she told the police, and the police report
13 which I furnished you, Paul, the investigation report.
14 There was only one significant aspect that directly
15 concerned Mr. Fitzgerald's client, and that is this:

16 I asked her if she washed the back door, the
17 inside of the back door, that week, and she told me Tuesday,
18 August the 5th.

19 I immediately called Mr. Fitzgerald and told
20 him about that because it concerns his client, Miss Kren-
21 winkel.

22 I put him on notice about three months ago
23 that her testimony was going to be on Tuesday, August the
24 5th she cleaned the inside of the back door to the master
25 bedroom.

26 That is the only departure from her police

10b-3

1 report, so far as I know.

2 MR. FITZGERALD: That is correct. He did represent
3 to me that he had talked to her and she had made a
4 statement about washing the bedroom door.

5 However, in light of her testimony on cross-
6 examination, I would like any police report containing
7 references. The police reports I was provided with -- and
8 I am sure that I was provided with the standard reports --
9 don't mention any reference to her testimony about
10 cleaning the doors.

11 This testimony is extremely crucial as to
12 Patricia Krenwinkel, as Mr. Bugliosi will represent.

13 MR. BUGLIOSI: Right.

14 MR. FITZGERALD: Because it is upon this bedroom
15 door that Miss Krenwinkel's left little finger, a latent
16 print, was lifted on August the 11th.

17 THE COURT: Are there any others?

18 MR. BUGLIOSI: I don't think the police asked her
19 that question. I think I was the first one that asked
20 her that question.

21 THE COURT: That isn't the point. The point is
22 whether there are other statements.

23 MR. BUGLIOSI: No, I am not aware of anything.

24 THE COURT: I will order the People to produce
25 any, if there are any.

26 MR. BUGLIOSI: All right. I have none.

1 THE COURT: Statements which have not been
2 produced already.

3 MR. STOVITZ: We will furnish the notes to Mr.
4 Fitzgerald.

5 MR. BUGLIOSI: I have no notes on her other than
6 the police report.

7 Everything she told me was exactly the
8 statements in the police report with the exception of
9 that one thing, and I wrote that down somewhere and then
10 I called him immediately, and he knows about it.

10c fls.

10C-1

1 MR. STOVITZ: When the police testify, you can ask
2 them whether they have any handwritten notes. We don't
3 have any.

4 MR. BUGLIOSI: No, I don't have any.

5 THE COURT: Very well.

6 MR. STOVITZ: While we are all up here. We are going
7 to call this witness back for after they discovered the
8 bodies.

9 I informed other counsel that if they want to
10 defer their cross-examination until then, it would be
11 agreeable to us.

12 The reason for that is that we have Mr. Garretson,
13 who came out here from Ohio. We would like to call him this
14 afternoon to testify. And we have three brief witnesses
15 that should take about five minutes each.

16 If possible, we would like to complete
17 Mr. Garretson's testimony this afternoon. So, if counsel
18 wanted to, they can defer their cross-examination. In this
19 way they would be able to read the direct and cross-
20 examination of this witness and be able to best be prepared
21 for when she comes back in about ten days.

22 MR. SHINN: Your Honor, I would like to cross-
23 examine her while the facts are fresh in my mind, your
24 Honor.

25 THE COURT: Well, what he is saying is that it will
26 be even fresher because you will have a copy of the

1 testimony.

2 MR. BUGLIOSI: We are going to call her back.

3 MR. SHINN: I would just like to ask a few questions.

4 MR. STOVITZ: All right.

5 MR. BUGLIOSI: Good. Let's go.

6 (Whereupon, all counsel returned to their
7 respective places at counsel table and the following
8 proceedings occurred in open court within the presence and
9 hearing of the jury:)

10 THE COURT: Any questions, Mr. Shinn?

11 MR. SHINN: Yes, your Honor.

12
13 CROSS-EXAMINATION

14 BY MR. SHINN:

15 Q Mrs. Chapman, you stated that you had various
16 conversations with the Police Department and with the
17 District Attorney's office?

18 A Yes.

19 Q Did you ever have a conversation with
20 Mr. Bugliosi here?

21 A Yes.

22 Q How long ago? The last conversation?

23 A I don't remember.

24 Q Was it a couple of days ago?

25 A Let's see. We had a conversation this morning,
26 and the date that I -- I don't remember the date before

1 then, before this morning, no.

2 Q Okay. Let's go to this conversation that you
3 had this morning.

4 Do you recall what you discussed with
5 Mr. Bugliosi?

6 A I most certainly don't because I am in
7 severe pain and I certainly don't.

8 Q Anytime, Mrs. Chapman, that you feel you
9 can't go on, will you inform the Court? I believe the
10 Court will give you a short recess.

11 A Thank you.

12 Q Now, you just stated that you don't recall
13 the conversation you had with Mr. Bugliosi this morning.

14 A I don't.

15 Q Do you recall any of the things you talked
16 about?

17 A No.

18 Q Was this conversation a long conversation or
19 a short conversation?

20 A Short.

21 Q Five minutes? Ten minutes?

22 A I don't even know. I've just made a couple of
23 statements.

24 Q And you don't recall the statements that he
25 made to you?

26 A No.

1 Q Now, did he, in the course of the conversation,
2 show you any pictures?

3 A Before I came into the courtroom?

4 Q I am talking about this conversation you had
5 with Mr. Bugliosi this morning. Did he show you any
6 pictures?

7 A He showed me pictures here in the courtroom.

8 MR. SHINN: Your Honor, may I approach the witness?

9 THE COURT: You may.

10 MR. SHINN: Q I show you Exhibit No. 10. Did he
11 show you that this morning?

12 A Yes.

13 Q Did he ask you whether or not you remember where
14 you wiped off the fingerprints or the print?

15 A Yes.

16 Q And you did indicate to him that area there?

17 A Yes.

18

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10d-1

1 Q In other words, you knew what area to mark off
2 when you marked off the --

3 A Well, I certainly did, since I am the one who
4 did the area.

5 Now, I am going to get a doctor --

6 THE COURT: Just a minute.

7 Proceed.

8 MR. SHINN: Thank you.

9 BY MR. SHINN:

10 Q Was that area you marked off on that door,
11 was that just a fast estimate?

12 A It wasn't a fast estimate. I marked that area
13 off, and also told him I did the outside of that door, the
14 lower part of it. The lower part.

15 Q Well, let me ask you this now: When you saw
16 this picture, how long did it take you to mark off that
17 area?

18 MR. BAGLIOSI: That assumes facts not in evidence,
19 your Honor. She didn't say that she marked it off before
20 she took the witness stand.

21 THE COURT: The objection is sustained.

22 Reframe the question.

23 BY MR. SHINN:

24 Q When you looked at this picture this morning,
25 did you make an estimate in your mind as to what area you
26 were supposed to mark off?

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1 A I didn't have to make an estimate in my mind.
2 I already knew.

3 Q In other words, as soon as you saw the picture--

4 A As soon as I saw the picture of that particular
5 door, certainly.

6 Q Thank you.

7 Now, do you recall how many conversations you
8 had with the police?

9 A No.

10 Q Concerning this case?

11 A No.

12 Q Would you say you had more than five conver-
13 sations?

14 A I had conversations with four policemen up
15 there at the estate that morning before they even took me
16 to the hospital.

17 Q Now, after that, did you have a conversation
18 with the police?

19 A Certainly.

20 Q Do you recall how many more times?

21 A No.

22 Q Was it five times?

23 A I don't know.

24 I just can't take much of this.

25 THE COURT: Just be quiet. The gentleman has a
26 right to ask these questions.

10d-3

Wait for the question, and answer.

BY MR. SHINN:

Q Now, during your conversation with the police, was there any talk about \$25,000 reward money?

A Not with me, no. They never discussed anything like that with me, no.

Q Did you know there was a \$25,000 reward?

MR. STOWITZ: Objected to. Assumes a fact not in evidence, your Honor.

11 file.

THE COURT: Sustained.

11-1

BY MR. SHINN:

Q Did you hear about a reward then?

A Yes.

Q When was this?

A When I was in Seattle, my son-in-law mentioned it to me. I did not read it myself, my son-in-law mentioned it to me.

Q Did he mention the amount?

A Yes.

Q \$25,000?

A Yes.

Q Did the police at any time mention that amount?

A No, the police at no time mentioned the reward to me.

Q Did you later ask the police about the reward?

A I did not.

MR. STOVITZ: Objected to as immaterial and irrelevant.

MR. SHINN: May I be heard?

THE COURT: Overruled, you may answer.

MR. STOVITZ: The answer is in.

THE WITNESS: I said I did not.

Where does he get these questions from, your Honor.

THE COURT: Mrs. Chapman, you are not permitted to address the Court. You must wait for the question and answer only that question.

1 BY MR. SHINN:

2 Q Now, you also stated they had parties at
3 this Polanski residence, is that correct?

4 A Yes.

5 Q I believe you stated you worked approximately
6 a year, a year and a half?

7 A Yes.

8 Q And during all this year, year and a half,
9 how many parties would you say they gave approximately?

10 MR. STOVITZ: At which residence, Counsel?

11 MR. SHINN: I said at the Tate residence.

12 MR. STOVITZ: At the Tate residence she only lived
13 six months.

14 I object to the question as being argumenta-
15 tive and ambiguous, your Honor.

16 THE COURT: Do you understand the question?

17 THE WITNESS: Yes.

18 THE COURT: All right, the objection is overruled.
19 You may answer.

20 THE WITNESS: You did ask how many parties they
21 gave?

22 BY MR. SHINN:

23 Q Yes, you had been working for the Polanskis
24 about a year to a year and a half?

25 A Dinner guests and parties come under two
26 different things. We entertained quite a bit, but as

1 far as large parties, I could not enumerate them. I
2 will just put it like that.

3 Q In other words, there were so many that it
4 is pretty difficult to estimate?

5 A Not large parties, no, but as far as dinner
6 guests and lunch guests, we had guests quite often.

7 Q And did some of these parties last, say,
8 to early in the morning?

9 A Yes.

10 Q Say about 2:00, 3:00, 4:00, 5:00 in the
11 morning?

12 A Yes.

13 Q And were you present at these parties
14 sometimes?

15 A Yes.

16 Q And in other words you would help serve?

17 A Yes.

18 Q Clean up?

19 A Yes.

20 Q And then when the guests would leave would
21 you kind of straighten out the ashtrays and the
22 furniture?

23 A Yes.

24 Q Did you know Miss Folger?

25 A Yes.

26 Q How long had you known her?

1 A Since August or September of 1955.
2 Q And she would be a frequent visitor to the
3 house?
4 A Yes.
5 Q And how long have you known Frykowski?
6 A I met Wajcilech possibly two days before
7 I met Gibby.
8 Q And Mr. Sebring?
9 A I met him shortly after I went to work for
10 the Polanskis.
11 Q He would come in and out of the house too?
12 A No, not just like that.
13 Q Well, they were good friends, weren't they,
14 of the Tates?
15 A Yes.
16 Q I mean the Polanskis?
17 A Yes.
18 Q And he would come over sometimes, he would
19 have dinner?
20 A No, he was not a frequent visitor, he was
21 not a frequent dinner guest, no.
22 Q Was he a frequent party guest?
23 A I had seen him ^{at} a couple of parties.
24 Q During these parties did you know the names
25 of the guests? Were they familiar with you?
26 A The parties?

1 Q Yes, the names of the guests that used to
2 come to the house.

3 A Not at all the parties, not when there was
4 a large party, I didn't know the name of everyone there,
5 I knew the names of their close friends.

6 Q Okay, now, let's take the names of the
7 close friends, do you know the names of the close
8 friends that used to come up to the parties?

9 A Yes.

10 Q What are they?

11 MR. STOVITZ: That is objected to as incompetent,
12 irrelevant and immaterial, your Honor.

13 THE WITNESS: Yes.

14 THE COURT: It is getting beyond the scope of the
15 direct examination, Mr. Shinn.

16 MR. SHINN: Well, your Honor, I believe she did
17 mention on the record that she worked there and entered
18 to the parties, your Honor.

19 I believe we have a right to go in and find
20 out who was there.

21 MR. STOVITZ: Objected to as immaterial, irrelevant,
22 outside the scope of the direct, your Honor.

23 MR. SHINN: For the purpose of that question --

24 THE COURT: The objection will be overruled, you
25 may proceed.

26 MR. SHINN: Thank you.

1 THE COURT: Was the question answered?

2 THE REPORTER: No.

3 THE COURT: Read the last question.

4 (Whereupon the reporter read the pending
5 question as follows:

6 "Q Okay, now, let's take the names of
7 the close friends, do you know the names of the
8 close friends that used to come up to the parties?

9 "A Yes.

10 "Q What are they?"

11 MR. STOVITZ: That is objected to as being remote.
12 The witness testified to a period of time from July, 1969,
13 to August the 8th, 1969, anything else would be outside
14 the scope of direct examination, your Honor.

15 If counsel wants to limit it from the time of
16 July of '69 when Sharon Tate came back to this country,
17 to August, we would have no objection to that time.

18 MR. SHINN: I believe the Court has already ruled.

19 THE COURT: I will sustain the objection on that
20 ground.

21 Reframe your question.

22 MR. SHINN: Yes, your Honor.

23 BY MR. SHINN:

24 Q During the time that you worked there, then,
25 do you recall the names of the guests?

26 A Worked where, now?

1 Q At the Polanski's residence?

2 A Which residence?

3 Q Let's take first the old residence first.

4 A And what do you mean, what do you want to know
5 about that?

6 Q Well, I wanted to know the names of the guests
7 that used to come there.

8 A Well, I could not give you all those names,
9 there were too many people.

10 Q Just give me some that you remember.

11 MR. STOVITZ: To which we object as being outside the
12 scope of the direct examination, your honor.

13 THE COURT: Sustained.

14 MR. SHINN: Your Honor, may I take this witness as
15 my own witness for this question?

16 MR. STOVITZ: Objected to at this time.

17 THE COURT: Not at this time, Mr. Shinn.

18 MR. SHINN: At a later time then, your Honor?

19 THE COURT: Oh, yes, of course.

20 MR. SHINN: Thank you.

21 BY MR. SHINN:

22 Q Now, during these parties would they have
23 liquor served?

24 MR. STOVITZ: If you want to use my table you will
25 find it much more comfortable, rather than the jury box.

26 Did you understand the question?

1 THE WITNESS: No, I did not. I did not even hear
2 it.

3 BY MR. SHINN:

4 Q I'm sorry, I said during the parties that
5 they would have would they be serving liquor?

6 A Well, yes, but I did not serve it. I did not
7 serve it to them.

8 Q In other words you were there but you saw the
9 bartender serving the liquors, is that correct?

10 A Yes.

11 Q And also you stated that you used to clean up
12 after these parties?

13 A Yes.

14 Q Do you know what a marijuana cigarette looks
15 like?

16 A Your Honor, do I have to answer that question?

17 THE COURT: Yes, you have to answer the question.

18 THE WITNESS: Yes, I do.

19 BY MR. SHINN:

20 Q Did you ever see any butts or marijuana
21 cigarettes in the residence?

22 MR. BUGLIOSI: I object, your Honor, it calls for
23 a legal conclusion, also it is beyond the scope of the
24 direct examination.

25 THE COURT: Sustained.

26 MR. SHINN: May I be heard, your Honor.

1 THE COURT: The objection is sustained, let's
2 proceed.

3 BY MR. SHINN:

4 Q Do you know what LSD is?

5 A No.

6 Q You have never seen any LSD?

7 A No, not that I know of.

8 MR. GIOVITZ: Objected to as immaterial and
9 irrelevant, and I move to strike the answer.

10 MR. SHINN: May I approach the bench to make an
11 offer of proof, your Honor?

12 THE COURT: I did not hear you, Mr. Shinn.

13 MR. SHINN: May I approach the bench to make an
14 offer of proof?

15 THE COURT: Very well.

16 (The following proceedings were had at the
17 bench out of the hearing of the jury.)

18 MR. SHINN: Your Honor, we have reason to believe,
19 your Honor --

20 THE COURT: Make your offer of proof.

21 MR. SHINN: I am going to make it right now.

22 THE COURT: I am not interested in what you believe.
23 I want to hear the offer.

24 MR. SHINN: We offer to prove --

25 THE COURT: By this witness.

26 MR. SHINN: By this witness and other witnesses that

1 the People --

2 THE COURT: This offer is with respect to this
3 witness.

4 MR. SHINN: This witness could testify whether or not
5 she saw any type of narcotics in the residence.

6 THE COURT: What is your offer of proof, Mr. Shinn?

7 MR. SHINN: With this witness?

8 THE COURT: Yes.

9 MR. SHINN: That she may be able to tell us whether
10 or not there was any LSD, narcotic drugs in the residence,
11 your Honor.

12 THE COURT: The objection is sustained.

13 (The following proceedings were had in open
14 court within the presence and hearing of the jury:)

15 THE COURT: You may step down, Mrs. Chapman.

16 THE WITNESS: Am I finished?

17 THE COURT: No, you are not finished. We are going
18 to have a recess now.

19 We will take a 15-minute recess, ladies and
20 gentlemen, do not converse among yourselves nor with anyone
21 else --

22 Just a moment, ladies and gentlemen, you may
23 enter and leave the courtroom whenever you like, but please
24 not during the time when I am admonishing the jury.
25 just before each of our recesses and adjournments.

26 Do not converse among yourselves or with anyone

411
1 else on any subject relating to this case nor form or
2 express an opinion relating to the case until it is
3 finally submitted to you.

11a fln.

(Recess.)

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

3 You may proceed, Mr. Shinn.

4 MR. SHINN: Thank you, your Honor.

5 Q BY MR. SHINN: Mrs. Chapman, you stated there
6 was a loft in the living room.

7 A Yes.

8 Q And there were stairs that you go up to this
9 loft?

10 A Yes.

11 Q And from this loft could you see the whole
12 living room?

13 A Let's see -- no, you could not see the part
14 that was back under the loft, not unless you leaned over
15 it.

16 Q In other words, this loft is not covered --

17 A Pardon?

18 Q Is it covered, the loft?

19 (No response.)

20 Well, you go up into this loft -- up the stairs,
21 and you can look down into the living room?

22 A Yes, down into most of it, but if you go to
23 look back near the fireplace you could not see back there
24 unless you leaned over it.

25 Q In other words, it was high enough for people
26 to stand --

1 A Oh, yes.
2 Q -- the ceiling?
3 A Yes.
4 Q And I see from this Exhibit 14 there is a kind
5 of a wall?
6 A Kind of a what?
7 Q A balcony.
8 A What do you mean, a balcony?
9 MR. SHINN: May I approach the witness, your
10 Honor?
11 THE COURT: You say.
12 MR. SHINN: Thank you.
13 Q BY MR. SHINN: I show you Exhibit 14, this
14 portion here.
15 A Oh, no, that's no balcony.
16 You cannot stand on any of that, no, no, there
17 is no balcony there.
18 Q Well, from the loft did you have any holes
19 where you peered out into the living room?
20 A Peered out?
21 Q Yes.
22 A What do you mean, holes?
23 Q Well, were there any peepholes, any square
24 holes through which you could look down into the living
25 room?
26 A You can see part of the living room, it wasn't

covered. There weren't any holes any place.

Q Now, you don't know any of the defendants, do you?

A No.

Q You have never seen them before?

A I saw one when I was down here at the Grand Jury, that was the only time.

Q I'm speaking of before this thing happened.

A No, no, no, not that I know of, not that I remember.

12-1

1 Q Now, you also stated that you did work, were
2 present, during some of these parties?

3 A Yes.

4 Q Now, did you see any of the victims at any
5 time under the influence of either alcohol or drugs?

6 MR. BUGLIOSI: I object, your Honor. It calls for a
7 legal conclusion.

8 THE COURT: Sustained.

9 MR. SHINN: Your Honor, may I be heard on this matter,
10 your Honor?

11 THE COURT: There is no necessity for it, Mr. Shinn.

12 MR. SHINN: Your Honor, you sustained the objection,
13 and I believe I have a right to --

14 THE COURT: Let's proceed, Mr. Shinn.

15 MR. SHINN: I have nothing further, your Honor, at
16 this time.

17 THE COURT: Mr. Kanarek?

18
19 CROSS-EXAMINATION

20 BY MR. KANAREK:

21 Q Mrs. Chapman, you never saw Mr. Manson except
22 in this courtroom, right?

23 A That's right.

24 MR. KANAREK: Thank you.

25 Thank you, your Honor.

26 THE COURT: Mr. Hughes?

12-2

CROSS-EXAMINATION

1
2 BY MR. HUGHES:

3 Q Mrs. Chapman, on occasion you answered the
4 phone at the Tate residence?

5 A Yes.

6 Q And on August the 8th, did you receive a
7 telephone call from Europa?

8 A Yes, I did.

9 Q And was that telephone call from Roman Polanski?

10 A Yes, it was.

11 Q And on August the 8th, did you also receive a
12 telephone call from a Mr. Peter Sellers?

13 A No. I didn't answer the phone for Peter
14 Sellers.

15 Q Did you answer the phone at any other time on
16 August 8th, Mrs. Chapman?

17 A Yes, I did.

18 Q Do you recall who any of the other callers
19 were besides Mr. Polanski?

20 A Yes. About a quarter to 4:00 Jay Sebring
21 called.

22 Q And do you recall any other callers?

23 A No. There were other calls but I don't recall
24 just who they were.

25 Q Mrs. Chapman, you have some sort of wrapping
26 around your left arm,

12-3

- 1 A Yes.
- 2 Q Will you tell us what that is, please?
- 3 A I was in a taxicab accident recently.
- 4 Q I see.
- 5 Was that applied by a doctor?
- 6 A No. A nurse did that this morning.
- 7 Q Is your arm giving you some pain right now?
- 8 A It most certainly is.
- 9 Q Now, in the Polanski residence, Mrs. Chapman,
- 10 there was a television set, was there not?
- 11 A Yes.
- 12 Q And you had occasion to wash the set at
- 13 times, wash the screen on that?
- 14 A Yes.
- 15 Q You were familiar with the other electrical
- 16 equipment around the set?
- 17 A Around the television set?
- 18 Q Around the television set.
- 19 A There was no electrical equipment around the
- 20 TV set.
- 21 Q Have you ever seen that set operate, Mrs.
- 22 Chapman?
- 23 A Yes. The one in the master bedroom, yes.
- 24 Q Was there more than one set in the house?
- 25 A Yes.
- 26 Q How many sets were there?

12-4

1 A There were two.

2 Q One was in the master bedroom and the other one
3 was located where?

4 A In the bedroom that Gibby and Kajlich used.

5 Q And next to either of those beds was there some
6 other piece of electrical equipment?

7 A No.

8 Q I would refer particularly to a video tape
9 recorder which would allow playback of prerecorded tapes,
10 or of tapes which had been made from the screen.

