

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 104

HON. CHARLES H. OLDER, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

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

Defendants.

37

No. A253156

REPORTERS' DAILY TRANSCRIPT

Friday, July 31, 1970

P. M. SESSION

APPEARANCES:

For the People:	AARON H. STOVITZ and VINCENT T. BUGLIOSI, DEPUTY DISTRICT ATTORNEYS
For Deft. Manson:	I. A. KANAREK, Esq.
For Deft. Atkins:	DAYE SHINN, Esq.
For Deft. Van Houten:	RONALD HUGHES, Esq.
For Deft. Krenwinkel:	PAUL FITZGERALD, Esq.
For Linda Kasabian:	GARY FLEISCHMAN, Esq. RONALD L. GOLDMAN, Esq.

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PEOPLE'S WITNESSES:

CROSS

KARASIAN, Linda

5624 (F)

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LOS ANGELES, CALIFORNIA, FRIDAY, JULY 31, 1970

2:07 P.M.

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(The following proceedings occur in open court,
all defendants and counsel present, the jury absent.)

THE COURT: All parties and counsel are present.

Mr. Kanarek, I have your motion for the
conditional examination of one June Kemer which was
noticed for August 3rd at 9:00 a.m.

As I indicated to you this morning at the
bench, I would hear the motion this afternoon.

Are you prepared to proceed?

MR. KANAREK: Yes. The lady is here and we are pre-
pared to go ahead and take her deposition.

THE COURT: Well, we are not going to take the
deposition at this time. I am hearing the motion at this
time.

Is there going to be any opposition to the
motion?

MR. STOVITE: No, your Honor.

THE COURT: Is 8:30 on Monday morning, August 3rd,
agreeable?

MR. KANAREK: I will make it to accommodate the Court.
I will certainly make it agreeable.

THE COURT: How much time do you anticipate it will
take?

1 MR. KANAREK: I don't know, your Honor. It depends
2 upon the prosecution.

3 THE COURT: I mean, your direct examination?

4 MR. KANAREK: My direct examination should certainly
5 not take, certainly shouldn't take more than an hour.

6 MR. STOVITE: We anticipate about ten minutes cross-
7 examination.

8 THE COURT: Perhaps we should start at 8:00 o'clock.

9 MR. STOVITE: Agreeable with the People, your Honor.

10 THE COURT: All right.

11 MR. KANAREK: To accommodate the Court, I will make
12 it 3:30 a.m.

13 Your Honor, I would just ask for some consid-
14 eration. Some of these matters where we have, your Honor,
15 to be in court all day and it is not possible to make
16 written motions every time a matter comes up because of the
17 time aspect --

18 THE COURT: Is 8:00 a.m. agreeable, Mr. Kanarek?

19 MR. KANAREK: Certainly.

20 THE COURT: 8:00 a.m. on Monday, August 3rd, for
21 the conditional examination of June Kemer.

22 Is Miss or Mrs. Kemer present?

23 MR. KANAREK: Yes. She is in the hallway.

24 I would ask that she be asked to come into
25 the courtroom and be ordered back. May the bailiff ask her
26 to come in?

1 THE COURT: Yes.

2 (Miss June Emmer enters the courtroom.)

3 THE COURT: Miss June Emmer?

4 MISS EMMER: Yes.

5 THE COURT: Miss Emmer, at the request of Mr. Kanarek
6 on behalf of the defendant, Mr. Hanson, the Court has
7 ordered the taking of your deposition on Monday, August 3rd,
8 at 8:00 a.m. in this department.

9 MISS EMMER: Yes.

10 THE COURT: And, accordingly, you are ordered to
11 return to this court.

12 MISS EMMER: Yes.

13 THE COURT: At 8:00 a.m. next Monday, August 3rd.

14 MISS EMMER: Yes, sir.

15 THE COURT: Do you understand?

16 MISS EMMER: Yes.

17 THE COURT: I couldn't hear you.

18 MISS EMMER: Yes.

19 THE COURT: Very well.
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1 Mr. Murray, will you have the jury brought back into
2 the courtroom.

3 (Jurors enter the courtroom.)

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

6 Mrs. Kasabian, would you resume the witness
7 stand.

8 You may continue, Mr. Fitzgerald.

9 MR. FITZGERALD: Thank you, Your Honor.

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

14
15 CROSS-EXAMINATION (CONTINUED)

16 BY MR. FITZGERALD:

17 Q You have mentioned, Mrs. Kasabian, a person
18 by the name of Danny De Carlo who resided at the Spahn
19 Ranch during some period of time when you were there, is
20 that right?

21 A Yes, that's right.

22 Q Did he live there at the Spahn Ranch?

23 A Yes, he did.

24 Q Was he a member of what you refer to as the
25 Family?

26 A Yes.

1 Q And did he usually reside in what you refer to
2 as the bunkhouse or the bunk room?

3 A Yes.

4 Q And as you have indicated previously, I believe,
5 that was a small room?

6 A Yes, it was.

7 Q And Mr. DeCarlo was connected, was he not, with
8 some sort of a motorcycle club or something?

9 A Yes, he was.

10 Q Do you know what that motorcycle club was?

11 A What it was?

12 Q Yes, what the name of it was.

13 A No.

14 Q And he used to park a motorcycle inside the
15 bunk house, right?

16 A Yes.

17 Q Right next to his bed?

18 A No.

19 Q Now, where was it in relation to what furniture
20 was in the room?

21 A There was a chair, and I think a few shelves,
22 and then there was a wall and a door leading to his bed,
23 just a very small room, big enough for his bed.

24 Q And on your direct examination you identified a
25 broken, what appeared to be, a broken knife or sword of some
26 kind with -- do you remember?

1 A No, I don't know what you're talking about.

2 Q Exhibit 47, do you recall that?

3 A No, I don't know the number.

4 MR. FITZGERALD: May I approach the witness, your
5 Honor?

6 THE COURT: You may.

7 Q BY MR. FITZGERALD: Directing your attention to
8 a photograph, People's 48 for identification, you
9 previously identified this photograph, have you not?

10 A Yes, I have.

11 Q And this photograph depicts a rail-type dune
12 buggy, does it not?

13 A Yes, it does.

14 Q Located on the left-hand driver's portion of
15 that dune buggy there appears to be a scabbard with what
16 appears to be the hilt of a sword protruding, does it not?

17 A Yes, that's correct.

18 Q Does that refresh your recollection in terms of
19 the exhibit you identified?

20 A The broken sword?

21 Q The broken sword.

22 A Yes.

23 Q Now, whom did that broken sword belong to?

24 A It belonged to everybody.

25 Q That is in line with the theory that all
26 property at the ranch belonged to everybody?

1 A Yes.

2 Q But did it have a -- did one person particularly
3 identify with that sword or handle?

4 A Not that I can recall, no.

5 Q Well, is it not a fact, in your knowledge,
6 that that sword belonged to Danny De Carlo?

7 A No.

8 Q Didn't you ever have a discussion with Danny
9 De Carlo about the origin of that sword and the motorcycle
10 group to which you belonged?

11 A No.

12 Q Did he leave the ranch at any time during the
13 month of July that you know of?

14 A Yes, he probably left, yeah.

15 Q And your testimony is that he was some member
16 in good standing of this so-called Family?

17 A Yes.

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1 Q He wasn't any different than anybody else in
2 any respect that you know of?

3 A No.

4 Q Did any of Mr. DeCarlo's motorcycle friends
5 come to the Ranch at any time during the month of July and
6 early August?

7 A Yes.

8 Q Were you present when they came?

9 A Yes.

10 Q And when was that in terms of when you arrived
11 and when you left?

12 A Well, they came a couple of times. Maybe the
13 middle of July.

14 Q Now, getting back to Mr. Manson's so-called
15 philosophy.

16 Did you learn most of what you attribute to
17 Mr. Manson's philosophy from Mr. Manson or did you learn
18 about it from some other person or persons?

19 A I learned part from Charlie and part from the
20 girls themselves.

21 Q Are you able to separate in your mind what
22 you heard in connection with his philosophy from him
23 and what you heard from other people?

24 A Not at the moment I can't, no.

25 Q Did you have frequent discussions with Gypsy
26 about Manson's philosophy?

10-2

1 A Yes. She told me a few things. We used to
2 talk a lot.

3 Q It is possible, then, is it not, that you
4 learned much of Manson's philosophy from other people,
5 and maybe particularly Gypsy?

6 MR. STOVITZ: Objected to, your Honor, as calling
7 for speculation. Everything is possible.

8 THE COURT: I don't think the word is used in that
9 context. Overruled.

10 You may answer.

11 THE WITNESS: What was your question?

12 MR. FITZGERALD: May the question be reread?

13 THE COURT: Read the last question.

14 (The question was read by the reporter.)

15 THE WITNESS: Yes, it is possible.

16 BY MR. FITZGERALD:

17 Q And when you would hear about his so-called
18 philosophy, from other people, would they tell you that
19 this was Mr. Manson's philosophy, or would they tell you
20 that this was the way they felt or believed?

21 A You are asking a difficult question.

22 I can't really answer it. I can't answer it.

23 Q Can you tell us why you are unable to answer
24 it?

25 A I can't really remember exact conversations,
26 the exact words, or if she said that Charlie told her this,

1 or if Charlie told me this. I can't remember exactly.

2 I just know that he told me partly and
3 they told me partly.

4 Q Now, on the evening of August the 8th, 1969,
5 you said in the early evening hours, you were standing
6 on or near a porch. Is that right?

7 A Yes.

8 Q And you recall that vividly, I take it?

9 A Yes, I do.

10 Q And approximately what time of night was this,
11 if you recall?

12 A It was after sundown. It was dark. So,
13 whatever time it is after sundown, say an hour after
14 sundown.

15 Q And sometime immediately after that, you went
16 to look for some clothing; is that right?

17 A Yes, that's right.

10a fls.

10a-1

1 Q And who was present when you went to look
2 for this clothing, if anyone?

3 A When I was instructed to look for clothing,
4 or when I went to look for the clothing itself?

5 Q Both times.

6 A Just myself and Mr. Hanson when I was
7 instructed; and when I actually went to get the clothing,
8 Squeaky and Brenda.

