

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.

48

No. A253156

REPORTERS' DAILY TRANSCRIPT

Monday, August 10, 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.

VOLUME 48

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

PAGES 6813 to 6915

COPY

I N D E X

PEOPLE'S WITNESSES:

CROSS

KASABIAN, Linda

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LOS ANGELES, CALIFORNIA, MONDAY, AUGUST 10, 1970 2:00 PM

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

You may proceed, Mr. Kanarek.

(No response.)

THE COURT: Are you ready, Mr. Kanarek?

MR. KANAREK: Yes, your Honor.

May I proceed, your Honor.

THE COURT: You may proceed.

MR. KANAREK: Your Honor, Mr. Fleischman has some documents which he says he will give me if I ask your Honor to have him give them to me.

MR. BUGLIOSI: This should all be done outside the presence of the jury.

THE COURT: I don't know what you're talking about, Mr. Kanarek. Let's get on with the cross-examination.

MR. KANAREK: Your Honor, may we approach the bench? I need these documents.

THE COURT: I don't have them.

MR. KANAREK: Mr. Fleischman has them.

THE COURT: You take it up with Mr. Fleischman during the recess then. Let's proceed.

MR. KANAREK: Very well.

May I approach the witness, your Honor?

THE COURT: You may.

LINDA KASABIAN,
the witness on the stand at the time of the noon recess,
resumed the stand, was examined and testified further as
follows:

CROSS EXAMINATION (Continued)

BY MR. KANAREK:

Q Now, Mrs. Kasabian, I have here a picture --

MR. BUGLIOSI: May I see this photograph first,
please.

MR. KANAREK: You have seen the photograph previously.

MR. BUGLIOSI: If I'm not mistaken, your Honor, this
photograph has already been shown to the witness.

MR. KANAREK: Your Honor, we are not going through
a ritual here of showing something once or twice --

THE COURT: There is nothing before the Court. Let's
proceed.

BY MR. KANAREK:

Q I show you, Mrs. Kasabian, a picture of a man
on some grass.

Would you look at that, please.

A Yes.

12-1

1 MR. KANAREK: Would you open your eyes?

2 THE WITNESS: I have already looked.

3 MR. BUGLIOSI: You can't direct her to open her
4 eyes, Mr. Kanarek.

5 She has already looked at the photograph.

6 MR. KANAREK: I take my orders from the court.

7 MR. BUGLIOSI: You cannot direct her what to do.

8 THE COURT: Mr. Bugliosi. Let's proceed.

9 She has looked at the photograph, Mr. Kanarek.

10 MR. KANAREK: I know, your Honor, but it is necessary
11 for me to have this witness take this photograph, and I
12 have a definite purpose which has nothing to do with any
13 kind of harassment, and she knows it, your Honor.

14 THE COURT: Place the photograph on the ledge in
15 front of the witness.

16 MR. STOVITZ: May the record show, your Honor, that
17 that is Exhibit 89 for identification, please?

18 THE COURT: Very well.

19 Q BY MR. KANAREK: Now, Mrs. Kasabian, will you
20 please look at that photograph?

21 A Yes.

22 Q Would you look at it closely because there is
23 some detail on it that I must interrogate you on.

24 THE COURT: Well, ask your question and then she can
25 look as closely as she needs to^{to} answer the question.

26 MR. KANAREK: Very well.

1 Q BY MR. KANAREK: Mrs. Kasabian, you have told
2 us that when you first saw a man at the pole, that this
3 man had blood on his face?

4 A Yes.

5 Q Is that correct?

6 A Yes.

7 Q Now, would you tell us what was the condition
8 of his clothing when you first saw him?

9 Is Mr. Bugliosi here to protect the witness,
10 your Honor, may I inquire?

11 THE COURT: He apparently wants to see what you are
12 showing the witness.

13 MR. BUGLIOSI: I don't think it is any of your
14 business, Mr. Kanarek, why I am here.

15 THE COURT: All right, let's proceed, gentlemen.

16 MR. KANAREK: Did I get an answer to that question?

17 MR. STOVITZ: There wasn't any question completed,
18 Counsel. You interrupted with your inquiry.

19 THE COURT: Reframe the question.

20 MR. KANAREK: Certainly, your Honor.

21 Q Mrs. Kasabian, when you first saw this man on
22 the grass with the blood about his face, would you tell us
23 the condition of his clothing?

24 A I couldn't. He was just covered with blood.

25 Q My question is as to his clothing.

26 What was he wearing on the upper portion of his
body?

1 A When he was on the grass?

2 Q No. When he was at the pole.

3 A A shirt.

4 Q He was wearing a shirt?

5 A Yes.

6 Q A shirt covered his body; is that correct?

7 A Yes.

8 Q That is, no skin was visible below his shoulders;
9 is that correct?

10 A No.

11 Q Pardon?

12 A I don't understand your question.

13 Q Well, having in mind this man standing at the
14 pole and the shirt that was upon the upper portion of his
15 body.

16 A Yes.

17 Q Is it a fair statement that there was not
18 visible to your eyes any skin between his shoulders and his
19 hips?

20 A No.

21 Q Pardon?

22 A There was no skin visible.

23 Q No skin was visible; right?

24 A No.

25 Q And directing your attention, then, Mrs. Kasabian,
26 to this picture that is in front of you, would you look at

1 that picture, please, and tell us what portion of his body
2 was struck by the knife that was wielded by Tex?

3 A I don't understand.

4 Q You don't understand that question?

5 A No.

6 Q You have told us, Mrs. Kasabian, that this man
7 that was at the pole at some time reached a position that
8 we, I believe, have marked as VF-2.

9 Do you remember that?

10 MR. STOVITZ: FV-2, Counsel. FV-2.

11 Oh, VF-2. That's right. You are correct.

12 MR. KANAREK: Thank you, Mr. Stovitz.

13 Q In any event, Mrs. Kasabian, having in mind the
14 place that this gentleman was reposing on the grass, would
15 you look at this picture and tell me, does that appear to
16 be the position that he was in?

17 A No.

18 Q What difference was the position that you see
19 here from the position that you saw when he was on the
20 grass at what we have marked as VF-2?

21 A He was more on his hands and knees.
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13-1

1 Q He was more on his hands and knees?

2 A Yes.

3 Q And at the time that he was on his hands and
4 knees Mr. Watson was striking him with a knife?

5 A Yes.

6 Q Is that correct?

7 A Yes.

8 Q Now, what portion of his body was being struck
9 by the knife?

10 A It looks like his back, I don't know. I did
11 not watch it long enough.

12 Q It looked like his back?

13 A Yes.

14 Q Was it the lower portion of his body, that is,
15 above his hips but below, let us say, his shoulders?

16 A I guess so, I don't know.

17 Q Well, would you look, Mrs. Kasabian, at this
18 picture and you will notice some markings and what appears
19 to be a visible portion of what we might call the stomach
20 and side area.

21 Would you look at those markings and let me
22 know whether or not that is the area that you saw Tex
23 strike the gentleman?

24 A I guess so, I don't know.

25 Q Pardon?

26 A I guess so, I don't know.

1 Q You guess then -- you see those markings --

2 MR. STOVITZ: May I hear the whole answer? I think
3 counsel interrupted the witness before she finished her
4 whole answer.

5 MR. KANAREK: I'm sorry if I did.

6 THE COURT: Did you complete your answer?

7 THE WITNESS: Yes.

8 THE COURT: Let's go back and read the question and
9 the answer.

10 (Whereupon the reporter reads the record as
11 follows:

12 "Q Well, would you look, Mrs. Kasabian,
13 at this picture and you will notice some markings
14 and what appears to be a visible portion of what
15 we might call the stomach and side area.

16 "Would you look at those markings and
17 let me know whether or not that is the area that
18 you saw Tex strike the gentleman?

19 "A I guess so, I don't know.

20 "Q Pardon?

21 "A I guess so, I don't know.

22 "Q You guess then -- you see these
23 markings --")

24 BY MR. KANAREK:

25 Q Mrs. Kasabian, directing your attention to
26 this area, this portion of the body above the hips and

1 below the shoulders that appears to be visible, is that the
2 general area that you saw Tex striking the gentleman who
3 was originally at the pole?

4 A I cannot be sure. I just saw Tex on top of
5 him.

6 Q Well, what portion of the man's body was being
7 struck by the knife?

8 MR. STOVITZ: Asked and answered, your Honor.

9 THE COURT: Sustained.

10 BY MR. KANAREK:

11 Q Now, as the man was striking, as Tex was
12 striking the man who was on his hands and knees, you say,
13 what noises if any did you hear from the man on his hands
14 and knees?

15 A Screams.

16 Q What was he screaming?

17 A It wasn't words. It was more -- I don't know,
18 I cannot describe it.

19 Q Now, directing your attention to the pants that
20 this man is wearing, you see the pants?

21 A Yes.

22 Q Do those appear to be the pants that you saw
23 on the man who was on the ground?

24 A Yes.

25 Q And do those pants appear to be in the
26 condition -- I'm asking you to look at the color, for

1 instance, of those pants -- what was the color of the pants
2 as you saw them when Tex was striking the man on the ground?

3 A I don't know.

4 Q You don't remember what color they were?

5 A No.

6 Q And before the man came to the position on the
7 grass where you saw him on his hands and knees, just before
8 that he was at the pole, right?

9 A Yes.

10 Q Now, when he left the pole, at the instant that
11 he left the pole was Tex still in the house?

12 A Would you say that again?

13 Q At some instant the man at the pole left the
14 pole, is that correct?

15 A Well, he fell down.

16 Q Pardon?

17 A He fell.

18 Q He fell?

19 A Yes.

20 Q And at the time he fell was Tex in the house?

21 A I guess so, yes.

22 Q Now, how was he propelled from the place that
23 he fell to the place where Tex was striking him about the
24 body with the knife?

25 A How -- I don't understand.

26 Q What caused him to move from where he fell to a

1 place on the grass where Tex was striking him with the
2 knife?

3 A What caused him to move?

4 Q Yes.

5 A I don't know.

6 Q Well, did he move himself?

13a fls.

7 A Yes.
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13A-1

1 Q He propelled himself from one place to the
2 next?

3 A Yes.

4 Q Now, at that time while he was propelling
5 himself from one place to the next you viewed that? You
6 saw that?

7 A No, I did not see him.

8 Q Well, what were you doing after the time you
9 fell until the time that he came to a place on the grass
10 where Tex was striking him with the knife?