11 A I don't recall that.

12 Q You never saw tapes played at the house which
13 had been --

14 A No.

15 Q -- played over the TV set?

16 A No.

17 MR. HUGHES: May I have a moment, your Honor?

18 THE COURT: Yes.

19 (Mr. Hughes and Mr. Fitzgerald confer.)

20 MR. HUGHES: I have here, your Honor, a black box
21 which I would ask to have marked as Defendant Van Houten's
22 A for identification.

23 Would I give that to the clerk, your Honor?

24 THE COURT: It will be so marked, the cardboard
25 box.

26 MR. HUGHES: A cardboard box.

1 May I approach the witness, Your Honor?

2 THE COURT: Very well.

3 MR. HUGHES: Q Mrs. Chapman, I hand you a box,
4 a black box. Would you read the inscription on that,
5 please.

6 A But that wasn't on top of any TV. Not when
7 I was there.

8 Q Would you read the inscription on that,
9 please?

10 A "Video tape." Yes. I see.

11 Q Have you ever seen a box similar to this or with
12 the words "video tape" in the Polanski residence?

13 A They weren't on any television.

14 If there were any there, it was in the cupboards
15 where the hi-fi was, and I had nothing to do with them.

16 No, I didn't have to handle them, and they
17 weren't on any TV.

13-1

1 Q You say you did not have to handle them but you
2 did see them in the cupboards.

3 MR. STOVITZ: That is objected to.

4 THE WITNESS: No, I did not say I saw them in the
5 cupboards, I said if there were any there.

6 THE COURT: Just a moment, when there is an objection
7 wait for the ruling.

8 MR. STOVITZ: I will withdraw the objection and let
9 the answer stand.

10 MR. HUGHES: No further questions.

11 THE COURT: Read the last question and answer.

12 (Whereupon, the reporter reads the last question
13 and answer as follows:

14 "Q You say you did not have to
15 handle them but you did see them in the
16 cupboards.

17 "A No, I did not say I saw them
18 in the cupboards, I said if there were any
19 there."

20 MR. STOVITZ: No further questions on behalf of the
21 people, your Honor. May the witness be excused; she will
22 be subject to recall at a subsequent time.

23 THE COURT: You may be excused subject to recall,
24 Mrs. Chapman.

25 MR. DUCLOS: People call William Garretson.

26 THE CLERK: Would you raise your right hand, please.

Please repeat after me:

I do solemnly swear --

THE WITNESS: I do solemnly swear --

THE CLERK: -- that the testimony I may give --

THE WITNESS: -- that the testimony I may give --

THE CLERK: -- in the cause now pending --

THE WITNESS: -- in the cause now pending --

THE CLERK: -- before this court --

THE WITNESS: -- before this court --

THE CLERK: -- shall be the truth --

THE WITNESS: -- shall be the truth --

THE CLERK: -- the whole truth --

THE WITNESS: -- the whole truth --

THE CLERK: -- and nothing but the truth --

THE WITNESS: -- and nothing but the truth --

THE CLERK: -- so help me God.

THE WITNESS: -- so help me God.

THE CLERK: Would you be seated, please.

Would you please state and spell your name for the record.

THE WITNESS: William Garretson.

THE CLERK: Would you spell it, sir.

THE WITNESS: W-i-l-l-i-a-m.

THE CLERK: Would you spell the last name, sir.

THE WITNESS: G-a-r-r-e-t-s-o-n.

THE CLERK: Thank you.

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called as a witness by me on behalf of the People, was
examined and testified as follows:

DIRECT EXAMINATION

BY MR. WINDICIST:

Q Where do you presently reside, Mr. Garretson?

A In Lancaster, Ohio.

Q You just flew out here for the trial?

A Yes.

Q Are you married, sir?

A Yes.

Q When did you get married?

A July 4th.

Q Of this year?

A Yes.

Q Have you ever lived at the address, 10250

Cielo Drive in the City of Los Angeles?

A Yes.

Q During what period of time did you live at that
address?

A In mid-March, until the incident occurred.

Q You say mid-March, you mean mid-March, 1969?

A Yes.

Q Until when, sir?

A Until in August.

Q Do you know the date in August?

1 A August 9th.

2 Q Can you see the diagram, People's 3, from where
3 you are seated, sir?

4 A Yes.

5 Q Does this appear to be where you lived on the
6 premises?

7 A Where?

8 Q Is this called the guest house?

9 A Yes, it is.

10 MR. BUGLIOSI: May I mark this "guest house", your
11 Honor?

12 THE COURT: You may.

13 Q BY MR. BUGLIOSI: Were you employed on the
14 premises?

15 A Yes, I was.

16 Q By whom were you employed?

17 A By Mr. Altabelli.

18 Q Rudy Altabelli?

19 A Yes.

20 Q Did he own the premises as far as you know?

21 A Yes.

22 Q What were your duties out there on the premises?

23 A To take care of three dogs.

24 Q Were these Mr. Altabelli's dogs?

25 A Yes, they were.

26 Q What kind of dogs were they?

1 A A Weimaraner and two Poodles.

2 Q In addition to caring for Mr. Altabelli's dogs
3 did you have any other duties?

4 A No, I did not.

5 Q Did anyone live with you in the guest house?

6 A No.

7 Q You lived there by yourself?

8 A Yes.

9 Q Do you remember the day, August 8th, 1969,
10 a Friday?

11 A Yes.

12 Q Do you recall what you did that day?

13 A Yes, I do.

14 Q Would you please relate the chronology of what
15 happened that day?

16 A Well, I usually get up around 1:00 o'clock in
17 the afternoon --

18 MR. FITZGERALD: Objection, your Honor, the answer is
19 non-responsive.

20 We are not interested in what the witness usually
21 did.

22 THE COURT: Sustained.

23 Q BY MR. EUGLICH: Do you believe you arose
24 around 1:00 p.m. on that date, sir?

25 A Yes.

26 Q Do you recall what you did that afternoon?

1. A I think I was laying out in the sun, I'm not
2. sure.

3. I went down -- I'm not sure -- I usually do
4. different things every day.

5. Q You don't particularly recall this particular
6. afternoon, is that right?

7. A No.

8. Q Do you recall what you did that evening,
9. August 3, 1959, a Friday?

10. A Yes.

11. Q What did you do that evening?

12. A Around 8:00 o'clock I went down to Sunset
13. Boulevard.

14. Q How did you get there?

15. A Hitchhiked.

16. Q All right, what happened when you got down to
17. Sunset Boulevard?

18. A I purchased a TV dinner and some cigarettes
19. and some Pepsi-Cola.

20. Q You will have to tall up, Mr. Garretson.

21. A Yes.

22. Q What happened after you made those purchases?

23. A I decided to go back to the guest cottage where
24. I lived.

25. Q How did you get back?

26. A Hitchhiked.

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Q About what time did you arrive?

A Around 10:00 o'clock.

Q When you returned at approximately 10:00 p.m.
did you see anyone about the premises?

A No, sir, I did not.

Q How did you enter the premises at 10:00 p.m.,
through the gate here as depicted in the diagram?

A Yes.

13a-1

1 Q How did you open the gate?

2 A You had to push a button right before you get
3 to the gate, it would be on the left side.

4 Q Is the button near the telephone pole where
5 I am pointing right now?

6 A Yes, yes.

7 Q And this would activate the gate and open
8 it, is that correct?

9 A Yes.

10 Q How long would the gate stay open? Would you
11 have to close it or would it automatically close?

12 A No, I would say about 15 to 20 seconds, some-
13 thing like that.

14 Q When you arrived back at the premises did
15 you notice any telephone wires on top of the gate or on
16 the ground or anything like that?

17 A No.

18 Q Did everything seem to be in order?

19 A Yes.

20 Q How did you get from the gate to the guest
21 house, what route did you take?

22 A I would have to come through the parking lot.

23 Q This area right here?

24 A Yes.

25 Q All right.

26 A And then I would have to -- it is more to the

13a-2¹

right.

Q Down here?

A Yes.

Q I notice there is a little walk right here?

A Yes.

Q Is this the walk that you took back to the guest house?

A Yes.

Q In other words, you did not cross over the lawn area in front of the Polanski residence?

A No.

Q Did you hear any noise coming from inside the Polanski residence as you walked to the guest house?

A No, I did not.

Q Did you pay any particular attention to whether there was noise or not?

A No.

Q You were not concerned?

A No.

Q Do you recall if there were any lights inside the Polanskis' residence?

A No, I don't.

Q As you walked by?

A No.

Q Again, did you pay any particular attention to that?

13a-3 1

A No.

2

Q Did you see any cars parked in the driveway?

3

A Yes, I seen Miss Folger's Firebird.

4

Q What color was that?

5

A Yellow with a black vinyl top.

6

MR. BUGLIOSI: Your Honor, I have here a photograph
of three cars. May it be marked People's next in order?

8

THE CLERK: 16, your Honor.

P 16 Id. 9

THE COURT: It will be so marked.

10

MR. BUGLIOSI: People's 16 for identification?

11

THE COURT: Yes.

12

BY MR. BUGLIOSI:

13

Q I show you People's 16 for identification,

14

do you see Miss Folger's car depicted in that photograph?

15

A Yes, right here.

16

Q The yellow one?

17

A Yes.

18

Q Now, you notice there appears to be a

19

black Porsche parked to the left of that Firebird, do
you know who owned that?

21

A Yes, Mr. Sebring owned that car.

22

Q You knew Jay Sebring?

23

A No.

24

Q Had you ever seen him before?

25

A No.

26

Q Had you seen him on the premises?

13a-4

1

A From a distance maybe, but that would be all.

2

Q You had seen him on or about the premises?

3

A No, not -- oh, from a distance, you know.

4

I mean, the Porsche was out there, you know, usually
5 sometimes at night, you know, and sometimes in the after-
6 noon.

7

I did not know who he was or anything, you know.

8

Q Directing your attention to People's 2 for
9 identification do you know who is shown in this photograph?

10

14 file.

A Yes.

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Q who is that?

A Jay Sebring.

Q This is the person that you saw from a distance on the premises?

A I couldn't say.

Q Does he appear to resemble this man?

A Yes.

Q Did you have any visitors that night in your guest house?

A Yes, I did.

Q Who was that?

A Steven Parent.

Q About what time did Mr. Parent arrive?

A Around 11:45.

Q P.m.?

A Yes.

Q Just before midnight?

A Yes.

Q Did he arrive by himself?

A Yes, he did.

Q Did you invite him?

A No.

Q He came unannounced?

A Yes.

Q Had you known Mr. Parent prior to this occasion?

1 A Yes.

2 Q Would you briefly explain your acquaintanceship
3 with him?

4 A Well, two weeks before the incident happened,
5 he gave me a ride up Sunset to the house where I lived.

6 Q In other words, you were hitchhiking?

7 A Yes.

8 Q And he picked you up and drove you home; is
9 that correct?

10 A Yes.

11 Q This is the only other time that you had seen
12 him prior to this evening?

13 A Yes.

14 Q I show you People's 5 for identification, a
15 photograph of a young boy and girl.

16 Do you recognize the male in this photograph?

17 A Yes.

18 Q Who is that?

19 A Steve Parent.

20 Q What was the nature of Mr. Parent's visit to
21 you?

22 A He brought a radio with him, a clock radio,
23 and he wanted to know if I would like to buy the one that
24 he had, buy it or one that he could get, you know. He
25 worked in an appliance place or something that dealt
26 with radios and stereos.

14-3

1 Q Did you buy the radio from him?

2 A No.

3 Q I take it that he eventually left your guest
4 house?

5 A Yes. He made a phone call, though, before he
6 left.

7 Q About what time did he make a phone call?

8 A About 12:00 o'clock.

9 Q Do you know whom he called?

10 A No. A friend down on Santa Monica Boulevard.

11 Q Did he take the radio with him when he left?

12 A Yes.

13 MR. BUGLIOSI: Your Honor, I have here another photo-
14 graph of the interior of a car. May it be marked People's
15 17 for identification?

F 17 Id.

16 THE COURT: It will be so marked.

17 MR. BUGLIOSI: Q I show you People's 17 for
18 identification, Mr. Garretson, and draw your attention to
19 the passenger's side of the car.

20 There appears to be an object there on the
21 seat. Do you recognize what that object is?

22 A Yes.

23 Q What is it?

24 A I think it is a clock radio that he had brought
25 with him.

26 Q Does it appear to resemble the radio --

14-4

- 1 A Yes.
- 2 Q -- that Mr. Parent tried to sell you?
- 3 A Yes.
- 4 Q How long did Mr. Parent stay?
- 5 A A half an hour.
- 6 Q He left about 15 minutes after midnight; is
- 7 that what you are saying?
- 8 A Yes.
- 9 Q That would be, then, early Saturday morning,
- 10 then, August 9th, 1969; is that correct?
- 11 A Yes.
- 12 Q What did you do after Mr. Parent left?
- 13 A I wrote a few letters and listened to the
- 14 stereo.
- 15 Q Okay.
- 16 Did you eventually fall asleep that night?
- 17 A No.
- 18 Q Did you fall asleep at all?
- 19 A No. I was going to make a phone call just
- 20 before dawn.
- 21 Q Did you make the phone call?
- 22 A No.
- 23 Q Why not?
- 24 A The line was dead. I mean, not the line,
- 25 the phone was dead.
- 26 Q When Mr. Parent made this phone call, did you

14-5

1 hear him talking to anyone on the other end of the line?

2 A I couldn't hear the other people, no.

3 Q Did you hear Mr. Parent talking?

4 A Yes.

5 Q Did he appear to be carrying on a conversation?

6 A Yes.

7 Q When you called around dawn, you say the line
8 was dead; is that correct?

9 A Yes.

10 Q Did this frighten you at all?

11 A Yes.

12 Q Did you do anything about it?

13 A No.

14 I figured because I had trouble with the
15 phone -- I had trouble with the phone about a month
16 prior.

17 MR. SHINN: Move to strike the last portion of
18 his answer as not responsive.

19 THE COURT: The motion is granted. The answer is
20 stricken.

21 The jury is admonished to disregard that
22 portion of the answer.

14a fls.

14A-1

1 Q BY MR. HUGLIOSI: Did you fall asleep around
2 dawn at all?

3 A Yes.

4 Q But throughout the night you were awake?

5 A Yes.

6 Q Listening to your stereo?

7 A Yes, and writing letters.

8 Q Did you hear any gunshots during the night?

9 A No.

10 Q Did you hear any loud screams during the
11 night?

12 A No.

13 Q Did you hear any loud noises of any kind
14 whatsoever?

15 A No, I didn't.

16 Q How loud were you playing your stereo?

17 A It was about medium. Something like that. It
18 wasn't very loud, you know. It was just enough so that I
19 could hear it.

20 Q Well, if you were in another room of your guest
21 house, could you have heard it?

22 A Faintly.

23 Q You had it on about medium; is that correct?

24 A Yes.

25 Q Do you have a volume control on that stereo?

26 A Yes.

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Q Is there a No. 4 on the volume control?

A Yes, there is.

Q Do you recall whether it was on No. 4 during the night?

A No.

Q It may have been?

A It may have been, yes.

MR. BUGLIOSI: I have here another photograph, your Honor, showing a portion of a residence. May it be marked People's 18 for identification?

THE COURT: It will be so marked.

MR. BUGLIOSI: I have here a closer-up photograph of the same portion of the residence. May it be marked People's 19 for identification?

THE COURT: It will be so marked.

MR. BUGLIOSI: I have here another photograph showing the front side of the residence. May it be marked People's 20 for identification?

THE COURT: It will be so marked.

MR. BUGLIOSI: I have here another photograph, your Honor, showing the interior of what appears to be a living room of a residence. May it be marked People's 21 for identification?

THE COURT: It will be so marked.

MR. BUGLIOSI: I have here another photograph appearing to depict the same interior portion of the living room.

BOX

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BOX

44A3
1 May it be marked People's 22 for identification?

2 THE COURT: It will be so marked.

3 MR. BUGLIOSI: I have here another photograph, your
4 Honor, again depicting a certain portion of the living
5 room of the residence. May it be marked People's 23 for
6 identification?

7 THE COURT: It will be so marked.

8 Q BY MR. BUGLIOSI: I show you People's 13 for
9 identification, Mr. Garretson. Do you know what is shown
10 in that photograph?

11 A Yes.

12 Q What is shown in that photograph?

13 A It is a walk just before you get to the
14 guest house.

15 Q Looking at the photograph, do you have any
16 impression as to where the photograph was taken from?

17 A Somewhere by the pool.

18 Q By the pool to the Polanski residence?

19 A Yes.

20 Q Facing the guest house?

21 A Yes.

22 Q So this shows a portion of the guest house; is
23 that correct?

24 A Yes, it does.

25 Q This is where you stayed?

26 A Yes.

1 Q I show you People's 19 for identification.
2 Do you know what is shown in that photograph?

3 A Yes.

4 Q What is shown in that photograph?

5 A The guest cottage.

6 Q I show you People's 20 for identification.
7 Do you know what is depicted in that photograph?

8 A Yes.

9 Q What is shown there?

10 A The porch on the guest cottage.

11 Q Try to speak up just a little more loudly, sir.
12 I show you People's 21 for identification.

13 Do you know what is shown in that photograph?

14 A Yes. That is the living room in the guest
15 cottage.

16 Q Now, when you were up during the night listening
17 to the stereo and writing letters, were you in the living room?

18 A Yes.

19 Q Throughout the night?

20 A Yes.

21 Q There appears to be a stereo in the far left
22 corner of this photograph. Is that the stereo about which
23 you were referring earlier in your testimony?

24 A Yes, it is.

25 Q I see a couch with a white sheet over it.
26 Were you on the couch at all during the night that you have
been testifying about?

1 A Yes, I was. That is where I stayed the night.

2 Q Then the stereo was on, were you on the couch?

3 A Yes.

4 Q Approximately how far is the couch from the
5 stereo?

6 A Six feet.

7 Q About six feet?

8 A Yes.

9 Q I show you People's 22 for identification.
10 Do you know what is shown in that photograph?

11 A Yes. The living room in the guest cottage.

12 Q Another photograph of the living room; is that
13 correct?

14 A Yes.

15 Q I show you People's 23 for identification.

16 Do you know what is shown in that photograph?

17 A Yes. It is another picture of the living room.

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14b-1

1 Q Will you please step down from the witness
2 stand, sir, just temporarily, and indicate where in the
3 living room the stereo was.

4 (The witness steps down and approaches the
5 diagram.)

6 A Right here.

7 MR. BUGLIOSI: Your Honor, may I put an X there
8 and mark it "Stereo"?

9 THE COURT: Yes.

10 MR. BUGLIOSI: Q Would you indicate, sir, on
11 the diagram where the couch was in relation to that
12 stereo?

13 A Right here.

14 MR. BUGLIOSI: May I put another X and mark it
15 "Couch," your Honor?

16 THE COURT: Yes.

17 MR. BUGLIOSI: You may resume the witness stand,
18 sir.

19 (Whereupon the witness resumes the witness
20 stand.)

21 BY MR. BUGLIOSI:

22 Q These three dogs that you took care of for
23 Mr. Altabelli, where were they that night?

24 A They were staying with me in the living
25 room.

26 Q Did they leave the house at all during the

14b-2

1 night or did they stay with you the entire night?

2 A Yes. I had the back door open on the patio
3 by the stereo.

4 Q Did they leave during the night or did they stay
5 with you inside the living room?

6 A Well, the Weimaraner left. The larger dog.

7 Q About what time -- I can't pronounce the
8 name myself -- what time did that dog leave?

9 A I couldn't say.

10 Q Was it shortly after Mr. Parent left?

11 A No.

12 Q Later on in the early morning hours?

13 A Yes.

14 Q Did he come back?

15 A Yes.

16 Q He wasn't gone long?

17 A No.

18 Q The other two dogs stayed inside the living
19 room?

20 A Yes.

21 Q Did the dogs bark at all during the night?

22 A No.

23 Q Did they bark any more than usual that night?

24 A They usually did bark, you know, during the
25 night.

26 It was nothing, you know, to be alarmed about

144-3

1 or anything.

2 Q You didn't find them to be barking any more
3 this night?

4 A No.

5 Q At least not to alarm you?

6 A No.

7 Q Did they appear to bark at all shortly
8 after Steven Parent left the guest house, if you recall?

9 A I can't recall.

10 Q Did they bark when Mr. Parent arrived that
11 night?

12 A Yes.

13 Q At about 11:45 p.m.?

14 A Yes, they did.

15 Q Would they normally bark when you had a
16 visitor?

17 A Yes.

18 Q If you recall, when would they normally
19 commence their barking?

20 How far would the visitor be from the guest
21 house when they started to bark?

22 A They would start to barking -- well, it would
23 take about six seconds before the visitor would come to
24 the door.

25 Q In other words, there would be an interlude
26 of about six seconds between the time you heard the dogs

14b-4

1 bark and the time that the person knocked on your door;
2 is that correct?

3 A Yes.

4 Q Did the dogs ever bark when the visitor was
5 entering the gate of the Tate residence?

6 A I really couldn't say.

7 Q All you can say is that they normally barked
8 about six seconds before the visitor arrived; is that
9 correct?

10 A Yes.

11 Q I take it, sir, you were arrested Saturday
12 morning for these murders; is that correct?

13 A Yes.

14 Q Were you sleeping at the time that the
15 police arrived or had you already awakened?

16 A Yes, I was sleeping.

17 Q What woke you up, the police or the dogs?

18 A No, the dogs.

19 Q About what time was it?

20 A 10:30, 11:00 o'clock. Somewhere around
21 there.

22 Q In the morning?

23 A Yes.

24 Q How long were you in custody?

25 A Two days.

26 Q And then you were released from custody?

1 A Yes.

2 Q Did you know anything at all about these
3 murders?

4 A No.

5 Q After you were released from custody, what
6 did you do?

7 A A week after that I returned to Ohio,
8 my hometown.

9 Q And you have been there ever since?

10 A Yes.

11 Q Do you know any of the defendants in this
12 case, Defendant Charles Manson, Susan Atkins, Patricia
13 Krenwinkel and Leslie Van Houten?

14 A No.

15 Q Had you ever seen them prior to today?

16 A No.

17 Q Have you ever met anyone who said that they
18 knew either one of these defendants?

19 MR. KANAREN: I object on the grounds of hearsay,
20 your Honor.

21 THE COURT: Sustained.

22 MR. BUGLIOSI: Had you ever heard of Spahn Movie
23 Ranch?

24 THE WITNESS: No.

25 MR. KANAREN: Object, your Honor, on the grounds
26 that it is leading and suggestive.

1 THE COURT: Overruled.

2 The answer is in.

3 BY MR. BUGLIOSI:

4 Q You have heard of the Spain Ranch or you
5 haven't heard of the Spain Movie Ranch?

6 A I haven't.

7 MR. KANAREK: It is immaterial.

8 I suppose a lot of people have. He has no
9 connection with these proceedings. He says he doesn't
10 know the defendants.

