

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 104

HON. CHARLES H. OLDER, JUDGE

175

No. A253156

COPY

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

vs.

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

REPORTERS' DAILY TRANSCRIPT
Tuesday, February 2, 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:	ROMAN XXXXXXXXXXXXXXX MAXWELL KEITH, Esq.
For Deft. Krenwinkel:	PAUL FITZGERALD, Esq.

VOLUME 175

PAGES 22085 to 22253

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

I N D E XDEFENDANTS' WITNESSES: DIRECT CROSS REDIRECT RECROSS

VAN HOUTEN, Jane	22089
BARRETT, Samuel	22130
FROMME, Lynette Alice	22215

E X H I B I T SDEFENDANTS': FOR IDENTIFICATION IN EVIDENCE

PX - 1964 high school year book	22101
PY - 1965 high school year book	22103
PZ - Group of 11 photographs	22104
P-AA - Three photographs	22113

1 LOS ANGELES, CALIFORNIA, TUESDAY, FEBRUARY 2, 1971

2 10:17 o'clock a.m.

3
4 (The following proceedings were had in open
5 court in the presence of all the jurors, all defendants
6 with the exception of Mr. Manson being present; all counsel
7 with the exception of Mr. Hughes being present.)

8 THE COURT: All of the defendants are present except
9 Mr. Manson. All counsel and all jurors are present.

10 You may continue, gentlemen.

11 MR. KANAREK: Your Honor, may I approach the bench
12 very briefly on a technical point.

13 THE COURT: You can take it up at the recess, Mr.
14 Kanarek.

15 MR. KANAREK: Very well, your Honor, very well,
16 thank you.

17 It has to do with a witness, your Honor,
18 because it is after 9:00 o'clock and the subpoena was for
19 9:00 o'clock, I just wanted to inform the Court.

20 THE COURT: You are asking for a bench warrant or
21 a body attachment?

22 MR. KANAREK: And hold it.

23 THE COURT: What is the name of the witness?

24 MR. KANAREK: Samuel Barrett.

25 THE COURT: Is Mr. Samuel Barrett present?

26 (Mr. Samuel Barrett enters the courtroom.)

1 THE COURT: Apparently Mr. Barrett is present.

2 MR. KANAREK: Yes, your Honor.

3 THE COURT: You are not intending to call him at
4 this time?

5 MR. KANAREK: No, that is what I wanted to approach
6 the bench for, because of certain documents I was going to
7 file.

8 That is what I was going to inform the Court,
9 so Mr. Barrett won't be inconvenienced, and he can return
10 at a time -- so he won't have to cool his heels.

11 THE COURT: It is up to you, Mr. Kanarek. He is
12 your witness apparently.

13 MR. KANAREK: Yes, but the gentleman with him has
14 filed certain papers and that is what I wanted to
15 inform the Court of at the bench, and then these people
16 would not be inconvenienced.

17 THE COURT: Do you want him ordered back on a
18 specific date?

19 MR. KANAREK: Yes, perhaps just a few hours, because
20 as I understand it -- in one hour, your Honor.

21 THE COURT: All right, Mr. Barrett, you are ordered
22 to remain --

23 Is he going to be a witness in the case?

24 MR. KANAREK: Yes, your Honor, hopefully.

25 THE COURT: Remain in the area outside, then, for
26 another hour, Mr. Barrett.

1 MR. KANAREK: He works across the street. It would
2 be agreeable with me for him to return in an hour, your
3 Honor.
4

5 THE COURT: You solve your own problems, Mr.
6 Kanarek, we already wasted enough time on this matter.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

2 fls.

2-1

1 THE COURT: You may proceed, Mr. Keith.

2 MR. KEITH: Very well.

3 I'd like to call Mrs. Van Houten as a witness,
4 please.

5 THE CLERK: Raise your right hand, please.

6 Would you please repeat after me.

7 I do solemnly swear --

8 THE WITNESS: I do solemnly swear --

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

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

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

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

13 THE CLERK: -- before this Court --

14 THE WITNESS: -- before this Court --

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

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

17 THE CLERK: -- the whole truth --

18 THE WITNESS: -- the whole truth --

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

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

21 THE CLERK: -- so help me God,

22 THE WITNESS: -- so help me God,

23 THE CLERK: Would you be seated, please.

24 Please state and spell your name.

25 THE WITNESS: My name is Jane Van Houten;

26 V-a-n, H-o-u-t-e-n.

2-2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

JANE VAN HOUTEN,

called as a witness by and on behalf of the defendant
Van Houten, having been duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. KEITH:

Q Mrs. Van Houten, is Leslie your daughter?

A Leslie is my daughter.

Q When was she born, Mrs. Van Houten?

A She was born August 23rd, 1949.

Q Where was she born?

A At St. Luke's Hospital in Altadena.

Q At that time where were you living, Mrs. Van
Houten?

A In Monrovia.

Q Do you still live in Monrovia?

A I still live in Monrovia.

Q Did you and your family live in Monrovia from
the time Leslie was born?

A Yes. We have lived in the same house since we
came to California.

Q When did you come to California?

A 1948 or '7.

Q Now, Mrs. Van Houten, there is a Mr. Van Houten,
is there not?

A Yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Q You are divorced, however?

A That's right.

Q And that divorce took place about eight years ago?

A That's right.

Q Mr. Van Houten has remarried since that time?

A Yes. Right.

Q And he lives in the Palos Verdes area now?

A That is correct.

Q Leslie has an older brother, does she not?

A Yes, she does.

Q What is his name?

A Paul.

Q How old is he now?

A 25.

Q And does he live in San Francisco, Mrs. Van Houten?

A Yes.

Q Does he attend college there?

A Yes, he does.

Q And Leslie has a younger brother and a younger sister?

A That is correct, Mr. Keith.

Q And they are adopted?

A Yes, they are.

Q Were they Korean War Orphans?

A Yes, they are, Mr. Keith.

1 Q They were adopted?

2 A Yes.

3 Q What are their names?

4 A Elizabeth and David.

5 Q And how long ago did you bring them over from
6 Korea to adopt them?

7 A 14 years ago.

8 Q And they still live with you?

9 A Yes, they do.

10 Q And at the present time you are teaching, are
11 you not?

12 A Yes, I am.

13 Q What kind of a school is that at which you
14 teach?

15 A I teach for the Los Angeles City Schools in
16 a diagnostic learning center. I am a prescriptive
17 teacher.

2a

18

19

20

21

22

23

24

25

26

2a-1

1 Q Is this for children who have perhaps lacked
2 the educational opportunities as others?

3 A Well, it is children that have learning
4 disabilities.

5 Q And how long have you been teaching?

6 A Since the clinic began, two years ago.

7 Q And before then, Mrs. Van Houten, did you
8 also teach?

9 A Yes. I taught in a regular classroom for
10 special children.

11 Q Did your career as a teacher begin sometime
12 around 1965?

13 A That's right.

14 Q Leslie attended schools, I take it, in
15 Monrovia?

16 A Yes, she did.

17 Q She went to -- what was the name of the
18 elementary school she went to?

19 A Plymouth Elementary School.

20 Q Pardon me?

21 A Plymouth Elementary School. Quite close to
22 our home.

23 Q Then she attended junior high school in
24 Monrovia?

25 A That's right.

26 Q And high school?

2a-2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

A And high school.

Q And she graduated from high school?

A Yes, she did.

Q And this was Monrovia High?

A Yes.

Q When did she graduate?

A In 1967.

Q And after her graduation, did she go to business school?

A She did.

Q She was at business school, was she not, from the summer of 1967 to the summer of 1968?

A Yes.

Q However, she wasn't living with you during that year?

A No. She was living with her father.

Q And was he living in Manhattan Beach, or one of the beach cities?

A Yes.

Q It was Manhattan Beach?

A Yes, or Redondo. I am not sure.

Q All right. I take it that you saw her from time to time?

A Yes, I did. We had many visits, many pleasant visits.

Q Getting back to Leslie's early years, was she

2a-3

1 fun to be with then?

2 A Yes.

3 Q She was small?

4 A She certainly was.

5 She had a wonderful sense of humor. She was
6 what you would call a feisty little child, fun to be
7 with.

8 Q When you say she was a feisty little child,
9 did she like to break up fights around the neighborhood?

10 A Yes. She was always very small and always
11 kind of thin, yet she was always the one that went
12 around shaping-up the boys that were fighting, and making
13 them stop, and sending them home.

14 Q She tried to take care of the bullies of the
15 neighborhood?

16 A She did indeed, yes, and they couldn't
17 very well fight her because she was so little.

3 fls.

3-1

1 Q In her earlier years did she have lots of
2 hobbies?

3 A Yes, Leslie was always very busy doing
4 things, particularly she was interested in needlework.
5 She read a lot, she and another girl had a library and
6 they lent out books to other people.

7 She liked to do things like hiking.

8 Q Did she like the open spaces when she was
9 a youngster?

10 A Yes, as I do also.

11 Q And you took her and the other children on
12 trips with you?

13 A Yes, I did, Mr. Keith.

14 Q Was this throughout the time Leslie lived
15 with you and before she left, camping trips and the like?

16 A Yes. I am very fond of camping and I like
17 to be outdoors.

18 Q And during Leslie's early years did she and
19 you and the rest of the family go to church?

20 A Yes, during the years that Leslie was living
21 in our home I worked as a volunteer for the church to
22 which I go.

23 Q What church was that?

24 A The Presbyterian church, on leadership
25 education, and summers we went to church school where
26 I taught.

3-3

1 Q Did Leslie participate in church activities?

2 A Yes, very much. She sang in the choirs and
3 went to church school and we all did and went to
4 worship, also.

5 Q When Leslie was in grade school did you and
6 Mr. Van Houten have, say, any disciplinary problems with
7 her beyond the ordinary problems one has with small
8 children?

9 A No, I don't recall any specific problems
10 with Leslie.

11 Q And in her early years did she have any
12 disciplinary problems of school that you know about?

13 A No.

14 Q In the summers would the family go places,
15 for instance, Balboa, from time to time?

16 A Yes, we did, we enjoyed summers at the beach.

17 Q And before your divorce from Mr. Van Houten
18 did you and he and the family go camping and hiking?

19 A Yes, yes.

20 Q I take it Leslie seemed particularly enthusi-
21 astic about hiking?

22 A Yes, she liked it; she was very eager.

23 Q Was she a member of any young ladies'
24 organizations?

25 A Yes.

26 Q What were they?

1 A She was kind of a joiner.

2 She was a Bluebird, and the Campfires, and
3 I was a leader for many years.

4 Q I did not quite catch that.

5 A She was a Bluebird in the Campfire program,
6 and then went on in the Campfire girls and I was the
7 leader at that time.

8 Q I see. How old was Leslie approximately
9 when she became a Bluebird -- approximately?

10 A Eight -- nine.

11 Q When do you become a Campfire girl?

12 A Shortly thereafter.

13 Q And how long was she a Campfire girl would
14 you say?

15 A Until she went to junior high, and the
16 program stopped.

17 Q Did you and the family, your family, have
18 what you might call family meetings on regular occasions?

19 A Yes, when the children were growing up we
20 felt that we wanted them to be able to make a good
21 place for themselves in the groups, and once a week we
22 had family meetings, where the children would discuss
23 things that they felt needed rectifying, or things that
24 they particularly liked about what happened through the
25 week.

26 Q And did Leslie participate actively?

1 A Yes, we could count on her for a lively
2 session and -- excuse me -- it was at this time that
3 the decision was made in the family meetings to adopt
4 the two younger children.

5 Q That adoption came about as a result of your
6 family discussions, is that correct?

7 A Yes.

8 Q Incidentally, how old were the Korean
9 children when they came to live with you?

10 A Two and three years old.

11 Q When Leslie went to junior high school in
12 Monrovia, did she hold any offices, to your knowledge?

13 A Yes, Les ran for an office and handled her
14 own campaign. It was done very humorously.

15 And she won the office she was trying to get.

16 Q What was that, Mrs. Van Houten, treasurer?

17 A I think treasurer.

18 Q In junior high school did she receive fair
19 to middling grades?

20 A Yes, she seemed very happy in junior high.

21 Q I take it her grades were not top notch,
22 but average?

23 A Never good enough for me.

24 Q And when she was in junior high school did
25 she continue to be active in all her hobbies?

26 A Yes, yes.

1 Q At some time did she take up a musical
2 instrument?

3 A Yes, when she was in the sixth grade, I believe,
4 she learned to play the Sousaphone.
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

3a fls.

3a-1

1 Q Is that that big brass instrument that wraps
2 around your head?

3 A She could hardly hold it up, and anytime anyone
4 saw her they just about died laughing, it was so funny.

5 It was hard for her to play because it was so
6 big, so eventually she quit doing that.

7 Q How long did she try it?

8 A Several years. She just would not give up on it.

9 Q And when she stopped playing the sousaphone did
10 she take up any other musical instrument?

11 A She took piano lessons -- but I think I took
12 piano lessons for her, maybe.

13 Q The sousaphone was her first and only love?

14 A Right.

15 Q And she went to high school in the ninth grade?

16 A Yes, that's correct.

17 Q She would have been a Freshman at that time?

18 A Yes.

19 Q And when she was a Freshman in high school did
20 she appear happy to you?

21 A Yes, she did, she was one of the homecoming
22 princesses, and tried out for various clubs, and seemed to
23 enjoy her activity there.

24 MR. KEITH: Your Honor, I have a 1964 high school
25 year book, may it be marked Defendant's next in order for
26 identification?

1 THE CLERK: P-W was the last exhibit.

2 MR. KEITH: Then this would be P --

3 THE COURT: P-X for identification.

4 MR. KEITH: -- X, thank you.

5 May I approach the witness, your Honor?

6 THE COURT: You may.

7 Q BY MR. KEITH: Mrs. Van Houten, would you
8 identify what appears to be a high school year book?

9 A This is the Monrovia High School year book for
10 the year 1964.

11 Q Was that when Leslie was a Freshman in high
12 school?

13 A I believe yes.

14 Q And does it show a number of pictures of
15 Leslie as a homecoming princess?

16 A Yes, it does.

17 Q Is this her picture on Page 129?

18 A Yes.

19 Q On the far left?

20 A Yes.

21 Q Along with some other girls who were also
22 homecoming princesses?

23 A Yes, right.

24 Q And at Page 108 does it show her a member of
25 the school band?

26 A Yes, Mr. Keith, it does.

1 Q On the very end in the first row?
2 A Yes.
3 Q And was that when she was playing the sousaphone?
4 A Yes, she belonged to the Future Teachers.
5 Q You anticipated me. I opened to Page 94 of the
6 '54 year book. There is a large group picture under the
7 heading "Future Teachers."
8 She was a member of that group, was she?
9 A Yes.
10 Q And then, of course, her picture appears
11 individually in the pictures of all the students?
12 A Yes.
13 Q Now, Page 30 of the year book there appears a
14 picture of Leslie as one of the class officers?
15 A That's right.
16 Q This was when she was a freshman?
17 A Yes, that's correct.
18 Q And the legend she indicates she was treasurer?
19 A I believe that is true, yes.
20 Q Now, when she was a sophomore in high school,
21 Mrs. Van Houten, was she also a princess?
22 A Yes, she was for the second year.
23
24
25
26

3b-1

1 MR. KEITH: May the Court please, I have what
2 purports to be a 1965 Monrovia year book. May this be
3 marked Defendant's next in order? It would be P --

4 THE COURT: P-Y for identification.

5 MR. KEITH: Thank you. May I approach the witness,
6 your Honor?

7 THE COURT: Yes, you may.

8 Q BY MR. KEITH: Mrs. Van Houten, showing you
9 Exhibit P-Y for identification, would you identify this?

10 A Yes, this is the Monrovia High School year book
11 for '65.

12 Q During that year Leslie was a Sophomore, is that
13 correct?

14 A Right.

15 Q And there is a number of pictures of her in this
16 exhibit?

17 A Yes, that's true.

18 Q On Page 210 of the year book does it show her
19 picture as one of the homecoming princesses?

20 A Yes, it does.

21 Q Along with other girls?

22 A Yes.

23 Q And on Page 87 of her sophomore book, does her
24 picture appear?

25 A Yes, it does.

26 Q And in what connection does her picture appear

1 on that page?

2 A I believe it is the house of student government
3 that the high school had at that time. She was part of
4 that.

5 Q Apparently she was active in student government
6 during that year?

7 A Yes, that's right.

8 Q And then on Page 33 of the year book it shows
9 her individual picture along with her classmates.

10 A Yes.

11 MR. KEITH: Your Honor, I have a group of photographs
12 of Miss Van Houten along with -- with some of the other
13 members of her family.

14 May this group of photographs be marked
15 collectively Defendant's P --

16 THE COURT: P-2 for identification.

17 MR. KEITH: Thank you.
18
19
20
21
22
23
24
25
26

1 THE COURT: How many photographs, Mr. Keith?

2 MR. KEITH: Thank you, your Honor. 11, your Honor.

3 May I approach the witness again, your Honor?

4 THE COURT: Yes.

5 MR. KEITH: I may state for the record that
6 Mr. Bugliosi has seen, previously, all these exhibits.

7 MR. BUGLIOSI: Yes, your Honor.

8 MR. KEITH: Q Mrs. Van Houten, directing your
9 attention to these photographs that are marked Defendant's
10 -2.

11 I am going to show them to you one by one, if
12 I may, and ask you if you could identify them, and perhaps
13 the circumstances under which they were taken.

14 I have a photograph of a young lady.

15 Could you tell us who that is?

16 A This is when Leslie lost her teeth, and this
17 picture of the elementary photograph shows her that way.

18 MR. KEITH: Can you ladies and gentlemen of the jury
19 hear?

20 THE WITNESS: I am sorry.

21 MR. KEITH: Keep your voice up, please.

22 THE WITNESS: Yes.

23 MR. KEITH: Thank you.

24 Q I have another photograph of a young lady and
25 a young man.

26 Could you identify that for us, please?

1 A Yes.

2 This was taken one summer at Balboa, and this is
3 her older brother, Paul.

4 Q The boy sitting on the fence along with Leslie
5 is her older brother?

6 A Yes.

7 Q When you could afford it, did the family go to
8 Balboa?

9 A Yes, we did.

10 By the picture, you can tell the children loved
11 it down there.

12 Q And I have another photograph of a young boy and
13 a girl on a bicycle in front of a house.

14 Could you tell us what that picture depicts?

15 A Yes.

16 Paul was old enough to have a bike, so he would
17 take Leslie riding on the front of it.

18 Q And that is a picture of Paul and Leslie?

19 A Yes, that is.

20 Q The house shown in the picture is where you
21 lived then?

22 A Where I still live, yes.

23 Q I have another photograph of a young lady.
24 Could you identify that, please?

25 A Yes.

26 This is Leslie at Halloween time, and she wanted

1 to be a ballerina, so I made her an outfit with a pink
2 tutu, and she got sick and couldn't go out on Halloween,
3 so she wore it all the time she was in bed, and this
4 picture was taken about that time.

