

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.

170

No. A253156

REPORTERS' DAILY TRANSCRIPT
Tuesday, January 19, 1971
Monday, January 25, 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:	BONNIE D. HUGHES, Esq. MAXWELL KEITH, Esq.
For Deft. Krenwinkel:	PAUL FITZGERALD, Esq.

VOLUME 170

PAGES 21578 to 21636

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

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LOS ANGELES, CALIFORNIA, TUESDAY, JANUARY 19, 1971

11:54 o'clock a.m.

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(The following proceedings occur in chambers.

All counsel present save and except Mr. Kanarek and Mr. Hughes. Defendants absent.)

MR. KEITH: At 2:00 o'clock this afternoon, in the Superior Court located in Norwalk, Juvenile Department, I have an appearance in the matter of Jefferson Robinson III, a minor.

His parents came here from Ohio. He is a college student at Whittier.

I would respectfully request that the judge permit me to make that appearance.

It should not be long, and I should be back here by 3:00.

I also respectfully ask that the judge, his Honor, permit Paul Fitzgerald to appear in my behalf and in behalf of my client for the purpose of rereading some of this record.

THE COURT: Yes.

The jury has sent in a written request through the foreman for a reading to them of special exhibits, 8, 9 and 11, which are contained as the last pages in Volume 128 of the transcript, which were read to them from the transcript as they were edited.

1 Let me start that again. Just so you will
2 understand what they are, Mr. Keith, because you weren't
3 here at the trial.

4 The three letters from Susan Atkins to Roni
5 Howard, Jo Stephenson and Kit Fletcher were edited in
6 chambers in a conference that lasted for a substantial
7 period between the Court and all counsel.

8 When the editing was complete, the letters, as
9 edited, were transcribed into the transcript and are now
10 in Volume 128 as Special Exhibits in the edited form.

11 The letters themselves are special exhibits
12 which do not go to the jury, are in the Clerk's custody.

13 After the letters had been read into the
14 transcript, they were then proofread by the Court and counsel
15 in chambers against the originals. That is, the transcript
16 was proofread against the originals. And when everyone was
17 satisfied that it was a correct transcription, the reporter
18 then, in open court, read from the transcript those three
19 letters to the jury.

20 The jury has now requested a rereading of those
21 three letters in Volume 128.

22 I understand it is agreeable with you if Mr.
23 Fitzgerald represents you this afternoon for the purpose
24 of that rereading of the letters to the jury.

25 MR. KEITH: Yes. Particularly, especially,
26 since the letters don't refer to my client.

1 THE COURT: All right.

2 Anything else, gentlemen?

3 We will resume here at 1:45. When everyone
4 is present, we will bring the jury down for a reading then.

5 (Whereupon at 12:01 o'clock p.m. the court
6 was in recess.)
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(The following proceedings occur in open court. All counsel except Mr. Hughes and Mr. Keith present. Jury present. Defendants absent.)

THE COURT: All counsel except Mr. Keith are present. All the jurors are present.

By stipulation between Mr. Keith and Mr. Fitzgerald, Mr. Fitzgerald will appear for Mr. Keith this afternoon.

Mr. Tubick, I have your request dated today which reads as follows:

"We the jury in the above-entitled action request the following: Reading of Special Court Exhibits Nos. 8, 9 and 11, letters written to Roni Howard, Jo Stephenson, and Kit Fletcher by Defendant Susan Atkins."

At this time I am going to ask the court reporter to take the witness stand and read from the transcript, Volume 128, page 14,034, to and including 14,039, Special Exhibits 8, 9 and 11.

The request from the jury foreman will be filed in the case, as all other requests received from the foreman.

(Whereupon the reporter takes the stand and reads as follows:)

(SPECIAL EXHIBIT 8)

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3 Hello

4 I can see your side of this clearly. Nor am I mad
5 at you. I am hurt in a way only I understand. I blame
6 no one but myself for even saying anything to anybody about
7 it. My attorney is going to go on insanity.

8 Insanity is reality and not caring. When you truly
9 love you do not care about anyone or anything you just
10 love. I am not going to fight this. I will let my
11 attorney do that. I am going to save my soul, this body
12 my soul is housed in can be destroyed for all I care. To
13 live forever is all I want, and I really don't care about
14 that. I did not admit to being in the 2nd house because I
15 was not in the 2nd house.

16 I don't need anything. My attorney gives me money.
17 He just deposited \$20. on my account. As I write to you I
18 feel more at ease inside. When I first heard you were
19 the informer I wanted to slit your throat then I snapped
20 that it was my throat I wanted to cut. Well that all over
21 with now as I let the past die away from my mind. You know
22 it will all turn out okay in the end any way. Love will
23 still run forever. I am giving up me to become that love
24 a little more every day. Changes, Changes. Only Love is
25 Forever Changing.

26 Just come and say you love me. As I say I love you or

1 I should say I love Me (my love) in you.

2 Write me

3 I hope now you understand a little more. If not ask.

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1 THE COURT: Was that Special Exhibit No. 8?

2 THE REPORTER: Yes.

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SPECIAL EXHIBIT 9

SADIE GLUTZ

313 059 5000

Dec. 13, 69

Dear Jo,

I just got your letter. You sound so happy and content. I hope you find all the things in life are good.

As far as what is happening in court, I just got indited on 7 counts of murder and on 1 count of conspirisy to murder.

You rember the Sharon Tate murder and La Beicincia murder? Well because of my big mouth to a cell mate they just indited me. It seems to be nation wide news. so I don't want to say anything about it because of the censor.

Although all outwardly appears to be over with. I look deeper into this mess, and see a ray of light so bright that it blocks out all darkness. No matter what the outcome of this is, the love I have for all the world keeps me in the light of love.

PAGE 2

My attorney wants to save my life.

Jo, Mich. sounds so beautiful that I know your Christmas will be right and good for you. If only you would look at each day of your life as a Christmas and give to everyone you meet or see a deep real smile you would see a new joy in giving of yourself. Jo you are a

PAGE 3

beautiful warm woman.

I am sure your role as you portray your life is right in your eyes. There are not many people I would write but there is something good inside you that wants to be let out to give itself freely, uninhibitedly to all you meet.

Jo, I am a spiritually minded woman. I want to give you all I can in spiritual vibrations. For life has so much to give to a person who lives a life of love. I love your letter Jo, it says so much between the lines and in the lines. They just turned out the lights so I will close for now. Jo write me soon. I love to hear from you.

Love Loves Love
Sadie

BBB

(SPECIAL EXHIBIT NO. 11)

Sadie Glutz

313 059

Dec. 17, 69

Tiger

Dear Kitt

I just got your letter. I also just sent you one.

Baby don't use me as an excuse to be miserable. Get yourself together now.

Everything that has happend to me doesn't bother me as much as it does the rest of the world. I know you are hurt by all this But don't let it linger on your mind. It will all work out OK.

Kitt you must live your life for you right now. Sticking by me is OK and it makes me feel good. But having you running around in a drunken stupor isn't going to do you or me any good. Don't you send me any money untill you have everything you need.

Why did I do it? Or why did I open my big mouth to a cellmate? To either one of those questions, I did what I did because that is what I did.