11 It does nothing but clutter up the record and
12 make the case perhaps longer than six months.

13 THE COURT: Overruled.

14 MR. BUGLIOSI: I forget, sir, what your answer was.

15 THE WITNESS: No.

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15 fls.

15-1

1 Q You have never been to Spahn Movie Ranch?

2 A No.

3 Q And after you testify in this case you intend to
4 return to Lancaster, sir?

5 A Yes.

6 Q And your wife?

7 A Yes.

8 MR. BUGLIOSI: No further questions, your Honor.

9 THE COURT: Cross-examination, Mr. Fitzgerald?

10 MR. FITZGERALD: Thank you, your Honor.

11
12 CROSS-EXAMINATION

13 BY MR. FITZGERALD:

14 Q Mr. Garretson, do you recall having a
15 conversation with officers of the Los Angeles Police
16 Department on or about August the 10th, 1969 at Parker
17 Center, which is located at 150 North Los Angeles Street in
18 the City of Los Angeles?

19 A Yes.

20 MR. BUGLIOSI: Object, your Honor, this is beyond the
21 scope of the direct examination.

22 THE COURT: Well, I think it may be a good objection,
23 but it is premature.

24 Overruled.

25 Q BY MR. FITZGERALD: In the presence of
26 Lieutenant A. H. Burdick?

1 A I cannot recall the officer's name, or anything,
2 that I spoke with.

3 Q Well, let's take it step by step.

4 You were arrested, correct?

5 A Yes.

6 Q Was that Saturday, August 9th, 1969?

7 A Yes, it was.

8 Q The next day was a Sunday, August 10th, isn't
9 that right?

10 A Yes.

11 Q When you were originally arrested you were
12 taken to the West Los Angeles Division of the Los Angeles
13 Police Department, were you not?

14 A Yes, I was.

15 Q And you were questioned at that time, were you
16 not?

17 A Yes.

18 Q And you were then transported later that
19 afternoon, Saturday afternoon, downtown to the Main Los
20 Angeles Police Department, correct?

21 A Yes, in the evening.

22 Q Commonly referred to as the Glass House, are
23 you familiar with that term?

24 A Yes.

25 Q The next afternoon at approximately 4:25 in the
26 afternoon did you have a conversation with some police

45-3
1 officers --

2 That is a question that can be answered yes or
3 no.

4 A You mean when I was released?

5 Q All right, when were you released?

6 A Monday afternoon.

7 Q What about the day before, Sunday afternoon at
8 about 4:25 in the afternoon?

9 A Yes.

10 Q Did you have a conversation with some police
11 officers?

12 A Yes.

13 Q And your attorney, Barry Tarlow, was present?

14 A Yes.

15 Q Were you asked about dogs barking at that time,
16 if you recall?

17 MR. BUGLIOSI: I object, your Honor, on two grounds,
18 it calls for hearsay and it is beyond the scope of the
19 direct examination.

20 THE COURT: Overruled, you may answer that.

21 THE WITNESS: I forgot the question.

22 THE COURT: Read the question.

23 (Whereupon, the reporter reads the pending
24 question as follows:

25 "Q Were you asked about dogs
26 barking at that time, if you recall?"

1 THE WITNESS: I cannot recall.

2 Q BY MR. FITZGERALD: Police officers asked you
3 about what you had heard or seen on Friday night and
4 Saturday morning, August 8th and 9th?

5 A Yes.

6 Q Didn't they?

7 A Yes, yes.

8 MR. BUGLIOSI: May we approach the bench, your
9 Honor?

10 THE COURT: Yes.

11 (The following proceedings were had at the
12 bench out of the hearing of the jury:)

13 MR. FITZGERALD: By way of an offer of proof I am
14 in possession of what purports to be a transcript of an
15 interview with Mr. Garrison at 4:25 p.m., on August 10th,
16 1969, where this witness was asked about the events that
17 took place on August 8th and 9th.

18 He stated in connection with questions about dogs
19 barking that:

20 "A It was about two or three hours after
21 he left," referring to Steven Parent, "somewhere around
22 there, that is when I looked out in the yard. I did not
23 look in the back yard. There is a cement platform where
24 you walk into the guest house."

25 I submit to the Court that that impeaches his
26 direct testimony and would seem to establish that the dogs

1 -- he seemed on his direct examination to be unclear as to
2 when he heard certain dogs barking.

3 The import of the dogs barking is that they may
4 signal or herald the arrival on the scene of the persons
5 who perpetrated the events. Mr. Bugliosi suggested I
6 approach the bench before I ask the impeaching question.

7 MR. BUGLIOSI: The reason I did not think it was
8 impeaching is the witness said they did bark that night.
9 He said they barked but nothing out of the ordinary.

10 THE COURT: What part do you claim impeaches him?

11 MR. FITZGERALD: That it was two or three hours after
12 Parent left that he heard the dogs barking.

13 MR. BUGLIOSI: How does that impeach him?

14 THE COURT: I don't find anything inconsistent. I
15 think you have the right to go into it if there is any
16 possibility of impeaching.

17 This is cross-examination. You can ask him if
18 he said that, and let the jury decide whether it impeaches
19 him or not.

20 MR. BUGLIOSI: I would request this, your Honor,
21 instead of his posture being that of impeachment, I would
22 request --

23 THE COURT: He is not going to use the word
24 "impeachment"; he is going to ask him if he said it.

25 MR. BUGLIOSI: I would request as a foundational
26 question that you ask him again for clarification if the

1 dog barked that night.

2 MR. FITZGERALD: Very well.

3 MR. BUGLIOSI: Okay.

4 MR. FITZGERALD: Certainly I will do that.

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(The following proceedings were had in open court in the presence and hearing of the jury:)

BY MR. FITZGERALD:

Q One of the dogs you were caring for, Mr. Garretson, was named Christopher, isn't that correct?

A Yes.

Q What one of the dogs was he, or which one of the dogs?

A The larger one.

Q On the evening or the early morning hours of August the 13th after Steven Parent left your residence, did you hear Christopher barking?

A I could not really say.

Q Isn't it a fact that you heard Christopher barking loudly approximately two or three hours after Mr. Parent left your home?

A Yes.

Q So you did hear Christopher barking, isn't that correct?

A That he barked, I mean, generally, but I mean any night he would generally bark.

Q His barking then was not extraordinary or unusual in any respect?

A I could not really say. I could not distinguish if he was barking any louder than he generally was any other night.

15a-2

1 Q Did you consider these dogs, bearing in mind
2 your experience with them, as watchdogs of any sort?

3 A Sort of.

4 Q Did it appear to you when Christopher barked
5 two or three hours after Steven Parent left that the
6 dog was indicating to you that somebody had arrived on
7 the premises?

8 MR. BUGLIOSI: That calls for a conclusion, your
9 Honor.

10 THE COURT: Sustained.

11 BY MR. FITZGERALD:

12 Q You testified on your direct examination I
13 believe that the dogs used to bark when people would
14 come to the residence.

15 Isn't that correct?

16 A Yes.

17 Q And that there was about a six-second delay
18 between the time the dogs barked and the guests arrived,
19 is that correct?

20 A Yes.

21 Q When you heard the dogs -- Christopher --
22 bark two or three hours after Steven Parent left, was
23 it your state of mind that a guest was arriving on the
24 premises?

25 A No.

26 Q You did not think that was unusual or peculiar

15a-3

1 in any respect?

2 A No.

3 Q Did you at any time during the night of
4 August the 8th or the early morning hours of August the
5 9th look out of the guest house in the direction of
6 the main house?

7 A No.

8 Q Did you get scared at any time on the evening
9 of the 8th or the morning -- early morning hours of the
10 9th?

11 A In the early morning hours of the 9th I did.

12 Q Do you recall why you got scared?

13 A Because I tried to call and see what time it
14 was and the line was dead.

15 Q That was early in the morning, wasn't it?

16 A Yes.

17 Q Excuse me, that was late in the morning, it
18 was 4:00, 5:00, 6:00 o'clock.

19 A Somewhere around 4:30 or 5:00, maybe.

20 Q And you had stayed up all night long, is that
21 correct?

22 A Yes.

23 Q Was there some reason for that?

24 A Sometimes I did stay up until daybreak.

25 Q And this was one of those times?

26 A Yes.

15a-4

1 Q You did not sleep at any time during the
2 night?

3 A No.

4 Q And you did not hear anything unusual or
5 peculiar?

6 A No.

7 Q You did not hear any shots from a gun or
8 anything like that?

9 A No.

10 Q Have you ever heard a gunshot?

11 A Yes.

12 Q Are you familiar with .22 caliber pistols?

13 A Rifles.

14 Q Have you ever heard a .22 caliber rifle
15 being fired?

16 A Yes.

17 Q Did you hear anything like that on the
18 evening of the 8th or the early morning hours of the 9th?

19 A No.

20 Q Did you hear any screams or hollers or
21 yells that evening?

22 A No.

23 Q What was the weather like on the evening
24 of the 8th, do you recall?

25 A It wasn't raining or anything, I think it
26 was a clear night, I'm not sure.

1 Q When you went out earlier in the evening,
2 you went down to Turner's Drugstore, right?

3 A Yes.

4 Q You bought a TV dinner, right?

5 A Yes.

6 Q And you hitchhiked back, right?

7 A Yes.

8 Q You hitchhiked down Sunset Boulevard, correct?

9 A Yes.

10 Q Then you hitchhiked up Benedict Canyon,
11 correct?

12 A I'm not sure.

13 Q Did you walk up Cielo Drive?

14 A Yes.

15
16 15b fls.

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Q And it winds around, doesn't it?

A Yes.

Q Did you enter through the gate or did you enter through Bella Drive?

A Yes, it's Cielo.

Q You consider them the same?

A Yes.

Q Did you walk by the main house when you walked back to the guest house?

A You mean on the front lawn?

Q Yes.

A No, no.

Q How did you walk?

A Around the walk to the guest house, it's in front, way in front is the guest house, I mean the main house.

Q You did not walk by the main house?

A No.

Q You did not look in the window of the main house?

A No.

Q You were carrying something in your hand, right?

A Yes.

Q You were carrying a carton of Coca-Cola in one hand?

A Not a carton, a bottle.

1 Q And you had a TV dinner in the other?

2 A Yes -- well, they were in a sack.

3 Q In a sack. Were you wearing a jacket?

4 A I'm not sure. I really could not say.

5 Q Did you own a jacket at that time?

6 A Yes.

7 Q You don't recall that it was chilly out or
8 anything, do you?

9 MR. STOVITZ: Did you say a chilly TV dinner?

10 Q BY MR. FITZGERALD: Do you recall it being
11 brisk, or did it appear to be a typical August evening?

12 A Yes.

13 Q Did you have your windows open in the guest
14 house?

15 A I really don't know.

16 Q Did you usually have the windows open in the
17 guest house?

18 A I never opened them.

19 Q Is the guest house air conditioned?

20 A No.

21 Q Do you recall whether the windows in the guest
22 house were open or closed on the evening of the 5th?

23 A No, it had shutters.

24 Q Now, there are four entrances to the guest
25 house, correct?

26 A Yes.

1 Q Which entrance did you use when you came back
2 with your TV dinner?

3 A The one by the patio, I mean the porch.

4 You get into the porch, then the patio.

5 MR. STOVITZ: With the permission of the Court,
6 counsel stated we can mark that.

7 Is this the entrance here?

8 THE WITNESS: Yes.

9 MR. STOVITZ: I will put a 1 on Exhibit B for
10 identification.

11 THE COURT: Very well.

12 Q BY MR. FITZGERALD: Is that the entrance you
13 customarily used for ingress and egress?

14 A Yes.

15 Q Do you recall what you were listening to in the
16 guest house on the stereo?

17 A Yes, some records.

18 Q Do you recall what the records were?

19 A The Words and The Mamas and The Papas -- no,
20 wait a minute -- Mama Cass, and The Doors.

21 Q Now, are you familiar with the acoustics at
22 10050 Cielo Drive?

23 A I don't understand the question.

24 Q All right, the acoustics -- Have you ever heard
25 people talking in the vicinity of the pool area?

26 A No.

1 Q You have swam in the pool, haven't you?

2 A Yes.

3 Q And you talked over there, correct? I mean,
4 conversation with other people.

5 A Maybe a few friends of mine.

6 Q Well, I'm not talking about any particular
7 conversation. Have you heard people talking, just one
8 another in the vicinity of the pool, not necessarily did
9 you hear any particular conversation but could you hear
10 them talking.

11 A I don't understand what you mean.

16-1

1 Q All right.

2 From the guest house --

3 A Yes.

4 Q -- if you were standing at the door that you
5 usually go in and out of, can you hear people in the area
6 of the pool?

7 A No.

8 Q Can you hear people swimming or anything?

9 A No.

10 Q Is there some reason for that, so far as you
11 know?

12 A No.

13 Q You can hear the dogs when they bark outside,
14 though, can't you?

15 A They are usually inside when they are barking.

16 Q At any time on the 8th or the 9th, did you
17 look out of the guest house in the direction of the main
18 house?

19 A No.

20 Q And Mr. Parent left your house at approximately
21 12:45 a.m.; is that right?

22 A 12:15.

23 Q 12:15?

24 A Yes.

25 Q He arrived at 11:45?

26 A Yes.

16-2

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Q He left at 12:15?

2

A Yes.

3

4

Q And from 12:15 until 4:00, 4:30 or 5:00, you did what?

5

A Writing letters and listening to the stereo.

6

Q Who were you going to call?

7

A The time.

8

Q You didn't have a watch or clock?

9

10

A All the clocks were wound up. No electric clocks in the guest house.

11

Q And they didn't keep accurate time?

12

13

A Well, they kept accurate time if I would wind them up.

14

Q Did you neglect to wind them?

15

A I didn't wind them, no. I didn't wind them up.

16

17

Q When you discovered that the line was dead, or it sounded dead when you put it to your ear, did you attempt to investigate the cause of the disorder?

18

19

A No. I went to the bedroom and got another phone and plugged it into the wall.

20

Q What happened then?

21

A It didn't work.

22

Q Did you investigate the cause or --

23

A No.

24

Q -- attempt to investigate?

25

A No.

26

16-3

1 Q Did you go outside and look around?

2 A No.

3 Q What time was it that you actually went to bed,
4 went to sleep that is?

5 A I couldn't really say but it was just before
6 daybreak. I mean, daybreak.

7 Q And did Christopher wake you up?

8 A Yes.

9 Q All three dogs were inside the guest house
10 that night; is that right?

11 A Yes.

12 Q Did you say anything to Christopher when he
13 started to bark and woke you up?

14 A I told him to be quiet.

15 Well, when he started barking, you know, I told
16 him to shut up, and then I looked up and there was a police-
17 man outside in the patio pointing a rifle at me, by the
18 picnic table.

19 Q What did you do then?

20 A I didn't know what to do.

21 Q What happened next?

22 A Another one came and pointed another rifle,
23 and then another one, and he was pointing a pistol,
24 and he kicked in the door, and Christopher bit him on
25 the leg.

26 Q What happened to Christopher?

1 A I told him to stop it.

2 Q What happened next?

3 A Well, then they drug me onto the patio and
4 threw me down on my stomach.

5 And I asked them what was wrong?

6 And he told me to shut up, they would show me.

7 Q Were you shown?

8 A Yes.

9 Q What were you shown?

10 A Two bodies on the front lawn and one in the
11 car.

12 Q Now, when Mr. Parent came to the guest house,
13 did you engage in some conversations? Did he talk to you,
14 in other words?

15 A Yes.

16 Q Without telling me what was said, did Mr.
17 Parent ask you -- well, without telling me what the
18 nature -- what was said in the conversation, did you have
19 a discussion with Mr. Parent about what was going on
20 in the main house?

21 A No.

22 Q Did Mr. Parent engage in a conversation with
23 you about the identity of two women within the main house?

24 A I believe he asked me who --

25 Q Don't -- did you have a conversation with him
26 about that?

1 A He asked me what --

2 Q You can just answer that yes or no.

3 A Yes.

4 Q Yes, right?

5 A Yes.

6 MR. FITZGERALD: Your Honor, and counsel, I have
7 some matters that are properly beyond the scope of direct
8 examination, but I think for convenience to the witness
9 I wonder if I might be allowed to take him as my witness.

10 MR. STOVITZ: No objection, your Honor.

11 Do you think we will be finished by 4:15?

16a file.

12 MR. FITZGERALD: Finished with me by 4:15.

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1 THE COURT: We still have two or three minutes, if
2 you wish to start, Mr. Fitzgerald.

3 MR. FITZGERALD: Thank you.

4
5 WILLIAM GARRETSON,
6 called as a witness by and on behalf of the defendants,
7 was examined and testified as follows:

8
9 DIRECT EXAMINATION.

10 BY MR. FITZGERALD:

11 Q Mr. Garretson, would you state again your
12 business or occupation during the months of July and
13 August of 1969?

14 A Just July and August?

15 Q Just July and August, yes.

16 A I took care of three dogs.

17 Q And I take it you were paid a salary, correct?

18 A Yes.

19 Q And you were under the employ of one Rudy
20 Altabelli; correct?

21 A Yes.

22 Q He actually owned the guest house?

23 A Yes. He and Miss Tate.

24 Q So far as you know, he was in Europe at the
25 time; is that correct?

26 A I am not sure. He might have been in Ireland.

a2
1 I don't know.

2 Q Let's stretch it and say Ireland is Europe.

3 A Well, he might have been in Italy. In Europe,
4 yes.

5 Q You were taking care of the dogs in his absence?

6 A Yes.

7 Q And you had been so employed since approximately
8 mid-March, 1969, through and including August the 9th; is
9 that correct?

10 A Yes.

11 Q During that period of time, did you know who
12 was living in the main house?

13 A You mean during those months?

14 Q During those months.

15 A Yes.

16 Q Did you also know some of the personnel who
17 worked there? Winifred Chapman, did you know her?

18 A Yes.

19 Q Did you also know the gardeners?

20 A Yes.

21 Q Were you friendly with any of the gardeners?

22 A Yes.

23 Q And their name was Vargas; is that correct?

24 A I knew their name by Tom and Dave. They are
25 brothers.

26 Q Did you ever use the pool in the vicinity of
the main house?

1 A Yes.

2 Q Did you ever see other people using the pool?

3 A Yes.

4 Q Did you see the people that lived in the main
5 house using the pool?

6 A Yes.

7 Q Did you ever see what appeared to be parties
8 in the evening in the location of the pool?

9 A The only party that I remember is that they had
10 a very large party in. I think it was, June.

11 Q When you say "they," who are you referring to?

12 A The people that lived in the main house.

13 Q For the sake of the record, was that Sharon
14 Polanski?

15 A No.

16 Q Mrs. Polanski?

17 A No.

18 It was Abigail Folger and Frykowski that threw
19 the party.

20 Q Actually, it was your impression that
21 Mr. Frykowski was, in fact, the younger brother of
22 Roman Polanski; is that correct?

23 A Yes.

24 Q You didn't realize that his name was Wajciech
25 Frykowski and that he was not related to Mr. Polanski?

26 A Yes.

1 Q Now later discovered that?

2 A Yes.

3 Q And did you see numerous visitors at the
4 location of the main house during the months of March,
5 April, May, June and July of 1965?

6 A No, I wouldn't say numerous.

7 Q Would you describe it for the jury?

8 A I really couldn't say. I didn't keep track of
9 who came in and who left.

10 I mean, maybe they had a few visitors, you
11 know, maybe a few visitors, but not very much, no.

12 Q Did it appear to you that Sebring was a
13 frequent visitor at that location?

14 Had you seen his Porsche automobile there
15 frequently?

16 A Yes. When Mrs. Polanski came back, yes, it
17 was there.

18 Q Do you recall when she came back?

19 A Two weeks to a month before the incident.

20 Q Would it be unusual for you to see a number
21 of people, let's say, seven or eight guests or acquaintances
22 in the vicinity of the main house near the pool area, or
23 in the pool area, in the evening, during the months of
24 March, April, May, June and July?

25 MR. STEVENS: At one time, Counsel, or all --

26 MR. FITZGERALD: At one time.

1 THE WITNESS: You mean seven or eight around the
2 pool or what?

3 MR. FITZGERALD: Yes.

4 THE WITNESS: I don't believe I ever saw that many,
5 no, around the pool.

6 THE COURT: Mr. Fitzgerald, we will adjourn at this
7 time until Monday at 9:45.

8 Ladies and gentlemen, do not converse among
9 yourselves nor with anyone else on any subject relating
10 to this case nor form or express any opinion regarding
11 the case until it is finally submitted to you.

12 9:45.

13 MR. STOVITT: Would your Honor order this witness
14 back for Monday, please?

15 THE COURT: Yes.

16 You are ordered to return Monday, Mr.
17 Garretson.

18 THE WITNESS: Yes, sir.

19 (Whereupon, at 6:18 p.m. the court was
20 adjourned.)
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1 LOS ANGELES, CALIFORNIA, MONDAY, JULY 27, 1970

2 9:10 o'clock a.m.

3 - - - -

4 (The following proceedings were had in open
5 court outside the presence and hearing of the jury, all
6 defendants being present, Mr. Fitzgerald, Mr. Kanarek and
7 Mr. Hughes being present for the defendants, Mr. Shinn
8 being absent. Mr. Fleischman and Mr. Goldman are present
9 for Linda Kasabian, Mr. Stovitz and Mr. Bugliosi being
10 absent:)

11 MR. KANAREK: Your Honor, before we proceed, may
12 the record reflect that we are here, even though we were
13 not ordered to be here, because we join with Mr.
14 Fitzgerald in what he is doing here.

15 MR. HUGHES: Yes, I also ask the record to so
16 reflect.

17 THE COURT: You join in what, Mr. Kanarek?

18 MR. KANAREK: We join in the request for the
19 records, for the statements of Linda Kasabian.

20 I mean, it would be redundant for us to just
21 prepare, duplicate what Mr. Fitzgerald has done. I am
22 sure the Court --

23 THE COURT: This is a motion to quash.

24 MR. KANAREK: I understand, but we are here,
25 advocating the position that Mr. Fitzgerald initially
26 instituted which was to get certain records from

1 Mr. Fleischman.

2 I just want the record to reveal that we are
3 joining in that, and I am sure the Court does not want
4 co-counsel to just go through and just repeat the work
5 which Mr. Fitzgerald has done, it would be redundant.

6 THE COURT: I don't know what you're talking about,
7 Mr. Kanarek.

8 MR. KANAREK: We join --

9 THE COURT: I hear what you are saying; I understand
10 it; but it doesn't make any sense, let me put it that way.

11 MR. KANAREK: The point is this, we want the records
12 that Mr. Fitzgerald subpoenaed as well as Mr. Fitzgerald.

13 THE COURT: Either you can use them with his per-
14 mission if, as and when he obtains them, or you can serve
15 your own subpoena.