11 A What was I doing?

12 Q Yes.

13 A I was standing there, and Sadie came running
14 out.

15 Q And Sadie came running out at the time that --
16 during this time interval when he moved from where he
17 fell until the place where he came to repose on the grass?

18 A Yes.

19 Q Now, did you ask Sadie to help this man who
20 appeared to you to be bloody?

21 MR. FITZGERALD: Objection, calls for hearsay.

22 THE COURT: I did not hear you.

23 MR. BUGLIOSI: May I inquire if counsel is through
24 with that photograph? If so, we can go back to the table.

25 MR. KANAREK: Your Honor, I am not through with the
26 photograph.

13A-2

1 MR. FITZGERALD: I would also like to object on the
2 grounds the question solicits hearsay.

3 MR. KANAREK: Part of the res gestae.

4 THE COURT: Overruled, you may answer.

5 MR. KANAREK: May that be read, your Honor?

6 THE COURT: Read the question.

7 (Whereupon, the reporter reads the pending
8 question as follows:

9 "Q Now, did you ask Sadie to help this
10 man who appeared to you to be bloody?"

11 THE WITNESS: I said to her, "Sadie, please make it
12 stop."

13 Q BY MR. KANAREK: My question is did you ask --
14 Right practically before your eyes this man
15 had, or in fact before your eyes this man had moved in a
16 state of extreme pain, obvious to you, from the pole to a
17 place on the grass.

18 MR. FITZGERALD: The question is compound, complex,
19 and argumentative.

20 Object on those grounds.

21 MR. STOVITZ: Join in the objection.

22 THE COURT: I am not sure I understand you, Mr.
23 Kanarek.

24 MR. KANAREK: I will be glad to read --

25 THE COURT: Reframe the question.

26 MR. KANAREK: I will be glad to, your Honor.

13A3

1 Q BY MR. KANAREK: Mrs. Kasabian, having in mind
2 the time interval, the time interval from the time you saw
3 the man at the pole until he came to repose on the grass,
4 and Tex was striking him, during that time you were
5 telling us Sadie came out and spoke to you.

6 A Yes.

7 MR. SHINN: Your Honor, before the answer comes in
8 can I take this witness on voir dire, your Honor?

9 THE COURT: No, sir.

10 MR. KANAREK: Was there an answer, your Honor?

11 MR. STOVITZ: Yes, the answer was yes.

12 THE COURT: I don't think you asked a question.

13 MR. STOVITZ: The question was asked and the answer
14 was yes, there was a conversation.

15 THE COURT: Reframe the question.

16 MR. KANAREK: Very well.

17 THE COURT: Proceed.

18 Q BY MR. KANAREK: Directing your attention,
19 Mrs. Kasabian, to the time interval from the time that
20 this gentleman was at the pole until he was on the grass,
21 with Tex striking him with a knife, directing your attention
22 to that time interval, did you during that time interval
23 have a conversation with Sadie?

24 A Yes.

25 Q And in that conversation with Sadie did you ask
26 Sadie to do something to help this man who appeared to be
injured and perhaps in pain?

14-1

1 MR. STOVITZ: Your Honor, I object to this. That
2 question was asked and the witness answered it. Maybe
3 she didn't answer it the way Mr. Kanarek wanted her to, but
4 she was asked that exact question and the witness answered
5 it just before.

6 MR. KANAREK: I don't believe she did.

7 THE COURT: Overruled.

8 You may answer.

9 THE WITNESS: I just said, "Sadie, please make it
10 stop."

11 BY MR. KANAREK:

12 Q Then you didn't ask Sadie to render -- to
13 assist you in helping a man who appeared to be very bloody
14 right in front of you?

15 MR. FITZGERALD: Objection --

16 MR. STOVITZ: Object as argumentative.

17 MR. FITZGERALD: Join in the objection.

18 THE COURT: Sustained.

19 BY MR. KANAREK:

20 Q Did you, Mrs. Kasabian, in your conversation
21 with Sadie, ask for assistance to be given to this gentle-
22 man who appeared to you to be bloody?

23 MR. BUGLIOSI: Asked and answered.

24 THE COURT: Sustained.

25 MR. KANAREK: Your Honor --

26 THE COURT: She told you what she did say, sir.

1 BY MR. KANAREK:

2 Q Well, may I ask it this way, then: Have you
3 told us, Mrs. Kasabian, all the words that issued from your
4 mouth at a time when you saw a man bloody, being stabbed,
5 on the ground in front of you?

6 MR. STOVITZ: I object to the form of the question.

7 MR. FITZGERALD: I object to the form of the
8 question also as argumentative.

9 THE COURT: Sustained.

10 MR. GOLDMAN: If the Court please, this last series
11 of questions have nothing to do with the photograph that
12 is there.

13 If counsel wants to turn the photograph over,
14 I think, pursuant to our discussion in chambers, I think
15 it should be done.

16 MR. KANAREK: Your Honor, I don't understand this
17 solicitous attitude.

18 THE COURT: Proceed. Just ask your next question.

19 BY MR. KANAREK:

20 Q Now, Mrs. Kasabian, at this point, when you
21 were speaking with Sadie about, you say you said to Sadie,
22 "Please, Sadie, make it stop," you were under no one's
23 control or will except your own; right?

24 A What do you mean?

25 Q Well, what you said and did was completely up
26 to you?

1 A Yes.

2 Q Is that correct?

3 A Yes.

4 Q And you weren't under the spell or under an
5 hypnotic trance that anyone put on you?

6 MR. BUGLIOSI: That calls for a conclusion, and it
7 also ambiguous, your Honor.

8 THE COURT: Sustained.

9 BY MR. KANAREK:

10 Q After you had this conversation with Sadie,
11 Mrs. Kasabian, would you tell us -- let me withdraw that
12 and ask you --

13 Did Tex come out the door while you were having
14 this conversation with Sadie?

15 A I didn't see him until he was on top of the man.

16 Q And when he was on top of the man, had Sadie
17 disappeared from your view?

18 A No.

19 Q Pardon?

20 A No.

21 Q You were still talking to Sadie?

22 A Yes.

23 Q And how long was it before Sadie left your
24 presence while Tex was on the man?

25 MR. BUGLIOSI: I object to the question. It is
26 ambiguous.

1 THE COURT: Do you understand the question, Mrs.
2 Kasabian?

3 THE WITNESS: No.

4 THE COURT: Reframe the question.

5 BY MR. KANAREK:

6 Q Mrs. Kasabian, you tell us that Sadie was
7 in your immediate presence while Tex was on top of this
8 man?

9 A Yes.

10 Q How long were you conversing with Sadie while
11 Tex was on top of the man?

12 A Just a matter of seconds.

13 Q And then Sadie left your immediate presence?

14 A Yes.

15 Q And Sadie went into the house?

16 A She ran towards the house.

17 Q Pardon?

18 A She ran towards the house. I don't know if
19 she went in.

14a fls.

14A-1

1 Q Did she disappear from your view?

2 A Well, yes, because I turned and went the other
3 way.

4 Q Pardon?

5 A Because I turned and went the other way.
6 I didn't see where she was going.

7 Q What is the reason that you turned and went
8 the other way?

9 A I am not sure.

10 Q Well, would you reflect upon it for a moment
11 and let us know why?

12 MR. STOVITZ: Your Honor, the same questions were
13 asked by Mr. Kanarek on Thursday afternoon in the same
14 tone, "Reflect upon it and tell us why." At that time the
15 witness said she wasn't sure, she didn't know why, and
16 she has just given the same answer now.

17 I submit that it has been asked and answered.

18 MR. KANAREK: That is not so, your Honor, and I
19 would welcome a study of the record.

20 THE COURT: Overruled.

21 Are you able to answer the question?

22 THE WITNESS: I am not sure what my reason was but
23 there was nothing I could do.

24 MR. KANAREK: Q There was nothing you could do?

25 A Yes.

26 Q That is the reason that you left, because
there was nothing you could do?

14a2

1 A Yes, I think so.

2 Q I see.

3 And you just threw up your hands and said,
4 "Well, there is a man getting killed there, there is
5 nothing I can do, so I will just" --

6 A No, that is not the way it happened.

7 MR. FITZGERALD: I object to the form of the question.

8 MR. STOVITZ: It is argumentative, your Honor.

9 Objection.

10 THE COURT: Sustained.

11 MR. KANAREK: Q Did you, Mrs. Kasabian, approach
12 the place where Tex was immediately over the man that we see
13 in the picture?

14 A I don't understand.

15 Q You don't understand that question?

16 A No.

17 Q Did you approach Tex -- let me withdraw that.
18 Tex's back was to you; is that right?

19 A I guess so. I am not sure.

20 Q Did you approach Tex and put your arms around
21 him and try, from the rear, to remove his physical body
22 from the gentleman that we see in this picture?

23 MR. BUGLIOSI: That is a compound question.

24 THE COURT: Sustained.

25 MR. KANAREK: Q Did you approach -- I will
26 withdraw that.

14a3

1 Did you put your arms around Mr. Watson and
2 try to remove his body from the immediate vicinity of the
3 man whose picture we see in this picture?

4 MR. BUGLIOSI: Same objection.

5 THE COURT: Sustained.

6 MR. KANAREK: Q Did you put your arms around
7 Mr. Watson at that time, the time when you saw him
8 stabbing the man that we see here in this picture?

9 A No.

10 Q Now, Mrs. Kanabian, I have another picture
11 here.

12 MR. STOVITZ: Has that been marked, Counsel?

13 MR. KANAREK: Yes, it has. It is Exhibit No. 88.

14 MR. STOVITZ: Thank you.

15 MR. KANAREK: Your Honor, I would move this in
16 evidence and I would ask that the jury be allowed to view
17 it at this time.

18 MR. FITZGERALD: I will object, your Honor.

19 May we approach the bench?

20 MR. STOVITZ: And by "this," would you identify it
21 by number?

22 MR. KANAREK: Yes. Exhibit No. 89.

23 MR. FITZGERALD: I will object to the introduction
24 of the exhibit into evidence on the grounds, among others,
25 that there has been no foundation.

26 MR. STOVITZ: I stipulate with counsel there has been

1 no foundation, your Honor.

