

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 104

HON. CHARLES H. OLDER, JUDGE

COPY

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

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

Defendants.

168

No. A253156

REPORTERS' DAILY TRANSCRIPT

Thursday, January 14, 1971

APPEARANCES:

For the People:	VINCENT T. BUGLIOSI, DONALD A. MUSICH, STEPHEN RUSSELL KAY, DEPUTY DISTRICT ATTORNEYS
For Deft. Manson:	I. A. KANAREK, Esq.
For Deft. Atkins:	DAYE SHINN, Esq.
For Deft. Van Houten:	<del>XXXXXXXXXXXX</del> MAXWELL KEITH, Esq.
For Deft. Krenwinkel:	PAUL FITZGERALD, Esq.

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

LOS ANGELES, CALIFORNIA, THURSDAY, JANUARY 14, 1971

9:35 A.M.

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(The following proceedings were had in open court in the presence of all of the jurors, all counsel with the exception of Mr. Hughes being present; the defendants are not physically present.)

THE COURT: All counsel and all jurors are present.

You may continue, Mr. Bugliosi.

MR. KEITH: May we approach the bench?

THE COURT: Yes.

(The following proceedings were had at the bench out of the hearing of the jury:)

MR. KEITH: At this time I would object to Mr. Bugliosi's references to me yesterday as a conservative lawyer from Pasadena and as an air polluter; I cite him for misconduct and request of the Court a motion for mistrial.

MR. BUGLIOSI: I did not call him an air polluter. I said he set up a smoke screen, and the Air Pollution District should be contacted.

I did not say he was an air polluter.

MR. KEITH: And one thing I forgot yesterday, with reference to Mr. Bugliosi's remarks concerning Mr. Kanarek, he called him a clown at one point in his argument, and I will object to that and cite Mr. Bugliosi for misconduct.

MR. BUGLIOSI: I didn't say he was a clown.

1 MR. KEITH: It is obvious to whom you had reference.

2 MR. KANAREK: I join in the motion.

3 MR. FITZGERALD: There is a case in California,  
4 People vs. Tolle, a 1952 case, 111 Cal. Ap. 2d, 650 at  
5 677.

6 The California Court states:

7 "The argument of the District Attorney,  
8 particularly his closing argument, comes from  
9 an official representative of the People. As  
10 such, it does, and it should carry great weight.

11 "It must therefore be reasonably objective.  
12 It is no answer to state that defense counsel  
13 used and abused questionable tactics during  
14 the trial and therefore the District Attorney  
15 was entitled to retaliate.

16 "Defense counsel and the prosecuting  
17 officials do not stand as equals before the  
18 jury. Defense counsel are known to be advocates  
19 for the defense.

20 "The prosecuting attorneys are government  
21 officials and clothed with the dignity and  
22 prestige of their office. What they say to the  
23 jury is necessarily weighted with that prestige.

24 "It is their duty to see to it that those  
25 accused of the crime are afforded a fair trial."

26 I think Mr. Bugliosi's personal attacks on all

1 defense attorneys in this case, during his argument yester-  
2 day, are such that they actually deprived the defendants  
3 of a fair trial.

2- 1 THE COURT: I can't agree. The law is clear. And  
2 the reason that I called you gentlemen to the bench yester-  
3 day was to tell Mr. Bugliosi that, and I admonish him again  
4 today, that I don't want any personal attack on attorneys.

5 However, in this case we had a number of things  
6 that go far beyond the usual case, and one of the things  
7 that we have had has been charges, for example, by  
8 Mr. Kanarek that the prosecution, in effect, suborned  
9 perjury, that it framed Mr. Manson, gross wild charges  
10 without any support whatever in this record, and certainly  
11 the People have a right to answer those arguments.

12 I don't think that anything that Mr. Bugliosi  
13 has said has in any way prejudiced this jury or prejudiced  
14 any of the defendants, although I think some of the things  
15 were intemperate, and I would admonish him not to repeat  
16 them.

17 But as a basis for a mistrial, I can't agree that  
18 any such basis exists, and the jury was admonished whenever  
19 the Court was requested to do so, and several times, as I  
20 recall, no request was made.

21 MR. KANAREK: Well, I join in Mr. Fitzgerald's  
22 comments and Mr. Keith's comments.

23 As far as his calling me a clown, and so forth --  
24 and there are other appellations that he has made that I  
25 can't document with precision because the court reporters'  
26 transcript hasn't come out -- I would ask your Honor to

1 admonish the jury and cite him for misconduct, and mere  
2 admonishment not sufficing, I would ask for a mistrial.

3 I ask for an evidentiary hearing so we can take  
4 evidence concerning the charges.

5 I also allege that it is a violation -- what he  
6 has done is a violation -- of the law guaranteed by the  
7 -- the protection that is guaranteed by the Sixth Amendment,  
8 which is incorporated in the due process clause of the  
9 Fourteenth Amendment, as well as equal protection,  
10 violation of equal protection; and what he has done is  
11 violated the right to counsel, effective counsel, under the  
12 California law, the California Constitution, and due  
13 process, and a fair trial under the California Constitution.

14 And I ask for an evidentiary hearing based on  
15 these allegations.

16 THE COURT: Based on what allegations?

17 MR. KANAREK: These are wild charges.

18 THE COURT: That you are a clown?

19 MR. KANAREK: No. He has a right to that belief.

20 But the point is that he has no right to attack counsel  
21 personally.

22 THE COURT: We have covered that.

23 MR. KANAREK: I ask for an evidentiary hearing where  
24 he would be sworn and I would be sworn.

25 THE COURT: The motion is denied.

26 The jury has been admonished, and your motion

1 for a mistrial is denied.

2 MR. KANAREK: I ask for the jury to be voir dired as  
3 to what the effect is on their state of mind.

4 MR. SHINN: Join in all the motions at the bench.

5 THE COURT: Motions denied.

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

5. THE COURT: You may proceed, Mr. Bugliosi.

6. MR. BUGLIOSI: Thank you, your Honor.

7. Good morning, ladies and gentlemen.

8. When I addressed you yesterday at the start of  
9. the day, I said that I would try to keep my argument down  
10. to two days, but that was predicated on the assumption that  
11. I would have complete court days.

12. I can see today I am starting at twenty minutes  
13. to 10:00. I have already lost 40 minutes.

14. Yesterday I lost 45 minutes. And there have been  
15. bench conferences, et cetera.

16. I will do my best to finish by sometime tomorrow.

17. We left off yesterday discussing Mr. Kanarek's  
18. contention that the prosecution never put on the words  
19. used by the conspirators forming the conspiracy, and his  
20. further related comment that his client, Mr. Manson, had  
21. nothing to do with these murders. There is no evidence, he  
22. said, that he ~~was~~ <sup>was</sup> connected with these murders.

23. I pointed out, of course, that when people enter  
24. into a conspiracy to commit murder or a conspiracy to commit  
25. any crime, they don't sit down at a conference table with  
26. a stenographer present.



1 The prosecution has no burden to offer the  
2 transcript from that witness stand as to the words they used.

3 Conspirators form their conspiracy, of course,  
4 in the so-called dark shadows.

5 And Mr. Keith himself acknowledged that the  
6 prosecution has no burden whatsoever to prove the exact  
7 words or any of the words that the conspirators used in  
8 entering into the conspiracy.

9 Mr. Keith pointed out, and properly so, that  
10 the prosecution can prove the conspiracy by the conduct of  
11 the parties, by circumstantial evidence.

12 I remind you that, just like in the robbery  
13 example, we would not have to put on evidence of what A said  
14 to B at the Ajax pool hall, such as "Let's rob the Gotham  
15 Bank,"

16 We do not have the burden of putting on what each  
17 conspirator said to each other prior to these murders.

18 In fact, under the law of conspiracy, a conspiracy  
19 can be formed -- not just proven, but formed -- even if  
20 no words were ever uttered between the conspirators.  
21 All that is required is that there be a meeting of the minds  
22 between the people, a common intent. And that can be  
23 communicated even without words.

24 If A and B are robbers and every day they wake  
25 up and they go and commit a robbery, standard operating  
26 procedure, they don't have to talk to each other. But if

1 they go out and do this, working together in concert, and  
2 there is a common intent, there is a conspiracy there.

3 I repeat -- this is important -- to say that  
4 on these two nights of murder these ~~two~~ defendants did not  
5 have a common intent, to say that, to say that they did not  
6 have a meeting of the minds, to say that they were acting  
7 independently of each other, at cross purposes with each  
8 other, would be ridiculous.

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2b 1 There couldn't possibly be a more obvious -- a  
2 more obvious -- conspiracy than in this case. Here we have  
3 all the conspirators in the same car on the second night.  
4 On the first night they were all in the car with the  
5 exception of Manson. Of course, he got together with them  
6 before they left and he met them when they returned.

7 So, here we have the conspirators in the same car,  
8 ladies and gentlemen, driving to the destination, the  
9 victims' residences, armed with weapons in the car. They  
10 get out of the car together, they go into the residences  
11 together and they stab the victims, working together in  
12 concert.

13 We have certainly proved that these defendants  
14 entered into a conspiracy to commit murder, beyond all  
15 doubt, ladies and gentlemen. Unquestionably. You couldn't  
16 possibly have a more classical example of conspiracy as when  
17 you put all the people together in the same car and they  
18 are all going out together.

19 They weren't fighting each other that night.  
20 They were working together towards a common goal, i.e.,  
21 murder.

22 Then, as I was pointing out yesterday, in point  
23 of fact -- and here is where I dropped off yesterday -- in  
24 point of fact, we do have, we have put on evidence of many  
25 of the words uttered by the conspirators in this case.

26 Not just Linda Kasabian's testimony as to

1 what the conspirators said on both nights when they were  
2 in the vehicle, but even prior to their leaving Spahn Ranch.  
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1 We do have many of Manson's words, and his  
2 utterance of these words, and his conduct on the nights of  
3 the Tate-La Bianca murders completely rebuts Mr. Kanarek's  
4 contention that Manson had nothing to do with these murders.

5 On the first night, I'm talking about words and  
6 conduct, this will be very very brief.

7 On the first night, talking about words, we  
8 know that Manson told -- when you tell someone you use  
9 words -- told Linda to get a knife, a change of clothing,  
10 her driver's license and go with Tex and do whatever Tex  
11 told her to do.

12 Now, to believe that Manson did not know what  
13 Tex was going to do, of course, is preposterous.

14 If Manson thought that Tex, Sadie, and Linda  
15 were going into town to roller skate, or for some other  
16 legitimate purpose, not only wouldn't there have been any  
17 reason for Manson to tell Linda to get a knife and a change  
18 of clothing; there wouldn't have been any need for him to  
19 tell her "Do whatever Tex tells you to do."

20 Manson also told the girls to leave something  
21 witchy at the scene.

22 Of course, the word "pig" certainly satisfied  
23 Manson's order in that regard.

24 Of course, not only did Manson send the killers  
25 ~~off~~ ladies and gentlemen, but when they returned from  
26 their night of horror on the early morning of August 9th,

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1 who was waiting for them all by himself at the same spot  
2 he saw them off in?

3 Charlie Manson!

4 It was Manson -- not Tex -- but Manson that  
5 then instructed Sadie and Linda to wipe off the blood spots  
6 on the car.

7 And then Manson, not Tex, told all three girls  
8 to go inside the bunkhouse and wait for him.

9 What happened next? Well, I'm sure some or all  
10 of you <sup>men</sup> on the jury have either been in the Armed Services  
11 during wartime or peacetime, and, as you know, when a  
12 sergeant or officer sends his troops out on a mission, when  
13 they return he conducts some kind of critique; the troops  
14 report to him and then he evaluates their performance.

15 I suggest that Manson conducted somewhat of a  
16 critique in the bunkhouse after Tex and the others returned  
17 from the Tate murders, His head Zombie, the dune buggy  
18 mechanic, Tex Watson, reported to Manson that when he  
19 arrived at the scene he said to the people "I am the devil,  
20 here to do the devil's work."

21 <sup>Then</sup> What Watson also reported to Manson that "There  
22 was a lot of panic and it was real <sup>messy</sup> ~~nasty~~; bodies were laying  
23 all over the place, but they were all dead."

24 In other words, Watson was saying to Manson  
25 "Mission accomplished, sir; mission accomplished, sir."

26 "There was a lot of panic; it was real messy."

1 That has got to be the understatement of the millenium,  
2 at least the understatement of the last several centuries.

3 What happened at 10050 Cielo Drive in the  
4 early morning hours of August 9, 1969, you don't even see  
5 in horror films.

6 The thought, the mere thought of Watson, Atkins  
7 and Krenwinkel dressed in black, armed with sharp knives,  
8 entering the Tate residence in the depth of night, then  
9 stabbing the victims over and over again in the heart, in  
10 the chest, and the victims screaming out into the night  
11 for their lives, <sup>the</sup> horrificing screams of the victims,

12 <sup>the</sup> The river of blood that flowed from their  
13 bodies, all of this is too horrendous a thought for the  
14 average mind to even contemplate for more than a moment.

15 The horror, the terror, the savagery, the  
16 scene of human slaughter is unbelievable.

17 At the moment, at the very moment that Sharon  
18 Tate, Abigail Folger, Voityck Frykowski and Jay Sebring  
19 died, horror and terror must have been frozen on their  
20 faces.

21 Watson said "There was a lot of panic and it  
22 was real messy, boss."

23 After Watson gave his report to Manson, Manson,  
24 as you remember, asked Tex, Sadie, Katie and Linda if they  
25 had any remorse, to which they all replied they did not.

26 And then Manson sent them all off to bed with



1 the order not to talk to anyone about what had been done.

2 ~~And~~ <sup>Although</sup> although Charles Manson never accompanied  
3 the killers on the night of the Tate murders, in view of  
4 the fact that Manson was the dictatorial leader of the  
5 Family, and Tex, Sadie, Katie and Linda were totally sub-  
6 servient to him, and in view of the instructions Manson  
7 gave Linda on the first night to get a knife, a change of  
8 clothing, her driver's license, and do everything that Tex  
9 told her to do, and in view of Manson's seeing the killers  
10 off and telling the girls to leave something witchy, and  
11 in view of Manson's waiting alone for them when the killers  
12 arrived back at the ranch, and his ordering the girls to  
13 take the blood off the car and telling the girls to go  
14 into the bunkhouse and then having Watson report to him  
15 what happened, ~~and~~

16 ~~and~~ then asking Tex, Sadie, Katie and Linda  
17 if they had any remorse, and then sending all four of them  
18 off to bed with the order not to talk to anyone,

19 ~~In~~ <sup>in</sup> view of all that, it could not be more  
20 obvious that Tex, Sadie and Katie were simply carrying  
21 out Manson's instructions on the first night.

22 On the second night, of course, ~~you~~ <sup>we</sup> know that  
23 Manson actually accompanied the killers on his mission of  
24 murder. He started out the evening by calling Tex, Sadie,  
25 Katie, Linda and Leslie, called them aside, telling them to  
26 get a change of clothing, and again telling Linda to get



1 that driver's license. He also told the girls to meet him  
2 at the bunkhouse.

3 At the bunkhouse he told everyone, including  
4 Tex, as you know, <sup>that</sup> the previous night they had been too  
5 messy, <sup>and</sup> tonight he was going to show them how to do it.

6 As you recall from Linda's testimony, Manson  
7 either drove that night, or when he wasn't driving, he  
8 instructed Linda to drive, and when Linda was driving, Manson, V  
9 and Manson alone gave Linda directions. No one else in that  
10 car gave Linda any directions other than Charlie Manson.

11 It was Manson who decided what houses and places  
12 to stop at in Pasadena, not Tex or anyone else.

13 It was Manson who decided not to enter the house  
14 and the church in Pasadena.

15 It was Manson who decided that he wanted to kill  
16 the driver of the white sportscar, not Tex or anyone else.

17 And of course it was Manson who finally decided  
18 to drive to Harold True's place, and after he got out of  
19 the car, of course, he entered the La Bianca residence -- we  
20 don't know how -- he tied the people up, he comes back to  
21 the car, he instructs Tex, Katie and Leslie to get out of  
22 the car.

23 After Tex, Katie and Leslie get out of the car  
24 it was Manson, not anyone else, it was Manson who instructed  
25 them to go inside the house.

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1 He told them not to cause fear and panic in the  
2 man and the woman and, as you know, Linda believes that  
3 Manson also told them not to let the people know they were  
4 going to be killed.

5 Linda also recalls Manson instructing Tex, Kattie  
6 and Leslie to hitchhike back to the ranch.

7 After Manson, Sadie, Clem -- Clem Tufts and Linda  
8 drove off, Manson continued to make all of the decisions.  
9 Among other things he instructed Linda to drop that wallet,  
10 hide that wallet in the gasoline station in Sylmar, and he  
11 also instructed Linda, Sadie and Clem to murder the man in  
12 his apartment in Venice.

13 Despite all this evidence from an eye witness,  
14 Linda Kasabian, Mr. Kanarek, ladies and gentlemen, says,  
15 "There is no evidence," and I'm quoting him, "there is no  
16 evidence that Charles Manson had anything to do with these  
17 murders."

18 All I can say is that when Linda Kasabian and  
19 the other prosecution witnesses testified on that witness  
20 stand, Mr. Kanarek must have been wearing ear plugs, ladies  
21 and gentlemen.

22 And when he read the transcript of this trial, as  
23 I know he did, he must have read it blindfolded.

24 The evidence at this trial shows that it was your  
25 client, Mr. Manson, Mr. Kanarek, who ordered <sup>that</sup> ~~the~~ seven savage  
26 murders. It wasn't Genghis Khan; and it wasn't an aunt of

mine who lives up in Minnesota.

Mr. Kanarek said that if the prosecution had an independent eye witness to these murders other than Linda Kasabian, maybe we would have something.

Well, you have to realize, ladies and gentlemen, that in a premeditated murder it is not going to be common at all -- I think this is just common horse sense -- it is not going to be common at all that you are even going to have one eye witness, in a premeditated murder.

Here we do have an eye witness, Linda Kasabian.

When two or more people conspire, ladies and gentlemen, ~~on committing~~ <sup>to commit</sup> premeditated murder, the conspirators obviously -- obviously are going to deliberately plan the murders in such a fashion that there are not going to be any eye witnesses.

A heat of passion killing, a spur of the moment decision to kill, you might have 100 eye witnesses.

But when people sit down and think about committing a murder, they are certainly not going to go down to Pershing Square and get on an orange crate or a soap box and with a megaphone announce to the world, or the distinguished ~~habituates~~ <sup>habitués</sup> of the square, that at a certain time, date and place, they are going to murder someone, and at that time, date and place there are witnesses there to observe the scheduled execution. Of course not.

Premeditated killers take steps to insure that

1 there are no eye witnesses.

2 Let's look at this case here. Where was the  
3 conspiracy to commit murder hatched?

4 Well, not at the Forum in Inglewood or Pershing  
5 Square, but at Spahn Ranch, which although geographically  
6 is pretty close to everything, in view of the life style  
7 that was going on out at Spahn Ranch, it was several  
8 hundred light years away.

9 When were the Tate-La Bianca murders committed?  
10 In the depth of night, when the goblins and just a couple  
11 of other people are around.

12 Most people are asleep -- to be actually truthful  
13 with you I am not either, but at least I am at home --  
14 2:00 o'clock last night.

15 Where were these murders committed, where were  
16 they? Where were these murders committed? Take a look  
17 at this Tate residence, ladies and gentlemen, Now, if that  
18 is not a secluded residence, I don't know what in the  
19 world would be.

20 These are not homes up here; these are trees.  
21 The Tate residence, very, very secluded, very, very  
22 vulnerable.

23 What about the La Bianca residence?

24 Well, to the right of the La Bianca residence, the  
25 home was vacant.

26 To the left is a very large walled-in estate.

1 This is premeditated murder; it is not going to be  
2 committed down at the intersection of 7th and Broadway, of  
3 course not.

4 So by the very nature of the fact that these  
5 were premeditated murders, planned in advance, there are  
6 rarely going to be eye witnesses. In this case we do have  
7 an eye witness; we do have an eye witness, Linda Kasabian.

8 Yet Irving Kanarek still is not satisfied. He  
9 demands more eye witnesses.

10 Let's face it, ladies and gentlemen, we <sup>could</sup> have  
11 100 eye witnesses, a thousand eye witnesses to these  
12 murders and Mr. Kanarek would not be about to say that his  
13 client was guilty.

14 You could have a Warner Bros. film of these  
15 murders, a film -- can't you hear Mr. Kanarek?

16 "Well, these people on film, now, maybe they  
17 are made-up actors paid by the prosecution."

18 Defense counsel referred to an instruction that  
19 an out-of-court confession should be viewed with caution.  
20 Remember that? I think Mr. Fitzgerald and I believe  
21 Mr. Keith and Mr. Kanarek referred to that.

22 An out-of-court confession or, for that matter, an  
23 incriminating statement, or an admission ought to be viewed  
24 with caution.

25 That is what Judge Older is going to instruct you.

26 Well, I want to tell you that this is simply a

1 standard, a standard instruction that is always given in any  
2 case when any defendant confesses out of court.

3 That instruction was not formulated for this case.

4 The reason for the instruction is that since you  
5 folks were not present at the time of the confession or  
6 admission, obviously you are going to want to closely  
7 examine and scrutinize that confession and all the  
8 surrounding circumstances, and I invite you to do that in  
9 this case.

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1 You will find that all of the confessions in  
2 this case are totally believable and totally consistent with  
3 all of the other evidence in this case.

4 Linda Kasabian's testimony, the fingerprint  
5 evidence, the firearms evidence.

6 But as I say, this is merely a standard instruc-  
7 tion. We could have had 100 eyewitnesses to these con-  
8 fessions.

9 These confessions could have been on tape; for  
10 instance, when Susan Atkins confessed to Virginia Graham,  
11 even if we had that on tape and we played that tape  
12 recording from that witness stand, Judge Older would still  
13 give you this instruction, so it is just a standard  
14 instruction.

15 The defense claims that people like Danny  
16 DeCarlo, <sup>Lowie</sup> ~~Ray~~ Howard, Virginia Graham, et cetera, are  
17 unreliable witnesses because for one reason or another,  
18 I don't know if they used these words, but in essence they  
19 said these people are bums; they are bums.

20 Mr. Shinn went further and he said some of the  
21 prosecution witnesses were drug users, thieves, alcoholics,  
22 felons, forgers, tax evaders.

23 MR. SHINN: That's right.

24 MR. BUGLIOSI: He said "How would you like to invite  
25 them home for dinner?"

26 How would you like to have them as a son-in-law



1 or a daughter-in-law?

2 He said, "If you invite them home for dinner,  
3 you'd better hide the silverware." You remember he said  
4 that.

5 Well, that certainly is not true with the  
6 majority of the prosecution witnesses, but I will stipulate,  
7 I will stipulate that people like Danny DeCarlo and Virginia  
8 Graham are not the most respectable people in town.  
9 There is no question about that.

10 But these are the people that these defendants  
11 lived with.

12 Charles Manson, Tex Watson, Susan Atkins,  
13 Patricia Krenwinkel, Leslie Van Houten, they are not going  
14 to get any leading citizen awards from the Los Angeles  
15 Chamber of Commerce either. I don't think they are. If  
16 I find out about it I will try to do something about it.

17 These defendants lived -- they lived with some  
18 of the prosecution witnesses in this case. They certainly  
19 were not going to be living with Prince Philip, ladies and  
20 gentlemen; they lived with these people.

21 They lived and associated with people of their  
22 own class. That is just common sense.

23 And in living with them, they did things in  
24 front of them which they now regret they had ever done.

25 And in living with them they talked to them,  
26 and in talking to them they made incriminating statements



1 and confessions which they now regret having made.

2 So, when they made these incriminating state-  
3 ments and when they made these confessions, they made them  
4 to people with whom they were living, people with whom  
5 they were intimate.

6 They are not going to get on/<sup>an</sup>airplane and  
7 go to Nome, Alaska, and confess to some Eskimo.

8 In fact, ladies and gentlemen, in fact, with  
9 respect to the confessions of Susan Atkins, by definition,  
10 they would have had to have been made to co-inmates of  
11 hers, since at the time she made the confession she was  
12 incarcerated, and these co-inmates, of course, like Virginia  
13 Graham and Roni Howard are<sup>not</sup> I assume, they are not nuns,  
14 or I don't think they would be there.

15 They are not nuns!

16 They are bad people. <sup>but that</sup> ~~that~~ doesn't mean that  
17 bad people cannot tell the truth.

18 And when you verify their story, by hundreds  
19 of other items of evidence, there is no question that these  
20 people are telling the truth. The fact that they committed  
21 a forgery does not mean that when Susan Atkins confesses  
22 to them, they cannot get on that witness stand and tell you  
23 what Susan said.

24 So when Mr. Shinn says we should kind of disregard  
25 these statements because of who these people are, his position  
26 simply is not valid.

1           These people are the precise, the exact type  
2 of people to whom these defendants would have confessed.

3           In fact, if I were on a jury like you folks,  
4 I am not like Mr. Kanarek saying "We jurors," or "Us jurors,"  
5 I say if; I said if I were on a jury and the prosecution  
6 called some doctor or lawyer or businessman or anyone who  
7 is not a member of the Family who was not living with these  
8 defendants, and he got up on that stand and said Manson  
9 bumped into him on the street or called him on the phone  
10 and said "I am the one who did all these killings," if I  
11 were on the jury I would say "Isn't that strange? Why in  
12 the world would Manson tell a person like this something  
13 like that?"

14           So these people that these defendants confessed  
15 to are the exact, precise people they would have confessed  
16 to.

17           They made these confessions, ladies and gentle-  
18 men, they confessed to people like Juan Flynn, Virginia  
19 Graham, Roni Howard, Dianne Lake.

20           They simply took that witness stand and related  
21 to you what these defendants said to them. It is no more  
22 complicated than that.

23           Mr. Fitzgerald, Mr. Kanarek and Mr. Keith all  
24 reminded you that Dianne Lake lied at the Grand Jury.

25           I had intended to go into considerable depth  
26 explaining, or attempting to explain the law of perjury to

1 you, why I think under the law of perjury Dianne Lake did  
2 not commit perjury at the Grand Jury.