16 MR. KANAREK: That was our point, we don't think
17 the law would require us to be redundant, that is why we
18 are joining with him.

19 THE COURT: The record will show -- are you sitting
20 in for Mr. Shinn this morning?

21 MR. KANAREK: I have not been asked to do so this
22 morning.

23 THE COURT: The record will show that all of the
24 defendants are here; Mr. Fitzgerald is here, Mr. Kanarek,
25 Mr. Hughes, Mr. Fleischman and Mr. Goldman.

26 This is the time set for hearing on the motion

1 to quash the subpoenas duces tecum which were filed and
2 served by Mr. Fitzgerald on Mr. Fleischman and Mr.
3 Goldman.

4 I have read and considered the motion papers.
5 Do you wish to argue, Mr. Fleischman or Mr. Goldman?

6 MR. GOLDMAN: Yes, your Honor.

7 As an opening argument, I think it could be
8 quite brief, we pointed out in our brief there are actually
9 two privileges we are claiming:

10 One, of course, is the lawyer-client privilege
11 which we are asserting on behalf of our client, and I
12 think at this stage, at this posture of the case, we also
13 have to claim our client's privilege against self incrimina-
14 tion.

15 She still is a defendant, and there is a cause
16 still pending against her in this matter.

17 We have filed our affidavits that any conver-
18 sations that we have had pertaining to this case concerning
19 the facts underlying this case, as called for in the
20 subpoena, are covered by the lawyer-client privilege.

21 As we pointed out, Section 9117 of the Evidence
22 Code, when there is such a claim of a lawyer-client
23 privilege, then the burden of proof is passed upon the
24 opponent of the privilege to show that there is not such
25 a privilege in existence.

26 We have made that claim and we have filed an

1 affidavit in accordance therewith.

2 Furthermore, with respect to the privilege
3 against self incrimination, unless and until Mrs. Kasabian
4 is in fact not a defendant for any matters that are
5 covered concerning anything she may have said, that
6 1-a file privilege does lie and must be respected.

-A
1 The matters that are called for in the subpoena,
2 all four relate to facts which either underlie this case or
3 which pertain to this case.

4 They call for oral matters as well as written
5 matters. In a subpoena duces tecum, obviously, the
6 production of oral is not possible under a subpoena duces
7 tecum, but with respect to documents or things, if they
8 pertained to this case, or if they concern facts underlying
9 this case, number one, she is a defendant; number two, all
10 information, it is our claim, we have concerning that
11 which was given to by Mrs. Kasabian in conversation, were
12 matters which she has handed to us, and which are covered by
13 the claim of privilege.

14 There is no question but what the burden of
15 proof, and there must be an affirmative showing to overcome
16 that privilege on the part of the opponent.

17 THE COURT: Mr. Fitzgerald?

18 MR. FITZGERALD: I might say briefly in response to
19 Mr. Goldman, and I would consent to the two words, "or
20 oral" being stricken from the subpoena duces tecum.

21 That is item number one, any and all statements,
22 confessions and accusatory statements whether written or
23 oral, I would admit it is improper for me to attempt to
24 obtain oral statements by way of subpoena duces tecum.

25 In regard to other matters, I would vigorously
26 contest with counsel.

A2

1 First of all, the subpoena comports with the
2 Code of Civil Procedure, Section 1985, and the sections that
3 immediately follow. I think that part of our problem in
4 this case has been an attempt to determine exactly what
5 Linda Kasabian's status is.

6 I have alleged in the declaration on the
7 reverse side of the subpoena duces tecum that it is my
8 understanding that Linda Kasabian will be called as a
9 prosecution witness and will testify as a prosecution
10 witness.

11 I also have numerous representations from the
12 prosecutors, both of them, Aaron Stovitz and Vincent
13 Bugliosi, that she will be called as a prosecution witness.

14 I have also been informed, and I believe as a
15 result of being informed, that she is going to testify to
16 certain accusatory matters as to Patricia Krenwinkel and
17 the other defendants, including Charles Manson, Susan
18 Atkins and Leslie Van Houten.

19 She is also going to testify as to incriminating
20 and inculpatory matter as to her own case, or as to her
21 as a defendant, should such be the case.

22 Now, I was informed by Mr. Bugliosi, and I
23 was informed in the presence of your Honor by Mr. Fleishman
24 that at least on five occasions, on each and every occasion
25 that the prosecutors interviewed Linda Kasabian, either
26 Mr. Fleishman was present or Mr. Goldman was present.

1 I suggest to the Court that if there was any
2 attorney-client relationship, if there was any attorney-
3 client privilege, that Linda Kasabian by consenting to have
4 the adverse party present has waived any such privilege.

5 Now, in conversation with your Honor on Friday,
6 Mr. Fleishman pointed out that the Evidence Code recognizes
7 that certain other persons may be present, and there will
8 not be a waiver of a privilege.

9 For example, should an investigator be present,
10 a legal stenographer be present, certainly the privilege is
11 not breached.

12 On the other hand, where a defendant has the
13 District Attorney present, the adverse party, there is
14 obviously a waiver.

15 Now, certainly this subpoena duces tecum is in
16 the nature of discovery, and as set out in the declaration we
17 are simply attempting to obtain information that may assist
18 us in the preparation and presentation of our defense.

19 It may serve a useful purpose in terms of cross-
20 examining the witness by way of previous inconsistent
21 statements; it may lead to the ascertainment of further
22 additional witnesses, and may shed light on certain
23 material defenses the defendants have that are available,
24 namely, alibi and diminished capacity.

25 THE COURT: Well, how do you get around the two
26 privileges at this point in time, Mr. Fitzgerald?

1b-1

1 MR. FITZGERALD: As to the privilege of self
2 incrimination, Linda Kasabian herself must assert it.

3 The Evidence Code is clear that it is a
4 personal privilege that runs in favor of the witness, and
5 cannot be asserted by counsel, so I suggest that their
6 assertion of the self-incrimination principle is premature.

7 But assuming for a moment that it was not
8 premature, they cannot in a sense have it both ways.

9 She cannot be a prosecution witness who is
10 going to receive immunity and at the same time a defendant.

11 Now, this is not the first time we have called
12 this matter to the attention of the Court. Beginning on
13 July 12th, 1969, we have been urging on the Court that
14 the manifest indecision on the part of the prosecution is
15 depriving these defendants of a fair trial in that we
16 are unable to interview her as a witness because counsel
17 would not give us permission to see her.

18 We have not been given any tape recorded
19 statements or any stenographic reports of her testimony
20 or statements to the prosecution.

21 We are unable to proceed because at one
22 moment they allege she is a defendant and at another
23 moment they allege that she is going to be a prosecution
24 witness.

25 I suggest to the Court that if she is a
26 defendant and if she is going to assert some privilege of

1b-2

1 self incrimination, then she should be here on trial
2 with these defendants, and it is obvious the reason she
3 is not here is because she is going to be called as a
4 prosecution witness and she is going to be given immunity.

5 If she is going to be given immunity, then
6 self incrimination is moot.

7 And I take it, your Honor is suggesting that
8 the other privilege involved is the attorney-client
9 privilege.

10 We suggest that when a witness takes the stand
11 and testifies on behalf of the prosecution, and when a
12 witness allows the District Attorney to be present at
13 conversations with her attorney, there is no attorney-
14 client privilege.

15 THE COURT: But the record does not indicate that.
16 I think the problem here is simply one of timing.

17 MR. FITZGERALD: All right, but why should it delay
18 the trial?

19 THE COURT: Because things have to be done in their
20 proper sequence.

21 Certain things would be a prerequisite to a
22 waiver, for example, of the privileges here asserted.

23 Certainly it appears clear that if and when
24 Miss Kasabian testifies to the matters covered by the
25 description of the items in the application for the
26 subpoenas, that she will have waived her attorney-client

1 privilege as well as her privilege against self-incrimina-
2 tion at that point, and the subpoenas then would be good.

3 So I think it is really a question of timing.

4 At this point, although what you say may be
5 perfectly true, the record does not reflect it at all.

6 She has not testified. I don't know whether
7 she is going to testify or not. I hear the same things
8 you do, but until it happens I think these privileges
9 are good.

10 MR. KANAREK: May I address the Court, your Honor?

11 THE COURT: Yes, Mr. Kanarek,

12 MR. KANAREK: Your Honor, I ask and I do ask that
13 Mr. Fleischman take the witness stand and be sworn, and
14 I think we will then get the testimony that privilege
15 has been waived, because it is clear that if Mr. Fleischman
16 discussed matters in the presence of the District Attorney,
17 that there just is no attorney-client privilege.

18 Privilege is waived in many many ways, and
19 when the adverse party is present, that itself is axiomatic
20 that it is waived.

21 And so we have that aspect. Furthermore, I
22 would like the record to reflect and incorporate by
23 reference as fully and completely set forth on behalf of
24 Mr. Manson the words of Mr. Fitzgerald.

25 Also I would ask your Honor to take into
26 account the principle of People vs. Crovedi, in that the

1 defendants are entitled to prepare for trial. We don't
2 have this sporting theory of justice any more, supposedly.

3 That is why we have discovery, for the prosecution
4 to dangle this this way deprives the defendants of a
5 fair trial.

6 But in any event, legally, legal analysis shows
7 that the privilege against self incrimination -- pardon me --
8 the attorney-client privilege has been waived.

9 As to the privilege against self incrimination,
10 I agree most heartedly with Mr. Fitzgerald that that is a
11 personal privilege, as witness to the fact that when one
12 goes to the Grand Jury one must enter the Grand Jury room
13 and the lawyer cannot waive the privilege.

14 The privilege must be waived personally by the
15 client.

16 The words must be uttered by the client, and
17 the lawyers cannot utter those words for Miss Kasabian.

18 And also I would object to her not being present
19 during these proceedings.

20 THE COURT: Well, of course you are not even a party
21 to these proceedings, Mr. Kanarek.

22 MR. KANAREK: Very well.

23 THE COURT: You did not file or serve any subpoena.

24 MR. KANAREK: Well --

25 MR. FITZGERALD: In light of your Honor's remarks,
26 could we hold in abeyance then a ruling until Linda Kasabian

1 actually testifies?

2 Here is the problem I envision: If your Honor
3 moves at this time and quashes the subpoena, I would then
4 be required at the conclusion of her testimony to re-serve
5 Mr. Goldman and Mr. Fleischman.

6 I would like to obviate that if possible.

7 THE COURT: I see no objection to that. As I
8 indicated, I think it is merely a question of timing, and
9 it appears that the timing is imminent.

10 MR. FITZGERALD: Yes, it is our understanding that
11 Linda Kasabian is going to be called as a witness today.

12 MR. GOLDMAN: Your Honor, we would request a ruling
13 at this time. We have cooperated with any of defense
14 counsel and we would offer to cooperate with them again.

15 If it is their purpose to re-subpoena either or
16 both of us, we will consent to the same type of arrangements
17 they made before, all they have to do is mail something to
18 us or we will be here, we will make it easy for them.

19 We would request a ruling on this specific
20 subpoena which cites us into court for July 23rd, and the
21 matter is set down as of today.

22 We think there might be separate questions
23 raised at that time on a new subpoena. I think as far as
24 this subpoena is concerned, there should be a ruling at
25 this time.

26 THE COURT: Well, it is not going to be enforced at

1 this time in any event.

2 I think it would have to go over to a date
3 certain, Mr. Fitzgerald. We simply could not trail it
4 from day to day.

5 MR. FITZGERALD: The problem is this, we would
6 desire the production of these documents and notes before
7 any of the defendants begin cross-examination.

8 If we set it over to a date certain, and Linda
9 Kasabian's direct examination is concluded, it may require
10 a postponement, a lengthy recess, or maybe even a
11 continuance.

12 THE COURT: All right, then, let's put it over
13 until tomorrow morning. If it is premature then, we can
14 continue it until the next day.

15 MR. FITZGERALD: Thank you, and I will make an
16 attempt to inform Mr. Fleischman and Mr. Goldman this
17 afternoon if it looks as though their presence is going
18 to be necessary early tomorrow morning.

19 THE COURT: All right. In view of the importance
20 of the matters contained in this request, I think we
21 will have to do it that way, gentlemen, even though it
22 may be an inconvenience for you.

23 MR. GOLDMAN: Well, your Honor, of course if and
24 when Mrs. Kasabian does testify, which is a matter up
25 to the District Attorney, then we as her counsel will
26 be present in court in any event, so it won't be any

1 inconvenience, which is why I made our offer to defense
2 counsel.

3 THE COURT: All right, we will continue this matter
4 then until tomorrow morning at 9:00 a.m. in this department.

5 Anything further?

6 MR. GOLDMAN: Nothing further at this time.

7 THE COURT: The court is now in recess.

8 MR. FITZGERALD: Your Honor, there is a matter I
9 would like to call to the Court's attention -- I'm sorry,
10 it has to do with the -- I see the District Attorney is
11 not present, I'm sorry.

12 THE COURT: All right.

13 (Recess.)
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1 (The following proceedings occurred in open
2 court, all defendants, counsel and jury present:)

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

5 You may proceed, Mr. Stovitz.

6 MR. STOVITZ: Mr. Garretson, will you step forward,
7 please.

8
9 WILLIAM GARRETSON,
10 called as a witness by and on behalf of the defendants,
11 having been previously duly sworn, resumed the stand and
12 testified further as follows:

13 THE BAILIFF: Please speak into the microphone and
14 state your name.

15 THE WITNESS: William Garretson.

16 THE CLERK: You are still under oath, sir.

17
18 DIRECT EXAMINATION (CONTINUED)

19 BY MR. FITZGERALD:

20 Q Mr. Garretson, on Friday, in response to one of
21 my questions, you indicated that you recalled a very large
22 party being held at the Polanski residence sometime in
23 June of 1969; is that correct?

24 A Yes.

25 Q And when you used the term "very large party",
26 how many people are you referring to?

1 A I couldn't exactly say how many people there
2 were there.

3 Q Can you give us an estimate?

4 A No.

5 Q Were there more than ten?

6 A Yes.

7 Q More than a hundred?

8 A I really couldn't say. I don't know.

9 Q More than 25?

10 A Yes.

11 Q More than 50?

12 A Maybe 75. Somewhere around there.

13 MR. FITZGERALD: Thank you.

14 That concludes my cross-examination, your
15 Honor -- or my direct examination.

16 THE COURT: And your cross-examination?

17 MR. FITZGERALD: And, your Honor, excuse me.

18 THE COURT: Mr. Shinn, cross-examine?

19 MR. SHINN: Yes, your Honor. Thank you, your Honor.

20
21 CROSS-EXAMINATION

22 BY MR. SHINN:

23 Q Mr. Garretson, did you ever meet the victims
24 personally?

25 A Who are you referring to?

26 Q I am referring to Sharon Tate, Frykowski,

2-3

1 Miss Folger and Mr. Sebring.

2 Had you met any of those persons?

3 A Not Mr. Sebring, no.

4 Q In other words, you know Mr. Sebring by sight?

5 A I didn't really, you know, get a very good --
6 I just got a glimpse of him and that was it.

7 Q Did someone point him out to you and say that
8 was Mr. Sebring?

9 A No.

10 Q Then how did you know that was Mr. Sebring?

11 A I didn't.

12 Q Oh. In other words, you just guessed that it
13 was Mr. Sebring; is that correct?

14 A Yes, I'd say.

15 Q Has anyone shown you a picture of Mr. Sebring?

16 A Yes.

17 Q When was this?

18 A Well, I have seen his picture in the paper.

19 Q But the police or the District Attorney have
20 never shown you a picture of Mr. Sebring?

21 A I can't recall.

22 Q You can't recall? You don't remember?

23 A Yes.

24 Q Now, when did you meet Sharon Tate?

25 A Well, I had use of the pool.

26 Q And when she would be out there you would talk

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1 to her?

2 A No. Just "Hello," maybe, you know, and that
3 would be it.

4 Q But no one introduced you to Sharon Tate?

5 A No.

6 Q No one told you it was Sharon Tate?

7 A I think Mr. Altabelli told me, but I forgot the
8 name.

9 Q Approximately how many times did you meet
10 Miss Tate?

11 A Maybe twice.

12 Q Did you have any conversation with her?

13 A No, not a lengthy conversation, no.

14 Q And how about Frykowski?

15 A Yes, I talked with him.

16 Q You talked to him?

17 A Yes.
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Q How many times do you remember meeting him?

A Just a few times.

Q Did you have any lengthy conversation with him?

A No.

Q You did have conversation with him?

A A little, yes.

Q Now, do you recall when these conversations --
I mean, do you recall when you had these conversations?

A Well, he gave me a ride down -- well, Abigail
and Frykowski, they gave me a ride down to, I think it was,
Sunset; Sunset Boulevard.

Q And you had a conversation at that time?

A Yes.

Q With them?

A Yes.

Q Do you recall the conversation?

A Yes. I was going to see a movie.

Q And how about Miss Folger?

A She gave me a ride down to the store before.

I mean, you know, it wasn't a very lengthy
conversation or anything, I would say.

Q Have you ever been inside the Tate residence?

A Yes.

Q How many times?

A Twice.

Q What was the occasion?

1 A Well, before Mrs. Polanski, you know, moved in
2 to, you know, the main house, I was there. I mean, you
3 know, that was before anybody moved in.

4 Q Was that the first time you entered the house?

5 A And I was invited over another time.

6 Q Invited for what? For a party? For a dinner?

7 A No. That was when Abigail and Frykowski were
8 staying there. They invited me over.

9 Q And how long did you stay?

10 A Five to ten minutes.

11 Q Did you have anything to eat or drink at that
12 time?

13 A Just a beer.

14 Q One beer?

15 A Yes.

16 Q By the way, how old are you? 19? 18?

17 A 20.

18 Q Now, I believe you stated that when they had
19 parties near the swimming pool you could observe them; is
20 that correct?

21 A No. Well, what do you mean?

22 Q Well, when they had a party near the pool,
23 could you, from where you were staying, could you look out
24 and see them?

25 A Yes, if I walked outside.

26 Q Well, what if you stayed in the house and looked

7
1 through the window? Could you see them?

2 A A little.

3 Q When you say a little, what do you mean?

4 A Just a little.

5 Q All right. Are you saying the window was little,
6 or just the fact that --

7 A No. I could see a little.

8 Q What was the distance, would you estimate,
9 between your house and where they had the party at the pool?
10 Just approximately.

11 A 35 yards; something like that.

12 Q And could you hear, could you sometimes hear
13 the conversation?

14 A No.

15 Q And sometimes would you walk out near the pool
16 area when there was a party going on?

17 A No.

18 Q You never did?

19 A No.

20 Q Now, do you recall the last time you saw
21 a party going on near the pool?

22 A I beg your pardon?

23 Q Do you recall the last time that you observed
24 the party going on near the pool?

25 A It was in June.

26 Q In June?

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A Yes.

Q Is that the last party you saw?

A Yes, the last large party, yes.

Q And after that you would see, say, people swimming in the pool and drinking near the pool, is that correct?

A Occasionally.

Q And you would see Miss Tate, Jay Sebring --

A No.

Q -- Frykowski or Miss Folger swimming or near the pool?

A No.

Q You never saw them near the pool?

A Well, maybe in the daytime, yes.

Q Well, day or night?

A I really can't recall. I wasn't, you know, I didn't pay that much attention.

3-1

1 Q Now, directing your attention to August 8th,
2 1969, I believe you testified that you did go shopping
3 on Sunset Boulevard?

4 A Yes.

5 Q Approximately what time was that?

6 A Around 8:00 o'clock.

7 Q Did you walk by the house -- when I say
8 "the house," I mean Tate's residence.

9 A No, I had to walk, you know, to the guest
10 cottage. I never walked across the front lawn, you know,
11 by the main house.

12 Q Then how did you leave the premises?

13 A Why, as I said, there is a walk in front, way
14 in front of the house.

15 Q When you say in front of the house, that means
16 away from the main gate?

17 A No -- yes, you could see the walk on the
18 chart.

19 Q Would you please step up to the chart.

20 (Mr. Stovitz indicates on the chart.)

21 MR. STOVITZ: Down here, you see that?

22 It says w-a-l-k, walk.

23 MR. SHINN: Thank you, Counsel.

24 BY MR. SHINN:

25 Q Then this walk parallels the Tate residence,
26 does it not?

3-2

1 A Yes.

2 Q And approximately how many feet is it from
3 where you approached the house, how many feet is it
4 across from the walk to the house approximately?

5 A I cannot tell you approximately how much it is
6 or anything.

7 Q You cannot give us the approximate distance?

8 A No.

9 Q Is it like between you and I?

10 A It would be further.

11 Q How much further? How about this?

12 A A lot further.

13 Q Further?

14 A Yes.

15 Q Is it halfway through the courtroom?

16 A I really cannot say, I don't know.

17 Q Well, is the wall, then?

18 A Maybe just a little bit further.

19 Q Would you estimate about 20 to 25 yards, would
20 that be a fair estimate?

21 A Yes, 25 to 30 yards.

22 Q 25 to 30 yards.

23 Now, you've walked on this path before, have
24 you not?

25 A Yes.

26 Q And in the past did you hear voices or music

1 come from the house?

2 A No.

3 Q At any time?

4 A No.

5 Q Now, I believe you stated that on August 8th
6 when you walked by that house you heard no sound, is that
7 correct?

8 A Yes.

9 Q No music, no talking?

10 A Yes.

11 Q Is that correct?

12 A Yes.

13 Q And what time did you come back?

14 A Around 10:00 o'clock.

15 Q You took the same path back to your house?

16 A Yes.

17 Q At that time did you hear any sounds, music,
18 talking, voices?

19 A No.

20 Q Were any lights on in the house?

21 A I cannot recall if there was or not.

22 Q You don't know whether it was dark or the
23 house was lit then, is that right?

24 A I did not pay any attention when I walked by.

25 Q Now, you talked about three or four dogs you
26 had, is that correct?

1 A Yes.

2 Q Now, did these dogs roam all over the
3 premises?

4 A No.

5 Q Is there a fence around your house where the
6 dogs cannot get out?

7 A Yes.

8 Q Is there a fence around your house where the
9 dogs cannot get out?

10 A There is the back -- you see where the line
11 is in back of the guest cottage.

12 MR. SHINN: May the witness step up to the diagram,
13 your Honor?

14 THE COURT: Very well.

15 MR. SHINN: Thank you.

16 (Witness approaches the diagram.)

17 MR. STOVITZ: Keep your voice up, please.

18 THE WITNESS: They were right here (indicating).

19 BY MR. SHINN:

20 Q Is there a fence between your -- between the
21 place where you were staying and the main residence, is
22 there a fence that keeps the dogs away from that area
23 there?