2 MR. KANAREK: It is a most unique stipulation, your
3 Honor, but I can't enter into it because I believe this
4 witness has testified that this appears to be the very
5 person that was at the pole, and I don't know how much
6 foundation we need.

7 MR. FITZGERALD: I will also object on the grounds
8 that it is prejudicial and inflammatory, that any
9 probative value it might have is outweighed by its
10 inflammatory and prejudicial character.

11 MR. KANAREK: Your Honor --

12 THE COURT: If you want to argue this point, come
13 to the bench.

14B

14b-1

1 (Whereupon all counsel approach the bench and
2 the following proceedings occur at the bench outside of
3 the hearing of the jury:)

4 MR. FITZGERALD: I will object to the introduction
5 into evidence of photograph No. 88 for identification,
6 which depicts one Abigail Folger lying on the lawn covered
7 the length of her body with blood.

8 This is an 8 X 10 color photograph that I
9 contend, your Honor, is inflammatory and prejudicial, and
10 any probative value that may be contained within the
11 photograph is outweighed by the inflammatory and gruesome
12 nature of the photograph.

13 Furthermore, there has been a lack of foundation
14 as to this photograph. There has been no testimony as to
15 how and when the photograph was taken, under what condi-
16 tions; there has been no expert testimony as to the manner
17 in which it was taken and the method under which it was
18 developed.

19 MR. SHINN: Join in the motion.

20 MR. KANAREK: I think, Mr. Fitzgerald, it is a
21 different number. We are talking, I believe, about 89.

22 I ask that 89 --

23 THE COURT: Which one is that?

24 MR. FITZGERALD: Would you show it to the Court?

25 THE COURT: Is that Frykowski?

26 MR. FITZGERALD: The same objection, your Honor.

14b-2

1 THE COURT: Well, there hasn't been sufficient
2 foundation.

3 MR. KANAREK: Pardon?

4 THE COURT: There hasn't been a sufficient foundation
5 yet.

6 MR. KANAREK: She said this appears to be the person,
7 your Honor. I don't know how much foundation we need.

8 THE COURT: That is part of it, but I am not satisfied
9 yet.

10 In any event, why do you want it in evidence?

11 MR. KANAREK: Because it is my position -- Mr. Bugliosi
12 has forced this approach because he has taken the very
13 cavalier position -- now, if he was willing --

14 THE COURT: Get to the point.

15 MR. KANAREK: The point is an accomplice point.

16 If he is willing to stipulate that, as a matter
17 of law, Linda Kasabian is an accomplice, I will not go into
18 this. But I have an obligation to my --

19 THE COURT: Go into what?

20 MR. KANAREK: To what I am doing at this point in
21 connection with showing this woman's criminal responsi-
22 bility.

23 THE COURT: Nobody is stopping you from doing that.
24 We are talking now about the receiving of an exhibit
25 in evidence.

26 MR. KANAREK: That is part of the picture, part of

1. the process of the proof of the fact that she is an
2. accomplice.

3. THE COURT: I assume eventually the picture will
4. come into evidence.

5. I think the foundation at this point is
6. insufficient.

7. MR. KANAREK: May I inquire, your Honor, what is it
8. that is insufficient?

9. THE COURT: No one has testified as to when the
10. picture was taken, who it is in the photograph, whether or
11. not it is a true and correct photographic representation
12. of what was seen.

13. MR. KANAREK: That, your Honor, only goes to the
14. weight. This witness says that this appears to be the
15. person.

16. I have every reason to believe that the
17. prosecution is going to introduce this very picture.

18. THE COURT: I assume that they intend to at some
19. time, yes. What difference does it make to you whether
20. they do it now or some other time?

21. MR. KANAREK: It makes a big difference.

22. THE COURT: Why?

23. MR. KANAREK: Because the witness is on the stand,
24. and my position is that she is an accomplice.

25. THE COURT: You are not precluded from examining
26. her on the picture.

1 MR. KANAREK: But I would like the jury to view it.

2 THE COURT: That is the difference?

3 MR. KANAREK: I would like the jury to view it as
4 she testifies to it.

5 THE COURT: We will have to have some proper founda-
6 tion before that occurs, before that picture will be
7 received in evidence.

8 MR. KANAREK: Very well, your Honor. Very well.

9 THE COURT: I will sustain the objections at this
10 time without prejudice, of course, to renewing the offer.

11 MR. KANAREK: Very well, your Honor.

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1 (Whereupon, the attorneys return to open
2 court and are recalled to the bench where the following
3 proceedings were had out of the hearing of the jury:)

4 THE COURT: When we come to the bench, Mr. Kanarek,
5 you have in mind what you want to say. We are just wasting
6 time now.

7 I'm getting a very strong feeling as the day
8 wears on you are wasting time in your cross-examination.

9 MR. KANAREK: I am not.

10 THE COURT: Without any purpose or aim whatever.

11 MR. KANAREK: The aim is to show that this woman is an
12 accomplice.

13 THE COURT: Well --

14 MR. KANAREK: She is supposedly under someone's
15 will. What I'm saying is this can be cut down. If
16 Mr. Bugliosi wants to be realistic, and Mr. Stovitz, if we
17 can have the representation they will stipulate that as a
18 matter of law she is an accomplice, I can cut a lot of this
19 out, your Honor.

20 THE COURT: Is this what you called them back to the
21 bench for?

22 MR. KANAREK: Yes, to invite through the Court that
23 stipulation.

24 THE COURT: You are perfectly free to talk to
25 Mr. Bugliosi any time you want to.

26 MR. KANAREK: We can cut this very much shorter. That

15-2

1 is why I am doing it right now.

2 MR. BUGLIOSI: I am not going to enter such
3 stipulation.

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

6 THE COURT: Mr. Kanarek, put the photograph face
7 down on the ledge and ask your questions. If they pertain
8 to the photograph you may then show it to the witness.

9 MR. KANAREK: Yes, your Honor.

10 Q BY MR. KANAREK: Referring you now, Mrs.
11 Kasabian, to the lady in the white gown that you spoke of,
12 how long --

13 Or may I ask it this way:

14 Would you tell us from the standpoint of time
15 when it was that you saw the lady in the white gown, and
16 I am now using as the measuring rod for time the time
17 that you saw the man being struck by Mr. Watson with the
18 knife.

19 MR. FITZGERALD: Objection, your Honor, it is
20 ambiguous, unclear.

21 THE COURT: Sustained.

22 MR. STOVITZ: May the record show that refers to 88
23 for identification?

24 MR. KANAREK: No, I have Exhibit 4 in front of the
25 witness.

26 MR. STOVITZ: Oh, Exhibit 4, I'm sorry, Exhibit 4.

1 Okay, I thought you were back to the lady.

2 Q BY MR. KANAREK: Mrs. Kasabian, when was it,
3 Mrs. Kasabian, that you saw the lady in the white gown?

4 A The same time I saw the man with Tex on top
5 of him.

6 DEFENDANT MANSON: Your Honor, I would like to object
7 to this attorney. He is not speaking for me.

8 THE COURT: Now Mr. Manson, you recall earlier in
9 the trial I told you you were not permitted to speak
10 directly to the Court or to anyone except your own counsel.

11 I will remind you of that, sir, and you know I
12 have a way to enforce that rule.

13 I don't want to hear any more, sir. You are
14 disrupting the trial.

15 Let's proceed.

16 MR. KANAREK: May I have an answer to that question,
17 your Honor?

18 THE COURT: Reframe the question.

19 Q BY MR. KANAREK: Mrs. Kasabian, would you
20 tell us --

21 MR. KANAREK: I will withdraw that.

22 Q BY MR. KANAREK: Mrs. Kasabian, would you tell
23 me, using this People's Exhibit 4, would you show me where
24 you saw the lady with the white gown when you first saw
25 her?

26 A It was near the end of the house. I don't know

1 the exact spot.

2 Q Well, would you look at this picture and tell
3 us where it was?

4 A It looks like where that body is.

5 Q Well, will you put a mark where you best think
6 this lady was when you first saw her?

7 A Around in here.

8 Q Well, would you mark it?

9 There is nothing wrong with your ability to
10 write, is there?

11 MR. BUGLIOSI: This is argumentative.

12 Q BY MR. KANAREK: Would you put a circle there,
13 Mrs. Kasabian, please?

14 (Witness complies.)

15 And would you put an A next to that circle?

16 THE COURT: Draw a line down from the circle to the
17 lighter grass so it is visible.

18 MR. BUGLIOSI: What does the A stand for, Mr. Kanarek?

19 MR. KANAREK: The Court asked it be put there.

20 MR. BUGLIOSI: What does the A stand for, your
21 Honor?

22 THE COURT: I don't know.

23 MR. BUGLIOSI: For the record, now we have an A,
24 the jury will get this three or four months from now --

25 THE COURT: What is the question to which that mark
26 relates?

1 MR. KANAREK: That is the place where the lady was
2 first seen, according to this witness, and I have asked
3 that it be marked with a circle and the A is what I believe
4 to be the lady's first name, the initial of her first name.

5 But the record, whether we enunciate it or
6 not, there are other questions that are going to come,
7 and Mr. Bugliosi is merely obstructing the trial with these
8 constant interruptions.

9 THE COURT: Does the mark now properly reflect the
10 position of the lady, Mrs. Kasabian?

11 THE WITNESS: Yes.

12 MR. BUGLIOSI: May the record reflect then, your
13 Honor, the witness has indicated the position of Miss Folger
14 by an X, and a zero around it, not by the A, which is
15 some distance from the X and the zero.

16 MR. KANAREK: I think that is obvious to every one
17 in this courtroom except Mr. Bugliosi.

18 MR. BUGLIOSI: I apologize for being so thick.

19 MR. STOVITZ: May the record show it is on Exhibit 4
20 for identification.

15a-1

1 BY MR. KANAREK:

2 Q Now, at that time, or statement, then, that
3 Mr. Watson -- that you saw Mr. Watson over the man -- you
4 saw the lady in the white gown, is that correct?

5 A Yes.

6 Q And directing your attention to that lady in
7 the white gown, was your state of mind such that you felt
8 that she had suffered any physical injury?

9 A I could not see. I just caught a glimpse of
10 her and Katie chasing her.

11 Q She was actually mobile, she was running?

12 A Yes.

13 Q And did you do anything to interpose yourself
14 between the person who was chasing her and the lady in
15 the white gown?