Stop crying. Ive done enough of that for both of us, and it doesn't help Put a smile on that pretty face of your and live each day for that day Know that no matter

1 what happens I walk with you everywhere. When you see the
2 sunshine know that my love is forever. When you see the
3 ocean waves meeting the shore that I am there as patient
4 and serene as can be.

5 I want you to have a happy and joyful Christmas and
6 New Year.

7 In spite of all that has happened I'm still me.

8 Come see me in disguise. Dress up so they won't know
9 you. I know you can do it if you want to. It would do us
10 both good.

11 Love you I do.

12 Always Love Loves Love

13 Kitten Cat

14 Sadie
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1 THE COURT: The bailiffs will escort the jury back
2 to the jury room.

3 (Whereupon at 2:02 o'clock p.m. the jury
4 retired for further deliberations.)

1 fls.

5 THE COURT: Will counsel approach the bench, please.
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1 (The following proceedings were had at the
2 bench out of the presence and hearing of the jury:)

3 THE COURT: There is no further pending request from
4 the jury. I see no reason why you gentlemen should not be
5 on call in accordance with our previous discussions.

6 MR. KANAREK: I have a motion, your Honor.

7 THE COURT: Let's take care of one subject at a
8 time.

9 MR. KANAREK: Certainly.

10 THE COURT: You don't have anything to say with
11 regard to that? All right, go ahead, Mr. Kanarek.

12 MR. KANAREK: I have a motion. My motion is, your
13 Honor, that your Honor grant the request^{of}/the jury to visit
14 the Tate and La Bianca residences as indicated.

15 THE COURT: You are reopening, are you?

16 MR. KANAREK: Just so it will be crystal clear.

17 THE COURT: You are restating the motion that has
18 already been ruled on.

19 MR. KANAREK: Yes, your Honor, but I want to make
20 it clear that is my position, and I wish that it be done
21 even though -- even though we are not allowed to interrogate
22 Linda Kasabian on the premises, even though we are not
23 allowed to make further final argument, I believe that it
24 is so important, I ask the Court to allow the visitation
25 at night as to both of these premises.

26 Then I furthermore make -- if there is any

1 problem, and this is in the alternative, if there is any
2 problem in the Court's mind about the duplication of the
3 scene, I make a motion that we have an evidentiary hearing
4 outside the presence of the jury.

5 The Court could, using the power it has over
6 its own proceedings, order witnesses subpoenaed, and I
7 believe we could reconstruct without --

8 First of all, as to the La Bianca residence,
9 really there is no change. I can represent to the Court
10 that since coming into this case I have gone many times
11 to that scene. I have gone over it. I have visited both
12 houses.

13 THE COURT: Let's get it over with, Mr. Kanarek.

14 You made the motion once. It's already been
15 ruled on. Now you are just stating it all over again.

16 MR. KANAREK: Not really. It is a little different.

17 THE COURT: Tell me how it is different.

18 MR. KANAREK: It is different in that your Honor
19 indicated that there might be some difference in geography
20 or lighting or something or other so that it could not be
21 duplicated.

22 What I'm saying, I beg the Court to consider
23 and to allow a visit, and if the Court has any apprehension
24 concerning the scene, we can take evidence and then if there
25 is any such problem, which I don't think exists --

26 THE COURT: I have already ruled on your motion,

1 Mr. Kanarek. The motion is denied.

2 MR. KANAREK: I am not to argue further?

3 THE COURT: You have argued.

4 MR. BUGLIOSI: You want us back tomorrow or on call.

5 THE COURT: You might as well call in tomorrow morning
6 on the telephone.

7 The court is now in recess.

8 (Whereupon at 2:15 o'clock p.m. an adjournment
9 was taken.)
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LOS ANGELES, CALIFORNIA, FRIDAY, JANUARY 22, 1971

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THE COURT: People versus Charles Manson, et al.

MR. KAY: Your Honor, I have two witnesses subpoenaed for today. One of them is present now, Mr. Bernard Crowe.

Your Honor, I ask that you order Mr. Crowe back for Wednesday morning at 9:00 o'clock.

That will be the 27th, I believe.

THE COURT: Mr. Crowe, you are ordered to return to this courtroom on Wednesday, January 27th at 9:00 a.m. without further order, notice or subpoena.

Do you understand, sir?

MR. CROWE: Yes.

MR. KAY: The other subpoena is for Thomas Walleman, your Honor, he has not appeared this morning, so I ask that your Honor issue a bench warrant for Mr. Walleman.

THE COURT: A bench warrant will be issued for Thomas Walleman, no bail on the bench warrant.

MR. KAY: Thank you very much, your Honor.

(Whereupon, an adjournment was taken.)

1 LOS ANGELES, CALIFORNIA, MONDAY, JANUARY 25, 1971

2 9:40 A.M.

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4 THE COURT: People versus Manson.

5 MR. KAY: Friday we had two witnesses subpoenaed into
6 court; one was Mr. Thomas Walleman; he failed to appear
7 and your Honor issued a bench warrant.

8 He appeared this morning. Mr. Walleman, would you
9 please stand.

10 I don't know the reason for his failure to appear,
11 your Honor, but we would like to have him ordered back for
12 Wednesday.

13 THE COURT: This coming Wednesday?

14 MR. KAY: Yes, your Honor.

15 THE COURT: Are you Mr. Walleman?

16 MR. WALLEMAN: Yes,

17 THE COURT: Where were you on Friday, Mr. Walleman?

18 MR. WALLEMAN: I didn't realize that Friday was the
19 22nd. I don't know the dates too well.

20 THE COURT: Do you know what date today is?

21 MR. WALLEMAN: I don't know the date, but I know I
22 should get here. I don't know what the date is, but I knew
23 I should get here today.

24 THE COURT: How did you know you were supposed to be
25 here today?

26 MR. WALLEMAN: Because I did not show up Friday,

1 I'd better get here pretty quick.

2 Nobody told me to appear today.

3 THE COURT: You knew you were supposed to be here
4 Friday then?

5 MR. WALLEMAN: Yes.

6 THE COURT: Why did you not come in Friday?

7 MR. WALLEMAN: Because I did not know Friday was the
8 day until it was afterwards; somebody told me the dates,
9 and it was too late.

10 THE COURT: Can you read and write?

11 MR. WALLEMAN: Yes, as little as possible.

12 THE COURT: All right, I am going to order you to
13 return on Wednesday.

14 This is Monday, January 25th; tomorrow is Tuesday,
15 January 26th; and the day after that is Wednesday, January
16 27th.

17 Do you understand?

18 MR. WALLEMAN: Yes, your Honor.

19 THE COURT: You are ordered to return on Wednesday,
20 January 27th, at 9:00 a.m. No excuses.

21 Do you understand?

22 MR. WALLEMAN: Yes, sir.

23 THE COURT: All right.

24 MR. KAY: Does your Honor then recall the bench warrant?

25 THE COURT: The bench warrant will be recalled.

26 MR. KAY: Thank you, your Honor.

1 THE COURT: People vs. Charles Manson, et al.

2 There are two motions on the calendar. First is
3 a motion for mistrial on the grounds of denial of a public
4 trial, and the second is a motion for a mistrial also
5 entitled on the grounds of denial of a public trial, based
6 on another set of facts.

7 Do you wish to argue, Mr. Fitzgerald?
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1 MR. FITZGERALD: Perhaps we can denominate the latter
2 motion as the Sandra Goode motion, and perhaps we can
3 take the former motion first as long as it was the one that
4 was first in order filed.