3 But Mr. Fitzgerald himself, and then later Mr.  
4 Keith, said that Dianne Lake's testimony at the Grand Jury  
5 did not constitute legal perjury, but they did say she  
6 lied at the Grand Jury.

7 The point I am trying to make is since they  
8 conceded this, I am not going to bother going into the  
9 nuances of the law of perjury.

10 With respect to the fact that Dianne Lake lied  
11 at the Grand Jury, I just want to make one statement with  
12 respect to her credibility at the Grand Jury.

13 Dianne Lake, ladies and gentlemen, did not make  
14 up any story. She simple kept her mouth shut and refused  
15 to disclose what she know.

16 And there is all the difference in the world,  
17 all the difference in the world between making up a story  
18 as opposed to keeping your mouth shut, and lying about the  
19 fact that you don't know anything.

20 MR. KANAREK: Your Honor, that is a misrepresentation.

21 I object. Dianne Lake stated she was not at  
22 the Spahn Ranch.

23 That is a direct -- we can take out the transcript  
24 and go over it. That is a misrepresentation of fact, your  
25 Honor and I object to it.

4-1

1 THE COURT: The objection is overruled.

2 Let's proceed.

3 MR. BUGLIOSI: When I say she kept her mouth shut,  
4 I don't mean she didn't talk. She kept her mouth shut and  
5 didn't tell the Grand Jury what she knew.

6 That is not the same thing as making up a story.  
7 Making up a story would be a situation where Dianne Lake  
8 would say that Susan Atkins confessed to her, and let's  
9 say Susan Atkins did not confess to her. That would  
10 really be making up a story.

11 Of course, Dianne testified that the reason,  
12 the reason why she did not disclose at the Grand Jury  
13 what she knew about these murders is that she was in fear  
14 of her life at the hands of Charles Manson and the members  
15 of the Family; and the secondary reason that -- it could  
16 have been the primary reason -- in any event, the secondary  
17 reason, that prior to the Grand Jury, Charles Manson told  
18 Dianne Lake not to say anything to the authorities.

19 The defense argues that Dianne Lake is a  
20 schizophrenic and a psychotic.

21 Mr. Fitzgerald and Mr. Kanarek argued this, and  
22 they say, therefore, her testimony was unreliable.

23 Now, recall, Dianne Lake testified to Leslie  
24 Van Houten's confession, and also to Patricia Krenwinkel's  
25 confession to her that she dragged Abigail Folger from the  
26 bedroom into the living room.

1 So, Mr. Fitzgerald, Patricia Krenwinkel's  
2 attorney, and Mr. Kanarek, who is not representing either  
3 Patricia Krenwinkel or Leslie Van Houten, they both say:  
4 Well, she is psychotic, she is schizophrenic, and you can't  
5 believe what she is saying.

6 The defense in this case, ladies and gentlemen,  
7 simply did not want to look at the evidence in this case.  
8 The evidence was anathema to them. ~~It~~ <sup>It</sup> was poison to them.  
9 And I guess if you or I were they, we wouldn't want to look  
10 at the evidence either. It would be all against our clients.

11 Both psychiatrists, both psychiatrists who  
12 examined Dianne, Dr. Skrdla and Dr. Deering, concluded that  
13 not only wasn't she schizophrenic when they examined her,  
14 she wasn't schizophrenic, in their opinion, when she was  
15 first admitted to Patton Hospital.

16 Now, it is true that the Patton psychologists,  
17 Dr. Meeks, testified upon Dianne Lake's -- not testified,  
18 but made an entry into the Patton file, that upon Dianne  
19 Lake's admission into Patton, in his opinion, she was a  
20 schizophrenic.

21 But as Dr. Deering testified, <sup>schizophrenia</sup> ~~schizophrenic~~ is a  
22 psychiatric diagnosis, and it just so happens that  
23 Dr. Meeks is not a psychiatrist.

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Moreover, the official diagnosis of Dianne at Patton was: "Behavioral disorder of adolescence and drug dependence."

In fact, on January 22nd, 1970, just 12 days after Dianne Lake was admitted to Patton, Dr. Oshrin, who is a psychiatrist, concluded that after observing Dianne for two weeks it was his opinion that she was not psychotic, and she appeared to be a normal teenager.

In fact, on January the 12th, 1970, just two days after she was admitted to the hospital, Dr. Oshrin concluded that she was well oriented as to person, place and time.

Dr. Haynes, another Patton psychiatrist, in a memo to the medical director, Dr. Gehrke, on January 28th, concluded that Dianne was not a psychotic.

The defense argues, then: Well, why was she admitted to Patton? They say she was gravely disabled.

Well, here is a 17-year-old girl, ladies and gentlemen, who had just gone through a harrowing experience with Charles Manson for three years. Apparently her parents had forsaken her. She was a lost adolescent, as it were. She was in need of emotional help, not mental help.

Dr. Skrdla testified that the term "gravely disabled" is not a psychiatric evaluation of Dianne Lake. The term "gravely disabled" is imprinted on standard forms used to initiate conservatorships in the State of California.

1           It is on the form itself. It says "gravely  
2 disabled." This wasn't a psychiatric evaluation.

3           And Dr. Skrdla added that the information that he  
4 received from the files was that the conservator thought,  
5 "Dianne needed support and rehabilitation more than she  
6 needed her mind being put back together. She was placed  
7 in the hospital because she was believed to be somewhat  
8 of an immature dependent girl who needed help and  
9 rehabilitation."

10           Dr. Deering testified that even though the  
11 Patton psychiatrist concluded Dianne wasn't mentally ill,  
12 Dianne's conservator, Donald Talmadge, who is the coroner  
13 of Inyo County -- they have the coroner acting in two  
14 capacities -- it is a tremendously large county, but in  
15 population everyone has to double up -- Donald Talmadge,  
16 the coroner and the public guardian of Inyo County, had  
17 the right to keep her at Patton or any other place he  
18 chose, for one year, and he chose Patton, and Dianne  
19 stayed there until June of 1970.

20           Both Dr. Skrdla and Dr. Deering testified that  
21 one can be in a mental hospital for various reasons other  
22 than being mentally ill.



4b-1  
1 Mr. Fitzgerald said that the reason Dianne was  
2 kept, the reason she was kept there, she must have been a  
3 psychotic.

4 I don't know how he can say that when the <sup>State</sup> State  
5 psychiatric evaluations of Dianne, contained within the  
6 Patton files, say that she was not schizophrenic or  
7 psychotic.

8 Both Dr. Skrdla and Dr. Deering testified that  
9 Dianne has the capacity and the ability to remember and  
10 relate conversations she had with others in August and  
11 September of 1969.

12 And that is exactly what Dianne Lake did on the  
13 witness stand. She told you about the back house incident  
14 in August, 1969. She told you about Leslie Van Houten's  
15 confession to her in September of 1969 at Willow Springs,  
16 and Krenwinkel's confession to her in either late August  
17 or early September, 1969; also at Willow Springs.

18 Just one further point.

19 It is clear that Dianne Lake is no more  
20 schizophrenic than the man in the moon. But even, if she  
21 were, so what?

22 The defense attorneys apparently have this idea --  
23 and I submit it is illogical -- that if a person is  
24 schizophrenic, they can't see and hear things clearly.

25 Dr. Deering testified that even presuming that  
26 Dianne was schizophrenic does not mean she would not  
remember what happened.



1 And Dr. Skrdla testified:

2 "I don't think it is a fair statement,  
3 counsel, because even individuals who are actively  
4 psychotic with known schizophrenia are able to report in  
5 great detail, and sometimes quite correctly and precisely,  
6 a number of things that go on around them, although maybe in  
7 certain very isolated areas of their emotional conflict  
8 there may be distortions."

9 Then he goes on to say:

10 "The schizophrenic has no impairment of  
11 memory. There is no organic impairment of  
12 memory at all. He remembers very well exactly  
13 what happened. In fact, this may be part of the  
14 problem. In some cases he remembers too well  
15 things that happened and the emotional assaults  
16 that he has undergone, and reacts to them in a  
17 very sensitive way."

18 This is all moot, this is all very moot, because  
19 the two psychiatrists who examined Dianne both testified  
20 that not only isn't she schizophrenic, Skrdla and Deering  
21 both testified that Dianne Lake is not mentally ill at  
22 all. Not mentally ill at all. She is simply an immature  
23 young girl who has had a very, very troubled past.

24 Fortunately for Dianne, she apparently now has  
25 foster parents who, we can assume, are very concerned about  
26 her welfare, and she, at long last, has an opportunity to

4c-1

live a normal life in a wholesome environment.

I am still in phase two of my argument, but phase two is perhaps the longest phase. This is where I am rebutting or answering 80 percent of the defense attorneys' contentions.

Mr. Fitzgerald argued that Linda Kasabian testified that Tex Watson pushed Steven Parent's car. Yet, he says, Watson's prints were not found on the car, and he asked: If Watson pushed the car, why weren't his prints found on the car?

Well, this is an invalid argument, ladies and gentlemen, particularly in view of the fact that Sergeant Dolan testified that 70 percent of the 8,000 times that he has gone to the scene of a crime he has been unable to secure readable latent fingerprints.

And he gave you the various reasons why it is so difficult to secure readable latent fingerprints, and I went over that in great detail in my opening argument, and I am not going to do it now, except to point out one instance.

He testified that when a person touches the object and while touching the object, moves his finger on the object, that leaves a smudge.

In the terminology of fingerprint evidence, that is a smudge, and a smudge is not a readable fingerprint.

Normally, when we touch an object, we do move our fingers. Especially when we are pushing a car as Tex

1 Watson was. Almost by definition his fingers would have had  
2 to have been moved on the surface of the car.

3 And of course, that would have left a smudge.  
4 And that is why, undoubtedly, Watson never left his  
5 fingerprints on the car.

6 In any event, what difference does it make that  
7 Charles Watson's fingerprints weren't found inside Parent's  
8 car? What is the point? His fingerprints were found on  
9 the outside of the front door of the Tate residence.

10 Is there some type of rule of law that to prove  
11 a person was at a particular place the prosecution has to  
12 prove that he left his fingerprints at two or more places?

13 Maybe that is some rule of law that Mr. Fitz-  
14 gerald knows about that I don't know about.

15 Paul Fitzgerald said that Sergeant Dolan of  
16 the Los Angeles Police Department testified that there can  
17 be 50, even 300, points of identity between a latent  
18 fingerprint and an exemplar, and he said that Patricia  
19 Krenwinkel only had 17 points of identity.

20 Only 17 points. What a joke. 17 points is a  
21 very, very high number of points of identity.

22 50 points of identity, obviously, would be  
23 under ideal conditions. 50 points of identity in a criminal  
24 case is unheard of.

25 The Los Angeles Police Department gives  
26 positive, unqualified opinions where there are only ten

1 points of identity.

2 The Federal Bureau of Investigation requires  
3 12 points of identity before they will give a positive,  
4 unqualified opinion.

4d fls.

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4d-1  
1 Here we had 17 points of identity. Seven points  
2 more than the Los Angeles Police Department requires.

3 Dolan testified that the L.A. Police Department  
4 will give opinions on even less than ten points. But to  
5 give a positive, unqualified opinion, they require ten  
6 points.

7 Here we had 17.

8 So, to a scientific certainty, the latent  
9 fingerprint on the inside of the back door of Sharon Tate's  
10 master bedroom are Patricia Krenwinkel's fingerprints.

11 Then Mr. Fitzgerald made this argument. He said  
12 since the police found Miss Krenwinkel's fingerprint at  
13 the Tate residence, when they arrested her on August the  
14 16th, 1969, during the Grand Theft-Auto raid, he said,  
15 why didn't they arrest her at that time for these murders?

16 Well, the evidence shows, ladies and gentlemen,  
17 that although the Los Angeles Police Department got  
18 Patricia Krenwinkel's latent fingerprint on August the 9th,  
19 1969, they did not get Patricia Krenwinkel's fingerprint  
20 exemplar until February the 22nd, 1970.

21 In other words, until February 22nd, 1970, they  
22 never had the exemplar to compare it with.

23 A latent fingerprint, ladies and gentlemen, is  
24 valueless by itself. It only becomes valuable when there  
25 is a named suspect's print to compare the latent fingerprint  
26 with.

1 Prior to getting a fingerprint exemplar of  
2 Patricia Krenwinkel to match the latent fingerprint up,  
3 the police would have had to have compared the latent  
4 fingerprint with the several million fingerprint exemplar  
5 cards they had on file. It would take years and years.  
6 And even then ~~she~~ wouldn't be able to match it up with her  
7 card unless her card was in their file.

8 So, the reason Patricia Krenwinkel was not  
9 arrested on August 16th for these murders is that the  
10 police, at that time, had not matched the latent finger-  
11 prints up with Patricia Krenwinkel's fingerprints. She  
12 wasn't a suspect at that time.

13 So, even if they had Patricia Krenwinkel's  
14 fingerprints on file with the LAPD, the police wouldn't  
15 have had any more reason to compare the latent fingerprint  
16 with Patricia Krenwinkel's fingerprints than they would  
17 with Emil Weezner's or Jane Smertz's, She wasn't a suspect.  
18 So, why in the world would they compare the latent prints  
19 with Patricia Krenwinkel's exemplar.

20 That is the answer to Mr. Fitzgerald's argument  
21 as to why wasn't Patricia Krenwinkel arrested on August  
22 16th.

4e-1

Now, with respect to Mr. Fitzgerald's argument that the 25 unmatched latent fingerprints found on the Tate premises include the fingerprints of the actual killers, and the actual killers are persons other than these defendants, *in*

In the first place, Sergeant Dolan testified, ladies and gentlemen, that no person, no human being, has the same fingerprint on more than one of his fingers.

And he went on to say that the 25 unmatched latent fingerprints in the residence and on the cars could have belonged to people who had been, of course, on the Tate premises a long, long time ago.

By interpolation, the six unmatched fingerprints at the La Bianca residence could have belonged to just one person.

Dolan said that the 25 unmatched fingerprints at the Tate residence could have belonged to as few as three or four people, since, as he said -- as he said -- no person has the same fingerprints on more than one of his fingers.

Dolan testified that fingerprints can remain inside of a residence for many months. For many months.

So, these fingerprints at the Tate residence could have belonged to people who had been at the Tate residence during a party, could have belonged to workers, several months earlier.

1 The prints on the cars could have belonged to  
2 a gasoline station attendant, a hitchhiker, to anyone.

3 There is no way in the world to ~~compare~~<sup>match</sup> finger-  
4 prints up like that.

5 It is immaterial, ladies and gentlemen, to whom  
6 these other prints belonged. The only relevant and important  
7 point is that Patricia Krenwinkel's fingerprint and Tex  
8 Watson's fingerprint were found at the Tate residence.

9 Mr. Fitzgerald doesn't have to concern himself  
10 with to whom these other prints belonged. His client's  
11 fingerprints were found there, and that is the end of the  
12 story for Patricia Krenwinkel.

13 It is the end of the ball game for her.

14 Then Fitzgerald's argument that maybe -- listen  
15 to this -- maybe his client, Patricia Krenwinkel, was at  
16 the Tate residence on a prior occasion, and that is when she  
17 left her fingerprints there.

18 Maybe she was at the Tate residence on a prior  
19 occasion, and that is when she left her fingerprints there.

20 *Maybe, maybe.*

Maybe if I had wings, I could fly.

21 This "maybe this, maybe that" type of argument  
22 can be carried on to the point of reductio ad absurdum.

23 The whole purpose of a trial is to put on  
24 evidence on that witness stand, not to sit back in a  
25 chair and contemplate the wallpaper and say "Maybe this,  
26 maybe that."



4f-1

1 When I was talking about the fact that these 25  
2 unmatched prints could have belonged to people who had  
3 been to the Tate residence on a prior occasion, I was talking  
4 about people who had a right to be there, like friends or  
5 guests of the Polanskis, or workers at the residence.

6 What conceivable right in the world, what reason  
7 in the world, would Patricia Krenwinkel have to be inside  
8 Sharon Tate's bedroom? Of all people, Patricia Krenwinkel?

9 If she was a friend of the Polanskis, if  
10 Patricia Krenwinkel was a friend of the Polanskis and had  
11 visited them on prior occasions, why didn't Paul Fitzgerald  
12 subpoena witnesses to the stand to say that they had seen  
13 Patricia Krenwinkel there on prior occasions?

14 All we have is Mr. Fitzgerald's bald, nude  
15 declaration that maybe she was there on a prior occasion.

16 Well, that is not evidence.

17 In the first place, ladies and gentlemen, Linda  
18 Kasabian testified that on the night of the Tate murders,  
19 neither Susan Atkins nor Patricia Krenwinkel said that they  
20 had ever been to the place before. In the first place, for  
21 starters.

22 In the second place, Winifred Chapman testified  
23 that on Tuesday, August the 5th, 1969, she wiped off the  
24 area of that door, the same area of the door upon which  
25 Patricia Krenwinkel's prints were found.

26 So, even if Patricia Krenwinkel had been to the

1 Tate residence on a prior occasion -- which, of course,  
2 is preposterous -- her prints would have been wiped off.

3 Mr. Fitzgerald says: Well, maybe she was there  
4 on Wednesday or Thursday; maybe as an invited guest,  
5 swimming in the pool.

6 She only swam in one thing, ladies and gentlemen,  
7 a river of blood. *in*

8 *in* the early morning hours of August the 9th, *she*  
9 didn't swim in any pool with bluing agent in it.

10 Of course, Linda Kasabian testified, Linda  
11 Kasabian testified that Patricia Krenwinkel was at the  
12 Tate residence on the night of these murders, and she also  
13 testified that Patricia was chasing Abigail from the  
14 vicinity of that back door, the same back door where  
15 Patricia Krenwinkel's fingerprints were found.

16 And Patricia Krenwinkel tells Dianne Lake that  
17 she dragged Abigail Folger from the bedroom into the living  
18 room.

19 There is just absolutely no question whatsoever  
20 that those prints of Patricia Krenwinkel's were left on that  
21 door, ladies and gentlemen, on the night of the Tate  
22 murders.

23 All right. We will get into phase number three.

24 THE COURT: Before you do, Mr. Bugliosi, we will take  
25 the recess.

26 Ladies and gentlemen, do not converse with

1 anyone or form or express any opinion regarding the case  
2 until it is finally submitted to you.

3 The Court will recess for 15 minutes.

4 (Recess.)  
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1 THE COURT: All counsel and jurors are present. You  
2 may continue, Mr. Bugliosi.

3 MR. BUGLIOSI: Thank you, your Honor.

4 Linda Kasabian.

5 Mr. Kanarek, Mr. Fitzgerald and Mr. Keith all  
6 said that Linda Kasabian was untruthful; that she lied on  
7 the witness stand.

8 Linda Kasabian testified on that witness stand,  
9 ladies and gentlemen, for 18 days; in round numbers, four  
10 on direct examination, 14 on cross-examination.

11 Actually, it was three and a half and fourteen  
12 and a half. We will call it four and fourteen.

13 And I ask you, was there a person in this entire  
14 courtroom who heard her testify and did not believe that  
15 she was telling the truth about these two nights of ghastly  
16 murder?

17 Linda Kasabian's testimony in and of itself,  
18 without anything more, just her testimony alone, I am  
19 satisfied, convinced you folks that these defendants  
20 committed these murders.

21 Linda was there both nights, ladies and gentle-  
22 men, both nights, <sup>and she</sup> She told you in her words the way it  
23 happened.

24 The defense, in desperation, reaching out like  
25 a drowning man for a straw, tried to destroy her credibility  
26 by showing that she wasn't the clean-cut, American girl

1 next door.

2 Well, we never said she was, and Linda would be  
3 the first one to admit that she was not.

4 <sup>As Q.</sup> I said in my opening argument, ~~and~~ on direct  
5 examination, before the defense attorneys even cross-examined  
6 her, ~~that~~ Linda admitted that she had been using drugs since  
7 the age of 16; that she had taken LSD 50 times; she admitted  
8 her sexual promiscuity.

9 So the defense showed more of her dirty under-  
10 wear on cross-examination; so what?

11 What did it have to do with the fact that she  
12 was with these defendants on these two nights of murder?  
13 Absolutely nothing, that's what.

14 So Linda is not an angel; so she is not the way  
15 you and I would want our daughters to be.

16 In fact, it is because she is not an angel and  
17 it is because she is not the way you and I would want our  
18 daughters to be that she ended up with these defendants on  
19 these two nights of murder.

20 Charles Manson wouldn't have invited some  
21 respectable member of our society to go along on these two  
22 nights of murder, obviously not.

23 He chose members of his Family, all of whom  
24 were by definition dropouts from society.

25 And Charlie chose the right people to do his  
26 murderous bidding for him; Tex, Sadie, Katie and Leslie.

1 He only made one mistake, Linda Kasabian, a  
2 girl who could not kill for Charlie, and who, rather than  
3 remain beholden to Charles Manson, told the world what  
4 happened on these nights of horror.

5 You know, when you come right down to it,  
6 there is one quality in Linda that we would want our  
7 daughters to have, and that was her openness, her honesty,  
8 her frankness.

9 All of us have done things in our past, ladies  
10 and gentlemen, that we are not particularly proud of.  
11 Many of us have skeletons in our closets, and now and then  
12 those skeletons rattle rather loudly.

13 Linda Kasabian opened up that closet door for  
14 you. She told you everything about herself.

15 She was brutally frank. She hid nothing.

16 Did she have to tell you about the different  
17 kinds of drugs she had taken in various places, like  
18 Boston and New Mexico?

19 For instance, did she have to tell you she had  
20 taken peace pills in New York City once?

21 If she denied it, could the defense have  
22 proven she had?

23 *Did*  
~~Did~~ she have to tell you she had taken LSD  
24 in Boston on Christmas Eve of 1966? If she said she had  
25 not, would the defense have been -- have had someone to  
26 *testify*  
~~tell~~ that on Christmas Eve of 1966 in Boston they were

1 present when Linda took LSD?

2 Linda constantly volunteered information that  
3 was unflattering to her, without any prompting.

4 The transcript <sup>shows this</sup> ~~showed~~ in many instances, <sup>it</sup> ~~it~~ was  
5 she who volunteered the fact that she smoked marijuana:

6 "Q And you took no other drugs?

7 "A I smoked weed, if that is what you want  
8 to consider a drug.

9 "Q You mean marijuana?

10 "A Yes.

11 "Q On how many occasions did you smoke weed?

12 "A A number of occasions."

13 She volunteered that.

14 When she was asked whether the credit card  
15 Bruce Davis gave her when she left Spahn Ranch for New  
16 Mexico was stolen, she said she didn't know, but she  
17 volunteered without being asked that she herself had  
18 stolen credit cards on prior occasions. She wasn't even  
19 asked that.

20 When she was asked if she remembered whom she  
21 slept with on July 8, 1969, at Spahn Ranch, she answered  
22 she did not remember, but volunteered without even being  
23 asked, "But eventually I slept with all the men."

24 She volunteered all these things.

25 Did she have to admit she enjoyed the sex  
26 orgy at Spahn Ranch, even making love to another woman?



1 If she had said it repulsed her, could anyone  
2 have disproved it?

3 Did she have to volunteer the fact, without any  
4 direct questioning being put to her, that she had made love  
5 to the actor in his apartment in Venice?

6 Did she have to tell you about those things?

7 Her candor, ladies and gentlemen, her frankness,  
8 her honesty on that witness stand was nothing short of  
9 astonishing.

10 She couldn't possibly have been more open with  
11 you folks.

12 For instance, she had to know that the thrust  
13 of her testimony was going to be against Charles Manson  
14 and these three female defendants, obviously.

15 She had to know that the defense attorneys  
16 weren't going to say "Linda, we believe everything you are  
17 saying about our clients; we know our clients are guilty;  
18 we are sorry for even asking you questions."

19 She knew they weren't going to do that; that  
20 they were going to try to make her look like she was  
21 untruthful. Obviously, that is just common sense, and yet,  
22 knowing this, in describing Charles Manson when she first  
23 came to Spahn Ranch, she testified that "Charles Manson  
24 seemed to be good."

5a fls.

1           She also said she had loved him and even  
2 volunteered the observation he just seemed to generate  
3 this love, and some of the things he would say just  
4 seemed to be pure truth.

5           This doesn't sound like someone who was trying  
6 to nail Charles Manson to the cross, ladies and gentlemen,  
7 ~~she~~ was simply telling you the way she felt about Charles  
8 Manson when she first came to Spahn Ranch.

9           And if the adjectives ~~used~~ in describing Charles  
10 Manson were favorable, well, she couldn't help that; she  
11 had to tell you the truth, and that is exactly what she  
12 did on that witness stand.

13           Linda also obviously knew, common sense, that  
14 the defense would try to make her look like she was some  
15 freaked-out individual who couldn't distinguish fantasy  
16 from reality.

17           Knowing this, and obviously knowing how far out  
18 it is to believe that any man is a second coming of Christ,  
19 and knowing how far out it would sound to utter those  
20 words on the witness stand, in answer to the question:

21           "Q     Did you love Charlie very much?" she  
22 volunteered:

23           "A     Well, to be truthful with you," she said,  
24 "I felt that he was the Messiah come again, you  
25 know, the second coming of Christ."

26           She volunteered that. She wasn't even asked

1 the question, "Did you believe Charles Manson was Christ?"  
2 She volunteered it.

3 Amazing candor and honesty. She told you that  
4 at one time she believed Charles Manson was Christ because  
5 that is the way she felt about him when she first came to  
6 the Spahn Ranch. She quickly shed that belief, of course.

7 Not only was she honest in her description of  
8 Charles Manson, but she was equally honest in her description  
9 of the entire Family, among whom, of course, are the three  
10 female defendants in this case.

11 Here is the way she described her first contact  
12 with the Family as a group. ~~Honestly:~~

13 "Gypsy brought me into this ranch and we  
14 walked over to the kitchen, and I remember gazing  
15 into their eyes and they gazed into mine, and we  
16 were all smiling, and it was just a very loving,  
17 you know, giving and receiving kind of thing,  
18 and we hugged and embraced and, you know, they  
19 just made me feel really welcome.