16 A No.

17 Q Why didn't you, Mrs. Kasabian?

18 A I don't know.

19 Q You didn't because -- because -- do you have
20 any reason whatsoever? I don't want to put words in your
21 mouth.

22 Do you have any reason other than saying you
23 don't know?

24 MR. BUGLIOSI: Your Honor, he is badgering the
25 witness and also argumentative.

26 MR. FITZGERALD: I make a motion to strike the

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question as gratuitous.

MR. STOVITZ: If counsel has no further need to be that close to the witness I think common courtesy --

THE COURT: All right, Mr. Stovitz, you may sit down, sir.

The objection is sustained.

BY MR. KANAREK:

Q We have the picture, Mrs. Kasabian, that you were standing there, your mind was free and clear, is that correct?

A I guess so.

Q You know so, Mrs. Kasabian.

MR. BUGLIOSI: Argumentative. He is badgering the witness.

THE COURT: Sustained.

MR. STOVITZ: Again I ask that counsel return to counsel table and question the witness from this position so that there would be no chance --

THE COURT: He is examining the witness on the photograph, Mr. Stovitz, and has the same rights the prosecutors had when they were examining.

When that examination relating to the photographs is over, Mr. Kanarek, you will return to the counsel table.

The objection is sustained.

15a-3

1 BY MR. KANAREK:

2 Q Well, Mrs. Kasabian, that lady at the time that
3 you saw her was running under her own power, is that
4 correct, Mrs. Kasabian?

5 A Yes.

6 Q And there was another human being some distance
7 behind her, is that right, Mrs. Kasabian?

8 THE COURT: All right, now, Mr. Kanarek, you may
9 return to the counsel table.

10 MR. KANAREK: Very well, your Honor.

11 THE COURT: Do you have the question in mind, Mrs.
12 Kasabian?

13 THE WITNESS: I didn't know there was a question.

14 THE COURT: Read the question.

15 (Whereupon the reporter reads the pending
16 question as follows:

17 "Q And there was another human being
18 some distance behind her, is that right, Mrs.
19 Kasabian?"

20 THE WITNESS: Yes.

21 BY MR. KANAREK:

22 Q How far was that other human being, Mrs. Kasabian,
23 from the lady in the white gown?

24 A I don't know.

25 Q Well, give us an estimate.

26 A I don't know.

15a-4

1 Q Well, was it a hundred feet?

2 A She was right behind her.

3 Q And did you do anything, Mrs. Kasabian, whatso-
4 ever, to place yourself or put anything between that lady
5 in the white and whoever person was that was right behind
6 her?

7 A No.

8 Q At that point, Mrs. Kasabian, you in fact, you
9 in fact left the area of the man who was on the grass with
10 Mr. Watson and this lady, is that correct?

11 MR. STOVITZ: I object to the question as a
12 characterization and argumentative, your Honor.

13 THE COURT: Overruled.

14 THE WITNESS: Yes, I left.

15 BY MR. KANAREK:

16 Q And you left, Mrs. Kasabian, for what reason?

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

18 THE COURT: Overruled.

19 THE WITNESS: I don't know. There was nothing I
20 could do. I just left.

21 BY MR. KANAREK:

22 Q The reason you left was because there was
23 nothing you could do, is that right?

24 A Yes.

25 Q And is there some reason there was nothing you
26 could do?

1 A I don't know, I don't know.

2 Q In fact, Mrs. Kasabian, you left because you
3 knew that there was wrongdoing occurring and you did not
4 want to have any part of it and you wanted to get out of
5 there so that you could possibly save your own skin.

6 MR. BUGLIOSI: Compound, your Honor, also argumenta-
7 tive.

8 THE COURT: Sustained.

9 BY MR. KANAREK:

10 Q Did you leave, Mrs. Kasabian, because you felt
11 that it was just too hot of a place to be in view of
12 everything that had occurred that night, in view of what
13 you were seeing there, you felt it was time for you to
14 save your own skin.

15 Is that right?

16 MR. BUGLIOSI: Same objection, your Honor, argumenta-
17 tive. It is also ambiguous.

18 THE COURT: Sustained.

19 BY MR. KANAREK:

20 Q Well, is your statement, Mrs. Kasabian, that
21 you don't know why you left, is that the reason?

22 A I think so, I just felt that there was nothing
23 I could do.

24 Q I see, and when that lady, the lady in the
25 white, was traveling, moving, was she screaming?

26 A I don't know.

Q You don't know?

A I can't remember if I heard her.

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

3 THE COURT: You may.

4 Q BY MR. KANAREK: I show you another picture,
5 Mrs. Kasabian, and ask you, does that appear to be the white
6 gown?

7 A Yes.

8 Q Pardon?

9 A Yes.

10 Q Does that appear to be the lady that was in the
11 white gown that we have just been talking about?

12 A Yes.

13 MR. KANAREK: Your Honor, may the record reflect
14 that the picture I am referring to is Exhibit No. 88?

15 Q BY MR. KANAREK: Mrs. Kasabian, you have told
16 us, Mrs. Kasabian, certain reasons that you went, that you
17 went to the Spahn Ranch originally.

18 Now, did you go to the Spahn Ranch --

19 The first time you went to the Spahn Ranch
20 after having a conversation with a girl that you knew as
21 Gypsy --

22 MR. BUGLIOSI: Your Honor, there is no formal
23 objection by this name, but I object on the grounds this
24 has been gone into ad nauseum.

25 MR. KANAREK: No, it hasn't, your Honor, not what
26 I'm going into now has not been gone into.

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1 MR. BUGLIOSI: Your Honor, I would request a
2 conference at the bench to find out what area we are
3 going into.

4 This has been gone into over and over again.

5 THE COURT: Read the question.

6 (The reporter starts to read the record.)

7 THE COURT: The question is bad in form as far as its
8 gone. Objection sustained.

9 Q BY MR. KANAREK: Mrs. Kasabian, did you go to
10 the Spahn Ranch because you wanted to seek out fresh men,
11 men that you had not had previous relations with?

12 A No.

13 Q Did you tell Gypsy the day that you met Gypsy
14 that your husband was inadequate sexually as far as you
15 were concerned, and you wished to go somewhere where there
16 were a lot of men that you could come in contact with
17 sexually?

18 A No.

19 Q You never said that?

20 A I think I said something about my husband and I
21 were sexually inadequate, we were not in harmony with each
22 other.

23 But I did not believe I said anything about
24 wanting to be with a bunch of new men.

25 Q You don't believe you did but you may have?

26 MR. STOVITZ: That is objected to, your Honor, it has

15b3

1 been asked and answered.

2 THE COURT: Overruled.

3 THE WITNESS: What was your question?

4 MR. KANAREK: May it be read, your Honor?

5 THE COURT: Read the question.

6 (Whereupon, the reporter reads the pending
7 question as follows:

8 "Q You don't believe you did but
9 you may have?")

10 THE WITNESS: She told me about a bunch of men.

11 Q BY MR. KANAREK: Mrs. Kasabian, did you tell
12 Gypsy that you were looking for a commune, an area where
13 there were a lot of men that you might associate with
14 sexually?

15 MR. BUGLIOSI: Asked and answered.

16 THE COURT: Overruled.

17 THE WITNESS: No.

18 Q BY MR. KANAREK: Did you tell Gypsy that your
19 husband was going to New Mexico and you did not want to
20 go with him because he did not do anything for you
21 sexually?

22 A No.

23 Q Did you tell Gypsy that your husband was
24 incapable of making love to you the way you wanted it
25 done?

26 A I'm not sure of your question.

1 Q In what way aren't you sure of the question,
2 Mrs. Kasabian?

3 A I remember telling her that we were not
4 together sexually.

5 I don't understand your question, what kind of
6 an answer you want.

7 Q Mrs. Kasabian, I want you just to listen to
8 the question and answer it. It is not what I want that
9 counts.

10 A I just told you my answer, then.

11 Q You don't understand the question?

12 A No, I don't.

13 Q Did you have a discussion with Gypsy -- this
14 is the first time you ever saw Gypsy, right?

15 A Yes.

16 Q The first time you ever saw her in your whole
17 life did you have a discussion with her in which you told
18 her that your husband was not satisfying you sexually?

19 MR. STOVITZ: I object to the question as having been
20 asked and answered, irrelevant and immaterial to any issue
21 in this case.

22 THE COURT: Overruled. You may answer.

23 THE WITNESS: Yes, I did.

24 Q BY MR. KANAREK: You said that, right?

25 A Yes.

26 Q And then the first day that you came to the

1 ranch, Mrs. Kasabian, you did not see Mr. Manson, did you?

2 A No.

3 Q The first day that you came to the ranch
4 Mr. Manson was also there; he was not at the ranch?

5 MR. STOVITZ: Objected to as calling for a con-
6 clusion of the witness.

7 THE COURT: Sustained.

8 Q BY MR. KANAREK: Now after, Mrs. Kasabian,
9 after the first day when you had had sexual relations
10 with Mr. Watson, you returned to the area where your hus-
11 band was living, is that correct?

12 A Yes.

13 Q And, Mrs. Kasabian, you then returned and had a
14 conversation with Mr. Manson.

15 A Yes.

16 Q The first conversation that you had with
17 Mr. Manson, Mrs. Kasabian, did you tell Mr. Manson that you
18 wished to hide from your husband?

19 A No.

20 Q For sure you did not say that?

21 A No, I don't recall saying that.

22 Q But you could have?

23 MR. STOVITZ: That is objected to, your Honor, as
24 argumentative.

25 THE COURT: Sustained.

26 Q BY MR. KANAREK: In fact, directing your

1 attention, Mrs. Kasabian, to the time when you first
2 spoke to Charles Manson, the first conversation you ever
3 had with him, did you discuss with him the subject matter
4 of your intent as to why you wished to stay at the Spahn
5 Ranch?

6 A I remember saying something like that.
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1 Q Yes; and you told Mr. Manson that you wanted --
2 I will withdraw that for a moment.

3 Between the time that you first came and saw
4 Tex, when Mr. Manson wasn't at the Ranch, you left and
5 went back to where your husband was staying and you got
6 some articles, you took something from that area; is
7 that correct?

8 MR. STOVITZ: I object to the question as compound
9 and unintelligible, and assuming a fact not in evidence,
10 that Mr. Manson wasn't at the Ranch.