5 Q This photograph that I am showing you now is
6 what you might call a portrait picture of Leslie and her
7 older brother?

8 A Yes, that's right.

9 Q How old were they at that time, approximately?

10 A Well, she must have been two, and I think Paul
11 must have been about seven, or six.

12 Q Here is another photograph, Mrs. Van Houten. I
13 will ask you to identify it.

14 Does it show Leslie as the small girl in the
15 center of the picture?

16 A Yes.

17 Birthdays were always very big when the children
18 were growing up. This was Leslie's birthday.

19 The lady sitting beside her is her God-mother,
20 and that is Mr. Van Houten.

4a-1

1 Q Mr. Van Houten is seated on what appears to be --
2 well, what would you call it? Some type of outdoor
3 furniture?

4 A Yes. A lounge.

5 Q And I have another photograph of a family scene,
6 what appears to be Christmas time, is that correct?

7 A Yes, that is correct.

8 Q It shows the two adopted children in that
9 picture?

10 A Yes, it does. This was taken, I believe, the
11 first Christmas the children were with us.

12 Q And just for the record, it shows Mr. Van Houten,
13 Paul, yourself, and Leslie with the cat?

14 A Yes.

15 Q Then there is a bulldog in the center of the
16 picture?

17 A Yes. Right.

18 Q I take it the bulldog and the cat were family
19 pets at that time?

20 A Yes. Right.

21 Q And I have another photograph. It appears that
22 the four children are all in nightclothes.

23 A Yes.

24 This is at Christmas, and it was our family
25 ritual that they would line up with the littlest one first,
26 and then they would go in the door altogether to see what

1 had been given them. And this is the children all lined
2 up ready to go into the living room at Christmas.

3 Q Thank you.

4 And here is a colored photograph of what
5 appears to be Leslie and another boy in, perhaps, choir
6 outfits.

7 A Yes. Our church had a very strong children's
8 choir program, and Leslie belonged to it from the very
9 beginning, and this is a picture of Leslie and her friend,
10 who was also in the choir at that time.

11 Q How old would you say Leslie was when that
12 photograph was taken?

13 A About eight.

14 Q And I have two small colored snapshots of
15 Leslie.

16 Could you tell us approximately when they were
17 taken?

18 A Yes.

19 Well, this picture has been particularly dear
20 to me because she was changing the way she wore her hair
21 and it was all standing up on top. So I kept that one
22 specifically.

23 Q How old would you say Leslie was?

24 A She must have been about 11 or 12.

25 And this one was taken apparently a year later,
26 and her hair was all lying down, and she looks, oh, 12,

1 perhaps, in it.

2 Q By this picture, you have a small snapshot of
3 Leslie; is that correct?

4 A Yes.

5 Q Thank you.

6 When Leslie was a junior in high school,
7 Mrs. Van Houten, did some things appear to happen or did
8 some things happen, to your knowledge, that were disappoint-
9 ments to her?

10 A Yes. When Leslie was a junior, things seemed
11 to not go well for her. In several things that she tried
12 out for, she didn't win.

13 It was a hard time for Leslie. She was unhappy.

14 Q At or about that time, did she also have a
15 romance with a young man that didn't culminate too happily?

16 A Yes, she did.

17 MR. KEITH: One thing -- may I approach the witness,
18 your Honor?

19 THE COURT: Yes, you may.

20 (Mr. Keith approaches the witness and confers
21 with her.)

22 MR. KEITH: I was advising Mrs. Van Houten to wait
23 until I finish my question before she started answering.
24
25
26

4b-1

BY MR. KEITH:

Q Did her romance that apparently didn't pan out too well have an effect on her?

A Yes, I believe it did.

Q And also going back, was it about 1962 or 1963 that you and Mr. Van Houten were divorced?

A Yes.

Q Did that have any visible effect on Leslie, the fact of the separation and the divorce?

A I believe it did.

Q You think it hurt her?

A I think it hurt her very much.

Q And after Mr. Van Houten left the family home, did he still see her?

A Yes, he did.

Q Did she go down to see him?

A Yes. She went down with the other children on weekends.

Q And he moved to one of the beach cities; is that correct?

A Yes, he did.

Q How were her grades, if you can recall, when she was a junior in high school?

A They were very much poorer than -- they were very much poorer than they had been.

Q And did that same situation exist when she was

4b-2

1 a senior in high school, her grades weren't too good?

2 A Well, they began to get better, and by the
3 time she graduated, she was able to graduate.

4 Q Did she still appear to you to be somewhat
5 unhappy during her senior year in high school?

6 A Yes, she did, Mr. Keith.

7 Q Do you have any knowledge of what was the cause
8 of her apparent unhappiness when she was a senior?

9 A (Pause.)

10 Q Don't guess. Tell us if you know.

11 A I really couldn't pinpoint it.

12 Q But she just appeared to you to not be the
13 enthusiastic joyful girl that she had been before?

14 A That's right.

15 Q Incidentally, did you continue to have the
16 family meetings, the weekly family meetings, after Mr.
17 Van Houten left the home?

18 A No. It was too difficult for us to manage
19 it at that time.

20 Q Leslie, however, did graduate from Monroe
21 High School?

22 A Yes, she did, yes.

23 Q And during her senior year, did she hold any
24 offices or was she the homecoming princess?

25 A No.

26 Q Did she try out during her senior year for any

1 school offices?

2 A Not to my knowledge, Mr. Keith.

3 Q After she graduated from high school, I
4 believe, as we have previously discussed, she went to live
5 with her father?

6 A Yes.

7 Q And she attended business school?

8 A Yes.

9 Q And that was Sawyer's?

10 A Yes, it was.

11 Q And did she learn to become a secretary?

12 A A legal secretary.

13 MR. KEITH: I have, may the Court please, a group
14 of three pictures.

15 May they be marked Defendants' next in order?

16 THE COURT: P-AA for identification.

17 MR. KEITH: Thank you, your Honor.

18 May I approach the witness, your Honor?

19 THE COURT: Yes, you may.

20 MR. KEITH: Q Now, I have three more photographs,
21 Mrs. Van Houten, that I am going to show you.

22 These were apparently taken before she
23 graduated from high school.

24 I have a photograph of three young ladies
25 wearing what appear to be church garments.

26 Could you tell us about that picture, please?

P-AA

1 A Yes.

2 Leslie was in a different choir at the church,
3 and these are the other girls.

4 One is her best friend, and then the other one
5 is my youngest daughter.

6 Q The one in the middle is your youngest
7 daughter?

8 A She is my youngest daughter, yes.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
4c. Fls.

4c-1

- 1 Q And the girl on the right is Leslie's friend?
- 2 A Yes.
- 3 Q What was her name?
- 4 A Charlene Mimaki.
- 5 Q Did I ask you the nature of the gowns they were
- 6 wearing?
- 7 A Yes. They were church choir robes.
- 8 Q How old was Leslie, would you say, when that
- 9 photograph was taken?
- 10 A 13, perhaps.
- 11 Q The next photograph I am going to show you,
- 12 Mrs. Van Houten, shows Leslie, or appears to be Leslie
- 13 with two girls in white type robes.
- 14 Could you tell us about that picture, please?
- 15 A Leslie joined the Job's Daughters.
- 16 It must be her first year of high school.
- 17 Q What are the Job's Daughters?
- 18 A Well, it is an auxilliary of the Masonic Temple
- 19 for young ladies.
- 20 Q How long was she in that organization?
- 21 A Several years, and she began to get very tired
- 22 of the ritual and quit going.
- 23 Q Now, I have a picture of Leslie dancing with
- 24 a young man.
- 25 A Yes.
- 26 Q And apparently doing a rock-and-roll dance.

1 A Yes. That's right.

2 She must have been a senior at this time.

3 It was taken in the school gym.

4 Q Leslie liked to dance?

5 A Yes.

6 Q Did she like rock-and-roll music?

7 A Better than I did.

8 Q In 1966 or '67, Mrs. Van Houten, did you and
9 the children take a trip when Leslie wasn't present?

10 A Yes.

11 Q Did you go to Alaska?

12 A Yes.

13 I drove with the two youngest children to
14 Alaska, and Leslie was not able to go because she was
15 making up a grade that she wanted to get a higher grade,
16 and she stayed with her daddy that summer.

17 Q Was this '66 or '67?

18 A Well, I believe it was in '66.

19 Q And then in the next summer, did you take another
20 trip to Montreal?

21 A Yes.

22 I drove again with the two younger children and
23 went to the Expo in Montreal, and again Leslie couldn't
24 go because she was in business school at that time.

25 Q Do you feel somehow that things might have been
26 different if Leslie had accompanied you on those two summer

1 trips?

2 A (Pause.)

3 Q Or don't you know?

4 A The possibility of things being different is
5 always great, and I have always regretted that she didn't
6 go with us.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
Ex 5

5-1

1 Q Always before then when you took trips did she
2 accompany you?

3 A Yes.

4 Q When she was a junior and senior in high school
5 did she continue as active in all the hobbies you have
6 told us about?

7 A No.

8 Q By that time she no longer played the sousaphone?

9 A No.

10 Q And did she still make jewelry and do
11 embroidery?

12 A Yes, she liked doing that very much.

13 Q She still continued to do that?

14 A Yes.

15 Q And did you and she, or did she continue to
16 enjoy hiking and walking in the woods, or didn't she do
17 that so much?

18 A She began to be not with us so much.

19 Q Her enthusiastic participation in hobbies and
20 family activities, I gather, was far more pronounced in her
21 earlier years than when she was a junior and senior in
22 high school, is that a fair statement?

23 A Yes, that is true.

24 Q After she finished at Sawyer's Business School,
25 this would be the summer of 1968, would that be correct?

26 A Yes.

1 Q Did she go somewhere after she graduated from
2 Sawyer's?

3 A She went to the desert in Victorville with
4 friends of hers.

5 Q Did you know her friends?

6 A I had met them.

7 Q And did you hear from her while she was at
8 Victorville?

9 A Yes, she kept contact with me and called from
10 time to time and wrote also.

11 Q Do you have a recollection of how long she
12 stayed in Victorville with her friends?

13 A It seems to me, Mr. Keith, it was toward the
14 end of the summer. She stayed there several months.

15 Q During that time she visited you?

16 A Yes, she would come up.

17 Q Did she talk to you at all about why she went
18 to Victorville with her friends?

19 A She loved being outdoors.

20 Q Did she -- go ahead, excuse me.

21 A That's all right, go on.

22 Q And did she go with your consent?

23 A She said that she was just going out for the
24 summer and that she was going to look for a job as soon as
25 fall came.

26 Q I take it that she did not try to go to college?

1 A No, we tried to encourage this but she did not
2 want to go to college.

3 Q Do you know where she lived in Victorville, I
4 mean, in what sort of accommodations?

5 A The family of one of the girls she was with owned
6 a ranch that was unoccupied at the time, and the girl had
7 her parents' permission to live there.

8 Q Did she come back home to live after her
9 summer, however long it was, at Victorville?

10 A No, she did not.

11 Q And did she go someplace else, to your knowledge?

12 A She called me and told me that she was going to
13 San Francisco with the girls, and that she would let me know
14 when she got there so that I would know where to write her.

15 Q And to your knowledge did she go to San Francisco
16 with the girls?

17 A Yes, she did.

18 Q Did she let you know when she got there?

19 A Yes, I had an address.

20 Q Do you know how long she may have stayed in
21 San Francisco after she got there?

22 A Perhaps a month, I'm not sure.

23 Q You are not sure?

24 A No.

25 Q Did she keep in touch with you during that
26 month, or however long it was?

1 A Yes, she wrote several letters and I wrote her.

2 Q And then did she go some place else after she
3 left San Francisco?

4 A Yes, she did.

5 Q And at the time did she tell you where she was
6 going?

7 A She phoned me that she had been on a trip up to
8 Mendocino.

9 Q And did she tell you with whom she went to
10 Mendocino?

11 A No, she just said with some people.

12 Q Now, this was probably in the fall of 1968.

13 A It must have been the early fall.

14 Q Did she keep in touch with you while she was
15 in Mendocino?

16 A I don't believe she stayed there very long,
17 Mr. Keith, I think she went up and then back, and had
18 made the phone call after the trip.

19 Q You mean up to Mendocino and then back to
20 San Francisco?

21 A I believe so, yes.

22 Q At some time in that period did you lose track
23 of her altogether?

24 A Well, it was -- the phone call after she had
25 been to Mendocino she called and said that she was going to
26

1 drop out, and that I would not be hearing from her.

2 And this made me feel very angry, and we had a
3 very heated argument on the phone.

4 And I told her that there was no reason in
5 the world that we could not keep in touch, and that I felt
6 badly.

7 But the phone call ended with us both hanging up
8 and still angry.

9 Q And you did not hear from her after that?

10 A No, I did not.

11 Q When approximately was the next time that you
12 did hear from her, Mrs. Van Houten?

13 A I heard from her in April.

14 Q 1969?

15 A Yes.

16 Q She had been hitchhiking, and the police picked
17 her up?

18 A That's right.

19 Q And this was in some place in San Fernando
20 Valley?

21 A Yes.

22 Q Reseda?

23 A Reseda.

24 Q And did you go to the police station and get
25 her?

26 A Yes, I went to get her. I brought her home.

1 Q And did she spend one night with you?

2 A Yes, she did, Mr. Keith.

3 Q And then did she leave again?

4 A Yes.

5 Q Did she, when she left, did she leave any
6 address or phone number where you could reach her?

7 A I went to a school and I asked her to leave me a
8 phone number where I could get ahold of her.

9 She said she was going back down to Hollywood to
10 see a friend, and she said that she would leave a number,
11 but she did not.

12 Q On any of these occasions when she -- well,
13 not occasion, but during these periods of time when you had
14 no idea where she was, did you try and find her?

15 A Yes, several times I went to the Sheriff's
16 Department, but they were unable to give me any kind of help
17 because she had left from San Francisco.

18 We had someone else looking for her, but we did
19 not find her.

20 Q I take it that you made out a missing persons
21 report?

22 A I think Mr. Van Houten did.

23 Q But in any event the Sheriff's Department either
24 did not try or were unable to locate her.

25 A They could not help, yes.

26 Q After this one night that you saw her in April

1 of 1969, when was the next time you saw her?

2 A At Sybil Brand.

3 Q And that was when she was arrested on this
4 present charge.

5 A That's right.

6 Q Had you heard from her at all in the intervening
7 months?

8 A No.

9 Q I take it it came as a terrible shock to you?

10 A It did.

11 Q Something you still have not and never will
12 get over, I suppose?

13 A That's correct.

14 Q Have you visited regularly with your daughter
15 while she has been at Sybil Brand?

16 A Yes, I have.

17 Q Once a week?

18 A Yes, unless someone else had gone to visit.

19 Q And Mr. Van Houten, to your knowledge, has also
20 visited her regularly?

21 A Yes.

22 Q You had letters and communications from friends
23 and people all over the country?

24 A One of the things that has been most surprising
25 to us is that people that we knew, you know, friends, have
26 sent perhaps 100 letters or more to me speaking of their

1 concern about Leslie.

2 Q Offering anything they could --

3 A Anything they could, yes.

4 Q I take it that these letters have given you some
5 solace over the months?

6 A They have been very supportive.

7 Q How do you feel about your daughter now,
8 Mrs. Van Houten?

9 A I love Leslie very much.

10 Q As much as you always have?

11 A More.

12 Q And you blame yourself for what has happened
13 to some extent?

14 A Well, any, you know, any thinking person that
15 finds themselves in this position has to consider possibilities
16 in one's mind, you know, you go over a hundred things that
17 you wish were different or that you had done differently.

18 There must be a certain amount of feeling.

19 Q While Leslie was living with you and while
20 she was living with her father at the beach, was there
21 ever any hint or the slightest hint to you that something
22 like this would happen to your daughter?

23 A For myself, I never would have believed it.

24 Q Do you still believe it?

25 A I don't believe it.

26 MR. KEITH: I have nothing further.

1 THE COURT: We will take our recess at this time.

2 Ladies and gentlemen, do not converse with
3 anyone or form or express any opinion regarding penalty
4 until that issue is finally submitted to you.

5 The Court will recess for 15 minutes.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

6-1

1 THE COURT: All the defendants are present except
2 Mr. Hansen. All counsel and all jurors are present.

3 MR. KEITH: May we approach the bench?

4 THE COURT: Yes.

5 (Whereupon all counsel approach the bench
6 and the following proceedings occur at the bench outside
7 of the hearing of the jury.)

8 MR. KEITH: I did something perhaps I shouldn't
9 have, but all counsel informed me that they had no
10 intention of cross-examining Mrs. Van Houten, so I took
11 it upon myself to excuse her, and she went out the back
12 way so she wouldn't be besieged by the reporters and the
13 media at their first opportunity during the recess.

14 I apologize if I transgressed the correct
15 procedures.

16 MR. BUGLIOSI: No, there is no problem, because we
17 said we were not going to cross-examine her.

18 THE COURT: Very well. She has been excused then.

19 MR. KEITH: Thank you.

20 THE COURT: She will be excused by the Court.

21 MR. BUGLIOSI: Is Mr. Kanarek going to call the
22 next witness?

23 MR. KANAREK: Yes.

24 MR. BUGLIOSI: There might be a problem.

25 Apparently there is a U. S. attorney that
26 is here to quash something. I don't know what it is

6-2

1 because I don't know what you are asking for.

2 MR. KANAREK: We are ready to proceed.

3 MR. BUGLIOSI: But apparently a legal issue is
4 involved.

5 This shouldn't be in front of the jury.

6 MR. KANAREK: I will call him in front of the jury.
7 I am going to call him as a witness.

8 MR. BUGLIOSI: There is someone here to quash what-
9 ever you are trying to do.

10 MR. KAY: Quash the subpoena.

11 MR. BUGLIOSI: If that is the case, it seems to
12 me that this is a legal issue.

13 MR. KANAREK: He is being called personally as a
14 witness.

15 THE COURT: Nothing has happened yet. Maybe he
16 will take the stand and testify.

17 MR. KAY: There is an attorney-general here to
18 quash the subpoena that Mr. Kanarek has issued, and there
19 will be a legal problem, your Honor.

20 THE COURT: Let's proceed.

21 MR. KANAREK: I am ready to go.
22
23
24
25
26

7 fls.

7-1

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

THE COURT: Mrs. Van Houten has been excused, the prosecution not desiring to cross-examine her.

You may call your next witness.

MR. KANAREK: Call Mr. Samuel Barrett, your Honor.

THE CLERK: Raise your right hand, please.

Would you please repeat after me.