9 Q And were Squeaky and Brenda inside the
10 Ranch house?

11 A George Spahn's house, yes.

12 Q George Spahn's house?

13 A Yes.

14 Q Where was George Spahn?

15 A I don't know. I didn't see him.

16 Q George Spahn is usually in his living room or
17 his bedroom, isn't he?

18 A Yes. But he usually goes out to supper. He
19 may have been out to supper this particular hour.

20 Q But it was after dark?

21 A Yes.

22 Q And it was in the summer?

23 A Yes.

24 Q Did you have a conversation with Brenda or
25 Squeaky about that clothing?

26 A About the clothing?

1 Q Yes,
2 A No, not that I recall.
3 Q Did they assist you or help you in your
4 search for clothing?
5 A No.
6 Q You didn't think that it was unusual to
7 get a change of clothing?
8 A I didn't think about it, no.
9 Q You had never done that before, had you,
10 while you were staying at the Ranch?
11 A No.
12 Q But you didn't ask any questions?
13 A Right.
14 Q Because you never ask why?
15 A Right.
16 Q Was anybody present when you were looking
17 for the knife?
18 A First I went into the saloon. Nobody was
19 there. So, no, nobody was present.
20 Q Is there any particular reason you remember
21 wearing a short denim skirt and lavender knitted top?
22 A I didn't wear it. That was a change of
23 clothing I picked up.
24 Q Any particular reason you remember that?
25 A Yes. Because I used to wear that outfit
26 quite a bit.

1 Q Was the knife you were looking for the knife
2 that you had brought from Topanga Lane to the Ranch?

3 A What?

4 Q Was the knife you were looking for --

5 A No. No.

11 fls.

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- 1 Q Were you looking for a particular knife?
- 2 A Just the knife that I had seen in the saloon.
- 3 Q You bought a knife two days before at Sears,
- 4 Roebuck & Company and with a credit card, hadn't you?
- 5 A I bought a knife?
- 6 Q Did you buy a knife at Sears, Roebuck with a
- 7 credit card the day before?
- 8 A I don't recall.
- 9 Q Did you buy a knife with a credit card at
- 10 Sears, Roebuck any time during July or August, 1969?
- 11 A I never, myself, used those credit cards.
- 12 Q So I take it -- did you buy a knife at Sears
- 13 without a credit card?
- 14 A No, I don't believe so.
- 15 Q Were you ever at Sears, Roebuck at any one
- 16 of their stores during July and August?
- 17 A Yes, I was.
- 18 Q Did you buy more things there?
- 19 A Not myself.
- 20 Q Were you with somebody who bought some things?
- 21 A Yes.
- 22 Q Who were you with?
- 23 A Mary.
- 24 Q And when was that, if you went more than once,
- 25 when was the first time?
- 26 A I believe I only went once.

41-2

1 Q When was that?

2 A It was in July sometime, I'm not sure when.

3 Q You were just looking for any knife?

4 A I don't really recall looking for a knife.
5 I remember we bought maybe clothes --

6 MR. STOVITZ: You are thinking about two different
7 things.

8 Q BY MR. FITZGERALD: On the evening of the 8th
9 were you looking for a particular knife?

10 A Yes, I was.

11 Q What particular knife were you looking for?

12 A A knife that I had seen in the saloon.

13 Q Did you have a particular purpose in mind for
14 which you were going to use the knife?

15 A No, I was just told to get a knife, and I didn't.

16 Q I take it on occasion in the past you used
17 particular kinds or types of knives for particular kinds or
18 types of things, correct?

19 A No, I don't know -- I don't understand what you
20 mean.

21 Q You used a paring knife to do some paring?

22 A No, I don't think I ever used a paring knife.

23 Q Are you familiar with different types of kitchen
24 knives, a knife, for example, you might use to slice as
25 opposed to a knife you might use for paring?

26 A I just used whatever knife was there.

1 Q But totally without respect to this case or
2 anything to do with it, there are different knives for
3 different purposes as far as you are concerned?

4 A Yes, uh-huh.

5 Q And there are knives that suit particular pur-
6 poses and knives that don't, isn't that correct?

7 A Uh-huh, that's correct.

8 Q You were not looking for a particular kind of
9 knife?

10 A No.

11 Q Did you ask anybody whether you were to get a
12 particular kind of knife?

13 A No, not that I recall.

14 Q Now, you are not looking for a big one or a
15 small one or a wide one or anything.

16 A I was just told to get a knife, so I went and
17 I remembered seeing a knife in a certain place and I went
18 to find it and it was not there.

19 Q I take it you don't have any particular
20 expertise with knives.

21 You don't consider yourself to be an expert
22 on the identification of knives or anything?

23 A No.

24 Q You are not particularly fascinated with knives,
25 are you?

26 A No, not at all.

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1 Q How is it that you happened to recall the exact
2 dimensions of the knives?

3 A Because I had been handling them. I have always
4 been handling knives.

5 Q And that evening in the car you took a pretty
6 close look at these knives?

7 A I wrapped them up, yes.

8 Q How many of them were there when you wrapped
9 them up?

10 A Three.

11 Q Didn't you think it was strange or unusual that
12 somebody would give you some knives to wrap up?

13 A Well, the explanation from Tom was if we got
14 stopped to throw them out of the window, and I just did
15 what he said.

16 Q Stopped by the police?

17 A Yes.

18 Q Didn't that indicate to you that there was
19 probably some illegal purpose for these knives?

20 MR. BULLIOSI: Argumentative, your Honor.

21 THE COURT: Overruled.

22 THE WITNESS: I don't know.

23 Q BY MR. FITZGERALD: Why would you have to throw
24 the knives -- what was your state of mind, what did you
25 think as to why you would have to throw out the knives if the
26 police stopped you?

1 A I presume at that time I might have thought it
2 was illegal to carry knives, I don't know.

3 Q What did you think those knives were going to
4 be used for, if anything?

5 A I didn't really think about it,

6 Q And you also had an opportunity to see a
7 pistol, is that right, is that your testimony?

8 A Yes, yes.

9 Q Did you look at that pistol?

10 A Yes, I did.

11 Q Do you have any background with firearms?

12 A No, none at all.

13 Q Had you ever fired a gun in your life?

14 A Yes.

15 Q What kind of a gun?

16 A A 30-30.

17 Q That is a rifle?

18 A Yes.

19 Q Had you ever fired a pistol?

20 A I may have, I'm not sure.

21 Q Do you know the difference between a revolver
22 and an automatic pistol?

23 A No.

24 Q Do you know the difference between a .22 caliber
25 pistol and a .32 caliber pistol?

26 A No.

1 Q Do you know the difference between a .22
2 caliber pistol and a .45 caliber pistol?

3 A No.

4 Q Do most pistols look pretty much the same to
5 you?

6 A I have never really been around guns and pistols,
7 so I don't know.

8 Q If you were to look at two guns of the same
9 size and caliber, would they look the same to you or appear
10 to be the same to you?

11 A Probably.

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1 Q You don't know that the gun you identified here
2 in this courtroom is the gun that was in the car on the
3 evening of August the 8th, do you?

4 A Yes, I do.

5 MR. STOVITZ: I object to the question as ambiguous;
6 before or after the incident, Counsel?

7 THE COURT: What is the objection, Mr. Stovitz?

8 MR. STOVITZ: I objected to the question as ambiguous,
9 when he said it was in the car.

10 There were two incidents when it was in the car,
11 before and after, so I felt the question was ambiguous.

12 THE COURT: The witness seemed to understand it. She
13 answered yes.

14 Is that right, Mrs. Kasabian?

15 THE WITNESS: Yes.

16 BY MR. FITZGERALD:

17 Q What was so peculiar about that gun that makes
18 you identify it as the particular gun?

19 A The long barrel, I guess you call it. I don't
20 know what you call it.

21 Q Is it your understanding that that is the only
22 gun in the world with a long barrel?

23 MR. BUGLIOSI: Argumentative, your Honor.

24 THE COURT: Overruled.

25 THE WITNESS: Would you phrase it a different way?
26

11a-2

1 BY MR. FITZGERALD:

2 Q Is it your understanding that the gun you saw
3 that night was the only gun in the world with this same
4 sized barrel?

5 A No, I'm sure there are others like it, I don't
6 know.

7 Q How would you be able to distinguish between
8 that one and others like it?

9 A I don't know, I guess probably I would not.

10 Q Wouldn't it be fair to say that the gun you
11 identified in court looks like --

12 A Yes.

13 Q -- the so-called gun you saw on the evening
14 of the 8th?

15 A Yes.

16 Q Did you handle that gun any time that night?

17 A I believe I wrapped it with the knives, and I'm
18 not positive, and I don't really recall it in my mind,
19 but I may have thrown it out of the window.

20 THE COURT: I could not hear the last part.

21 Read the last answer, please.

22 (Whereupon the reporter reads the record as
23 follows:

24 "A I believe I wrapped it with the knives,
25 and I'm not positive, and I don't really recall it in
26 my mind, but I may have thrown it out of the window.")

11a-3

1 BY MR. FITZGERALD:

2 Q Was that in your lap at any time?

3 A In my lap?

4 Q The gun.

5 A I don't think so.

6 Q In the glove compartment in front of you?

7 A Yes, it was in the glove compartment.

8 Q When was that?

9 A When we were driving away, just before he told
10 me to wrap it up.

11 Q Who told you?

12 A Tex.

13 Q Did somebody put it in the glove compartment?

14 A I don't know.

15 Q How did it get there?

16 A I don't know.

17 Q Did you know it was there?

18 A No, not until he directed my attention to it.

19 Q When did he direct your attention to it?

20 A Once we left the Ranch and were driving.

21 Q When he directed your attention to the gun in
22 the glove compartment you already had wrapped up three knives,
23 correct?

24 A No, I believe I did it all at once.

25 Q You wrapped up three knives and a gun?

26

1 A Yes.

2 Q Did you think that that was unusual in any
3 respect?

4 A I thought the whole thing was unusual.

5 Q But it did not prompt you to ask why?

6 A No.

7 Q Did you know if the gun was loaded?

8 A No.

9 Q Did you question at all in your own mind where
10 you were going that night with the change of clothes, three
11 knives and a gun?

12 A Yes.

13 Q But you did not ask anybody?

14 A No.

15 Q Were you afraid to ask?

16 A They just kept putting it in my head, "Never
17 ask why, no questions, it's always right, no wrong," so I
18 just never asked why.

19 If I was afraid, then I was afraid.

20 Q I don't want to put words in your mouth; you
21 tell me what you thought.

22 But you could have asked why, couldn't you?

23 A I felt that I could not.

24 Q Was it your state of mind in early August,
25 1969, that you would have done anything imaginable that
26 you were asked to do without asking why?

1 A What do you mean?

2 Q Is there any limit to what you could have been
3 asked to do before you would ask why?

4 A I don't know. It would depend on what I was
5 asked.

6 Q To your knowledge did Tex have a driver's
7 license?

8 A Not to my knowledge, no.

9 Q And you were told to get a driver's license?

10 A Yes, I was.

11 Q But you did not drive when the vehicle left the
12 Ranch?

12 fls. 13 A No, I did not.

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1 Q Was there any conversation when you left the
2 ranch?

3 A Yes.

4 Q What was the conversation about?

5 A I remember Tex saying that we were going to a
6 house, and that he had been there before and that he knew
7 the layout of the house, and to do what he told us to do.