11 MR. KANAREK: She has so stated, your Honor.

12 MR. STOVITZ: She said she didn't know where he was,
13 Counsel.

14 THE COURT: Objection overruled.

15 Do you understand the question?

16 THE WITNESS: No, I don't know what he is asking.

17 THE COURT: Reframe the question.

18 BY MR. KANAREK:

19 Q Mrs. Kasabian, after the first day when you
20 were at the Spahn Ranch, you left and went back to the
21 area where Mr. Melton and your husband were staying; is
22 that correct?

23 A Yes.

24 Q And you entered the truck where your husband
25 and Mr. Melton were staying at a time when your husband
26 and Mr. Melton were not in the truck; is that correct?

16-2

1 A Yes.

2 Q And you took something, is that correct, Mrs.
3 Kasabian, at the time when you were in that truck?

4 A Yes.

5 Q And the first time that you had a conversation
6 with Mr. Manson, the very first time in your life that you
7 had ever laid eyes on Mr. Manson, you spoke to Mr. Manson
8 and told him that you wished to hide because of what you
9 had done in connection with the occurrences when you went
10 there to the truck when Mr. Melton and Mr. Kasabian were
11 not present?

12 MR. STOVITZ: I object to the question as unintelli-
13 gible, your Honor.

14 MR. KANAREK: I think it is intelligible, your
15 Honor.

16 THE COURT: Overruled.

17 You may answer.

18 THE WITNESS: Maybe I did, I don't recall.

19 BY MR. KANAREK:

20 Q Maybe you did? You know you did, don't you?

21 A I don't recall saying --

22 MR. STOVITZ: I object to the question as argumenta-
23 tive.

24 THE COURT: Just a moment.

25 MR. STOVITZ: I object to the question as argumenta-
26 tive. When he says "you know you did," and she just

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1 answered that she doesn't know she did.

2 THE COURT: Go back and read the question and the
3 answer.

4 MR. KANAREK: I didn't hear you, your Honor?

5 THE COURT: I want to hear the question and the
6 answer.

7 (The record was read by the reporter.)

8 BY MR. KANAREK:

9 Q The first time, Mrs. Kasabian, the first time
10 that you spoke with Mr. Manson, did you tell him that you
11 wanted to hide from your husband?

12 A I don't think so.

13 Q Would you reflect on that for a moment.
14 You don't think so?

15 A Yes.

16 Q What do you mean by that when you say you
17 don't think so?

18 A Because he asked me why I had come to the
19 Ranch, and I remember what I said, and it had nothing to
20 do with wanting to hide.

21 Q You didn't tell Mr. Manson that you wanted to
22 hide?"

23 A No.

24 Q Your state of mind was such that you didn't
25 wish to hide? You did not wish to hide at the Ranch
26 at the time, the first time that you ever spoke with

1 Mr. Manson?

2 MR. STOVITZ: Your Honor, I submit that this question
3 has been asked and answered, and now I object to the
4 question in this form as being a characterization of her
5 previous testimony and not soliciting anything on cross-
6 examination.

7 THE COURT: Overruled.

8 THE WITNESS: You are asking me if I wanted to hide?

9 MR. KANAREK: I just want an answer to the question.

10 May it be read, your Honor?

11 THE COURT: Reframe the question, Mr. Kanarek.

12 MR. KANAREK: Yes, your Honor.

13 BY MR. KANAREK:

14 Q Mrs. Kasabian, directing your attention to
15 the first time that you saw Mr. Manson, after having been
16 to the truck where Mr. Melton and Mr. Kasabian were living,
17 was your state of mind such that you wanted to hide from
18 your husband?

19 A Yes.

20 MR. KANAREK: Then may we approach the bench, your
21 Honor?

22 THE COURT: For what purpose?

23 MR. KANAREK: I wish to obey the Court's orders
24 in connection with a certain subject matter. However, I
25 wish to approach the bench.
26

1 THE COURT: All right.

2 MR. STOVITZ: Your Honor, it is 3:00 o'clock.

3 THE COURT: We will have the bench conference first.

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1 (Whereupon, all counsel approach the bench
2 and the following proceedings occur at the bench outside
3 of the hearing of the jury:)

4 THE COURT: Mr. Kanarek, is there any reason why we
5 need the blackboard in the middle of the room?

6 MR. KANAREK: Pardon?

7 THE COURT: Is there any reason why we need the
8 blackboard in the middle of the room, in its present
9 position?

10 MR. KANAREK: This?

11 THE COURT: Yes.

12 MR. KANAREK: They put it there, your Honor. I
13 didn't ask that it be put there.

14 THE COURT: I asked that it be put there because I
15 thought you were still examining the witness about it.

16 MR. KANAREK: I am going to examine on it.

17 THE COURT: It is blocking the view of some of the
18 people, and I prefer to move it back against the wall.

19 You don't seem to be examining on it now.

20 MR. KANAREK: I could only do one thing at a time,
21 your Honor.

22 THE COURT: You haven't done anything at all on it
23 this afternoon. You haven't mentioned the diagram.

24 MR. KANAREK: I would certainly have no objection to
25 having it go back for this afternoon and defer that.

26 THE COURT: What is your purpose for coming to the

bench?

1 MR. KANAREK: I wish to obey the Court's order, but
2 what I am saying is this: This woman's intent -- she
3 stole \$5,000, and the reason that she came to the ranch,
4 your Honor, we have a right to show.

5 The prosecution has brought this up and --

6 THE COURT: Brought what up?

7 MR. KANAREK: The area of her intent.

8 MR. FITZGERALD: The offer of proof would be that
9 this witness, Linda Kasabian, did, in fact, steal \$5,000
10 from Charles Melton, a roommate of her husband, from the
11 trailer located on Topanga Lane in Topanga Canyon on or
12 about July 5, 1969, and this was, in fact, her true motive
13 for going to the Spahn Ranch. That is to say, she went
14 to the Spahn Ranch and asked Charles Manson for amnesty
15 or protection because she felt her husband and Charles
16 Melton were looking for her because of the theft of the
17 \$5,000.

18 MR. KANAREK: That is correct.

19 MR. BUGLIOSI: I want to briefly be heard.

20 MR. KANAREK: May I finish? I haven't finished.
21 The point of the matter is that the prosecution injected
22 this matter. There is no surprise here.

23 THE COURT: Injected it how?

24 MR. KANAREK: By putting before the jury her
25 intent, the fact that she was enticed there, that Gypsy --
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1 that there is some kind of a big conspiracy to get girls
2 to go there, when, in fact, this woman came there to hide
3 because she stole the money.

4 Mr. Manson has a right for the jury to know
5 that, that that was her reason, her entire relationship
6 there, that she came there because she stole the \$5,000.

7 To deprive Mr. Manson of that testimony,
8 despite all the other felonies that this woman committed,
9 is to deny him a fair trial. We would like to show that
10 the motivation for her going there was because she wished
11 to hide because of the theft of the \$5,000. I represent
12 that to the Court.

13 MR. BUGLIOSI: May I be heard?

14 THE COURT: Assuming that is true, how would it
15 make it relevant so far as you are concerned?

16 MR. KANAREK: Because they have said that she was
17 enticed there, that she was told about a beautiful man,
18 that she came there because of the fact that Mr. Manson --
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1 THE COURT: Who is "they"?

2 They haven't testified. No one has testified
3 but Mrs. Kasabian.

4 MR. KANAREK: That's right. But Mr. Bugliosi has
5 elicited it. He brought the entire matter up.

6 We tried to keep it out on the basis that it
7 wasn't material.

8 THE COURT: Assume what you say is true, that she
9 didn't go there to join the commune, that she went there
10 to hide. What difference does it make?

11 MR. KANAREK: Then their original evidence as to why
12 she went there must be stricken, because we have a right
13 to meet it.

14 THE COURT: It doesn't have to be stricken. The
15 credibility of her testimony may be called into question.

16 MR. FITZGERALD: Exactly.

17 She testified that she went to Spahn Ranch for
18 a particular reasons, and the defense attorneys are
19 suggesting that she went to the Ranch for another reason.

20 MR. BUGLIOSI: I would like to be heard on two points.

21 MR. FITZGERALD: We contend that is permissible im-
22 peachment.

23 THE COURT: That's what I'm trying to find out.
24 Why do you contend it is permissible impeachment?

25 It would seem to be an attempt to impeach her
26 by a specific wrongful act not amounting to a felony, not

1 amounting to a conviction of a felony.

2 MR. FITZGERALD: It happens to be that what we contend
3 was her real motive also happens to be a crime.

4 It is not our purpose to bring in the crime in
5 order to show her character for committing offenses or
6 anything, it just happens to be the real reason was to --

7 THE COURT: I know what you are saying, but/^{what}is the
8 relevance of it?

9 MR. FITZGERALD: It impeaches her in terms of her
10 statement as to her state of mind as to why she went to
11 the Spahn Ranch and to Charles Manson.

12 MR. KANAREK: Exactly.

13 MR. BUGLIOSI: I want to be briefly heard on two
14 points, your Honor.

15 THE COURT: You just keep going around in circles.

16 Admittedly, that would have the effect, but
17 what is the relevance?

18 MR. FITZGERALD: Mr. Kanarek stated that the prosecu-
19 tion, under direct examination, elicited from this witness,
20 Linda Kasabian, over objection by defense attorneys, her
21 motive for going to the Ranch. It also fits in this whole
22 area wherein she testified that she was naive and impression-
23 able and innocent.

24 I think it places her testimony in a framework
25 from which it can be more easily examined by the jury.

26 Her statements in regard to her original motives

1 were self-serving, and we simply want to round out the
2 picture.

3 THE COURT: Mr. Bugliosi?

4 MR. BUGLIOSI: I would like to just make two
5 brief points, your Honor.

6 No. 1, by Mr. Kanarek's own question, by his
7 very own question, he got out from her, if you look at the
8 record, that she did not go there because of any theft.

9 This happened on the second day, after Tex
10 Watson had told her to steal the five thousand.

11 Her reason for going there, and Kanarek --
12 Mr. Kanarek -- has brought this out himself, is because
13 Gypsy invited her.

14 MR. KANAREK: No.

15 MR. BUGLIOSI: She never said right now during cross-
16 examination that the reason she went there was because she
17 took anything. It was the second day that she came back
18 and took something.