5 THE COURT: Very well.

6 MR. MUSICH: Donald A. Musich representing the People
7 so far as that particular motion is concerned.

8 In addition to the points and authorities and
9 arguments filed by the People in this particular motion --

10 THE COURT: Which particular motion are you referring
11 to?

12 MR. MUSICH: The public trial motion.

13 THE COURT: Not the Sandra Goode motion?

14 MR. MUSICH: No.

15 I believe the County Counsel is representing
16 the People on that motion.

17 I would only say, in regard to the arguments,
18 the points and authorities filed point out to the Court
19 in the affidavit the reason for the trial being in this
20 particular courtroom and not in the County Courthouse where
21 there are courtrooms with larger seating capacity.

22 Those reasons are set forth in the affidavit of Mr. Frediani.

23 I would also point out that this particular court-
24 room, for security reasons, et cetera, as set forth in the
25 affidavit, not only justifies the trial being in this
26 particular location but also the necessity for courtroom

1 security and the allocation of seating in that regard.

2 I believe the rest of the points are fairly
3 covered in the written motion.

4 I would submit it on the written argument.

5 MR. FITZGERALD: I would also be willing to submit the
6 matter with just two very, very brief observations.

7 The first one is on Page 3 of counsel's answer
8 at Lines 21 through 25.

9 Counsel indicates that the defendants, through
10 their counsel, did not object or bring this matter of a
11 public trial to the attention of the Court before the
12 filing of the motion on January 7, 1971.

13 I would respectfully take issue with that
14 allegation.

15 I didn't anticipate that the counter-affidavit
16 would allege that the defendants did not, prior to this
17 time, bring it to the attention of the Court. Consequently,
18 I didn't come prepared with the transcript references,
19 although, if your Honor's ruling is in any way influenced
20 by that fact, I can supplement --

21 THE COURT: I know it isn't true, Mr. Fitzgerald,
22 There was at least one occasion -- and I recall several
23 occasions -- during the course of the trial when you
24 objected to other matters as well as seating in the court-
25 room.

26 MR. FITZGERALD: The other matter is on Page 3 of

1 Harold Frediani's declaration. I believe it is Exhibit 2.
2 He mentions on Lines 28 through 32 -- excuse me -- it is
3 Exhibit 1, the affidavit of Jackson W. Miller, on Page 2
4 at Lines 27 through 31.

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1 He indicates that the number of members of the
2 general public average between 50 and 115 people a day.
3 These figures can be established by the seating list
4 presently in the possession of Harold M. Frediani.

5 There is a controversy as to whether these lists
6 were available or are available to me. I would suggest that
7 in the interest of clarity that perhaps these documents
8 be obtained and we could make Xerox copies of them and
9 attach them as exhibits if there is any question in the
10 Court's mind about the issues raised by the affidavit.

11 With those two points, and with only those two
12 points in mind, I would submit the matter.

13 THE COURT: Anything further, Mr. Musich?

14 MR. MUSICH: Your Honor, as far as the date, your Honor,
15 that only would apply to the particular filing date of
16 this motion, with regard to the materials attached to it
17 and the arguments and points and authorities submitted at
18 that time. They were all put down in those forms, and
19 those particular arguments being raised in the form of a motion.

20 As far as the 50 to 115 people, your Honor, I
21 would submit to the Court, on the basis of the general
22 seating arrangement and the fact that even in Mr. -- well,
23 in Mr. Fitzgerald's motion, the slip attached there at the
24 end indicates that if a person would leave the courtroom,
25 they would forfeit their seat and another person would be
26 allowed to take that seat. I believe that is the basis of

1 the 50 to 115 people of the general public being admitted.
2 When people would leave the courtroom, additional members of
3 the public would be allowed. There would be a greater
4 number of general public allowed in the courtroom than the
5 mere seating.

6 THE COURT: There is no doubt about it that there was
7 a turnover every day.

8 Well, I have read all the motion papers, including
9 the declarations and points and authorities, and I can find
10 no basis upon which a mistrial should be granted on the
11 grounds stated.

12 It would be hard to imagine a more public trial
13 than this has been where you have not only members of the
14 public coming in and turning over several times a day so
15 far as the numbers are concerned, but representatives of
16 the news media, newspapers, television, radio, magazines,
17 daily disseminating to a public, certainly, in total of
18 millions, I can't imagine how it could be made more
19 public than that.

20 No one has been excluded except when there was
21 no seat available.

22 No member of the public has been excluded except
23 the witnesses under subpoena, and that at the request of
24 the defendants.

25 The motion will be denied.

26 Do you wish to argue the second motion?

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MR. FITZGERALD: Yes. Very, very briefly.

I received the answer and the counter-affidavits from representatives of the County Counsel.

The thrust of their position is, of course, that Sandra Good was a subpoenaed witness, that she was subpoenaed by the prosecution, and that, in addition thereto, as indicated by her own affidavit, she is a friend and acquaintance and intimate associate of the named defendants, and also that she has visited Mr. Manson a total of some 76 times, I believe, in the past few months, and in order to secure attendance within the jail she apparently indicated that she was material or vital in Mr. Manson's defense, or Mr. Manson so indicated.

I would concede, your Honor, that Sandra Good was a subpoenaed witness on behalf of the prosecution, and I think we brought this to your Honor's attention sometime ago that Miss Good was a subpoenaed prosecution witness.

In that connection, I would just like to point out two things.

One was that I don't have the transcript reference, and here again, if your Honor considers it material, I will get it for you, but we brought this matter to your Honor's attention in chambers, and Mr. Bugliosi, representing the prosecution, indicated that while Sandra Good was a prosecution witness, that is to say, while she was under subpoena, they didn't intend to

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1 call her as a witness, and the assembled defense counsel
2 indicated to the Court that they did not intend to call
3 Sandra Good as a witness in their defense.

4 Now, at the time we brought this up -- and it
5 was about three weeks ago, as I recall -- four weeks ago --
6 the defense had already rested. So, what we were obviously
7 referring to was Miss Good as a defense witness during the
8 penalty phase of the trial. And that is obviously what
9 Mr. Bugliosi was referring to.

10 Point No. 2 is, as Miss Good indicated in her
11 affidavit, she most recently attempted to enter, I believe,
12 during the month of December -- the exact dates are set out
13 in the affidavit -- during which time there was no evidentiary
14 or testimonial portion of the trial in progress.

15 She indicates in the affidavit that she tried
16 to come in several times during June -- I mean, during
17 July and August, and in the fall, but most recently she
18 indicates that she attempted to come in during the month of
19 December.

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1 And of course during those December attempts,
2 there was no testimony or evidentiary portion of the trial,
3 as I recall Mr. Bugliosi's argument, in which case I
4 think their position is substantially eroded.

5 MR. BARKER: I am Lee Barker for the County Counsel's
6 Office, your Honor.

7 I would point out that the defense, counsel for
8 the defense has requested that all witnesses be excluded
9 during the trial.

10 The trial, I would submit, includes the entire
11 period, including the penalty phase.

12 Certainly there was, during argument -- there
13 may not have been evidentiary evidence being introduced --
14 but that does not mean that during this period, this period
15 should not be considered part of the trial because after
16 the argument had ended the trial could have been reopened,
17 or can still get reopened while the jury is deliberating,
18 and of course we still have the penalty phase of the trial.