I do solemnly swear --

THE WITNESS: I do solemnly swear --

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

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

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

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

THE CLERK: -- before this Court --

THE WITNESS: -- before this Court --

THE CLERK: -- shall be the truth --

THE WITNESS: -- shall be the truth --

THE CLERK: -- the whole truth --

THE WITNESS: -- the whole truth --

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

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

THE CLERK: -- so help me God.

THE WITNESS: -- so help me God.

THE CLERK: Would you be seated, please.

Would you please state and spell your name.

7-2

1 THE WITNESS: My name is Samuel Barrett, S-a-m-u-e-l;
2 last name Barrett, B-a-r-r-e-t-t.

3
4 SAMUEL BARRETT,

5 called as a witness by and on behalf of the defendants,
6 having been first duly sworn, was examined and testified
7 as follows:

8
9 DIRECT EXAMINATION

10 BY MR. KANAREK:

11 Q What is your occupation, Mr. Barrett?

12 A I am a U. S. probation officer.

13 Q And would you tell us what, if any, your
14 relationship is to Charles Manson?

15 A Charles Manson was under our supervision, and
16 during that period I was responsible for his supervision.

17 Q Would you tell us how long he has been under
18 your supervision?

19 A I hesitate to answer that question because
20 information about any of our parole cases is recorded in
21 our files, and those files are the property of the
22 Attorney General, and under certain Federal relations I
23 am prohibited without the express consent of the Attorney
24 General to disclose any such information from any of those
25 files.

26 Q Do your files reveal that as a boy of 10

1 Mr. Manson was beaten in a reformatory in Ohio?

2 MR. BUGLIOSI: Assuming a fact not in evidence, your
3 Honor.

4 MR. KANAREK: I am asking the question, your Honor.

5 MR. BUGLIOSI: Calls for privileged information also.

6 MR. KANAREK: How could the District Attorney of Los
7 Angeles County exercise the privilege.

8 THE COURT: All right, Mr. Kanarek. No privilege has
9 been asserted yet. The objection is overruled.

10 You may answer the question.

11 THE WITNESS: I do not recall if there was any such
12 information in these files.

13 BY MR. KANAREK:

14 Q Do your files reveal that Mr. Manson at the
15 age of 12 years was deposited in a reformatory because he
16 was abandoned by his mother and/or father?

17 MR. BUGLIOSI: Calls for hearsay, your Honor.

18 THE COURT: The form of the question is objectionable.
19 The objection will be sustained.

20 BY MR. KANAREK:

21 Q Do your files reveal, Mr. Barrett, the history
22 of Mr. Manson?

23 A To some extent, yes.

24 Q And do your files reveal that Mr. Manson's
25 mother at a time when he was of tender years, 10, 11 or
26 12 years old, was convicted of robbery, and that she had

1 abandoned him in or about the Eastern part of the United
2 States?

3 MR. BUGLIOSI: Compound, calls for hearsay.

4 THE COURT: Sustained.

5 BY MR. KANAREK:

6 Q Well, what do your files reveal, Mr. Barrett,
7 concerning Mr. Manson's relationship with his mother, if
8 any?

9 MR. BUGLIOSI: Calls for hearsay. It is also too
10 broad.

11 MR. KANAREK: Your Honor, the fact is that the
12 Evidence Code allows --

13 THE COURT: Sustained.

14 BY MR. KANAREK:

15 Q You have some papers there, Mr. Barrett. What
16 do you have?

17 You have in your hands some papers.

18 A Well, you have a copy of this, Counsel. They
19 were a part of the motions that was filed here in the court
20 today.

21 Q What motion is that?

22 A That is irrelevant, Mr. Kanarek.

23 MR. KANAREK: Well, he has brought it up, your Honor.

24 THE COURT: Go ahead and ask your next question.

25 MR. KANAREK: May I --

26 Q May I look at the papers you have in your hands?

1 A Yes.

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

3 THE COURT: You may.

4 BY MR. KANAREK:

5 Q You personally did not prepare these papers,
6 did you?

7 A I did not personally prepare them, no.

8 Q And you are in this court responding to two
9 separate subpoenas, is that correct?

10 A That is correct.

11 Q Now, when did you first speak to Mr. Manson,
12 Mr. Barrett, in your lifetime?

13 A Many years ago, probably about -- well, I would
14 have to estimate -- about 1936, around there.

15 Q Some 15 years ago, right?

16 A Approximately.

17 Q And Mr. Manson, when you first spoke to Mr.
18 Manson, where was he located? Where were you and where
19 was he?

20 A In our office.

21 Q And where was that?

22 A In the U. S. Courthouse Building.

23 Q Where?

24 A In Los Angeles.

25 Q You mean like right across the street?

26 A That's right.

1 Q And at that time you were speaking with him
2 concerning what matter?

3 A He had stopped in at the office to ask for
4 permission to travel, I believe that was the main reason
5 for his coming into the office.

6 Q And at that time was he on a Federal probation
7 or parole?

8 A I cannot be certain about that, Mr. Kanarek.

9 Q Well, would you give us your best recollec-
10 tion, Mr. Barrett?

11 A I would think that it was probably on probation.

12 Q And subsequently, Mr. Barrett, have you spoken
13 with Mr. Manson?

14 A Yes, subsequently.

15 Q Have you spoken with Mr. Manson at the Spahn
16 Ranch?

17 A Yes, I have.
18
19
20
21
22
23
24
25
26

7a-11s.

1 Q You, a United States probation officer, knew
2 that Mr. Manson was at the Spahn Ranch, right?

3 A That's right.

4 Q On how many occasions, Mr. Barrett, did you
5 speak with Mr. Manson at the Spahn Ranch?

6 A Two or three.

7 Q And would you tell us about when it was that you
8 spoke with Mr. Manson? Would you give us the dates?

9 A It was, I believe, as late as the first part of
10 1969.

11 Q Was it later than the first part of 1969?

12 A No, it was — it was probably not later than
13 June, '69.

14 Q Not later than June of '69.

15 Directing your attention, Mr. Barrett, to the
16 time previous, to, let us say, October 1, 1969, did you
17 cause any process to be issued because of any behavior
18 of Mr. Manson that you disapproved?

19 A Yes.

20 Q All right, would you tell us what that was?

21 A It was a letter addressed to the United States
22 Board of Parole recommending that a violator's warrant
23 be authorized, and so ordered, to violate his MR super-
24 vision.

25 Q All right, would you tell us what MR means?

26 A MR, in the Federal system, refers to a

1 mandatory release type of supervision case.

2 Q As opposed to another type, right?

3 A As opposed to a regular parole case.

4 Q And would you tell us in the Federal system,
5 Mr. Barrett, what is the difference between the two that
6 you have just spoken of?

7 A Well, the difference is that if the Board of
8 Parole does not grant a regular parole to an inmate, he
9 can still be released before the expiration of his full
10 sentence by his earning good time off at the rate of so
11 many days a month, and in addition could receive extra
12 good time off for special work that he performs.

13 And, thirdly, he can also receive statutory
14 good time off, depending upon the length of his sentence.

15 So the accumulation of all that earned time
16 will earn him his release, and for those number of days
17 or months or that period, he will be under our supervision,
18 up to the expiration of the sentence.

19 That is called a mandatory release.

20 Q All right, now, Mr. Barrett, directing your
21 attention to the time that you issued the letter that you
22 are speaking of.

23 Would you tell us when it was that you issued
24 that letter?

25 A I knew that it was about the same time that a
26 number of people, and I think the Complaint also regarded

1 Mr. Manson, was being ordered in or around Independence,
2 California, I cannot remember offhand the exact date that
3 was.

4 All I know is that it was at a time when a number
5 of people were being arrested for activities at the Myers
6 Ranch in the central part of California.

7 Q Well, if I tell you, Mr. Barrett, that these
8 activities that you are speaking of are activities that,
9 let's say, occurred after October 1st -- after October 1st
10 -- 1969, would you say that your letter then came into
11 existence after October 1st?

12 A Quite possibly, yes.

13 I know it was right around that time because I
14 came back from vacation sometime in September and it was
15 within about a month after that time that this all took
16 place.

17 Q So it would be about October 1st or later?

18 A Around that time, yes.

19 Q And was it after a time that you had read in
20 the newspapers about Mr. Manson's arrest?

21 A For what -- arrest for what?

22 Q Well, for whatever.

23 In other words, is it a fair statement that
24 this activity on your part occurred after you read about
25 Mr. Manson being arrested for whatever he may have been
26

1 arrested for in Independence or in the Meyers Ranch
2 area?

3 A Well, he had not been arrested yet. I think he
4 was wanted in connection with those charges there, but they
5 had arrested a number of people, or were in the process of
6 arresting a number of people there.

7b

7b
1 Q Well, was it at or about the time that you read
2 of Mr. Manson in the newspaper and magazine?

3 A Mr. Manson was not in the newspapers at that
4 time.

5 Q I see, but it was at a time -- it was at a time
6 that you indicated definitely after October 1st, 1969?

7 A I did not say definitely, I said possibly.

8 Q Well, when you came back from your vacation
9 do you remember what date that was, Mr. Barrett?

10 A It was either -- it was probably the week after
11 Labor Day of '69.

12 Q So that would be definitely in September of 1969?

13 A Right.

14 Q So it would be clearly after, shall we say,
15 August 10, 1969?

16 A Yes.

17 Q Clearly after that day?

18 A Yes.

19 Q Well, then, the United States Probation -- may I
20 ask you, what do you call your department?

21 A The United States Probation Office.

22 Q All right, the United States Probation Office
23 then was cognizant of Mr. Manson's living at the Spahn
24 Ranch, right?

25 A He was not living at the Spahn Ranch in September.
26 His whereabouts to me were unknown. He did not keep himself

1 reported as to his whereabouts after August of '69.

2 Q Well, let's put it this way:

3 When did you go on your vacation, Mr. Barrett?

4 A In August of '69.

5 Q When in August did you go on your vacation?

6 A It was about in the middle of August, I think.

7 Q Would that be about August the 15th or 16th?

8 A About, yes.

9 Q Now, during, let's say, the first part of
10 August, 1969, as far as your office was concerned, was
11 Mr. Manson's whereabouts a problem?

12 A It was beginning to be a problem, yes.

13 Q It was beginning to be a problem, and would you
14 tell us how it was beginning to be a problem?

15 A Because there was an investigation underway then
16 by the Sheriff's Department regarding activities at the
17 Spahn Ranch and I think Mr. Manson had already been arrested
18 up there on a possible -- or rather on a charge --

19 Q Don't tell us what that was. That has nothing
20 to do with this case, right?

21 Let's put it this way, that charge is not a
22 charge of murder?

23 A No.

24 Q Or conspiracy to commit murder?

25 A No, definitely.

26 Q Right?

1 A Right.

2 Q Whatever he was arrested on, was that on or
3 about August 16th, 1969?

4 A It could have been.

5 Q And how much time prior to August 16, 1969
6 were you aware of this investigation taking place by the
7 Sheriff?

8 A I had probably received one or two -- or one or
9 two phone calls had been made regarding this type of
10 activity going on.

5-1

1 Q Concerning Mr. Manson?

2 A Concerning questionable activities at the Spahn
3 Ranch.

4 Q Concerning Mr. Manson; right?

5 A He presumably would be involved, yes.

6 Q That is the reason that you were called by
7 the Sheriff; right?

8 A Yes, right.

9 Q Because you were Mr. Manson's probation officer?

10 A Yes.

11 Q Or parole officer?

12 A Yes.

13 Q And this was before August the 16th, 1969;
14 right?

15 A Right.

16 Q How much time? About how much time prior to
17 August the 16th, 1969, did the Sheriff call you concerning
18 Mr. Manson?

19 A Well, within a month's time, I would estimate.
20 Within 30 days.

21 That is what you would like to know?

22 Q Whatever you recall.

23 A I say approximately 30 days.

24 Q And there was a continuous investigation of
25 him up to and including the time that he was arrested?

26 A Well, I don't know if it was continuous. I

8-2

1 know that they made a number of arrests and booked a
2 number of people, and then most everyone was released within
3 a reasonable period of time.

4 Q After that arrest; right?

5 A Yes, after that arrest.

6 Q Now, if I tell you that that was August the
7 16th, 1969, would you tell me how many phone calls the
8 Sheriff made to you, let's say, in the two-week period
9 prior to August the 16th, 1969, concerning Mr. Manson?

10 A Maybe one.

11 Q Pardon?

12 A Maybe one.

13 Q Maybe one?

14 A Yes.

15 Q Or more?

16 A Or more.

17 Q Maybe two or three?

18 A Well --

19 Q Or four?

20 A No, not that many.

21 Maybe one or two.

22 Q I see.

23 And the subject of the discussion was Mr.
24 Manson; right?

25 A Yes.

26 Q Now, then, up until August the 16th, 1969, or

8-3

1 this arrest date that you are speaking of, as far as your
2 office was concerned, Mr. Manson was not doing anything
3 that necessitated you to instigate any process concerning
4 his parole or probation status; is that right?

5 A Not necessarily, no.

6 Q Well, would you tell us in what way is it
7 not so?

8 A I talked to Mr. Manson on several occasions
9 about the method in which he was reporting his earnings,
10 and had informed him that it didn't seem to me that he
11 could establish legitimacy of those earnings, and this was
12 a matter of controversy between the two of us.

13 Q All right.

14 Now, what period of time was this?

15 A Well, you could go back from the time that he
16 first came under our supervision.

17 Q Well, I am now referring to the time, let's
18 say, the first eight or nine months -- well, let's say
19 the first eight and a half months of 1969.

20 During that period of time, you did not insti-
21 gate any process to violate Mr. Manson as far as his parole
22 or probation status is concerned; is that correct?

23 A Yes.

24 Q And you viewed the life style at the Spahn
25 Ranch; right?

26 A Right.

1 Q And Mr. Manson was at the Spahn Ranch during
2 this some eight months plus that I am referring to?

3 A Off and on.

4 Q Off and on; right?

5 A Right.

6 Q Many times he wasn't there; right?

7 A Right.

8 Q And on occasion did you go there and not find
9 Mr. Manson?

10 A I think so.

11 Q When was it that you went there and didn't
12 find Mr. Manson?

13 A Mr. Kanarek, I can't remember every single
14 day going back over a period of months on a specific
15 case of mine.

16 I may have a hundred and fifty people under
17 supervision, and I can't carry in mind by memory over
18 periods of months, I mean, every day that I have talked to
19 them or seen them.

20 MR. KANAREK: Excuse me just a moment, Mr. Barratt.

21 (Mr. Kanarek confers with the Clerk.)

22 BY MR. KANAREK:

23 Q Did you, when you went to the Spahn Ranch and
24 spoke with Mr. Manson, see -- were there other people
25 around?

26 A Yes.

8-5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Q Would you describe what you saw?

A When?

Q When you went to the Spahn Ranch and spoke
with Mr. Manson on these occasions in 1969?

A The last time?

Q Yes. Okay.

A You mean in general?

8a-1

1 Q Yes. What you saw there.

2 A Oh, there were several different males, men,
3 around the place. Some of them were dressed like they were
4 in Western style clothes. Some of them looked ragged and
5 raunchy like, unshaven.

6 There were probably one or two women that would
7 come out of the old house there, or come up on the porch
8 and go back in the house.

9 Are you talking about just people now?

10 Q Yes. Just what you generally observed there.

11 A Well, he, Mr. Manson, that is -- introduced me
12 sometimes to one or two of the people that were about there.
13 I don't remember their names.

14 Q And he introduced you as what, Mr. Barrett?

15 A As his probation officer.

16 Q And he spoke to the people there and said you
17 were his probation officer?

18 A Yes, sir.

19 Q And do you remember the people he introduced you
20 to?

21 A Not by name, no.

22 I wouldn't remember them even by sight, I don't
23 think.

24 Q I see.

25 And this was on more than one occasion?

26 A That's right.

1 Q Now, I have some pictures here.

2 May I approach the witness, your Honor?

3 THE COURT: Yes, you may.

4 (Mr. Kanarek approaches the witness with some
5 photographs.)

6 MR. KANAREK: I have, for instance, Defendant's
7 Exhibit EE.

8 Does that look familiar to you?

9 A Yes, it does.

10 Q I show you Defendant's Exhibit DD, and ask you,
11 does that look familiar to you?

12 A It looks like one of the buildings that had been
13 out there, yes.

14 Q Now, when you went up there to the ranch on these
15 occasions, Mr. Barrett, you went up there to inspect the
16 area that a probationer was living in to see if it was an
17 area where a person in his status should be living, is that
18 correct?

19 A Yes.

20 Q And did you find anything wrong with Mr. Manson
21 living at the Spahn Ranch?

22 A Not as it was represented, no.

23 Q Well, the answer is no, right?

24 A No.

25 Q The answer, in short, is no?

26 A No.

1 Q That is correct; right?

2 A That is correct.

3 Q And I take it that you observed the girls up
4 there, the females?

5 A One or two perhaps.

6 Q Only one or two?

7 A Yes.

8 I didn't see any girls running around, if that
9 is what you are suggesting, no.

10 Q I am just asking you a question.

11 A I thought I answered it. I said one or two.

12 Q I see.

13 And these girls that you saw there were girls
14 that seemed to be people that lived there, right?

15 A Yes.

16 Q And would you tell us, what part of the ranch
17 did you go to? What did you visit?

18 A Well, the central area, which would be adjacent
19 to those wooden buildings that were portrayed in the
20 photographs you showed me as part of the exhibits.

21 I mean, it isn't a sprawled-out area. I mean,
22 it is a rather compact region. It is like a front yard
23 with a few buildings surrounding it. So, when you are
24 at the ranch, or were at the ranch, you were right there.
25 I mean, it wasn't a matter of going from one section to
26 another.

1 Q It was pretty compact?

2 A Right.

3 Q And the people that were there were people that
4 seemed to be friendly to you; is that right?

5 A Well, I wouldn't say that they acted hospitable,
6 no, or that they were friendly in that respect, no.

7 THE COURT: We will take our recess at this time,
8 Mr. Kanarek.

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

12 The Court will recess until 1:45.

13 (Whereupon, at 12:01 p.m. the Court was in
14 recess.)

15

16

17

18

19

20

21

22

23

24

25

26

1 LOS ANGELES, CALIFORNIA, TUESDAY, FEBRUARY 2, 1971

2 1:55 o'clock p.m.

3 - - - -

4 THE COURT: All the defendants are present except
5 Mr. Manson; all the counsel and all the jurors are present.

6 You may continue, Mr. Kanarek.

7 MR. KANAREK: Thank you, your Honor.

8
9 SAMUEL BARRETT,

10 the witness on the stand at the time of the noon recess,
11 resumed the stand and testified further as follows:
12

13 DIRECT EXAMINATION (Continued)

14 BY MR. KANAREK:

15 Q Mr. Barrett, can you tell us, Mr. Barrett, what
16 is Mr. Manson's age, do you know?
17

18 A I think -- I don't know exactly, I don't
19 remember his birthdate, I think he is around 36 or 37.

20 Q And do your records reflect that he has served --
21 that he has been in custody for 23 years of those years that
22 he has been alive?