8 Q Were you also in love with Tex, Linda?

9 A I loved everybody.

10 Q Did you love Tex more than you loved anybody
11 else?

12 A No.

13 Q Are you sure?

14 A Yes, I am.

15 Q Wasn't Tex the father of your child?

16 A No, he is not.

17 Q I am referring to your second child.

18 A Yes, I know who you are referring to.

19 Q You had no more intimate relationship with
20 Tex Watson than you did with any other member at the ranch;
21 is that a fair statement?

22 A I didn't understand your question.

23 Q Well, did you have any particular fondness for
24 Mr. Watson over and above the feeling you had for any other
25 men at the ranch?

26 MR. STOVITZ: All the other men, or just most of them.

1 Counsel?

2 MR. FITZGERALD: Which would you prefer?

3 MR. STOVITZ: I feel the question is ambiguous.

4 There are ranch hands and --

5 MR. FITZGERALD: I mean the members of the so-called
6 Family, the male members of the so-called Family.

7 THE WITNESS: No, I liked them all.

8 Q BY MR. FITZGERALD: Did you have any more love
9 for Mr. Watson than you did for the female members of the
10 so-called Family?

11 A Yes, I guess you could say that.

12 MR. KANAREK: I didn't hear the last few words.

13 THE COURT: Read the last answer, please.

14 (The answer was read by the reporter.)

15 MR. FITZGERALD: Q Were you not asking why because
16 of your fondness for Mr. Watson?

17 A I just was told, "Never ask why," and they
18 just kept telling me this, so I never asked why.

19 Q And you went on a freeway; is that right?

20 A Yes, that's right.

21 Q Do you recall, Mrs. Kasabian, which one you
22 went on?

23 A No, I don't.

24 Q Do you recall which direction you went?

25 A No.

26 Q Do you recall how long you were driving?

1 A An hour, I guess.

2 Q You were familiar by that time, by August the
3 8th, with Chatsworth and certain portions of the
4 San Fernando Valley, were you not?

5 A I knew Devonshire, and I knew Topanga Canyon
6 Boulevard, and that is about -- and Santa Susanna Pass.

7 Q And you knew certain other streets and
8 thoroughfares in the Greater Los Angeles area, didn't you?

9 A Well, I knew how to get to the supermarket,
10 places like that.

11 Q Excuse me. Did you finish?

12 A Yes.

13 Q And you had been on the Hollywood Freeway
14 before, hadn't you?

15 A Probably, yes.

16 Q The Ventura Freeway?

17 A I never noticed the names. I probably have
18 been on all the freeways, and I will probably be on them
19 a million more times, and I won't know the names.

20 Q You remember the name Fair Oaks off the Pasadena
21 Freeway, do you?

22 A Yes, I do.

23 Q How do you happen to remember that particular
24 street?

25 A I don't know. It just sticks in my mind.

26 Q Do you remember passing by any street or major

1 intersections on the way from the ranch to where you went
2 on August the 8th?

3 A I remember driving down Topanga Canyon
4 Boulevard and going quite a ways, and then I believe we took
5 a right onto a freeway.

6 MR. FITZGERALD: May I have just a moment?

7 (Defense counsel confer.)
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1 MR. FITZGERALD: Q Now, you identified certain
2 portions of a residence, and I am now referring to Exhibit
3 No. 8, a diagram, certain buildings located at 10030 Cielo
4 Drive; is that correct?

5 A Are you speaking about the Tate residence?

6 Q The Tate residence, yes.

7 A Yes.

8 Q And you had been there more than once; isn't
9 that correct?

10 A No. I had never been there before, ever.

11 Q Taking today, Friday the 31st, up until today,
12 you have been to the Tate house more than once; isn't
13 that correct?

14 A Oh, I thought you were talking about before.

15 Yes, I have been there once since after, since
16 I have been in custody.

17 Q It is your contention that you were there twice?

18 A Yes.

19 Q In your entire life?

20 A Yes.

21 Q When were you there most recently, Mrs.
22 Kasabian?

23 A I don't remember the month. I was very much
24 pregnant. Maybe in February. I am not sure.

25 Q Did you go there during the day?

26 A Yes.

12a-2

1 Q Did you go there while you were in jail?
2 A Yes.
3 Q Did somebody take you out of the jail?
4 A Yes.
5 Q Did somebody take you to the Tate house?
6 A Yes.
7 Q Did somebody do something with you there?
8 A Do something with me?
9 Q Do you know why you went there?
10 A Yes.
11 Q Why did you go there?
12 A To point out where I was and to point out
13 where the man was.
14 Q Was that during the day?
15 A Yes.
16 Q Was it daylight outside?
17 A Yes.
18 Q Was it on a Sunday?
19 A I don't know what day it was.
20 Q You don't remember what day at all?
21 A No.
22 Q Did you go alone from the jail?
23 A No.
24 Q Who did you go with?
25 A There were some police officers.
26 Q How many police officers?

12a-3

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A I didn't count them.

Q More than one?

A Yes.

Q Less than five?

A I don't know. I believe there were two cars.

Q You were in one car?

A Yes.

Q How many police officers were in that car?

A I remember there was a female and a male in the front seat, myself and my two attorneys, and I believe there were two officers, plainclothes officers.

Q Do you remember who those officers were?

A I believe Mr. Bugliosi was with us.

Q Is he a police officer?

A I guess, yes.

Q What other police officers other than Mr. Bugliosi went with you?

A I don't know who he was.

Q Did they tell you -- did anybody tell you in advance that you were going to the Tate house?

A I believe my attorneys told me.

Q What did they tell you, do you recall?

MR. GOLDMAN: Objection, your Honor. That is invading the attorney-client privilege.

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

THE COURT: I think perhaps you had better lay a

1 little more foundation for the question, Mr. Fitzgerald.

2 I will sustain the objection at this time.

3 BY MR. FITZGERALD:

4 Q Did any police officers from the Los Angeles
5 Police Department talk to you about this case before you
6 went to the Tate house during the day, the day you went?

7 A No, I don't think so.

8 Q Have any police officers -- forget about Mr.
9 Bugliosi -- any police officers besides him -- talked to
10 you about this case?

11 A No.

12 Oh, well, what is a police officer? A uniform?
13 Is that what you mean?

14 MR. FITZGERALD: Q Are you familiar with the
15 term "detective"?

16 A Yes.

17 Q Plainclothes police officer?

18 A Yes.

19 Q Police officers are persons employed by police
20 departments?

21 A Right.

22 Some detective I spoke to.

23 Q When did he speak to you in relation to when
24 you went to the Tate house?

25 A On the way and while I was there.

26 Q Was that the first time you had ever talked

1 to a police officer?

2 A I believe so.

3 MR. STOVITZ: You mean about this case, Counsel?

4 MR. FITZGERALD: About this case.

12b flm. 5 THE WITNESS: Yes, I believe so.

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12B-1

1 MR. FITZGERALD: Q For the sake of a chronology,
2 when did you come to Los Angeles County in December, if at
3 all?

4 A Well, I am here now, so I must have come.
5 I believe it was the first part of December.
6 I am not sure of the day.

7 Q You were indicted --

8 A Yes.

9 Q -- by the Grand Jury of Los Angeles County for
10 certain offenses; correct?

11 A Yes, uh-huh.

12 Q And you are a defendant in this case; is that
13 correct?

14 A I guess so.

15 Q I mean, you are being charged with seven counts
16 of murder; right?

17 A Yes.

18 Q And one count of conspiracy to commit murder;
19 right?

20 A Yes.

21 Q Now, when you were brought here to Los Angeles,
22 after you arrived, did you speak with any police officers?

23 A Yes, I did.

24 Police officers or detectives?

25 Q Either one.

26 A I spoke with Mr. Stevitz, and I spoke with

12b2

1 Mr. Patchat.

2 Q Do you remember when you first talked to
3 Mr. Stovits?

4 A Yes. The night I arrived in Los Angeles.

5 Q Did he interview you in the jail.

6 A No, they didn't take me to the jail. They
7 took me to some building, an office or something.

8 Q Do you know where that was?

9 A No.

10 Q Who took you?

11 A The people that went to New Hampshire to pick
12 me up.

13 Q Were those police officers?

14 A Yes. They didn't have uniforms on.

15 Q But they flew you out here -- they came with
16 you on a commercial airline; is that correct?

17 A Yes.

18 Q And they identified themselves as police
19 officers?

20 A Yes.

21 Q And they told you their names, didn't they?

22 A Yes, I guess so.

23 Q You don't remember?

24 A No.

25 Q You don't remember their faces, either, I
26 take it?

12b3

1 A I remember the woman.
2 Q It was a man and a woman?
3 A Yes.
4 Q How soon after you arrived here did Mr. Stovitz
5 talk to you in this building or a building?
6 A Well, my attorney came to me right away.
7 Q Mr. Fleischman?
8 A Yes.
9 Q All right.
10 A And I told him basically, you know, what I knew.
11 And then Mr. Stovitz came in --
12 Q Did he tell you what you were going to be charged
13 with?
14 A I don't know.
15 MR. GOLDMAN: Objection.
16 THE COURT: Sustained.
17 MR. GOLDMAN: Any conversation between attorney and
18 client.
19 THE COURT: Sustained.
20 MR. KANARER: May we approach the bench?
21 THE COURT: No, sir.
22 MR. FITZGERALD: Q Before you told him anything,
23 did he tell you anything?
24 That question can be answered yes or no.
25 MR. STOVITZ: By "he" and "him," do you mean
26 Mr. Fleischman, Mr. Stovitz, or who, Counsel?

12b4

1 MR. FITZGERALD: I mean Mr. Fleischman and/or
2 Mr. Goldman.

3 MR. GOLDMAN: Objection on the privilege ground.

4 THE COURT: Read the question.

5 (The question was read by the reporter.)

6 THE COURT: Overruled. You may answer.

7 THE WITNESS: I don't think he told me anything.
8 I don't recall.

9 MR. FITZGERALD: Q The same day that you talked to
10 your attorney --

11 A It was night.

12 Q The same night --

13 A Yes.

14 Q -- Did you talk to Mr. Stovitz?

15 A Yes.

16 Well, actually -- well, yes.

17 Q You were pregnant at the time; is that right?

18 A Yes, I was.

19 Q When was your baby born ultimately?

20 A On March 9th.

21 Q Was that a full-term child?

22 A I think he was about a week early.

23 Q And was it in December that you talked to
24 Mr. Stovitz?

25 A Yes.

26 Q So then you were anywhere from five to seven

12b5

1 months pregnant?

2 A Yes.

3 Q Were you showing?

4 A Yes.

5 Q Did you have an unusual pregnancy in any
6 respect?

7 A No, none whatsoever.

8 Q Did you have any emotional problems during
9 your pregnancy?

10 A Sure. I think every woman goes -- well, I
11 can't say that.

12 Yes, I had emotional problems.

12c

12c-1

1 Q Frequently women have emotional problems during
2 pregnancy; is that correct?

3 A Yes.

4 Q At least according to you?

5 A Yes.

6 Q What sort of emotional problems were you
7 having?

8 MR. STOVITZ: Objected to as being immaterial and
9 irrelevant, your Honor. It has nothing to do with the
10 issues in the case here.