20 "Q When you met these people did you think  
21 they were kind?

22 "A Oh, yes, they were just pure loving  
23 people.

24 "Q Did you think they were gentle?

25 "A Yes.

26 "Q Did you think they loved you?

1 "A Yes.

2 "Q Did you love them?

3 "A Yes.

4 "Q Was there some reason for that?

5 "A I was just very open and they were  
6 very open and it was just, you know, you could  
7 feel the love, it was there.

8 "Q You felt they genuinely loved you?

9 "A Yes."

10 That's Linda Kasabian for you, ladies and  
11 gentlemen, she told you the complete truth from the moment  
12 she joined the Family on July 4th, 1969, until the moment  
13 she escaped from the ranch on August 13th, 1969.

14 The defense attorneys, incidentally, frequently  
15 said that Linda always gets what she wants.

16 Other than Judge Older giving Linda immunity for  
17 these seven murders, they never mentioned anything else;  
18 they never explained to you what they meant when they said  
19 "Linda always got what she wanted."

20 They also cited an instruction to you that  
21 Judge Older will give you that a witness willfully false  
22 on one material point may be distrusted in the rest of her  
23 testimony. They cited that as to Linda Kasabian.

24 Yet they did not go on and tell you one solitary  
25 instance where there is any evidence that Linda Kasabian  
26 lied on that witness stand.

1 I think that we all know Linda's story, ladies  
2 and gentlemen. With the exception of these two nights of  
3 murder, <sup>it</sup> is probably the same story, with insignificant  
4 variations, as the young hippy girl we see hitching a ride  
5 on Sunset Boulevard in blue jeans, probably the same story.

6 Linda came from a broken home; she had an  
7 early marriage at 16 that ended in divorce, an unsuccessful  
8 second marriage.

9 At the vulnerable age of 16 she became a part of  
10 the permissive, freeloiving, drug-oriented world of the hippy,  
11 ~~Communal~~ communal living was her way of life.

12 It was obvious that her life was anchorless,  
13 foundationless. She drifted from one hippy commune to  
14 another. You name it, she was there:

15 Greenwich Village, Haight-Asbury, Taos.

16 She was akin to a person on a rudderless vessel  
17 at sea, subject to whatever capricious wind might blow.

18 Ultimately, of course -- ultimately -- ~~and~~ it was  
19 her destiny that her path led to Spahn Ranch, Charles  
20 Manson and two nights of horrifying murder.

21 It's very obvious that Linda Kasabian -- you  
22 watched her for 18 days -- very obvious she is a docile,  
23 submissive, unresisting young girl.

24 Also being impressionistic by nature and just  
25 having been rejected by her husband, with no place to call  
26 home, she was a very likely candidate for the type of

1 predicament in which she found herself on these two  
2 nights of murder.

3 Mr. Fitzgerald said that although Linda says she  
4 was impressionistic and naive, the proof that she wasn't  
5 was that she lived in many hippy communes, had many sexual  
6 experiences and used drugs extensively.

7 I don't see how living with hippies and taking  
8 drugs and having sexual experiences makes one not  
9 impressionistic and naive.

10 Linda was 20 years of age at the time of these  
11 murders. Some people are naive all of their lives, in  
12 other words, they never grow up.

13 One may have a tremendous amount of experience in  
14 drugs and sex and still be <sup>usefully</sup> ~~willfully~~ lacking in the ability  
15 to judge other human beings.

16 Linda wasn't naive, I admit, ladies and gentlemen,  
17 in drugs and sex, but she could not possibly have been  
18 more naive and impressionistic when it came to Charles  
19 Manson.

20 I ask you, who could possibly be more naive and  
21 impressionistic with respect to Charles Manson than Linda  
22 Kasabian was in the summer of 1969? She thought that guy  
23 was Jesus Christ.

24 And Fitzgerald said she's not naive and  
25 impressionistic.

26 That is the high water mark in naivete.

5b-1

1 If one were to scour the face of this globe,  
2 checking every crevice, every attic, every cellar, every  
3 closet, every gutter, every sewer for a person more unlike  
4 Jesus Christ, ~~and~~ <sup>all would</sup> come up with Charlie Manson!

5 Mr. Fitzgerald says how come Linda left Tanya  
6 with people she says are murderers.

7 We are getting into a rather sophisticated point  
8 right here.

9 Well, in the first place, Linda testified that  
10 she did not want to leave Tanya at Spahn Ranch. She  
11 testified Tanya was with the whole family, "and there was  
12 no way without being questioned that I could go down/<sup>there</sup>and  
13 take her."

14 Moreover, Linda testified that she had the  
15 feeling that the Family would not harm Tanya, and she  
16 intended to return to Spahn Ranch to get Tanya as soon as  
17 she could, which she did.

18 Now, keep two things in mind, ladies and gentlemen,  
19 with respect to why Linda Kasabian did not take Tanya  
20 with her.

21 Number one, she knew that Manson and the Family  
22 always placed great emphasis on children. In fact, on  
23 the night of the La Bianca murders Charlie Manson passed  
24 up the first home in Pasadena because he saw the picture of  
25 children hanging on the wall.

26 Secondly, this point is important, and one that



1 the defense overlooked, when Linda Kasabian left Spahn  
2 Ranch, ladies and gentlemen, she merely was running away  
3 to her husband in New Mexico. She was not running away from  
4 the Family to contact the police and tell the police that  
5 these defendants committed these murders.

6 There is all the difference in the world between  
7 merely running away as opposed to running to the police.

8 Manson and the Family would not have had any-  
9 where near as much of a reason to kill Tanya if Linda  
10 merely ran away as opposed to running to the police.  
11 Linda feared for Tanya's life if she would call the police.  
12 She did not fear for Tanya's life if she merely ran away.

13 This is a distinction that the defense  
14 counsel simply did not want to see. A good example of  
15 this is Mr. Fitzgerald's original cross-examination of  
16 Linda:

17 "Q You weren't afraid to call the  
18 police because you were worried about some  
19 harm that might come to your child, were you?

20 "A To both of us.

21 "Q Didn't you previously testify in  
22 this case that 'I knew I had to leave and some-  
23 thing within myself told me that Tanya would  
24 be all right'?

25 "A Yes."

26 Note that in Mr. Fitzgerald's last question,

1 ladies and gentlemen, he mentioned nothing about Linda's  
2 calling the police. Yet he felt that that question and  
3 the first question, when he did mention Linda's calling the  
4 police, were one and the same.

5 It is all the difference in the world, ladies  
6 and gentlemen, between running away as opposed to running  
7 to the police.

8 In fact, Linda even testified <sup>that</sup> if she had intended  
9 to contact the police when she left Spahn Ranch she would  
10 not have left Tanya behind.

11 Mr. Fitzgerald said, "Why didn't Linda report  
12 these murders to the police on the night of the murders or  
13 within the next few days at Spahn Ranch, or when she came  
14 downtown to visit Bobby Beausoleil and Sandra Goode and  
15 Mary Brunner or," he said, "later on when she left  
16 Los Angeles?"

17 Well, human beings, ladies and gentlemen, don't  
18 always do things or fail to do things for one reason.

19 Many times there is a multiplicity of motivations  
20 behind human conduct, some of which are so nebulous and  
21 obscure that we ourselves are unaware of it.

22 Linda testified there were many reasons, many  
23 reasons why she did not report these murders to the police.

24 Before I say that, before I give the reasons that  
25 Linda testified to on the witness stand, don't forget,  
26 ladies and gentlemen, that Linda did tell Joe Sage, her

1 husband and a man named Jeffrey in September of '69 about  
2 these murders, and some of the details and the fact that  
3 Charlie flipped out and had these people killed.

4 So she did not keep it a secret, she just didn't  
5 tell the police about it.

6 These are the reasons that Linda gave.

7 She said she was pregnant with Angel; she did not  
8 want to go through the inevitable ordeal at that time.

9 She said she didn't know how to approach the  
10 police, and had no confidence in them.

11 Well, of course, Linda's fear of and lack of  
12 confidence in and being uncomfortable with the police is  
13 understandable.

14 The drug-oriented life she had been leading,  
15 of course, was on the opposite side of the tracks from the  
16 police.

17 Another reason, and of course a selfish one, is  
18 that she feared that if she contacted the police and told  
19 the police these defendants had committed these murders,  
20 that she would become involved herself, of course,  
21 and she would lose her child, Tanya.

22 She also testified that another reason for not  
23 going to the police, after she left Spann Ranch, is she  
24 never knew where Manson and the Family were, and if they  
25 found out about it they would kill her; they would find  
26 her, they would kill her and her daughter, Tanya.

1 Of course one can readily understand Linda's  
2 fear in this regard, ladies and gentlemen, <sup>if</sup> ~~if~~ they could  
3 murder seven human beings for no sensible reason under the  
4 stars, they certainly would not hesitate to murder Linda  
5 Kasabian if she told the police that they had committed  
6 these murders.

7 So Linda had many reasons for not contacting the  
8 police, but regardless of Linda's reasons, ladies and  
9 gentlemen, irrespective of Linda's reasons, what does this  
10 have to do with the fact that she was with these defendants  
11 on these two nights of murder, and took that witness  
12 stand and truthfully told you everything that happened?

13 So what?

14 She ~~can~~ <sup>could</sup> have had one reason; she could have had  
15 a thousand reasons. So she didn't. What does it prove?

16 ~~And~~ Mr. Fitzgerald merely asked a question, "Why  
17 ~~doesn't~~ she go to the police?"

18 Anyone can ask a question like that. It doesn't  
19 take a lawyer to ask that question.

20 He should have had the courtesy to go on and  
21 tell you what legal relevance it had that Linda did not  
22 contact the police.

23 Mr. Fitzgerald, during his argument, frequently  
24 would make these statements that just hang, float around  
25 lazily in the atmosphere with no connection whatsoever to  
26 the issues in this case, no umbilical cord connecting them

with any of the issues.

So what? He didn't bother to tell you. He just said, "Why didn't she contact the police?"

What is his point?

The fact that she never went to the police certainly does not mean she wasn't present with these defendants on these two nights of murder.

Under that line of reasoning, <sup>A and B may</sup> ~~they may indeed~~ commit a robbery, and if they don't go to the police and turn themselves in, and four months later they are arrested for these robberies, like Linda was for these murders, apparently the police <sup>should</sup> turn around and release them in that <sup>since</sup> they did not report the robbery immediately to the police, they didn't commit the robbery.

Apparently Mr. Fitzgerald feels when people commit a crime the first thing they should do is drive their getaway car to the first police station.

5c-1

1 Linda's not reporting these murders to the  
2 police, ladies and gentlemen, in no way means she wasn't  
3 with these defendants on these two nights of murder.

4 She left Spahn Ranch on August 13, 1969. She  
5 was so desperate to escape, she stole David Hannum's car.

6 She didn't race out of Los Angeles after these  
7 murders, ladies and gentlemen, coincidentally three days  
8 after these murders, to escape from the smog, ladies and  
9 gentlemen. She was escaping from Charles Manson and his  
10 Family because as a result of her association with them  
11 she had become involved in two nights of murder.

12 The defense was almost trying to lead you to  
13 believe that since Linda never contacted the police and  
14 told them who committed these murders and how they were  
15 committed, her testimony on the witness stand is worthless.

16 I mean, it's childish reasoning, but this is  
17 what they seem to have said.

18 In fact, Mr. Fitzgerald actually made this  
19 incredible statement, I have no other adjective to describe  
20 this statement other than to say it is purely incredible.

21 Unbelievable might be another adjective.

22 I am quoting Fitzgerald:

23 "Linda's testimony might be worth some-  
24 thing if she had reported these murders on August  
25 12th."

26 Apparently, ladies and gentlemen, after August

5c-2

1 the 12th, the fact that Linda Kasabian was present with  
2 these defendants on these two nights of murder, observing  
3 and hearing everything that was done, ceased to be a fact.

4 Mr. Kanarek said, trying to make Linda look  
5 like a freak again, he said "Linda thought she was ~~hewitched~~ <sup>is witched.</sup>"

6 Well, let's look at the testimony in the  
7 transcript on this.

8 Let's see if Linda thought she was a witch:

9 "Q Did Charlie ask you girls to do anything  
10 while you were at the second camping site?

11 "A First he instructed us to make little  
12 witchy things to hang in the trees to show our  
13 way from the campsite to our road in the dark.

14 "Q What things?

15 "A Things made from weeds, rocks, stones,  
16 branches, some kinds of wires, I don't know, all  
17 different little things.

18 "Q Why do you use the word 'witchy'?

19 "A Because they called themselves witches.

20 "Q Who called themselves witches?

21 "A All the girls, and Charlie called us  
22 witches.

23 "Q Charlie called all of you girls witches?

24 "A Uh-huh."

25 "Didn't you feel that you were a witch  
26 during the month of July, 1969?



5c-3

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"A I was made to feel I was a witch,  
yes.

"Q Did you refer to yourself as a witch?

"A While I was there, yes; and at one point,  
once when I left, I referred to myself as a witch.

"Q You never referred to yourself as a  
witch before you went to the Spahn Ranch, I take it?

"A No.

"Q You are familiar with the name, Yana  
the Witch?

"A Yes.

"Q Is that what you used to refer to yourself  
as?

"A Well, when I first entered the ranch,  
Gypsy told me that they all assumed different names,  
and if I would like to pick out a name; and the name  
just came to me, so I assumed that name, which I was  
called Yana maybe once or twice which just, you know,  
sort of went down, and they called me Linda.

"Q Did you profess to have some magical  
powers?

"A No, I didn't.

"Q You were very impressionistic during the  
month of July, and Gypsy suggested to you that you  
should call yourself a witch, so you called yourself  
a witch?

5c-4

1 "A Well, she said that we were all witches.

2 "Q Did you disagree with that?

3 "A No, I don't think I did.

4 "Q Did you feel you were a witch?

5 "A I think I tried to make myself believe  
6 I was a witch.

7 "Q How did you do that?

8 "A Just by thinking I was a witch.

9 "Q Did you act like a witch?

10 "A No, I acted like myself.

11 "Q Did you adopt or assume the role of a  
12 witch?

13 "A No.

14 "Q During the months of July and August,  
15 1969, were you preoccupied with witchcraft?

16 "A No, no.

17 "Q Didn't you attempt to practice the art of  
18 witchcraft?

19 "A No. I don't even know what witchcraft is.  
20 I don't know rituals."

21 This was the attempt during cross-examination  
22 to make her look like some type of freak:

23 "Q You never saw anybody at the Spahn Ranch  
24 do anything that a real witch would do, did you?"

25 That was Mr. Fitzgerald asking that question.

26 "THE WITNESS: What is a real witch?

5c-5

1 "Q You really didn't have any identity during  
2 the month of July and August, 1969, isn't that  
3 correct?

4 "A I don't know exactly what you mean by  
5 'identity.'

6 "Q Are you familiar with the term 'identity  
7 crisis'?

8 "A You mean, did I know who I was?

9 "Q Yes.

10 "A Yes, I knew who I was.

11 "Q Who were you?

12 "A Myself, Linda.

13 "Q Linda Kasabian?

14 "A Yes.

15 "Q And you were an ordinary human being?

16 "A Yes, I was just like some -- like  
17 everybody else.

18 "Q And you didn't have any magical powers?

19 "A No.

20 "Q You didn't believe what these other  
21 people told you?

22 "A I made myself believe it.

23 "Q Why?

24 "A Because I couldn't argue with them. I  
25 could never ask why because when I did they would all  
26 come down on me at once, so what is the use. So I

5c-6

"just gave up and said 'Okay, I am a witch.'

But I wasn't."

That is just a very very brief synopsis; they went into this ad nauseam on this witch business.

It's very clear that this whole witch business was instilled into Linda by Charles Manson and the girls; in fact, Gregg Jakobson also testified that Manson used to call all of the girls in the Family witches.

Linda, just being a member of the Family, went along with that nonsense.

Of course, when Linda left Spahn Ranch you have to realize when she told Breckinridge about this witch business, she just left the ranch, all of these crazy ideas that Manson and the girls tried to impregnate her mind with were still fresh in her mind, so she wanted to find out from some outsider whether these ideas had any merit or whether, as I said, they were pure, unadulterated hogwash.

5d fls.

5d-1

1 The allegation that Linda thinks she is a  
 2 witen, is just another effort by the defense, ladies and  
 3 gentlemen, to muddy up the water, <sup>talking</sup> ~~talking~~ about witches,  
 4 ladies and gentlemen, I recently came upon this description  
 5 of a witch scene.

6 Just picture this witch scene:

7 <sup>dark,</sup> ~~dark,~~ dark, drafty, deserted, haunted castle in  
 8 Transylvania. Cobwebs are everywhere. Bats are flying  
 9 about, their eyes glowing in the darkness; a few flickering  
 10 candles and lightning flashing outside provide the only  
 11 light.

12 The sound effects are these: Outside the castle  
 13 the thunder is rumbling, the wind is howling, the shutters  
 14 are banging and a few wolves are baying at the moon.

15 Inside the castle the only sounds are the  
 16 screechy, threatening laughter of witches dancing around  
 17 and stirring the boiling cauldron" --

18 DEFENDANT RANSON: (From the holding room) Cut!

19 MR. BUGLIOSI: "The eerie, crooked shadows of the  
 20 witches crawling across the candlelit walls  
 21 complete the picture."

22 If one dared, ladies and gentlemen, if one dared  
 23 to get near that castle to see who the witches were, they  
 24 would not see Linda Kasabian, ladies and gentlemen.

25 Query -- query; <sup>as</sup> ~~is~~ to Patricia Krenwinkel,  
 26 Susan Atkins and Leslie Van Houten, if you want to talk

1 about witches.

2 Mr. Fitzgerald, Mr. Kanarek and Mr. Keith all  
3 argued that, number one, Linda Kasabian's testimony on  
4 that witness stand was fabricated, and <sup>number two,</sup> the reason it was  
5 fabricated was to ~~get~~ <sup>get</sup> immunity. They said, in other  
6 words, she was testifying on that stand to save her hide.

7 Mr. Keith spoke of self-preservation.

8 Well, for starters, ladies and gentlemen,  
9 you don't save your hide in a capital case by lying on  
10 the witness stand.

11 Now yesterday when I said perjury was itself a  
12 capital offense when it occurred in a capital case,  
13 Mr. Fitzgerald got up and said that is not the law.

14 I don't want Mr. Fitzgerald to confuse me with  
15 anyone else, ladies and gentlemen, Section 128 of the  
16 California Penal Code:

17 "Every person who by willful --"

18 MR. KANAREK: If I may, your Honor, if I may, your  
19 Honor, there are many code sections we would like to discuss  
20 and this is unfair. It's unfair.

21 THE COURT: The objection is sustained.  
22 There is no necessity to read that code section.

23 MR. BUGLIOSI: Linda testified to the fact she was  
24 aware of it.

25 MR. FITZGERALD: May we approach the bench?

26 MR. BUGLIOSI: May we approach the bench on this?

1 THE COURT: It is unnecessary. The objection is  
2 sustained.

3 MR. BUGLIOSI: For starters, let me say this, I hope  
4 that none of you folks thought that when the defense  
5 attorneys addressed you in this case that they were going  
6 to get up here and say, "Well, ladies and gentlemen, we  
7 know that Linda Kasabian told the truth; we know that our  
8 clients are guilty."

9 I hope none of you folks thought that they were  
10 going to do that.

11 Charles Manson, Susan Atkins and Patricia  
12 Krenwinkel are charged with seven counts of murder and one  
13 count of conspiracy to commit murder.

14 Leslie Van Houten, two counts of murder and one  
15 count of conspiracy to commit murder.

16 If these defense attorneys were going to get up  
17 here and tell you that, there wouldn't be any need to have  
18 this trial; their clients might just as well have pled guilty.

19 The position they have taken, of course, is a  
20 normal one. It is to be expected.

21 Let's talk about this immunity agreement.

22 First off, let me say, of course, in a criminal  
23 trial it is very common to give someone immunity if they  
24 testify against co-defendants. It is not unusual at all.

25 Let's look at Linda Kasabian's testimony with  
26 respect to her state of mind concerning the immunity



1 agreement; also, the reasons she had for testifying;

2 "Q. Why have you decided to tell every-  
3 thing you know about these seven murders?

4 "A. I strongly believe in truth, and  
5 I feel that truth should be spoken."

6 Let's see what Linda has to say about this  
7 immunity agreement:

8 "Q. You also stated that you were testifying  
9 in court because you want to tell it like it was;  
10 is that correct?

11 "A. Yes.

12 "Q. And you didn't care nothing about  
13 immunity?

14 "A. No, not really.

15 "Q. And you still don't care about the  
16 immunity?

17 "A. I think it is a nice thing to have,  
18 but it doesn't matter.

19 "Q. But isn't your main purpose for  
20 testifying to get the immunity so you can walk  
21 out of the courtroom?

22 "A. No, that is not my main purpose.

23 "Q. Your main purpose is just to tell it  
24 like it was?

25 "A. Yes.

26 "Q. And isn't it a fact, Mrs. Kasabian,

1 "that the only time you wanted to tell it like  
2 it was is when you were arrested, when you got  
3 arrested?

4 "A No, I wanted to tell it like it was,  
5 like it happened, that same moment that it  
6 happened, but I just wasn't able to do it then.

7 "Q But you did it tell it at a time  
8 when you felt you could save yourself?

9 "A No, because I didn't know I could  
10 save myself.

11 "Q When you found out you could save your-  
12 self, then you decided to tell the truth, is that  
13 correct?

14 "A No, I decided to tell the truth  
15 right from the very beginning.

16 "Q May I ask you, Mrs. Kasabian, what  
17 is your state of mind in connection with the  
18 immunity agreement that supposedly Mr. -- your  
19 phalanx of attorneys here have with Mr. Bugliosi?

20 "A Just when I'm through testifying they  
21 will petition the Judge about the immunity  
22 program and if he agrees to give me immunity, I  
23 am immune.

24 "Q I see, and has the prosecution told  
25 you if you testify from their viewpoint properly  
26 they will petition the Court for that immunity?

1 "A Not their viewpoint, just my view-  
2 point as to the truth.

3 "Q And as you testified, do you have  
4 in your mind the fact that you had been given  
5 this immunity, is it in your mind as you testify?

6 "A No, I am just doing what I am doing  
7 before we signed the papers.

8 "Q Pardon me?

9 "A I am just doing the same thing I had  
10 been doing the last two weeks before the papers  
11 were ever signed.

12 "Q Well, last Friday, Mrs. Kasabian,  
13 up until last Friday, Mrs. Kasabian, up until  
14 last Friday, let's say, you did not know for  
15 sure that you were going to get this immunity.

16 "A Not from these people here, no.

17 "Q You did not know, that is, the  
18 Judge had not signed the papers yet last Friday.

19 "A Right.

20 "Q Is that correct?

21 "A Yes.

22 "Q As you testified previously, previous  
23 to today, you were aware that the Judge had not  
24 yet signed the papers?

25 "A Yes.

26 "Q And so you found out this morning

1 "that this morning he signed the papers?

2 "A Yes.

3 "Q And the gratitude -- you have no  
4 gratitude, no feeling of thanks to Mr. Bugliosi  
5 or Mr. Stovitz?

6 "A Sure I have gratitude.

7 "Q And why do you have gratitude,  
8 Mrs. Kasabian?

9 "A They have given me an opportunity  
10 to tell the truth."

11 Well, there are several other references, ladies  
12 and gentlemen, in the transcript.

13 I think that all of you got the idea that when  
14 Linda Kasabian said those things on the witness stand she  
15 meant exactly what she said.

16 Sure, she wanted to have immunity; sure, she  
17 enjoyed having immunity. Why shouldn't she? Why shouldn't  
18 she want immunity? Why should she want to spend possibly  
19 years in jail? What is wrong with immunity? Why shouldn't  
20 she like it?

5e-1

*But what*  
1 ~~What~~ does that have to do with the fact that  
2 she told the truth? She testified that immunity or not,  
3 even if she did not get immunity, she was going to take that  
4 witness stand and tell the world what happened.

5 That immunity agreement was just icing on the  
6 cake to Linda.

7 Let's assume, arguendo -- ~~the~~ <sup>in</sup> Latin term that  
8 attorneys use which means just for the sake of argument --  
9 let's assume arguendo the only reason Linda took that  
10 witness stand to testify, ladies and gentlemen, is because  
11 she wanted immunity.

12 Now, I'm not stipulating ~~that~~ <sup>for</sup> for one single,  
13 solitary moment. I said let's just assume that.

14 Does it necessarily follow, ladies and gentlemen,  
15 that just because she got immunity and just because the  
16 reason why she testified was to get immunity, that her  
17 testimony was therefore fabricated, as the defense attorneys  
18 say?

19 It is an obvious non sequitur, ladies and  
20 gentlemen, to say that every time someone gets immunity  
21 the prosecution is thereby purchasing perjured testimony.

22 Somehow, the defense attorneys in this case  
23 feel that immunity and false testimony are synonymous; they  
24 go hand in glove.

25 Counsel's reasoning simply is not in keeping  
26 with human experience. Human experience tells us that many

5e-2 1 times people have information in their possession that they  
2 do not want to divulge.

3 In other words, they want to keep it a secret,  
4 but if they are given something enticing enough, something  
5 appetizing enough, they will relate what they know.

6 The situation is not, if they are given something  
7 they will make a story up. The situation is, if they are  
8 given something they will tell what they know.

9 Even assuming that Linda Kasabian testified  
10 on that stand just to get immunity, this does not mean,  
11 as defense attorneys say, that she made up a story.

12 It means because she was given immunity she told  
13 the truth.

14 But, as I have said earlier, it strongly  
15 appears, ladies and gentlemen, all of the evidence shows,  
16 that immunity or not, even if she had not been given  
17 immunity, Linda Kasabian wanted to tell the truth about  
18 these two nights of murder; that that immunity agreement  
19 was something that was nice for Linda to have, it was  
20 icing on the cake, but it was not necessary.