23 A That could possibly be so, yes.

24 Q And do your records reflect that he was first
25 put into custody at the age of 10 or 11 or 12, or something
26 of that age, because he was abandoned by his mother?

MR. BUGLIOSI: Calls for hearsay.

1 MR. KANAREK: That is what these records are, your
2 Honor.

3 THE COURT: Sustained.

4 BY MR. KANAREK:

5 Q Well, do your records reveal that at the age
6 of 10 or 11 or 12 he first was put into custody?

7 A If you are referring to the records, now, Mr.
8 Kanarek, I don't see that I am privileged to make any
9 remarks from or about those records since I do not have the
10 consent of our Attorney General to do so.

11 Q The Attorney General you are speaking of is
12 the Attorney General of the United States of America, is
13 that right?

14 A Yes, sir.

15 Q Are you telling us that the Attorney General
16 of the United States of America will not allow these
17 records to be used in the Superior Court of the State of
18 California?

19 A May I read you the pertinent law in that
20 respect?

21 Q No, I am just asking for an answer.

22 A Yes, I am not privileged to do so.
23
24
25
26

10 fls.

40-1

1 Q Even though this is a murder case?

2 A It is not my choosing, Mr. Kanarek. I am only
3 obeying the law.

4 THE COURT: Mr. Kanarek, if you want to discuss the
5 law, you may approach the bench, but this witness is not the
6 person to discuss it with.

7 He apparently wishes to refuse on the basis of
8 the provisions of 28 Code of Federal Regulations, Section
9 1612, which would indicate that he not only has the right
10 but the duty to refuse.

11 Now, if you want to discuss it at the bench,
12 I will be glad to discuss it with you.

13 MR. KANAREK: Well, I will attempt to lay a foundation,
14 your Honor.

15 THE COURT: All right.

16 MR. KANAREK: Q That provision of law that you spoke
17 of, Mr. Barrett, is an executive order; is that right?
18 Am I correct, it is an executive order?

19 THE COURT: It is immaterial what it is, Mr. Kanarek.

20 If you wish to discuss it, come to the bench.

21 MR. KANAREK: Your Honor, I wish to lay the foundation,
22 if I may.

23 THE COURT: He already refused to answer on that
24 ground.

25 Is that right, sir?

26 THE WITNESS: Yes, your Honor.

1 THE COURT: All right.

2 MR. KANAREK: Then may I ask you this: Did you ask
3 the Attorney General for permission to use these records?

4 A The Attorney General was asked today, this
5 morning, by our U.S. -- by our Assistant U.S. Attorney,
6 if those records could be made available, and the reply was
7 that they could not.

8 Q You asked the Attorney General?

9 A I did not. Our Assistant U.S. Attorney's Office
10 did.

11 Q Then may I ask you, then, do you know -- I will
12 withdraw that and ask you this:

13 Is it true, Mr. Barrett, that Mr. Manson served
14 seven years in a Federal penitentiary for a check that
15 involved \$377?

16 MR. BUGLIOSI: That is irrelevant and calls for
17 hearsay.

18 THE COURT: Sustained.

19 MR. KANAREK: Q Well, would you tell us, was Mr.
20 Manson convicted of a Federal crime involving a check in
21 the amount of \$377?

22 MR. BUGLIOSI: Same objection.

23 THE COURT: Sustained.

24 MR. KANAREK: What is the crime, Mr. Barrett, for
25 which you are Mr. Manson's probation officer?

26 A Violation of probation.

1 Q For what crime?

2 A It had to do with the forging or cashing of a
3 U.S. Treasury check.

4 Q In the amount of \$37?

5 A I don't recall the amount. The amount would be
6 immaterial.

7 Q The amount may be immaterial as far as -- well,
8 I don't want to argue with you. I will withdraw that,
9 Mr. Barrett.

10 But is it a fact that, in fact, the amount was a
11 \$37 check?

12 A I don't remember what the amount was, Mr. Kanarek,
13 so I would not want to be quoted as to the exact amount.

14 Q Would you say that your state of mind is that
15 this check involved a sum less than \$50?

16 A It is possible.

17 Q It, in fact, is; is that correct?

18 A I don't know whether in fact it is or it isn't.
19 I said it is possible.

20 Q I see.

21 Has Mr. Manson told you that his father is the
22 jail house, Mr. Barrett?

23 MR. BUGLIOSI: Immaterial and hearsay.

24 THE COURT: Sustained.
25
26

11 1 Q Now, would you tell us, Mr. Barrett, the back-
2 ground of Mr. Hansen's mother?

3 MR. BUGLIOSI: Calls for hearsay.

4 MR. KANAREK: Your Honor, then I will object --

5 THE COURT: Sustained.

6 MR. KANAREK: -- on the grounds of equal protection --

7 May I? May I make argument, your Honor?

8 THE COURT: The objection is sustained.

9 Q BY MR. KANAREK: When you went out to Spann Ranch
10 on these occasions that you went there -- let me withdraw
11 that and I will ask you this:

12 Is a place of abode where a probationer lives a
13 matter which is looked into by your office?

14 A At what point?

15 Q I am just asking the general proposition.

16 A Whether it is suitable, is that what you meant?

17 Q Yes, Mr. Barrett, right.

18 A Yes, we would be concerned or we would be
19 interested in the type of residence anybody has like that,
20 yes.

21 Q And is it a fair statement that up until the
22 time which is after October 1, 1969 that you wrote the
23 letter that you spoke of previously, up until that time
24 the Spann Ranch was a place where, in your opinion,
25 Mr. Hansen could live and not be in violation of your rules
26 of probation and parole.

1 A With what was known or with what had taken place
2 at that time, which amounted to only suspicion, I would have
3 to say yes, he could live there.

4 Q What do you mean by "suspicion"?

5 A Well, there was some question as to whether or
6 not marijuana was present there.

7 Do you want me to enlarge on that?

8 Q Yes, if you would, please.

9 A I had been informed that in the residence where
10 the owner of the ranch resided, that Mr. Manson had been
11 present there with some young woman -- I don't recall if
12 her name was given to me -- and that they had been observed
13 there while a marijuana cigarette had been burning there
14 and that he had been arrested for that reason.

15 Q When was that?

16 A That was in August.

17 Q That was in August of 1969.

18 A Right.

19 Q And when were you informed of this, Mr. Barrett?

20 A Well, I think soon afterwards; it would have been
21 a few days probably.

22 Q And after you learned of this, did you cause
23 Mr. Manson to be put into custody?

24 A No, because the charges were dismissed, and there-
25 fore he was cleared of that; therefore we had no substantial
26 reason to accuse him of something that the law itself could

1 not enforce.

2 Q Well, now, that was in August of 1969 you say?

3 A Yes.

4 Q Now, then, would you tell us upon what date you
5 first became aware that Mr. Manson was living at the Spahn
6 Ranch?

7 A When he was living at the Spahn Ranch?

8 Q Yes.

9 A Well, Mr. Kanarek, they submit monthly reports
10 which reflects their place of residence, so at the time
11 that he moved there he had reflected his residence on his
12 monthly report.

13 I believe that is how it came to my attention.

14 Now, as far as the date, I would estimate that
15 it probably was in the very early part of '69, after he left,
16 after he left Malibu Canyon, after he had been living in
17 the Pacific Palisades, and then also had reported his
18 residence in the Malibu hills at the residence of a friend
19 that he told me was called Gary Hinman.

20 So it was right after he left either the Hinman
21 area or the Pacific Palisades where he was the guest of some
22 noted, or some prominent people in the recording business,
23 that he allegedly moved to the Spahn Ranch.

24 I think that was about the first part of 1969.

11a-1

1 Q I see, and did he live at a home wherein
2 Dennis Wilson was the proprietor?

3 A Yes.

4 Q Do you remember that name?

5 A Yes.

6 Q Dennis Wilson?

7 A Yes, I do.

8 Q And so is it a fair statement then that from
9 the first time that you knew that Mr. Manson lived at the
10 Spahn Ranch, which you say is about January 1 of 1969 --

11 A I would think so, yes.

12 Q -- up until this time in August when you tell
13 us about the --

14 A It was not consecutive, Mr. Kanarek, he moved
15 away and then he came back again.

16 Q From the Spahn Ranch?

17 A Yes.

18 Q And during this period of time, though, there
19 were periods of time that you were aware that he was living
20 at the Spahn Ranch after you had visited the Spahn Ranch
21 and had seen whatever you had seen concerning the life
22 style there?

23 A Yes.

24 Q Is that correct?

25 A Yes.

26 Q Now, as a probation officer you have the power

11a-2

1 of immediate arrest, is that correct?

2 A As a probation officer, yes.

3 But do not confuse that; we have dual duties
4 as either a probation officer or a parole officer.

5 Q Well, in Mr. Manson's case is it a fact that
6 you had the power of immediate arrest?

7 A No, not in his case.

8 Q Now, in his case, in order to have him arrested,
9 you would have to issue some kind of process?

10 A Exactly.

11 Q Is that right?

12 A Yes.

13 Q And you saw fit not to issue any such process
14 until, as we have said, after October 1, 1969, right?

15 A Seeing fit in terms of time is a debatable
16 matter.

17 We do not issue such a process or recommend
18 such a process until we have developed sufficient evidence.

19 So I might have looked, or taken a dim view
20 of something a year earlier, but until I can establish
21 beyond a reasonable doubt that he apparently is not
22 performing according to the requirements of his parole,
23 until I can do that with enough reason, then I can not
24 take any action.

25 Q So you did not find enough reason to take any
26 action until after October 1, 1969, is that right?

1 A All right, yes.

2 Q That is correct?

3 A Yes, sir.

4 Q And is it a fact that the criterion is not
5 beyond a reasonable doubt. You don't have to prove that
6 the way you have to prove it in a criminal case?

7 A Almost, because there have been appeal cases
8 in this matter. It amounts to almost.

9 Q Almost, but it is not quite. You don't have
10 to prove it beyond a reasonable doubt, do you?

11 A No.

12 Q Now, then, if I may, Mr. Barrett, I would ask
13 you, and I do ask you to produce in accordance with the
14 subpoena duces tecum that has been presented to you, the
15 records that we have asked for concerning Mr. Manson.

16 MR. KAMAREK: Your Honor, I do ask; I have here the
17 subpoena, the application for subpoena duces tecum as well
18 as a personal subpoena upon Mr. Barrett which have all
19 been executed, and I ask this Court --

20 THE COURT: All right, if counsel will approach the
21 bench, please.

22 Is the member of the United States Attorney's
23 Office present?

24 MR. ANDERSON: Yes, your Honor.

25 THE COURT: What is your name?

26 MR. ANDERSON: David Anderson, Assistant United

1 States Attorney.

2 THE COURT: Would you approach the bench also, please.

3 (The following proceedings were had at the
4 bench out of the hearing of the jury, all counsel and
5 Mr. Anderson being present:)

6 THE COURT: There has been filed in this court a
7 motion to quash the subpoena served on Officer Samuel
8 Barrett, probation officer Samuel Barrett, on the ground
9 that the provisions of Title 28 of the United States Code
10 of Federal Regulations, Section 1612 -- I may as well
11 read the section; I am reading from the points and authori-
12 ties of the United States Attorney's papers.

13 They provide as follows:

14 "No employee or former employee of the
15 Department of Justice shall in response to a
16 demand of a court or other authority produce any
17 material contained in the files of the Department
18 of Justice, or disclose any information relating
19 to material contained in the files of the Department
20 of Justice, or disclose any information or produce
21 any material acquired as a part of the performance
22 of his official duties, or because of his official
23 status, without the prior approval of the Attorney
24 General."

12-1

1 Then there are two cases cited. Touhy vs.
2 Ragen, 340 U.S. 462, a 1950 case, and a California Supreme
3 Court case, People vs. Farham, 60 Cal. 2d 278, a 1963 case.

4 Apparently the Touhy case -- I have not read the
5 Touhy case -- but according to the points and authorities
6 submitted by the U.S. Attorney's office, the Touhy case holds
7 that the foregoing order -- which I read -- being Section
8 1612 of the Code of Federal Regulations -- is a valid
9 exercise of executive authority.

10 Is that correct?

11 MR. ANDERSON: That is correct. Except that the
12 Touhy case dealt with the earlier version of the executive
13 order, later promulgated into the wording of the regulation.

14 THE COURT: People vs. Farham held that a Department
15 of Justice employee refusing to produce materials in reliance
16 on such an executive order may not be held in contempt.

17 Do you wish to be heard, Mr. Kanarek?

18 MR. KANAREK: Yes. I would like to make argument in
19 open court on this.

20 THE COURT: Well, we are not going to make it in front
21 of the jury.

22 MR. KANAREK: I would like to make extensive argument
23 to the Court, and I would not waive doing this in open court.

24 MR. BUGLIOSI: May I suggest that we retire to the
25 Court's chambers?

26 MR. KANAREK: I would like to do it in open court.

1 THE COURT: You may make whatever argument you care to
2 right now, otherwise I will rule on the motion.

3 MR. KANAREK: Well, your Honor, my argument is, and
4 I can't do it conveniently here, and I'd like to do it in
5 open court, and I think we have a right to do it in open
6 court.

7 THE COURT: Make your argument, Mr. Kanarek, or I
8 will rule on the motion.

9 MR. KANAREK: Very well.

10 This regulation, your Honor, in the context of
11 these proceedings, is a regulation which is violative not
12 only of the Fourteenth Amendment -- the due process clause
13 of the Fourteenth Amendment of the U.S. Constitution, but
14 is also violative of the Fifth Amendment. It is violative
15 of the Fifth Amendment, and I do allege it is a violation of
16 the Fifth Amendment, in that the Federal Government has
17 no power to deprive a man of life, liberty or property
18 without due process of law, in accordance with the Fifth
19 Amendment.

20 This being the penalty phase of this trial, and
21 the information being relevant and material, and there being
22 no way in connection with the Bureau of Prisons, the offer
23 of proof is that Mr. Manson has had extensive custody in
24 the prisons of the Federal Government, and we have to rely
25 upon this information from Federal officials.

26 If you balance, if you make a balance between

1 whatever the right of the Federal Government is in this
2 regulation, and you balance it against the man's right to
3 present evidence to the jury where his very life is at
4 stake, there is just no balance.

5 And the point is that we want to present our
6 own points and authorities in connection with this. This is
7 too important a point, because Mr. Manson doesn't have
8 any family to come here, like Patricia Krenwinkel and Leslie
9 Van Houten.

10 MR. KEITH: Leslie Van Houten.

12a-1

1 MR. KANAREK: Mr. Manson doesn't have any such family,
2 and our information is predicated upon these records, and
3 he certainly ought to be entitled to his day in court, and
4 let the chips drop where they may as to what his actions
5 have been in the Federal Prison.

6 After all, one of the criteria, one of the
7 things that the District Attorney makes concerning a man is
8 how he acted in prison, as to whether he is a good subject
9 for lifetime captivity.

10 THE COURT: I don't recall that question having been
11 asked.

12 MR. KANAREK: What is that, your Honor?

13 THE COURT: How Mr. Manson acted in prison.

14 MR. KANAREK: He is going to say -- first of all, he
15 is going to say that he doesn't know, he has to rely on the
16 records.

17 I will be glad to ask him. I will be glad to
18 ask him, but we need those records, your Honor.

19 THE COURT: It seems to me like you are asking the
20 wrong witness. Even if he were legally permitted to
21 testify.

22 MR. KANAREK: He is the one that has custody of those
23 files, your Honor.

24 THE COURT: I understand he has custody of the files,
25 but what does he know about how Manson acted in prison?

26 MR. KANAREK: We can't bring to this courtroom

1 the prison --

2 THE COURT: He is simply relating something that is
3 in a file, that is all. He has no personal knowledge.

4 MR. KANAREK: That has been done time after time
5 in this courtroom. By Dianne Lake.

6 There is no question that we have used files
7 wherein people have come to the stand and testified what
8 is in a public file, in a file in a public institution.

9 THE COURT: I suggest that you make an offer of
10 proof, if you wish to.

11 MR. FITZGERALD: Before he does, this being the
12 first available opportunity, I want to inform the Court
13 and I want to inform the representative of the United
14 States of America, that I have copies of the very documents
15 that the Government is now claiming are privileged, and
16 I want to put on the record that I will make these --
17 what portions of those records I have, available to Mr.
18 Kanarek.

19 And I also want to state the source whereby
20 I received these documents was the District Attorney's
21 office, pursuant to pretrial discovery in this case.

22 We received copies of the parole summaries and
23 cumulative case summaries, wherein Mr. Barnett was
24 supervising Mr. Manson.

25 MR. ANDERSON: I believe the Parham case involves
26 virtually an identical situation where some document had

1 been turned over to the State's prosecution office, and
2 additional documents were requested by the defense, and
3 the FBI agent, who was the witness in that particular case,
4 was not given permission to release them, and the case, as
5 I recall, not only held that this was constitutional,
6 first of all, it is not the United States that is prose-
7 cuting Mr. Hansen, it is the State, and the State doesn't
8 have the power to compel the Federal Government to release
9 the documents.

10 So that we have here a situation where the
11 prosecution is not empowered to produce what the defense
12 requests, and the witness is prevented from producing the
13 records by reason of his superior's directive.

14
15
16
17
18
19
20
21
22
23
24
25
26
12b fls.

2b-1

1 Now, I might comment for the record that our
2 office did call the Department of Justice this morning in
3 Washington and talked with the Executive Office of the Board
4 of Parole and with the Criminal Section of the Department of
5 Justice, and the proper officials in those particular
6 sections indicated that the records could not be released.

7 So that, as of this point, Mr. Barrett has no
8 authority from his superiors to release any documents that
9 are in his file.

10 THE COURT: What records do you have, Mr. Fitzgerald?

11 MR. FITZGERALD: I have photocopies of what is commonly
12 referred to as a rap sheet, plus I have a parole cumulative
13 case history and study beginning in 1958, and the last
14 entry being June 11, 1969, which I will show to the Court.

15 THE COURT: Well, I don't care to see it, but Mr.
16 Kanarek might.

17 Apparently these documents have been available
18 to him for months.

19 MR. KANAREK: Your Honor, we want the complete file.

20 THE COURT: Apparently these documents have been
21 available to you for months, Mr. Kanarek, in the District
22 Attorney's files, if you wanted to request them.

23 MR. KANAREK: We want the complete file, your Honor.

24 THE COURT: You apparently are not going to get the
25 complete file.

26 MR. KANAREK: Well, I would hope that your Honor

1 would hold his ruling in abeyance, because it is our
2 belief that we have a right to them.