11 THE COURT: Sustained.

12 BY MR. FITZGERALD:

13 Q When Mr. Stovitz talked to you that night,
14 when was the last time before that that you had had
15 any sleep?

16 A Sleep?

17 Q Yes, sleep.

18 A Before that?

19 Q Before that.

20 A I slept on the plane coming out.

21 Q Did Mr. Stovitz talk to you about this case?

22 A No, not really. He showed me pictures.

23 Q What did he show you pictures of?

24 A People that belonged to the Family.

25 Q And did he tell you their names?

26 A No. I told him their names.

12c-2

1 Q Did he show you any other picture?

2 A No, I don't think so.

3 Q Did these pictures refresh your recollection
4 of the people you had seen during the months of July and
5 August, 1969?

6 A Yes.

7 Q Would it be fair to say that without those
8 pictures you wouldn't recall some of the faces of the
9 persons you had seen during July and August?

10 A No, I would recall them.

11 Q How many photographs did he show you?

12 A I don't know. I didn't count them. Most of
13 the people in the family.

14 Q Did he show you photographs of anybody other
15 than the people you had seen at the Ranch?

16 A I think there were one or two faces that I
17 didn't know.

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1 Q Did he show you any other pictures?

2 A Not that I recall.

3 Q Did he show you pictures of buildings?

4 A I just remember him showing me pictures of
5 faces. But he may have shown me buildings, I don't
6 remember it.

7 MR. FITZGERALD: May I approach the witness?

8 THE COURT: You may.

9 Q BY MR. FITZGERALD: Showing you People's 56
10 and 57 for identification, photographs of a gas station,
11 do you recognize those photographs?

12 A Yes, I do.

13 Q Have you previously identified those
14 photographs?

15 A Yes, I have.

16 Q Have you previously identified those photo-
17 graphs as of a gas station, is that right?

18 A Yes.

19 Q Where you placed the wallet, is that right?

20 A Yes.

21 Q Have you ever seen those photographs before
22 yesterday?

23 A I think one of the plain clothes men showed
24 them to me.

25 Q When was that?

26 A Recently.

1 Q What did he say to you when he showed it to
2 you?

3 A He asked me if I knew where this place was
4 and I told him.

5 Q What did you tell him?

6 A That it was the gas station where I placed
7 the wallet.

8 Q That is a Standard gas station, right?

9 A Yes.

10 Q Is there anything about that gas station that
11 is depicted in that picture that makes you think it is the
12 particular gas station you were talking about in your
13 testimony?

14 A Yes, the restaurant.

15 Q The restaurant?

16 A Yes.

17 Q In the background?

18 A Yes.

19 Q Had you read the name of the restaurant?

20 A No.

21 Q Before you had seen the picture?

22 A No.

23 Q Did the picture refresh your recollection as
24 to the name of the restaurant?

25 A The orangeness of it.

26 Q How many pictures of gas stations were you shown.

1 if you were shown more than one?

2 A I believe I was shown these.

3 Q These two?

4 A Yes.

5 Q That is all?

6 A I believe so.

7 Q You were not shown a series of photographs of
8 various gas stations so you could select one or more of the
9 various gas stations?

10 A No, I don't think so.

11 Q What else did you talk with Mr. Stovitz about
12 that evening that you came back from the East?

13 A Nothing.

14 Q He just showed you some pictures?

15 A Uh-huh, yes.

16 Q Were your attorneys present at the time?

17 A Yes.

18 Q When Mr. Stovitz was there?

19 A Yes.

20 Q Was that with your permission?

21 A I guess so, I don't know if my permission was
22 asked. I don't know.

23 Q What did your attorney say?

24 A I don't know, I don't recall.

25 Q Did he say anything while Mr. Stovitz was
26 present?

1 A Not that I recall.

2 Q Do you recall seeing Mr. Stevitz at any future
3 time after the first day you came back here?

4 A After the first day?

5 Q Yes.

6 A Yes. I saw him once for about 15 or 20
7 minutes.

8 Q When was that?

9 A Maybe two or three months ago.

10 Q Did he talk to you about this case?

11 A I cannot really remember what he talked to me
12 about. I'm sure it was about the case.

13 Q Were either one of your lawyers present?

14 A Yes.

15 Q Did they talk about the case with you?

16 A The only thing I remember about that day was
17 that he gave me a Rolling Stone magazine -- yes, we did
18 talk about the case a little bit.

19 Q He gave you a copy of the Rolling Stone
20 magazine?

21 A Yes.

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

23 THE COURT: On what subject, Mr. Kanarek?

24 MR. KANAREK: I would rather not enunciate it in open
25 court.

26 THE COURT: You have a motion or an objection to make?

1 MR. KAMAREK: A motion, yes, your Honor.

2 THE COURT: All right, you may approach the bench.

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

5 MR. KAMAREK: Your Honor, I make a motion that we
6 adjourn this proceedings with this witness at this time
7 and that we be allowed to take her deposition and be
8 allowed to make avoird dire examination of her outside of the
9 presence of the jury.

10 Your Honor, I am sure, is well familiar with
11 the Rolling Stone magazine.

12 MR. STOVITZ: Just take it easy now, I don't want
13 to interrupt counsel, but this was three months before the
14 June 22nd edition came out and it was merely --

15 MR. FITZGERALD: May I interrupt? It is very impor-
16 tant and I keep forgetting this.

17 Would your Honor admonish the witness,
18 Mrs. Kasabian, not to discuss her testimony with people
19 during the recesses?

20 MR. STOVITZ: I instructed her attorneys not to dis-
21 cuss it because they are right next to the jury box.

22 THE COURT: I did not hear what you said.

23 MR. FITZGERALD: I am sorry to interrupt, but I
24 keep forgetting to ask the Court to admonish the witness,
25 Linda Kasabian not to discuss her testimony with people
26 during recesses or colloquies between counsel at the bench.

1 I think that applies.

2 THE COURT: What do you mean by people?

3 MR. FITZGERALD: I am referring to attorneys,
4 Ronald Goldman and Gary Fleischman. I am referring to
5 Mr. Bugliosi and Mr. Stovitz.

6 THE COURT: Why shouldn't she confer with her
7 attorneys?

8 MR. FITZGERALD: Well, then every defense witness
9 that comes in here ought to get an attorney appointed for
10 them. They cannot obviate the standards and rules that
11 apply to other witnesses simply because they retain an
12 attorney, and your Honor rules that is privileged infor-
13 mation and I cannot ask her what she said during the
14 recess.

15 They may be telling her what to say.

16 MR. KAMAHAKI: I make a motion also, your Honor, that
17 during these intervals, right now there are several jurors
18 looking right at her, your Honor may look over there. There
19 are several jurors looking right at her as Mr. Goldman is
20 in animated conversation with her.

21 MR. STOVITZ: And I request that Mr. Goldman and
22 Mr. Fleischman not to talk to her about the case.

13a-1

1 THE COURT: Ask Mr. Goldman to come up here.

2 MR. STOVITZ: Mr. Goldman.

3 (Mr. Goldman approaches the bench outside the
4 hearing of the jury.)

5 THE COURT: Mr. Goldman, counsel are concerned that
6 you are discussing matters with your client in close
7 proximity to the jury.

8 I have no idea what you were saying if anything,
9 but would you refrain from saying anything when she is
10 sitting there right next to the jury.

11 MR. GOLDMAN: Saying anything or saying anything
12 concerning the case?

13 THE COURT: I think it would be best not to say
14 anything.

15 MR. GOLDMAN: All right.

16 THE COURT: Because where she is sitting during
17 these conferences is very very close to the jury and even
18 if you are talking about the time of day it conceivably
19 could be misunderstood.

20 MR. GOLDMAN: We don't even want the appearance
21 of impropriety.

22 May I tell her of the Court's instruction?

23 THE COURT: Yes. The only thing is that counsel
24 are concerned about your possibly discussing with her
25 what, while she is being examined, her testimony is.

26 I realize the position you are in, you are her attorney;

13a-2

1 you are here to protect her rights, and so forth.

2 On the other hand all other witnesses have
3 been excluded; do you see any necessity to discuss with
4 her any aspect of her testimony during the course of her
5 examination, direct or cross or redirect or recross
6 examination?

7 MR. GOLDMAN: Your Honor, it is impossible to prog-
8 nosticate as of the future, at this time.

9 THE COURT: You understand what I am saying, counsel
10 are concerned she not be advised, coached or counseled
11 regarding her testimony, until they have had their
12 opportunity to examine her.

13 MR. GOLDMAN: Nothing more than any other attorney
14 would do with his client.

15 I would certainly point out to the Court in
16 no way have I or am I now coaching her.

17 I think questions of demeanor --

18 THE COURT: Would you object to my making an order
19 forbidding you to discuss with her her testimony in this
20 case during the course of the case?

21 I am trying to ascertain from you whether you
22 see any necessity to discuss with her any aspect of her
23 testimony.

24 MR. GOLDMAN: It certainly may be that I would
25 consider it necessary to discuss the case with my client.

26 THE COURT: May we leave it this way, then, I will

13a-3

1 make such an order, and if you feel a compelling necessity
2 to discuss with her her testimony, we are not talking
3 about other matters, we are talking about her actual
4 testimony in this case, then would you come to the bench
5 and see what the situation is at that time?

6 I don't expect you to reveal anything of a
7 confidential nature, but you can make it known to me at
8 that time and I can so rule accordingly.

9 MR. GOLDMAN: The only position I would take, your
10 Honor, is that we are still in the position of having to
11 advise our client, certainly not with respect to what she
12 is going to say or what she should say, or coaching her
13 as to evidence.

14 But certainly questions of advice may come
15 up. It is difficult to interpret what they might be.

16 THE COURT: You have the right to give her legal
17 advice, but I will make an order then subject to change
18 at any time that you are not to discuss with her her
19 actual testimony in this case during the course of her
20 examination.

21 MR. GOLDMAN: Does this relate only to in the court-
22 room or to evenings?

23 THE COURT: That would relate to any time.

24 In other words, I will treat her the same as
25 any other witness with respect to that.

26 On the other hand if you feel a compelling

interpret?

13a-4

1 necessity to discuss with her some aspect of her testimony,
2 I expect you to tell me first, and counsel can be so
3 advised.

4 MR. GOLDMAN: For the record, your Honor, we will
5 respect the Court's order. We object to it but we respect
6 it.

7 MR. KANAREK: Your Honor, I do make a motion that
8 we have an evidentiary hearing, a voir dire hearing outside
9 of the presence of the jury, first in which Mr. Fleischman
10 and Mr. Goldman would be sworn and in which they would
11 state, which I would ask their testimony be in two parts:

12 The first part would be what they told Linda
13 Kasabian since there has been any communication with the
14 District Attorney's Office concerning immunity up until the
15 time of the trial.