19 We have no idea whether or not Sandra Good may
20 be necessary or a material witness at that time. As we
21 pointed out the last part of our points and authorities
22 here, Sandra Good definitely is a material witness.

23 We therefore submit it on the basis of these
24 papers.

25 THE COURT: Anything further, Mr. Fitzgerald?

26 MR. FITZGERALD: No, your Honor.

1 THE COURT: All right. Well, apparently there is some
2 misunderstanding between the prosecution and defense counsel
3 as to whether or not she is or is intended to be a witness
4 on call.

5 I am not sure from what both sides have said
6 now whether she is still intended by one side or the other
7 to be a witness on call.

8 In any event, I have read all of the motion papers.
9 I find no basis for granting a motion for a mistrial on the
10 grounds stated.

11 The motion will be denied.

12 MR. FITZGERALD: Perhaps we could invoke the good
13 graces of the Court to inquire of the prosecution whether or
14 not they intend to call her as a witness, and then I will
15 contact each of the defense attorneys and they can make a
16 representation to the Court one way or another, so in the
17 event she is not going to be a witness she would be allowed
18 to attend.

19 THE COURT: Well, you may inquire.

20 MR. KAY: We don't know at this time, Mr. Fitzgerald.

21 MR. MUSICH: I don't know how there is any way to
22 anticipate that.

23 THE COURT: Is she presently under subpoenas?

24 MR. MUSICH: To the best of my understanding, this
25 trial, as the Court knows more than any other is more
26 difficult to predict than usual, so depending on what

1 should happen or what may be the evidence or what may
2 develop at the penalty trial, should there be a penalty
3 trial or should there be a need to reopen at this late
4 stage, we don't know.

5 As county counsel has indicated, she definitely
6 may be a material witness. There is a chance she may be
7 called as a witness. We therefore request she still be
8 kept as a witness.

9 THE COURT: Very well.

10 MR. FITZGERALD: I wonder if counsel present may see
11 the Court in chambers in regard to a matter pertinent to
12 the trial. Is it possible?

13 THE COURT: Yes.

14 Is there any urgency about it?

15 I wanted to have some other cases on the calendar
16 which I have to call first.

17 MR. FITZGERALD: No, no, your Honor.

18 MR. KAY: Your Honor, if I may at this time, Mark
19 Arneson and Kitty Lutesinger are present.

20 Your Honor, these two witnesses were ordered back
21 for today. I have discussed the matter with Mr. Arneson
22 and he has represented to me that he will come to this
23 courtroom within 24 hours after the prosecution calls him.

24 Is that correct, Mr. Arneson?

25 MR. ARNESON: Yes, it is.

26 MR. KAY: So we want the Court to know he did respond

1 today to the Court's order but we are going to take him off
2 this personal service basis and he will be placed on call.

3 Your Honor, I would ask you to have Kitty
4 Lutesinger ordered back here for next Monday.

5 THE COURT: Monday?

6 MR. KAY: Yes, your Honor.

7 THE COURT: All right.

8 Miss Lutesinger, you are ordered to return to
9 this courtroom next Monday, February 1st at 9:00 a.m. with-
10 out further order, notice or subpoena.

11 Do you understand?

12 MISS LUTESINGER: Yes.

13 THE COURT: Very well.

14 MR. KAY: And your Honor, you held a bench warrant
15 until today on Alan Springer.

16 We ask that you continue to hold that bench
17 warrant until next Monday.

18 THE COURT: All right, the bench warrant will be
19 held until February 1st at 9:00 a.m.

20 MR. KAY: All right, thank you, your Honor.
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(The following proceedings occur in chambers.
All counsel but Mr. Hughes present. Defendants absent.)

THE COURT: All counsel are present.

I asked to have you gentlemen come in because I have been informed by the bailiff that the foreman of the jury has indicated that the jury has a verdict, and in the event that there is a penalty phase required, I wanted to talk to you about when it would commence so that I can make that announcement before we adjourn the proceedings after the taking of the verdicts.

Does anybody have any thoughts on the subject?

MR. KAY: Wednesday morning maybe?

MR. BUGLIOSI: Wednesday morning. If we can have tomorrow off?

THE COURT: I think that we should have at least one day, and possibly more.

MR. BUGLIOSI: In fact, Thursday would be preferable for us.

THE COURT: I think the jury will probably have been under quite a strain. I don't know. Maybe they don't require the time, but certainly a day or two would be indicated.

MR. BUGLIOSI: Thursday would be good, your Honor.

THE COURT: Is Thursday agreeable?

MR. KAY: That is fine with the prosecution.

MR. KANAREK: I would ask, your Honor, for at least

4-2

1 until next Monday.

2 We had subpoenaed a very critical witness that
3 the Sheriff sent back, a Mr. Charles Black, as your Honor
4 will recall, and Mr. Welch of the Sheriff's Department has
5 unilaterally sent him back.

6 I am sure, I would feel that the Court would
7 accommodate us, since we did have him here, and we didn't
8 request that he be --

9 THE COURT: Before I answer you, Mr. Kanarek, what
10 kind of an estimate do the People have on the Penalty
11 phase, if there is one required?

12 MR. BUCCHIOSI: To be honestly truthful with you,
13 Judge, there are so many countervailing factors to consider,
14 we really don't know yet whether we are going to put on
15 several crimes or not. It is going to go right down to the
16 wire.

17 We have subpoenaed over 50 people.

18 To give you a preliminary view, it would look
19 like our penalty trial, our case in chief, will take about
20 two or three days.

21 Our preliminary view is not to put on these
22 other crimes, but, I mean, there will have to be some
23 top level conferences today and tomorrow to decide that.
24 But I tend to think it is going to be very, very short.

5 fls.

5-1

1 THE COURT: Well, let me inquire from the other side
2 if they have any estimates.

3 Assuming theirs is very very short, do you have
4 any kind of an estimate?

5 MR. KLITH: As far as Leslie Van Houten is concerned,
6 no more than a day, probably a half day.

7 THE COURT: I am not trying to pin you down. I
8 realize you cannot give an accurate estimate.

9 MR. FITZGERALD: There is a certain division in our
10 camp.

11 I think perhaps it is to be expected.

12 We are a little unclear as to the number of
13 witnesses we are going to call. Much depends on how many
14 witnesses the prosecution call.

15 What we have in mind, your Honor, is coordinat-
16 ing and putting on the defense to the three or more separate
17 criminal acts they are thinking of putting on.

18 If that does not occur, if they don't put on
19 those acts, it is unlikely that we will put on anything
20 other than testimony as far as Patricia Krenwinkel is
21 concerned, it would last no longer than one day.

22 But a lot depends on the prosecution, Judge.

23 THE COURT: I understand that. Now, I thought as
24 long as you are in here I would go over with you briefly
25 the procedure we are going to follow out in the courtroom
26 during the taking of the verdicts.

5-2

1 I am not going to permit anyone to enter or
2 leave while the verdicts are being taken until it is all
3 over, and I adjourn the proceedings and walk off the
4 bench, that is the signal to let the news media out first,
5 to be followed by the general public.