3 THE COURT: This Court has no power to order the
4 Attorney General of the United States to produce its files.

5 MR. KANAREK: I believe that I can convince the Court
6 that it does, your Honor.

7 THE COURT: Do you care to make an offer of proof,
8 Mr. Kanarek?

9 MR. KANAREK: It is not a matter of an offer of
10 proof, it is a legal argument.

11 THE COURT: I am not talking about legal argument,
12 I am talking about an offer of proof. What do you propose
13 to show? Maybe the People will admit it.

14 MR. KANAREK: Pardon?

15 THE COURT: What do you propose to show?
16 Perhaps the prosecution will admit it, stipulate to it.

17 MR. KANAREK: Well, that is a far cry from actual
18 evidence, your Honor.

19 What I would like -- I can't make an offer of
20 proof because I don't know exactly what it is. That is why
21 we have the file subpoenaed.

22 But the point is, your Honor, it is our belief
23 that there are, for instance, records of parole officers,
24 statements by parole officers, which would show that
25 Mr. Manson is a good subject for lifetime custody, that he
26 is not the type of person that is violent.

1 MR. KAY: That is hearsay.

2 MR. KANAREK: All of these things are relevant and
3 material in connection with the jury deciding whether he
4 gets life or death.

5 THE COURT: Is that your offer of proof?

6 MR. KANAREK: How can I make an offer of proof when
7 I haven't seen it? They won't show it to me.

8 I have been across the street there to the
9 Federal Building, and when I spoke with Mr. Barrett some
10 months ago, he wouldn't let me look at the file.

11 THE COURT: Why didn't you take some steps then
12 rather than wait until now?

13 MR. KANAREK: Well, your Honor, I needed what I needed
14 in court.

15 THE COURT: But you knew then that you weren't
16 going to get it, didn't you?

17 MR. KANAREK: Well, no, not necessarily, your Honor.

12c-1

1 THE COURT: They told you that, didn't they?

2 MR. KANAREK: Well, no.

3 THE COURT: He told you you were going to get it?

4 MR. KANAREK: No. He didn't say one way or the
5 other.

6 THE COURT: Didn't he cite the provisions of Section
7 1612?

8 MR. KANAREK: No.

9 THE COURT: Didn't he tell you that the law prohibited
10 him from disclosing the information in the file?

11 MR. KANAREK: No.

12 THE COURT: What did he tell you?

13 MR. KANAREK: He just said that I couldn't look at
14 it.

15 The same way that a police officer, perhaps,
16 won't let you look at his crime report.

17 THE COURT: And you didn't bother to ask him why?

18 MR. KANAREK: No, I don't think so.

19 THE COURT: Did you attempt to make discovery?

20 MR. KANAREK: Attempt to make discovery?

21 THE COURT: Yes.

22 MR. KANAREK: I have subpoenaed records here, your
23 Honor.

24 THE COURT: I mean, prior to your subpoena
25 that called for Mr. Barrett to produce his files today.
26 Did you make any other effort at discovery for these files?

1 MR. KANAREK: No, not specifically, except by talking
2 to him.

3 THE COURT: In the first place, Mr. Kanarek, I am not
4 convinced by any means that this is the only source of the
5 information, whatever it is that you are trying to obtain.
6

7 In fact, it would seem to me that it is probably
8 one of the poorest sources of information, if I understand
9 what you are trying to get at.

10 MR. KANAREK: Your Honor, there is no other source.

11 THE COURT: Well, I don't accept that statement.

12 MR. KANAREK: This is the complete file, your Honor,
13 on Mr. Manson.

14 THE COURT: How do you know?

15 MR. KANAREK: Because he has told me so.

16 Mr. Barrett told me so.

17 THE COURT: It is his complete file.

18 MR. KANAREK: This is the complete file. This is what
19 I have been told. This is the complete file of Mr. Manson.

20 THE COURT: I have given you an opportunity to make
21 an offer of proof, Mr. Kanarek. Apparently you don't want
22 to do that.

23 MR. KANAREK: I am not going to misrepresent to the
24 Court.

25 Now can I make an offer of proof?

26 THE COURT: You can make an offer of proof without
knowing what is in the file.

1 MR. KANAREK: It is a factual allegation. It is an
2 allegation of what is going to be revealed. Now can I do
3 that when I haven't seen the file?
4

5 THE COURT: The People may stipulate to it.

6 MR. KANAREK: I will be glad to talk to the People,
7 but it is my belief, your Honor, that --

8 THE COURT: I am going to grant the motion to quash
9 the subpoena on the basis of the points and authorities.

10 MR. KANAREK: I would like you to hold it in abeyance.

11 I would like to allege, first of all, I would
12 like to allege not only the due process clause of the
13 Fourteenth Amendment, as I have said before --

14 THE COURT: You have completed your argument and I
15 have ruled, Mr. Kanarek.

16 MR. KANAREK: I haven't finished.

17 THE COURT: Proceed with your examination.

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

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

23 THE COURT: Yes, you may.

24 (Whereupon Mr. Kanarek approached the witness.)

25 BY MR. KANAREK:

26 Q I show you a series of documents, Mr. Barrett,
and ask you if you have seen these before?

(Witness examines document.)

A These are copies of our notes that we make regarding our contacts with our people under supervision.

Q Are those notes notes that you in fact made?

A Well, I did not make all of them, no.

Q Well, you made some of these notes?

A The ones that I made would have my initial after the last sentence.

Q Are there any there that you made?

A I see one here.

There are some that I made, yes.

Q Would you read over the notes that you have made to yourself?

A To myself?

Q Yes.

A (Witness complies.)

I have read them, Mr. Kanarek.

Q Now, do they refresh your recollection, Mr. Barrett, concerning Mr. Manson?

A On several occasions in June of '69, yes.

Q All right, would you tell us what occurred then on your -- what you call case summary in June of '69 concerning Mr. Manson?

MR. BUGLIOSI: Calls for hearsay, your Honor.

THE COURT: Overruled, you may answer.

THE WITNESS: Yes, sir. There was one reference

1 that had to do with Mr. Manson offering some proof about
2 the legitimacy of his earnings, and I told him that it would
3 be better if we talked about that in person rather than on
4 the telephone.

5 Then there was another reference to a telephone
6 call that I received from some private citizen who said
7 that he was a friend of Mr. Manson and that he could vouch
8 for his ability, for his musical ability, and for Mr. Manson
9 possibly earning an honest livelihood by musical endeavor.

10 And there was a third reference to a problem
11 that apparently had arisen or was arising regarding
12 Mr. Manson's association with three other parolees with
13 whom he had done time or had known while they were all
14 confined at the Federal Correctional Institution at
15 San Pedro.

16 These were the three references in June.

17 Q And directing your attention to the Federal
18 Correctional Institution at San Pedro, how long had
19 Mr. Manson been in custody there?

20 A Well, I can't -- from the beginning -- you mean
21 accumulated time, Mr. Kanarek?

22 Q Yes.

23 A Close to seven years, I would say.

24 Q For a \$37 check, right?

25 A For a violation involving his breaking the law
26 in connection with the forging and cashing of a government

1 check.

2 Q In the amount of about \$37, that was the offense,
3 right?

4 MR. BUGLIOSI: Asked and answered, your Honor.

5 THE COURT: Overruled. You may answer.

6 THE WITNESS: Yes, for approximately 37 dollars, a
7 forged or otherwise worthless check.

8 Q BY MR. KANAREK: Now, does looking over these
9 papers --

10 Now, these papers that I have shown you are not
11 the complete file, right?

12 A Right.

13 Q They are far from the complete file, right?

14 A Right.

15 Q The complete file is what, how many inches thick?

16 A It would be that thick.

17 Q About four inches thick?

18 A Yes.

19 Q Would you tell us, Mr. Barrett, what institutions
20 Mr. Manson has been incarcerated in?

21 A Terminal Island -- I don't remember the previous
22 one.

23 I believe that they were -- one was in the midwest,
24 and I would hesitate to guess.

25 I think mostly at Terminal Island.

26 Q Was he also incarcerated at McNeil Island in the
State of Washington?

1 A He could have been, but I am not positive.
2 But I have a vague recollection that he could
3 have been.

4 Q Was he also incarcerated in a reform school in
5 the midwest?

6 A I think so.

7 Q At the age of about 11 or 10?

8 A Not a federal institution.

9 Q No, but I say a state institution.

10 A He could have been, yes.

11 Q Right?

12 A He could have been.

13 Q That is in your file?

14 A It may be.

15 Q Now, directing your attention, then, to
16 Mr. Manson, is it a fair statement that your file reflects
17 no problem with Mr. Manson concerning black people in the
18 penitentiaries, is that a fair statement?

19 A Yes.

19a

20

21

22

23

24

25

26

Q Not a bit of information ever came to the attention of the prison officials concerning Mr. Manson and black people.

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

THE COURT: Overruled, you may answer.

THE WITNESS: That is so, Mr. Kanarek.

BY MR. KANAREK:

Q And, in general, is it a fair statement that this thick file that you are speaking of contains matter as to his behavior in prison?

A A lot of it would relate to that point, yes.

Q And this behavior in prison is behavior that is put down in writing from time to time by the Bureau of Prison Personnel, that is, the United States Bureau of prisons?

A Right.

Q And would you tell us -- would you tell us, Mr. Barrett, your estimate of, or your opinion, if I may put it that way, as to Mr. Manson's behavior in prison, in the prison context?

MR. BUGLIOSI: Calls for a conclusion, also for hearsay.

MR. KANAREK: He is the one, your Honor, he is the gentleman who is a probation officer. Certainly he can give an opinion as to the conduct of a person inside of a Federal Prison based upon what he knows about the man.

1 He is the probation officer.

2 THE COURT: Read the question.

3 (Whereupon the reporter reads the pending
4 question as follows:

5 "Q And would you tell us -- would you
6 tell us, Mr. Barrett, your estimate of, or your
7 opinion, if I may put it that way, as to Mr. Manson's
8 behavior in prison, in the prison context?"

9 THE COURT: The question is ambiguous, Mr. Kanarek.
10 Can you be more specific?

11 MR. KANAREK: Yes, your Honor.

12 Q In your work as a United States Probation
13 Officer do you read over reports concerning a particular
14 subject's conduct while in custody?

15 A I usually do, yes.

16 Q And my question then is, in connection with
17 Mr. Manson, would you tell us your opinion of Mr. Manson's
18 behavior while in custody?

19 MR. BUGLIOSI: Same objection.

20 THE COURT: Overruled. You may answer.

21 THE WITNESS: I did not go into his prison records
22 thoroughly insofar as having knowledge of his, say,
23 consecutive -- that is, his day to day progress.

24 I can only recall that there was nothing in
25 the records to show that he was any unusual behavioral
26 risk while in custody, or that he presented any dramatic, or

1 was responsible, say, for any dramatic adverse situation.

2 BY MR. KAHAREK:

3 Q And your opinion is that in the custody type
4 of atmosphere Mr. Manson does not present any problem, is
5 that right?

6 A He may have, I am not saying that I recall
7 whether he could have been a model prisoner.

8 I know that he was not the worst prisoner,
9 and he quite possibly was not one that did anything that
10 would, say, be aggravated.

11 Q And is it a fair statement that in the Federal
12 Prisons there is a large population of black people?

13 A I cannot answer that because I don't know
14 what Federal Prison you are talking about or at what period
15 you are referring to, or what you mean by a large amount.

16 Q Well, let's take Terminal Island.

17 You are familiar with Terminal Island?

18 A Yes.

19 Q Is it a fair statement that Terminal Island
20 has -- may I put it this way -- many black people
21 in custody there, in Federal custody?

22 A I wouldn't say too many. I wouldn't say that
23 they had any more than any other institution in proportion
24 to the other ethnic groups.

25 Q What is your estimate of the percentage of
26 black people of total population at Terminal Island?

1 A My guess would not be any better than anybody
2 else's in that respect, because I have had nothing to do
3 with Terminal Island in over five years except for a few
4 rare occasions.

5 Q Well --

6 A So they don't provide me with any statistics,
7 and I don't go down there and check people as to their
8 ethnic background, nor am I interested in that, to begin
9 with.

10 Q Looking at it five years ago, five years ago,
11 would you say -- would you tell us what the percentage
12 of black people was in the prison at Terminal Island?

13 MR. BUGLIOSI: Irrelevant.

14 MR. KANAREK: Your Honor, the prosecution has made
15 some allegations --

16 THE COURT: Overruled. You may answer if you know
17 the answer.

18 THE WITNESS: I did not see when I was down there
19 that there was a large proportion of black people.

20 BY MR. KANAREK:

21 Q I am not asking for any particular answer,
22 just what your estimate is.

23 A How many?

24 Q Yes, just your percentage, your estimate.

25 A Well, if I saw 100 prisoners there, I don't
26 think I saw over, say, ten black people.

1 Q Then your estimate is it was something like
2 ten percent?

3 A Ten percent of what I saw in a given place,
4 yes.

5 Q Now, is the National Training School for Boys,
6 is that a Federal institution?

7 A Yes, it is, Mr. Kanarek.

8 Q And would you tell us whether Mr. Manson was
9 in custody in the National Training School for Boys in
10 Washington, D.C.?

11 A I believe the records would indicate that he
12 had been an inmate there at one time.

13 Q Would that be back in 1951?

14 A They handled young people up to or about the
15 age of, I think, 16 and 17, so in 1951 I would have to make
16 some calculations.

17 If he was under the age of, say, 17, around --
18 or less than that --

19 Q If he was under 17?

20 A Yes.

21 Q He would be in the National Training School for
22 Boys?

23 A Yes.

24 Q Is that correct?

25 A Yes.

26 Q And directing your attention then to Mr. Manson,

1 do you have a recollection as to when he went in?

2 A No, I don't. I would have no reason to have
3 inscribed that in my memory, no.

4 Q But that would be in this file?

5 A Yes, it could be in the file.

6 Q Now, after someone reaches a certain age and
7 they still have time to do in the Federal system, are they
8 transferred from this juvenile institution to an adult
9 institution?

10 A It did not work that way, Mr. Kanarek. It
11 would defeat the purpose of the sentence itself, if they
12 were being handled as a juvenile, then their interest in
13 their training would be as a juvenile, and therefore
14 there would have been a limitation as to such training.

15 In other words, it would not have been --
16 his sentence probably would have ended at the time that his
17 age passed the maximum number, you know, qualifying date.

13k file.

13b-1

1 Q But that is not necessary, not necessarily so,
2 is it?

3 A Yes, it is necessarily so.

4 Q It is necessarily so?

5 A Yes. I cannot recall the situation, as you
6 would presume there.

7 Q You mean this is not the way it should be, right?

8 A I did not say that.

9 Q But is it possible for someone to get lost in
10 the federal system?

11 A Hah!

12 Q You smile, you don't think that is so?

13 A You want just a guess on my part?

14 Q Yes.

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

16 THE COURT: Sustained.

17 Q BY MR. KANAREK: Is it a fact that Mr. Manson had
18 no schooling beyond the third or fourth grade?

19 A Formal schooling?

20 Q Yes.

21 A I think that is so.

22 Q Is it a fact that Mr. Manson can write with great
23 difficulty only and read with great difficulty only?

24 A Now?

25 Q I am talking about what you know concerning him.

26 A I was not aware of that.

1 A I was not aware of that.

2 I could read his reports, and he conversed with
3 me in a very understandable tone, and I didn't get the
4 impression that he was retarded educationally, no.

5 Q Do you feel that going through the third or
6 fourth grade is not a retarded education?

7 A Well, he could have caught up with the educational
8 opportunities afford him while as a federal inmate,
9 They have schooling.

10 Q While he was this 23 years in prison, he could
11 have--

12 A They have a school program.

13 Q I see.

14 A Or an educational program, and they have
15 libraries and other learning material is available to them.

16 Q And so you are saying that during this 23 years
17 in prison he could have gone beyond the third or fourth
18 grade, is that right?

19 A Yes, yes.

20 Q You are saying that phonetically, that is
21 conversationally, Mr. Manson speaks the English language,
22 right?

23 A I think he is quite articulate.

24 Q Right, right, using the English language vocally.

25 A Right.

26 Q My question is, as far as writing and as far as

1 reading go, is it a fact that Mr. Manson does not read or
2 write, if I may put it that way, articulately?

3 A Well, I never received the impression that his
4 writing was illegible.

5 I was able to read his writing. 7

6 And as far as any other form of communication,
7 he never expressed any handicap to me, and I never received
8 a picture of that, that he was suffering from any retardation
9 in that respect.

10 Q I am not speaking of mental retardation.

11 A I said education, I mean educational.

12 Q Are you saying his communications to you are
13 communications where the words were spelled right and the
14 sentence structure was right and the English was correct,
15 is that what you are telling us?

16 A Well, the occasion when it demanded such a
17 critical presentation -- I mean, just simply filling out a
18 form or writing to ask me a simple request, so he is not,
19 you know, expounding on some, say, special kind of a, you
20 know, literary work.

21 It was just a simple form of communication,
22 and I thought he was doing it adequately.

23 Q And so --

24 A I did not detect any grossly, you know, any
25 gross errors as far as spelling or anything like that.

26 Q Then is your state of mind, Mr. Barrett, such

1 that you are telling us that your determination of
2 Mr. Manson's ability to read and write is based upon the
3 filling out of forms for the Probation Department?

4 A No, that is not what I said.

5 I say as far as the communication that
6 transpired between us in the form or written matter, it was
7 usually limited to a simple request or to the filling out
8 of a form.

9 Q And so your impression of his ability to read
10 and write would be based upon what you had received in
11 response to the request for the filling out of these forms,
12 is that right?

13 A Except that -- except that in his institutional
14 record there would have been some indication as to his
15 educational equivalency.

16 But I don't recall what that was offhand, and
17 then again even if I did I would have to ask that I be
18 excused from referring to whatever that information could
19 be.

20 Q You mean because the Attorney General of the
21 United States --

22 A That's right.

23 Q -- has told you that for some undedly reason you
24 cannot give us this information.

25 Is that what you are telling us?

26 A Yes.

1 Q I see. Now, is there a federal institution at
2 Petersburg, Pennsylvania?

3 A Yes, there is or there was.

4 Q What institution is that, Mr. Barrett?

5 A A reformatory, I believe that was a federal
6 reformatory.

7 Q Is there a federal institution at Chillicothe,
8 Ohio?

9 A There is or there was. I think that might have
10 been closed down. There is, or there was.

11 Q And did Mr. Manson -- was Mr. Manson --

12 A I think he had been there in Chillicothe in the
13 at
reformatory/one time.

14 Q Right?

15 A Yes.

16 Q And Mr. Manson was at the federal reformatory at
17 Petersburg, Pennsylvania, right?

18 A Right.

19 Q And was he there for stealing an automobile?

20 A I recall that he had been convicted on an
21 automobile offense, and it may be that that was the offense
22 for which he was, you know, sent there, to serve that time.

23 Q Was Mr. Manson once convicted for stealing a
24 loaf of bread when he was hungry, do you recall that,
25 Mr. Barrett?