16 Secondly, I would ask for sworn testimony as
17 to everything that they and she have discussed inter se,
18 or Mr. Goldman and Mr. Fleischman -- pardon me -- or Mr.
19 Goldman and Linda Kasabian, separately, and Mr. Fleischman
20 and Linda Kasabian separately.

21 THE COURT: Those motions are denied.

22 MR. KANAREK: I would ask for an evidentiary hearing.

23 Your Honor, I have another motion which is that
24 Linda Kasabian right now, she is within less than one foot
25 of one of the alternate jurors. I ask she be physically
26 removed.

13a-5

1 THE COURT: She is sitting quietly.

2 MR. KAMAREK: But she is in immediate proximity to
3 one of the alternate jurors. I ask your Honor that this
4 evidentiary hearing include voir dire of the jury to see
5 if they heard anything of conversations that have gone on
6 between Linda Kasabian and her attorneys or either of them
7 or both of them.

8 Also anything that has gone on which they may
9 have heard between Mr. Bugliosi, Mr. Stovitz and Linda
10 Kasabian, or any law enforcement officer and Linda Kasabian.

11 In other words, I would like a voir dire
12 hearing as to whether the jurors have heard anything whatso-
13 ever from Linda Kasabian's lips or anyone concerning Linda
14 Kasabian other than from the witness stand.

15 I would ask for an evidentiary hearing in that
16 regard.

17 THE COURT: The motion will be denied.

18 MR. SHINN: Join in the motion.

19 MR. HUGHES: Join.

20 THE COURT: Now, Mr. Goldman, please remove Mrs.
21 Kasabian a little farther. Will you have her sit in the
22 other chair and place one chair inbetween you ?

23 MR. GOLDMAN: So the Court and counsel will know
24 that I am going to tell her of the Court's order, so I
25 won't be in violation, but in aid of the Court's order.

26 THE COURT: And after, avoid any conversation that

1 could be overheard by the jury.

2 MR. GOLDMAN: We have attempted to do that.

3 MR. KANAREK: In view of the Court's denying my
4 motion we ask for a mistrial.

5 MR. SHINN: Join in the motion.

6 THE COURT: Overruled.

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

9 THE COURT: Ladies and gentlemen, do not speak to
10 anyone nor form or express any opinion regarding this
11 case until it is finally submitted to you.

12 The court will recess for 15 minutes.

13 (Recess.)

14 fls.

14-1

1 (The following proceedings occur in open court,
2 all defendants, attorneys and jury present.)

3 MR. FITZGERALD: Could we very temporarily approach
4 the bench. There is an addendum to some materials that
5 were mentioned earlier.

6 THE COURT: All counsel, parties and jurors are
7 present.

8 You may approach the bench.
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1 (Whereupon, all counsel but Mr. Bugliosi
2 approach the bench and the following proceedings occur
3 at the bench outside of the hearing of the jury.)

4 MR. FITZGERALD: Mr. Kanarek represented to me that
5 he saw some activity taking place between one of the
6 Deputy District Attorneys and the witness in contravention
7 of the Court's order.

8 That is why I asked to come to the bench.

9 MR. KANAREK: It was Mr. Bugliosi, so I think in
10 fairness to him, he should be at the bench.

11 THE COURT: I don't understand.

12 MR. FITZGERALD: I walked back into the courtroom
13 and I sat down, and Mr. Kanarek informed me that he had
14 observed one of the Deputy District Attorneys, Mr.
15 Bugliosi, talking to the witness.

16 (Mr. Bugliosi comes to the bench.)

17 MR. FITZGERALD: I asked to approach the bench
18 because after the recess, when I walked into the courtroom,
19 Mr. Kanarek told me that Mr. Bugliosi had been discussing
20 and had been engaged "in an animated conversation" within
21 the hearing of the jury with the witness, in violation of
22 the Court's order.

23 That is why I asked to approach the bench.

24 I am only representing to the Court that that is
25 what Mr. Kanarek represented to me.

26 THE COURT: Why can't Mr. Kanarek represent it

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1 directly?

2 MR. FITZGERALD: He can. I don't understand why he
3 can't.

4 MR. KANAREK: Yes, I can. Mr. Fitzgerald started
5 talking.

6 During the recess I observed Mr. Bugliosi
7 in animated conversation with Miss Kanabian, and I would
8 ask for an evidentiary hearing, sworn testimony by
9 Mr. Bugliosi, as to what he said to her and what she said
10 to him.

11 This was in the immediate presence, your Honor,
12 of a law enforcement officer.

13 MR. BUGLIOSI: As a matter of policy, your Honor, and
14 for my own welfare --

15 THE COURT: He is examining this witness.
16 Why shouldn't he confer?

17 MR. KANAREK: Because we don't get to talk to her.
18 It's a violation of due process and equal protection.

19 THE COURT: It is up to her whether she wants to talk
20 to you. She doesn't have to talk to Mr. Bugliosi if she
21 doesn't want to.

22 MR. BUGLIOSI: That's right.

23 MR. KANAREK: I believe that is not the law.

24 THE COURT: Is that the basis -- is that why we
25 are here, Mr. Kanarek?

26 MR. KANAREK: Yes.

14-4

1 THE COURT: Make your motion, or whatever it is.

2 MR. KANAREK: The motion is for an evidentiary hearing.

3 THE COURT: The motion is denied.

4 Let's proceed.

5 MR. SHINN: Join in the motion.

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

3 BY MR. FITZGERALD:

4 Q Did you read the Rolling Stone magazine
5 Mr. Stovitz brought you?

6 A Yes, I did.

7 Q And that was at the time of Mr. Stovitz's
8 second conversation with you, is that right?

9 A Yes, it was.

10 Q What did you discuss with Mr. Stovitz at that
11 time?

12 A Oh, let me think --

13 Q Was your lawyer present at that second conver-
14 sation, either one of them?

15 A Yes.

16 Q Which one?

17 A Mr. Fleischman.

18 Q Mr. Fleischman was there?

19 A Yes.

20 Q Did Mr. Stovitz talk to you about this case?

21 A Yes, I believe so. I think he mentioned
22 something about Mary Brunner and --

23 MR. STOVITZ: Your Honor, I object to anything
24 about the substance of the conversation.

25 That was not called for by the question, it
26 is not responsive.

1 BY MR. FITZGERALD:

2 Q But you cannot remember what he talked with
3 you about in connection with this case?

4 A No, I can't recall.

5 Q Did you see Mr. Stovitz a third time?

6 A No.

7 MR. STOVITZ: Other than in court, I take it,
8 Counsel?

9 MR. FITZGERALD: You have not been to Mr. Stovitz's
10 home or anything?

11 THE WITNESS: No.

12 BY MR. FITZGERALD:

13 Q You have only seen Mr. Stovitz in court and
14 in jail?

15 A Yes.

16 Q Did Mr. Stovitz go with you to the Tate
17 residence during the day that day?

18 A No, I don't believe he did.

19 Q Did Mr. Stovitz ever discuss with you on any
20 other occasion other than the two you have mentioned the
21 facts of this case?

22 MR. STOVITZ: That is objected to as assuming
23 facts not in evidence, that we discussed the facts
24 of the case the first time or the second time, your Honor.

25 MR. KAMAREK: Your Honor, it is cross-examination and
26 I believe he can ask a question of this type even though

1 it is not in evidence.

2 THE COURT: Mr. Kanarek, I believe Mr. Fitzgerald
3 is eminently capable of answering any arguments by the
4 People.

5 MR. KANAREK: I agree, your Honor, but I want the
6 record to reflect that we advocate this question most
7 heartily.

8 THE COURT: Read the last question.

9 (Whereupon the reporter reads the pending
10 question as follows:

11 "Q Did Mr. Stovitz ever discuss with
12 you on any other occasion other than the two
13 you have mentioned the facts of this case?")

14 THE COURT: Overruled, you may answer.

15 THE WITNESS: No, I cannot recall a specific thing
16 that he said to me now.

17 BY MR. FITZGERALD:

18 Q Have you ever told Mr. Stovitz what you told
19 the Court and the jury in relation to what happened on
20 the evenings of August the 8th and 9th?

21 A No, not Mr. Stovitz.

22 Q You never told that to Mr. Stovitz?

23 A No.

24 Q Now, when was the first time you met Mr.
25 Bugliosi?

26 A The first time -- I think it was the day we

1 went to the Tate residence, I'm not positive.

2 Q Did he see you in the jail before you went
3 to the Tate residence?

4 A I'm not sure.

5 Q Did anybody inform you that you were going to
6 be taken out of the jail to go to the Tate residence,
7 or was it a surprise to you?

8 A No, I think my attorney informed me.

9 Q And did he tell you anything in connection with
10 going to the Tate residence?

11 What did he say in that regard?

12 MR. GOLDMAN: Objection, your Honor, attorney-
13 client privilege.

14 THE COURT: I take it from the question this is a
15 conversation where no one else was present.

16 MR. FITZGERALD: Yes.

17 THE COURT: The objection is sustained.

18 BY MR. FITZGERALD:

19 Q Did you go in the morning out to the Tate
20 residence, was it in the morning?

21 A Yes, I think it was.

22 Q And you went with Mr. Bugliosi, is that right?

23 A Yes.

24 Q And a female Deputy Sheriff?

25 A Yes.

26 Q And a police officer?

1 A Yes.

2 Q Was a police officer driving the car?

3 A Yes, he was.

4 Q Was there anyone else in the car but those

5 people we just mentioned?

6 A I believe there was one other, maybe it was

7 Mr. Gutierrez, I'm not sure, though.

8 Q Have you talked to Mr. Gutierrez on occasion?

9 A Yes, I have.

10 Q Who is he?

11 A Who is he?

12 Q Yes.

13 A I don't know, he is a man that has something

14 to do with the case, investigating.

15 Q Is he in the courtroom now?

16 A Yes, he is.

17 Q Is he this gentleman right here I am directing

18 my attention to?

19 A Yes, he is.

20 Q Is he employed by the Los Angeles Police

21 Department?

22 A I believe so.

23 Q Did Mr. Bugliesi show you some photographs

24 before you went to the Tate residence?

25 A No, I don't think so.

26 Q Did you have any conversation with

John Stowitz
1 Mr. Bugliosi on the way to the Tate residence?

2 A No, I don't recall.

3 Q Did he tell you why you were going to the Tate
4 residence?

5 A He may have but I don't recall.

6 Q Do you remember if you engaged in any conversa-
7 tion with him at all from the jail out to the Tate house?

8 A Yes, at one point I remembered the sports car
9 incident and I believe I told it to him.

10 Q As you were driving alone you had a flash?

11 A Yes.

12 Q Was that the extent of the conversation you
13 had from the jail to Beverly Hills?

14 A I guess so, I can't remember. I'm sure they
15 must have questioned me but I cannot remember if they did
16 or what they said.