19 The first day she did not go out there for
20 that purpose, and you have not elicited anything contrary
21 to what I am saying right now.

22 16c fls.
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1 The second point is that I would ask
2 the Court to hold Mr. Kanarek in contempt of court.

3 The Court has specifically^{directed} that this is not a
4 proper area to go into.

5 Mr. Fitzgerald properly complied with that
6 court order. Mr. Kanarek has deliberately violated that
7 court order. He has already gotten in front of the jury
8 the fact that she committed a theft. The only issue now is
9 what was the theft and how much was it? Was it \$5,000?
10 Was it a sewing machine? The jury doesn't know. But he
11 has already gotten into the record that she committed a
12 theft, after being told by the Court that this was an
13 impermissible area to go into.

14 THE COURT: I think obviously that was Mr. Kanarek's
15 intent, this line of cross-examination. What I fail to
16 see is what the relevance of her purpose, her state of mind,
17 was at the time that she went to the ranch.

18 What possible difference does it make to any
19 of the issues in this case?

20 MR. KANAREK: If I may respond to that?

21 MR. HOLLOST: I agree with the Court.

22 THE COURT: It is only a way of getting in improper
23 impeachment.

24 MR. FITZGERALD: We have no objection to it being
25 limited solely as to impeachment of her motive.

26 THE COURT: That is precisely why it is not

1 permissible. He is only trying to show a theft. He has
2 already elicited the fact that she --

3 MR. FITZGERALD: Yes, that she took something out of
4 the presence of Charles Melton. But that could have been
5 any one of a number of things.

6 THE COURT: And that she wanted to hide.

7 MR. FITZGERALD: Yes.

8 THE COURT: So you have impeached her.

9 If she testified earlier that she wanted to go
10 there for some other reason, you have already impeached her.
11 Going one step further and pulling out by the teeth the
12 information about the theft is simply the improper form of
13 impeachment that I am talking about.

14 MR. KANAREK: Your Honor, if I may answer your
15 Honor just a moment.

16 The point is that it shows her intent. It
17 shows that she sought out the Spahn Ranch instead of the
18 Spahn Ranch seeking her out.

19 THE COURT: Assume that is true. How is that
20 relevant?

21 MR. KANAREK: Because it shows, your Honor -- in
22 other words, if someone is wanted for murder, that is one
23 thing; if someone is wanted for stealing a Hershey bar,
24 that is something else. The reason that she stayed there
25 the whole month, the reason that she wanted protection,
26 was because of the \$5,000.

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1 It goes to show her intent.

2 THE COURT: I am going to sustain the objections,
3 Mr. Kanarek, and I think you have gone as far as you can
4 go by legitimate means of cross-examination impeaching
5 the witness on this particular point.

6 In fact, I think you have gone further than
7 perhaps I should have let you go.

8 You do have a contradiction, as I recall her
9 testimony, but now to go on still further and to get the
10 evidence of the theft itself can serve no purpose except
11 to do that which the law says you can't do.

12 MR. KANAREK: May I say this? The prosecution has
13 brought this whole area in.

14 For instance, what is the reason for the sex
15 orgy?

16 THE COURT: You have argued that a dozen times.
17 I think I have already heard all the arguments and I have
18 considered them carefully.

19 MR. HUGHES: I think we can bring in what was taken.
20 It does not necessarily have to be alluded to as a theft.
21 They can say that she took \$5,000. It may have been her
22 own \$5,000.

23 THE COURT: I am going to sustain the objection.

24 Gentlemen, we will take our recess at this time.

25 (Whereupon, all counsel return to their respec-
26 tive places at counsel table and the following proceedings

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1 occur in open court within the presence and hearing of the
2 jury:)

3 THE COURT: Ladies and gentlemen, do not converse
4 with anyone nor form or express any opinion regarding the
5 case until it is finally submitted to you.

6 The Court will recess for 15 minutes.

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

3 You may proceed, Mr. Kanarek.

4 MR. KANAREK: Yes, your Honor, thank you.

5 Q So, Mrs. Kasabian, in fact when you went to
6 the ranch, Mrs. Kasabian, you had asked Gypsy about
7 coming to live wherever Gypsy was living?

8 A No.

9 Q Is that correct?

10 A No.

11 Q Well, but as a matter of fact you were not
12 getting along with your husband, whichever way we --
13 whatever the reasons may be.

14 A Yes.

15 Q And so you took the opportunity of asking
16 Gypsy about coming to live with her?

17 MR. STOVITZ: Object to the question as argumentative,
18 your Honor.

19 THE COURT: Overruled, you may answer.

20 THE WITNESS: No, I did not ask her.

21 Q BY MR. KANAREK: Pardon?

22 A I did not ask her. She asked me.

23 Q You told her that you were unhappy because of
24 your husband's sexual inadequacy, is that correct?

25 MR. STOVITZ: I object to the question, your Honor,
26 as not accurate cross-examination.

1 It is a characterization of her testimony and
2 assumes a fact not in evidence.

3 MR. KANAREK: First of all, I am not alluding to any
4 testimony at all.

5 THE COURT: Overruled.

6 THE WITNESS: What was your question?

7 MR. KANAREK: May that be read, your Honor?

8 THE COURT: Read the question.

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

11 "Q You told her that you were
12 unhappy because of your husband's sexual
13 inadequacy, is that correct?"

14 THE WITNESS: Yes.

15 Q BY MR. KANAREK: You told her that?

16 A Yes.

17 Q And you asked her if you could come and live
18 wherever Gypsy lives, is that correct?

19 MR. STOVITZ: Objected to as having been asked and
20 answered, your Honor.

21 THE COURT: Overruled, you may proceed.

22 THE WITNESS: She invited me to go with her.

23 Q BY MR. KANAREK: This was after you told her
24 of your husband's sexual inadequacy, is that correct?

25 A I don't know. I don't know what took place
26 first.

1 Q I see. Now, Mrs. Kasabian, directing your
2 attention -- may I say this:

3 Do you have a feeling of gratitude, Mrs.
4 Kasabian, to Mr. Bugliosi and Mr. Stovitz and the
5 prosecution for allowing you to walk out on seven counts
6 of murder and one count of conspiracy?

7 A No, not to them.

8 Q You have no feeling of gratitude to these two
9 gentlemen at all for that?

10 A I think it is above them. I think it is the
11 power of God.

12 Q You believe what?

13 A It is the power of God.

14 Q And your gratitude is to God for giving you
15 this -- this -- blessing, or this good fortune?

16 A Yes.

17 Q And you think that this is something of a
18 religious type of result --

19 MR. STOVITZ: Object to the question, immaterial,
20 irrelevant, ambiguous and unintelligible, your Honor.

21 THE COURT: Sustained.

22 Q BY MR. KANAREK: Do you feel, Mrs. Kasabian,
23 that this is a supernatural type of force that has given
24 you this unity?

25 A I feel it's God's mercy, yes.

26 Q You feel it is God's mercy that is giving you

1 this immunity?

2 A Yes.

3 Q And directing your attention to your state of
4 mind today as compared to last Friday, for instance, your
5 state of mind is such that you know that today the Judge
6 signed the order giving you immunity.

7 A Yes.

8 Q And so you know for sure as of this morning
9 that you will not be prosecuted on seven counts of murder
10 and one count of conspiracy?

11 A So the paper says.

12 Q Pardon?

13 A So the piece of paper says.

14 Q My question is as to your state of mind,
15 Mrs. Kasabian.

16 Today -- today you know for sure that you will
17 not be prosecuted for seven counts of murder and one count
18 of conspiracy, is that right?

19 MR. STOVITZ: That asks for a legal conclusion of
20 this witness, your Honor. I object to the question on that
21 ground.

22 THE COURT: Overruled.

23 THE WITNESS: I don't understand your question.

24 MR. KANAREK: May the question be read?

25 THE COURT: I think you should reframe it,

26 Mr. Kanarek.

1 MR. KANAREK: Yes, your Honor.

2 Q BY MR. KANAREK: Is your state of mind today
3 as of this morning, Mrs. Kasabian, is it your state of mind
4 that you feel for sure that you are not going to be
5 prosecuted for seven counts of murder and one count of
6 conspiracy?

7 A For sure, yes. I felt it all along.

8 Q Pardon?

9 A I have been feeling it all along, but today
10 for sure.

11 Q Today is for sure?

12 A Yes.

13 Q Now, you say you have been feeling it all
14 along. You mean you felt that God was going to help you
15 out all along?

16 A Yes.

17 Q Is there some reason that you felt that God
18 should help you?

19 A I don't know.

20 Q Pardon?

21 A I don't know.
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1 Q I mean do you feel -- is there some reason
2 why you should be singled out for His blessings?

3 MR. STOVITZ: Your Honor, I think this gets into a
4 field that is going to take us far far away from the
5 issues of this case and I object on that basis.

6 THE COURT: Sustained.

7 BY MR. KANAREK:

8 Q Well, last Friday, Mrs. Kasabian, upon until
9 last Friday, let's say, you did not for sure that you were
10 going to get this immunity?

11 A Not from these people here, no.

12 Q You did not know, that is, the Judge had not
13 signed the papers yet last Friday?

14 A Right.

15 Q Is that correct?

16 A Yes.

17 Q ~~And you~~ so that as you testified previously
18 you were aware that the Judge had not signed the papers?

19 A Please me?

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

23 A Yes.

24 Q And so you found out this morning that ~~the~~
25 ~~nothing~~ he signed the papers?

26 A Yes.

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Q Right?

A Yes.

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

MR. BUGLIOSI: Irrelevant.

MR. STOVITZ: It is not this witness's testimony at all, your Honor.

MR. KANAREK: It is her state of mind we are talking about.

THE COURT: Overruled, you may answer.

THE WITNESS: Sure I have gratitude.

BY MR. KANAREK:

Q Pardon?

A Yes, I do have gratitude.

Q Now you are saying you do have gratitude, right?

MR. STOVITZ: I object to the question as argumentative.

THE COURT: Sustained.

BY MR. KANAREK:

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

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

Q And the gratitude is just because they have given you the opportunity to tell the truth, is that right?

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A I think so, yes.

Q Pardon?

A Yes.

Q You think so?

A I'm not quite sure, what --

Q What is that?

A I'm not quite sure what you are asking me.

Q Do you know what I mean by gratitude?

A Yes, I do.