6 Otherwise there would be confusion.

7 MR. FITZGERALD: Right.

8 THE COURT: And there would be no way to control it.

9 The defendants will be present during the taking
10 of the verdicts unless some disruption occur.

11 I sincerely hope it doesn't.

12 MR. FITZGERALD: We anticipate none.

13 THE COURT: If it does I will simply have to have
14 them removed.

15 MR. FITZGERALD: What about polling?

16 THE COURT: Gentlemen, I will have the jury polled.
17 You don't have to ask.

18 MR. FITZGERALD: Can they be separately polled as to
19 each defendant, that is the thing we are desirous of, rather
20 than polling them collectively.

21 I know it may involve a little more time, but
22 I think the defendants in a case like this are entitled to
23 it simply by virtue of the fact they are joined in an
24 accusatory pleading. I don't think that gives license to --

25 THE COURT: Well, the way I intend to have them
26 polled is to ask, starting with Juror No. 1, "Is each of

1 the verdicts for Counts I through VIII your verdict?"

2 MR. FITZGERALD: I would request you ask him "Are
3 those your verdicts I, II, III, IV, as to Patricia
4 Krenwinkel, as to Susan Atkins, as to Leslie Van Houten."

5 THE COURT: The question will be asked in the form
6 "Is each of the verdicts for each of the Counts your
7 verdict," which covers all of them.

8 MR. FITZGERALD: But you are allowing each one of
9 the 12 jurors to collectively answer as to all four of
10 the defendants, and that is sort of what I wanted to
11 avoid if we could.

12 THE COURT: You would like it in the form "Is each
13 of the verdicts as to Mr. Manson or as to each of the Counts,
14 your verdict?"

15 MR. FITZGERALD: "Is that your verdict as to Mr.
16 Manson in Count I, Mrs. Jones?"

17 "Is that your verdict as to Count II, Mrs.
18 Jones -- III, IV" -- all the way through.

19 THE COURT: I don't see the necessity or desirability
20 of it.

21 They will be asked as to each verdict, if
22 each verdict is their verdict and the Clerk will have just
23 read the verdicts, so --

24 MR. FITZGERALD: They can be asked as to each
25 verdict, Manson as to Count I --

26 THE COURT: No.

1 MR. KANAREK: I join in that request, your Honor.

2 I think for instance if Mr. Manson were on
3 trial all alone you would ask them -- and I think --
4 separately, and I think that is the least we can do, to
5 make sure that these are individual verdicts.

6 I do move that your Honor ask each juror as
7 to Count I is that your verdict, rather than asking leading
8 questions, asking "What is your verdict?"

9 THE COURT: There are certain verdicts for each
10 defendant, Mr. Kanarek, as to each Count those verdicts
11 will be read by the Clerk.

12 MR. KANAREK: Right.

13 THE COURT: And then the juror will be asked if each
14 of these verdicts just read, "Is that your verdict".

15 What could be more clear than that?

16 MR. KANAREK: My motion is, your Honor, after the
17 verdicts are read as to Mr. Manson --

18 THE COURT: That is the way I am going to do it, so
19 let's not waste our time.

20 MR. KANAREK: Your Honor should ask what is your
21 verdict as to Mr. Manson as to Count I, so each juror --

22 THE COURT: I am not going to have a quiz section
23 for you, Mr. Kanarek. I have indicated what I am going to
24 do.

25 I think it fulfills all statutory requirements
26 and it is perfectly clear.

1 Anything else?

2 MR. KANAREK: Yes, your Honor, I do have a motion
3 for a mistrial predicated --

4 I ask for an evidentiary hearing -- predicated
5 on the fact this building is an armed fortress; everybody
6 entering and leaving this building is being searched and
7 has been searched since these deliberations began.

8 I ask your Honor consider on behalf of the
9 motion for a mistrial or an evidentiary hearing -- the
10 affidavit of Mr. Paul Fitzgerald in that regard.

11 THE COURT: File it with the Clerk and we will set
12 it down. It is not going to be taken up now.

13 MR. KANAREK: The motion for mistrial -- in other
14 words, we are still in trial, the jury has not rendered
15 their verdict.

16 THE COURT: I am not going to consider it now, Mr.
17 Kanarek. We are going to take the verdict.

18 You have known about this for the last ten
19 days.

20 MR. KANAREK: Well --

21 THE COURT: Don't hand me a motion as I am walking
22 out of my chambers into the court to take a verdict.

23 Have you served it on anybody?

24 MR. KANAREK: No, your Honor.

25 This is Mr. Fitzgerald's affidavit.

26 Then I have another motion to voir dire the

1 jury and take evidence concerning their state of mind
2 based -- I can represent to the Court I am informed and
3 believe that on radio and TV in the last week, and I
4 found out about this just this morning, that one James
5 R. Hines, who is the husband of Mrs. Hines, a member of
6 the jury testified -- was on TV and radio where he said
7 words to the effect that Mrs. Hines never drank before
8 this case. Now she drinks before every meal. She drinks
9 heavily.

10 The pressure upon her is such that she could
11 not render an independent verdict.

12 In other words, he also stated:

13 "Why weren't the defense attorneys sequestered?"

14 THE COURT: What are you reading from?

15 MR. KANAREK: I am reading from notes that I have
16 been given by people who heard evidently this TV broadcast
17 and/or the radio.

18 THE COURT: If you have some kind of motion, put it
19 in the usual form, file it with the Clerk, serve it on
20 the other side, notice it for some date and I will consider
21 it.

22 MR. KANAREK: I just heard that this morning. I
23 move we do that at this time, your Honor, bring Mrs. Hines
24 in here, interrogate her and have voir dire as to her
25 alone, for instance, in connection with this.

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THE COURT: Based on some third-hand rumor that you have picked up somewhere from somebody who heard it from somebody else?

MR. KANAREK: It was on radio and TV, and I am informed and believe that such is the case, and she cannot possibly maintain her position because of the fantastic pressure that was put on her in this case.

So the record will not be a --

THE COURT: You can make your motion in the usual way, if you want to make it.

MR. KANAREK: May I have a ruling on my motion for a mistrial?

THE COURT: You haven't any motion for a mistrial.

MR. KANAREK: I make a motion for a mistrial in connection with this misconduct concerning Mrs. Hines.

THE COURT: Mr. Kanarek, I don't know where you learned how to become a lawyer, but someone has neglected your education in some very essential particulars.

Now, I am getting a little tired of this sort of nonsense.

MR. KANAREK: Your Honor, this --

THE COURT: I am not going to talk about it any more.

You may make your motions in the usual way, notice them in the usual way, and I will consider them.

Don't try to interrupt this proceeding right now.

MR. KANAREK: I am trying to give information that

1 I thought the Court would be interested in in connection
2 with the juror's state of mind. That is why I make a
3 motion for a mistrial as to her state of mind.

4 THE COURT: Thursday morning, then, for penalty.
5 Apparently that is agreeable.

6 MR. BUGLIOSI: Yes. We would appreciate it.

7 MR. KANAREK: I would ask for next Monday, your
8 Honor.

9 THE COURT: Thursday morning.
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1 (The following proceedings occur in open court..
2 All jurors and alternates present. All counsel but Mr.
3 Hughes present. Defendants present:)

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

6 Mr. Tubick, has the jury reached a verdict?

7 MR. TUBICK: Yes, your Honor, we have.

8 THE COURT: Will you hand all the verdict forms to the
9 bailiff?

10 (Mr. Tubick hands the verdict forms to the
11 bailiff who hands them to the Court.)