17 Q When you got to the Tate residence what
18 happened?

19 A I got out of the car and I remember some dogs
20 came up and I turned around and I started crying and I
21 remember saying "Why weren't the dogs here?"

22 I had to cry for a while.

23 Q Why was that?

24 MR. STOWITZ: I don't understand the question, your
25 Honor. I think the question is ambiguous or it has a
26 dangling participle or preposition.

1 THE COURT: Overruled, you may answer.

2 THE WITNESS: Why did I cry?

3 BY MR. FITZGERALD:

4 Q Yes.

5 A Because I had seen something horrible and I
6 was there at that same spot.

16 fls.

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1 Q You cried in this courtroom when you told us
2 what had occurred on the evening of August the 8th; isn't
3 that correct?

4 A Yes.

5 Q How many people have you told that story to?
6 MR. STOVITZ: Objected to, your Honor. The form of
7 the question is argumentative.

8 THE COURT: It is also ambiguous. I don't know what
9 you are referring to, Mr. Fitzgerald. Sustained.

10 BY MR. FITZGERALD:

11 Q You related to us certain events that occurred
12 on Cielo Drive on the evening of August the 8th; correct?

13 A Yes.

14 Q And you did that in this courtroom, didn't you?

15 A Yes.

16 Q And during portions of your testimony you
17 cried; isn't that correct?

18 A Yes.

19 Q You had told that story before, had you not,
20 the events of the evening of August the 8th, 1969?

21 A Yes, I had.

22 Q You had told it to numerous people, had you
23 not?

24 A What do you mean by numerous?

25 Q Had you told it to Mr. Bugliosi?

26 A Oh, yes.

16-2

1 Q How many times had you told it to Mr. Bugliosi?

2 A Two or three times.

3 Q Had you ever told it to Mr. Stovitz?

4 A No.

5 Q Had you ever told it to your attorney?

6 A Yes.

7 Q How many times did you tell it to your attorney?

8 MR. FLEISCHMAN: I object to that, your Honor, again
9 on the attorney-client privilege basis.

10 MR. KANAREK: May we approach the bench?

11 THE COURT: Sustained.

12 MR. KANAREK: May we approach the bench?

13 THE COURT: No.

14 BY MR. FITZGERALD:

15 Q Did you tell it to Joe Sage?

16 A I just basically told him that I had seen some
17 murders take place.

18 Q Did you tell it to your husband, Robert
19 Kasabian?

20 A Yes.

21 Q What other people have you told it to?

22 A I believe Jeffery was in the presence of Joe
23 Sage at that time; and that is the only people besides
24 my attorneys and Mr. Bugliosi.

25 Q Did you tell it to your mother?

26 A No.

16-3

1 She came to me when she heard my name --

2 MR. STOVITZ: I object to anything else, your
3 Honor, as not responsive.

4 The answer was no.

5 THE WITNESS: No, I did not tell my mother.

6 BY MR. FITZGERALD:

7 Q Did you tell it to anybody else other than
8 the people that you have named?

9 A No.

10 Q Did you cry each and every time you told the
11 story to different people?

12 A Yes.

13 Q Or did you just cry in this courtroom?

14 A I cried every time.

15 I cry when I think about it in my room.

16 Q What did you do when you returned to the Tate
17 residence, or at the Tate residence, during the day after
18 you --

19 A I can't follow your question. Would you
20 please repeat it?

21 Q All right.

22 The dogs barked. You saw something, and you
23 began to cry.

24 Is that right?

25 A Yes.

26 Q What happened after that?

16-4

1 A Mr. Bugliosi came over to me and put his arm
2 around my shoulder and comforted me and told me, you know,
3 it was okay, that I had to go through this, or something.

4 And I calmed down, I got myself together.
5 The gate was opened and I walked in.

6 Then I pointed out the place where Tex told
7 us to stand -- get down -- and then I pointed out where
8 I thought the car was, where Tex shot the man.

9 Q Were you asked questions by Mr. Bugliosi?

10 A Yes. And --

11 Q Did you give answers to those questions?

12 A Yes.

13 Q Did Mr. Bugliosi show you things?

14 A No. I showed him things.

15 Q Did he tell you where certain bodies were
16 found?

17 A No.

18 Q Did he tell you where anything in the house
19 was?

20 A No.

21 Q Did you go inside of the house?

22 A No.

23 Q Did you go around the side of the house to the
24 pool?

25 A No.

26 Q You didn't see the pool when you were there?

16-5

A No.

Q Were there any additional police officers present at the Tate house during the day when you went back other than the ones you have named in the police car?

A Yes. I believe there was another car with investigators.

16a fls. 8

I don't know who they were.

16a-1

1 Q Did any of those people ask you questions?

2 A I guess so. I don't know. People asked me
3 where the man was standing, when I saw him come out the
4 door, and I pointed where he was standing. Where I saw the
5 man when Tex was stabbing him I pointed out.

6 I pointed out where I saw Katie chasing the
7 girl.

8 Q Was there somebody there taking down notes of
9 your remarks?

10 A No, not that I saw.

11 Q To your knowledge, was somebody tape recording
12 your remarks?

13 A Not that I know of.

14 Q Were you shown any pictures when you were
15 there?

16 A No.

17 Q Was anyone taking any pictures while you were
18 there?

19 A I don't remember. I don't think so.

20 Q How long were you at the Tate residence?

21 A Not very long.

22 Q An hour? Two hours?

23 A No. Probably less than an hour.

24 Q Was it in the morning?

25 A I believe so.

26 Q Did Mr. Bugliosi take you to lunch afterwards?

16a2

1 A No. They took me straight back SBI.
2 Q You didn't have dinner on Wilshire Boulevard?
3 A No, not this time.
4 Q Was there another time you were removed from
5 the jail?
6 A Yes.
7 Q When was that?
8 A I don't know. A while after. We went to
9 Pasadena.
10 Q What did you do in Pasadena?
11 A Eventually I found the second house on the
12 hill.
13 Q Did you drive through Pasadena looking for some
14 houses?
15 A Yes.
16 Q Who was present when you went to Pasadena?
17 A My attorney and Mr. Bugliosi.
18 Q Which attorney?
19 A Mr. Fleischman.
20 I don't know who they were. They were
21 investigators.
22 Q The same policemen that were with you at Tate's
23 or different places?
24 A I think Mr. Guttierrez was there. I remember
25 him face. I can't remember the others.
26 Q How long were you in Pasadena?

16a3

1 A I don't know.

2 Q Did you drive the Pasadena Freeway to Fair Oaks

3 Avenue?

4 A Yes. I pointed out the exit.

5 Q Did you drive around and point out a church?

6 A Yes.

7 Q How many churches were you shown before you

8 pointed out the particular church?

9 A Quite a few.

10 Q How many houses were you shown before you

11 picked out a particular house?

12 A Actually, I wasn't shown. I was more or less

13 directing them to where I felt we had gone that night.

14 Q Did you leave Pasadena and go some place?

15 A Yes. I believe that was the day we went to

16 lunch.

17 Q Was that on Wilshire Boulevard?

18 A I don't know.

19 Q A Chinese Restaurant?

20 A Yes.

21 Q Did you go to Will Rogers State Park?

22 A I don't know if that was the day.

23 Q Did you drive down Sunset -- is there a third

24 day that you were out of the jail?

25 A Yes.

26 Q Where did you go the third day?

44 1 A I believe I went to Pasadena again looking for
2 the first house, the one-story house, and I couldn't find
3 it. And I believe that was the day we went to Bill
4 Rogers, that area.

5 Q Was Mr. Bugliosi present?

6 A Yes.

7 Q Were some of the investigating officers
8 present?

9 A Yes.

10 Q Was one of your attorneys present?

11 A Yes.

12 Q Which one?

13 A Mr. Fleischman.
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1 Q Were people asking you questions? Were these
2 people asking you questions?

3 A Yes.

4 Q Was the purpose of the trip, as far as you
5 were concerned, to refresh your recollection?

6 A No. My purpose was to show them where we had
7 gone.

8 Q Did you ask that they take you out of the jail?

9 A No.

10 Q Did they ask your permission to take you out of
11 the jail?

12 A I believe they went to my attorney.

13 Q Did any of those persons promise you anything
14 if you did anything?

15 A Promise me anything? No.

16 Q No promises made to you?

17 A Well, they promised that they would give me
18 immunity if I testified.

19 Q What did that mean?

20 A Actually, it is just a piece of paper so far as
21 I am concerned. I am just doing what I feel I have to do
22 whether there was immunity or not.

23 Q Who explained this immunity to you?

24 A My attorney.

25 Q What did he say?

26 MR. GOLDMAN: Objection.

MR. FLEISCHMAN: Same objection, attorney-client

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privilege.

THE COURT: Sustained.

17-1

Q BY MR. FITZGERALD: You testified in this courtroom you were testifying for two reasons:

One, because you wanted to tell the truth; and

Two, because you were granted immunity.

Is that not correct?

MR. BUGLIOSI: That is not a statement of the record, your Honor, she did not testify to that.

THE COURT: Put the question to her directly.

Q BY MR. FITZGERALD: Why are you testifying?

A You want me to tell you?

Q I asked you the question.

A Well, from the moment it happened I knew that I would be the one to tell the truth; I knew I would be the one to tell it, and I never had immunity in my mind. I never knew this was going to happen.

This is something that to me I look at as a miracle. I just know I have to do this, whether it's immunity or not. It doesn't matter.

MR. FITZGERALD: May I have a moment, your Honor?

THE COURT: Yes, you may.

MR. FITZGERALD: May I quote from the record in addressing the question to the witness, your Honor?

THE COURT: What is the transcript reference?

MR. FITZGERALD: It is Volume 29, your Honor, Page 4766 at Line 20, et seq.

Q BY MR. FITZGERALD: Linda, were you asked this

17-2

1 question and did you give this answer; the question by
2 Mr. Eugliosi:

3 "Linda, are you aware of the agreement
4 between the District Attorney's office and
5 your attorneys, Gary Fleischman and Ronald
6 Goldman, that if you testify to everything
7 you know about the Tate-La Bianca murders,
8 the District Attorney's Office will petition
9 the Court to grant you immunity from prosecution
10 and dismiss all charges against you.

11 "Are you aware of that agreement?

12 "A Yes, I am aware."

13 Were you asked that question and did you give
14 that answer?

15 A Both, I believe.

16 Q So you are aware of an agreement, an immunity
17 agreement, is that correct?

18 A Yes.

19 Q What is your awareness or understanding of
20 that immunity agreement?

21 A That I supposed to be free once I testify.

22 Q Is it your understanding of that immunity
23 agreement that if you say these defendants are innocent
24 you are granted immunity?