24 A They could possibly get out if that is what
25 you mean.

26 Q Yes.

1 A Yes.

2 Q In other words, they can get out --

3 A There is a fence, but they can get out.

4 Q There is a fence?

5 A Yes.

6 Q There is a fence all around, all the way
7 around your house?

8 A You see, this is the rock wall. They could
9 either get out this way right here --

10 Q I see, they can come in and go freely, is
11 that correct?

12 A If they wanted to, yes.

13 Q Yes, get back on the stand, thank you.

14 (Witness resumes his seat on the witness
15 stand.)

16 Q And once they get into your house, they come
17 and go, do they have a little small door for the dogs
18 to go in and out?

19 A No.

20 Q Then if they want to do their duty, do you
21 just have to let them out at night?

22 A I have the door open.

23 Q You had the door open?

24 A I had the door open.

25 Q This particular night you had the door open?

26 A Yes.

1 Q In other words, the dogs could roam all over
2 the premises?

3 A No, the door in the back where the lot is --
4 the back.

5 Q You said you had the door open, which door are
6 you talking about?

7 A The two doors in the back.

8 Q You mean from the house?

9 A It is the guest cottage, the doors in the back,
10 there is a patio.

11 Q And the doors were open?

12 A There are two doors that open, yes.

13 Q And the dogs go out into the yard?

14 A Yes.

15 Q And from the yard they can go to the front
16 gate if they wanted to, I mean?

17 A If they wanted to.

18 Q Now, do the dogs usually bark or do they feel
19 nervous when the front gate opens normally?

20 A I don't know.
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JA-1

1 Q Were you present with the dogs when there were
2 people coming in and out the front gate?

3 MR. STOVITZ: When you are talking about "the front
4 gate" --

5 MR. SHINN: I am talking about the iron front gate.

6 MR. STOVITZ: Way at the end --

7 MR. SHINN: Way down the front.

8 Q BY MR. SHINN: Were you present when the cars
9 used to come through the front gate and with the dogs?

10 MR. STOVITZ: I think the question was a little
11 ambiguous, was he present with the dogs? Or was he present
12 with the cars?

13 THE COURT: Do you understand the question,
14 Mr. Garretson?

15 THE WITNESS: No, no.

16 MR. SHINN: I will start all over, your Honor.

17 Q You take care of these three dogs, correct?

18 A Yes.

19 Q About what, three or four months?

20 A Around four months, four and a half to five,
21 something like that.

22 Q The dogs know you and you are pretty close to
23 dogs, is that correct?

24 A Yes.

25 Q You feed the dogs and take care of them?

26 A Yes.

3A2
1 Q Now, my question was, when the front gate opens
2 and a car drives in, do your dogs act up?

3 A I really could not say if they always act up or
4 not.

5 Q Do they act up sometimes then?

6 A Yes, sometimes, yes.

7 Q Now, how far away is that front gate from your
8 house?

9 A Maybe 150 yards.

10 Q 150 yards, and could you sometimes hear the gate
11 shut, say, if it is quiet at night?

12 A There is a bell on the gate when it shuts, but
13 no, I could not hear the gate shut, no.

14 Q At any time during the night you cannot hear --

15 A No, no.

16 Q Now, did the dogs at any time during the four
17 months you took care of these dogs, did the dogs at any
18 time, when a car would enter the front gate, did they some-
19 times run out towards the front gate?

20 A No.

21 Q Not at any time?

22 A Not that I can recall, no.

23 Q Well, did they ever run out towards the main
24 residence at any time?

25 A No.

26 Q Near the automobiles?

1 A No.

2 Q What kind of dogs are these, are these hunting
3 dogs?

4 A No.

5 Q Watch dogs?

6 A Pets.

7 Q If someone came close to your residence, I mean
8 towards where you were staying, they would not act up?

9 A Yes, they will bark.

10 Q They would bark?

11 A Yes.

12 Q What would cause them to bark?

13 A Somebody coming.

14 Q How close does a person have to be to the house
15 before they start barking?

16 MR. STOVITZ: Objected to as being ambiguous.

17 What house are you talking about? The cottage
18 or the main house?

19 MR. SHINN: I am talking about where he lives, the
20 cottage.

21 MR. STOVITZ: All right.

22 Q BY MR. SHINN: How close does one have to come
23 to the cottage before the dogs start barking?

24 A About six seconds.

25 Q Six seconds is what, 30 yards, 20 yards?

26 A No, not very far, about eight yards.

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Q Eight yards.

Did you notice -- I am going to direct your attention back to August 8th, now, did you notice the dogs acting up around 12:00 or 12:30 at night?

A They just barked before Parent arrived.

Q They barked before Parent arrived?

A Yes.

Q Did you notice where Parent was when they started barking?

A No, no.

Q Did you hear Parent's automobile that night?

A No.

Q That they were barking?

A No, no.

Q When did you first hear him?

A When he came --

Q Footsteps or voice or anything?

A When he knocked on the door.

Q That is the first time you heard him, I mean you heard from him when he knocked?

A Yes.

Q You did not hear his footsteps?

A No.

Q That is when the dogs reacted?

A No, they reacted before he arrived to the guest cottage.

1 Q Now, what time did Mr. Parent leave your
2 cottage?

3 A Around a quarter after 12:00.

4 Q Did you escort him down, halfway down towards
5 the automobile?

6 A No.

7 Q Did you leave him at the doorway then?

8 A At the door.

9 Q He walked out and you closed the door?

10 A Yes.

11 Q And how about the dogs, did the dogs follow you?

12 A No.

13 Q Did anyone talk to you about reward money?

14 A No.

15 Q You never heard about the \$25,000 reward?

16 A I have heard of a reward being offered, some-
17 thing like that, but no one has ever talked to me about it.

18 Q The police never mentioned to you about a re-
19 ward?

20 A No.

21 Q When did you first hear about this \$25,000
22 reward?

23 A When I was in Ohio.

24 Q Who told you about it?

25 A When it was in the paper.

26 Q And you never talked to anyone regarding this

1 reward?

2 A Correct.

3 Q Do you know what a marijuana cigarette is?

4 A Yes.

5 Q Have you ever smoked one?

6 MR. STOVITZ: Objected to as immaterial, irrelevant.

7 THE COURT: Sustained.

8 MR. SHINN: May I ask the Court's reason for sus-
9 taining --

10 MR. STOVITZ: I object to the inquiry and cross-
11 examination of the Court, your Honor.

12 THE COURT: Proceed, Mr. Shinn.

13 Q BY MR. SHINN: Have you seen any persons under
14 the influence of alcohol?

15 A No.

16 Q You never saw a person under the influence of
17 alcohol?

18 A Wait a minute, wait a minute. A friend of mine
19 was staying with me for a while; he was.

20 Q What is his name?

21 A Darryl Kistler.

22 Q Is that the only person you saw under the
23 influence of alcohol?

24 A Yes.

25 Q You never saw any motion pictures --

26 A Oh, you mean that, yes, I have seen that.

1 Q Acting under the influence?

2 A Yes, yes, I have seen that.

3 Q Did you ever see any person under the
4 influence of narcotics, any type of narcotics?

5 MR. STOVITZ: Objected to, your Honor, as calling for
6 an expert opinion.

7 MR. SHINN: May I be heard, your Honor?

8 THE COURT: You are going to have to lay some
9 foundation, Mr. Shinn. Objection sustained.

10 MR. SHINN: Your Honor wants some foundation, your
11 Honor?

12 THE COURT: Proceed, Mr. Shinn.

13 Q BY MR. SHINN: Did you ever see any of the
14 victims under the influence of alcohol or narcotics?

15 A No.

16 MR. STOVITZ: Objected to as ambiguous, immaterial and
17 irrelevant.

18 THE COURT: Sustained.

19 Q BY MR. SHINN: Do you sometimes listen to the
20 Beatles?

21 A Yes.

22 Q I believe you stated that you had your hi-fi
23 on that night?

24 A Yes.

25 Q Were you listening to the Beatles?

26 A No.

1 Q Do you know very much about the Beatles and
2 their records?

3 A Just a few of the names of the records.
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1 Q But have you listened to mostly all of their
2 records?

3 A No.

4 MR. SHINN: I am through, your Honor.

5 Thank you very much.

6 THE COURT: Mr. Kanarek, any cross-examination?

7 MR. KANAREK: Just -- I may have asked Mr. Garretson.
8

9 CROSS-EXAMINATION

10 BY MR. KANAREK:

11 Q Have you ever seen Mr. Manson other than in
12 this courtroom, Mr. Garretson?

13 A No.

14 MR. KANAREK: Thank you. No further questions.

15 THE COURT: Mr. Hughes?
16

17 CROSS-EXAMINATION

18 BY MR. HUGHES:

19 Q Mr. Garretson, your attorney is present in
20 court here today, is he not? He is sitting back there?

21 A Yes.

22 Q Thank you.

23 Now, about your job up at the Polanski
24 residence.

25 You were hired by Mr. Altabelli; is that
26 correct?

4-2

1 A Yes.

2 Q Would you tell us how you got that job with
3 Mr. Altabelli?

4 MR. BUGLIOSI: Objected to, your Honor. It is
5 irrelevant.

6 THE COURT: Sustained.

7 BY MR. HUGHES:

8 Q Now, in that job, you were paid \$35 a week,
9 I believe; is that correct?

10 MR. STOVITZ: Objection --

11 MR. BUGLIOSI: Same objection, your Honor.

12 THE COURT: Sustained.

13 BY MR. HUGHES:

14 Q Your duties there at the residence were
15 primarily to care for three dogs; is that correct?

16 A Yes.

17 Q Basically, you had no other duties?

18 A Yes.

19 Q You didn't have any special training with
20 dogs, did you?

21 A No.

22 Q So that primarily, then, your only job at
23 the Altabelli residence was to feed these dogs; is that
24 correct?

25 A And the bird, too.

26 MR. STOVITZ: And the what?

4-3

1 THE WITNESS: A bird.

2 BY MR. HUGHES:

3 Q And a bird?

4 A Yes.

5 Q Three dogs and a bird?

6 A Yes.

7 Q Now, Christopher, you stated, is a Weimaraner?

8 A Yes.

9 Q Christopher is a male?

10 A Yes, he is.

11 Q And a Weimaraner is a gray dog, a fairly large
12 dog; is that correct?

13 A Yes.

14 Q A short-haired dog?

15 A Yes.

16 Q Short tail, weighs 50, 60 pounds, perhaps?

17 A Yes.

18 Q He is a hunting dog; is that correct?

19 A I don't know.

20 Q And Christopher, at the time the police came
21 in to arrest you, you stated that he bit the officer's
22 leg; is that correct?

23 A Yes.

24 Q Had Christopher ever bit anyone, to your
25 knowledge, before?

26 A Yes.

4-4

1 Q Christopher, then, you would say was fairly --
2 he was an unafraid dog?

3 A Yes.

4 Q And Christopher could that evening get out
5 from the guest house onto the back patio, the double doors,
6 as you indicated; is that correct?

7 A He could have gotten out. He could have been
8 gone and I wouldn't have known about it.

9 Q And there was nothing to keep him, then, once
10 out in the back patio from going around in front of the
11 guesthouse up to the large residence; is that correct?

12 A Yes.

13 Q And on occasion, is it not correct, that you
14 had actually seen Christopher up in the other area?

15 A In the day.

16 Q During the day?

17 A Yes.

18 Q Now, on Friday you testified, I believe --
19 tell me if this is correct -- that Mr. Parent, when he
20 came up to see you brought with him a clock radio.

21 A Yes.

22 Q And that he offered to sell you this clock
23 radio; is that correct?

24 A That one or another one like it. Something.
25 I don't really remember. I wasn't interested.

26 Q But either that clock radio or one similar to

1 it; is that correct?

2 A Yes.

3 Q Since he worked at an appliance --

4 A Yes.

5 Q -- center?

6 A Yes.

4a fls.

A-1
1 Q Do you know or did you feel that that was a
2 new clock-radio?

3 A It looked new.

4 Q Do you recall now how much he offered to sell
5 that clock-radio to you for?

6 A No.

7 Q Did it seem like the price was right or that the
8 price was low at the time?

9 A I wasn't interested in the radio.

10 Q Did you have the feeling the radio was stolen?

11 MR. STOVITZ: Objected to.

12 MR. BUGLIOSI: It calls for a conclusion.

13 MR. STOVITZ: And immaterial and irrelevant, your
14 Honor.

15 THE COURT: Sustained.

16 Q BY MR. HUGHES: Now, I believe you stated to
17 a police officer at one time that when you were walking
18 back past the pool that you saw Mr. Frykowski with a home
19 movie camera; is that correct?

20 A Yes.

21 Q And this was during the daytime?

22 A Yes.

23 Q And he appeared to be taking pictures; is that
24 correct?

25 A Yes.

26 Q And were there other people present?

1A2

1 A Two or three. I really can't remember.

2 Q Were some of those people women? Was one of
3 those persons a woman?

4 A Yes.

5 Q Was she a young woman?

6 A Yes.

7 Q Was she nude?

8 A Yes.

9 Q Was she swimming nude in the pool?

10 A I don't know. I just walked by.

11 Q But he appeared to be taking pictures of her;
12 is that correct?

13 A Yes.

14 MR. HUGHES: May I have a moment, your Honor?

15 THE COURT: Yes.

16 (Mr. Hughes confers with co-counsel.)

17 MR. HUGHES: That would conclude our cross-examination
18 of this witness.

19 THE COURT: Any redirect?

20 MR. BUGLIOSI: Just a few more questions, your Honor.

21
22 REDIRECT EXAMINATION

23 BY MR. BUGLIOSI:

24 Q Mr. Garretson, other than taking care of these
25 three dogs and the bird, you had no other duties on the
26 premises; is that correct?

1 A Yes.

2 Q You didn't have any duties in relation to the
3 Polanski residence?

4 A No.

5 Q In addition to the three dogs whom you took care
6 of, did you ever notice any other dogs regularly on the
7 premises?

8 A Yes.

9 Q What dogs were those?

10 A Mrs. Polanski owned a Yorkshire terrier, some-
11 thing like that.

12 MR. STOVITZ: You will have to keep your voice up,
13 sir.

14 THE WITNESS: She had some kind of a terrier. I
15 don't recall what kind it was. I think Frykowski ran over
16 it. And then they bought another one, a Dalmatian, a puppy.

17 And when Mrs. Polanski came back, she bought
18 another one.

19 Q From Europe?

20 A Yes.

21 Q They bought another dog?

22 A Yes.

23 Q When you say "they," you are referring to
24 Frykowski?

25 A I don't know who bought it. Somebody bought
26 another dog.

1 Q You had nothing to do with these other dogs?

2 A No.

3 MR. BUGLIOSI: Your Honor, I have here a photograph.
4 It appears to portray -- it appears to be an aerial
5 photograph of the Tate residence and surrounding area.

6 May it be marked next in order?

7 THE CLERK: 24, your Honor.

8 THE COURT: It will be so marked.

9 MR. BUGLIOSI: I have here another photograph of what
10 appears to be the Tate residence from up above.

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

12 THE COURT: It will be marked 25 for identification.

13 MR. BUGLIOSI: Thank you.

14 MR. KANAREK: May I see them?

15 (Mr. Bugliosi shows the exhibits to Mr. Kanarek.)

16 MR. BUGLIOSI: Q Mr. Garretson, I show you
17 People's 24 for identification.

18 Do you recognize what is shown in that
19 photograph?

20 A Yes.

21 Q What is that?

22 A That is the driveway, the garage, the main house.

23 Q Does it appear to be an aerial photo of the
24 Tate residence and the surrounding area?

25 A Yes, it does.

26 Q What about People's 25 for identification?

1 If I can get it straight here.

2 A That way.

3 Q People's 25 for identification. What does that
4 appear to depict?

5 MR. SHINN: Your Honor, I am going to object. This is
6 not proper redirect, your Honor.

7 Is counsel taking the witness on direct again?

8 MR. BUGLIOSI: May I reopen direct again?

9 THE COURT: Very well.

10 THE WITNESS: It looks like a complete picture of the
11 estate.

4B

4b-1

1 Q This appears to be another aerial photograph
2 of the Tate residence and the surrounding area; is that
3 correct?

4 A Yes.

5 MR. BUGLIOSI: No further questions, your Honor.

6 THE COURT: Any further cross-examination?

7 MR. KANAREK: No, your Honor.

8 I wonder, after the next witness, if your
9 Honor can do something in connection with this exhibit.
10 I can't see through it.

11 MR. STOVITZ: The next witness will be a painter
12 at the residence, your Honor.

13 I believe that we can put the diagram behind
14 Mr. Kanarek, if it is agreeable with the Court.

15 THE COURT: Very well.

16 You may step down, Mr. Garretson.

17 MR. BUGLIOSI: Your Honor, may this witness, Mr.
18 Garretson, return to Lancaster, Ohio.

19 THE COURT: Very well. You are excused, sir.

20 MR. BUGLIOSI: Thank you.

21 The People call Frank Guerrero.

22 MR. STOVITZ: While the witness is coming in, let's
23 get the diagram away.

24 MR. BUGLIOSI: The witness is going to use this
25 diagram.

26 (The diagram is moved to another part of the

4b-2

1 courtroom.)

2 THE COURT: You may call your next witness.

3 MR. STOVITZ: Yes. He is coming in, your Honor.

4 THE CLERK: Would you raise your right hand, please.

5 Would you please repeat after me: I do
6 solemnly swear --

7 THE WITNESS: I do solemnly swear --

8 THE CLERK: That the testimony I may give in the
9 cause now pending before this court --

10 THE WITNESS: -- that the testimony I may give in
11 the cause now pending before this court --

12 THE CLERK: -- shall be the truth, the whole truth,
13 and nothing but the truth --

14 THE WITNESS: -- shall be the truth, the whole
15 truth and nothing but the truth --

16 THE CLERK: -- so help me God.

17 THE WITNESS: -- so help me God.

18 THE CLERK: Would you be seated, please.

19 Would you state and spell your name?

20 THE WITNESS: Frank Guerrero; G-u-e-r-r-e-r-o.

21
22 FRANK GUERRERO,

23 called as a witness by and on behalf of the People, having
24 been first duly sworn, was examined and testified as
25 follows:
26

DIRECT EXAMINATION

4b-3
1
2 BY MR. BUGLIOSI:

3 Q What is your occupation, sir?

4 A House painter.

5 Q Did you ever work at the Roman Polanski
6 residence located at 10050 Cielo Drive, Los Angeles?

7 A Yes.

8 Q Who employed you to work there?

9 A Mr. Peter Shore, decorator.

10 Q Peter Shore employed you to work at that
11 residence?

12 A Yes.

13 Q You were not employed by any particular
14 party living at that residence?

15 A Well, Mrs. Polanski was employing Mr. Shore,
16 and Mr. Shore, I do most of his painting.

17 Q When is the first day that you went to
18 the Polanski residence?

19 A Wednesday. I think that was August 6th.

20 Q August 6th, 1969; is that correct?

21 A Yes.

22 Q Did you start to paint that day, sir?

23 A I just went up to figure the job.

24 Q What were you supposed to paint at the Polanski
25 residence?

26 A It was a small back bedroom. Actually, it was

1 at the front of the house. It was supposed to be a
2 nursery.

3 Q For the arrival of Sharon Tate's baby?

4 A Yes.

5 Q When did you eventually start painting Miss
6 Tate's nursery, if at all?

7 Did you ever start painting it?

8 A Yes. Thursday, August the 7th.

9 Q The following day then?

10 A Yes.

11 Q Did you work all day Thursday?

12 A Up to about 3:00 o'clock.

13 Q Did you return the following day, August the
14 8th, a Friday?

15 A Yes, I did.

16 Q Did you paint that day?

17 A All day up to 1:30.

18 Q And you left the premises at 1:30?

19 A Yes.

20 Q When you left, had you completed your painting
21 of the nursery?

22 A No. I put one coat on everything. It was
23 all prepared for the finish.

24 Q When were you going to return to finish the
25 painting?

26 A Monday morning.

1 Q When you left the premises on Friday at
2 1:30 p.m., who, if anyone, was on the premises, still on
3 the premises?

4c fls. 4 A Mrs. Polanski.

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1 Q That is Sharon Tata?

2 A Yes.

3 Wajciech Frykowski, Jay Sebring, the maid,
4 Winifred Chapman, and there were two girls there, I don't
5 know their names.

6 Q Did one of them have a baby?

7 A One of them had a baby.

8 Q About 20 to 25 years old, these two girls?

9 A Yes.

10 Q Was Abigail Folger inside?

11 A Yes. She was also there. I am sorry.

12 MR. BUGLIOSI: All right.

13 Your Honor, I have here a photograph depicting
14 a window and the screen below the window.

15 May it be marked People's 26 for identification?

16 THE COURT: It may be so marked.

17 Q BY MR. BUGLIOSI: I show you People's 26 for
18 identification, Mr. Guerrero. Do you know what is
19 depicted in this photograph?

20 A This is the dining room section.

21 Q To the Tata residence?

22 A Of the Tata residence.

23 Q Does it depict a photograph -- I mean, a window
24 in the photograph?

25 A Yes.

26 Q You will notice that there is a screen beneath
the window.

1 A Yes.

2 Q When you left the premises at 1:30 p.m., was
3 this screen on the window or was it on the ground as it is
4 shown in this photograph?

5 A It was on the window.

6 Q It was not on the ground as it is shown in this
7 photograph?

8 A No.

9 Q Was there any slit on the screen when you left
10 the premises at 1:30 p.m.?

11 MR. SHINN: Your Honor, I am going to object. He is
12 leading the witness, your Honor.

13 THE COURT: Overruled.

14 You may answer.

15 THE WITNESS: No, there was no slit in the screen.

16 MR. BUGLIOSI: Q So the screen was on the window
17 and there was no slit in the screen, is that correct?

18 A That is correct.

19 Q Mr. Guerrero, would you please step down from
20 the witness stand, sir, and approach People's 8 for
21 identification, the diagram here, and point out on the
22 diagram where that window is at the Tate residence.

23 (The witness leaves the stand and approaches
24 the exhibit.)

25 THE WITNESS: Here.

26 MR. BUGLIOSI: The diagram indicates "dining room."

4C3
1 and there are two "w's" below the dining room.

2 You are pointing to the "w" on the right; is
3 that correct?

4 THE WITNESS: Yes.

5 MR. BUGLIOSI: Q This would be the second window to
6 the right; is that correct?

7 A Yes.

8 MR. STOVITZ: Do you want to circle that?

9 MR. BUGLIOSI: Your Honor, may I encircle this "w"?

10 THE COURT: You may.

11 MR. BUGLIOSI: And insert the word "screen" below?

12 THE COURT: Yes.

13 (Mr. Bugliosi writes on the diagram.)