12 THE COURT: The clerk will read the verdicts.

13 THE CLERK: "In the Superior Court of the State of
14 California, in and for the County of Los Angeles, the
15 People of the State of California vs. Charles Manson,
16 Patricia Krenwinkel, Susan Atkins and Leslie Van Houten.
17 Case No. A-253,156.

18 Department 104.

19 We, the jury in the above-entitled action, find
20 the defendant, Charles Manson, guilty of the crime of
21 murder of Abigail Folger in violation of Section 187, Penal
22 Code of California, a felony, as charged in Count I of the
23 Indictment, and we further find it to be murder of the
24 first degree.

25 Dated this 25th day of January, 1971.

26 Signed Herman Tubick, Foreman.

1 Further: We, the jury in the above entitled
2 action find the defendant, Patricia Krenwinkel, guilty of
3 the murder of Abigail Folger, in violation of Section 187,
4 Penal Code of California, a felony, as charged in Count I
5 of the indictment, and we further find it to be murder of
6 the first degree, dated this 25th day of January, 1971.

7 Herman Tubick, Foreman.

8 Further: We, the jury in the above entitled
9 action, find the defendant, Susan Atkins, guilty of the
10 crime of murder of Abigail Folger, in violation of Section
11 187, Penal Code of California, a felony, as charged in Count
12 I of the indictment, and we further find it to be murder of
13 the first degree.

14 Dated this 25th day of January, 1970.

15 Herman Tubick, Foreman.

16 Ladies and gentlemen of the jury, is each of these
17 verdicts as to Count I your verdict?

18 MRS. THELMA S. MC KENZIE: Yes.

19 MRS. SHIRLEY B. EVANS: Yes.

20 WILLIAM T. MC BRIDE, II: Yes.

21 ALVA K. DAWSON: Yes.

22 MRS. JEAN K. ROSELAND: Yes.

23 ANLEE L. SISTO: Yes.

24 WILLIAM M. ZAMORA: Yes.

25 MISS MARIE M. MESIER: Yes.

26 JOHN M. BAER: Yes.

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MRS. EVELYN J. HINES: Yes.

LARRY D. SHEELY: Yes.

HERMAN C. TUBICK: Yes.

7-1

1 THE CLERK: People of the State of California
2 vs. Charles Manson, Patricia Krenwinkel, Susan Atkins and
3 Leslie Van Houten.

4 Case No. A-253,156, Department 104.

5 We, the jury in the above-entitled action, find
6 the defendant Charles Manson guilty of the crime of murder
7 of Voityck Frykowski in violation of Section 187, Penal Code
8 of California, a felony, as charged in Count II of the
9 Indictment, and we further find it to be murder of the first
10 degree.

11 Dated this 25th day of January, 1971.

12 Herman Tubick, Foreman.

13 Further, we, the jury in the above-entitled action,
14 find the defendant, Patricia Krenwinkel, guilty of the
15 murder of Voityck Frykowski in violation of Section 187,
16 Penal Code of California, a felony, as charged in Count II
17 of the Indictment, and we further find it to be murder of the
18 first degree.

19 Dated this 25th day of January, 1971.

20 Signed Herman Tubick, Foreman.

21 Further, we, the jury in the above-entitled action
22 find the defendant Susan Atkins guilty of the crime of
23 murder of Voityck Frykowski in violation of Section 187,
24 Penal Code of California, a felony, as charged in Count II
25 of the indictment, and we further find it to be murder of
26 the first degree.

Dated this 25th day of January, 1971.

Herman Tubick, Foreman."

Ladies and gentlemen of the jury, is each of
the verdicts as to Count II your verdict?

MRS. THELMA S. MC KENZIE: Yes.

MRS. SHIRLEY B. EVANS: Yes.

WILLIAM T. MC BRIDE, II: Yes.

ALVA K. DAWSON: Yes.

MRS. JEAN K. ROSELAND: Yes.

ANLEE L. SISTO: Yes.

WILLIAM M. ZAMORA: Yes.

MISS MARIE M. MESMER: Yes.

JOHN M. BAER: Yes.

MRS. EVELYN J. HINES: Yes.

LARRY D. SHEELY: Yes.

HERMAN C. TUBICK: Yes.

3-1

1 THE CLERK: People of the State of California vs.
2 Charles Manson, Patricia Krenwinkel, Susan Atkins and
3 Leslie Van Houten. Case No. A253156. Department 104.

4 We the jury in the above-entitled action find
5 the defendant, Charles Manson, guilty of the crime of
6 murder of Steven Earl Parent, in violation of Section 187
7 Penal Code of California, a felony, as charged in Count III
8 of the indictment, and we further find it to be murder of
9 the first degree. Dated this 25th day of January, 1971.

10 Signed, Herman Tubick, Foreman.

11 Further:

12 We the jury in the above-entitled action find
13 the defendant, Patricia Krenwinkel, guilty of the murder of
14 Steven Earl Parent, in violation of Section 187 Penal
15 Code of California, a felony, as charged in Count III
16 of the indictment, and we further find it to be murder of
17 the first degree. Dated this 25th day of January, 1971.

18 Signed Herman Tubick, Foreman.

19 Further:

20 We the jury in the above-entitled action find
21 the defendant, Susan Atkins, guilty of the crime of murder
22 of Steven Earl Parent, in violation of Section 187 Penal
23 Code of California, a felony, as charged in Count III of
24 the indictment, and we further find it to be murder of
25 the first degree. Dated this 25th day of January, 1971.

26 Signed, Herman Tubick, Foreman.

8-2

1 Ladies and gentlemen of the jury, is each of
2 the verdicts as to Count III your verdict?

3 MRS. THELMA S. MC KENZIE: Yes.

4 MRS. SHIRLEY B. EVANS: Yes.

5 MRS. WILLIAM T. MC BRIDE, II: Yes.

6 ALVA K. DAWSON: Yes.

7 MRS. JEAN K. ROSELAND: Yes.

8 ANLEE L. SISTO: Yes.

9 WILLIAM M. ZAMORA: Yes.

10 MISS MARIE M. MESMER: Yes.

11 JOHN M. BAER: Yes.

12 MRS. EVELYN J. HINES: Yes.

13 LARRY D. SHEELY: Yes.

14 HERMAN C. TUBICK: Yes.

9 fls.

9-1

1 THE CLERK: People of the State of California vs.
2 Charles Manson, Patricia Krenwinkel, Susan Atkins and
3 Leslie Van Houten.

4 Case No. A253156, Department 104.

5 We the jury in the above-entitled action find
6 the Defendant Charles Manson guilty of the crime of murder
7 of Sharon Marie Polanski in violation of Section 187
8 Penal Code of California, a felony, as charged in Count IV
9 of the indictment, and we further find it to be murder of
10 the first degree.

11 Dated this 25th day of January, 1971.

12 Signed, Herman Tubick, Foreman.

13 Further, we the jury in the above-entitled
14 action find the Defendant Patricia Krenwinkel guilty of
15 the crime of murder of Sharon Marie Polanski in violation
16 of Section 187 Penal Code of California, a felony, as
17 charged in Count IV of the indictment, and we further find
18 it to be murder of the first degree.