25 A I just have been told as long as I tell the
26 truth I will be granted immunity.

17-3

1 Q Is it your understanding that you can say any-
2 thing you want and no matter what you say you will be
3 granted immunity?

4 A But I don't want to say anything. I want to say
5 it like it was.

6 Q But is it your understanding that you can
7 say anything you want and receive immunity?

8 A No, because it's my own conscience.

9 Q You were told that if you told the truth you
10 would be granted immunity?

11 A Yes.

12 Q Is that correct?

13 A Yes.

14 Q What is your understanding as to who is going
15 to determine whether or not you are telling the truth?

16 A I don't know, I don't understand your question.

17 Q You say that if you tell the truth you will get
18 immunity, is that right?

19 A Uh-huh.

20 Q Who is going to determine whether you are telling
21 the truth?

22 A I believe it comes from above.

23 Q No, I mean in terms of the immunity.

24 Is it your understanding that if you don't tell
25 the truth you won't get immunity?

26 A Repeat that again -- if I don't tell the truth

17-4

1 I won't get immunity?

2 Q We are talking about your understanding now.
3 Is it your understanding that if you tell the
4 truth you will get immunity?

5 A Yes.

6 Q And what does immunity mean?

7 A That the charges will be dropped against me.

8 Q And you will be allowed to leave the jail?

9 A Yes.

10 Q What if you don't tell the truth?

11 A I guess I will be perjured and tried for the
12 case, I don't know, I guess.

13 I don't know the law, I'm sorry.

14 Q I am not asking you the law, I am just asking
15 you what your understanding of that agreement you refer to
16 is.

17 A Uh-huh.

18 Q And it is your understanding that if you don't
19 tell the truth, what is going to happen to you?

20 A That I probably will be tried.

21 Q Now, in terms of your understanding, who is
22 going to determine whether you are telling the truth?

23 A I presume the Judge and jury.

24 Q And if the Judge and jury determine you are
25 not telling the truth you will not get immunity, is that
26 your understanding?

7-5

1 A Say that again.

2 Q If the Judge and jury determine you are not
3 telling the truth you will not get immunity, is that your
4 understanding?

5 A I presume, I'm not sure.

6 Q Is it fair enough to say that you are attempting
7 to convince this jury and convince this Judge that you are
8 trying to tell the truth?

9 A I am not trying to convince anybody.

10 I am just telling it like it was.

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1 Q BY MR. FITZGERALD: Do you understand the penalty
2 for the offenses for which you are charged?

3 A Yes, I do.

4 Q What are those penalties?

5 A The death penalty.

6 Q Is that influencing you in testifying here
7 today or any other day?

8 A What do you mean?

9 Q Are you testifying because you don't want to
10 die?

11 A I don't think anybody should die, under -- you
12 know, the death penalty, I don't believe in that.

13 Q Are you testifying here because you want to
14 spend the rest of your life with your children?

15 A Yes, I would like to be with my children.

16 Q And are you testifying here against these
17 defendants in order to save your own life?

18 A No, because I think I stated once before, I would
19 give my life if none of this would have happened, if none
20 of this had happened. I would give my life for the
21 people that were killed.

22 Q But you don't believe you can do that, do you?

23 A I don't know, I have never tried it.

24 Q But as it stands now are you testifying here
25 because you want to save your own life?

26 A It is not a matter of saving my life. It is

1 just a matter of telling the truth.

2 Q You want to tell the truth?

3 A Yes, I do.

4 Q Did you plead not guilty in this case?

5 A Yes, I did.

6 Q Was there some reason for that?

7 MR. GOLDMAN: Objection, your Honor, as far as the
8 reasons for that, she was represented by counsel at the
9 time and I believe it is part of the matters that are
10 covered by the attorney-client privilege.

11 It is part of our advice to her.

12 THE COURT: The communication is covered, unquestionably.
13 I don't think her reasons are covered.

14 The objection is overruled.

15 Q BY MR. FITZGERALD: At any time during the
16 month of August, 1969 did you call any police agency and
17 tell them the truth?

18 A No, I did not.

19 Q Did you tell them the truth during the month
20 of September, 1969?

21 A No, I did not.

22 MR. STOVITZ: I object to the question --

23 Q BY MR. FITZGERALD: Did you --

24 MR. STOVITZ: Just a moment, Counsel, I was going to
25 object to the question as being ambiguous.

26 The witness understood the question, so I want

47a22

1 to withdraw my objection.

2 THE COURT: Read the last question and answer,
3 please.

4 (Whereupon, the reporter reads the last
5 question and answer as follows:

6 "Q Did you tell them the truth
7 during the month of September, 1969?

8 "A No, I did not.")

9 Q BY MR. FITZGERALD: What about October, 1969,
10 did you call anybody, the victims' relatives, or the police
11 and tell them the truth?

12 MR. STOVITZ: I object to the question as being
13 ambiguous, your Honor. Anybody or just police agents or
14 just families of the victims?

15 The question is ambiguous.

16 MR. FITZGERALD: I will withdraw the question.

17 Q BY MR. FITZGERALD: During the month of
18 October, 1969 did you call any police agency anywhere in
19 the country where you might happen to be and tell them the
20 truth?

21 A No, I did not.

22 Q Did you do it during November, 1969?

23 A No.

24 Q You only did it after you were arrested, isn't
25 that correct?

26 A No, I turned myself in to be arrested.

Q It was only when you knew you were being

.7a4

1 arrested for seven counts of murder that you, quote,
2 decided to tell the truth, unquote, isn't that true?

3 A Yes.

4 MR. STOVITZ: I object to the question as argumentative
5 and move to strike the answer, Your Honor.

6 THE COURT: Overruled.

7 Q BY MR. FITZGERALD: What was your answer?

8 THE WITNESSES: The answer was yes.

9 THE COURT: Read the last question and answer.

10 (Whereupon, the reporter reads as directed,
11 as follows:

12 "Q It was only when you knew you
13 were being arrested for seven counts of murder
14 that you, quote, decided to tell the truth,
15 unquote, isn't that true?

16 "A Yes.")

17 Q BY MR. FITZGERALD: But you were motivated
18 solely because of an interest to tell the truth, is that
19 correct?

20 A Uh --

21 Q It wasn't for any regard for your personal
22 safety, or your personal livelihood or life or anything
23 like that?

24 A No, I was concerned about my children. I
25 really did not want to go through it while I was pregnant.

26 Q You were going to delay telling the truth for a

17a5

1 while?

2 A Yes, I wanted to have my baby first.

3 Q Didn't you think in the interim that -- strike
4 that.

5 You went to Florida during the month of
6 October, 1969?

7 A Yes.

8 Q You spent some time with your father, isn't
9 that correct?

10 A Yes, I did.

11 Q What is his name?

12 A Rossire Drouin.

13 Q Did you live with your father?

14 A No, actually he got me an apartment on Miami
15 Beach.

16 Q Did you discuss what had occurred in --
17 strike that.

18 Did you talk to your father about having earlier
19 been to California?

20 A Possibly.

21 Q Did you tell your father you had a very nice
22 time in California?

23 A I don't recall.

24 Q Did you live with anybody else when you were in
25 Florida?

26 A Yes, I did.

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Q Who was that?

A I lived with his boss and wife.

Q What is the boss' wife's name?

A I believe her name is Judy.

Q Could it be June, last name Emmer, E-m-m-e-r?

A Possibly.

Q Have you seen that person recently?

A I saw her today in court.

Q Did you spend some time with her in Miami?

A Yes, I did.

Q Is she a friend of yours?

A Yes.

Q How long a period of time did you spend with her?

A Just a couple of weeks.

Q Did she become a friend of yours during that period of time?

A Yes, I guess you could call her my friend.

Q Did you discuss with her at any time during the period of time you resided with her your drug habits and use while in the State of California?

A I don't know if I said while in the State of California.

I know I told her that I smoked pot and I had taken acid.

17a

17b-1

1 Q Did you discuss various acid trips with her?

2 A She seemed curious about acid.

3 Q Was she asking you questions?

4 A Possibly.

5 Q Were you telling her your experiences while
6 under the influence of the drug LSD?

7 A Possibly.

8 Q Did you tell her that your use of LSD or acid
9 had placed you in another world?

10 A I don't recall those words, I may have.

11 Q And that as a result of taking LSD you were
12 able to walk on air?

13 A No, I don't think so.

14 Q Did you tell June Emmer at any time during
15 your stay with her that acid trips had affected your
16 thinking processes so that you did not care what happened?

17 A No, I don't recall those words.

18 Q Did you tell June Emmer that you had a very
19 pleasant and enjoyable time while you were living in
20 California?

21 A No, I don't recall those words either.

22 Q When did you arrive in Miami, Florida --
23 strike that.

24 When did you leave Los Angeles, California,
25 with the destination Miami, Florida?

26 A When did I leave Los Angeles with the destination

17b-2 1 of --

2 Q When did you leave Los Angeles with the destina-
3 tion of Miami, Florida?

4 MR. STOVITZ: She left Los Angeles for a different
5 destination.

6 MR. FITZGERALD: I'm sorry.

7 THE WITNESS: When did I leave New Mexico?

8 BY MR. FITZGERALD:

9 Q I'm sorry, when did you leave New Mexico with
10 the destination Miami, Florida?

11 A Oh, maybe about two weeks after I received
12 Tanya, so if you can, you know --

13 Q Do you know what day you received Tanya?

14 A No.

15 Q How long did it take you to get from New Mexico
16 to Miami, Florida?

17 A How long did it take me to get to Miami from
18 New Mexico?

19 Q To Mexico from Miami.

20 A You are getting it backwards.

21 Q Thank you very much.

22 A Yes, I remember the question.

23 Q Well, make sense out of it.

24 A I believe it took me two days.

25 Q How much time did you spend in Miami?

26 A Altogether probably about a month.

17b-3

1 Q And then you went where?

2 A To Boston -- well, I took an airplane from

3 Miami to Boston and then to my mother's house.

4 Q Did you borrow some money from your father?

5 A Yes, I did.

6 Q Was there some reason you left Miami, Florida?

7 A Yes.

8 Q Why?

9 A I wanted to go back East to my mother's house.

10 Q You wanted to go northeast?

11 A Oh, yes, I consider that East, even though I

12 guess --

13 Q Do you remember when you arrived back home

14 with your mother?

15 A The date you mean?

16 Q The date.

17 A No.

18 Q Do you remember how long you were there before

19 you were arrested?

20 A Yeah, I remember I spent Thanksgiving with them,

21 and it was one or two days in December, and then I was

22 arrested.

23 Q Were you living at a particular address in

24 Miami, Florida, with June Emmer?

25 A Yes.

26 Q Do you remember the address?

17b-3

1 A No.

2 Q Do you remember where it was located within the
3 City of Miami?

4 A No, I cannot remember.

5 MR. FITZGERALD: May I have just a moment?

6 THE COURT: Yes, you may.

7 (Off the record conference between Mr. Fitzgerald
8 and the prosecution attorneys.)