14 MR. BUGLIOSI: Q Mr. Guerrero, we are not through
15 with this yet, sir.

16 Looking at this diagram here, do you see the
17 nursery?

18 A Here.

19 Q You are pointing to a room which says "bedroom"?

20 A Yes.

21 MR. BUGLIOSI: May I insert the word "nursery" there,
22 your Honor?

23 THE COURT: Yes.

24 (Mr. Bugliosi writes on the diagram.)

25 MR. BUGLIOSI: You may resume the stand, sir.

26 (Witness resumes the stand.)

1 MR. BUGLIOSI: May I have just a few moments, your
2 Honor?

3 THE COURT: Yes.

4 (Mr. Bugliosi and Mr. Stovitz confer.)

5 MR. BUGLIOSI: No further questions.

6 THE COURT: Cross-examination, Mr. Fitzgerald?

7 MR. FITZGERALD: Yes.

8 May I see People's 26?

9 MR. STOVITZ: Here you are, Counsel.

10 MR. FITZGERALD: Thank you.

11 May I approach the witness, your Honor?

12 THE COURT: You may.

13
14 CROSS-EXAMINATION

15 BY MR. FITZGERALD:

16 Q Would you again take a look at the photograph,
17 People's 26 for identification, and look at the screen.

18 Is there anything unusual or peculiar about the
19 screen from what you can see in that photograph?

20 A No. It is kind of hidden behind the bush there.
21 You can't see. You can see one corner of it. Nothing
22 unusual.

23 Q It just looks like an ordinary screen, right?

24 A Yes.

25 Q Now, you just worked at the Polanski residence
26 on two days; is that correct?

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A Two days.

Q The 7th and the 8th?

A Yes.

Q Were you formally introduced to any of the guests at the house?

A Yes, I was.

Q Really?

A Yes.

Q Were you introduced to Mr. Sebring?

A No, not him. Everybody except him.

Q How do you happen to know Mr. Sebring was there?

A Well, the maid was talking and I could hear her saying, "Mr. Sebring." She called him "Jay," I think. I could hear her talking to him. So I figured that was him.

5-1

1 MR. FITZGERALD: Thank you, I have nothing further.

2 THE COURT: Mr. Shinn, any questions?

3 MR. SHINN: Yes, your Honor.

4 (Mr. Shinn consults with other defense
5 counsel off the record.)

6 MR. STOVITZ: In order to save time, may we have
7 Mr. Vargas come into the courtroom -- is it all right to
8 have the next witness, Mr. Vargas, the gardener come in?

9 MR. FITZGERALD: Yes.

10 MR. STOVITZ: Is it agreeable with the Court?

11 THE COURT: Yes.

12 MR. SHINN: May I proceed, your Honor?

13 THE COURT: You may.

14 MR. SHINN: Thank you.

15
16 CROSS-EXAMINATION

17 BY MR. SHINN:

18 Q Mr. Guerrero, you stated there was a cut in
19 the screen?

20 A No, sir.

21 Q You said something about -- is something
22 unusual about the screen?

23 A No, sir.

24 Q Was there something about -- was there
25 something unusual about the window, the way the screen
26 came off?

5-2

1 A No, sir.

2 Q Did you yourself take the screen down?

3 A No, sir.

4 Q How many persons were working with you at
5 this time?

6 A Myself all alone.

7 Q How about your -- the one that employed you,
8 what is his name?

9 A Peter Shore.

10 Q Peter Shore, I believe you stated that this
11 screen was taken down by yourself?

12 A No.

13 Q Did you see anyone take the screen down?

14 A No, I did not.

15 Q How many times did you meet Frykowski?

16 A I met him on a Wednesday the first day I was
17 there, to look at the job, I met him, he was out in the
18 back swimming and Mrs. Polanski introduced me to him.

19 Q And did you have a conversation with Mr.
20 Frykowski?

21 A No, I did not.

22 Q Did you have a conversation with any other
23 persons at the house at that time?

24 A No.

25 Q Miss Folger?

26 A No, she was not present Wednesday.

1 MR. SHINN: I have nothing further, your Honor.

2 THE COURT: Any questions, Mr. Kanarek?

3 MR. KANAREK: No, your Honor, thank you.

4 THE COURT: Mr. Hughes?

5 MR. HUGHES: I have no questions, your Honor.

6 THE COURT: Very well.

7 MR. STOVITZ: May the witness be excused, your
8 Honor?

9 THE COURT: Yes, you may step down, sir.

10 MR. BUGLIOSI: Call Mr. Vargas.

11 THE CLERK: Would you raise your right hand, please.

12 Would you please repeat after me:

13 I do solemnly swear --

14 THE WITNESS: I do solemnly swear --

15 THE CLERK: -- that the testimony I may give --

16 THE WITNESS: -- that the testimony I may give --

17 THE CLERK: -- in the cause now pending --

18 THE WITNESS: -- in the cause now pending --

19 THE CLERK: -- before this court --

20 THE WITNESS: -- before this court --

21 THE CLERK: -- shall be the truth --

22 THE WITNESS: -- shall be the truth --

23 THE CLERK: -- the whole truth --

24 THE WITNESS: -- the whole truth --

25 THE CLERK: -- and nothing but the truth --

26 THE WITNESS: -- and nothing but the truth --

1 THE CLERK: -- so help me God.

2 THE WITNESS: -- so help me God.

3 THE CLERK: Would you be seated, please.

4 Would you please state and spell your name.

5 THE WITNESS: Tom Vargas; T-o-m, V-a-r-g-a-s.

6
7 TOM VARGAS,

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

10
11 DIRECT EXAMINATION

12 BY MR. BUGLIOSI:

13 Q Mr. Vargas, what is your occupation, sir?

14 A Gardener.

15 Q Did you ever work at the Roman Polanski
16 residence or the Tate residence located at 10050 Cielo
17 Drive, Los Angeles?

18 A Yes, sir.

19 Q When were you first employed in that residence,
20 say, in a gardening capacity?

21 A About five years ago.

22 Q Are you still employed there?

23 A Yes, sir.

24 Q Who is your employer at the present time?

25 A Rudy Altabelli.

26 Q The owner of the premises?

1 A Yes, sir.

2 Q On the date August 8th, 1969, Friday, did you
3 go to the Polanski residence?

4 A Yes, sir.

5 Q About what time did you arrive?

6 A Between 4:30 and 5:00, about 5:30.

7 Q P.m.?

8 A Yes, sir.

9 Q Did you know Abigail Folger?

10 A Just as -- I worked there, yes, sir.

11 Q You had seen her on and about the premises?

12 A Yes, sir.

13 Q Did you see her that date, August 8, 1969,
14 a Friday?

15 A Yes, sir.

16 Q What were the circumstances surrounding your
17 seeing Miss Folger?

18 A I was going up the driveway, that long driveway
19 as you turn up Bella.

20 She was coming down in the car, in a yellow
21 car.

22 Q She was driving a yellow car?

23 A Yes, sir.

24 Q Was she by herself?

25 A Yes, it was a convertible with the top down.

26 Q Did you know Wajciech Frykowski?

1 A Yes, sir.

2 Q Did you see Mr. Frykowski that day?

3 A Yes, sir.

4 Q About what time and what were the circumstances?

5 A About a minute later he was coming out, getting
6 ready to get into his car, getting ready to leave.

7 Q Did you see him drive away?

8 A Yes, sir.

9 Q Was he by himself?

10 A Yes, sir.

11 Q So you saw Mr. Frykowski about a minute after
12 you saw Miss Folger drive down the driveway, is that
13 correct?

14 A Yes, sir.

15 Q When you arrived about 5:00 p.m. did you
16 notice any telephone wires, or wires of any kind whatso-
17 ever on top of the gate or on the ground, the driveway or
18 anything like that?

19 A No, sir.

20 Q Everything seemed to be in order?

21 A Yes, sir.

22 Q In addition to Miss Folger and Mr. Frykowski,
23 did you see anyone else on or about the premises when you
24 arrived?

25 A Mrs. Tate, Bill Garretson, my brother.

26 Q Is your brother's name Dave Martinez?

1 A Yes, sir.

2 Q Was he also employed as a gardener at the
3 residence at that time?

4 A Yes, sir.

5 Q What did you do after you arrived on the
6 premises?

7 A I began working, cleaning up the area, and
8 then I started washing down, turning sprinklers on, mainly
9 watering.

10 Q While you were on the premises did Mrs.
11 Chapman and your brother leave?

12 A Yes, sir.

13 Q About what time?

14 A About a half an hour later after I arrived.

15 Q About 5:30 p.m.?

16 A Yes, sir.

17 Q You are not sure about these hours and the
18 minutes, are you?

19 A No, sir, but I usually arrived in that area
20 about 4:30 or 5:00 o'clock.

21 Q So after --

22 A -- in the afternoon.

23 Q So after your brother Dave and Mrs. Chapman
24 left, in addition to yourself and Miss Tate, who else was
25 on the premises?

26 A Bill, Bill Garretson.

1 Q Just the three of you, is that correct?

2 A Yes, sir.

3 Q While you were on the premises did you receipt
4 for any property?

5 A Pardon?

6 Q Did you receipt, did you sign for any personal
7 property?

8 A Yes, sir.

9 Q About what time?

10 A Probably about an hour and a half after I
11 arrived.
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Q 6:30 p.m. or 6:00?

A Somewhere around that time, it was getting late, yes, sir.

Q Were you inside the Tate residence at that time?

A No, sir.

Q Did you go inside the Tate residence to receive the property?

A No, sir.

Q Where did you receive the property?

A I received it at the back -- I did not receive the property, but the delivery man brought the receipt to sign at the back gate behind the pole, there, where the guest house is.

Q And you signed the receipt?

A I signed it there, yes, sir.

Q Was there any particular reason why you signed rather than Miss Tate?

A He knocked on the door and he said there was no answer and I told him I believed that Miss Tate was sleeping at the time so he asked me if I would sign it. I said all right.

So he just left.

He said he would leave the trunk on the porch, whatever.

Q Do you know who the sender of the property was?

1 A All I know is that Roman Polanski --

2 MR. BUGLIOSI: Your Honor, I have here a photograph
3 depicting two trunks, two blue trunks. May it be
4 marked People's 27 for identification?

5 THE COURT: It will be so marked.

6 Q BY MR. BUGLIOSI: I show you People's 27 for
7 identification, sir, do you know what is depicted in that
8 photograph?

9 A Two trunks.

10 Q Had you ever seen those trunks before?

11 A I had seen it, yes, sir, I don't know at the
12 time there was two trunks, but this was the trunk, I did
13 not notice if there was two of them.

14 Q You don't recall if there was one trunk or
15 two trunks, is that correct?

16 A Yes, sir, they may have been on top of each
17 other, next to each other, I did not pay that much
18 attention to it.

19 Q Are these the trunks or is this the trunk about
20 which you have been referring to in your testimony?

21 A Yes.

22 Q Are these the trunks or is this the trunk you
23 received or signed for from the delivery man?

24 A Yes, sir.

25 Q That were sent to the residence by Roman
26 Polanski?

3a3

1 A Yes, sir.

2 Q Did the delivery man deposit the trunks inside
3 the residence or did you do that?

4 A No, he left them outside, and that is where they
5 were when I left. They were outside by the front entrance.

6 Q About what time did you leave the premises
7 that day?

8 A Somewhere around 6:00 o'clock.

9 Q P.M.?

10 A P.M., yes, sir.

11 Q Who, if anyone, was still on the premises when
12 you left?

13 A Miss Tate was on there and I don't know -- I
14 believe Bill went to walk the dogs at that time because I
15 did not see him after that.

16 Q Again you mean Bill Garretson?

17 A Bill Garretson, yes, sir.

18 Q Incidentally, do you know in what room Sharon
19 was sleeping when you received the trunk or trunks?

20 A Yes, sir, it was in that back bedroom on the
21 back, to the right rear of the house, the extreme rear, on
22 the right-hand side.

23 Q Step down and off the witness stand, sir,
24 and point out that room on this diagram, People's 8 for
25 identification.

26 (Witness approaches diagram.)

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1 A This room right here.

2 Q Are you pointing to the room which says "Master
3 bedroom"?

4 A Yes, sir.

5 Q This was Sharon Tate's room?

6 A Yes, sir, I believe so.

7 MR. BUGLIOSI: May I insert the name "Sharon Tate,"
8 your Honor?

9 THE COURT: Yes, you may.

10 MR. BUGLIOSI: You may resume the witness stand, sir.

11 (Witness resumes witness stand.)

12 Q BY MR. BUGLIOSI: When you left the premises
13 did everything appear to be in good order?

14 A Yes, sir.

15 Q Did you observe any telephone wires or any
16 wires of any nature whatsoever lying on the driveway pave-
17 ment or on top of the gate?

18 A No, sir.

19 Q Or anywhere else?

20 A No, sir.

21 Q Did you return to the premises any more that
22 day?

23 A No, sir.

24 MR. BUGLIOSI: Thank you, no further questions.

25 THE COURT: We will take the recess at this time,
26 Mr. Fitzgerald.

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1 You may step down, sir.

2 Do not converse with anyone or among yourselves,
3 nor form or express any opinion regarding the case until it
4 is finally submitted to you.

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

3 Will there be any cross-examination?

4 MR. FITZGERALD: There will be no cross-examination.
5 Perhaps the witness may be excused.

6 MR. BUGLIOSI: Referring to Mr. Vargas?

7 MR. FITZGERALD: Referring to Mr. Vargas.

8 MR. BUGLIOSI: No cross-examination by any of the
9 defendants?

10 MR. HUGHES: Correct.

11 MR. KANAREK: Correct.

12 MR. SHINN: Yes.

13 MR. BUGLIOSI: The People call Dennis Hearst.

14 THE CLERK: Would you raise your right hand, please.

15 Would you please repeat after me.

16 I do solemnly swear --

17 THE WITNESS: I do solemnly swear --

18 THE CLERK: -- that the testimony I may give --

19 THE WITNESS: -- that the testimony I may give --

20 THE CLERK: -- in the cause now pending --

21 THE WITNESS: -- in the cause now pending --

22 THE CLERK: -- before this Court --

23 THE WITNESS: -- before this Court --

24 THE CLERK: -- shall be the truth --

25 THE WITNESS: -- shall be the truth --

26 THE CLERK: -- the whole truth --

1 THE WITNESS: -- the whole truth --

2 THE CLERK: -- and nothing but the truth --

3 THE WITNESS: -- and nothing but the truth --

4 THE CLERK: -- so help me God.

5 THE WITNESS: -- so help me God.

6 THE CLERK: Would you please be seated, sir.

7 Would you please state and spell your name for
8 the record.

9 THE WITNESS: Dennis Hoarst; the last name is spelled
10 H-e-a-r-s-t.

11
12 DIRECT EXAMINATION

13 BY MR. BUGLIOSI:

14 Q Are you presently employed, sir?

15 A Yes, I am.

16 Q Where do you work?

17 A I work for Bank of America.

18 Q Do you also attend college?

19 A Yes, I do.

20 Q At UCLA?

21 A Yes.

22 Q In the summer of 1969, were you employed?

23 A Yes.

24 Q By whom were you employed at that time?

25 A Hans Ohrt Bicycles.

26 Q Is that located at 9544 Santa Monica Boulevard

63 1 in the City of Los Angeles?

2 A Yes.

3 Q Does your father own that shop?

4 A Yes, he does.

5 Q On the date of August the 8th, 1969, did you go
6 to the address 10050 Cielo Drive in the City of Los Angeles?

7 A Yes.

-1
1 Q What was the reason for your going to that
2 address on that date?

3 A To exchange a bicycle, one had been delivered on
4 Wednesday evening and I was to exchange it for another
5 model.

6 Q Whose bicycle was this?

7 A I believe it was purchased by Abigail Folger
8 that Wednesday.

9 Q So you were going to substitute another bicycle
10 for that one?

11 A Yes, sir.

12 Q What time did you arrive at the Cielo address on
13 August 8, 1969?

14 A About 7:00 p.m.

15 Q And you took a bicycle with you, is that
16 correct?

17 A Yes, I did.

18 Q What did you do after you arrived on the
19 premises?

20 A I drove in, parked the car and I took the
21 bicycle out that I had, and I put it in the garage.

22 Q Where was the bicycle that -- strike that.
23 You took the bicycle out of your car and put it
24 in the garage of the Polanski residence?

25 A Yes.

26 Q What happened next?

1 A Then I removed the bicycle that was in there
2 and put it back in the van, and then I left through the
3 gate to the door closest to the driveway of the house
4 and knocked, and I believe I rang the bell and knocked.

5 Q What happened next?

6 A I knocked several times and for about five
7 minutes, and finally the door was answered.

8 Q Who answered the door?

9 A Jay Sebring.

10 Q I show you People's 2 for identification,
11 do you know who is shown in this photograph?

12 A That is the person who answered the door.

13 Q Is that Mr. Sebring?

14 A Yes.

15 Q Did Mr. Sebring receipt for the bicycle?

16 A No, he did not. He did not sign anything.

17 Q Did you tell him that you had delivered the bicy-
18 cle?

19 A Yes, I did.

20 Q You left it in the garage?

21 A Right.

22 Q Did you see Abigail Folger?

23 A No, I did not.

24 Q Is Mr. Sebring the only person you saw on the
25 premises?

26 A Yes.

Q You saw no one else inside the premises or

1 walking about the premises?

2 A I saw nobody else.

3 Q I show you People's 16 for identification,
4 do you know what is shown in that photograph in addition
5 to the automobile?

6 A Yes, that is the garage where I placed the
7 bicycle.

8 Q Okay. When you left the premises, did you see
9 any wires -- strike that.

10 When you arrived and left did you see any
11 telephone wires of any kind whatsoever on top of the gate
12 to the residence or on the driveway?

13 A No, I did not.

14 Q Did everything appear to be in order on the
15 premises?

16 A Everything appeared to be in order.

17 Q About what time was it when you finally left
18 the premises?

19 A About 7:20.

20 Q P.M.?

21 A P.M.

22 Q You did not return to the premises later that
23 day?

24 A No, I did not.

25 Q You have never been there since, is that
26 correct?

1 A No -- yes, it is correct.

2 MR. BUGLIOSI: Okay, thank you, no further
3 questions.

4 MR. FITZGERALD: No questions, Your Honor.

5 THE COURT: Mr. Shinn?

6 MR. SHINN: Yes, your Honor.

7
8 CROSS-EXAMINATION

9 BY MR. SHINN:

10 Q Did you have a conversation with Jay Sebring?

11 A Very little.

12 Q Do you recall what was said to him?

13 A I told him that I had brought the bike up, I
14 had exchanged it and had taken the other bicycle with me.

15 I told him that it was in the garage and he
16 said, "Okay, fine," and that was all.

17 Q And in other words you had a short conversation
18 of about two or three minutes with him, is that correct?

19 A Not that long.

20 Q Did he have anything in his hands?

21 A Yes.

22 Q What did he have in his hands?

23 A A bottle, it appeared to be a bottle.

24 Q Did you notice what kind of a bottle it was,
25 soda pop, liquor?

26 A It was green, a green tinted glass.

1 Q Did it appear to you to be a wine, a whiskey
2 bottle?

3 A I could not tell. It was the color green like
4 a 7-up bottle, that color green.

5 Q Were you close enough to smell his breath?

6 A No.

7 Q Did he appear to you -- did it appear to you
8 that he was under the influence of either alcohol or
9 narcotics?

10 MR. BUGLIOSI: That calls for a conclusion, your
11 Honor.

12 I will withdraw the objection.

13 THE COURT: Well, the question is compound. The
14 objection will be sustained.

15 Q BY MR. SHINN: Did he appear to you to be under
16 the influence of alcohol?

17 A No.

18 Q Did he appear to you to be under the influence
19 of narcotics?

20 A No.

21 Q Now, you stated that -- strike that.

22 How many times have you been to his residence?

23 A This is the only time I have been there.

24 Q Now, you stated on your direct examination that
25 everything appeared to be in order. What did you mean by
26 that?

1 A I didn't notice anything unusual.

2 Q You were not looking for telephone wires or
3 any type of wires, were you?

4 A As I drove through the driveway I was looking
5 for a pressure plate, which is common as you drive through
6 an electro-gate.

7 There is usually a plate or wires across the
8 driveway to drive over which signals the gate to close.

9 Q In other words, you did not look overhead for
10 wires, did you?

11 A No, I did not.

12 Q When you said everything appeared to be in
13 order you just meant from what you could see?

14 A Yes.

15 Q There might have been wires above you that were
16 cut, probably, which you did not see, isn't that correct?

17 A It is possible.

18 MR. SHINN: I have nothing further, your Honor.

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1 THE COURT: Mr. Kanarek?

2 MR. KANAREK: No questions.

3 THE COURT: Mr. Hughes?

4 MR. HUGHES: One question.

5
6 CROSS-EXAMINATION

7 BY MR. HUGHES:

8 Q Actually, sir, I believe you said that your
9 father's business was in Los Angeles; but it is actually
10 in Beverly Hills; is that correct?

11 A It is in Beverly Hills.

12 MR. HUGHES: Thank you. No further questions.

13 THE COURT: Any redirect?

14 MR. BUGLIOSI: No further questions.

15 May the witness be excused, your Honor?

16 THE COURT: You may step down, sir.

17 You are excused.

18 MR. BUGLIOSI: May we approach the bench, your
19 Honor?

20 THE COURT: Very well.
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1 (Whereupon all counsel approach the bench
2 and the following proceedings occur at the bench outside
3 of the hearing of the jury:)

4 MR. BUGLIOSI: Linda Kasabian is the next witness,
5 and I just got a message that she has got a baggy old
6 maternity outfit on.

7 MR. KANAREK: I didn't hear that.

8 MR. BUGLIOSI: Mrs. Kasabian is scheduled to be the
9 next witness, and I got a message about five minutes ago
10 that she is wearing a big large old maternity outfit,
11 and that they are bringing her over a decent dress.

12 It is not our job. They should have done it
13 a long time ago.

14 THE COURT: Where is she now?

15 MR. BUGLIOSI: I believe in 102, your Honor.

16 They said they would probably have her
17 here in about ten minutes.

18 I hate to hold up the court, but on the other
19 hand, she is our main witness and I would like to have her
20 look halfway decent when she walks into the courtroom to
21 testify.

22 I would like to ask the Court for a recess
23 for about ten minutes. If we can't get her dress in ten
24 minutes, I will just have to call her anyway.

25 THE COURT: Where is the dress coming from?

26 MR. BUGLIOSI: Sybil Brand, I guess.

8-3

1 THE COURT: They can't get it in ten minutes.

2 MR. BUGLIOSI: They ordered it quite a while ago.

3 THE COURT: All right. We will take a brief
4 recess until it arrives, if it is on the way.

5 (Whereupon all counsel return to their
6 respective places at counsel table and the following
7 proceedings occurred in open court within the presence
8 and hearing of the jury:)

9 THE COURT: At the request of the People, the
10 Court will take a brief recess.

11 Remember the admonition, ladies and gentlemen.
12 Do not converse nor form or express any opinions regarding
13 the case until such time as it is finally submitted to
14 you.