Q Then would you tell us why do you have the gratitude toward Mr. Bugliosi and Mr. Stovitz and the prosecution?

MR. STOVITZ: The question was just asked and answered, the answer was just given.

I object to the question as having been asked and answered.

MR. KANAREK: Your Honor, it has not been answered.

THE COURT: Yes, it has, the objection is sustained.

BY MR. KANAREK:

Q Is the gratitude you feel, Mrs. Kasabian, is ~~the~~ gratitude of an earthly type? Do you feel it is like getting a present?

A I am grateful to them because they were more interested in the truth.

Q Pardon?

A Because they are interested in the truth, I

17a-4

1 have gratitude towards them.

2 Q Because they are interested in the truth?

3 A Yes.

4 Q And the fact that your physical welfare is
5 involved and you leave the jail and are completely and
6 absolutely free, that does not have any part of your
7 gratitude?

18 Fls.

8 A I don't understand.
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1 Q Well, your gratitude does not involve your
2 being able to leave the jail, your being able not to have
3 to go to the gas chamber and die? Your gratitude doesn't
4 involve that?

5 MR. STOVITZ: I object to the question as unintelli-
6 gible, your Honor.

7 THE COURT: Do you understand the question?

8 THE WITNESS: Not really.

9 THE COURT: Reframe the question.

10 MR. KANAREK: Yes, your Honor.

11 MR. STOVITZ: There is a difference, your Honor, I
12 think, between gratitude and gratefulness, and I think
13 counsel's lack of grammar is the thing that is causing
14 the inadequacy of the question.

15 MR. KANAREK: Q Mrs. Kasabian, if I use the
16 word gratefulness instead of gratitude, would that make it
17 clearer?

18 A It means the same thing.

19 Q Gratitude and gratefulness mean the same thing?

20 A Yes.

21 Q Then call it gratitude, call it gratefulness,
22 call it what you will, does your gratitude or gratefulness
23 include your being to leave the jail completely free and
24 your not having to go to the gas chamber and be gassed to
25 death?

26 MR. STOVITZ: Objection.

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1 MR. BUGLIOSI: That is a compound question.

2 THE COURT: Sustained.

3 MR. KANAREK: I will ask it one at a time.

4 BY MR. KANAREK:

5 Q Does your gratefulness and gratitude include
6 your own physical desire not to be in a jail?

7 MR. BUGLIOSI: That is an ambiguous question, your
8 Honor.

9 THE COURT: Sustained.

10 BY MR. KANAREK:

11 Q Mrs. Kasabian, directing your attention to the
12 gratefulness or gratitude that you have to the prosecution.
13 Are you grateful -- do you feel gratitude to the prosecu-
14 tion because you are not going to be locked up any more
15 on seven counts of murder and one count of conspiracy?

16 A Yes.

17 Q Does your gratitude and gratefulness include
18 in it the fact that you will not go to the gas chamber and
19 be gassed to death?

20 A Yes.

21 Q For the seven counts of murder and one count
22 of conspiracy?

23 A Yes.

24 Q It includes that; right?

25 A I guess so, yes.

26 Q And as you testify, do you have in your mind

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1 the fact that you have been given this immunity? Is it
2 in your mind as you testify?

3 A No. I am just doing what I have been doing
4 before we signed the papers.

5 Q Pardon me?

6 A I have just been doing the same thing that I
7 have been doing the last two weeks before the papers were
8 ever signed.

9 Q My question is: Do you have in your mind as
10 you testify the fact that you are being given this
11 immunity, that you are being given the benefit of not
12 spending time in prison, in jail, and not going to the
13 gas chamber?

14 A This is in my mind while I testify?

15 Q Yes.

16 A I am mostly concerned with just testifying.

17 Q Well, may I have an answer to the question?

18 MR. STOVITZ: She has answered the question, your
19 Honor.

20 MR. KANAREK: She said "mostly," your Honor.
21 I haven't got an answer to the question.

22 MR. STOVITZ: I am sorry if counsel doesn't have the
23 answer that he wants. I object to the question as having
24 been asked and answered.

25 THE COURT: I think the question is ambiguous. I
26 will sustain my own objection.

Ask your next question.

MR. KANAREK: Yes, your Honor.

Q Is it in your mind, Mrs. Kasabian, as you testify, that you are getting the benefit of not being locked up in prison as a result of the immunity?

THE COURT: I think that is ambiguous, Mr. Kanarek. I don't know what it means.

I will sustain my own objection to the question.

BY MR. KANAREK:

Q Mrs. Kasabian, as you testify -- may I ask you -- do you know what immunity is?

A Yes.

Q Pardon?

A I think so, yes.

Q Now, directing your attention to this matter of immunity, your immunity from having to undergo the misery of spending your life, perhaps, in prison --

MR. BUGLIOSI: Your Honor, I object to the lecture being given to the jury by Mr. Kanarek on our penal system.

THE COURT: Sustained.

MR. KANAREK: Well, your Honor --

THE COURT: Let's proceed.

Ask your next question.

MR. KANAREK: Very well, your Honor.

Does your Honor wish me to approach the bench

on this?

THE COURT: No.

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1 Q BY MR. KANAREK: As you testify, Mrs. Kasabian,
2 you are aware that -- or are you -- I will rephrase it and
3 ask you -- are you aware, as you testify of/^{the}immunity, of
4 the fact that you will not have to go to prison in
5 connection with these charges?

6 MR. BUGLIOSI: Repetitious.

7 MR. STOVITZ: That assumes a fact not in evidence,
8 that she would be convicted, your Honor.

9 THE COURT: Sustained.

10 Q BY MR. KANAREK: Mrs. Kasabian, as you testify,
11 are you aware of your immunity?

12 MR. BUGLIOSI: That is a repetitious question, your
13 Honor.

14 THE COURT: Sustained.

15 MR. KANAREK: Q Directing your attention to your
16 state of mind, Mrs. Kasabian, as you testify from the wit-
17 ness stand here, are you aware of the problems that beset
18 Mary Brunner?

19 MR. STOVITZ: That is objected to, your Honor.

20 MR. BUGLIOSI: Oh, gee.

21 THE COURT: Sustained.

22 MR. KANAREK: It goes to her state of mind, your
23 Honor.

24 THE COURT: The objection is sustained.

25 MR. KANAREK: Then may we approach the bench?

26 THE COURT: You may not.

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Ask your next question.

1 MR. KANAREK: Q In connection with your state
2 of mind, Mrs. Kasabian, have you discussed with anyone else
3 who, as far as you knew, was getting immunity, have you
4 discussed with any person --

5 MR. STOVITZ: I don't think the question is
6 intelligible, your Honor, and I will object to it on that
7 basis.

8 MR. KANAREK: I haven't finished.

9 MR. STOVITZ: Sorry.

10 MR. KANAREK Q Have you discussed with any
11 person whom you thought was getting immunity --

12 MR. BUGLIOSI: objection.

13 MR. STOVITZ: I will renew the objection.

14 MR. KANAREK: May I finish?

15 MR. STOVITZ: Sorry.

16 MR. KANAREK: Q Have you discussed with any
17 person whom you thought was getting immunity their testi-
18 mony and the problems that they may have had in connection
19 with their presence in court?

20 MR. STOVITZ: Now, I don't understand the
21 question still, your Honor, and I object to the question
22 on that basis.

23 MR. KANAREK: I think the witness does.

24 THE COURT: Sustained.

25 MR. KANAREK: Excuse me a moment, your Honor.
26

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(Mr. Kanarek and Mr. Shinn confer.)

1 MR. KANAREK: Q Now, Mrs. Kasabian, are the
2 words "rip off," are those words familiar to you?

3 A Yes, I think I know what they mean.

4 Q Pardon?

5 A Yes, I think I know what they mean.

6 Q What does "rip off" mean?

7 A To steal.

8 Q Mrs. Kasabian --

9 THE COURT: Just a moment.

10 What was the answer?

11 (The answer was read by the reporter.)

12 THE COURT: Go ahead, Mr. Kanarek.

13 MR. KANAREK: Q Now, in connection, Mrs.
14 Kasabian, with the trip that you took the first night,
15 did you and Mr. Watson have a conversation where you used
16 the words "rip off"?

17 MR. STOVITZ: Objection.

18 MR. BUGLIOSI: Your Honor, I will object. There was
19 no testimony that she was on an acid trip the first night
20 that she went to Spahn Ranch, so it assumes a fact not in
21 evidence.

22 MR. KANAREK: This is cross-examination anyway.

23 THE COURT: I didn't understand the question to refer
24 to that night.

25 MR. KANAREK: It didn't, your Honor.
26

Your Honor, I think he is losing his cool.

MR. BUGLIOSI: He is talking about Mr. Watson.

THE COURT: Apparently the question is ambiguous inasmuch as none of us seem to understand it, Mr. Kanarek, so reframe it.

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18b-1

1 MR. KANAREK: Very well.

2 Q Mrs. Kasabian, directing your attention to
3 the first night when you were in the presence of Mr.
4 Watson.

5 Did you use the term "rip off"?

6 MR. BUGLIOSI: Irrelevant, your Honor. It also
7 calls for hearsay.

8 THE COURT: Overruled.

9 THE WITNESS: No.

10 BY MR. KANAREK:

11 Q Now, do you, Mrs. Kasabian, remember the first
12 time that you met Mr. Manson?

13 A Do I remember the first time?

14 Q Yes.

15 A Yes.

16 Q And after you met Mr. Manson for the first
17 time, did you, in the presence of Gypsy, go up into the
18 hills?

19 A Yes.

20 Q And did you, when you got up into the hills,
21 did you go into a cave?

22 A Yes.

23 Q When you went up into that cave, was there a
24 person named Brenda in that cave?

25 A We all went up together.

26 Q You and Brenda and Gypsy; is that correct?

18b-2

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1 A Yes.

2 Q And Mr. Manson?

3 A No.

4 Q Pardon?

5 A No.

6 Q Only you and Brenda and Gypsay; right?

7 A Yes.

8 Q Pardon?

9 A No, there were two other people.

10 Q Who were the other people?

11 A Snake and Mary Brunner.

12 Q So that makes five people?

13 A Yes.

14 Q And did you have some spyglasses with you
15 when you were in the cave?

16 A Yes, I think we did.

17 Q Right?

18 A Yes.

19 Q And did you use those spyglasses to look out
20 to see if your husband was coming into that general area?

21 A Well, we used to look at the Ranch, and one
22 day we just happened to see the truck pull in.

23 Q I am talking now, Mrs. Kasabian, of the time,
24 the first time that you saw Mr. Manson and you discussed
25 with him your desire to hide. I am speaking in connection
26 with that incident.