26 A As a federal case?

1 Q Your records would reveal offenses other than
2 federal offenses, wouldn't they?

3 A Yes.

4 Q They would reveal this file that the Attorney
5 General of the United States wants to keep at Ft. Knox,
6 so to speak, that file would reveal every offense Mr. Manson
7 was convicted of, is that right?

8 A It should, yes.

9 Q And wasn't Mr. Manson convicted of stealing food
10 when he was hungry at the age of 11 or 12?

11 A No, I don't think that would reflect that,
12 Mr. Kanarek.

13 Q You say it doesn't reflect it or wouldn't
14 reflect it?

15 A I don't think it would.

16 Q It wouldn't?

17 A Well, I would change my reply.

18 I don't remember that it reflected that charge.

19 Q Well, are you violating the Attorney General's
20 order when you think back and try to tell us whether you
21 are remembering it or not?

22 A No, I am not. I am trying to give you an honest
23 answer.

24 Q Does the file that we are speaking of reflect
25 the theft of food by Mr. Manson when he was a young boy --

26 A I thought you said, Mr. Kanarek, that he had been

convicted of stealing some bread. Is that what you asked?

Q Yes, that would be the theft of food, isn't that right?

A Well, you can steal something but you don't necessarily become convicted of that, so I feel you are asking me several different questions here.

Q Well, may I ask you, does the thick file that you are speaking of, does that file reflect that Mr. Manson let's start off by asking:

Was he charged with stealing food when he was a young boy?

A I don't remember that he was. He may have been, but I don't remember any such charge.

14-1

1 Q Does the file reflect that he was convicted of
2 stealing food when he was a very young boy?

3 A Again, I don't think it does.

4 Q Does the file reflect that he was abandoned by
5 his mother when he was 10 or 11 or 12 years old or less?

6 MR. BUGLIOSI: Calls for hearsay.

7 MR. KANAREK: Well, your Honor, on equal protection
8 of the law --

9 THE COURT: Just a minute, Mr. Kanarek.

10 Overruled.

11 You may answer.

12 THE WITNESS: I believe that there is a reference to
13 his being neglected by his mother, yes.

14 BY MR. KANAREK:

15 Q At a very tender age, maybe even less than 10
16 years old; right?

17 A Well, I don't know whether it was less or
18 before or after, but I know at an early age he was subject
19 to neglect, yes.

20 Q By his mother, right?

21 A By his mother.

22 Q And he was an illegitimate son, right, of his
23 mother?

24 MR. BUGLIOSI: Oh, your Honor, that calls for a
25 conclusion.

26 THE COURT: Sustained.

14-2

1 MR. BUGLIOSI: His mother may not even know.

2 MR. KANAREK: I don't see the humor of it. Perhaps
3 the District Attorney does.

4 THE COURT: Ask your next question, Mr. Kanarek.
5 BY MR. KANAREK:

6 Q Does the file reflect that his mother was
7 convicted of robbery, Mr. Barrett, at or about the time that
8 he was subject to parental neglect?

9 MR. BUGLIOSI: Irrelevant and calls for hearsay.

10 MR. KANAREK: Your Honor, then I object on the grounds
11 of equal protection.

12 THE COURT: Mr. Kanarek, I have warned you before.

13 MR. KANAREK: Then may I make my argument?

14 THE COURT: It is not necessary.

15 The objection is overruled.

16 You may answer.

17 THE WITNESS: Would you repeat the question, Mr.
18 Kanarek?

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

20 THE COURT: Read the question.

21 (Whereupon the question was read by the
22 reporter.)

23 THE WITNESS: You are asking for information from
24 our file, and again, I feel that I should rely on the
25 directive from our Attorney General's office.

26 I, therefore, would see fit to refuse to answer

14-3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

that on those grounds, unless the Court feels otherwise.

MR. KANAREK: On the grounds it is going to incriminate the Attorney General?

THE WITNESS: No. On the grounds that --

THE COURT: He has stated his reason, Mr. Kanarek.

The same reason that you refused before, sir?

THE WITNESS: Yes, your Honor.

THE COURT: The provisions of the Code of Federal Regulations, Section 1612?

THE WITNESS: Yes, your Honor.

THE COURT: All right.

MR. KANAREK: Is your Honor sustaining that objection?

THE COURT: He is refusing to answer on that ground.

You may ask your next question.

MR. KANAREK: May I request the Court to order him to answer?

THE COURT: I will not.

14a Fls.

14-a

1 MR. KANAREK: Q Is it a fair statement that when a
2 person goes into that school in Washington, D.C., that
3 Institute For Boys, National Institute For Boys, is it a
4 fair statement that the Federal Government, the Congress of
5 the United States, has appropriated money for people to do
6 research into the background of the particular subject,
7 go out and talk to the parents, talk to relatives, talk to
8 neighbors?

9 Is that correct?

10 A Yes.

11 Q So that that file that you are speaking of that
12 the Attorney General won't let us have, would have in it
13 the research, the searching, the probing that was done into
14 Mr. Manson's family background?

15 Is that a fair statement?

16 A Yes, it is.

17 Q And you are telling us that you are refusing to
18 furnish this information for us in this courtroom; is that
19 correct?

20 A I am saying that I am not permitted to provide
21 that information.

22 THE COURT: We have covered this, Mr. Kanarek.

23 MR. KANAREK: Pardon?

24 THE COURT: Go to your next question.

25 Q BY MR. KANAREK: How many years, Mr. Barrett, was
26 Mr. Manson reporting to you?

1 A Let me think a minute.

2 He came into our district when he was arrested
3 in Ventura County in, I think it was, around July of '68.
4 June or July of '68.

5 And so it would have been until we recommended
6 our violator's warrant, on or around the 1st of October,
7 1969.

8 This would be about a little over a year,
9 close to a year and a half.

10 Q Now, in connection with his reporting to you
11 during this period of time, did Mr. Manson keep in touch
12 with you, in accordance with your instructions?

13 A Not until I think about July when he became
14 negligent in his reporting.

15 Q Well, how many times a month was Mr. Manson
16 supposed to report to you?

17 A He was supposed to send in a written report each
18 month for that particular month that he had just completed
19 under supervision.

20 Q Once a month?

21 A Yes, once a month.

22 Q Well, did you fail to get any of these monthly
23 reports?

24 A That is what I said. Yes. After about July, or
25 after the June report, I think he became delinquent.

26 Q Well, you saw him after June, right?

1. A Regardless of whether we -- even though we may
2. communicate in different media, they are still required to
3. send in a monthly report.

4. THE COURT: We will take our afternoon recess at this
5. time.

6. Ladies and gentlemen, do not converse with anyone
7. or form or express any opinion regarding penalty until
8. that issue is finally submitted to you.

9. The Court will recess for 15 minutes.

10. (Recess.)
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.
21.
22.
23.
24.
25.
26.

14b-1

1 THE COURT: All the defendants are present except
2 Mr. Kanson. All counsel and jurors are present.

3 You may continue, Mr. Kanarek.

4 MR. KANAREK: Yes, your Honor. Thank you.

5 Your Honor, I wonder if I might approach the
6 bench in connection with certain argument that I would like
7 to make to the Court about the federal records?

8 THE COURT: Very well.

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

12 MR. KANAREK: Your Honor, my position is that the
13 privilege, if there be one, is abrogated when the United
14 States Attorney sends to the District Attorney of Los Angeles
15 County matters from his file.

16 It seems to me that ---

17 THE COURT: Mr. Kanarek, there appears to be a federal
18 law. An individual can't waive it.

19 It is not a personal privilege in the sense that
20 the privilege against self-incrimination is, or one of the
21 other personal privileges.

22 MR. KANAREK: It is an executive order.

23 THE COURT: If he or his department has, in some way,
24 violated the regulation, that doesn't waive the requirements
25 of the law.

26 MR. KANAREK: I think we can argue -- and I hope
successfully -- that it is up to the discretion, it purports

1 to be up to the discretion of the Attorney General.

2 Now, your Honor, in a matter as important as
3 this --

4 THE COURT: Have you asked for the Attorney General's
5 approval?

6 MR. KANAREK: Well, as I read that statute --
7 pardon me, that executive order -- as I read it, it would
8 appear to me that the Attorney General is the one who can
9 purport to deny, and that it would seem like everything
10 else being equal, that the person served would be under an
11 affirmative obligation to show that the Attorney General
12 has denied.

13 I don't think you can do it --

14 THE COURT: He did. He testified to that.

15 I think we are wasting time now.

16 If you have some authorities you wish to offer
17 on this point, fine.

18 So far as I can see, the section cited and the
19 cases cited dispose of the matter so far as this court is
20 concerned.

21 Now, he is obviously answering your questions.
22 Whether he is doing it out of his head or from his memory of
23 the file, he is answering your questions.

24 MR. KANAREK: But it gets to certain points and he
25 exercises whatever it is, what he calls his privilege, or
26 otherwise.

1 The Federal Constitution contemplates a federal --
2 THE COURT: What is it you are trying to get from the
3 man?

4 I asked you if you wanted to make an offer of
5 proof. Perhaps the People will stipulate to everything you
6 want to get.

7 MR. KANAREK: It isn't as effective, your Honor.

8 I want the details of Mr. Manson's life in
9 prison, because from what I read, juries, on penalty, are
10 very, very desirous of knowing the detail of a man's life
11 in prison to determine whether he is a danger.

12 This man has made some statements, but I don't
13 think it would be as powerful as a log or some form of
14 continuous statement from a file, which will prove that
15 Mr. Manson, in a lifetime setting, will not be any danger.

16 I think it is very important, and I think the
17 Federal-State system that we have in the Federal Constitu-
18 tion recognizes the dignity of both branches of our
19 government, both parts of our government, and the State of
20 California certainly has a right to --

21 THE COURT: There is no point in going over and over
22 the same ground, Mr. Kanarek.

23 The law seems to be perfectly clear on the
24 subject.

25 Are you suggesting that this man is the only
26 person who has any information concerning Mr. Manson's

1 background?

2 Why don't you put Mr. Manson on, and he can
3 testify in a limited manner to his background, if you want
4 to get it firsthand.

5 MR. KANAREK: But the jury will not necessarily believe
6 Mr. Manson.

7 MR. FITZGERALD: Let me make a suggestion.

8 Much of this information is public record.

9 THE COURT: It may very well be.

10 MR. FITZGERALD: If he wants to put in background
11 history, much of this record is public record.

15-1

1 Pertaining to Mr. Manson, that matter is a
2 public record.

3 As to reflecting information concerning Mr.
4 Manson's behavior within Federal institutions as an adult
5 is another problem.

6 But I think we can expedite a lot of this.
7 It is a matter of public record. He is the custodian of
8 the record. Custodians and people of personal knowledge
9 can testify --

10 MR. KANAREK: I agree. His behavior in prison is
11 most important.

12 THE COURT: Then why don't you subpoena somebody
13 from the prison and ask them? This man doesn't know
14 anything about it except what he saw in the file.

15 MR. KANAREK: Neither would the warden of the prison,
16 your Honor, he wouldn't have personal knowledge of Mr. Manson.

17 THE COURT: Somebody would. You haven't convinced me
18 by any means, Mr. Kanarek, that the information that you are
19 trying to obtain is not available from other sources. You
20 seem unwilling to make an offer of proof of any kind that
21 the people might be perfectly willing to stipulate to.

22 It seems to me the same information would be
23 available from a number of sources.

24 MR. KANAREK: I will discuss this with the District
25 Attorney.

26 A stipulation will be better than nothing. I am

15-2

1 asking for this file; I think there is no reason in logic
2 or law why this file should not be here.

3 THE COURT: You have already been shown the reasons.
4 All right, let's proceed.

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

7 THE COURT: You may proceed, Mr. Kanarek.

8 MR. KANAREK: Yes, your Honor.

9 BY MR. KANAREK:

10 Q Mr. Barrett, the arrest you speak of in
11 Ventura, did that involve a matter -- that certainly did
12 not involve any kind of a felony, did it?

13 A No, no, it did not.

14 Q Pardon?

15 A No, it did not.

16 Q It involved a matter that was a misdemeanor,
17 right?

18 A That's right, that's right.

19 Q Now, do you have, Mr. Barrett, a schedule where
20 you have to leave Los Angeles tomorrow?

21 A Do I have to?

22 Q Yes, is it convenient for you to leave Los
23 Angeles tomorrow?

24 A Yes, I could leave Los Angeles tomorrow.

25 Q I am not asking you to go, but I mean your
26 working schedule is such --

1 A My work schedule is such that I am required to
2 be in the office on Mondays and Tuesdays and I am free to
3 do field work the other three days of the week.

4 Q And you leave this area to go to Northern
5 California?

6 A Northern counties, Ventura, Santa Barbara and
7 San Luis Obispo.

8 MR. KANAREK: I see.

9 Your Honor, at this time I would ask that this
10 witness be allowed to be excused, because of another matter
11 that Mr. Shinn wishes to take up at this time.

12 THE COURT: Are you suggesting that any cross-
13 examination be deferred?

14 Do you have some more direct examination?

15 MR. KANAREK: Yes, your Honor, I do.

16 THE COURT: You want him excused until when?

17 MR. KANAREK: His convenience. Maybe the day after
18 tomorrow.

19 THE COURT: Maybe it isn't convenient at all.

20 MR. KANAREK: Well --

21 THE COURT: What are you suggesting, Mr. Kanarek?

22 MR. KANAREK: I'm suggesting that he be excused to a
23 time so I don't interfere with his work schedule.

24 Maybe that is Friday, whatever date --

25 THE COURT: You work it out with Mr. Barrett. You
26 may step down, sir.

1 MR. KANAREK: Yes, sir. May Mr. Barrett be ordered
2 back next Wednesday morning.

3 THE COURT: A week from tomorrow?

4 MR. KANAREK: A week from tomorrow, your Honor.

5 THE COURT: All right, you are ordered to return to
6 this courtroom on February 10th, at 9:00 a.m., Mr. Barrett.

7 THE WITNESS: Yes, your Honor.

8 MR. KANAREK: Thank you, your Honor.

9 MR. SHINN: Yes, your Honor, we will call Mr. Bugliosi,
10 your Honor.

11 MR. BUGLIOSI: May I have just a moment, your Honor?

12 (Mr. Bugliosi confers off the record with
13 Mr. Barrett after which the following proceedings were had:)

14 MR. BUGLIOSI: May we approach the bench?

15 THE COURT: Yes.

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

18 MR. BUGLIOSI: I think it is kind of unusual, your
19 Honor, to call the prosecutor to the stand. I would ask for
20 an offer of proof because Mr. Shinn might go into areas
21 which I do not wish to answer for various reasons.

22 I don't know what he is going to ask. I have
23 no idea, and I don't want to be put in a position of saying
24 I don't want to answer that question.

25 THE COURT: Let's have an offer of proof, Mr. Shinn.

26 MR. SHINN: Your Honor, I discussed this matter with

15-5

1 Mr. Bugliosi and Mr. Kay and I believe one of the reasons
2 I am calling Mr. Bugliosi to the stand is to show that
3 Miss Susan Atkins cooperated with him at the beginning
4 at the Grand Jury hearing, and subsequently went out with
5 him to various parts of the city, I believe, to the scenes
6 of the crime.

7 I just want to show the jury that Miss Atkins
8 cooperated fully, that is all.

9 THE COURT: Do you think this is going to help your
10 client?

11 MR. SHINN: Yes, your Honor, the question of whether
12 it helps or not, I discussed this fully with my client.

13 I am not going into the aspects of the crime,
14 your Honor.

15 MR. BUGLIOSI: I believe he is going to ask a lot
16 more questions than that.

17 Even the question "Did she cooperate?"

18 Well, certainly, by and large she cooperated --

19 THE COURT: Is that all you intend to ask, whether
20 she cooperated?

21 MR. SHINN: In that area. If I go beyond that area
22 I believe Mr. Kay is capable of objecting.

23 I don't see why I should have to divulge to
24 Mr. Bugliosi all the questions I am going to ask him.

25 THE COURT: Because I think we are getting into
26 matters here that are highly unusual.

15-6

1 MR. BUGLIOSI: I think it is fraught with problem
2 for the prosecutor to take the stand.

3 In other words, I am apt to give an answer that
4 is really apt to hurt his client.

5 THE COURT: I'm going to require you to make an
6 offer of proof, Mr. Shinn. I want to know what is going
7 on before it happens.

8 MR. SHINN: I am going to ask Mr. Bugliosi whether or
9 not he talked to Miss Susan Atkins before this trial, and
10 also ask Mr. Bugliosi whether or not she fully cooperated
11 with Mr. Bugliosi at the Grand Jury hearing.

12 And I'm going to ask him whether or not Miss
13 Atkins did give him permission vital to this case which
14 resulted in indictments of the defendant in this case.

15 THE COURT: That is a conclusion on his part. How
16 does he know what the Grand Jury relied on?

17 MR. SHINN: I am going to ask these facts. It is
18 up to the jury to decide.

19 THE COURT: What difference does it make?

20 MR. SHINN: What do you mean "What difference does
21 it make"?

22 THE COURT: What is the relevancy of it?

23 MR. SHINN: Whether she cooperated with the District
24 Attorney? I think it goes to mitigation.

25 THE COURT: All you are going to do is place your
26 client in front of the Grand Jury testifying about the facts

1 of the crime. That is on what the indictments were based.

2 MR. SHINN: It is up to Miss Atkins to decide whether
3 it is going to help her or not, your Honor.

4 THE COURT: I know. I have an interest in this
5 matter, too, to make certain an attorney understands what
6 he is doing before he does it.

7 MR. BUGLIOSI: I think he also intends to ask me --
8 correct me if I am wrong, Mr. Shinn -- he also intends to
9 ask me what questions I asked her at the Grand Jury and
10 what her answers were to certain questions.

11 I believe you mentioned you were going to ask
12 that.

13 MR. SHINN: Maybe one or two, but not all of them.

14 THE COURT: What do you intend to ask, Mr. Shinn?

15 MR. SHINN: All the questions I'm going to ask Mr.
16 Bugliosi?

17 THE COURT: Yes, I am very apprehensive that you will
18 do the opposite of what you intend to do and injure your
19 client's position rather than help her?

20 MR. SHINN: Do you want me to go through all of the
21 questions I may ask Mr. Bugliosi?

22 THE COURT: You tell me generally the subject matter
23 you want to get into.

24 MR. SHINN: First I want to ask him whether or not he
25 had a conversation with Miss Atkins.

26 THE COURT: We covered that three times. Let's get

1 to the point.

2 What is it you want to find out?

3 MR. SHINN: I just want to show how Miss Atkins
4 cooperated with the authorities, your Honor; that is the
5 thrust of my position.

6 THE COURT: Perhaps the People will stipulate to it.

7 MR. SHINN: The fact that one stipulates does not
8 give impact, say, in front of a jury.

9 THE COURT: Do you intend to put Miss Atkins on the
10 stand?

11 MR. SHINN: Yes, your Honor.

12 THE COURT: She is going to be put on the stand?

13 MR. SHINN: Yes.
14
15
16
17
18
19
20
21
22
23
24
25
26

16fls.