15 (Recess.)
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1 LOS ANGELES, CALIFORNIA, MONDAY, JULY 27, 1970

2 2:00 P.M.

3 ---O---

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

6 You may proceed, Mr. Bugliosi.

7 MR. BUGLIOSI: People call Linda Kasabian.

8 THE CLERK: Would you raise your right hand, please.

9 MR. KANAREK: Object, your Honor, on the grounds this
10 witness is not competent and she is insane.

11 MR. BUGLIOSI: Wait a while, your Honor, move to
12 strike that and I ask the Court to find him in contempt of
13 court for gross misconduct.

14 This is unbelievable on his part.

15 MR. KANAREK: That is my ground, your Honor, that is
16 my legal ground, on competency.

17 This witness is not competent and I have the
18 evidence to prove it. There is a lady here from Miami,
19 Florida --

20 MR. BUGLIOSI: Your Honor, he is not permitted to
21 make comments like this in open court. This is a legal
22 matter; it should be taken up at the bench.

23 MR. KANAREK: We ask it be done in open court, with
24 the jury excused, if your Honor --

25 THE COURT: If you have anything to say, Mr. Kanarek,
26 come to the bench.

1 MR. KANAREK: Very well, your Honor.

2 THE COURT: The jury is admonished to disregard
3 Mr. Kanarek's comments.

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1 (Whereupon all counsel approached the bench
2 and the following proceedings occurred at the bench,
3 outside of the hearing of the jury:)

4 MR. FITZGERALD: I think I can more succinctly state
5 the objection, if I might, with leave of the Court.

6 The defendants will object to the witness
7 being sworn to testify on the ground of incompetency due
8 to mental unsoundness, pursuant to Evidence Code Section
9 701, and former C.C.P. Section 1880, Subdivision 1, and
10 we are asking for an evidentiary hearing pursuant to
11 Evidence Code Section 405.

12 It is our contention that this witness is
13 incompetent to testify as the result of unsoundness,
14 and we are willing to make an offer of proof in that
15 respect.

16 THE COURT: Make your offer.

17 MR. FITZGERALD: Basically, our position is as
18 follows: That Linda Kasabian -- and we will offer to
19 prove this by various witnesses, and I will state them
20 separately at the conclusion -- that Linda Kasabian,
21 due to the prolonged extensive illegal use of LSD is a
22 person of unsound mind, is mentally ill, is insane,
23 is unable to differentiate between truth and falsity,
24 right and wrong, good or bad, fantasy and reality, and
25 is incapable of expressing herself concerning the matter
26 so as to be understood.

1 The witness is incapable of understanding
2 the duties of a witness, including the duty to tell the
3 truth.

4 In connection with our offer of proof, we
5 would like to incorporate by reference and resubmit to
6 the Court a motion, declaration and points and authorities
7 filed on behalf of the defendants on June 12th, 1969.

8 We would make a further offer of proof that
9 Dr. A. R. Tweed, whose declaration is attached to that
10 motion, is an expert in the diagnosis and treatment of
11 mental, emotional and psychiatric disorders, and he will
12 testify as to the matter contained in his declaration;

13 That Katherine Share will also testify as
14 to the matter contained in her declaration;

15 That two other witnesses are also present and
16 they will testify. The evidentiary import of their
17 testimony will be that Linda Kasabian has used a
18 hallucinogenic drug, LSD, over an extensive period of
19 time.

20 Those two additional witnesses will testify
21 as to their opinion concerning her sanity and/or mental
22 illness.

23 We are requesting a hearing pursuant to
24 Evidence Code Section 405.

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1 THE COURT: Who are these witnesses by whom you
2 expect to prove matters stated in your offer?

3 MR. KANAREK: May I be excused a half a minute?

4 MR. FITZGERALD: I have a declaration in written
5 form.

6 MR. BUGLIOSI: What I am concerned about is the
7 unbelievable statement of counsel in open court that this
8 witness is insane, which is a legal conclusion, which can
9 only be decided after a sanity hearing.

10 He says he can prove it by evidence. This is
11 gross misconduct.

12 MR. HUGHES: May I say that you are holding this out-
13 side the presence of Mr. Kanarek, your arguments now.

14 THE COURT: He voluntarily absented himself. If
15 he wants to get in on the proceedings, he can get back here.

16 MR. HUGHES: Your Honor, he did ask for time to go
17 get a document.

18 (Mr. Kanarek once again approaches the bench.)

19 MR. STOVITZ: We consider that we had 45 minutes
20 this morning in which this matter could have been raised
21 outside the presence of the jury.

22 I'd like, at this time, to ask your Honor to
23 remind counsel that it is quite unethical to take up a
24 matter like this in the presence of the jury, and
25 especially if Mr. Fitzgerald's statement is true that he
26 wants a hearing to determine a preliminary fact which would

42 1 be made by the Court.

2 We would submit that all of these matters
3 should have been taken up outside the presence of the jury.

4 THE COURT: There is no question about it, and your
5 conduct is outrageous, Mr. Kanarak.

6 MR. KANAREK: If I may respond.

7 Your Honor, it is a legal ground. One of the
8 objections is incompetency.

9 THE COURT: That is not the point. You understand
10 what the point is. It should have been done outside the
11 presence of the jury.

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1 MR. FITZGERALD: I would offer for the Court's
2 consideration an additional declaration of June Emmer.

3 This witness purports to be a close friend
4 and personal acquaintance of Linda Kasabian, and spent
5 the month of October, 1969, in her presence.

6 That Linda Kasabian made certain admissions
7 and statements concerning her activities in California,
8 and certain admissions and statements regarding the use
9 of Lysergic Acid.

10 MR. BUGLIOSI: The thing I'm worried about, your
11 Honor, this remark by him, it could not be more improper
12 and unprofessional.

13 I know the Court cannot prevent him from
14 speaking up, but God knows what he is going to say in
15 the future.

16 If I were to say something like this in open
17 court I probably would be disbarred; I would be thrown
18 off the case by my office, if I were to say something
19 equivalent to what he said against the defense.

20 MR. KANAREK: He called Mr. Manson a megalomaniac,
21 your Honor.

22 THE COURT: That has nothing to do with what we
23 are talking about now, Mr. Kanarek, whatever someone
24 else did cannot excuse what you did.

25 MR. KANAREK: But, your Honor, that is a legal
26 ground.

1 THE COURT: That is not the point and you know it.

2 Now, let's not have any further statements
3 like that in open court in front of the jury.

4 MR. FITZGERALD: Also, in support of the motion I
5 have a declaration under Florida law, an affidavit of
6 Rosaire Drouin, R-o-s-a-i-r-e, first name; D-r-o-u-i-n,
7 who purports to be the father of Linda Kasabian, who
8 in this affidavit sets out material indicating that his
9 daughter, the witness, to be sworn as a witness, Linda
10 Kasabian, has extensively used the drug LSD.

11 MR. KANAREK: I can represent to the Court I have
12 recently been to the State of Florida, and I have spoken
13 personally with Mr. Drouin.

14 I can represent to the Court that the lady --

15 THE COURT: I am not interested in your representa-
16 tions, Mr. Kanarek.

17 If you have something to represent to this
18 Court you put it in the form of an affidavit or declara-
19 tion under penalty of perjury.

20 MR. KANAREK: I have, the declarations are here. I
21 am just telling the Court the lady is in the hallway.
22 She came here from Florida. She is here to testify.

23 The affidavit of Mr. Drouin is before the
24 Court.

25 THE COURT: Do you expect to prove all of the
26 facts of your offer of proof by these two witnesses? Is

1 that what you are saying, that is, Rosaire Drouin and
2 June Emmer?

3 MR. FITZGERALD: We expect to call Katherine Share,
4 S-h-a-r-e, who will testify as she did in her declara-
5 tion that is now before the Court, that Linda Kasabian
6 has taken LSD a total of 300 times.

7 In addition we will put on this witness,
8 June Emmer, who your Honor has read the declaration of.

9 In addition we will put on Dr. A. R. Tweed.
10 He is presently on --

11 THE COURT: He has never examined Linda Kasabian.

12 MR. FITZGERALD: We made that motion.

13 MR. KANAREK: We made motions for doctors to be
14 appointed. We reinstated the motion.

15 The prosecution is entitled to have doctors--

16 THE COURT: Anything further?

17 MR. FITZGERALD: We make an offer of proof as to
18 a witness, Charles Melton, who is present in court and
19 will testify as to personally taking LSD with Linda
20 Kasabian on at least six occasions and will testify to
21 her bizarre conduct under the influence of LSD.

22 We don't claim she is under the influence of
23 LSD at this time, but if we could call Dr. Tweed as a
24 witness we would be able to demonstrate to the Court the
25 residual effects of LSD are such as to render someone
26 incompetent as a witness, and Dr. Tweed has so stated
in his affidavit to the Court.

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1 THE COURT: I have heard nothing so far that leads
2 me to believe that there is anything in your offer of
3 proof which has any connection with the competency of this
4 witness to testify.

5 Now, these are matters for cross-examination
6 if you wish to go into them, but there is no evidence
7 before this Court by offer of proof or otherwise that this
8 witness is now incompetent to testify.

9 MR. KANAREK: Dr. Tweed's declaration indicates that
10 when one ingests LSD, the flashback effects of it are
11 such as to render one incompetent.

12 I am not a psychiatrist, I can only refer your
13 Honor to that declaration of Dr. Tweed.

14 THE COURT: I read it.

15 MR. KANAREK: Dr. Tweed recently testified in a case
16 in Torrance where a man was accused of two murders --

17 THE COURT: I am not interested in Dr. Tweed's case
18 in Torrance. I am interested in the evidence before this
19 Court.

20 MR. BUGLIOSI: I don't want to engage in an inter se
21 discussion with Mr. Kanarek. I would like to have the
22 Court ask him why he outrageously made that statement with-
23 out coming to the bench to discuss the matter.

24 THE COURT: Mr. Kanarek, if you do that once more
25 in open court in front of this jury I am going to take some
26 action against you.

1 I mean that, and that goes for the rest of you
2 attorneys also.

3 If you have any question about it I suggest you
4 come to the bench first and find out.

5 MR. KANAREK: If I may, I make a motion for a mistrial
6 on this ground:

7 That the District Attorney held back supposedly
8 their secret weapon, Mr. Bugliosi told the press and the
9 media that he had a most bizarre motive.

10 Now, that bizarre motive turns out to be a
11 racial issue. Now, that means the jury was not interrogated.

12 There was no voir dire on the jury in
13 connection with the matter of race.

14 Mr. Bugliosi at all times intended to do that,
15 intended to have that issue, therefore it is our position
16 and we make a motion in the alternative that either your
17 Honor interrogate the present alternates and regular jurors
18 on their states of mind in connection with racial prejudice,
19 or your Honor declare a mistrial.

20 THE COURT: The motion is denied.

21 Is there any objection to the offer of proof?

22 MR. BUGLIOSI: Yes, your Honor.

23 THE COURT: The objection is sustained.

24 You may proceed.

25 MR. FITZGERALD: So the record is clear, your Honor,
26 is your Honor denying a hearing?

11A3 1 THE COURT: That's right. There are no grounds
2 whatever for this Court to indicate incompetency on the
3 part of this witness.

4 MR. FITZGERALD: May we take this witness on voir
5 dire outside the presence of the jury?

6 THE COURT: You may not.

7 MR. HUGHES: So the record is clear, may the record
8 reflect I join in the motion of Mr. Kanarek and Mr. Fitzgerald?

9 THE COURT: Very well.

10 MR. SHINN: May I get one thing straight, your Honor,
11 your Honor said when we object like Mr. Kanarek did, are
12 we supposed to use a certain type of objection?

13 THE COURT: What I am saying, Mr. Shinn, is when you
14 have an objection of the type that Mr. Kanarek made and you
15 wish to state the reasons or the basis for it in open court
16 in front of the jury, when it can be highly prejudicial, and
17 there is no basis for making such a statement like that when
18 it should be done out of the presence of the jury and before
19 the Court only, I'm telling you not to make such a motion
20 or objection.

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1 MR. SHINN: If your Honor is going to make a ruling
2 like that we will be afraid to object at certain times
3 because we don't know whether or not it is going over the
4 bounds which your Honor has just stated.

5 THE COURT: If you have any question as to whether
6 it is over the bounds of propriety or not, you may ask
7 to come to the bench.

8 I am not talking about routine objections,
9 in regard to evidence coming in, as to the testimony of
10 a witness.

11 I am talking about something like this that
12 comes out of the blue, without any warning to anybody.
13 It is highly improper.

14 Let's proceed.

15 MR. KANAREK: I have --

16 THE COURT: I don't want to hear any more at this
17 time, Mr. Kanarek.

18 MR. KANAREK: We have a witness subpoena --

19 (The following proceedings were had in open
20 court:)

11b-2

(The following proceedings were had in open court in the presence and hearing of the jury:)

THE COURT: You may call your witness, Mr. Bugliosi.

MR. BUGLIOSI: Mrs. Kasabian,

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

I do solemnly swear --

THE WITNESS: I do solemnly swear --

THE CLERK: -- that the testimony I may give --

THE WITNESS: -- that the testimony I may give --

THE CLERK: -- in the cause now pending --

THE WITNESS: -- in the cause now pending --

THE CLERK: -- before this court --

THE WITNESS: -- before this court --

THE CLERK: -- shall be the truth --

THE WITNESS: -- shall be the truth --

THE CLERK: -- the whole truth --

THE WITNESS: -- the whole truth --

THE CLERK: -- and nothing but the truth --

THE WITNESS: -- and nothing but the truth --

THE CLERK: -- so help me God.

THE WITNESS: -- so help me God.

THE CLERK: Would you be seated, please.

Would you please state and spell your name
for the record.

THE WITNESS: Linda Kasabian, K-a-s-a-b-i-a-n.

LINDA KASABIAN,
a witness called by and on behalf of the People, was
examined and testified as follows:

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q Linda, you realize that you are presently
charged with seven counts of murder and one count of
conspiracy to commit murder?

A Yes.

MR. KANAREK: Immaterial, your Honor, I object on
the grounds I would like to approach the bench.

THE COURT: Overruled, let's proceed.

MR. KANAREK: I have a motion to make, if your
Honor does not wish me to do it in the presence of the
jury I will do it whichever way your Honor wishes.

THE COURT: State your motion.

MR. KANAREK: My motion is -- your Honor wishes me
to do it in the presence of the jury?

THE COURT: State your motion.

MR. KANAREK: The motion is for a mistrial.

THE COURT: I did not want to hear your grounds,
just the motion.

The motion will be denied.

Let's proceed.

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MR. KANAREK: May I state the ground at the bench?

THE COURT: Is this something in addition to what you have already stated, Mr. Kanarek?

MR. KANAREK: Yes.

THE COURT: All right, you may.

12-2

1 (Whereupon, all counsel approach the bench
2 and the following proceedings occurred at the bench, out-
3 side of the hearing of the jury:)

4 THE COURT: Make your motion.

5 MR. KANAREK: The motion, your Honor, is for a mis-
6 trial.

7 I ask your Honor to consider the fact that she
8 is a named defendant.

9 It is reversible error for the District
10 Attorney to call a defendant to the witness stand.

11 THE COURT: That is the ground? Is that all?

12 MR. KANAREK: This witness has not been granted
13 immunity, and I am sure the Court agrees with me.

14 THE COURT: Anything further?

15 MR. KANAREK: No.

16 THE COURT: All right. The motion is denied.

17 Let's proceed.

18 MR. BUGLIOSI: Just one thing.

19 I am going to bring out, in the next question,
20 the immunity agreement.

21 They are going to bring it out. That is their
22 main point in attacking her credibility, that she is
23 getting something.

24 I am going to ask her if she is aware of the
25 agreement and the immunity.

26 THE COURT: All right.

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MR. HUGHES: I would join in Mr. Kanarek's motion.

MR. SHINN: Join, too.

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1 (Whereupon, all counsel returned to their
2 respective places at counsel table and the following
3 proceedings occurred in open court within the presence and
4 hearing of the jury:)

5 BY MR. BUGLIOSI:

6 Q Linda, are you aware of the agreement between
7 the District Attorney's office and your attorneys,
8 Gary Fleishman and Ronald Goldman?

9 MR. KANAREK: I object on the grounds of hearsay,
10 conclusion, improper foundation, your Honor. It calls for a
11 legal conclusion.

12 May we approach the bench?

13 THE COURT: No, you may not.

14 Overruled.

15 MR. SHINN: Your Honor, may I take this witness on
16 voir dire, your Honor?

17 THE COURT: You may not, sir.

18 Proceed.

19 MR. BUGLIOSI: I will have to start all over again.

20 Q Linda, are you aware of the agreement between
21 the District Attorney's office and your attorneys, Gary
22 Fleishman and Ronald Goldman, that if you testify to every-
23 thing you know about the Tate-La Bianca murders, the
24 District Attorney's office will petition the Court to
25 grant you immunity from prosecution and dismiss all charges
26 against you.

1 Are you aware of that agreement?

2 A Yes, I am aware.

3 MR. KANAREK: I object on the grounds that it assumes
4 facts not in evidence. There is nothing in evidence.

5 THE COURT: Overruled.

6 MR. KANAREK: And also on the previous ground of
7 hearsay, conclusion and improper foundation.

8 THE COURT: Overruled.

9 Let's proceed.

10 THE WITNESS: Yes, I am aware.

11 MR. BUGLIOSI: Q Besides the benefits which will
12 accrue to you under the agreement, is there any other
13 reason why you have decided to tell everything you know
14 about these seven murders?

15 MR. KANAREK: I object on the grounds, your Honor,
16 that it is immaterial, conclusionary, calls for hearsay,
17 assumes facts not in evidence.

18 Clearly, your Honor, her reasons are immaterial.
19 She is called as a witness.

20 THE COURT: I don't want to hear any arguments.

21 MR. KANAREK: Those are the objections.

22 May I approach the bench to make an argument?

23 THE COURT: No.

24 THE WITNESS: I strongly believe in truth, and I feel
25 that truth should be spoken.

26 MR. KANAREK: May I have that read back, your Honor?

1 THE COURT: Read the answer.

2 (The answer was read by the reporter.)

3 MR. KANAREK: Well, then, I ask that that be
4 stricken. It is a self-serving declaration.

5 THE COURT: overruled.

6 MR. HUGHES: Join.

7 MR. FITZGERALD: Join in the objection.

8 MR. SHINN: Join.

9 THE COURT: Proceed.

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12a-1

1 BY MR. BUGLIOSI:

2 Q Do you know the four defendants in this case,
3 Charles Manson, Susan Atkins, Patricia Krenwinkel and
4 Leslie Van Houten?

5 A Yes, I do.

6 Q How old are you, Linda?

7 A 21.

8 Q Where were you born?

9 A Bitteford, Maine.

10 Q On what date?

11 A June 21st, 1949.

12 Q Are you presently married?

13 A Yes, I am.

14 Q What is your husband's name?

15 A Robert Kasabian.

16 Q When did you marry Bob?

17 A In September of '67.

18 Q Where?

19 A Lawrence, Massachusetts.

20 Q Do you have any children by your marriage to
21 Bob?

22 A Yes, I do.

23 MR. KANAREK: That is immaterial.

24 MR. SHINN: Objection, your Honor. Immaterial.

25 THE COURT: Overruled.

26 THE WITNESS: I have two children.

12a-2

BY MR. BUGLIOSI:

Q What are their names?

A Tanya and Angel.

Q Where are Tanya and Angel now?

A They are back East.

Q With your mother?

A Yes.

Q Did you ever separate from your husband Bob?

A Yes, I did.

MR. KANAREK: Immaterial, your Honor.

THE COURT: Overruled.

The answer is in.

BY MR. BUGLIOSI:

Q When was it?

A In April.

Q Of what year?

A '68. Excuse me. '69.

Q Where were you living at the time of the separation?

MR. KANAREK: Immaterial, your Honor.

THE COURT: Overruled.

THE WITNESS: Taos, New Mexico.

BY MR. BUGLIOSI:

Q Where did you go after the separation?

A Back East, New Hampshire.

Q To live with your mother?

12a-3

1 A Yes.

2 Q After you went back to New Hampshire, did you
3 thereafter attempt a reconciliation with Bob?

4 MR. KANAREK: Immaterial, your Honor.

5 THE COURT: Overruled.

6 MR. SHINN: Leading and suggestive.

7 MR. KANAREK: I see no materiality to any charge
8 in this case.

9 THE WITNESS: Yes, I did.

10 THE COURT: Overruled.

11 BY MR. BUGLIOSI:

12 Q When did you attempt to reconcile with Bob?

13 MR. KANAREK: Your Honor, may I have a continuing
14 objection on immateriality?

15 THE COURT: No, you may not. You will have to
16 make your objection to each question as we go along.

17 MR. KANAREK: Very well.

18 I must object, then. It is immaterial.

19 THE WITNESS: He called me one afternoon around
20 the end of June of '69.

21 BY MR. BUGLIOSI:

22 Q Where was he at the time he called you?

23 A In Los Angeles.

24 Q And did he ask you to come to him?

25 A Yes.

26 MR. KANAREK: Immaterial and hearsay. I object on

1 A Exactly.

2 Q Do you know what date you arrived here
3 in Los Angeles, approximately?

4 A Maybe the 27th of June.

5 Q 1969?

6 A Right.

12b fls.

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1 the grounds that it is hearsay.

2 THE COURT: Overruled.

3 You may answer.

4 BY MR. BUGLIOSI:

5 Q Did you attempt a reconciliation with Bob?

6 MR. KANAREK: Immaterial, conclusion and hearsay,
7 your Honor.

8 THE COURT: Overruled.

9 THE WITNESS: Yes, I did.

10 BY MR. BUGLIOSI:

11 Q Would you tell the Judge and the jury what
12 took place with respect to that reconciliation?

13 MR. KANAREK: Immaterial, your Honor. It has
14 nothing to do with this case. It is a conclusion and
15 hearsay. It is a life story that might be good for
16 some purpose but not in this courtroom.

17 THE COURT: I don't want to hear your reasons, sir,
18 just state the objection.

19 MR. KANAREK: Very well, your Honor. I have
20 stated those objections.

21 THE COURT: Overruled.

22 THE WITNESS: We came back together as husband
23 and wife.

24 BY MR. BUGLIOSI:

25 Q I take it then that you left New Hampshire
26 for Los Angeles?

12B-1

1 Q And did you start to live with Bob?

2 A Yes, I did.

3 Q Where did you live with him?

4 A Topanga Lane Boulevard -- Topanga Lane.

5 Q That is in the Topanga Canyon area of Los
6 Angeles?

7 A At the bottom by the ocean.

8 MR. BUGLIOSI: May I have a moment, your Honor?

9 (Pause.)