9 MR. FITZGERALD: Could we approach the bench, your
10 Honor?

11 THE COURT: All right.

12 (The following proceedings were had at the
13 bench out of the hearing of the jury.)
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2 MR. FITZGERALD: I would like to continue my cross-
3 examination of this witness but I wonder if I might do it
4 Monday morning.

5 I have some materials and background informa-
6 tion that I want to get together and clear in my mind
7 before cross-examination.

8 It has been a long week. I wonder if we could
9 recess.

10 MR. BUGLIOSI: No objection, your Honor.

11 THE COURT: Very well. I may remind counsel again
12 the deposition is set for 8:00 o'clock on Monday morning.

13 MR. KANAREK: Yes, your Honor.

14 THE COURT: I have advised the bailiff, the Sheriff's
15 Department to have all of the defendants present at that
16 time.

17 MR. HUGHES: And all counsel, your Honor?

18 THE COURT: Yes, all counsel should be present at that
19 time, at 8:00 a.m. on Monday morning.

20 MR. STOVITZ: I take it right after June Kemer's
21 deposition is taken she is going to go back to Florida
22 and she will not be available to come back here unless
23 you pay her way or something like that?

24 MR. KANAREK: You are free to interrogate her on
25 that.

26 MR. STOVITZ: I am just wondering if we might bring
her in in the presence of the jury and instruct her to

1 return just in case we read the deposition of June Kemer
2 into the record, that the jury would know who we are
3 talking about.

4 THE COURT: Actually it seems -- I don't want to tell
5 counsel how to try their case, but the woman is here, is
6 there any reason why she just could not be put on to
7 testify before the jury out of order?

8 MR. FITZGERALD: I believe Mr. Kanarek asked to do
9 that.

10 MR. KANAREK: I asked to do that previously, your
11 Honor.

12 THE COURT: I don't recall that. I am not saying
13 it did not happen. I just don't recall it.

14 MR. STOVITZ: I don't recall it. All the time he
15 wanted to take depositions.

16 MR. BUGLIOSI: Why was she brought here at this
17 time? You knew the People were going to put on their case,
18 didn't you?

19 MR. KANAREK: No, she was brought here -- I may be
20 incorrect, your Honor, Mr. Fitzgerald and I have spoken
21 of this, whether the record reveals it or not, I don't
22 know for sure, about putting her on out of order, but
23 in any event it is unimportant.

24 The reason she was brought here at this time
25 was because we anticipated that your Honor would grant
26 the evidentiary hearing on the competence.

1 It is our position this woman is in pain.

2 MR. STOVITZ: Who, June Emer?

3 MR. KANAREK: Counsel is being facetious. We had
4 her here on an evidentiary hearing on her competency.

5 That is what we thought your Honor would grant.
6 In view of your denying it without prejudice previously,
7 the motions for doctors to be appointed --

8 THE COURT: Do the People have any objection to the
9 witness going on out of order?

10 MR. BUGLIOSI: Yes, we do, your Honor, we have no
11 objection to her testifying in the deposition, but as
12 far as putting her on during the People's case, we object
13 to it.

14 18 fls.

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1 THE COURT: We will go ahead with the deposition on
2 Monday morning.

3 MR. KANAREK: May I say this?

4 However, the procedure is, in the Penal Code,
5 where the Court signs a certificate and the certificate
6 is brought before the appropriate magistrate in the County
7 of Dade --

8 THE COURT: We are not concerned with that. The
9 motion has been granted. You are going to get your
10 conditional examination on Monday at 8:00 o'clock.

11 MR. KANAREK: Very well.

12 THE COURT: Now, you filed another motion, Mr. Kanarek,
13 and noticed it for 11:00 o'clock this morning regarding the
14 Sheriff, Peter Pitchess, in regard to Mr. Manson's treat-
15 ment in the jail, or alleged treatment in the jail.

16 I told you this morning that we couldn't
17 take it at 11:00 o'clock.

18 There has been no declaration of service. I
19 don't know whether you served a copy on the People or not.
20 They should have been served with a copy so that they have
21 an opportunity to respond.

22 MR. BULLIOSI: We have a copy.

23 THE COURT: And it should be noticed for some time
24 agreeable to all sides so that the People have an oppor-
25 tunity to respond.

26 MR. KANAREK: Yes, your Honor.

1 I would think, because of the on-going nature
2 of these proceedings, that your Honor could hear it now,
3 since we are adjourning early.

4 THE COURT: I can't hear it before the People have an
5 opportunity to respond to it.

6 MR. KANAREK: These things are so fundamental. The
7 People don't have an interest in --

8 THE COURT: All I am saying is, Mr. Kanarek, set it
9 down for some time next week, if you like, or any time, but
10 I can't hear it in the middle of the trial, during the
11 trial day. It will have to be heard before the trial
12 starts in the morning.

13 MR. KANAREK: Then may it be heard on Monday morning
14 after --

15 THE COURT: No.

16 MR. KANAREK: -- the hearing of June Asner?

17 THE COURT: We won't have time Monday morning. Set
18 it ^{for} Tuesday morning, if you like, at 9:00 o'clock, and give
19 notice to all sides.

20 MR. SHINN: I am having the same problem as to
21 Susan Atkins.

22 THE COURT: Make your motion.

23 MR. BUGLIOSI: We are going to adjourn until 8:00
24 o'clock?

25 THE COURT: Yes.

26 MR. BUGLIOSI: By the declaration, it seems to me

1 that it is going to be a very brief deposition.

2 MR. KANAREK: That is correct. Direct examination
3 will not be very long.

4 THE COURT: Do you want to make it 8:30?

5 MR. KANAREK: Whatever the Court orders.

6 THE COURT: The order is tailored to meet the
7 estimate of counsel, so that we don't have to eat into
8 trial time.

9 MR. BUGLIOSI: Right.

10 MR. KANAREK: If Mr. Bugliosi would rather make it
11 8:30, I am agreeable to that.

12 MR. BUGLIOSI: Based on your estimate.

13 THE COURT: What is your estimate of direct?

14 MR. KANAREK: My estimate is certainly much less than
15 an hour. Probably on the order of a half an hour.

16 MR. FITZGERALD: A half hour is the most. That is
17 reasonable.

18 THE COURT: She was ordered to appear at 8:00.

19 MR. KANAREK: She will just be here early.

20 MR. FITZGERALD: Could the witness, Linda Kasabian,
21 be ordered not to discuss her testimony in connection with
22 this case over the weekend with anybody else?

23 THE COURT: I have already ordered counsel, her
24 attorneys, not to discuss it, and they have agreed that
25 they will come back to the bench and seek relief from that
26 if they feel a compelling need to do that.

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1 MR. FITZGERALD: All right.

2 Could we get Mr. Fleischman here so that we
3 make sure he understands?

4 THE COURT: Yes. That is a good idea.

5 MR. BULLIOSI: I would like it on the record that
6 although the court sessions are short each day, we get a
7 tremendous amount of testimony the way things are going.
8 The way you have allocated it, only four hours, we are
9 getting more testimony in this trial per day than I nor-
10 mally get in a six-hour day.

11 I don't know why. Maybe it is the way we are
12 running things.

13 (Mr. Fleischman approaches the bench.)
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2 THE COURT: Mr. Fleischman, Mr. Goldman was at the
3 bench early this afternoon and I discussed it with him,
4 and you can discuss with him the reason that I gave to
5 him for making the order, but I ordered him not to discuss
6 Miss Kasabian's testimony with her during the course of
7 her testimony so that she would be placed in the same
8 status as all the other witnesses in the case who have
9 been excluded from hearing the testimony of other witnesses.

10 MR. FLEISCHMAN: I am aware of the order, your Honor.

11 THE COURT: I want to make the order applicable to
12 you also with the same condition, that if you feel a
13 compelling need to discuss with her her testimony in this
14 case, as distinguished from advising her on other matters,
15 that you come back and let the Court know so that I will
16 have a chance to modify that order.

17 I don't want to be unreasonable about it
18 but, on the other hand, I want to place her on the same
19 footing as all the other witnesses insofar as possible.

20 So, I will make the same order with respect
21 to you.

22 MR. STOVITZ: So that the order is intelligent to
23 me, your Honor, I intended to go over certain points
24 that were covered on cross-examination, talk to her so
25 that I might be cognizant of her answers on redirect.

26 THE COURT: The order is not intended to apply
to the prosecutors. They have examined her on direct

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1 examination. They obviously have to have an opportunity
2 to confer with her on redirect.

3 MR. FLEISCHMAN: The problem is this: I have always
4 been present with her at any time she has talked to either
5 Mr. Bugliosi or Mr. Stovitz. On occasion, she will turn
6 to me. I have no interest in these proceedings, obviously,
7 other than to protect her rights, and to see that the
8 agreement that we have is placed in effect as soon as she
9 finishes testifying. But she occasionally will turn to
10 me, and it is impossible for me to ignore the questions
11 she asks.

12 I will do the best I can.

13 MR. KANAREK: I would like the record to reveal,
14 there is one little statement Mr. Fitzgerald made, he asked
15 that all people be ordered not to speak to her, and I
16 certainly don't want -- I would object --

17 THE COURT: There is no such order in effect, and
18 there isn't going to be.

19 MR. KANAREK: It is our desire to speak to her over
20 the weekend, and we would ask your Honor to order the
21 Sheriff to allow/^{us}to be in her immediate presence in the
22 jail at Sybil Brand.

23 We have been over there and they tell us --

24 THE COURT: Mr. Kanarek, there have been previous
25 orders concerning this matter. There is no change in the
26 status of things.

1 MR. FLEISCHMAN: Your Honor, may we, in this
2 connection, we have no control over this courtroom, Mr.
3 Kanarek has, on repeated occasions, attempted to talk to
4 this lady out of our presence, and she has made clear that
5 she does not wish to talk to him. We have no way to
6 control it.

7 THE COURT: That is a matter between you and Mrs.
8 Kasabian and Mr. Kanarek. I have no control over that.

9 MR. KANAREK: Very briefly, it is our position that
10 this is not --

11 THE COURT: I don't want to prolong this, Mr. Kanarek.
12 We have gone over it many times.
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1 (Whereupon all counsel return to their respec-
2 tive places at counsel table and the following proceedings
3 occurred in open court within the presence and hearing of
4 the jury:)

5 THE COURT: Ladies and gentlemen, we will adjourn at
6 this time.

7 Do not converse with anyone nor form or express
8 any opinion regarding the case until it is finally submitted
9 to you.

10 The case is adjourned until Monday at 9:45
11 a.m. insofar as the jury is concerned. Insofar as counsel
12 are concerned, the time previously set has been changed
13 to 8:30 a.m. rather than 8:00 a.m.

14 (Whereupon at 4:12 o'clock p.m. the court was
15 in recess.)
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