21 I told you at the beginning that in my closing  
22 argument that I was going to state the obvious, which was  
23 something that human beings do not frequently want to  
24 concern themselves with.

25 Ask this question of yourselves back in the  
26 jury room, ladies and gentlemen;

5e-3

1 If these defendants never committed these  
2 murders, why in the world would Linda Kasabian say that  
3 they had? What possible reason would she have?

4 And the defense attorneys, during their argu-  
5 ments to you, they never suggested that Linda Kasabian would  
6 have any reason whatsoever to say that these defendants  
7 committed these murders, if in fact they had not.

8 They never gave you any reason because there  
9 wouldn't have been any reason. There was no evidence at  
10 this trial that Linda Kasabian had any enmity, any animosity,  
11 any hard feelings for any of these defendants.

12 It is such an obvious fact, but it has to be  
13 stated.

14 To believe that if these defendants, ladies and  
15 gentlemen, were not guilty, to believe that for no reason  
16 whatsoever Linda Kasabian, out of the clear blue sky, would  
17 pick these defendants and say they committed these murders  
18 is ridiculous.

19 Furthermore, if she were going to frame these  
20 defendants, she certainly would not have testified, ladies  
21 and gentlemen, in the manner in which she testified.

22 Let's take Charles Manson, just for instance.

23 Linda is out to frame Charles Manson, which  
24 of course is so preposterous I shouldn't even be talking  
25 about it now, but this is <sup>what</sup> the defense claims, in  
26 so many words.



5e-4

1 They don't give you any reason for it, but they  
2 say that these people are not guilty and Linda just said  
3 they were there.

4 If Linda were going to frame Charles Manson,  
5 ladies and gentlemen, do you think she would have testified  
6 that Charles Manson did not personally kill any of these  
7 victims?

8 Do you think she would have given testimony  
9 proving that Manson himself never personally killed any of  
10 these victims?

11 She would testify that Manson was one of the  
12 actual killers, or at least that Manson was at the scene of  
13 the murders at the time of the murders.

14 Yet Linda Kasabian's testimony places Charles  
15 Manson away from the scene of the murders at the very moment  
16 in time that the actual murders were taking place.

17 Unless defense counsel want you to believe that  
18 Linda Kasabian has some type of legal background in the  
19 law, ladies and gentlemen, and knows about the vicarious  
20 liability rule of conspiracy which makes Manson guilty of  
21 all seven murders even though he was not one of the actual  
22 killers, ~~can't~~ <sup>can't</sup> you just picture Linda Kasabian, ladies and  
23 gentlemen:

24 "I'm going to frame Charles Manson" she is  
25 thinking to herself, "I'm going to frame Charlie for  
26 these Tate-La Bianca murders, but I'm going to be subtle

5e-5

1 and sophisticated about it, I will say there was a conspiracy  
2 and Charlie was not at the scene."

3 "I will nail Charlie under the vicarious liability  
4 rule of conspiracy."

5 That is ridiculous!

6 That is ridiculous!

7 The fact that she did not say that Manson was  
8 one of the actual killers, she did not say he was actually  
9 at the scene at the time of the murders, not only shows she  
10 is not out to frame Charles Manson or anyone else, but it  
11 couldn't be better evidence, it couldn't speak more eloquently  
12 for the proposition that her testimony shows the precise  
13 nature of Manson's role in the seven Tate-La Bianca murders.

14 In fact, if Linda Kasabian were out to frame  
15 anyone, she would have testified, for instance, that on the  
16 night of the Tate murders, instead of saying Manson called  
17 her aside and told her to get a driver's license, a change  
18 of clothing and a knife and go with Tex and do whatever Tex  
19 told her to do, she simply would have said "Charles Manson  
20 got us all together and told us to go to the Tate residence  
21 and murder everyone there."

22 Do you believe she would say these defendants  
23 had committed these murders if they hadn't?

24 It is so unthinkable, so preposterous, so  
25 out of the universe that it doesn't even rise to the dignity  
26 of being absurd.

5e-6

1 Please ask yourself that question back in the  
2 jury room, if these defendants didn't commit these murders,  
3 why did Linda say they did? The defense attorneys never  
4 suggested even a possible reason.  
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6 fls.

6-1

Please ask yourself that question.

The defense attorneys, ladies and gentlemen, during their arguments, really never disputed that Linda was at the scene of these murders.

Now, certainly, the defense attorneys don't want you folks to believe that Linda Kasabian committed all of these seven murders, obviously, they don't want you to believe that she committed these murders by herself. They are not saying that.

Apparently what they want you to believe is that Linda Kasabian, who was living at Spahn Ranch at the time of these murders, committed these murders with someone else who was living at the Spahn Ranch other than these defendants, or maybe they want you to believe that on the nights of the Tate-La Bianca murders, Linda Kasabian left Spahn Ranch, rendezvoused at some predetermined spot with someone else who was not a member of the Family, who was not living at Spahn Ranch, and she committed the murders with these other people.

They certainly aren't alleging that Linda Kasabian committed all the seven murders.

In fact, Mr. Fitzgerald said Linda very probably did participate in these murders, but she didn't go there with these defendants. <sup>24</sup> ~~She went there with other people.~~ Maybe her husband and Charles Melton.

Mr. Kanarek said that Linda committed these

6-2

1 murders with Tex Watson, and he vaguely implied some other  
2 people were involved, but he never zeroed in and speculated  
3 who these other people were.

4 In any event, the question is this -- the  
5 question is this -- who were the persons Linda was with  
6 during these two nights of murder?

7 Now, although Linda Kasabian says, ladies and  
8 gentlemen, says, that one of the persons she was with was  
9 Tex Watson, and lo and behold, wouldn't you know, Tex  
10 Watson's fingerprints are found on the outside of the front  
11 door of the Tate residence, I guess Tex Watson, according to  
12 Paul Fitzgerald, was not one of the persons that Linda was  
13 with.

14 And although Linda Kasabian said that another  
15 person she was with was Patricia Krenwinkel, and wouldn't  
16 you know, ladies and gentlemen, that Patricia Krenwinkel's  
17 fingerprints were found inside Sharon Tate's bedroom, I  
18 guess Patricia Krenwinkel wasn't one of the people that  
19 Linda Kasabian was with either.

20 And although Linda Kasabian says that another  
21 person she was with was Susan Atkins, <sup>and</sup> wouldn't you know  
22 that Susan Atkins told three people that she was involved  
23 in these murders, actually admitted stabbing and killing  
24 Sharon Tate, I guess Susan Atkins wasn't one of the persons  
25 Linda Kasabian was with either.

26 Although Linda Kasabian says Leslie Van Houten

6-3

1 was among the group of murderers on the second night, and  
2 Leslie Van Houten told Dianne Lake that she was involved in  
3 the La Bianca murders, I guess that Leslie Van Houten wasn't  
4 one of the people that Linda was with either.

6a fls.

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1 Although Linda Kasabian's testimony shows that  
2 Charles Manson was responsible for the seven Tate-La Bianca  
3 murders, and Charlie Manson tells Juan Flynn "I am the one  
4 that has been doing all these ~~things~~<sup>things</sup>" I guess Charles  
5 Manson had nothing to do with these murders either.

6 Now, you recall that the ultimate question is:  
7 Who was Linda Kasabian with on these two nights of murder?

8 The defense attorneys claim that Linda Kasabian  
9 is lying when she says that their clients were with her.

10 If Linda Kasabian is lying, ladies and gentlemen,  
11 isn't it not only exceedingly strange, isn't it so utterly  
12 unbelievable, doesn't it so much stagger the imagination,  
13 doesn't it defy description, defy definition, defy every  
14 conceivable mathematical probability, that out of the  
15 several billion people on the face of this earth, the very  
16 people who Linda Kasabian says she was with are conclusively  
17 proven to have been there by solid, strong, indisputable  
18 evidence, totally independent of Linda Kasabian's testimony?

19 I am referring, of course, to the fingerprints  
20 and the confessions, evidence over which Linda Kasabian  
21 had no control.

22 After all, what did she have to do with the  
23 fact that Patricia Krenwinkel's fingerprint and <sup>her</sup> [Paul Watkins]  
24 fingerprints were found at the scene, and with the fact that  
25 Susan Atkins, Leslie Van Houten and Patricia Krenwinkel  
26 confessed to third parties?

6a-2

1 Before the Christmas holidays, I told you that  
2 maybe Santa was going to leave me something for my voice  
3 under the tree. Well, he didn't do it.

4 Ladies and gentlemen, although Linda's testimony  
5 showed that Charles Manson directed Watson, Atkins, Krenwinkel  
6 and Van Houten to commit these murders -- and as I have just  
7 indicated, the evidence shows that they did -- and although  
8 the evidence at this trial, ladies and gentlemen, conclusively  
9 showed that Charles Manson dominated the entire Family,  
10 including Tex Watson and these three female defendants,  
11 apparently, if we are to believe the defense attorneys,  
12 Charles Manson was not directing them on these two particular  
13 nights of murder.

14 Charles Manson apparently temporarily abdicated  
15 his crown, his throne, on these two nights of murder.

16 Maybe someone else at Spahn Ranch usurped  
17 Charlie's authority on these two nights of murder.

18 I know who it was, ladies and gentlemen:  
19 Squeaky.

20 Why, of course, Squeaky is the one who is behind  
21 these murders, ladies and gentlemen.

22 Poor Charlie Manson has been sitting in this  
23 courtroom for five months, and Squeaky is the culprit.

24 Can't you just picture the scene, ladies and  
25 gentlemen, at Spahn Ranch on the night of August the 8th,  
26 1969?



1           Squeaky is telling Tex, Sadie, Katie and Linda  
2 to get a knife and a change of clothing, and just as she is  
3 about to send these people out to commit these murders,  
4 Charles Manson, the apostle of peace, gets down on his knees  
5 in the dirt at Spahn Ranch and begs and beseeches Squeaky  
6 not to do it.

7           Whereupon, Squeaky gives Charlie a pacifier and  
8 tells him to get lost, and Manson, with his tail between his  
9 legs, meekly departs.

6b fls.

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During Linda's testimony on that stand, ladies

concerning Linda's testimony in connection of 1970.

-- not during the argument, but during this trial --

and gentlemen, about the defense position during this trial  
well, I would like to make one observation, ladies

things accordingly

and I believe things clearly, and you would not remember  
said for someone who took drugs as much as Linda, you could  
Mr. Bates also spoke of Linda's drug abuse and

of murder would be very bad, and she may have had delusions.  
and so many times, her participation during these two nights  
he went on to say that because Linda indicated

any defendant.

of course, there is no evidence that she had

he can't say she had a drug-induced psychosis.

Mr. Korman said Linda had a "fantastic drug intake,"

now, of course, that is what happened.

kind to it.

I know I could figure it out if I put my alleged

in words.

a lot of time being for Linda to check on the price of tea  
you are in this courtroom right now. Actually you are on  
reported there is 2500 years old, and you take only 2500  
and my name is Jack Daniels, and that's about

nothing to do with these murders.

of course, that is what happened. Ladies had

6b-2  
1 and gentlemen, it was so obvious that she was telling the  
2 truth, so obvious, that it is equally obvious that the  
3 defense attorneys sought to divert your attention away from  
4 Linda's testimony with respect to these two nights of  
5 murder by focusing on Linda's ingestion of LSD.

6 They made such a sickening, nauseating issue out  
7 of LSD, that if a person totally unfamiliar with this  
8 case would have walked into this courtroom and listened  
9 to the testimony for 14 days, cross-examination of Linda,  
10 they wouldn't have known that this was a murder trial and  
11 these four defendants were on trial for murder, they would  
12 have thought that Linda Kasabian was on trial for her  
13 ingestion of LSD.

14 You know that. I am just bringing back memories  
15 now. You know exactly what I am saying.

16 But in my opening argument, I said: All right,  
17 Linda took LSD. So what? What does it have to do with  
18 anything?

19 And as you recall, apparently during the defense  
20 arguments, they realized -- they realized -- that they had  
21 gotten all of the mileage they could out of the LSD issue,  
22 that they had bled it white, and apart from Mr. Kanarek  
23 and Mr. Keith briefly touching upon it, the words LSD  
24 were curiously missing from their arguments.

25 However, since Linda's and Dianne Lake's  
26 ingestion of LSD was a major issue in this trial, as

6b3

1 created by the defense, and since Mr. Keith and Mr. Kanarek  
2 did touch upon it, and inasmuch as one or more of you  
3 folks might be concerned about the fact that the star  
4 witness for the prosecution did ingest a considerable  
5 amount of LSD, I will briefly address myself to the LSD  
6 issue.

7 MR. KANAREK: Your Honor, may he include marijuana in  
8 that issue?  
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1 THE COURT: Mr. Kanarek, I admonish you to sit down  
2 and refrain from making any such comments.

3 MR. KANAREK: Very well, your Honor.

4 THE COURT: You are interrupting the argument of the  
5 prosecutor.

6 You may proceed.

7 Counsel approach the bench.

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

11 MR. KANAREK: May I be heard on this?

12 THE COURT: You may be.

13 I find you in direct contempt of court for  
14 that interruption. It was an unwarranted frivolous  
15 comment of yours which interrupted and disrupted the  
16 argument of the prosecutor.

17 I find you in direct contempt of court after  
18 you have been warned.

19 MR. KANAREK: If your Honor would hear me?

20 THE COURT: Don't interrupt or I will find you in  
21 contempt again, Mr. Kanarek.

22 You have been warned repeatedly about this. I  
23 will not permit it.

24 I am going to give some very careful reflection  
25 as to what the sentence will be as to this, and I will let  
26 you know in the next day or so.

1 MR. KANAREK: May I be heard while it is fresh in  
2 your Honor's mind?

3 THE COURT: Go ahead.

4 MR. KANAREK: The point is that this is why it is  
5 a Sixth Amendment right to effective counsel. He is  
6 focusing only upon LSD, which is improper argument to the  
7 jury, in view of the fact that we didn't -- I didn't limit  
8 it to LSD. Now he is limiting it.

9 THE COURT: Your statement is absurd and only con-  
10 vinces me more that I was correct in finding you in  
11 contempt.

12 MR. KANAREK: Your Honor --

13 THE COURT: I don't want to hear any more.

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

18 THE COURT: You may proceed.

19 MR. BUGLIOSI: Thank you.

20 I don't want you folks to think that I am a  
21 sympathizer or an apologist for the use of LSD, because I  
22 am not. It is a very dangerous drug. I don't condone  
23 its use at all.

24 But on the other hand, I think we do have to  
25 concede two points. Although at one time the use of LSD  
26 was confined to the fringe elements in our society, today,

1 unfortunately, its use is very prevalent among all areas  
2 of our societal structure, <sup>From</sup> ~~from~~ the high school student to  
3 the college professor, from the bellhop to the doctor and  
4 the lawyer, <sup>its</sup> ~~its~~ use has crossed and penetrated all socio-  
5 economic barriers.

6 But much more importantly than that, and much  
7 more pertinent to the issues in this case, although LSD  
8 is a dangerous drug, there is no evidence that it damages  
9 the brain or impairs memory.

10 And that is what we are concerned about in this  
11 case.

6d

6D-1

1 We have seen this, ladies and gentlemen, not  
2 only from the testimony of people on that witness stand  
3 who used LSD extensively, but from the testimony of the  
4 two court-appointed psychiatrists in this case, Drs.  
5 Skrdla and Deering, both of whom have vast clinical  
6 experience in the field of LSD.

7 Linda Kasabian ingested LSD 50 times, and yet it  
8 is obvious that she is in complete control of her mental  
9 faculties and has an excellent memory. She is completely  
10 lucid, completely rational. None of her answers to any of  
11 the questions were erratic and disoriented. All of her  
12 answers were completely responsive and directly related to  
13 the questions asked of her.

14 I have already discussed Dianne Lake earlier.  
15 Paul Watkins testified he ingested LSD a hundred and fifty  
16 to 200 times, and yet he is in complete control of his  
17 mental faculties and has an excellent memory.

18 In Volume 147, Page 17,369 of the transcript,  
19 Dr. Skrdla testified that there is no evidence that LSD  
20 causes brain damage.

21 On Page 17,506, Dr. Skrdla testified that he  
22 knows "many individuals who have used LSD three or four  
23 hundred times and are functioning as essentially normal  
24 individuals."

25 On Page 17,469, Dr. Skrdla also testified that  
26 LSD does not harm rational thought processes.



1 On Page 17,373, Dr. Skrdla testified that LSD  
2 does not affect memory.

3 In Volume 148, Page 17,567, Dr. Deering also  
4 testified that there is no evidence that LSD causes any  
5 brain damage.

6 On the same page, he testified that LSD does not  
7 cause an impairment of memory.

8 In fact, ladies and gentlemen, even while under  
9 the influence of LSD -- apparently the trip takes between  
10 eight and twelve hours -- one is very aware of everything  
11 that is occurring, according to the testimony of witnesses  
12 during this trial who have taken the drug, and also according  
13 to the testimony of Drs. Deering and Skrdla.

14 Not only doesn't LSD impair memory, but at a  
15 later time a person can look back and remember what took  
16 place while they were under the influence of LSD.

17 Dr. Skrdla testified on Page 17,373 that  
18 "ordinarily, the individual has a heightened awareness of  
19 things that have transpired during the period of the drug."

20 Dr. Deering testified, on Page 17,616, "that  
21 generally speaking, one remembers clearly, very clearly,  
22 everything that took place during the LSD trip itself."

23 Volume 137. This is what Paul Watkins said. Here  
24 is someone who took LSD 150 to 200 times.  
25  
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6e-1

1 "And during these LSD trips, you would  
2 have a conversation with other people?

3 "Uh-huh.

4 "Would you remember the conversation?

5 "Yes.

6 "Would the LSD focus more of the details,  
7 or would it make the details more hazy?

8 "You see it just like it is.

9 "What do you mean by that?

10 "The details would not be altered in  
11 any way, other than the way that they are."

12 Linda testified on page 6,510 that after the  
13 LSD trip is over she had no difficulty in remembering what  
14 occurred during the trip.

15 In fact, ladies and gentlemen, Dr. Skrdla and  
16 Dr. Deering both testified that to call LSD an hallucinogenic  
17 drug is somewhat of a misnomer because, by definition, an  
18 hallucination is seeing something which in reality doesn't  
19 exist; whereas, when someone is under the influence of  
20 LSD, someone sees distortions of something that does exist,  
21 i.e., they see illusions.

22 It is hallucinations vis-a-vis illusions.

23 I could read you some more from Paul Watkins'  
24 testimony concerning what happens under LSD.

25 He says that now and then things would be  
26 brighter, would be out of focus, but the things were there.

1           So, the ingestion of LSD by several of the  
2 prosecution witnesses, including Dianne Lake, has absolutely  
3 no relevance to this case.

4           So, I suggest that we kindly execute it and  
5 bury it in a judicial morgue. While it was alive and  
6 breathing, it was just part of the ink bag of the octopus.

7           The ultimate question, ladies and gentlemen,  
8 is not whether Linda Kasabian took LSD, or got immunity.  
9 That is not the ultimate question. The ultimate question,  
10 of course, is whether Linda Kasabian told the truth on that  
11 witness stand.

12           I'd like to address myself to that point at  
13 this time, and I will get back to the accomplice issue later  
14 on, but if Linda Kasabian did not tell the truth on that  
15 witness stand, as I am going to prove right now that she did,  
16 the accomplice issue is irrelevant.

17           Ladies and gentlemen, if the other evidence in  
18 this case was inconsistent, incompatible with Linda Kasabian's  
19 testimony, that would be one thing. But the other evidence  
20 in this case is one hundred and one percent consistent with  
21 Linda Kasabian's testimony.

22           The things I am about to enumerate prove beyond  
23 all doubt that Linda told the complete truth on that witness  
24 stand.

25           Let's look at Linda's testimony with respect  
26 to what happened at the scene of the Tate murders.

1 Mr. Fitzgerald said: "The murders did not take  
2 place the way Linda Kasabian said they did."

3 Mr. Kanarek said the same thing. Of course, he  
4 was much more adamant about it.

5 Well, let's see what Linda Kasabian said,  
6 and then let's see if that is really what happened.

7 Your Honor, would this be an appropriate time?

8 THE COURT: Very well.

9 Ladies and gentlemen, do not converse with  
10 anyone or form or express any opinion regarding the case  
11 until it is finally submitted to you.

12 The court will recess until 1:45.

13 (Whereupon at 11:57 o'clock a.m. the court was  
14 in recess.)  
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LOS ANGELES, CALIFORNIA, THURSDAY, JANUARY 14, 1971

1:50 P.M.

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(The following proceedings were had in open court in the presence of the jury, all counsel with the exception of Mr. Hughes being present; the defendants are not physically present:)

THE COURT: All counsel and jurors are present.

Do you wish to address the Court, Mr. Keith?

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

THE COURT: Very well.

(The following proceedings were had at the bench out of the hearing of the jury:)

MR. KEITH: If the Court please, I am addressing myself with respect to your Honor's finding Mr. Kanarek in contempt prior to the recess, the noon recess.

We three other counsel thought we would like to put our views on the record at the earliest opportunity, if your Honor is willing to permit us to be heard.

THE COURT: Well, I don't really see any necessity for it or any desirability for it.

I have since had a chance to review yesterday's transcript, the proceedings commencing with Mr. Bugliosi's closing argument and what occurred then.

There were a number of instances -- I will cite the specific page references later, I don't have them in

1 front of me -- but starting within the first ten or 15  
2 minutes, not even that long, and Mr. Bugliosi's argument,  
3 Mr. Kanarek repeatedly interrupted and attempted to disrupt  
4 the argument and distract the jury.

5 He was warned each time by the Court not to do so;  
6 that he would be found in contempt if he continued.

7 Today, the particular instance, though I did find  
8 him in direct contempt this morning before noon, it was  
9 just another instance of that, a clear violation of my  
10 previous warnings to him.

11 While I appreciate that perhaps you disagree,  
12 I don't think that it is really relevant whether you agree  
13 or disagree. This involves the Court and Mr. Kanarek.

14 MR. KEITH: I wonder if the record shouldn't show at  
15 least that I felt that Mr. Kanarek was attempting to make  
16 an objection to Mr. Bugliosi's argument, and perhaps in-  
17 artfully.

18 Be that as it may, he is entitled to make such an  
19 objection even though the grounds are wholly untenable,  
20 as long as he is doing so in good faith.

21 THE COURT: It is clear from the record, Mr. Keith,  
22 that he was not trying to make an objection, and it became  
23 even more clear when we approached the bench and he  
24 attempted to explain it, and no counsel has a right to make  
25 frivolous objections.  
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1 MR. KEITH: No, what I am saying was -- and I agree  
2 with that concept -- but I just felt that Mr. Kanarek was  
3 acting in good faith.

4 The Court may feel that his objection was  
5 frivolous, but --

6 THE COURT: It wasn't an objection. That is the point.

7 MR. KANAREK: Yes, it was.

8 THE COURT: It was not.

9 MR. KEITH: As I say, it was inartfully done.

10 THE COURT: It certainly was inartfully done, and in  
11 direct violation of my orders to stop doing it.

12 The record will speak for itself.

13 MR. KANAREK: Yes, your Honor. If I may be heard?

14 THE COURT: I don't want to hear from you. I have  
15 heard all I want to hear from you on that subject.

16 MR. KEITH: My purpose for coming to the bench was  
17 to express Mr. Fitzgerald's, Mr. Shinn's, and my position.

18 MR. FITZGERALD: Our view was, we weren't sure whether  
19 Kanarek was attempting to make a motion or an objection.

20 THE COURT: No, he wasn't making either one. He was  
21 making a gratuitous comment in the form of a question,  
22 and a rhetorical question, I might add, and it was  
23 obviously another example of his repeated attempts to dis-  
24 rupt this trial in one way or another.

25 MR. KANAREK: Well, your Honor --

26 THE COURT: I don't want to hear any more from you.

1 I have heard from you before, and as far as I am concerned,  
2 the matter is closed. I have found you in contempt and I  
3 have no intention of changing my mind.

4 MR. KANAREK: But then I have a counsel, your Honor.

5 THE COURT: You may have a counsel, but under this  
6 provision of the Code of Civil Procedure, a direct  
7 contempt may be punished summarily, and that is what I  
8 intend to do, and I will let you know when I have made up  
9 my mind what the punishment will be.

10 MR. KANAREK: May I state this to the Court?

11 MR. KEITH: Irving, please.

12 MR. KANAREK: I would like to make the record.

13 MR. KEITH: No, Irving.

14 THE COURT: Let's hear what he has to say, even  
15 though counsel have decided they don't want to hear it.

16 Let him make his comment.

17 MR. KANAREK: I would say this. I want to make this  
18 point. That it is my belief that everyone is entitled to  
19 the right of counsel, even a lawyer, when the Judge finds  
20 him in contempt.

21 I want to allege a violation of due process, a  
22 violation of equal protection, a violation of the lawyer's  
23 right to effective counsel, as well as the defendant's right  
24 to effective counsel, for your Honor to have his mind made  
25 up, as your Honor has said it is made up.

26 We have witnesses --



1 THE COURT: I made a finding. That is what occurred.  
2 I made a finding based upon your conduct.

3 MR. KANAREK: The point is that I would like to state  
4 that I would like another magistrate to hear it.

5 It is my belief --

6 THE COURT: If that is what you have to say --

7 MR. KANAREK: I am not finished.

8 THE COURT: You have finished, because I am telling you  
9 that is all I am going to hear from you on that subject.  
10 So, let's get on with the argument.

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

15 THE COURT: You may continue, Mr. Bugliosi.

16 MR. BUGLIOSI: Thank you.

17 At the beginning of my opening argument, you  
18 recall I told you folks that we could see the light at the  
19 end of the tunnel. Well, we are at the end of the tunnel  
20 right now, and although all of us want to finish this  
21 trial and go home after six months, don't forget, ladies  
22 and gentlemen, -- you cannot forget -- that seven human  
23 beings lost their lives in the early morning hours of  
24 August the 9th and 10th of 1969.