10 MR. STOVITZ: Your Honor, I believe that there are two
11 persons that are in the courtroom that may be witnesses.
12 I have just learned of this. May I inquire if they are
13 here?

14 THE COURT: Yes.

15 MR. STOVITZ: Is Mr. Melton and Mr. Kasabian in the
16 courtroom?

17 (Two gentlemen raise their hands.)

18 MR. STOVITZ: Would you gentlemen kindly step outside.
19 There has been an order excluding witnesses from the court-
20 room.

21 MR. BUGLIOSI: Q Did you live in a home or what
22 with Bob in Topanga Canyon?

23 A We lived in the back of a truck that was made
24 into a home.

25 Q Whose truck was this?

26 A Charley Melton's.

12B2

1 Q Is Charley Melton a friend of your husband, Bob's?

2 A Yes.

3 Q Who else lived in this converted truck?

4 A Jim and Julie Otterstrum.

5 Q So, there were you and Bob, Charles Melton,
6 and Jim and Julie?

7 A Yes.

8 Q Anyone else?

9 A No.

10 Q Did you and Bob have any particular plans other
11 than just living in the truck?

12 A We all planned to go to South America.

13 Q You are or you were?

14 A Yes, we were on our way.

15 Q You and Bob and who else?

16 A Charley Melton and Jim and Julie.

17 Q How were you going to get there?

18 A In the truck.

19 MR. KANAREK: Immaterial, your Honor.

20 THE COURT: The answer is in, Mr. Kanarek.

21 MR. BUGLIOSI: Q What did you intend to do after
22 you arrived in South America?

23 A We were going to drive to the tip of South
24 America and buy a boat and sail around the world.

25 Q Did things work out between you and Bob with
26 respect to your reconciliation?

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A No.

Q What was the particular problem?

MR. KANAREK: Immaterial, your Honor.

Completely immaterial to anything having to do with this case.

THE COURT: It would seem so, Mr. Bugliosi.

MR. BUGLIOSI: The relevance is -- may I approach the bench, or would the Court want me to state it down here?

THE COURT: I think perhaps you had better approach the bench.

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1 (The following proceedings occurred at the
2 bench outside of the presence and hearing of the jury:)

3 MR. BUGLIOSI: The offer of proof, your Honor, is that
4 the witness will testify --

5 MR. HUGHES: May I say that Mr. Fitzgerald is not here
6 yet and you are already talking.

7 MR. BUGLIOSI: My apologies.

8 My offer of proof is that the witness
9 will testify that things did not work out with Bob, and
10 that this is why she joined the Family. That she left him
11 one day because the reconciliation just didn't work out.

12 THE COURT: What is the relevance to that?

13 MR. BUGLIOSI: It has quite a bit of relevance.

14 THE COURT: I could see it if it were all preliminary
15 to something relevant.

16 MR. BUGLIOSI: The background of why she joined the
17 Family.

18 The offer of proof is that we are going to
19 claim that she is not a hard-core member of the Family,
20 and she had nothing to do with the Family, and that the
21 only reason she went there was because of trouble with her
22 husband, and Gypsy, who is Katherine Share, invited her out
23 to Spahn Ranch on the same day that she left her husband.

24 Gypsy told her about Charles Manson on July the
25 4th, and she started living with the Family thereafter.

26 So, it shows the very basis for her becoming a

1 member of the Family.

2 I think it is highly relevant and highly germane
3 how she happened to become a member of the Family, and I
4 don't think it is harmful in any fashion to the defense.

5 Certainly we have a right to put on how and why
6 she joined the Family, and I don't think it is harmful that
7 the reason she joined is because she left her husband.

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1 THE COURT: I will permit you to go into the
2 circumstances surrounding her joining the Family, but it
3 is limited, these preliminary matters.

4 MR. KANAREK: Your Honor, I must object.

5 THE COURT: You have objected.

6 Do you want to say something in support of
7 that objection?

8 MR. KANAREK: Yes.

9 That is why we have rules of evidence, your
10 Honor.

11 THE COURT: This is a preliminary matter.

12 MR. KANAREK: He is taken in by his own propaganda.

13 THE COURT: I will permit it to a limited extent.

14 MR. KANAREK: Katherine Share or any of the other
15 people are not mentioned in the indictment.

16 THE COURT: Objection overruled.
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1 (Whereupon the following proceedings
2 occurred in open court within the presence and hearing
3 of the jury:)

4 BY MR. BUGLIOSI:

5 Q What was your particular problem why you
6 left Bob?

7 A I didn't feel that he was ready to accept
8 myself and the child as a responsibility.

9 Q Did you have Tanya with you at the time?

10 A Yes.

11 Q You did bring Tanya with you from New
12 Hampshire?

13 A Yes.

14 Q Did you ever go to live at Spahn Movie Ranch
15 in Chatsworth, California?

16 A Yes, I did.

17 Q On what date did you go there?

18 A It was July the 4th.

19 Q 1969?

20 A '69, right.

21 Q What were the circumstances surrounding
22 your going out to Spahn Ranch?

23 MR. KANAREK: That is ambiguous, your Honor.

24 I have no objection to a specific question.

25 THE COURT: I think that is too general. The
26 objection is sustained.

12c-3

1 MR. BUGLIOSI: Your Honor, I have here a photograph
2 of a female Caucasian. May it be marked People's next
3 in order?

4 THE CLERK: 28.

5 THE COURT: It will be so marked.

6 MR. FITZGERALD: Could we see it, Counsel?

7 MR. BUGLIOSI: Yes.

8 (Mr. Bugliosi shows the photograph to defense
9 counsel.)

10 MR. HUGHES: I object to that, Counsel.

11 BY MR. BUGLIOSI:

12 Q I show you People's 28 for identification.

13 Linda, do you know whose photograph that is?

14 A Yes, I do.

15 MR. HUGHES: May we approach the bench, your Honor?

16 THE COURT: In connection with this photograph?

17 MR. HUGHES: Yes, your Honor.

18 THE COURT: No, sir.

19 THE WITNESS: I know, yes. I know who she is.

20 MR. HUGHES: It is in connection with the statement
21 that was just made, and I wish to have the jury polled
22 to see if any of them heard it.

23 MR. STOVITZ: I was sitting right next to him and
24 I have got good hearing and I didn't hear it.

25 MR. HUGHES: I wish to have the jury polled to
26 determine if they heard it.

1 THE COURT: I heard nothing.

2 MR. KANAREK: Then I make a motion that we have an
3 evidentiary hearing to determine it.

4 MR. STOVITZ: I will testify under oath that I
5 was sitting right next to him and I didn't hear the state-
6 ment, and I have good hearing.

7 THE COURT: Proceed.

8 BY MR. BUGLIOSI:

9 Q Who is shown in this photograph?

10 A Gypsy.

11 Q Do you know her by her real name?

12 A Kathy.

13 Q Does the name Katherine Share ring a bell?

14 A Yes.

15 Q You know her as Gypsy and Kathy?

16 A Also she told me Minnie or Minone.

17 MR. SHINN: I can't hear the witness. May she speak
18 up, your Honor?

19 THE COURT: Keep your voice up.

20 BY MR. BUGLIOSI:

21 Q Did you see Gypsy or Katherine or Minone,
22 or whatever you called her, the girl shown in People's
23 28 for identification, did you see her on the date of
24 July 4th, 1969?

25 A Yes, I did.

26 Q Where did you see her for the first time that

1 day?

2 A She was at Topanga Lane.

3 Q Was she visiting someone in the truck?

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4 A Yes. She had come to see somebody.

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1 Q Who was that?

2 A Charley Melton.

3 Q Had you ever seen Gypsy before that date?

4 A No.

5 MR. KANAREK: Your Honor, I must object.

6 THE COURT: State your objection.

7 MR. KANAREK: The objection is that it is outside the
8 scope of the pleadings. The pleadings incorporate --

9 THE COURT: The objection is overruled.

10 Let's proceed.

11 MR. BUGLIOSI: Q Did Gypsy have anything to do
12 with your going to Spahn Ranch?

13 A Yes, she did.

14 Q How was that?

15 A She told me about a beautiful --

16 MR. KANAREK: I object on the grounds of hearsay, your
17 Honor. This witness is stating hearsay. What Gypsy told
18 her is --

19 THE COURT: Read the last question.

20 (The question was read by the reporter.)

21 MR. BUGLIOSI: May I briefly be heard?

22 It is not offered for the truth of the matters
23 asserted by any stretch of the imagination.

24 THE COURT: Overruled.

25 You may proceed.

26 MR. BUGLIOSI: You may answer the question, Linda.

2D2 1 Q What did Gypsy tell you that caused you to go
2 out to Spahn Ranch?

3 MR. KANAREK: That is hearsay.

4 THE COURT: Overruled.

5 MR. KANAREK: And it solicits a conclusion.

6 THE COURT: Overruled.

7 THE WITNESS: She told me that there was a beautiful
8 man that we had all been waiting for, and that he had been
9 in jail for quite a number of years, that the Establishment --

10 MR. KANAREK: Your Honor, that is the vice that I was
11 alluding to in my last objection, and I ask permission to
12 approach the bench.

13 THE COURT: What are you doing, objecting, or making
14 a motion?

15 MR. KANAREK: I am making a motion to strike, and
16 also I would like to make another motion.

17 This is the vicious type of testimony that is
18 coming as a result of these questions of Mr. Bugliosi.

19 THE COURT: I don't want any argument, Mr. Kanarek,
20 in front of the jury, and I have told you that, sir.

21 MR. KANAREK: I will ask to approach the bench, if I
22 may.

23 MR. FITZGERALD: It is a statement that is prejudicial
24 in character, your Honor.

25 We would ask that the statement be stricken and
26 the jury admonished to disregard it, the last portion of her

L2D3

1 answer.

2 MR. KANAREK: And I have a motion in addition to that,
3 because mere admonishment will not suffice that statement of
4 this witness.

5 THE COURT: You may approach the bench.
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1 (Whereupon, all counsel approach the bench and
2 the following proceedings occurred at the bench outside of
3 the hearing of the jury:)

4 MR. BUGLIOSI: I was unaware, actually, she was going
5 to say that. only that --

6 THE COURT: Let's go back and read what she said.

7 (The record was read by the reporter.)
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1 MR. KANAREK: I object and ask for a mistrial. Mere
2 admonition will not suffice.

3 Mr. Manson is entitled that his good name not
4 be sullied, and I object on the grounds of hearsay.

5 Your Honor would not allow it, and I ask for a
6 mistrial in all sincerity because of this remark on top of
7 everything else, this jury now has it before them that
8 Mr. Manson was in jail for many years.

9 THE COURT: I will admonish the jury to disregard that
10 statement.

11 She was obviously repeating something somebody
12 else said.

13 MR. HUGHES: I join in the motion, your Honor.

14 THE COURT: The motion for a mistrial is denied.

15 MR. SHINN: Join in Mr. Kanarek's motion, too.

16 MR. KANAREK: I invite your Honor to the pleadings.

17 THE COURT: Was Mr. Manson's name mentioned in that
18 answer? As I recall there was no reference to Mr. Manson.

19 Now, do you want me to admonish the jury that
20 the remark regarding Mr. Manson should be disregarded?

21 MR. FITZGERALD: No.

22 THE COURT: You'd better make up your mind what you
23 want, Mr. Kanarek.

24 MR. FITZGERALD: If your Honor would just admonish the
25 jury to disregard any reference to anybody having spent time
26 in jail, anybody spent time in jail.

1 Now, I would have no objection to the prosecution
2 approaching his witness and cautioning her against the
3 inadvertent admission of Mr. Manson or any of the other
4 defendants' past records.

5 The prosecution frequently does this with
6 police officers. I don't see why he cannot do it.

7 MR. BUGLIOSI: I will tell her at the break. This is
8 the first time she ever said that Gypsy told her that, just
9 that there was a beautiful man at the ranch and everybody
10 loved him.

11 THE COURT: You can go up to her and talk to her
12 privately.

13 MR. BUGLIOSI: The jury might think that I am
14 coaching her.

15 MR. KANAREK: I have not changed my mind. I ask your
16 Honor to admonish the jury not to consider the last remark
17 of the witness for any purpose.

18 I ask for a mistrial.

19 It is clear what she is talking about.

20 THE COURT: I told you I would admonish the jury.

21 MR. KANAREK: I'm asking your Honor not to consider
22 her last answer for any purpose or all of her answers, for
23 that matter, for any purpose.

24 THE COURT: The motion for a mistrial is denied.
25 Let's proceed.

26 MR. SHINN: Let the record indicate that Susan Atkins
joins Mr. Kanarek in this motion.

13a-1

(The following proceedings were had in open court in the presence and hearing of the jury:)

THE COURT: Ladies and gentlemen, I admonish you to disregard Mrs. Kasabian's remark about anybody having spent any time in jail.

All right, let's proceed.

BY MR. BUGLIOSI:

Q What else did Gypsy tell you about this beautiful man?

MR. KANAREK: I object on the grounds of hearsay, it is going to elicit the same type of vice, solicitation of hearsay and outside of the scope of the pleadings which refer to August 8th, just two days.

THE COURT: The objection is sustained. Let's proceed.

BY MR. BUGLIOSI:

Q Had you ever been out to Spahn Movie Ranch prior to July 4, 1969?

A No, I had not.

Q And you never met Gypsy before?

A No.

MR. BUGLIOSI: Your Honor, we have here a photograph of a group of buildings, an aerial photograph. May it be marked People's next in order, People's 29?

THE COURT: 29 for identification.

MR. KANAREK: May I look at it?

P 29 Id.

13a-2

1 MR. BUGLIOSI: I have another one. I will give you
2 two of them, Mr. Kanarek, just hold it for a second.

3 I have here another photograph, again appear-
4 ing to be an aerial photograph, basically the same area,
5 only larger.

6 May it be marked People's 30 for identification?

P 30 Id.

7 THE COURT: It will be so marked.

8 BY MR. BUGLIOSI:

9 Q I show you People's 29 for identification,
10 Linda, do you know what is shown in that photograph?

11 A Yes, it is the ranch.

12 Q Spahn Ranch?

13 A Yes.

14 Q This is where you went on July 4, 1969?

15 A Yes.

16 Q I show you People's 30 for identification,
17 do you know what is shown in that photograph?

18 It is a little higher up.

19 A That is a corral?

20 I cannot make it out.

21 Q It looks something like a corral. Do you
22 recognize the highway here or the topography or the
23 buildings or anything in that photograph?

24 A No.

25 Q This does not look like Spahn Ranch to you?

26 A Huh-unh.

13a-3

1 MR. BUGLIOSI: I have here another photograph, your
2 Honor, may it be marked People's 31 for identification,
3 also an aerial photograph of a building.

P 31 Id.

4 THE COURT: It will be so marked.

5 MR. SHINN: Your Honor, may I ask counsel when
6 these pictures were taken, your Honor?

7 There is no date on the photographs, your
8 Honor.

9 Does counsel know?

10 THE COURT: They are only being marked for identifi-
11 cation at this time, Mr. Shinn.

12 MR. BUGLIOSI: I have here another photograph,
13 your Honor, also an aerial photograph, it appears to be
14 a horse corral.

15 May it be marked People's 32 for identification?

P 32 Id.

16 THE COURT: It will be so marked.

17 BY MR. BUGLIOSI:

18 Q Looking at People's 31 for identification,
19 do you recognize the buildings shown in that photograph?

20 A Yes.

21 Q What is that building?

22 A That was the house that George lived in.

23 Q Who was George?

24 A George Spahn, the owner of the ranch.

25 Q Is this called the back house?

26 A No.

1 Q Was it a house behind the main cluster of
2 buildings that constitute the Spahn Ranch?

3 A It was sort of beside it.

4 Q I show you People's 32 for identification,
5 do you know what is shown in that photograph?

6 A Yes, that is the corral where the horses
7 are kept.

8 Q Going back to People's 30 again, now, looking
9 at People's 30, in relation to People's 32 for identifi-
10 cation, can you now identify what is shown in People's
11 30 for identification?

12 A Yes, it is the same place.

13 Q So you recognize People's 30 now as being a
14 photograph of what?

15 A The corral.

16 Q At Spahn Ranch?

17 A Right.

18 Q With the buildings adjacent to the corral,
19 is that correct?

20 A Uh-huh.

21 Q This is the same thing that is depicted in
22 People's 32 for identification?

23 A Yes.

24 Q Only a closer up view?

25 A Yes.

26 Q Did you start to live at Spahn Ranch?

1 A Yes, I did.

2 Q When did you meet Charles Manson for the
3 first time?

4 A The next night.

5 MR. KANAREK: I object, your Honor, on the grounds
6 it is immaterial.

7 I ask it be stricken.

8 This so-called conspiracy is to the 8th and 10th.

9 THE COURT: Just state the objection, Mr. Kanarek.

10 MR. KANAREK: Immaterial, your Honor, immaterial to
11 any issue in this case.

12 THE COURT: Overruled.

13 You will have to keep your voice up a little
14 louder, Mrs. Kasabian.

15 BY MR. BUGLIOSI:

16 Q Would you please relate your first meeting
17 with Mr. Manson.

18 A Actually it was the next day, it was not at
19 night, it was the afternoon.

20 Q That would be July 5th then?

21 A Right, and he was up and back at the Ranch,
22 in a cluster of trees, and he was working on a dune buggy,
23 and there were a group of girls with him, Brenda and Snake,
24 and Gypsy and Barry and Tapia, who were with me --

25 MR. KANAREK: I ask all that be stricken except the
26 reference to Mr. Manson, your Honor, we have our rules of

1 evidence and I ask we live by it.

2 THE COURT: Overruled.

3 The motion is denied.

13b fls. 4

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13B-1

1 MR. BUGLIOSI: I have a photograph here of a female
2 Caucasian, may it be marked People's 33 for identification?

3 THE COURT: It will be so marked.

4 MR. BUGLIOSI: I have here another photograph of a
5 female Caucasian, may it be marked People's 34 for
6 identification?

7 THE COURT: It will be so marked.

8 MR. BUGLIOSI: I have here another photograph of a
9 female Caucasian, may it be marked People's 35 for
10 identification?

11 THE COURT: It will be so marked.

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

13 THE COURT: It will be so marked.

14 Not at this time, Mr. Kanarek.

15 MR. KANAREK: Very well.

16 Q BY MR. BUGLIOSI: I show you People's 33 for
17 identification, do you know the girl shown in that
18 photograph?

19 A Yes, that is Brenda.

20 Q Do you know her last name?

21 A No.

22 Q I show you People's 34 for identification, do
23 you know the girl shown in that photograph?

24 A That is Mary.

25 MR. KANAREK: Your Honor, all of this is immaterial.

26 THE COURT: Is that an objection?

13B2

1 MR. KANAREK: Yes, your Honor.

2 THE COURT: Overruled.

3 What is the answer?

4 THE WITNESS: Yes, it is Mary.

5 Q BY MR. BUGLIOSI: Is that Mary Brunner?

6 A Brunner, right.

7 Q I show you People's 35 for identification, do
8 you know the girl shown in that photograph?

9 A Yes, that is Snake.

10 Q Did you know Snake by any other name?

11 A No.

12 MR. KANAREK: A juror raised his hand, your Honor.

13 JUROR NO. 9: Just for a repetition of the names.

14 THE COURT: Read back the last two questions and
15 answer.

16 (The reporter read the record as follows:

17 "Q BY MR. BUGLIOSI: Is that Mary
18 Brunner?

19 "A Brunner, right.

20 "Q I show you People's 35 for
21 identification, do you know the girl shown in
22 that photograph?

23 "A Yes, that is Snake.

24 "Q Did you know Snake by any other
25 name?

26 "A No.")

13B3

1 Q BY MR. BUGLIOSI: Is that spelled S-n-a-k-e,
2 Linda?

3 A I presume.

4 Q What took place, then, between you and Mr.
5 Manson on this third meeting?

6 MR. KANAREK: Immaterial, your Honor, immaterial.
7 May I approach the bench?

8 THE COURT: No, the question is ambiguous. The
9 objection will be sustained on that ground.

10 Q BY MR. BUGLIOSI: Did you have a conversation
11 with Mr. Manson on this first occasion?

12 A Yes.

13 MR. KANAREK: Immaterial, your Honor.

14 THE COURT: overruled.

15 Q BY MR. BUGLIOSI: What did he say and what did
16 you say?

17 MR. KANAREK: Immaterial, your Honor, it is outside
18 -- there is only the conspiracy, and that is between the
19 8th and the 10th.

20 THE COURT: state the objection.

21 MR. KANAREK: Immaterial, and it only has prejudicial
22 value.

23 THE COURT: overruled. sit down.

24 MR. KANAREK: It is hearsay.

25 THE COURT: I told you before I did not want to hear
26 your reasons stated before the jury.

1 If it is of sufficient importance you may ask to
2 go to the bench. If I agree with you we will have a bench
3 conference, otherwise state your objection and your motion
4 and the grounds, without reasons or arguments.

5 MR. KANAREK: Then I will add hearsay.

6 THE COURT: Let's proceed.

7 Q BY MR. BUGLIOSI: What did Mr. Manson say to
8 you and what did you say to him on this first occasion,
9 July 5, 1969?

10 MR. KANAREK: Objection on the grounds of hearsay.

11 THE COURT: Overruled.

12 THE WITNESS: He asked me why I had come.

13 I had told him that my husband had rejected me
14 and that Gypsy told me I was welcome here as part of the
15 Family.

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

17 THE COURT: Very well.

13c-1

1 (The following proceedings were had at the
2 bench out of the hearing of the jury:)

3 THE COURT: It would appear that we are getting into
4 the area of hearsay now, Mr. Bugliosi, do you contend this
5 comes under one of the exceptions?

6 MR. BUGLIOSI: Yes, part of the res gestae, perhaps,
7 and the conspiracy also, comes under the admission exception
8 to the hearsay rule.

9 Now, the question is what is an admission.

10 The way I understand what an admission is,
11 going back to law school and some of the teachers like
12 Chadbourne, an admission is an out-of-court statement by
13 the defendant which is prejudicial to the positions taken
14 in court.

15 I think this will be prejudicial.

16 THE COURT: At the time that this conversation
17 purportedly took place there was nothing to admit to, was
18 there? Admission of what?

19 MR. BUGLIOSI: No, your Honor, as I say, I think in
20 the layman sense, the word admission means you are
21 admitting to something, but I don't think that is the legal
22 definition of an admission.

23 In fact, there is legal authority to the
24 proposition that an admission can be a self-serving
25 statement at the time it was made, it may be self-serving,
26 but if it is prejudicial to the defendant in court, it comes