19 Dated this 25th day of January, 1971.

20 Signed Herman Tubick, Foreman.

21 Further, we the jury in the above-entitled
22 action find the Defendant Susan Atkins guilty of
23 the crime of murder of Sharon Marie Polanski in violation
24 of Section 187 Penal Code of California, a felony, as
25 charged in Count IV of the indictment, and we further find
26 it to be murder of the first degree.

1 Dated this 25th day of January, 1971.

2 Signed, Herman Tubick, Foreman.

3 Ladies and gentlemen of the jury, is each
4 of the verdicts as to Count IV your verdict?

5 MRS. THELMA S. MC KENZIE: Yes.

6 MRS. SHIRLEY B. EVANS: Yes.

7 WILLIAM T. MC BRIDE, II: Yes.

8 ALVA K. DAWSON: Yes.

9 MRS. JEAN K. ROSELAND: Yes.

10 ANLEE L. SISTO: Yes.

11 WILLIAM M. ZAMORA: Yes.

12 MISS MARIE M. MESMER: Yes.

13 JOHN M. BAER: Yes.

14 MRS. EVELYN J. HINES: Yes.

15 LARRY D. SHEELY: Yes.

16 HERMAN C. TUBICK: Yes.

10 fls.

10-1

1 THE CLERK: People of the State of California versus
2 Charles Manson, Patricia Krenwinkel, Susan Atkins and
3 Leslie Van Houten. Case No. A-253,156. Department 104.

4 We, the jury in the above-entitled action, find
5 the defendant, Charles Manson, guilty of the crime of
6 murder of Thomas John Sebring, in violation of Section 187,
7 Penal Code of California, a felony, as charged in Count V
8 of the Indictment, and we further find it to be murder of
9 the first degree.

10 Signed this 25th day of January, 1971.

11 Herman Tubick, Foreman.

12 Further: We, the jury in the above-entitled
13 action, find the defendant, Susan Atkins, guilty of the
14 crime of murder of Thomas John Sebring, in violation of
15 Section 187, Penal Code of California, a felony, as charged
16 in Count V, of the Indictment, and we further find it to be
17 murder of the first degree.

18 Dated this 25th day of January, 1971.

19 Signed Herman Tubick, Foreman.

20 Further: We, the jury in the above-entitled
21 action, find the defendant, Patricia Krenwinkel, guilty of
22 the crime of murder of Thomas John Sebring, in violation of
23 Section 187, Penal Code of California, a felony, as charged
24 in Count V of the Indictment, and we further find it to be
25 murder of the first degree.

26 Dated this 25th day of January, 1971.

1 Signed Herman Tubick, Foreman.

2 Ladies and gentlemen of the jury, is each of the
3 verdicts as to Count V your verdict?

4 MRS. THELMA S. MC KENZIE: Yes.

5 MRS. SHIRLEY B. EVANS: Yes.

6 WILLIAM T. MC BRIDE, II: Yes.

7 ALVA K. DAWSON: Yes.

8 MRS. JEAN K. ROSELAND: Yes.

9 ANLEE L. SISTO: Yes.

10 WILLIAM M. ZAMORA: Yes.

11 MISS MARIE M. MESMER: Yes.

12 JOHN M. BAER: Yes.

13 MRS. EVELYN J. HINES: Yes.

14 LARRY D. SHEELY: Yes.

15 HERMAN C. TUBICK: Yes.

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11-1

1 THE CLERK: People of the State of California vs.
2 Charles Manson, Patricia Krenwinkel, Susan Atkins, and
3 Leslie Van Houten.

4 Case No. A-253,156, Department 104.

5 We, the jury in the above-entitled action find
6 the defendant Charles Manson guilty of the crime of murder
7 of Leno A. La Bianca, in violation of Section 187, Penal
8 Code of California, a felony, as charged in Count VI of the
9 Indictment, and we further find it to be murder of the
10 first degree, dated this 25th day of January, 1971.

11 Signed Herman Tubick, Foreman.

12 Further, we, the jury, in the above-entitled
13 action find the defendant Patricia Krenwinkel guilty of
14 the crime of murder of Leno A. La Bianca, in violation of
15 Section 187, Penal Code of California, a felony, as charged
16 in Count VI of the Indictment, and we further find it to be
17 murder of the first degree.

18 Dated this 25th day of January, 1971.

19 Signed Herman Tubick, Foreman.

20 Further, we, the jury, in the above-entitled
21 action find the defendant Susan Atkins guilty of the crime
22 of murder of Leno A. La Bianca in violation of Section 187,
23 Penal Code of California, a felony, as charged in Count VI
24 of the Indictment, and we further find it to be murder
25 of the first degree.

26 Dated this 25th day of January, 1971.

Signed Herman Tubick, Foreman.

1 Further, we, the jury in the above-entitled
2 action, find the defendant Leslie Van Houten guilty of
3 the crime of murder of Leno A. La Bianca in violation of
4 Section 187, Penal Code of California, a felony, as
5 charged in Count VI of the Indictment, and we further
6 find it to be murder of the first degree.

7 Dated this 25th day of January, 1971.

8 Signed Herman Tubick, Foreman.

9 Ladies and gentlemen of the jury, are each of
10 the verdicts as to Count VI your verdict?

11 MRS. THELMA S. MCKENZIE: Yes.

12 MRS. SHIRLEY B. EVANS: Yes.

13 WILLIAM T. MC BRIDE, II: Yes.

14 ALVA K. DAWSON: Yes.

15 MRS. JEAN K. ROSELAND: Yes.

16 ANLEE L. SISTO: Yes.

17 WILLIAM M. ZAMORA: Yes.

18 MISS MARIE M. MESMER: Yes.

19 JOHN M. BAER: Yes.

20 MRS. EVELYN J. HINES: Yes.

21 LARRY D. SHEELY: Yes.

22 HERMAN C. TUBICK: Yes.

12-1

1 THE CLERK: People of the State of California vs.
2 Charles Manson, Patricia Krenwinkel, Susan Atkins and
3 Leslie Van Houten. Case No. A253156. Department 104.

4 We the jury in the above-entitled action find
5 the Defendant, Charles Manson, guilty of the crime of
6 murder of Rosemary La Bianca, in violation of Section 187
7 Penal Code of California, a felony, as charged in Count VII
8 of the indictment, and we further find it to be murder of
9 the first degree.

10 Dated this 25th day of January, 1971.

11 Signed Herman Tubick, Foreman.

12 Further, we the jury in the above-entitled
13 action find the defendant, Patricia Krenwinkel, guilty of
14 the crime of murder of Rosemary La Bianca, in violation of
15 Section 187 Penal Code of California, a felony, as charged
16 in Count VII of the indictment, and we further find it to
17 be murder of the first degree.

18 Dated this 25th day of January, 1971.

19 Signed Herman Tubick, Foreman.

20 Further, we the jury in the above-entitled
21 action find the defendant, Susan Atkins, guilty of the
22 crime of murder of Rosemary La Bianca, in violation of
23 Section 187 Penal Code of California, a felony, as charged
24 in Count VII of the indictment, and we further find it to
25 be murder of the first degree.

26 Dated this 25th day of January, 1971.

Signed Herman Tubick, Foreman.