25 So, as the prosecutor in this case, even though  
26 this case has been dragging on for month after month after

1 month, when it comes down to a decision on my part whether  
2 to discuss something with you, that I think is important,  
3 or whether to wrap it up early and go home, unfortunately,  
4 I have to, on balance, reach the conclusion that I have  
5 to continue discussing those things which I think are  
6 important.

7 And in view of the fact that still many of you  
8 are still taking notes, obviously, I am not wasting my  
9 time up here.

10 Hopefully, I will be able to finish some time  
11 tomorrow. But again, I repeat, you cannot forget that  
12 seven human beings died.

13 As I was indicating just before the break, the  
14 defense attorneys said that it didn't happen at the Tate  
15 residence and at the La Bianca residence the way that  
16 Linda Kasabian said that it happened.

17 Let's look at what Linda Kasabian said, ladies  
18 and gentlemen, and then let's look and see whether other  
19 independent evidence confirms, substantiates, what Linda  
20 Kasabian said.

21 Linda testified that Tex, Sadie, Katie and she  
22 arrived at the Tate residence around midnight. Her testi-  
23 mony was that the murders took place shortly thereafter.

24 Let's look at the independent evidence.

25 William Garretson testified that Steven Parent  
26 visited him at 11:45 p.m. and left around 12:15 a.m.

1 Obviously, Parent was murdered as he was leaving  
2 the Tate premises.

3 Garretson also testified that when Parent was  
4 back in the guest house he called a friend of his.

5 Jerry Friedman testified that at 11:45 p.m., on  
6 August the 8th, 1969, he did, in fact, receive a phone  
7 call from Steven Parent, and Parent said he was alone with  
8 a friend, and that on the premises where he was were some  
9 big Hollywood people.

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860 1 So, it is obvious that when William Garretson  
2 said that Steven Parent called a friend, the friend whom  
3 he called obviously was Jerry Friedman.

4 Officer Granado testified that when he found  
5 the clock-radio in Steven Parent's car, it was stopped at  
6 12:15 a.m.

7 I discussed the ramifications of that in my  
8 opening argument.

9 Tim Ireland testified that he heard the screams  
10 coming from human beings, come from the direction of the  
11 Tate residence, at around 12:40 a.m.

12 Rudolf Weber testified that the hosing incident  
13 in front of his home took place at 1:00 a.m.

14 So, Linda's testimony that the murders took place  
15 around midnight has been confirmed by other independent  
16 evidence.

17 Linda testified that Tex shot the man in the car,  
18 whom we know to be Steven Parent, four times.

19 Dr. Noguchi testified that although Steven  
20 Parent was shot five times, or had five gunshot wounds,  
21 rather, two of the gunshot wounds, two and four, were caused  
22 by the same bullet.

23 You remember, he testified that in his opinion --  
24 and he theorized -- Steven Parent had his left forearm  
25 flexed at the time he was shot. One of the bullets entered  
26 his left forearm, passed through-and-through, and

re-entered Parent's body in the region of his chest

So, Dr. Noguchi concluded that Steven Parent was shot four times. That is scientific evidence.

Linda Kasabian said Tex Watson shot Steven Parent four times.

Let's just stop for a moment.

If Linda Kasabian were lying, ladies and gentlemen, let's say if she weren't there that night, do you think she would volunteer any specific number of times that Steven Parent was shot?

If she were to say four times, and then Dr. Noguchi gets up on that witness stand and said: No, Steven Parent was shot two times -- or seven times -- this would prove, obviously, that she wasn't there.

9-1

1 But she says four times, and the independent,  
2 scientific medical evidence substantiates what Linda  
3 Kasabian said, Linda testified that when Tex shot the  
4 man in the car, she was just a few feet away from Tex, she  
5 was on the driver's side of the car.

6 She said that after Tex shot the man four times  
7 the man just slumped over in the driver's seat, and I asked  
8 her did his head slump to the left or to the right and she  
9 said to the right towards the passenger side.

10 People's Exhibit 42 of course shows Steven  
11 Parent's head slumped to the right toward the passenger  
12 side.

13 Linda testified that there was a large outside  
14 light on, on a building in the driveway of the Tate residence,  
15 and we learned that that building was the garage.

16 Winifred Chapman testified that when she arrived  
17 at the Tate residence on the morning of August the 9th the  
18 large outside light on the garage was on; she had to turn  
19 it off, again confirming Linda Kasabian's testimony.

20 Linda testified that Tex cut the screen on one  
21 of the windows to the right of the front door of the Tate  
22 residence.

23 She said it appeared that Tex cut the screen  
24 horizontally; she identified a photo of the screen.

25 Officer Whisenhunt testified when he arrived at  
26 the scene on the morning of August the 9th, the screen on

9-2

1 the window to the right of the front door of the Tate  
2 residence was off the window and it was cut horizontally.

3 Of course this photograph which I showed you  
4 before, People's 26, shows the screen on the front window  
5 off and it's ~~slipped~~<sup>with</sup> horizontally, again confirming Linda  
6 Kasabian's testimony.

7 Linda testified, ladies and gentlemen, that when  
8 she looked through this window, she looked through the  
9 window, the one that Tex was cutting the screen on, she  
10 saw "a table and a bowl of flowers or something on the  
11 table."

12 And she said that the table and the flowers  
13 appeared to be in the dining room.

14 Of course, Winifred Chapman, when she took that  
15 witness stand, did say that the window that had the screen  
16 cut on it was the window to the dining room of the Tate  
17 residence, and there was in fact a vase of flowers on that  
18 table on August 9th, 1959.

19 Linda testified that Sadie and Katie were  
20 barefooted on the night of the Tate murders. A bloody  
21 footprint was found outside the front door of the Tate  
22 residence.

23 Linda testified that when Frykowski first came  
24 out the front door of the Tate residence she observed that  
25 his face was covered with blood; he stopped at a post and  
26 then fell onto some bushes to the left.



9-3

1 In other words, as he was exiting the front door,  
2 the bushes were to the left and he fell into these bushes.

3 Of course this photograph shows that the bushes  
4 to the left of the post had been damaged.

5 Sergeant McGonn said that these bushes are right  
6 to the left of the post coming out the front door of the Tate  
7 residence, and he said that this photograph depicts the  
8 damaged condition of the bushes.

9 Again confirming Linda Kasabian's testimony.

10 Linda testified that she observed a light on  
11 near the front door of the residence.

12 Officer DeRosa testified that when he arrived  
13 at the Tate residence on the morning of August the 9th,  
14 1969, there was a light on near the front door of the Tate  
15 residence.

16 A small photograph, you can see that light,  
17 taken August 9th, 1969.

18 It is the light right next to the front door  
19 of the Tate residence, again confirming, substantiating  
20 Linda Kasabian's testimony.

21 Linda testified that she saw Tex stab Frykowski  
22 in the back; she said Frykowski was on his hands and knees  
23 on the front lawn of the Tate residence. She said Watson  
24 was stabbing him in the back.

25 Dr. Noguchi testified that Voityck Frykowski  
26 had five stab wounds to his back.

9-4

1 Again confirming Linda Kasabian's story.

2 Linda also testified that Tex told her that  
3 he had hit the man over the head with the gun and it had  
4 shattered the gun and it didn't work any more.

5 Of course, as we know, Voltyck Frykowski was  
6 struck viciously over the head by a hard object, undoubtedly  
7 People's 40, the revolver, 13 times, and we know that  
8 People's 40 does have a broken trigger guard, and the ejection  
9 spring housing is broken, and the barrel was loose, and the  
10 right-hand grip was in fact shattered into three pieces,  
11 again confirming, substantiating Linda Kasabian's testimony.

12 Linda testified that around the time she saw  
13 Tex stab Frykowski, further on down the line, further on  
14 down towards the back of the house, the back part of the  
15 lawn, Patricia Krenwinkel was chasing a woman who had a  
16 white gown and had black hair.

17 Do you recall Linda testifying to that?

18 Here is a photograph of Abigail Folger, white  
19 gown, black hair.

9a fls.

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9a-1

1 When Linda Kasabian testified to this, ladies  
2 and gentlemen, she had not yet seen a photograph of any of  
3 the victims in death at the Tate residence.

4 MR. KANAREK: Your Honor, I must object to that, if  
5 your Honor wishes me to approach the bench --

6 MR. BUGLIOSI: She testified to this, your Honor.

7 MR. KANAREK: Your Honor, I must object to that, it  
8 is not in evidence.

9 THE COURT: What is the objection, Mr. Kanarek, state  
10 it.

11 MR. KANAREK: The objection is, your Honor -- and I  
12 would like to do it at the bench so that your Honor will  
13 be pleased with what I have to say.

14 THE COURT: State the objection.

15 MR. KANAREK: Your Honor is not consistent. I am  
16 afraid if I state it --

17 THE COURT: If you have no objection, then let's  
18 proceed.

19 The jury heard the testimony; if your version,  
20 as you heard it, differs from anything that any counsel  
21 has said, you must rely on what you heard and saw in this  
22 courtroom.

23 Let's proceed.

24 MR. KANAREK: May I not approach the bench then, your  
25 Honor?

26 THE COURT: Let's proceed, Mr. Kanarek.

1 MR. BUGLIOSI: After Linda Kasabian testified that the  
2 woman had a white gown and black hair, after that on cross-  
3 examination by Mr. Kanarek, Mr. Kanarek showed Linda Kasabian  
4 the photograph of Abigail Folger.

5 But she had already testified that the woman  
6 who Patricia Krenwinkel was chasing had a white gown and  
7 black hair, again confirming, substantiating Linda Kasabian's  
8 testimony.

9 MR. KANAREK: Your Honor, may I state my objection  
10 then, your Honor, if I may then I will state it.

11 It is my belief, your Honor, and I believe that  
12 the evidence that the District Attorney is alluding to at  
13 this time does not include his interrogation of her at  
14 the many instances he did interrogate her, and we don't know  
15 what he showed her, your Honor, that is not in evidence.

16 MR. BUGLIOSI: Your Honor, I would ask the Court to  
17 admonish the jury to disregard that gratuitous remark,  
18 your Honor.

19 There is no evidence of that. Linda Kasabian  
20 testified on the stand she had not been shown any photographs  
21 of the victims at the scene.

22 THE COURT: The objection is overruled.

23 MR. BUGLIOSI: Will the Court admonish the jury to  
24 disregard that statement?

25 THE COURT: The jury will disregard the remarks of  
26 Mr. Kanarek, other than the stated objection and the Court's

1 ruling.

2 MR. BUGLIOSI: Of course, again confirming Linda  
3 Kasabian's testimony, type B blood was found on the rug  
4 before the back door of Sharon Tate's bedroom, on the door  
5 itself, and on the outside of the door, on the ground --  
6 type B blood, and of course we know that Abigail Folger had  
7 type B blood.

8 You also recall that Winifred Chapman and  
9 Officer DeRosa testified that when they arrived at the  
10 residence on the morning of August 9, this back door, the  
11 one with Patricia Krenwinkel's fingerprints on it, was  
12 open -- was open -- again confirming Linda Kasabian's  
13 testimony.

14 Linda testified that as Tex, Sadie, Katie and  
15 she were driving away from the Tate residence:

16 "Katie said when she stabbed that there  
17 were bones in the way and she couldn't get the knife  
18 through all the way, and that it took too much  
19 energy, or whatever, I don't know her exact words,  
20 but it hurt her hand."

21 Dr. Noguchi testified that the autopsy disclosed  
22 that the knife or knives used on the Tate victims penetrated  
23 the bones of all victims other than, of course, Steven  
24 Parent, who died as a result of gunshot wounds.

25 Again confirming Linda Kasabian's testimony.

26 As I indicated earlier in my opening argument,

1 Linda Kasabian estimated the dimensions on two out of the  
2 three knives in the car that night, People's 39, the Buck  
3 knife, of course, has been introduced into evidence.

4 And her estimated dimensions on the blade of  
5 those two knives was very very close, very closely  
6 parallel, substantially identical to the estimated dimensions  
7 on the murder knife given by Dr. Noguchi, again confirming  
8 Linda Kasabian's testimony.

9 Any one of the ten or fifteen things I have  
10 already mentioned, ladies and gentlemen, prove not only  
11 that Linda Kasabian was there that night, but that she  
12 accurately and truthfully told you folks from that witness  
13 stand everything that happened.

14 Let's look at the Rudolph Weber incident, <sup>not</sup> ~~not~~  
15 only does it conclusively prove, ladies and gentlemen,  
16 that Linda Kasabian was with the Tate killers that night,  
17 and we know of course that the Tate killers are these  
18 defendants, but his description, Rudolph Weber's description  
19 of the four people who were in front of his home confirms  
20 the fact that the Tate killers were exactly who Linda  
21 Kasabian said they were, Tex Watson, Susan Atkins and  
22 Patricia Krenwinkel.

23 Linda testified as to 20 to 25 things concerning  
24 the hosing incident in front of Rudolph Weber's home.

25 If she had not been present, ladies and gentlemen,  
26 not only would she not have been able to accurately and

1 truthfully tell you 20 to 25 things that happened, all of  
2 which were confirmed by Rudolph Weber, she would not be able  
3 to tell you one thing that happened, not one.

4 Let's look at that incident.

5 Linda ~~testifies~~ <sup>testified</sup> that she, Tex, Sadie and Katie  
6 arrived at the Tate residence around midnight and, based  
7 on what happened there, the five murders, based on the time  
8 it would have taken them to drive to Rudolph Weber's  
9 residence, they would have arrived at Weber's residence  
10 somewhere in the vicinity of 1:00 o'clock, 12:50, 12:45,  
11 1:00 o'clock, five minutes after 1:00.

12 Rudolph Weber testifies that he was awakened  
13 by the sound of running water at 1:00 o'clock.

14 He looked at his alarm clock.

15 Incidentally, Linda testified that it only  
16 took a few minutes to get from the Tate residence to the  
17 place where Tex, Katie and Sadie hosed themselves off.

18 Sergeant McGann testified he drove the distance  
19 between the Tate residence at 10050 Cielo Drive and Rudolph  
20 Weber's residence at 9870 Portola Drive, and it's 1.8 miles.  
21 ~~Obviously~~ <sup>Obviously</sup> it would not have taken too long to go from the  
22 Tate residence to the Weber residence, again confirming  
23 Linda Kasabian's testimony.

9b fls.



b-1

1 Linda testified that the street where Tex stopped  
2 to hose off was a dark street and they had to drive up the  
3 hill.

4 Rudolf Weber testified the street where he lived  
5 is a dark street, and if you look at some of the photographs,  
6 ladies and gentlemen, particularly People's 44, you will see  
7 at the bottom of the street, Portola, this is a hilly  
8 street, you drive up Portola, the bottom of the street is  
9 down here. This is an incline upward, again confirming  
10 Linda Kasabian's testimony.

11 Linda identified a photograph of a home where  
12 Tex, Katie, and Sadie hosed themselves off. She said,  
13 "That is the house."

14 Rudolf Weber took the witness stand and testified  
15 that that, of course, is his home.

16 Linda Kasabian testified that the place where Tex,  
17 Katie and Sadie hosed themselves off was right here.

18 Rudolf Weber took the witness stand and said that  
19 the four individuals whom he saw that night were standing  
20 about right here when he came out of the residence, again  
21 confirming Linda Kasabian's testimony.

22 Linda testified that from the headlights of their  
23 car they were able to see the hose extending out from the  
24 house.

25 Mr. Weber testified that a person driving at night  
26 in front of his house with the headlights on could see

1 the hose extending from his house out into the street,  
2 again confirming Linda's testimony.

3 Now we get into the description of the people.

4 Linda, of course, said she was with Tex, Katie,  
5 and Sadie.

6 Mr. Weber's testimony concerning this point, of  
7 course, is extremely important.

8 Weber testified that there were four <sup>occasions</sup> ~~occasions~~  
9 in front of his home during this hosing incident,  
10 one male and three females.

11 And he said that they appeared to be in their  
12 late teens.

13 Well, of course, Tex, Katie, Sadie and Linda,  
14 all four of them could easily be taken to be in their  
15 late teens.

16 Mr. Weber testified there was -- testified that  
17 the male was around his height, and he said he was six-feet  
18 one or six-feet two inches tall.

19 We had testimony here that Tex Watson is around  
20 six-feet two inches tall, and you saw him here in court,  
21 obviously six-feet one-six-feet two inches tall.

22 Mr. Weber said that the three girls, with  
23 respect to the three girls, two out of the three girls  
24 were of average height. You recall he said that? You saw  
25 Susan Atkins and Patricia Krenwinkel, they certainly appear  
26 to be of average height for a girl.

1 He testified that the third girl was very short,  
2 around five feet tall.

3 Linda Kasabian is very short, around five feet  
4 tall.

5 So Rudolf Weber's testimony is completely consis-  
6 tent with Linda Kasabian's testimony as to the identity of  
7 the four parties in front of his home.

8 Linda testified also that Tex, Sadie and Katie  
9 actually started to hose themselves off.

10 Rudolf Weber testified that he was awakened by  
11 the sound of running water coming from his hose.

12 Linda testified, "An older woman came running out  
13 of the house, I don't remember her exact words but she  
14 said, 'Who is that? What are you doing?'"

15 Mr. Weber testified that it was he who said,  
16 "What in the hell do you think you're doing?"

17 Now, note that although Linda said that the  
18 woman uttered these words, that that is a completely  
19 meaningless discrepancy.

20 The important point, ladies and gentlemen, is that  
21 Linda Kasabian heard those words uttered, although it turns  
22 out they were uttered by Mr. Weber as opposed to his wife.

23 Of course if Linda Kasabian wasn't there, she  
24 wouldn't even have known that these words were uttered in  
25 the first place.

26 You will note that Linda said an older woman

1 and man came out of the house.

2 Mr. Weber testified his wife is 65 years of age,  
3 and obviously he is in the vicinity of 60 or 70 years of  
4 age.

5 Linda testified that she could not identify the  
6 man, but that he had white hair.

7 You saw Rudolf Weber, he does have white hair  
8 and, of course, this is a photograph of him here, showing,  
9 of course, that he does have white hair.

10 I am sure all of you remember that, anyway, or  
11 do you -- it's three or four months ago, it's quite a while  
12 ago.

13 In any event, Linda could not identify the  
14 man; she said he was old in her mind and had white hair.

15 Well, Rudolf Weber is 65 or 70 years of age and  
16 he does have white hair.

17 Linda testified that after she heard the words  
18 "Who is that, what are you doing?" Tex replied, "We are  
19 getting a drink of water."

20 This is Linda's testimony.

21 Mr. Weber testified that the male said, "We are  
22 just getting a drink of water."

23 Confirming Linda Kasabian's testimony.

24 Linda testified the woman got sort of hysterical  
25 and said, "My husband is a policeman. He is a deputy."  
26 Or something to that effect.

1           Rudolf Weber testified that his wife got "a little  
2   overly excited," and said, "My husband is a deputy sheriff  
3   and we are going to make a report of this."

4           Again, confirming Linda Kasabian's testimony.

5           Linda testified that the man said, "Is that your  
6   car?"

7           And Tex replied, "No, we are walking."

8           Mr. Weber testified that he said, "Is that your  
9   car down there?" and the male answered, "No, we are just  
10   walking."

11          Again confirming Linda Kasabian's testimony.

12          Linda testified that Tex was the only one of them  
13   who talked to the man.

14          She testified that neither Sadie, Katie nor she  
15   said anything.

16          Rudolf Weber testified that only the male spoke,  
17   the three girls did not speak to him, again confirming  
18   Linda's testimony.

19          Linda testified that Tex was "very polite to the  
20   people."

21          Mr. Weber testified that the male was "sort of  
22   pleasant about it."

23          Linda testified that after the conversation  
24   between Tex and the man and the woman in front of the house,  
25   Tex, Sadie, Katie and she started to walk down to the car  
26   and the man followed them.

1 Mr. Weber testified that after the conversation  
2 in front of his home "they started walking down towards  
3 the car. I walked behind them."

4 Linda's testimony to where Tex parked the car  
5 that night, she said it was about right here on this  
6 photograph.

7 Rudolf Weber took the witness stand and said,  
8 "Yes, that is about where the car was parked."

9 Again confirming Linda's testimony.

10-1

1 Linda testified that after Tex, Sadie, Katie and  
2 she got in the car, "the man was right behind us and he  
3 came up to the driver's seat and he started to put his  
4 hand in the car to reach for the keys, and Tex blocked him,  
5 grabbed his hand, and just jammed, you know."

6 I asked Linda: "When you said jammed, what do you  
7 mean?"

8 "Well, Tex drove away real fast."

9 Here was Mr. Weber's testimony about this  
10 incident.

11 After he got the license plate number on the car:

12 "Then the girls got in the car, the man got in  
13 the front, the girls in the back, he closed the door, and  
14 on an impulse I reached through the window and I tried  
15 to reach for the keys, which was not my intention, it was  
16 simply the fact to scare him away, so by the time I even had  
17 my hand barely on the windshield, he took off just like this.

18 "Did he drive off slowly, moderately, or fast?

19 "Very fast."

20 Again, completely consistent with Linda Kasabian's  
21 testimony.

22 Now, the reason, ladies and gentlemen, that  
23 Linda Kasabian's testimony was substantially identical to  
24 Rudolf Weber's testimony is because Rudolf Weber, ladies  
25 and gentlemen, was there that night in front of his home,  
26 and so was Linda Kasabian. That is why.



1           The clincher is that Linda testified that the  
2 subject car they were driving that night was Johnny Swartz's  
3 1959 Ford, the yellow Ford. Mr. Weber got the license  
4 plate number GYY 435, and that license plate number belongs  
5 to Johnny Swartz's 1962 maroon Ford. On the night in  
6 question, it was on the '59 Ford.

7           We know, ladies and gentlemen, and I went into  
8 this in detail in my opening argument, we know that the  
9 Rudolf Weber incident must have taken place between ten  
10 and twenty minutes after the Tate murders. And Weber's  
11 home on Portola Drive is right down the road from the Tate  
12 residence.

13           People's 98, the diagram, shows that. Right down  
14 the road.

15           We know from the evidence that Tex Watson,  
16 Patricia Krenwinkel, Susan Atkins and Linda had just come  
17 from the Tate residence leaving five dead bodies behind.

18           If Linda hadn't been one of the four people in  
19 front of Rudolf Weber's home, ladies and gentlemen, not  
20 only wouldn't she have known one solitary thing that  
21 happened, but she never in a million years would have  
22 volunteered any specific details.

23           For instance, would she have testified that the  
24 man reached in the car towards the keys if that incident  
25 didn't happen?

26           Would she dare have said something like that when,  
if Mr. Weber took the witness stand and said, "I didn't

1 reach in the car. In fact I wasn't anywhere near the car"?

2 Obviously, if Linda wasn't there, she wouldn't  
3 have volunteered one specific detail. She couldn't afford  
4 to because if that detail turned out to be untrue, it would  
5 prove she was a liar.

6 In fact, if Linda Kasabian were lying, she would  
7 not have known that the Rudolf Weber incident took place,  
8 period.

9 A YOUNG LADY: That is not true. I have proof that  
10 the prosecution has coerced the key witnesses.

11 THE COURT: Take that young lady into custody.

12 YOUNG LADY: The prosecution has coerced, bribed and  
13 threatened key witnesses in this case --

14 THE COURT: I want that young lady held.

15 YOUNG LADY: -- and I have proof.

16 THE COURT: Ladies and gentlemen, you will disregard  
17 the remarks of that young lady. She has no connection  
18 with this case whatsoever, and you will totally disregard  
19 her remarks.

20 Let's proceed, Mr. Bugliosi.

21 MR. BUGLIOSI: The likelihood of Linda Kasabian  
22 making up and fabricating this incident with all the  
23 details, and it actually turning out to be true is one  
24 out of 100 trillion, ladies and gentlemen.

25 We don't have the burden of proving these  
26 defendants guilty beyond 100 trillionth of a doubt, just

Julie  
Shapiro  
indicated  
21-2-53

1 beyond a reasonable doubt.

2 The Rudolf Weber incident alone, ladies and  
3 gentlemen, alone, all by itself, proves that Linda Kasabian  
4 told the truth on that witness stand.

5 THE COURT: Is there any other evidence independently  
6 confirming the fact that Linda told the truth on that  
7 witness stand?

8 Linda testified that after Tex, Sadie, Katie  
9 and she drove off from the hosing incident, she believes  
10 Tex took a right at the bottom of the hill and drove into an  
11 area where there weren't too many houses, where it was  
12 like a country road sort of with bushes and trees, not  
13 too many houses. She described the road as being hilly, up  
14 and down.

15 She testified that Tex pulled off the road onto  
16 a dirt shoulder, handed his, Sadie and Katie's clothing to  
17 her, and told her to throw them out.

18 She said she got out of the car and threw the  
19 clothing over the hill in a bundle.

20 She said it was very dark in the area, but she  
21 got the impression that the hill was fairly steep.

22 Look at these pictures. The hill where the  
23 clothing was found is rather steep.

24 Of course, with respect to the particular area  
25 where the clothing was found, Sergeant McGann testified  
26 that it is in the Benedict Canyon area of Los Angeles, which

1 is a hilly, mountainous area with heavy brush, and there are  
2 winding roads.

3 Again, confirming Linda's testimony.

4 Linda testified that she didn't know the distance  
5 between the place where the hosing incident took place  
6 and where she threw the clothing over the side of the hill.

7 Sergeant McGann testified that he drove that  
8 distance between Rudolf Weber's residence and 2901 Benedict  
9 Canyon Road where the clothing was thrown off the side of  
10 the hill, and it is a very short distance, 1.8 miles.

11 Linda said that the distance was close, although  
12 she did not know the exact period of time that it took Tex  
13 to drive the distance, but she said it was fairly close.

14 Of course, 1.8 miles is very close.

15 Again, corroborating or confirming Linda  
16 Kasabian's testimony.

10b

10b-1

1 Mr. Baggott from Channel 7, the one who found  
2 the clothing, testified that the clothing was within a  
3 six-foot radius -- the seven articles of clothing were  
4 within a six-foot radius of each other -- 50 feet down  
5 from the top of the hill.