16-1
1 THE COURT: Why don't you put her on the stand first,
2 and put Mr. Bugliosi on afterwards?

3 MR. SHINN: Your Honor, I would rather put Mr. Bugliosi
4 on first.

5 Are you going to deny me that right?

6 THE COURT: I will exercise my right in this case to
7 determine the order of proof.

8 Put on Miss Atkins first.

9 MR. SHINN: I have Mr. Paul Caruso and Mr. Capallero
10 coming in tomorrow morning. They are subpoenaed. I felt
11 that I wanted to put on Mr. Bugliosi first. I also have
12 Lawrence Schiller and Jerry Cohen subpoenaed, too, your
13 Honor.

14 I want to put all those witnesses on first,
15 and then Miss Atkins on last.

16 THE COURT: If you want to call Mr. Bugliosi, you
17 call him after you call Susan Atkins.

18 MR. SHINN: Is that an order?

19 THE COURT: You told me you intend to call her.

20 MR. SHINN: Yes. But I want to put Mr. Bugliosi
21 on before Susan Atkins.

22 Are you going to deny me that right?

23 THE COURT: I think, under the unusual circumstances
24 of this case, he should go on last.

25 MR. SHINN: He should go on last?

26 THE COURT: Yes.

1 MR. SHINN: Well, I want to object to the Court's
2 ruling, your Honor.

3 THE COURT: All right.

4 MR. SHINN: Because I feel I have a right to put on
5 any witness in the order that I feel is advantageous to Miss
6 Atkins.

7 THE COURT: Are you ready to call your first witness?

8 MR. SHINN: Your Honor, as I stated to the Court, your
9 Honor, my other two witnesses are not yet here. They are
10 not subpoenaed until tomorrow morning.

11 THE COURT: Then we will recess at this time.

12 Does anyone else have any witness to put on?

13 MR. KEITH: We could.

14 THE COURT: We are not going to waste 45 minutes.

15 MR. KAY: He said Susan Atkins is going to testify.

16 MR. SHINN: Yes. But I will put her on last.

17 I am scheduling her for last.

18 MR. FITZGERALD: What we all intended to do -- and
19 certainly not in any respect to frustrate the Court -- we
20 wanted to present evidence about the defendants in some sort
21 of coherent fashion for the jury, and what we decided to do,
22 and what I thought was reasonable, was to put on evidence of
23 background and history of all the defendants, and then
24 talk about their more contemporaneous background.

25 Now, certain problems were presented because
26 Mr. Shinn wanted to put on some evidence about Susan Atkins

1 and her connection with the prosecution and her testimony
2 at the Grand Jury, and so on and so forth, and he wanted to
3 put on two attorneys, Paul Caruso and Richard Caballero,
4 as well as Mr. Bugliosi, and those two attorneys have been
5 subpoenaed for tomorrow morning.

6 Mr. Shinn prevailed upon Mr. Kanarek to cut his
7 examination of parole officer Barrett short so that Shinn
8 could put on Bugliosi this afternoon and start off tomorrow
9 morning with Caruso and Caballero.

16a

16a-1

1 THE COURT: I told you my feeling.

2 Frankly, I am very apprehensive about what you
3 want to do.

4 If you want to put Mr. Bugliesi on, you put on
5 Susan Atkins first.

6 You told me you are going to call her, so it is
7 just a matter of changing the order of two witnesses.

8 MR. BUGLIESI: He also wants to call Mr. Stovitz, I
9 understand.

10 Is that true?

11 MR. SHINN: Yes.

12 THE COURT: Someone call a witness. We have 40 minutes
13 remaining.

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

18 MR. FITZGERALD: We have a witness being brought
19 downstairs, your Honor.

20 THE COURT: Very well.

21 How long will this require, Mr. Fitzgerald?

22 MR. FITZGERALD: Well, just about three minutes,
23 your Honor.

24 THE COURT: I will leave the bench, then, and I will
25 ask the jury to remain in the jury box, and we will resume
26 as soon as the witness is present.

1 MR. FITZGERALD: Sorry for the inconvenience, your
2 Honor.

3 (The Court leaves the bench and then returns.)

4 THE COURT: You may proceed, Mr. Fitzgerald.

5 MR. FITZGERALD: Thank you.

6 Miss Lynette Fromme.

7 THE CLERK: Would you raise your hand, please.

8 Would you please repeat after me.

9 I do solemnly swear --

10 THE WITNESS: I do solemnly swear --

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

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

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

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

15 THE CLERK: -- before this court --

16 THE WITNESS: -- before this court --

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

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

19 THE CLERK: -- the whole truth --

20 THE WITNESS: -- the whole truth --

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

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

23 THE CLERK: -- so help me God.

24 THE WITNESS: -- so help me God.

25 THE CLERK: Would you be seated, please.

26 Would you please state and spell your name.

1 THE WITNESS: Lynette Alice Fromme, or Fromme.

2 Do you want the first name spelled also?

3 THE CLERK: Yes, please.

4 THE WITNESS: L-y-n-e-t-t-e, A-l-i-c-e, F-r-o-m-m-e.

5
6 LYNETTE ALICE FROMME,

7 called as a witness in behalf of the defendants, having
8 been first duly sworn, was examined and testified as
9 follows:
10

11 DIRECT EXAMINATION

12 BY MR. FITZGERALD:

13 Q Miss Fromme, are you known by any other name?

14 A Squeaky.

15 Q Is that a nickname?

16 A Yes.

17 Q Miss Fromme, do you know the defendants
18 Patricia Krenwinkel, Susan Atkins, Leslie Van Houten and
19 Charles Manson?
20

21 A Yes, I do.

22 Q During at least the summer months of 1969, did
23 you reside at the Spahn Ranch located at 12000 Santa
24 Susanna Pass Road in Chatsworth, California?

25 A Yes.

16bfla.

16b-1

1 Q How long did you reside at the Spahn Ranch; do
2 you recall?

3 A A I never counted it up, but I believe it would be
4 about three years.

5 Q And how long have you known Charles Manson?

6 A About five years.

7 Q How long have you known Patricia Krenwinkel?

8 A Close to that. Close to five years.

9 I'd say probably four and a half, maybe.

10 Q How long have you known Susan Atkins?

11 A Four.

12 Q Do you know Susan Atkins by any other name?

13 A Sadie Glutz.

14 Q Sadie? The first name Sadie, S-a-d-i-e?

15 A That's right.

16 Q Last name Glutz, G-l-u-t-z?

17 A That's right.

18 Q Now, how old are you, Lynette?

19 A 22.

20 Q Were you born and raised in Los Angeles?

21 A Yes. I was born in Santa Monica and I was
22 raised along the beach areas.

23 Q Did you attend high school in Los Angeles,
24 California?

25 A Yes.

26 Q Did you graduate from high school here?

1 A Yes.

2 Q What high school did you graduate from?

3 A From Redondo, Redondo Beach High School.

4 Q Do you recall the year?

5 A What is that, please?

6 Q Do you remember the year you were graduated from
7 high school?

8 A No.

9 That sounds stupid, but I don't.

10 Q Was it shortly after you graduated from high
11 school that you met Charles Manson?

12 A It was at the end of my first semester of college,
13 junior college.

14 Q Excuse me. Did you attend college?

15 A Yes.

16 Q Where did you attend college?

17 A At El Camino Junior College in Torrance.

18 Q And would you basically or briefly describe the
19 circumstances surrounding your meeting Charles Manson?

20 A Yes. Firstly, if I may, I would like to say that
21 my father is an aeronautical engineer and I come from an
22 upper middle-class background.

23 Well, I mean, I suppose you would classify it
24 like that.

25 Q Did you reside with your family in the West
26 Los Angeles area of the County of Los Angeles?

1 A In between being kicked out, I resided with my
2 family.

3 And my father, as many fathers, didn't know what
4 to do with a growing daughter. He didn't know how to con-
5 front me.

6 He didn't understand whether --

17-1
1 THE COURT: Just a moment.

2 THE WITNESS: Yes, okay.

3 THE COURT: Did you hear the question that was asked:

4 When did you first meet Mr. Manson?

5 THE WITNESS: Oh, all right.

6 Well, this all is pertaining to the --

7 THE COURT: Just answer the question.

8 MR. FITZGERALD: I will ask you to explain that later.

9 Q BY MR. FITZGERALD: Just explain initially the
10 circumstances surrounding your meeting Charles Manson and
11 then I will go back and ask you some of the reasons.

12 A Well, on one particular night I was kicked out
13 of the house by my father, and I didn't have too many
14 friends, I hitchhiked, got on the freeway and went to
15 Venice where I had seen people living kind of freely.

16 I expected I would find some young kids. I was
17 sitting down crying and a man walked up and said, "Your
18 father kicked you out of the house, did he?"

19 And that was Charlie.

20 And I proceeded to talk to him a little bit.
21 After a while he told me, "You can come with me if you want,"
22 and I told him, "No," I was still in school.

23 So he said, "Well, I'd like you to come but I
24 cannot make up your mind for you," and he walked away.
25 And nobody had ever treated me like that before. Nobody
26 ever not pushed me or, you know what I mean.

1 So, I just picked up everything I had and left
2 and then never went back.

3 Q At the time that you initially met -- how did
4 you refer to Charles Manson later on, as Charlie?

5 A Yes.

6 Q Before you met Charlie, you were having some
7 problems at home, is that right?

8 A Yes.

9 Q Particularly were you having some problems with
10 your father?

11 A Oh, yeah.

12 Q And at the time that you actually met Charlie
13 you had run away from home, isn't that right?

14 A Well, we can say that.

15 Q Or you were thinking of running away from home?

16 A Well, he threw me out, but I provoked it, I
17 imagine, you could say.

18 Q And at the time that you met Charles Manson you
19 were crying and depressed?

20 A A little bit, yeah, I didn't have any place to go.
21 And, you see, it wasn't as I expected, and the
22 streets -- you know what the street is like.

23 Q At the time you met Charlie was there anyone
24 with him?

25 A He -- there was a little girl with him, and she
26 had been thrown out of her house.

Q Approximately how old a girl was she?

A I would say she was about 16, but she had been married before.

Q Did you go some place with Charlie and this girl?

A Yes.

Q Where did you go?

A Right then when I got up and left with them we left for the woods, we headed up north.

Q To the northern portion of California?

A Um-hum. But before then we stopped by in San Francisco and then Berkeley, and we met Mary Brunner.

Q Now, how did you get from Southern California to Northern California?

A How did we get from Southern California to Northern California?

Q Did you walk, fly?

A Oh, yeah, we had -- I had to think for a minute. We had an old car that someone had given Charlie.

Q What year was this, do you recall?

A Well, it was, I would say, five years ago.

Q Inasmuch as it is the beginning of 1971, would this be about 1966 or '67 or '65, somewhere in that area?

A '67, I would say.

Q Was it in the fall of the year, spring of the

1 year, the winter, what?

2 A It was in the spring.

3 Q Who was this little girl who was with Charlie,
4 what was her name?

5 A I don't remember her name.

6 Q Was there just the three of you that went in
7 this old car up north?

8 A No, we went up and Charlie had previously met
9 Mary, and she was a librarian, she said she was not content
10 either, so --

11 Q No, I think you misunderstood the question.

12 First of all, you drove from Southern California
13 up to Northern California in an old car, right?

14 A Up to Mary's house.

15 Q And you drove with Charlie and another little
16 girl who was about 15, correct?

17 A Um-hum.

18 Q Was there anybody else that drove along with you?

19 A There was another guy, yeah.

20 Q Do you remember anything about him, his name or --

21 A No, because he was a discontented sort of person.
22 He wanted something to do.

23 He just left.

24 Q And you arrived in San Francisco, California a
25 few days later, did you?

26 A Yeah.

1 Q And did you proceed to the Haight-Asbury District,
2 to the City of San Francisco?

3 A Oh, yes.

4 Q Did you remain there for some period of time?

5 A We frequented Haight-Asbury in all of our trips
6 north and south, we traveled up and down the coast, and
7 watched it grow and die, and watch it get dirty and watch
8 all the kids in there.

9 Q Well, were you in San Francisco, California in
10 the Haight-Asbury District during the heyday of the psyche-
11 delic revolution, or whatever, however you want to describe
12 it?

13 A Probably not at the --

14 When it was beginning -- we were not there when
15 it was beginning, but in the middle -- in the midst of it
16 when all of the kids were running around with flowers and
17 at the same time you --

18 You see, I recall an incident where Charles was
19 pretty upset because we had a Volkswagen bus and it was
20 small and there was kids everywhere, and they all wanted to
21 go someplace or come with somebody, but we didn't have no
22 room for them, and they were standing out there on the
23 streets and getting beat up in alleys because they can't go
24 to the police because they are all under age.

25 You see, that is one of the -- well, I can't say
26 that.

1 Q Now, at some time when you were up there you went
2 over to Berkeley, California, right?

3 A Yes.

4 Q And you met a girl by the name of Mary Brunner,
5 is that correct?

6 A Yes.

7 Q Was she working at the time?

8 A Yes, she was a university librarian.

9 Q At the University of California at Berkeley?

10 A That's right.

11 Q Did she also come with you? Did she leave Berkeley?

12 A Yes.

13 Q And did she come with you and Charlie?

14 A Yes.

15 Q Was there anybody else at the time she came with
16 you?

17 A No, the girl by that time -- the other little
18 girl was not used to being with other girls.

19 Q So there were two girls and Charlie: yourself,
20 Mary Brunner and Charles Manson, is that right?

21 A That's right.

22 Q Okay, what did you, Mary Brunner, and Charles
23 Manson do when you left Berkeley?

24 A We went up north to the woods.

25 Mary had her pay check and we got a little
26 cabin in the woods, and we lived for the first time on

1 hardly anything.

2 Q Was that up in Mendocino County?

3 A Yes, that's right.

4 Q Did you meet another girl up there in the woods
5 in Mendocino County?

6 A Later on we did, yes.

7a

17a-1 1 Q All right, what did you do after you left the
2 woods in Mendocino County?

3 A Umm, that is a long time ago.

4 We proceeded to travel up and down the Coast,
5 and at one point when we would run into people that wanted
6 to come with us, we decided we'd get a bigger house, so
7 we went up to Sacramento and got a bus, a great big black
8 bus.

9 Q A school bus?

10 A That's right, and in the process we met a
11 family who I wish could sit up there and testify --

12 Q Well, and then did you start traveling the
13 state in this bus?

14 A Um-hum.

15 Q And from time to time did people come with you
16 on this bus?

17 A Oh, yeah.

18 Q And would some of these people stay with you?

19 A Uh-huh.

20 Q Did any of these people ultimately live with
21 you at the Spahn Ranch?

22 A Sadie and Katie and Leslie -- not Leslie, but
23 a lot of people, um-hum.

24 Q When you say Sadie, Katie and Leslie, you
25 are referring to the three female defendants, are you not?

26 A That's right.

17a-2

1 Q In addition to these -- well --

2 After you purchased a black bus in Sacramento,
3 what, if anything, did you do?

4 A We went back to San Francisco. There were a
5 number of kids who were cut off without any money, begging
6 on the streets, who wanted to go some place who all they
7 wanted to do was get away from one kind of life that was
8 beating them around and get into another one.

9 Now, that is our crime and you all know it!

10 MR. BUGLIOSI: Now, wait a minute, motion to strike
11 that gratuitous remark.

12 THE COURT: Motion is granted. That remark will
13 be stricken.

14 The jury is admonished to disregard it.

15 BY MR. FITZGERALD:

16 Q And did you pick up a number of kids?

17 A Um-hum, anybody who wanted to come.

18 Q How did you support yourself?

19 A People were always giving us things, that is
20 because we gave everything away, and that is something
21 that Charlie learnt in the joint.

22 Q When you say "in the joint," what do you mean?

23 A In the penitentiary.

24 Q You shared whatever you had?

25 A Yeah, everything.

26 Q Is that what you are saying?

17a-3

1 A In fact a couple of guys come along and actually
2 took the bus from us, asked if they could have it, and when
3 we said "This is our home," and they said, "Well, you say
4 'Give everything away,' so we want your bus."

5 So they took the bus.

6 They always come back to us.

7 Q All right, now, during your travels -- well,
8 you are getting me a little confused. Let's go back to
9 Sacramento.

10 A Okay.

11 Q When you left Sacramento and went back to
12 San Francisco -- right?

13 A Um-hum.

14 Q When you first purchased the bus?

15 A Um-hum.

16 Q And you picked up some kids and put them on
17 your bus, right?

18 A Um-hum.

19 Q And then where --

20 A Let me interject something here.

21 Before this in our Volkswagen bus we had gone
22 down South and met Katie --

23 Q Well, let's go back to meeting Patricia
24 Krenwinkel?

25 A Okay.

26 Q When did that occur, do you remember?

17a-4

- 1 A No, I don't remember the year.
- 2 Q How long had you been with Charlie when you met
- 3 Patricia Krenwinkel?
- 4 A About -- I would say about a year.
- 5 Q And were you with any other girls with Charlie--
- 6 A Perhaps a little less --
- 7 Q When you met Patricia Krenwinkel?
- 8 A Mary.
- 9 Q Do you remember the circumstances of meeting
- 10 Patricia Krenwinkel?
- 11 A Yes, at a friend's -- Charlie had a friend in
- 12 Manhattan Beach, and we went to see his friend, and there
- 13 was Katie, and we played music.
- 14 Q What do you mean "there was Katie"?
- 15 A Well, she was sitting there.
- 16 Q Sitting --
- 17 A -- at the house.
- 18 Q At the house of the friend of Charlie's?
- 19 A That's right. And we played music all the
- 20 time, and she loves music, and we sang, and we got to --
- 21 Q Did Charles Manson play a musical instrument?
- 22 A Guitar.
- 23 Q Does he also sing?
- 24 A Yes.
- 25 Q Does he play and sing a lot?
- 26 A He sings so as it would make you want to sing.

17a-5

1 Q And is that the music you are talking about,
2 when you met Patricia Krenwinkel, Charlie was playing the
3 guitar and singing and you also were singing?

4 A Yes, as much as I would let myself.
5 You see, we had been taught inhibitions,
6 many many inhibitions.

7 Q And that was a period when you were --

8 A Yes.

9 Q -- responding to your inhibitions?

10 A Right.

11 Q Well, could you describe in somewhat more
12 detail the circumstances surrounding the meeting with
13 Patricia Krenwinkel?

14 Did you entice her to come onto your bus?

15 A No, we walked -- we walked on the beach.

16 Q Who is "we"?

17 A Katie and I. We spent time together, you know,
18 while we were there, and she was looking like all kids were
19 looking, for something that is real, and for something that
20 would tell them the truth.