Further, we the jury in the above-entitled action find the Defendant, Leslie Van Houten, guilty of the crime of murder of Rosemary La Bianca in violation of Section 187 Penal Code of California, a felony, as charged in Count VII of the indictment, and we further find it to be murder of the first degree.

Dated this 25th day of January, 1971.

Signed Herman Tubick, Foreman.

Ladies and gentlemen of the jury, is each of the verdicts as to Count VII your verdict?

MRS. THELMA S. MC KENZIE: Yes.

MRS. SHIRLEY B. EVANS: Yes.

WILLIAM T. MC BRIDE, II: Yes.

ALVA K. DAWSON: Yes.

MRS. JEAN K. ROSELAND: Yes.

ANLEE L. SISTO: Yes.

WILLIAM M. ZAMORA: Yes.

MISS MARIE M. MESMER: Yes.

JOHN M. BAER: Yes.

MRS. EVELYN J. HINES: Yes.

LARRY D. SHEELY: Yes.

HERMAN C. TUBICK: Yes.

13 fls.

13-1

1 THE CLERK: People of the State of California versus
2 Charles Manson, Patricia Krenwinkel, Susan Atkins and
3 Leslie Van Houten.

4 Case No. A-253,156, Department 104.

5 We, the jury in the above-entitled action find
6 the defendant, Charles Manson, guilty of the crime of
7 conspiracy to commit murder in violation of Section 182.1
8 and 187, Penal Code of California, a felony, as charged in
9 Count VIII of the Indictment.

10 Dated this 25th day of January, 1971.

11 Signed Herman Tubick, Foreman.

12 Further, we, the jury in the above-entitled action,
13 find the defendant, Patricia Krenwinkel, guilty of the
14 crime of conspiracy to commit murder in violation of
15 Section 182.1 and 187, Penal Code of California, a felony,
16 as charged in Count VIII of the Indictment.

17 Dated this 25th day of January, 1971.

18 Signed Herman Tubick, Foreman.

19 Further, we, the jury in the above-entitled
20 action, find the defendant, Susan Atkins, guilty of the
21 crime of conspiracy to commit murder in violation of
22 Section 182.1 and 187, Penal Code of California, a felony,
23 as charged in Count VIII of the Indictment.

24 Dated this 25th day of January, 1971.

25 Signed Herman Tubick, Foreman.

26 Further, we, the jury in the above-entitled

1 action find the defendant, Leslie Van Houten, guilty of
2 the crime of conspiracy to commit murder in violation of
3 Section 182.1 and 187 of the Penal Code of California, a
4 felony, as charged in Count VIII of the Indictment.

5 Dated this 25th day of January, 1971.

6 Signed Herman Tubick, Foreman.

7 Ladies and gentlemen of the jury, is each of
8 the verdicts as to Count VIII your verdict?

9 MRS. THELMA S. MC KENZIE: Yes.

10 MRS. SHIRLEY B. EVANS: Yes.

11 WILLIAM T. MC BRIDE, II: Yes.

12 ALVA K. DAWSON: Yes.

13 MRS. JEAN K. ROSELAND: Yes.

14 ANLEE L. SISTO: Yes.

15 WILLIAM M. ZAMORA: Yes.

16 MISS MARIE M. MESMER: Yes.

17 JOHN M. BAER: Yes.

18 MRS. EVELYN J. HINES: Yes.

19 LARRY D. SHERLY: Yes.

20 HERMAN C. TUBICK: Yes.

14-1

1 MR. FITZGERALD: If the Court please, all the
2 defendants would make a motion that the jury be polled
3 within the purview --

4 THE COURT: The jury will be polled.

5 The Clerk will poll the jury.

6 MR. KANAREK: May the record reflect that I join in
7 that request, your Honor.

8 THE CLERK: Mrs. Thelma S. McKenzie, is each of the
9 verdicts for Count I through Count III your verdict?

10 JUROR MC KENZIE: Yes.

11 MR. KANAREK: Your Honor, may I ask that they be
12 polled severally and individually?

13 THE COURT: Continue polling, Mr. Clerk.

14 THE CLERK: Your answer is yes?

15 JUROR MC KENZIE: Yes.

16 THE CLERK: Shirley B. Evans, is each of the verdicts
17 for Counts I through III your verdict?

18 JUROR EVANS: Yes, it is.

19 THE CLERK: Mr. William T. McBride, II, is each of
20 the verdicts for Counts I through VIII your verdict?

21 JUROR MC BRIDE: That is it.

22 THE CLERK: Mr. Alva K. Dawson, is each of the verdicts
23 for Counts I through VIII your verdict?

24 JUROR DAWSON: Yes.

25 THE CLERK: Mrs. Jean K. Roseland, is each of the
26 verdicts for Counts I through VIII your verdict?

1 JUROR ROSELAND: Yes.

2 THE CLERK: Mr. Anlee L. Sisto, is each of the
3 verdicts for Counts I through VIII your verdict?

4 JUROR SISTO: Yes.

5 THE CLERK: Mr. William M. Zamora, is each of the
6 verdicts for Counts I through VIII your verdict?

7 JUROR ZAMORA: Yes, it is.

8 THE CLERK: Miss Marie M. Mesmer, is each of the
9 verdicts for Counts I through VIII your verdict?

10 JUROR MESMER: Yes, it is.

11 THE CLERK: Mr. John M. Baer, is each of the verdicts
12 for Counts I through VIII your verdict?

13 JUROR BAER: Yes, it is.

14 THE CLERK: Mrs. Evelyn J. Hines, is each of the
15 verdicts for Counts I through VIII your verdict?

16 JUROR HINES: Yes.

17 THE CLERK: Mr. Larry D. Sheely, is each of the
18 verdicts for Counts I through VIII your verdict?

19 JUROR SHEELY: Yes.

20 THE CLERK: Mr. Herman C. Tubick, is each of the
21 verdicts for Counts I through VIII your verdict?

22 JUROR TUBICK: Yes.

23 THE CLERK: The jury has been polled and all answer
24 15 fls. in the affirmative, your Honor.

5-1

1 MR. KANAREK: Your Honor, I have a motion. I wonder
2 could I make it.

3 THE COURT: The penalty phase of this case will
4 commence on Thursday, January 28th at 9:00 a.m.

5 I will ask the bailiffs to escort the jury back
6 to the jury room at this time.

7 DEFENDANT MANSON: We are still not allowed to put on
8 a defense?

9 You won't outlive that, old man -- dad -- hey,
10 dad -- look at the truth over here -- hey!

11 THE COURT: The bailiffs will remove the defendants.

12 MR. KANAREK: May I make a motion, your Honor?

13 DEFENDANT MANSON: You will not outlive that, old man.

14 THE COURT: What is your motion, Mr. Kanarek?

15 MR. KANAREK: Your Honor, my motion is, my motion is
16 this:

17 I make a motion that your Honor voir dire the
18 jury. I believe this is a compromise verdict. I believe
19 the jury has made some kind of internal agreement.

20 THE COURT: If you have any information, Mr. Kanarek,
21 put it in the usual written form, supported by declarations,
22 file it with the Court, serve it on the other side and
23 notice the motion for a hearing.

24 This court is now adjourned.

25 (Whereupon, an adjournment was taken to reconvene
26 Thursday, January 28, 1971 at 9:00 a.m.)