6 Of course, if Linda threw the clothing over the  
7 side of a hill, ladies and gentlemen, in a bundle, the  
8 place on the ground where Baggott found that clothing is  
9 consistent with Linda's testimony, because if she threw  
10 it over in a bundle, the articles of clothing would, of  
11 course, be in close proximity of each other -- which they  
12 were.

13 Of course, the mere fact, ladies and gentlemen,  
14 the mere fact that Linda testified that she threw Tex,  
15 Sadie's and Katie's clothing over the side of the hill,  
16 and that clothing is found over the side of the hill near  
17 the Tate residence, completely confirms Linda's testimony.

18 In an area -- as we have discussed, Los Angeles  
19 is an extremely large area, the third largest city, as  
20 I understand it, in the entire world -- that is, geographical-  
21 ly -- yet, although Linda Kasabian did not know the road  
22 where the clothing was thrown over the side of the hill,  
23 or the address on the road, her testimony literally pin-  
24 points the spot.

25 I am referring to her testimony that the  
26 clothing was thrown over the side of the hill not too far

10b-2

1 from the hosing incident, which, in turn, is not too far  
2 from the Tate residence; and her further testimony that it  
3 was on a dark, ~~wandering~~<sup>winding</sup>, hilly road, which is consistent  
4 with Sergeant McGann's testimony.

5 Linda knew these things, ladies and gentlemen,  
6 for the simple reason that she is the one that threw the  
7 clothing over the side of the hill. That is why she knew  
8 all these details.

9 You recall, Linda testified that she threw  
10 Tex, Katie's and Sadie's clothing over the side of the hill.  
11 In other words, three sets of clothing. King Baggott found  
12 three sets of clothing. Again confirming Linda's testimony.

13 Of course, what could possibly, ladies and  
14 gentlemen, what could possibly be proof beyond all doubt  
15 that Linda Kasabian was telling the truth, what could  
16 prove it more than the fact that two out of the three people  
17 whom she says she was with that night, Tex and Katie, are  
18 conclusively and scientifically proven to have been there  
19 by their fingerprints being found at the scene;  
20 and the third person whom she says she was with, Susan  
21 Atkins, confesses to three parties that she was there.

22 MR. KANAREK: Your Honor, I must object to that.

23 THE COURT: State the grounds.

24 MR. KANAREK: Yes, I will state the grounds.

25 Your Honor is going to instruct that as to  
26 Susan Atkins. --

10b-3

1 THE COURT: State what your objection is. I don't  
2 want the argument, Mr. Kanarek. State the objection.

3 MR. KANAREK: My objection is that this particular  
4 argument should not be directed against Mr. Manson because  
5 of your Honor's ruling that Susan Atkins' confession shall  
6 be used only against Susan Atkins, and the District Attorney  
7 well knows that, and this argument is improper argument  
8 because he is asking the jury to make inferences as to  
9 Mr. Manson. He is not limiting his argument to Susan  
10 Atkins in connection with this, these last few words he  
11 uttered, and I beg the Court --

10c fls.

12 THE COURT: Counsel approach the bench.  
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10c-1

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

4 THE COURT: Read back what Mr. Bugliosi said.

5 (Whereupon the record was read by the  
6 reporter.)

7 THE COURT: I think your objection is frivolous, Mr.  
8 Kanarek,

9 MR. KANAREK: Is your Honor going to make a ruling?

10 THE COURT: I have made it.

11 MR. KANAREK: He is asking the jury to convict Mr.  
12 Manson.

13 THE COURT: That is not what he said. You don't even  
14 listen.

15 In fact, you are not even interested in  
16 listening, Mr. Kanarek, as I pointed out on this record  
17 numerous times before. *file*

18 What you are interested in doing is disrupting  
19 the trial, distracting the jury's attention from whatever  
20 you happen to be interested in distracting them from at  
21 the moment.

22 MR. KANAREK: I can't understand your Honor saying  
23 that.

24 I believe your Honor has a prejudiced view --

25 THE COURT: Mr. Kanarek, all I can say is that I am  
26 convinced that you are a man without principles when it

10c-2

1 comes to trying a lawsuit, based on your conduct in this  
2 case.

3 I want the record to clearly reflect that.

4 MR. KANAREK: Your Honor may say that, but I am saying,  
5 if I may say this --

6 THE COURT: The objection is overruled.

7 MR. KANAREK: Isn't it true that this is being used  
8 against Mr. Manson, this argument?

9 THE COURT: I have heard enough. The objection is  
10 overruled.

11 MR. FITZGERALD: Excuse me for interrupting.

12 I would like to object to Mr. Kanarek's objec-  
13 tion when he refers to a confession.

14 At least I had the courtesy to object on the  
15 grounds that it is an alleged confession.

16 MR. KEITH: I will join in that.

17 THE COURT: Do you wish me to admonish the jury?

18 MR. FITZGERALD: It is up to the jury to determine  
19 whether it is a confession.

20 I wish you would.

21 THE COURT: I would agree.

22 MR. SHINN: Join in the objection.

23 MR. KEITH: Join.

24 THE COURT: Do you wish me to admonish the jury to  
25 disregard Mr. Kanarek's remarks?

26 MR. FITZGERALD: Yes.

1 THE COURT: Do you join?

2 MR. SHINN: Yes.

3 MR. KEITH: Yes.

4 MR. KANAREK: I will not.

5 THE COURT: I am not interested in whether you are  
6 joining or not.

7 MR. SHINN: I would object to Mr. Bugliosi's use of  
8 the word confession.

9 THE COURT: That is legitimate argument. He can draw  
10 his inference and conclusion, and you can draw yours.

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

14 THE COURT: The objection is overruled, ladies and  
15 gentlemen.

16 I admonish you to disregard Mr. Kanarek's  
17 remarks.

18 Let's proceed with the argument.

19 MR. BUGLIOSI: I was about to start without the  
20 court reporter, and you can't do that.

21 What could possibly prove that Linda Kasabian  
22 was telling the truth with respect to the La Bianca murders,  
23 what could possibly prove it any more, ladies and gentlemen,  
24 than the fact that out of the thousands upon thousands  
25 of gasoline stations in Los Angeles County, Rosemary La  
26 Bianca's wallet is found in the same gasoline station where

1 Linda Kasabian says she left it, and not only that, but  
2 found in the same precise place at the gasoline station  
3 where Linda Kasabian says she placed it.

4 In other words, on top of the overflow valve.

5 As I said earlier, the defense attorneys said  
6 that Linda Kasabian lied on that witness stand, ladies and  
7 gentlemen, about these two nights of murder.

8 I will give you some evidence right now of  
9 why I think, in my opinion, you should take what they say  
10 cum grana salis -- in other words, with a grain of salt.

10d fls. 11

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10d-1

1 The sole purpose that we called Linda Kasabian  
2 to that witness stand, ladies and gentlemen, was to  
3 testify to her observations, her personal knowledge, about  
4 these two nights of murder.

5 Each witness, of course, is called to the witness  
6 stand for a particular reason.

7 Dr. Noguchi testified to the cause of death of  
8 the five Tate victims. Johnny Swartz testified to his  
9 ownership of the '59 Ford.

10 Linda testified about these two nights of  
11 murder.

12 If these defense attorneys in this case really  
13 believed, ladies and gentlemen, as they told you, that  
14 Linda Kasabian was lying about these two nights of murder,  
15 why didn't they cross-examine her in great depth about her  
16 observations <sup>on</sup> of these two nights of murder? The only  
17 reason she was called to the stand in the first place.

18 It is a well-known fact among trial lawyers that  
19 when a witness is lying on that witness stand, the cross-  
20 examiner asks literally hundreds of questions of that  
21 witness trying to trap the witness, and a lying witness is  
22 not difficult to trap.

23 But if a witness is on that stand pouring out  
24 the truth, the cross-examiner wants to stay away from that  
25 witness.

26 If she is lying, it takes a crane to pull the

1 cross-examiner away from the witness.

2 The defense attorneys in this case did literally  
3 ask thousands upon thousands of questions of Linda  
4 Kasabian,

5 About what? About LSD, sex, vibrations, visions,  
6 witchcraft; but not about these two nights of murder.

7 The defense counsel, Paul Fitzgerald, Daye Shinn,  
8 and Ronald Hughes, in cross-examining Linda, had no more  
9 desire to cross-examine her about these two nights of  
10 murder ~~as~~ <sup>than</sup> they would have to stare directly into the noon-  
11 day sun.

12 They ran away from Linda the way they would run  
13 away from a hungry lion in the jungle.

14 And every now and then, when they just accidentally  
15 touched upon these two nights of murder, they immediately  
16 made an about-face and set speed records running in the  
17 opposite direction.

18 Out of a total of 300 pages of cross-examination  
19 by Mr. Fitzgerald, only approximately 30 of those pages  
20 concerned these two nights of murder. One-tenth.

21 And those one-tenth primarily concerned his  
22 questions of Linda:

23 Why didn't you go to the police? Why didn't  
24 you run for help? He kept saying: Why didn't you go to  
25 the police.

26 Apparently, Mr. Fitzgerald, in his experience,

1 feels that when a person is involved in the commission of  
2 a crime, the first thing they do, ladies and gentlemen, is  
3 run full tilt, headlong, by leaps and bounds, for the  
4 nearest police station.

5 Out of a total of approximately 65 pages of  
6 cross-examination by Daye Shinn, only one page -- that is  
7 1/65th -- dealt with these two nights of murder. ✓

10e



10e

1 Ronald Hughes, during his entire cross-  
2 examination, did not ask one single solitary question of  
3 Linda Kasabian about the La Bianca murders.

4 Only Irving Kanarek cross-examined Linda in  
5 great depth on these two nights of murder, ladies and  
6 gentlemen, and he got so soundly ~~thrashed~~ <sup>thrashed</sup> by Linda that  
7 an ordinary person would have needed medical attention.

8 Irving played the part of Linda Kasabian's  
9 testimonial punching bag.

10 Though Linda continually staggered him, he  
11 kept coming back, doggedly and tenaciously, ~~fall~~ <sup>pull</sup> chin --  
12 of course, for his next whipping, for more punishment.

13 If Mr. Kanarek would have had a second in  
14 his corner, the second would have thrown in the towel  
15 after his first toe-to-toe slug fest with Linda.

16 Ladies and gentlemen, every day of our lives ~~and~~  
17 in our interrelationships with other human beings we have  
18 to determine whether the people with whom we are dealing  
19 are telling the truth.

20 By and large, simply because of experience, we  
21 become rather good at it. We can normally tell when a  
22 person is telling the truth and when one is lying.

23 We look at things in other people, such as  
24 inconsistencies, contradictions, intonation of voice,  
25 facial expressions, and things like that.

26 Linda Kasabian was on that witness stand for

1 four court weeks. If any witness was ever placed under  
2 a microscope, it was Linda Kasabian.

3 You ladies and gentlemen watched Linda Kasabian  
4 very, very closely. I know you did. You listened to the  
5 intonation of her voice. You watched her facial  
6 expression, you watched her movements. You listened  
7 intently to every word she said. You took into consid-  
8 eration her entire demeanor on that stand.

9 Though she was asked literally thousands upon  
10 thousands of questions, not once -- not once, ladies and  
11 gentlemen, on direct examination or cross-examination --  
12 did she contradict herself.

13 And you can only do that, ladies and gentlemen,  
14 when you are telling the truth.

15 Not once did Linda Kasabian say anything that  
16 smacked of a lie, that hinted at a lie, that showed she  
17 was trying to deceive.

18 Not once was she evasive or slippery on direct  
19 or cross-examination. She was incredibly candid and  
20 forthright in her answers to all questions.

21 Not once was there any nervous twitching, any  
22 squirming, any undue hesitation before she answered.

23 Not once was there a nervous smile, a look of  
24 being ill at ease, a look of being trapped. Not once.

25 I don't have to tell you folks that. You were  
26 watching her more closely than I was.

1 Not once.

2 Why is that so, ladies and gentlemen?

3 Because Linda Kasabian was telling the truth,  
4 that is why.

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1 I would venture to say -- I would venture to  
2 say -- and please excuse me for being presumptuous -- I  
3 would venture to say that after Linda Kasabian testified on  
4 that witness stand for two hours, just two hours, each and  
5 everyone of you knew that that little hippie girl was  
6 telling the truth.

7 After four days of direct examination, it had  
8 to be obvious to everyone in this courtroom that Linda  
9 Kasabian was telling the truth.

10 On cross-examination, the defense tried every-  
11 thing possible to destroy her credibility, but as they say,  
12 the truth is stronger than the Rock of Gibraltar.

13 After 14 days of cross-examination, if it is  
14 possible, the fact that she was telling the truth was  
15 even more obvious.

16 ~~The Defense~~  
17 defense effort to destroy Linda Kasabian's  
18 testimony, ladies and gentlemen, was an abysmal failure.  
19 It was so anemic, it was pathetic.

20 Every question they asked her, ladies and  
21 gentlemen, when she gave her obviously truthful answer,  
22 the defense was just digging a deeper hole for themselves.

23 If the defense needed anything in this case,  
24 they needed a steam shovel.

25 The defense cross-examination of Linda Kasabian,  
26 ladies and gentlemen, was a classic exercise, if anything,  
in masochism. Linda Kasabian sadistically told the defense

10f-2

1 attorneys the only thing she could tell them, the truth,  
2 the unvarnished truth, the unadulterated truth.

3 They threw their heaviest artillery at her, *but*  
4 ~~They~~ never caused one submicroscopic dent in her testimony.

5 Why was that, ladies and gentlemen? Because  
6 she was telling the truth.

7 What is the significance, what is the significance  
8 of the fact that Linda was telling the truth on that stand?  
9 What does it all mean?

10 It simply means, ladies and gentlemen, that  
11 the defendants, Charles Manson, Susan Atkins and Patricia  
12 Krenwinkel, along with Tex Watson, committed the five  
13 Tate murders, and these same individuals, together with  
14 Leslie Van Houten, committed the two La Bianca murders.  
15 That is what it means.

16 Let's discuss the law of accomplices. ✓

17 As I indicated, there is no sense talking about  
18 the law of accomplices unless Linda Kasabian is telling  
19 the truth. If she is not telling the truth, there is no  
20 sense in even reaching that issue.

21 I am going to spend a little time with you on  
22 the law of accomplices because it is not an easy law to  
23 understand, even for many attorneys, much less lay people  
24 like you folks. This is why I am going to spend some  
25 time on it.

26 And I would likewise urge you very strongly to

1 listen very carefully when Judge Older instructs you on  
2 the law of accomplices.

3 It is not that easy an area to understand.

10g fls.  
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10g-1

1 With respect to Linda Kasabian being an accom-  
2 plice, the defense attorneys, during their arguments to  
3 you, only mentioned a few of the instructions that Judge  
4 Older will give you, neglecting to mention several others,  
5 and even in respect to a few of the instructions they did  
6 mention, they only read to you a portion of them.

7 One in particular is that the testimony of an  
8 accomplice ought to be viewed with distrust.

9 Mr. Fitzgerald read you that line, then I guess  
10 he became fatigued and he couldn't go on any further.

11 I will read you the rest of the instruction  
12 because there are some very important things following  
13 that sentence.

14 Let's take a look at that instruction. It starts  
15 out:

16 "The testimony of an accomplice ought to  
17 be viewed with distrust."

18 That is where Mr. Fitzgerald left off. That is  
19 where Mr. Kanarek left off.

20 The instruction goes on to say:

21 "This does not" -- and I repeat and I underline  
22 the word "not" in your mind -- "this does not mean that  
23 you may arbitrarily disregard such testimony,  
24 but you should give to it the weight to which  
25 you find it to be entitled after examining it  
26 with care and caution and in the light of all the



1 "evidence in this case."

2 This instruction is not telling you, as the  
3 defense counsel sought to imply, that you are not supposed  
4 to give too much weight to the testimony of an accomplice.

5 It is not saying anything like that at all.  
6 To the contrary, the language of that instruction speci-  
7 fically disapproves of any such inference.

8 The point is this: Once the testimony of an  
9 accomplice has been corroborated and you believe she is  
10 telling the truth, the law of accomplices does not deal  
11 with the weight that you have to give the accomplice's  
12 testimony.

13 If you want to, you can give it all the weight  
14 you want. You can give an accomplice's testimony just as  
15 much or more weight than you would to the weight of a non-  
16 accomplice.

17 The law of accomplices, then, does not deal  
18 with weight. It is strictly a rule of law which says  
19 that you cannot convict an defendant on the uncorroborated  
20 testimony of an accomplice.

21 Let me say this about this instruction. That  
22 instruction is applicable to all accomplices. It wasn't  
23 formulated just for this case. It is a standard  
24 instruction.

25 And what the law is saying by that instruction  
26 is that in determining credibility, you should take into

1 consideration the factor that the accomplice might be  
2 deriving some benefit out of his or her testimony.

3 And I agree with that instruction. I think  
4 this is a valid factor that you should take into  
5 consideration, and I urge you to do that with Linda  
6 Kasabian's testimony, as I have been doing for the  
7 last two hours, and I say that after you have taken that  
8 factor into consideration, along with all the other  
9 numerous factors in determining credibility, you have to  
10 come to the conclusion, the inevitable conclusion, that  
11 Linda Kasabian was telling the truth.

12 We have proven that beyond all doubt. There is  
13 just no question about it.

10h-1

1 Now, what constitutes corroboration of an  
2 accomplice's testimony? How strong does the evidence have  
3 to be?

4 Well, let's look at the instruction Judge Older  
5 will give you with respect to the nature of the corrobora-  
6 tion.

7 Judge Older will instruct you thusly:

8 "Corroborative evidence is evidence of  
9 some" -- the word "some" is in there -- "of some  
10 act or fact related to the offense which, if  
11 believed, by itself and without any aid,  
12 interpretation or direction from the testimony  
13 of the accomplice tends to connect the defendants  
14 with the commission of the offense charged."

15 Now, note that the language "corroborative  
16 evidence" is evidence of some act or fact related to the  
17 offense.

18 ~~It~~ clearly means that even if one act or one  
19 fact to which the accomplice testifies is corroborated,  
20 the accomplice has been corroborated.

21 Of course, in our case, not only has one  
22 fact or act to which Linda Kasabian testified been  
23 corroborated, literally, her entire testimony has been  
24 corroborated.

25 The instruction goes on to say:

26 "However, it is not necessary that the

10h-2

1 "corroborative evidence be sufficient in itself  
2 to establish every element of the offense charged  
3 or that it corroborate every fact to which the  
4 accomplice testifies."

5 Again, it is obvious that if just one act  
6 or fact to which the accomplice testifies is corroborated,  
7 the accomplice is corroborated.

8 Now, Mr. Kanarek, in his argument to you,  
9 completely misstated the law when he said this: All of  
10 Linda's testimony and each exhibit the prosecution offered  
11 has to be corroborated.

12 Now, as the instruction reads, the one that I  
13 just gave you, this is a gross, blatant, misstatement of the  
14 law, and his Honor will give you no such instruction.

15 It goes on to say:

16 "The evidence required to corroborate  
17 the testimony of an accomplice is sufficient if it  
18 tends to connect the defendant with the commission  
19 of the crime in such a way as may reasonably satisfy  
20 the jury that the witness who must be corroborated  
21 is telling the truth."

22 Ladies and gentlemen, the fingerprint evidence,  
23 the firearms evidence, the confessions, and all of the  
24 other evidence, as I indicated, would convince the world's  
25 leading skeptic that Linda Kasabian was telling the truth.

26 The instruction goes on to say:

10h-3

1 "It is not necessary that the evidence used  
2 to corroborate the testimony of an accomplice prove  
3 independently that the defendant is guilty of the  
4 offense. Evidence corroborating the testimony of  
5 an accomplice need not connect the defendant with  
6 the commission of the offense beyond a reasonable  
7 doubt."

8 In other words, ladies and gentlemen, to  
9 constitute corroboration, it is not necessary that the  
10 evidence by itself be sufficient to prove guilt or connect  
11 these defendants with these murders beyond a reasonable  
12 doubt.. It is not necessary.

11 fls.

11-1

1 As you can see now, this is not the easiest  
2 thing in the world to understand, and this is why I am  
3 going into it with you in considerable depth.

4 In other words, looking at that instruction,  
5 ladies and gentlemen, to constitute corroboration, the  
6 evidence does not have to be strong at all; any evidence  
7 will suffice, even slight evidence.

8 In fact, his Honor will give you this instruction:

9 "You are instructed that evidence suffi-  
10 cient to corroborate the testimony of an  
11 accomplice may be slight, and entitled to  
12 little consideration when standing alone."

13 His Honor will further instruct you that this  
14 corroborating evidence may be direct evidence or circum-  
15 stantial evidence.

16 His Honor will further instruct you that to  
17 determine corroboration you do not have to look at each  
18 item of evidence by itself and decide separately whether  
19 it alone constitutes corroboration.

20 Obviously when you go back to that jury room you  
21 are going to look at each item of evidence in conjunction  
22 with and with relation to all of the other evidence in  
23 this case.

24 You are not going to segregate one piece of  
25 evidence in a vacuum and consider it all alone; you have to  
26 look at all of the evidence, all of the circumstances.

1 Was Linda's testimony corroborated by other  
2 evidence in this case?

3 Well, Judge Older will instruct you that ~~you~~  
4 determine corroboration, this is something you are going to  
5 have to do some thinking about here, now, this is legalese,  
6 even though you are lay people, you are going to have to  
7 engage in this type of gymnastics back there.

8 You must, in determining corroboration, you must  
9 temporarily remove from your mind the testimony of the  
10 accomplice and see whether there is any other remaining  
11 independent evidence which connects these defendants with  
12 these murders.

13 The key word is independent.

14 In fact, his Honor will instruct:

15 "If there is not sufficient independent  
16 evidence which tends to connect the defendant  
17 with the commission of the offense, the testi-  
18 mony of the accomplice is not corroborated.

19 "If there is such independent evidence  
20 which tends to connect the defendant with the  
21 commission of the offense, then the testimony of  
22 the accomplice is corroborated."

23 Of course, as I have indicated, his Honor will  
24 instruct you that this independent evidence may be  
25 direct or circumstantial.

26 It does not have to be strong enough by itself

1 to prove the guilt of these defendants and, in fact, even  
2 slight evidence will suffice.

3 Now, in our case here, ladies and gentlemen, we  
4 offered not just slight evidence, ladies and gentlemen,  
5 we offered a massive, an enormous, a prodigious amount of  
6 evidence, totally independent of Linda Kasabian's testimony.

7 Linda had nothing to do with Watson and Kren-  
8 winkel's fingerprints being found at the scene.

9 Even if you temporarily remove from your mind  
10 Linda Kasabian's testimony, that fingerprint evidence still  
11 remains, and of course it couldn't possibly connect Kren-  
12 winkel and Watson with these murders any more than it does.

13 Likewise, Manson's confession to Juan Flynn;  
14 Susan Atkins's confession to Roni Howard, Virginia Graham,  
15 Ruth Morehouse; her incriminating statement to Roseann  
16 Walker;

17 Leslie Van Houten's confession to Dianne Lake;  
18 Patricia Krenwinkel's confession to Dianne Lake; all of  
19 that evidence is totally independent of Linda Kasabian's  
20 testimony. <sup>Even</sup> if you do temporarily forget about Linda's  
21 testimony, that evidence still remains.

22 And of course it couldn't possibly connect  
23 these defendants with these murders any more than it does.

24 The testimony about the rope, the revolver, the  
25 shell casings and many other items of physical evidence  
26 which were testified to by witnesses other than Linda



Kasabian is *totally*

~~Totally~~ independent evidence, and of course it connects these defendants with these murders.

Although Linda testified ~~that~~ Charles Manson's domination over the Family, and the motive of Helter Skelter, many other witnesses gave very powerful evidence of Manson's domination over the Family, including Tex Watson and these three female defendants, and testimony about Helter Skelter.

Brooks Poston, Paul Watkins, Juan Flynn, Dianne Lake, Danny DeCarlo -- I could go on and on.

All of that evidence is independent of Linda Kasabian's testimony, *and it*

~~It~~ certainly connects Manson irrevocably with these murders.

THE COURT: We will take the recess at this time, Mr. Bugliosi.

Ladies and gentlemen, do not converse with anyone or form or express any opinion regarding the case until it is finally submitted to you.

The court will recess for 15 minutes.

(Recess.)

11a fls.

11a-1

(The following proceedings were had in open court in the absence of the jury and the defendants, all counsel being present.)

THE COURT: All counsel are present. The jury is not present.

Young lady, will you arise, please.

State your name.

MISS SHAPIRO: Julie Shapiro.

THE COURT: Julie Shapiro.

MISS SHAPIRO: That's right.

THE COURT: Before the recess in this afternoon session and while Mr. Bugliosi was giving his argument I saw you come into the courtroom; you sat in the back of the courtroom, seat No. 52 I believe and during the course--

MISS SHAPIRO: 40.

THE COURT: -- during the course of Mr. Bugliosi's argument you stood up and made these statements in open court, which were heard by the Court and taken down by the reporter.

Mr. Bugliosi had just finished saying "In fact if Linda Kasabian were lying, she would not have known that the Rudolph Weber incident took place, period."

At which point you said "That is not true."

You stood up and said, "That is not true; I have proof that the prosecution has coerced the key witnesses."

1           You then said "The prosecution has coerced,  
2           bribed and threatened key witnesses in this case."

3           And you added, "And I have proof."

4           Your conduct was disorderly and disruptive and  
5           was a direct interference with and interruption of this  
6           trial. It was committed in open court during Mr. Bugliosi's  
7           argument, in the view and in the immediate presence of the  
8           Court, the jury, counsel and the spectators.

9           For that conduct I find you in direct contempt  
10          of court, and I sentence you to five days in the County  
11          jail. ✓

12          Miss Shapiro will be remanded in accordance  
13          with the sentence.

14          Miss Shapiro is not to be permitted to enter  
15          this courtroom again during the course of this trial.