21 Q Did you tell her the truth?

22 A Oh, yeah, every bit of it.

23 Q And what was it that she was looking for, was
24 she looking for the same thing you were looking for earlier
25 when you met Charles Manson?

26 A She was looking for peace, and somebody who would

17a-6

1 love her and not look at her and judge her by what she
2 looks like or how she acts.

3 Q Did you make her an offer of love, peace and
4 truth?

5 A An offer?

6 No. We just talked and laughed, and wrote a
7 poem and she said "I'm going."

8 Q What did that mean to you, she was coming with
9 you?

10 A Oh, yeah.

11 Q Did she tell you she was employed?

12 A Yes, that she had a job with an insurance
13 company, I believe it was Occidental, and that it was a
14 drudge, and an every-day trek to the same place at the
15 same time, and that she was tired of it.

16 Q Did you suggest there was some way out of that
17 drudgery?

18 A No, she could see that there was some way out
19 of it.

20 We said -- well, all we did was left, it was
21 that simple.

22 Now, whether that is -- oh, I can't --

23 Now, whether that is wise, you know, in other
24 words, we were not trying to give her any advice.

25 Q Were you looking for people to come along with
26 you?

17a-7

1 A No, at the time we were just living.

2 Q You were not looking for recruits?

3 A For the first time we were just living and
4 having a good time.

5 If a person has been locked up for a long time,
6 every little bit of the outside world is like a special
7 treat, like when we ride on the bus to see the freeway or
8 something, after you have been locked up.

9 Q Well, did Patricia Krenwinkel come with you?

10 A Um-hum, right away.

11 Q Did she do anything that you knew of with
12 respect to her job?

13 A No, nothing, because the more you get caught
14 up tying up loose ends, the more loose ends there are, and
15 she understood that.

16 Q Well, did you suggest to her that she ought to
17 leave abruptly?

18 A No, we knew that if she was going to leave,
19 her sister would not want her to leave and so we talked
20 over that problem, and together we decided, "Well, we will
21 leave the town. We will all just go."

22 Q Suddenly?

23 A Yeah.

24 Q Suddenly in terms of her sister and her job
25 and that sort of thing?

26 A I believe her sister was there when we left.

1 I know she was making a scene.

2 Q Her sister was protesting?

3 A Oh, yeah, as everybody is protesting to this,
4 parents are going -- I'm sorry.

5 Q At the time you met Patricia Krenwinkel there
6 was yourself, Mary Brunner, and Charlie?

7 A That's right.

8 Q And then Katie got on the bus, Patricia
9 Krenwinkel?

10 A Yes, uh-huh.

11 Q Where did you go when you left Manhattan Beach?

12 A We commenced to travel up and down the coast
13 and, you see, after we met Katie is when we were sleeping
14 four in a Volkswagen bus, and we went through all sorts of
15 changes that wove us together in time to bring us to where
16 we are now, so close together.

17 With girls the competition is fierce -- ✓

18 THE COURT: I think you answered the question. Let's
19 go to the next question.

20 THE WITNESS: All right. It's all pertinent.

21 Q BY MR. FITZGERALD: Did you have any particular
22 itinerary going up and down the coast?

23 A None.

24 Q What would dictate that you stop in a certain
25 place or leave and go to some other place?

26 A The moment. If we were hungry or if we found
some people that wanted us to stay, we stayed.

1 Q Did you have a leader?

2 A No, we were riding on the wind.

3 Q Was there one person that decided when you would
4 stop or when you would go?

5 A Uh-uh.

6 It decided itself. For the very first time we
7 found how things make themselves.

8 Q Who drove the bus?

9 A All of us.

10 Q Would you share the responsibility in driving?

11 A Oh, yeah.

12 Q Charlie would not drive most of the time?

13 A No, in fact he didn't really like to drive.

14 Q So you would drive most of the time, or the
15 girls would drive most of the time?

16 A Yeah, we liked to drive, you see, we --

17 Q Did he in any respect tell you what to do in
18 terms of anything regarding your daily life at that time?

19 A Did Charlie?

20 Q Yes.

21 A No.

22 Q You were sort of a -- a tight-knit group, but you
23 were all equal, in a sense, except there was no leader?

24 A Yes, there is one thing, Charlie is a man and
25 we were all looking for a man who would be at our feet in
26 his love, but would not let us step on him.

1 In other words,

2 Q Did it appear to you --

3 A In other words, there is a difference between
4 a man and a woman.

5 Q Indeed!

6 A Yes, and we are equals, you know, we saw each
7 other as equals, yet at the same time we loved men, and
8 that is all there is to life; that is woman's thing.

9 Q Did the girls in the bus at that time, yourself,
10 Mary Brunner, Patricia Krenwinkel, have the traditional
11 man-woman relationship with Charlie?

12 A No.

13 Q A monogamous, heterosexual relationship?

14 A No, not at all, no --

15 Q Could you basically describe the interpersonal
16 relationship between the three girls and Charlie?

17 A Charlie is our father in respect that he would --
18 he would point out things to us.

19 He would help us to things. He would say, "Well,
20 now, that guy over there, he looks like he is doing this,
21 but you know he is thinking about this," or "He is saying
22 that to you but, you know, check out what he really means."

23 Now, he would not tell us to believe that. He
24 would say, "Watch it," and we watched it and it was so.

25 Q Was it more that he was your father and you
26 played the role of a daughter?

1 A No, we had all roles, and this began with Mary
2 and myself giving up to being with one man, and that was
3 hard because we had been taught that each one of us was
4 supposed to have one man.

5 Q Was there competition and jealousy between your-
6 self, Brunner, and Patricia Krenwinkel for the attention of
7 Charlie?

8 A Oh, yeah, we had the blankets going back and
9 forth. It was -- it was an experience, a beautiful,
10 beautiful experience in emotions, to where we would fight --
11 when we finally would yell at each other, we would yell
12 until we looked each other in the eye, and we would
13 realize that we love each other.

14 Q Where did the three of you go after Manhattan
15 Beach?

16 A I think then we went up to San Francisco again.
17 We had -- you see, all along the way we had
18 friends who we had met them, and they would have us in and
19 they would say, "Anytime you are up this way, then you come
20 in."

21 Now, where they are now --

22 Q So you would stop in and see these various
23 people on the way.

24 Did any other girls get on your bus?

25 A Oh, yeah, periodically I mean, you know, a lot
26 of people would come.

1 Q Many would come, but in a sense few were chosen,
2 I mean few would ultimately stay?

3 A Oh, we did not choose anybody; they would choose
4 themselves. People would come on the bus and they would
5 want a ride up to Los Angeles.

6 They would come; they would want a ride some-
7 where else, or they would want to see what we were doing
8 or --

9 Q But you stayed for a long time?

10 A Forever.

11 Q Mary Brunner stayed for a long time?

12 A Yes.

13 Q Patricia Krenwinkel stayed for a long time?

14 A Right, and that is because we could accept --

15 Q Were there any other long-timers?

16 A -- ourselves.

17 Q Any other long-timers, any other girls that
18 stayed for a long time?

19 A Sadie. We met Sadie up at San Francisco that
20 week.

21 Q Was there anybody between Katie and Sadie, or
22 was Sadie the next sort of permanent resident of the bus?

23 A Sadie and a couple of girls that lived with her
24 came with us next.

25 Q And do you remember the date, or do you remember
26 the year?

1 A No, you see --

2 Q Do you remember where it was?

3 A In San Francisco.

4 Q In Haight-Asbury?

5 A Right.

6 Q Do you remember the circumstances surrounding
7 meeting Susan Atkins?

8 A Yes, we went into her house, and she was living
9 with a whole bunch of people; it was called a commune.

10 And we played music and we sang and we got
11 loaded together.

12 I don't know if I should say that --

13 Q What do you mean by loaded?

14 A We smoked marijuana.

15 Q You got loaded together, and then what happened?

16 A And we went in and played music and then we had
17 a place where we were staying, so we would go back there,
18 and the more we would talk, the more they would say, "Well,
19 could we come?"

20 We said, "Sure."

21 Q Did Susan Atkins say that?

22 A Uh-huh, Sadie did not say too much to anything,
23 Sadie was just a whole lot of big eyes.

24 Sadie had been everywhere. I learned a lot of
25 experiences from Sadie, you see, because since we came
26 from different backgrounds --

1 How come you are making those faces? ✓

2 MR. FITZGERALD: I'm sorry, continue.

3 THE WITNESS: Okay.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

18-1

1 THE WITNESS: Well, this is very important.

2 MR. FITZGERALD: I understand.

3 THE WITNESS: Anyway, Sadie had come from a less
4 sheltered life than some of us. And as we combined, we
5 unfolded each other's experiences.

6 BY MR. FITZGERALD:

7 Q And you profited from her previous experiences?

8 A Right.

9 Q Where did you go then, if anywhere?

10 There were now yourself, Charlie, Katie, Mary
11 and Sadie?

12 A Let's see.

13 We went back up to Sacramento again, I believe,
14 and in the meantime, I think it was after this, that we
15 met Quish. Or was it before, really? But Quish came to
16 live with us after that.

17 Q Is Quish's true name Ruth Morehouse?

18 A That's right.

19 And she was pretty much kicked out of her house
20 too.

21 Q Did she ultimately turn out to be one of the
22 girls who stayed?

23 A Oh, yes.

24 Q Okay. Then where did you go?

25 A Oh, someone took our bus.

26 Q Where and when was that, if you know?

18-2

1 A I believe that was in -- let me see -- where
2 was it?

3 See, in between the big cities we stayed in
4 all the little woodses.

5 So, when you are in a little woods, there is no
6 kind of time, I mean, there is no kind of place, you know;
7 and when you are, you know, in a big group of people and you
8 get to talking, you can be anywhere. You know, you can put
9 yourself in any time.

10 If you can please try to understand that.

11 Q You didn't wear watches, right?

12 A No.

13 Q And you didn't have calendars?

14 A No.

15 Q And you didn't pay much attention to what day
16 of the week it was or what month it was; that sort of thing?

17 A No.

18 Q Did you then meet another long-term resident?

19 Or perhaps I can ask you this; When did you
20 get to the Spahn Ranch, and when you got there, how many
21 of there were you?

22 A Oh, I was about to tell you that we lived in
23 Topanga Canyon and Malibu for some time, where we met
24 Brenda.

25 Q Is that Brenda McCann?

26 A That's right.

18-3

1 Q Did she turn out to be one of the girls who
2 stayed?

3 A Yes.

4 She comes from a pretty wealthy family.

5 Q Was there also a girl there by the name of
6 Catherine Share, also known as Gypsy?

7 A Not at that time.

8 Q If you would, Lynette, we would appreciate it
9 if you can take, in chronological order, the girls who
10 became, you know, long-term residents.

11 I believe you are up to Ruthanne Morehouse.

12 Who was next?

13 A Let's see. It is hard for me to remember,
14 but I will.

15 Q Was Brenda next?

16 A Yes.

17 Q Who was after Brenda?

18 A I believe after that we went to the ranch.
19
20
21
22
23
24
25
26

18a file

18a-1

1 Q Would you describe the circumstances of the
2 group coming to the Spahn Ranch?

3 A Yes.

4 First of all, myself and a few people who came
5 in from up North went to the Ranch.

6 Oh, no, that wasn't it.

7 Sadie was out hitchhiking. We were just about
8 to be evicted from an old condemned house that we were
9 living in.

10 Oh, I have got to tell you about the baby.

11 Mary Brunner had her baby in this old condemned
12 house, and we all delivered it.

13 Q Did that baby have a name?

14 A We called him Sunstone Hawk, because at the
15 time she had him the sun was just rising, and a hawk flew
16 over the house.

17 Q Who was the father of that child, if you know?

18 A Charlie.

19 Q And it was after this period, it was after the
20 birth of Mary Brunner's child, that you moved to Spahn
21 Ranch?

22 A That's right.

23 Oh, but first of all, we went --

24 THE COURT: Let's proceed with questions and answers,
25 Mr. Fitzgerald.

26 MR. FITZGERALD: Q At some time you arrived at

18a-2

1 Spahn Ranch; correct?

2 A That's right.

3 Q And do you remember the date or the month,
4 or anything like that?

5 A No.

6 Q Was that at the invitation of Mr. Spahn?

7 A Yes. He said we could live in the back of his
8 ranch.

9 Q And how many of you were there at the time, do
10 you remember?

11 A There was fairly many of us. I'd say about
12 25.

13 Q Were all those girls?

14 A No. Mainly girls, but there was --

15 Q A few men?

16 A Uh-huh, yes.

17 Q And where, particularly, did you initially or
18 originally reside at the Spahn Ranch?

19 A For the first part of the time we lived there,
20 we lived in the back in an old ranch house.

21 Q All of you?

22 A Yes, uh-huh.

23 Q And in return for living at the ranch, did
24 some of the girls care for George Spahn?

25 A After we had been living there for not too long,
26

18a-3

1 we started coming up front, and we looked in this old
2 house with grasse all over it, and inside was George
3 sitting there. We didn't even want to go in, it was so
4 dirty.

5 Q Was he blind?

6 A Yes.

7 Q And did he --

8 A He was wearing --

9 Q Was he also an old man?

10 A I believe he is 83 now.

11 Q Did he require some sort of nursing care or
12 attention?

13 A He sure did.

14 He was walking around and there was nobody there.

15 He was to the point where people had started to
16 ignore him because they said, well, he is old and he doesn't
17 make any -- you know, they didn't want to pay him any
18 attention.

19 Q Did you care for him physically, make meals
20 for him?

21 A Yes.

22 Q Take care of his house, that sort of thing?

23 A Yes.

24 Q Did you also talk to him?

25 A Yes.

26 Q And converse with him, that sort of thing?

1 A Yes. We took that house -- are we on a time
2 schedule?

3 Q No.

4 A We took that house and cleaned the whole thing
5 up, the way we like it, us girls, and painted it, and
6 fixed up the kitchen, and kicked out all the cowboys out
7 of the kitchen with their greasy old stuff, and made
8 George a clean house.

9 18b file.

10 Then we began sitting down talking to him.
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1 Q Now, when you arrived at the Spahn Ranch, was
2 Manson your leader?

3 A Manson was never our leader.

4 In the first place, he would follow us. ✓

5 All he had to do in the whole world after
6 getting out of jail was see what we needed, see what we
7 wanted.

8 He turned us on to that very thing, not by
9 saying it, but because he was doing it with us.

10 All of a sudden we started seeing that. He
11 really cared about us. He is checking to see. We
12 mention one thing, and he is looking around, and in a little
13 while we have got it.

14 He is asking people. He doesn't mind asking
15 people for anything because he would give it all away.

16 Boy, sometimes he would give stuff away that
17 I wanted. But at the same time, he couldn't deny anybody.

18 THE COURT: Mr. Fitzgerald, let's proceed with
19 questions and answers.

20 MR. FITZGERALD: Q Did you have some sort of
21 reveille in the morning, where you all lined up and Charlie
22 gave you orders?

23 A We did as women do, what needs to be done -- at
24 least women should do -- women's cleaning that needs to
25 be done. We do the cleaning.
26

1 And between each other, this is the one thing
2 that we discovered, that if you are truly, truly selfish,
3 you find out.

4 THE COURT: Just answer the question, Miss Fromme.

5 THE WITNESS: You find out that the true measure is
6 in giving.

7 THE COURT: That will be enough.

8 THE WITNESS: And helping each other.

9 THE COURT: Answer the question.

10 THE WITNESS: This is in answer to the question.

11 THE COURT: No, it isn't.

12 Listen to the questions that are asked.

13 MR. FITZGERALD: Q Did, at any time, you girls
14 prevail on Charlie to become your leader and give you
15 orders and directions?

16 A Did we prevail on him? What does that mean?

17 Q Did you attempt to persuade him, did you elect
18 him a leader, or anything like that?

19 A No. In fact, if we came to him looking for
20 anything --

21 Q Did, at any time, he leave or abandon you?

22 A He used to walk off, sure.

23 When we would get feisty, he would just walk off
24 rather than -- and we love him so much, we would straighten
25 up.

26 Q And when he would walk off, would you ask him to

1 come back?

2 A Yes.

3 Q Would other girls in your presence ask him to
4 come back?

5 A Oh, yes.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

18a

18c-1

1 Q Did you love Charlie?

2 A Sure.

3 Q Did it appear to you that the other girls at
4 the ranch loved Charlie?

5 A Sure. We loved love.

6 Q Did they love him in a traditional fashion the
7 way all of us love one another?

8 A Your children are not acting in a traditional
9 fashion, and we are your children.

10 The traditional fashion is for you to cut
11 your love to one person.

12 We have opened ours up. We have said: I love
13 that one over there. And we have said that is okay, you
14 can love as many as you want, all.

15 Q Now, I am going to ask you some questions about--

16 A That doesn't mean you have to physically love
17 them.

18 We love Mr. Bugliosi and he is trying to kill
19 us.

20 MR. BUGLIOSI: Motion to strike that, your Honor.

21 THE COURT: The answer is stricken.

22 The jury is admonished to disregard it.

23 You are not to volunteer any answers. Just
24 listen to the question and answer the question asked.

25 MR. FITZGERALD: Did you love Charles Manson as a
26 father, or as a lover, or as a --

18c-2

1 THE WITNESS: Every girl loves her father, as all
2 things, but her father doesn't understand that and feels
3 guilty about loving her and watching her grow up.

4 Now, Charlie was a father who knew that it is
5 good to make love, and makes love with love, but not with
6 evil and guilt.

7 BY MR. FITZGERALD:

8 Q And did you make love with him from time to
9 time?

10 A Yes.

11 Q Was that a guiltless love-making?

12 A Uh-huh, yes. Like being a baby.

13 Q Now, --

14 A He has no evil in him.

15 Q In connection with your daily life at the ranch,
16 there has been considerable testimony in this trial about
17 garbage runs.

18 Would you explain what a garbage run is?

19 A Uh-huh.

20 I see, in living, we are learning to live off
21 the land completely.

22 Now, we found out we don't have to plant
23 vegetables. They are throwing them away every day at
24 the market, a whole garbage can full of ripe bananas that
25 they can't sell.

26 We made pies and big salads, and we were getting

1 fat.

2 Q Every day did you go to the supermarkets or
3 stores?

4 A Yes.

5 Q Did you form relationships with people who
6 work in the markets who set food aside for you?

7 A Yes, uh-huh.

8 Q Was any of the food you ate rotten or had it
9 deteriorated?

10 A No. We have good judgment.

11 If you find an apple that has got a little tiny
12 spot on it, you cut out the spot.

13 THE COURT: We will adjourn at this time.

14 Ladies and gentlemen, do not converse with
15 anyone or form or express any opinion regarding the penalty
16 until that issue is finally submitted to you.

17 The court will adjourn until 9:00 o'clock
18 tomorrow morning.

19 (Whereupon at 4:28 o'clock p.m. the court
20 was in recess.)
21
22
23
24
25
26