16          (The following proceedings were had in open  
17          court in the presence of the jury, all counsel with the  
18          exception of Mr. Hughes being present, the defendants not  
19          being physically present.)

20          THE COURT: All counsel and jurors are present. You  
21          may proceed, Mr. Bugliosi.

22          MR. BUGLIOSI: There was so much other evidence, ladies  
23          and gentlemen, so much other evidence testified to by  
24          witnesses other than Linda Kasabian, that was totally  
25          independent of her testimony, and of course ~~connect~~ <sup>connect</sup> these  
26          defendants with these murders.

1 So there is absolutely no question that, No. 1,  
2 the prosecution offered an enormous amount of evidence,  
3 totally independent of Linda Kasabian's testimony, which  
4 connected these defendants with these murders.

5 And, No. 2, since we did that, her testimony  
6 has been corroborated.

7 So in answer to our original question, has  
8 Linda Kasabian's testimony been corroborated? Yes, of  
9 course it has.

10 In fact, ladies and gentlemen of the jury, I  
11 am demeaning and I am degrading testimony like the finger-  
12 prints and confessions, to say that they corroborate Linda  
13 Kasabian's testimony, because that evidence by itself,  
14 all alone, is much more than strong enough to convict  
15 these defendants of murder, even without Linda Kasabian's  
16 testimony.

17 So it is degrading to classify it as corroborat-  
18 ing evidence. That evidence <sup>would</sup> ~~will~~ be strong enough to  
19 convict these defendants even if there were no accomplice's  
20 testimony to corroborate.

21 Although the law only requires slight evidence  
22 of corroboration, we offered an overwhelming amount of  
23 evidence corroborating Linda Kasabian's testimony.

24 How could you possibly have better corroborating  
25 evidence than confessions and fingerprints?

26 And that is just part of it. There was much

more other evidence.

We will graduate now, to the next step:

Since Linda Kasabian's testimony has been corroborated, the fact that she is an accomplice, for all intents and purposes, is a moot point, totally irrelevant.

I say that, ladies and gentlemen, because her being an accomplice would only be relevant if her testimony had not been corroborated.

If Linda Kasabian's testimony had not been corroborated, ladies and gentlemen, these defendants would be entitled to a not guilty verdict.

In other words, if her testimony had not been corroborated, the fact that she is an accomplice would have immense significance.

But since her testimony unquestionably has been corroborated, the fact that she is an accomplice is totally irrelevant.

I know, this is not easy for you lay people to understand; that is why I am going over and over and over it again.

The relevant point about being an accomplice is that the prosecution has to corroborate the accomplice's testimony.

If we do not do that, the defendants are entitled to a not guilty verdict.

If we do corroborate her testimony, it is

irrelevant that she is an accomplice.

1                   We certainly have corroborated her testimony.  
2                   The reason I say that it is irrelevant, once we have  
3                   corroborated her testimony, it is irrelevant -- the fact  
4                   that she is an accomplice -- is because his Honor will  
5                   tell you, in his instructions, that once the accomplice  
6                   has been corroborated, and you believe her testimony,  
7                   then the testimony of the accomplice is to be considered  
8                   by you as any other testimony and given such weight as you  
9                   may conclude it is entitled to.

11b fls.

11b-1

1 You would never know this from the way the  
2 defense attorneys argue. They almost would lead you to  
3 believe that since Linda Kasabian is an accomplice, not  
4 only should you temporarily remove from your mind her  
5 testimony for the limited purpose of seeing whether there  
6 is any other independent testimony connecting these  
7 defendants with these murders, but that you should  
8 permanently remove her testimony from your minds.

9 In other words, they tried to lead you to  
10 believe in a subtle fashion that the testimony of  
11 accomplices is worthless; that somehow the eyes and ears  
12 of an accomplice, from the legal standpoint, aren't the  
13 same as the eyes and ears of someone else who is not an  
14 accomplice.

15 Once Linda Kasabian's testimony has been  
16 corroborated, as it unquestionably has, in this case,  
17 then the law says you may look at her testimony and give  
18 it all the weight you want.

19 You may give her testimony all the weight you  
20 want, ladies and gentlemen, as evidence of guilt.

21 You can frame it in another way: Since Linda  
22 Kasabian's testimony has been corroborated, for all  
23 intents and purposes the accomplice rule simply no longer  
24 has any significance, and in effect you should forget about  
25 it and only concern yourselves with the same ultimate  
26 issue that confronts juries in non-accomplice cases,



1 namely, has the prosecution proved the guilt of these  
2 defendants to the exclusion of all reasonable doubt.

3 I will say that one more time and then I will  
4 go on:

5 Inasmuch as Linda Kasabian's testimony has  
6 been corroborated, for all intents and purposes, the  
7 fact that she is an accomplice is no longer significant,  
8 and you should ~~not~~ <sup>now</sup> forget about the fact that she is an  
9 accomplice and only concern yourself with the same  
10 ultimate issue that concerns juries in non-accomplice  
11 cases:

12 Has the prosecution proved the guilt of these  
13 defendants to the exclusion of all reasonable doubt?

14 I again urge you -- I again urge you, when  
15 Judge Older instructs you, listen carefully to his  
16 instructions on the law of accomplice.

17 That is the issue in this case, Has the prosecu-  
18 tion proved the guilt of these defendants to the exclusion  
19 of all reasonable doubt, The accomplice issue is a supple-  
20 mentary issue.

21 And that brings me to the mid-point in terms  
22 of time, actually beyond the mid-point, to the heart of  
23 my final summation in rebuttal.

24 Each defense attorney argued that the prosecu-  
25 tion never offered sufficient evidence against their  
26 clients to warrant a conviction.



1 To respond to defense counsel's arguments,  
2 let's take a look at that evidence to see whether there  
3 is sufficient evidence to prove the guilt of these  
4 defendants beyond a reasonable doubt and to the exclusion  
5 of all reasonable doubt.

6 I will first briefly discuss the evidence  
7 against Tex Watson, the co-conspirator; then Patricia  
8 Krenwinkel, then Susan Atkins, Leslie Van Houten and  
9 finally Charles Manson.

10 When I discuss this evidence, I am basically  
11 not going to be referring to it as corroborating evidence  
12 because, as I said, this evidence is so powerful in and  
13 of itself that it is demeaning and degrading to call it  
14 corroborating evidence.

15 So when I discuss this evidence, if you want  
16 to think of it in terms of corroboration, you certainly  
17 may.

18 I am going to refer to it as evidence that  
19 proves the guilt of these defendants beyond all doubt.  
20 Now and then I will refer to it also as corroborating  
21 evidence.

22 Before getting into Tex Watson and these  
23 defendants, ladies and gentlemen, there was certain  
24 evidence in this case that proved that these murders  
25 were committed by persons who came from Spahn Ranch,  
26 without specifically pinpointing who at Spahn Ranch

1 committed these murders.

2 Forgetting for the moment to whom this revolver  
3 belongs; forgetting for the moment to whom this revolver  
4 belongs; we know that it came from Spahn Ranch.

5 How do we know that? Because Sergeant Lee  
6 testified that he compared the firing pin marks on the seven  
7 shell casings found in that revolver and the firing pin  
8 marks on shell casings test fired from that revolver with  
9 shell casings found at Spahn Ranch, and formed the opinion  
10 that all shell casings were fired from the same revolver,  
11 to wit, People's 40.

12 Since we know that this revolver was the  
13 revolver that was used to murder Steven Parent and shoot  
14 Voityck Frykowski and Jay Sebring, we thereby know that  
15 the Tate murderers, whoever they are, came from the Spahn  
16 Ranch.

11c fls. 16

11c-1

1 What else proves that the Tate murderers came  
2 from Spahn Ranch?

3 Rudolph Weber gets the license plate number of  
4 that car in front of his home, GYY 435, and that belongs to  
5 a ranch hand at Spahn Ranch, Johnny Swartz.

6 So, whoever the Tate murderers are, the  
7 car they were using came from the Spahn Ranch.

8 Anything else?

9 Yes.

10 Ruby Pearl identified the dark dyed T-shirts  
11 found over the side of the hill on Benedict Canyon Road  
12 as being the same kind she used to see Lynn Squeaky  
13 Fromme dye, dye black, at Spahn Ranch.

14 Anything else? Several witnesses testified  
15 to seeing Helter Skelter printed in various locations at  
16 Spahn Ranch.

17 People's 261 is a photograph of just one of  
18 the places, the cabinet door inside a trailer at Spahn  
19 Ranch. Of course Helter Skelter was printed in blood at  
20 the La Bianca residence.

21 Anything else? People's 39, the Buck knife,  
22 was found in a sofa inside the Tate residence. Apart from  
23 Linda Kasabian's testimony, Danny DeCarlo testified that  
24 he saw that Buck knife out at Spahn Ranch.

25 All of the evidence I have just mentioned,  
26 ladies and gentlemen, the shell casings, the car, the

1 T-shirt, the Buck knife, Helter Skelter, proves -- proves,  
2 ladies and gentlemen, that the Tate-La Bianca killers,  
3 whoever they were, came from Spahn Ranch. Spahn Ranch is  
4 just one minute speck in Los Angeles County, ladies and  
5 gentlemen, yet if one were trying to find the Tate-La  
6 Bianca killers, they could forget about every other square  
7 foot in Los Angeles County.

8 They could forget about Alhambra, Hollywood,  
9 Watts, East Los Angeles, Torrance.

10 They could even forget about 99.9 percent of  
11 Chatsworth where Spahn Ranch is located, because those  
12 killers came from Spahn Ranch, nowhere else.

13 Since these four defendants, ladies and gentle-  
14 men, lived at Spahn Ranch during the time of these murders,  
15 those five items of evidence I just referred to, particularly  
16 the shell casings, the car, Helter Skelter, those items of  
17 evidence I have just mentioned, not only make it uncom-  
18 fortably hot for these defendants, they make it unbearably  
19 hot.

20 But if this were all we had against these  
21 defendants, they could still survive, legally speaking.

22 Now, let's jump from these five general items  
23 of evidence which prove that the Tate-La Bianca killers  
24 came from Spahn Ranch, to specific items of evidence which  
25 prove that these four defendants were the particular  
26 residents of Spahn Ranch who committed the murders.

1                   <sup>will</sup>  
2                   This ~~would~~ be the final brief review of the  
3 evidence against each separate defendant on the Tate-  
4 La Bianca murders that you will get before you commence  
5 your deliberations back in the jury room.

6                   <sup>since</sup>  
7                   Now, ~~we~~ have seen such an incredible misstate-  
8 ment of the evidence by some of the defense attorneys in  
9 this case, attorneys who actually tried the lawsuit,  
10 the advisability of this review right now is too obvious  
11 to state.

12                   As I review the items of evidence against each  
13 defendant, I will refer to defense counsel's arguments  
14 about these specific pieces of evidence.

15                   You remember I told you earlier that I  
16 responded, in phase No. 2 of my argument, to 75 to 80  
17 percent of defense counsel's arguments.

18                   Now I will touch on the remaining 20 percent.

19                   First I will briefly discuss the co-conspirator,  
20 Tex Watson.

21                   Although Tex was not a defendant in this trial,  
22 he is named as a co-conspirator with these defendants in  
23 Count No. VIII of the Grand Jury indictment.

24                   Therefore, evidence proving his complicity in  
25 these murders can be considered by you as circumstantial  
26 evidence of guilt against his co-conspirators, the defendants  
in this case.

                  With respect to Mr. Watson, we of course have

1 Linda Kasabian's testimony. Among other things she testi-  
2 fied to actually observing him shoot and kill Steven Parent,  
3 and also saw him stab Voityck Frykowski to death, and of  
4 course Watson's fingerprints are found on the outside of the  
5 front door of the Tate residence.

6 As you know, there are 18 points of identity,  
7 18 points between the latent fingerprint and the exemplar  
8 of Watson's right ring finger.

9 So based on the evidence, there is simply no  
10 question that Charles Tex Watson together with Susan Atkins  
11 and Patricia Krenwinkel were the actual killers of the  
12 Tate victims, *and that*

13 ~~That~~ Charles Tex Watson together with Leslie  
14 Van Houten and Patricia Krenwinkel actually murdered Mr.  
15 and Mrs. La Bianca.

11d fls.

11d-1

*Against*  
1 ~~But~~ this Patricia Krenwinkel, As I say, this is  
2 the last final review that you are going to get before you  
3 go back in that jury room.

4 No. 1, again Patricia Krenwinkel, I will break  
5 these down into points.

6 We of course have Linda Kasabian's testimony  
7 that Patricia Krenwinkel was with her, Sadie and Tex on  
8 the night of the Tate murders when they went to the Tate  
9 residence.

10 Linda even observed Miss Krenwinkel chasing  
11 Abigail Folger with that upraised knife.

12 What was Krenwinkel's state of mind after these  
13 murders, ladies and gentlemen?

14 Well, as they were driving away from the Tate  
15 residence, Katie complained, mind you, that her hand hurt  
16 because when she stabbed, the bones of the victims got in  
17 the way and this caused the grip of the knife to hurt her  
18 hand!

19 What right did these victims have to permit  
20 their bones to get in the way of the blade, the sharp blade  
21 of Patricia Krenwinkel's knife, what right?

22 What a precious little sweetheart, ladies and  
23 gentlemen, Patricia Krenwinkel is.

24 If there ever was a dainty feminine tenderhearted  
25 little girl, that's Patricia Krenwinkel.

26 No. 2, talking about the Tate murders now, point



1 No. 2, Patricia Krenwinkel's fingerprints were found on the  
2 inside of the back door to the master bedroom of the Tate  
3 residence, Sharon Tate's bedroom.

4 As I indicated, although the Los Angeles Police  
5 Department only ~~required~~ <sup>required</sup> ten points of identity between the  
6 latent and the exemplar, there were 17 points of identity  
7 between that latent and the left little finger of Patricia  
8 Krenwinkel.

9 Patricia Krenwinkel's fingerprints being found  
10 at the Tate residence, all by itself, without any other  
11 evidence, forget about all the other evidence in this case,  
12 that fact alone is enough to convict her of the five Tate  
13 murders.

14 When one's fingerprints are found at the scene,  
15 ladies and gentlemen, that is the end of the game! The end  
16 of the ball game! It's all over with!

17 When you leave your fingerprints at the scene,  
18 it's like leaving your name, your address, your phone  
19 number, your height, your weight, the color of your eyes  
20 and hair, the day of your birth, the hospital where you were  
21 born, the doctor, the nurse that delivered you.

22 Your entire family tree.

23 There has never been a reported case of two  
24 people having the same identical fingerprints.

25 Point No. 3, in late August or early September of  
26 1969 at Willow Springs, Patricia Krenwinkel confessed to



1 Dianne Lake that she had dragged Abigail Folger from the  
2 bedroom into the living room.

3 Now, Mr. Fitzgerald argued "How do we know that  
4 his client Patricia Krenwinkel was not referring to dragging  
5 Abigail Folger from the bedroom into the living room in  
6 1965 in San Francisco."

7 Well, obviously, I'm not going to <sup>hesitant</sup> ~~descend~~ to  
8 answering such a preposterous argument.

9 I will just remind you folks of the fact that  
10 it is common during argument for attorneys to make all types  
11 of arguments. By and large there are no limitations or  
12 restrictions on the nature of their arguments.

13 I do think this last argument, ladies and gentlemen,  
14 just trespasses, just a shade -- how far? A couple of hundred  
15 thousand miles beyond the permissible margins and perimeters  
16 of reasonableness. I really do think so.

17 If you want to think in terms of corroboration,  
18 Krenwinkel's fingerprints are corroboration. Her confession  
19 is corroboration, if you want to think in those terms.

20 Let's look at the La Bianca murders:

21 Point No. 1, talking about Patricia Krenwinkel.  
22 Linda Kasabian testified that Miss Krenwinkel was in the  
23 group on the second night and that she, Tex and Leslie were  
24 dropped off right out in the street in front of the La  
25 Bianca residence.

26 Since we know that Linda Kasabian told the truth

on that witness stand, we have established that beyond all  
doubt; since we know that, we thereby know that Patricia  
Krenwinkel was one of the killers of the La Bianca victims,  
of Mr. and Mrs. La Bianca, because we know that Linda  
Kasabian told the truth.

It is not a case of thinking or believing. We  
know it.

Point No. 2 against Patricia Krenwinkel in the  
La Bianca murders:

Juan Flynn testified that the night, approximately  
one week before August 16th, that he saw the seven people drive  
off from Spahn Ranch in Johnny Swartz's car, Patricia Kren-  
winkel was in the group. That is Juan Flynn's testimony.

The other people in that group of course were  
Manson, Clem Tufts, Tex, Sadie, Katie -- or Sadie, Linda  
and Leslie.

This night, ladies and gentlemen, undoubtedly  
was the night of the La Bianca murders because Linda  
testified that on the night of the La Bianca murders those  
same seven people, who Juan Flynn testified to, drove off  
from Spahn Ranch.

Point No. 3 against Patricia Krenwinkel and the  
La Bianca murders.

Patricia Krenwinkel's refusal to print the words,  
"Death to pigs," "Rise," <sup>and</sup> "Helter Skelter," <sup>the</sup> same  
words that were printed in blood at the La Bianca residence,

1 shows a consciousness of guilt on her part.

2 Despite her lawyer's advice, despite that, not-  
3 withstanding that, if she knew that she did not print those  
4 words, the only reasonable inference is that she would only  
5 be too happy to give that exemplar.

6 And as his Honor will instruct you, you may  
7 consider her refusal as evidence against her on the La  
8 Bianca murders. His Honor will give you that instruction.

9 In fact, this would be a good example, this  
10 would be a good example, ladies and gentlemen, of the  
11 slight evidence, of slight evidence, independent of Linda's  
12 testimony, which connects Krenwinkel with the La Bianca  
13 murders, and hence corroborates Linda's testimony.

14 That would be a good example.

15 11e fls.

11e-1

## Point No. 4:

In my opening argument I enumerated the great number, the substantial number of unique similarities between the Tate murders and the La Bianca murders, from which I drew the only reasonable conclusion that there is, the Tate killers were also the La Bianca murderers. I'm not going over those items of evidence again, but you were making notes and you remember them.

Patricia Krenwinkel's fingerprints were found at the Tate residence, so we know she was one of the Tate murderers.

Inasmuch as there are a remarkable number of unique similarities between the Tate murders and the La Bianca murders, the fact that Patricia Krenwinkel was one of the Tate killers is very persuasive circumstantial evidence that she is also one of the La Bianca killers.

Again, the prosecution has proven Miss Krenwinkel's guilt for the La Bianca murders certainly beyond a reasonable doubt.

One final point on Patricia Krenwinkel, Her conduct in Mobile, Alabama, on December 1st, 1969, when she reached into the back of the car, grabbed that hat and pulled it down over her face as far as it would go, the moment she saw Sergeant McKellar, *certainly,*

*Certainly,* obviously, that was an attempt on her part to avoid detection, and I submit certainly it

1 shows a consciousness of guilt on Patricia Krenwinkel's part.

2 Susan Atkins, on the Tate murders:

3 No. 1, Linda Kasabian testified that Susan  
4 Atkins was with her, Tex Watson and Patricia Krenwinkel  
5 when they went to the Tate residence on the night of the  
6 Tate murders.

7 She even observed Susan Atkins come running out  
8 the front door of the Tate residence around the same time  
9 she saw Tex stab Frykowski, and Patricia chasing Abigail  
10 Folger with an upraised knife.

11 Since we know -- since we know that Linda  
12 Kasabian told the truth, we thereby know that Susan Atkins  
13 was one of the Tate killers.

14 No. 2, Susan Atkins confessed to the Tate  
15 murders to three people, Virginia Graham, Roni Howard, *and*  
16 Ruth Morehouse.

17 She also made a very incriminating statement  
18 to Roseanne Walker, *you* remember, over at Sybil Brand,  
19 the radio ~~there~~ *was* playing, the announcer starts talking about  
20 the Tate-La Bianca murders; Susan tells Roseanne, "That  
21 ain't the way it went down; that ain't the way it went down,"  
22 she said.

23 That is an incriminating statement, "That ain't  
24 the way it went down," meaning that ain't the way it  
25 happened.

26 In other words, she knew the way it happened, and

1 it wasn't the way the radio announcer was saying.

2 In ~~the~~ another broadcast they hear an announcer  
3 talking about the glasses found at the scene. Sadie in so  
4 many words tells Roseanne that those glasses did not belong  
5 to the killers.

6 Of course she never would have known that,  
7 ladies and gentlemen, unless she was one of the killers  
8 herself.

9 With respect to the Tate murders, Susan even  
10 related many of the details to Virginia Graham and Roni  
11 Howard, right down to the fact that Sharon Tate was wearing  
12 a bra and Bikini pants, and that Sharon Tate was the last  
13 to die.

14 You just don't know details like this, ladies  
15 and gentlemen, unless you were there.

16 Among other things Susan Atkins told Virginia  
17 Graham and Roni Howard that she actually killed Sharon Tate;  
18 that she actually stabbed Sharon Tate to death.

19 She also told Virginia Graham that the man who  
20 ran past her out on the front lawn, who we know to be  
21 Voityck Frykowski, she said she stabbed that man four or  
22 five times.

23 So Susan Atkins confessed to the Tate murders  
24 to three people, and made a very incriminating statement,  
25 ladies and gentlemen, as to the fourth person.

26 Now, that evidence alone, forgetting about

1 Linda Kasabian's testimony, forgetting about all of the  
2 other evidence; that evidence alone is enough to convict  
3 her of the Tate murders.

4 One confession would have been enough, just one  
5 confession. After all, what better evidence is there to  
6 prove that any defendant committed any crime than when  
7 the defendant says "Yeah, I did it."

8 Here we have three confessions. There certainly  
9 cannot be the smallest miniscule doubt in any of your  
10 minds that Susan Atkins was there that night, stabbing,  
11 brutally stabbing the five Tate victims.

12 Mr. Shinn argues that you should disregard  
13 Virginia Graham and Roni Howard's testimony, he said, because  
14 they are testifying to get a \$25,000 reward, and he said  
15 this testimony then of course was probably fabricated  
16 because they are just out to get that reward.

17 Well, No. 1, ladies and gentlemen, both Virginia  
18 Graham and Roni Howard testified that at the time they told  
19 the police what Susan Atkins told them, they did not know  
20 about the reward. They found out about it later.

21 Moreover, both of them testified it was their  
22 understanding that to collect that \$25,000 reward their  
23 testimony on the stand was not necessary.

24 The reward is given to people who furnished  
25 information to the authorities. It is not a requisite  
26 to collect the reward that the person testify on the witness



stand.

Moreover, just because they are up for a reward does not of course invalidate their testimony.

If Susan Atkins told them what she did at the Tate residence, they cannot help it; they cannot help it if when they tell the police, the information they furnished is so valuable that they are entitled to a reward. They cannot help that.

11f fls.



11f-1

1           Actually the fact that they are up for a reward  
2 only serves to prove that they furnished information which  
3 the reward givers thought was reliable and legitimate, ~~it~~  
4 anything, ~~the~~  
5           ~~The~~ fact that they are up for<sup>2</sup> reward, contrary to  
6 what Mr. Shinn said, bolsters and lends credibility to  
7 their testimony. It does not detract from it.

8           If Joe Schmalzberger comes up to the authorities  
9 and gives them some Alice-in-Wonderland story, do you think  
10 he is going to get the money?

11           Of course, the final, conclusive proof that  
12 Virginia Graham and Roni Howard did not make up the story  
13 and that Susan Atkins did in fact confess to them, and  
14 this is the third point, number three, against her on the  
15 Tate murders, is that<sup>for</sup> Susan Atkins' letter to Roni Howard  
16 and in her letters to Kitt Fletcher and Jo Stevenson, she  
17 admitted in so many words that she confessed to Roni  
18 Howard.

19           The obvious reason why Susan Atkins mentioned  
20 only one person in those letters, which would be Roni Howard,  
21 as opposed to mentioning the second person, Virginia Graham,  
22 is because Roni Howard is the original informant that  
23 called the police.

24           Point number four against Susan Atkins on the Tate  
25 murders:

26           You recall that not only did Susan Atkins in her

1 three letters to Roni Howard, Virginia Graham -- strike  
2 that -- Kitt Fletcher and Jo Stevenson, admit to having  
3 confessed to Roni Howard, but in her letter to Kitt  
4 Fletcher, ladies and gentlemen, in that letter to Kitt  
5 Fletcher, there was an independent confession in Susan  
6 Atkins' own handwriting, to these murders.

7 Susan Atkins wrote -- now, this is the letter to  
8 Kitt Fletcher:

9 "Why did I do it or why did I open  
10 my big mouth to a cellmate?"

11 The two things she is talking about:

12 "Why did I do it, or why did I open my  
13 big mouth to a cellmate?"

14 To either one of those questions, I did  
15 what I did because that is what I did."

16 Susan Atkins in that letter is not just  
17 referring to the fact that she confessed to Roni Howard;  
18 she is also saying, "Why did I do it?"

19 Then she says, "Or why did I open my big mouth  
20 to a cellmate?"

21 Two separate things there.

22 I hope some of you women take shorthand; I see  
23 you are taking quite a few notes. When I went to college --  
24 when I intended to go to law school, I signed up for  
25 a shorthand course. I walked into the class and there  
26 were about 90 women there and I was the only guy, so I

1 felt kind of strange, so I walked out and of course I had a  
2 devil of a time during law school taking down notes.

3 I certainly would advise anyone who goes to  
4 law school to learn shorthand, it's extremely important.

5 Point number five, Susan Atkins, the Tate murders,  
6 People's 55, one of the pair of blue jeans found over the  
7 side of the hill, had hairs on it that matched Susan  
8 Atkins' hair to a T.

9 Officer Granado testified that the hairs on  
10 People's <sup>55</sup> ~~5~~ and <sup>Susan</sup> ~~Susan~~ Atkins' hair had the same color,  
11 approximately the same length, the identical diameter, the  
12 same medullary characteristics, that

13 ~~that~~ is, the internal structure of the hair. ~~that~~  
14 ~~although~~ <sup>Although</sup> we cannot be sure, ladies and gentlemen, the  
15 likelihood is surely greater than not <sup>that</sup> the hairs on  
16 People's <sup>55</sup> ~~5~~ belong to Susan Atkins.

17 And it is understandable, ladies and gentlemen,  
18 why Susan Atkins would have some of her hair on those  
19 bluejeans.

20 You recall that ~~when~~ Linda testified that when  
21 she, Tex, Katie and Sadie were driving away from the Tate  
22 residence, Sadie and Katie complained, the poor little  
23 sweethearts, that the victims had pulled on their hair.

24 What right did these people have to pull on  
25 Sadie's hair? I imagine when one is struggling for their  
26 very life, they can probably pull pretty hard.

Susan probably lost a few of her hairs and they  
ended up on People's 55.

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1           Number six, Barbara Hoyt testified that on the  
2 night of the Tate murders, a half hour or so after dinner,  
3 Susan Atkins is in the kitchen, picks up the field tele-  
4 phone, calls Barbara Hoyt -- this is the night of the Tate  
5 murders, calls Barbara Hoyt back in the back house, tells  
6 her she wants three sets of dark clothing.

7           This is totally consistent with Linda's testimony.

8           Point number seven, the day after the Tate  
9 murders Barbara Hoyt is watching television. She is in  
10 the trailer at Spahn Ranch, just before the 6:00 o'clock  
11 news, Sadie walks in.

12           Out of perhaps 25 or 30 people at Spahn Ranch,  
13 whom does she call out for, ladies and gentlemen? Well,  
14 you know, Patricia Krenwinkel and Tex Watson; she wants  
15 Tex and Katie to come in and watch the news.

16           Susan Atkins obviously is a very considerate and  
17 thoughtful person; she knew that Tex and Katie had also  
18 entered the Tate residence with her and brutally and  
19 savagely murdered the Tate victims and obviously she didn't  
20 want to be a hog; she wanted all of them, her murdering  
21 partners, to watch the result of their handiwork on  
22 television.

23           Susan tells Barbara to change the channel to the  
24 news and, as you recall, as you recall, ladies and gentle-  
25 men, as the announcer is talking about these five murders,  
26 Tex, Katie and Sadie have a laugh -- they have a laugh!

1 They started to laugh about it!

2 As I said in my opening argument, five people  
3 being butchered to death like animals, ah, yes, that is a  
4 rather amusing event.

5 As Charlie Manson said, "Human beings are pigs;  
6 pigs don't deserve to live."

7 Immediately after the news on the Tate murders  
8 the three of them take off. ~~and that~~ <sup>That</sup> is all they are  
9 interested in, the Tate murders.

10 Barbara Hoyt testified she had never seen  
11 Susan Atkins watch, not just the news before, had never seen  
12 Susan Atkins watch television before.

13 There is absolutely no question the prosecution  
14 has proved Susan Atkins guilt ~~of~~ <sup>for</sup> the Tate murders beyond  
15 a reasonable doubt.

16 With respect to the La Bianca murders on Susan  
17 Atkins, number one, Linda Kasabian testified that Susan  
18 was with the group during the entire evening, including ~~when~~  
19 Tex, Katie and Leslie, were dropped off in the street in  
20 front of the La Bianca residence.

21 Later in the evening, of course, Sadie was  
22 hiding around the corner in the apartment house in Venice.

23 Since we know, and I repeat, since we know  
24 that Linda Kasabian told the truth, we thereby know  
25 that Susan Atkins was a co-conspirator, an aider and  
26 abettor in the La Bianca murders.

1           Number two, Juan Flynn testified that he saw  
2 Susan Atkins in the group of seven people who drove off  
3 from Spahn Ranch one night about one week before August  
4 16th in Johnny Swartz's car.

5           Flynn's testimony is completely consistent with  
6 the testimony of Linda Kasabian. We know that this night  
7 just had to be the night of the La Bianca murders.

8           Number three, and this point is somewhat related  
9 to the second point, but I will mention it as a second  
10 point because it is reflective on Sadie Glutz -- Sadie  
11 Glutz's state of mind.

12           Before she got in the car that night she was  
13 in Juan Flynn's trailer and as she is leaving the trailer  
14 she tells Juan Flynn: ✓

15           "We are going to get those f-u-c-k-i-n-g  
16 pigs."

1 It is clear what was on Susan's mind, ladies  
2 and gentlemen, the night of the La Bianca murders. Murder  
3 was on her mind and in her heart, the same as it had been  
4 the previous night.

5 On the night of the La Bianca murders, Susan  
6 Atkins was ready, willing and able to kill the La Blancas  
7 just as she had done the previous night. But Manson picked  
8 Katie, Leslie and Tex to do his murderous bidding for him at  
9 the La Bianca residence.

10 There is no reason to believe that if he had  
11 picked Susan Atkins, she would not have gone in there with  
12 that sharp knife of hers and murdered the La Blancas just  
13 like she murdered the Tate victims. No reason to believe  
14 she would not have done that.

15 Point number four in the La Bianca murders  
16 against Susan Atkins.

17 Again, talking about the similarities now between  
18 the Tate murders and the La Bianca murders. You have your  
19 notes. There are about 20 similarities. ✓

20 Susan Atkins confessed to the Tate murders.  
21 Confessed to the Tate murders. Inasmuch as there are a  
22 substantial number of unique similarities between the Tate  
23 murders and the La Bianca murders, the fact that Susan  
24 Atkins was one of the Tate killers is circumstantial  
25 evidence that she was also involved in the La Bianca  
26 murders.



1           Number five. Susan's letter to Roni Howard in  
2 mid-December, 1969.

3           Although she never flatly confessed to having  
4 been involved in the La Bianca murders, she certainly  
5 made an extremely strong, implied admission of guilt on  
6 those La Bianca murders.

7           When she makes this statement: "I did not admit  
8 to being in the second house because I was not in the  
9 second house," not only is ~~she~~ impliedly admitting that  
10 she was in the first house, i.e., the Tate residence, she  
11 is necessarily implying that she was also involved in the  
12 La Bianca murders.

13           The statement, "I was not in the second house"  
14 in no way implies that she had nothing to do with the  
15 La Bianca murders. To the contrary, it strongly implies  
16 that she was involved.

17           She is merely saying she didn't go inside the  
18 La Bianca residence.

19           Well, we never said she did.

20           Well, if she wasn't involved in those La Bianca  
21 murders, rather than saying, "I did not go inside the  
22 second house," she would have been saying something to the  
23 effect: "I was not involved the second night;" or "I had  
24 nothing to do with the murders on the second night."

25           Or better yet, if she wasn't involved in the  
26 La Bianca murders, she wouldn't have even mentioned the

1 second night.

2 That statement in the letter to Roni Howard  
3 corroborates Linda's testimony -- certainly on the La Bianca  
4 murders.

5 A good example of slight evidence, independent  
6 of Linda's testimony, which connects Susan Atkins with the  
7 La Bianca murders, and hence, corroborates Linda's testi-  
8 mony.

12a

2aQ1 1 Leslie Van Houten. Number one. Of course, we  
2 are talking about the La Bianca murders now.

3 Linda Kasabian testified that on the night of  
4 the La Bianca murders, Miss Van Houten was among the  
5 group that left Spain Ranch in Johnny Swartz's car, and  
6 Linda testified that Leslie was dropped off in front of  
7 the La Bianca residence with Tex and Sadie.

8 Since we know that Linda Kasabian told the truth,  
9 since we know that, we thereby know that Leslie Van Houten  
10 was one of the La Bianca murderers.

11 Number two. Juan Flynn testified that on the  
12 night he saw the seven people drive off in Johnny Swartz's  
13 car, Lulu, as he called her, was in the group. Leslie  
14 Van Houten was in the group.

15 Undoubtedly, that was the night of the  
16 La Bianca murders.

17 Point number three. Dianne Lake and Barbara  
18 Hoyt both testified to the back house incident in which  
19 Leslie hid under the sheets and said, "Don't let that man  
20 come in because he just gave me a ride back from Griffith  
21 Park. Both Dianne Lake and Barbara Hoyt gave testimony --  
22 and I am not going to go over it again -- gave testimony  
23 indicating that the back house incident took place on the  
24 morning of the La Bianca murders.

25 When I say "on the morning," I mean several hours  
26 after the La Bianca murders.

1           The man Leslie was hiding from, of course, very  
2 probably was the man that gave her a ride back to the  
3 ranch from the Griffith Park area after she had participated  
4 in the La Bianca murders.

5           Incidentally, just one little point. I don't  
6 know if I mentioned it in my opening argument, but the  
7 most reasonable inference from Linda Kasabian's testimony  
8 is that the La Bianca murders occurred somewhere between, ✓  
9 let's say, 2:00 and 4:00 a.m.

10           Now, if they occurred around that point -- and  
11 without going over all the evidence again, that seems to  
12 be the most reasonable inference -- after the murders,  
13 Tex, Katie and Leslie would have had to have walked up to  
14 Los Feliz Boulevard and hitchhiked back to the ranch.  
15 If they did that, they would have arrived back at the  
16 ranch around the same time that Dianne Lake testified the  
17 back house incident occurred. In other words, 5:00, 6:00 ✓  
18 or 7:00 a.m.

19           Number four. Of course, Leslie confessed to  
20 Dianne Lake of her involvement in the La Bianca murders.  
21 Although Leslie in her confession never mentioned the name  
22 La Blancas, it couldn't be more obvious she was referring  
23 to the La Bianca murders.

24           In the event that any of you have any question  
25 in your mind that she was referring to some other murder  
26 other than the La Bianca murders, take this into consider-  
ation. Leslie said that she stabbed the victim. She said

1 she stabbed the victim.

2 Now, there are many ways to kill a human being,  
3 ladies and gentlemen. You can shoot them to death, gas,  
4 poison, strangulation, bludgeoning them. Mr. and Mrs.  
5 La Bianca were stabbed to death. ✓

6 Leslie Van Houten told Dianne Lake she stabbed  
7 the victim, number one. Number two, Leslie said that the  
8 person whom she stabbed was already dead. ✓

9 We have discussed this ad nauseum earlier. In  
10 any event, out of the 41 stab wounds to Rosemary La Bianca,  
11 13 of them, the ones on her buttocks, were inflicted post-  
12 mortem.

12b-1

1 Leslie told Dianne that she had something to  
2 eat from the refrigerator at the residence.

3 We know that there was watermelon rind in the  
4 sink at the La Bianca residence.

5 And don't put it past these defendants to have  
6 something to eat after they murdered someone. Don't put  
7 it past them, because Manson bought some milkshakes out in  
8 Sylmar after these murders. So, don't put it past them  
9 to sit down at the La Bianca residence and take the seeds  
10 out of that watermelon and enjoy some cold watermelon.

11 We are talking about savages here, ladies and  
12 gentlemen, not human beings.

13 Leslie told Dianne she wiped fingerprints off  
14 everything -- everything -- even things that weren't  
15 even touched.

16 We know from the testimony of Sergeant Dolan,  
17 the fingerprint expert, that there were no fingerprints  
18 on the refrigerator at the La Bianca residence.

19 In fact, he testified it was obvious that someone  
20 had taken a rag and wiped off all traces of everything,  
21 including the fingerprints, from the refrigerator doors and  
22 handle.

23 He also testified that the handle on the fork  
24 that was stuck into Leno La Bianca's stomach, that handle,  
25 in his opinion, also had the fingerprints wiped off of it.

26 So, it is clear that the La Bianca killers wiped

12b-2

1 the fingerprints off at the scene.

2 Leslie Van Houten tells Dianne Lake that she  
3 wiped off fingerprints at the residence.

4 Another point, and this point is somewhat  
5 hazy. ✓

6 Dianne was not sure whether Leslie told her  
7 there was a boat outside, or Dianne said "I may have read  
8 it somewhere."

9 Do you recall Dianne said that?

10 Well, it seems rather unusual that any article  
11 on the La Bianca murders would have mentioned that there was  
12 a boat outside. But that certainly is possible, it  
13 certainly is reasonable that it happened.

14 I would say the likelihood is greater that  
15 it did not happen. But let's assume that there was an  
16 article somewhere mentioning that the boat was parked  
17 outside the La Bianca residence. We still don't know  
18 whether Dianne Lake read it or whether Leslie told her  
19 about it. ✓

20 Dianne Lake did say this, however, she did say  
21 this, which points in the direction of the fact that Leslie  
22 told her about the boat. She did say that she did recall  
23 that Leslie Van Houten described a boat to her in conjunc-  
24 tion with these murders.

25 Now, she is unclear, she is unclear whether  
26 Leslie told her there was a boat outside, or whether she

1 read it, but she remembers there was some description of  
2 a boat given to her by Leslie Van Houten, although she  
3 did not remember the description.

4 And of course, Frank Struthers, Jr., testified  
5 that his parents did have their boat parked out in front  
6 of the residence.

12c fks,

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1 Dianne testified that Leslie told her that the  
2 murders took place in the Griffith Park area. ✓

3 We know that the La Bianca residence is in the  
4 Los Feliz-Griffith Park area of Los Angeles.

5 Leslie told Dianne that she hitchhiked back to  
6 the ranch.

7 We know from Linda Kasabian's testimony that when  
8 Tex, Sadie and Leslie were dropped off in front of the  
9 La Bianca residence, they were without transportation,  
10 and she definitely recalls Manson telling Tex, Katie and  
11 Leslie to hitchhike back to the ranch.

12 Now, here we have Leslie Van Houten telling  
13 Dianne Lake that she hitchhiked back to the ranch.

14 Surely, ladies and gentlemen, surely, even  
15 though Leslie Van Houten did not mention the name La Bianca  
16 in her confession to Dianne Lake, surely, there cannot be  
17 any question in any of your minds that those were the  
18 murders about which she was referring.

19 There is no evidence that Dianne Lake would  
20 have had any reason to make up any story whatsoever about  
21 Leslie Van Houten. No evidence that they were unfriendly, ✓  
22 that there was any animosity between them.

23 The defense never even suggested that Dianne Lake  
24 would have any reason under the moon for making up any  
25 story against Leslie Van Houten.

26 Obviously, if she were going to make up a ✓

1 story in trying to frame Leslie Van Houten for the La Bianca  
2 murders, she would say that: Leslie told me she committed  
3 the La Bianca murders. She would insert the name "La Bianca."

4 There is no question, ladies and gentlemen, that  
5 Leslie did confess to Dianne Lake, and that her confession  
6 concerned the La Bianca murders.

7 Unquestionably, we have proven Leslie Van Houten's  
8 guilt of the La Bianca murders beyond all reasonable doubt.

9 Charles Manson. Before we talk about Charles  
10 Manson, I think the first question we have to ask is:  
11 Who is Charles Manson?

12 Well, the evidence at this trial showed that  
13 there is only one real, singular Charles Manson, and he is  
14 a vicious, cold-blooded murderer.

15 But besides the real and singular Charles Manson,  
16 there are countless other Charles Mansons whom the real  
17 Charles Manson palms off on unsuspecting victims.

18 Charles Manson, ladies and gentlemen, is like a  
19 chameleon. He changes with the background. As he told ✓  
20 Gregg Jakobson, he has a thousand faces.

21 He changes his personality, his demeanor, to  
22 fit the person, to fit the occasion.

23 He told Gregg Jakobson he has a different mask  
24 for everyone.

25 To put it bluntly, ladies and gentlemen, Charlie  
26 Manson is a phony. He is a con man. But he is a polished,

1 sophisticated phony and con man.

2 Don't ever accuse Charlie Manson of being an  
3 amateur. That would be an insult. He is a very polished,  
4 sophisticated con man.

5 Charlie has worked hard at his craft of being a  
6 phony, and the many faces he ~~could~~<sup>can</sup> put on in a moment's  
7 notice is good evidence of the diligent work he has done  
8 to become successful at his trade.

12d

12d-1

1 What face has Charles Manson worn in this  
2 courtroom, ladies and gentlemen?

3 Well, the face that he has to wear, the mask  
4 that he has to wear. He is just a peace loving guy.  
5 Charlie Manson is the original flower child. His whole  
6 body is flushed with peace and love. ✓

7 Charles Manson is in a court of law. He has  
8 to wear this face for the simple reason that he has to  
9 con you people into believing that he did not do the  
10 horrendous things that the evidence proves that he did.

11 He wants you to believe that he is incapable  
12 of doing these things.

13 Now, he slipped up one day a few months ago,  
14 temporarily forgot 12 jurors, 24 eyes, were riveted on  
15 him. ✓

16 I am not going to mention what he did, but you  
17 know the occasion that I am referring to. ✓

18 But apart from that one slip, ladies and  
19 gentlemen, obviously Manson was not going to display his  
20 true face in this courtroom. He is not going to display  
21 the satanic, the diabolical face that on the night of  
22 August the 8th, 1969, sent his robots out on his mission  
23 of murder. He is not going to show you that face.

24 MR. KANAREK: Your Honor, I must object on the ground  
25 that I believe what counsel is alluding to is not in evidence,  
26 and I think your Honor has instructed us not to consider

12d-2

1 that for any purpose.

2 Now, I believe counsel is clearly arguing  
3 outside of the evidence at this time.

4 I think the incident that he is referring to  
5 your Honor has most explicitly indicated is not part of  
6 anything to be considered in this case.

7 THE COURT: The objection is overruled.

8 MR. KANAREK: May I approach the bench on that, your  
9 Honor?

10 THE COURT: You just stated your objection. It is  
11 overruled.

12 MR. BUGLIOSI: He is not going to display right in  
13 front of your eyes the face that commanded Watson, Krenwinkel  
14 and Van Houten to go up to the La Bianca residence and  
15 murder those poor people. He is not going to show you  
16 that face.

17 He is not going to show you the face that  
18 commanded Linda Kasabian, Susan Atkins and Clem Tufts to  
19 murder the man in his apartment in Venice in the early  
20 morning hours of August the 10th, 1969.

21 He is not going to show you the face that he  
22 had when he placed the knife at Juan Flynn's throat and  
23 threatened to kill him.

24 The face he had when he handed Poston a knife  
25 and told him to go into Shoshone and sneak into the  
26 Sheriff's house and slit his throat.

12d-3

1 He is not going to show you that face here in  
2 this courtroom.

3 He is not going to show you the face ~~that~~ *he had when he*  
4 almost choked Paul Watkins to death, the face he wore when  
5 he struck Stephanie Schram over the head with a rifle and  
6 knocked her down, the face he wore when he slugged poor little  
7 Dianne Lake in the mouth, causing her to bleed.

8 Think about the faces that he had when he did  
9 those things, ladies and gentlemen. Think about those  
10 faces.

11 But Mr. Manson did not have to show us his  
12 face of murder in this courtroom, ladies and gentlemen. ✓  
13 The evidence showed it beyond all doubt.

14 The mask that he wore for this trial, ladies and  
15 gentlemen, a blind man could see through.

16 There are two people who are dead today, ladies  
17 and gentlemen, because they couldn't see through that mask.

18 Manson told the La Blancas not to be afraid,  
19 he wasn't going to hurt them.

20 This is why they ended up like this, ladies  
21 and gentlemen.

22 (Displaying a photograph.)

23 That is the way they ended up. Charlie fooled  
24 these poor people.

12e fls.

12e-1

1 Now he wants to fool you folks. There is only  
2 one big problem for Charles Manson. He is in a different  
3 ball park.

4 The La Blancas weren't worthy opponents. They  
5 didn't know who Charles Manson was. You folks do know  
6 who Charles Manson is, and you are not going to be deceived  
7 the way they were.

8 The evidence at this trial stripped away the  
9 veneer, the facade, the layers of deception from the face of  
10 Charles Manson, and what we saw underneath was an incredibly  
11 vicious and inhuman, cold-blooded murderer.

12 And as he listens to me now, ladies and gentlemen,  
13 he knows he is as guilty as sin, but although he is in a  
14 different ball park and his opponents are worthy opponents  
15 who see him clearly, he is desperately trying to make a  
16 game of it.

17 Charles Manson is on trial for his life, ladies  
18 and gentlemen, and although he doesn't think the lives of  
19 other human beings are worth anything, are worth less  
20 than a rattlesnake or a bird, he doesn't feel that way  
21 about his own life. Not at all. He is fighting desperately  
22 for his own life.

23 THE COURT: Will counsel approach the bench, please?

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

1 THE COURT: I just wanted to ask you, Mr. Bugliosi,  
2 what your estimate is?

3 MR. BUGLIOSI: I will finish tomorrow, your Honor,  
4 because I know if I don't you are going to throw me out of  
5 the courtroom.

6 THE COURT: I would like very much to instruct this  
7 jury tomorrow afternoon.

8 It is almost 4:30 now, so you don't have any time  
9 left today, but you have three hours in the morning.

10 MR. BUGLIOSI: I think I can finish tomorrow morning,  
11 if we can start at 9:00.

12 This morning we started at twenty minutes to  
13 10:00. I lost 40 minutes.

14 THE COURT: We will start at 9:00.

15 MR. FITZGERALD: Will you let them deliberate on  
16 Saturday? I think it is a good idea.

17 THE COURT: Yes. They have been here this long, I  
18 am sure they don't want a vacation.

19 MR. FITZGERALD: Right.

20 MR. KANAREK: I have a jury instruction that you  
21 promised you would consider.

22 THE COURT: I will consider it.

23 MR. KANAREK: And also, in connection with the  
24 alleged contempt --

25 THE COURT: I would suggest that you give it to the  
26 clerk, Mr. Kanarek, <sup>sq</sup> I can be reading it in the meantime.



1 Don't surprise me. Don't give it to me a moment too soon.

2 MR. KANAREK: I believe I previously discussed this.

3 THE COURT: I am not criticizing you, I am just saying  
4 that now is the time.

5 MR. KANAREK: I would ask your Honor to read the language  
6 that I uttered. It was addressed to the Court, your Honor.

7 THE COURT: What are you referring to?

8 MR. KANAREK: In connection with the language that  
9 your Honor said.

10 The Court Reporters have very kindly made it up  
11 for Mr. Silver, who is my lawyer in connection with this  
12 matter, and I would welcome the Court reading it.

13 THE COURT: I am going to read it again.

14 MR. KANAREK: I would welcome your Honor reading it.

15 THE COURT: Let's not get into that now, Mr. Kanarek.

12f

12f-1

1 MR. BUGLIOSI: I am pretty sure if I start at 9:00  
2 I will be through at noon.

3 THE COURT: I think you should count on it, Mr.  
4 Bugliosi, because we have to confer regarding the other  
5 requested instructions.

6 Mr. Kanarek said that he has one or more.

7 I don't know what.

8 Then I do want to instruct tomorrow afternoon.

9 MR. BUGLIOSI: All right.

10 If I have a couple of other things --

11 MR. FITZGERALD: I can't hear you.

12 MR. BUGLIOSI: If I have a couple of other things to  
13 say at 12:00 -- say I have another half hour or an hour --  
14 I would appreciate if the Court would let me, you know,  
15 say what I have to say.

16 THE COURT: Why don't you go through it tonight and  
17 pare it down.

18 I can't imagine what you can say that you  
19 haven't already said.

20 MR. BUGLIOSI: I haven't talked about Helter Skelter.

21 THE COURT: Well, you have three hours to talk about  
22 it.

23 I am not saying that you can't talk about  
24 anything. You have three hours left to do it.

25 MR. BUGLIOSI: If I could have three good hours  
26 tomorrow, I am pretty confident.

12f-2

1 It won't be three hours because we will have  
2 a break. But if I can get three good hours in, I think I  
3 can finish. I mean, I can finish in the morning.

4 THE COURT: All right. Let's count on it.

5 Mr. Kanarek, get your requested instructions  
6 to the Clerk so I can be considering them in advance of  
7 our actual conference.

8 MR. KANAREK: Your Honor, may I have counsel in  
9 connection with my contempt before the Court? I would  
10 welcome counsel.

11 I would like to -- I mean -- I think that the  
12 Court -- well, I'd rather have counsel, really, without  
13 going into detail on it.

14 I apologize if the Court considered that an  
15 attempt to disrupt, but if you look at the continuity,  
16 I was actually addressing the Court.

17 THE COURT: I don't want to take it up at this time,  
18 but as I told you, I will read the transcript again.

19 MR. KANAREK: Well, may I have counsel then? I would  
20 like to have counsel.

21 THE COURT: Counsel isn't going to be able to solve  
22 the thing as far as I am concerned.

23 MR. KANAREK: A man who is his own lawyer has a fool  
24 for a client.

25 THE COURT: This is one situation where the Court may  
26 dispose of the matter summarily, and that is what I intend

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1 to do.

2 MR. KANAREK: Wouldn't it appear that the Sixth  
3 Amendment should guarantee everyone the right to effective  
4 counsel? That is what we preach. The due process clause  
5 of the Fourteenth Amendment should allow a lawyer -- and  
6 I am not saying this out of disrespect to the Court -- but  
7 I think the Court is put in an unhappy position of being  
8 both the prosecutor and --

9 THE COURT: I am familiar with all the arguments in  
10 this matter.

11 MR. KANAREK: -- and the judge.

12 THE COURT: That is why I gave careful consideration  
13 to it. You interrupted numerous times. I gave you ever  
14 opportunity to conform to the Court's order. It is only  
15 after I am convinced that you neither had any desire to  
16 do it, and furthermore, that you are intentionally not  
17 doing it, violating the Court's order, that I take action.

18 MR. KANAREK: Your Honor, I would welcome the Court  
19 reading the transcript.

20 I believe there were many many pages in which  
21 there was absolutely nothing whatsoever said by me, and  
22 if your Honor looks at the continuity, I think your Honor  
23 perhaps will be convinced, and I know down deep in my  
24 heart there was no intent to disrupt the proceedings.

25 THE COURT: That is where we disagree, Mr. Kanarek.

26 I am not going to do anything about it today,

1 as I told you. I want to think it over.

2 We will adjourn at this time.

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

7 THE COURT: We are going to adjourn at this time,  
8 ladies and gentlemen.

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

12 The court will adjourn until 9:00 o'clock  
13 tomorrow morning.

14 (Whereupon at 4:32 o'clock p.m. the court  
15 was in recess.)  
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