1 Did you then go up into the hills, to a
2 cave area, and use some spyglasses to keep an eye out
3 for your husband?

4 A Not to keep an eye out, no.

5 Q Well, was your state of mind such that you
6 used the spyglasses to look and see if your husband was
7 coming into the area?

8 A We just used the spyglasses to spy on the
9 Ranch, and we just happened to see my husband come one
10 day.

11 Q My question is: Was your state of mind such
12 that you were looking for your husband through the spy-
13 glasses?

14 MR. STOVITZ: On the very first time? Is that it,
15 Counsel?

16 I object to the question as being ambiguous
17 the way it is framed now, your Honor.

18 THE COURT: Do you understand the question?

19 THE WITNESS: I thought I answered it.

20 MR. KANAREK: I don't believe so. At least I didn't
21 hear an answer, your Honor.

22 THE COURT: Let's go back and read the question.

23 (The record was read by the reporter.)

24 THE COURT: You may answer it.

25 THE WITNESS: I guess so. I am not sure.
26

1 BY MR. KANAREK:

2 Q You guess so? In fact, you are sure, aren't
3 you, Mrs. Kasabian?

4 A No, I am not.

5 Q But you guess so, that that is' the reason that
6 you looked through the spyglasses?

7 A The reason that I remember was just to spy on
8 the ranch, to see what was going on.

19 fls.

19-1

1 Q I see, and when you looked through the spy
2 glasses you were not looking for your husband?

3 A No, not until we saw the car pull up, the
4 truck.

5 Q What I'm asking you is when you came to that
6 ranch and spoke to Mr. Manson for the first time, the first
7 time you spoke to Mr. Manson did you ask Mr. Manson for
8 protection from your husband?

9 MR. STOVITZ: I object to the question, your Honor.
10 That is not his previous question.

11 This assumes facts not in evidence, and it is
12 improper cross-examination at this point.

13 THE COURT: Overruled, you may answer.

14 THE WITNESS: Did I ask for protection? No.

15 Q BY MR. KANAREK: There was no discussion of
16 protection between you and Mr. Manson the very first day
17 you saw Mr. Manson?

18 A No.

19 Q You did not speak of your troubles with your
20 husband the very first time you spoke to Mr. Manson?

21 A I don't think so, I can't recall.

22 Q You don't know for sure, though?

23 A Uh-uh.

24 Q You don't know for sure whether you asked
25 for protection?

26 A I don't think I did.

19-2

1 Q I see. Well, what was your purpose, the very --
2 You met Mr. Manson for the first time at what
3 time of the day?

4 A Afternoon sometime.

5 Q In the afternoon?

6 A Yes.

7 Q And how soon after you met Mr. Manson did you
8 go into the hills with Gypsy, Brenda -- anybody else?

9 A Snake.

10 Q Who else?

11 A I believe Tanya, my little girl, Mary.

12 Q Tanya, your little baby?

13 A Yes.

14 Q You, Tanya, Snake, Gypsy, Brenda --

15 MR. STOVITZ: -- Mary, Counsel.

16 Q BY MR. KANAREK: -- Mary Brunner -- thank you,
17 Mr. Stovitz.

18 You went into the hills how long after first
19 meeting Mr. Manson?

20 A Oh, I don't know, he took us up to the caves
21 sometime that day.

22 Q That very day, right?

23 A Yes.

24 Q And what was your purpose in going to the
25 caves?

26 A Yeah, I guess it was to hide.

1 Q To hide from your husband, right?

2 A Yes, I think it was.

3 Q Now, it's coming clear now, right?

4 A Yes.

5 Q Pardon?

6 A Yes.

7 Q And you had the spy glasses with you,

8 Mrs. Kasabian, so that you could, you know, maybe hide a

9 little further if your husband came into sight, right?

10 A The spy glasses were there, and we used them.

11 Q You had the spy glasses there and used them

12 for the purpose of being able to protect yourself from

13 your husband, Mr. Kasabian, is that right?

14 A I don't know, I don't know.

15 Q Would you reflect upon that for a moment maybe?

16 A I just remember the spy glasses were there.

17 Q And you used them?

18 A Yes, we all used them.

19 Q And your state of mind was such that you felt

20 your husband was looking for you, is that correct, the very

21 first time that you spoke with Mr. Manson?

22 MR. STOVITZ: That is objected to, your Honor, as

23 being immaterial, irrelevant, calling for a conclusion as

24 to whether or not her husband was looking for her.

25 THE COURT: Sustained.

26 Q BY MR. KANAREK: And, as a matter of fact,

1 Mrs. Kasabian, you, as far as Mr. Manson was concerned,
2 you begged, you pleaded with Mr. Manson to find a place
3 for you so that your husband would not find you that very
4 first meeting you had with him, is that correct?

5 A No.

6 Q That is not correct?

7 A No.

8 Q I see -- I see. Well, tell us, Mrs. Kasabian,
9 what was said by you and what was said by Mr. Manson the
10 very first meeting you had with him.

11 Did you discuss your husband?

12 MR. BUGLIOSI: That is a compound question.
13 First he is asking for a general conversation and now it
14 is something specific.

15 MR. KANAREK: All right, I will concede, your
16 Honor, I am sorry, that is an improper question.

17 Q Would you tell us the conversation?

18 A Yes.

19 Q The conversation that you had with Mr. Manson
20 the very first time you saw him.

21 A I remember him asking me why I came.

22 Q And what did you tell him?

23 A I believe I told him that my husband did not
24 want me any more, and that Gypsy told me I would be welcome
25 here as part of the Family and --

26 I cannot remember any more conversation. That

1 is all I remember.

2 Q Did you tell him that you wanted to hide from
3 your husband?

4 MR. BUGLIOSI: Repetitious.

5 MR. KANAREK: Well, this is the conversation.
6 She is supposedly giving us all of the conversation, your
7 Honor.

8 THE COURT: Overruled, you may answer.

9 THE WITNESS: I don't recall saying that.

10 Q BY MR. KANAREK: Pardon?

11 A I don't recall saying I wanted to hide.

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19A-1

19a-1

1 Q Well, then, what conversation took place just
2 before you went up into the cave area?

3 MR. STOVITZ: With Charles Manson, Counsel?

4 BY MR. KANAREK:

5 Q With Charles Manson, with Linda, with Brenda,
6 with Tanya, with Gypsy, Mary Brunner --

7 A -- Snake.

8 I don't know, I can't remember.

9 Q And Mr. Manson took you girls up, and Tanya,
10 and left you, left you in the cave area, is that correct?

11 A Yes.

12 Q And Mr. Manson left immediately after dropping
13 you off in the cave area with the spyglasses?

14 A Yes, he left a few things.

15 Q Pardon?

16 A They left a few things.

17 Q Including the spyglasses?

18 A Yes.

19 Q Is that right?

20 A Yes.

21 Q Now, while, Mrs. Kasabian, while you were in
22 the cave area with the spyglasses did you see your husband
23 come into the Spahn Ranch?

24 A I saw the truck.

25 Q You saw the truck that you knew was your
26 husband's truck?

19a-2

1 A It was Charlie Melton's truck.

2 Q Pardon me, it was Charlie Melton's truck. You

3 recognized the truck?

4 A Yes.

5 Q And you saw the truck through the spyglasses,

6 is that correct?

7 A Yes.

8 Q And that is before you ever had any sexual

9 relations with Mr. Manson, right?

10 A Right.

11 Q Right?

12 A Yes.

13 Q But after you had had sexual relations with Tex

14 the night before?

15 A Yes.

16 Q And when you saw your husband, when you saw

17 your husband in the Spahn Ranch area, did you tell anyone

18 that you wished to go down and meet with your husband?

19 A No.

20 Q Pardon?

21 A No.

22 Q What conversation if any did you have with the

23 people you were with as you were looking through the

24 spyglasses at your husband?

25 What did you say concerning your husband?

26 A Nothing that I could recall.

1 Q Did you state that the person that was within
2 your view by way of the spyglasses was your husband?

3 A I did not see him. I just saw the truck.

4 Q Did you state that it was your husband's
5 truck to the girls that were with you in the cave area?

6 A I don't recall stating it, no.

7 Q Well, did you discuss the truck?

8 A We probably did, but I don't recall the conver-
9 sation.

10 Q Well, after you saw -- you don't know what,
11 what was the substance of the conversation?

12 A I don't know, I just remember we were looking
13 at the truck with the spyglasses.

14 Q And you stated that that was your husband's
15 truck?

16 A I don't recall stating that, no.

17 Q Pardon?

18 A I don't recall stating that.

19 Q You don't recall stating it. You mean that
20 you could have stated it?

21 A Well, they knew for themselves, I did not
22 have to state it.

19b fls.

19-B-1

1 Q You say they knew. Now, how, to your know-
2 ledge, did they know that that was your husband's truck?

3 A Because Mary and Gypsy went with me the day
4 before to the truck.

5 Q Mary and Gypsy went with you the day before
6 to the truck?

7 A Yes.

8 Q And that is when you took something out of the
9 truck?

10 A Yes.

11 Q Is that correct?

12 A Yes.

13 Q And was your state of mind such that --
14 Well, let me put it to you this way:

15 Then how long did you stay up there with the
16 truck in view?

17 A Excuse me?

18 Q How long did you stay up in the cave area
19 watching the truck?

20 A I don't know.

21 Q Well, was it five minutes or an hour or how
22 long was it?

23 A I don't know.

24 Q Well, while you were up there what time of the
25 day was this?

26 A Afternoon, sometime.

1 Q In the afternoon?

2 A Yes.

3 Q And you were watching the truck through the
4 spy glasses, right?

5 A Yes.

6 Q And at some time did the truck leave the
7 Spahn Ranch area?

8 A Yes, it did.

9 Q And between the time -- between the time that
10 the truck came and the truck left did you cause yourself
11 to be in the immediate presence of your husband?

12 A No.

13 Q Did you tell anybody to tell your husband you
14 were there?

15 A No.

16 Q Did you in fact ask people not to tell your
17 husband you were there?

18 MR. STOVITZ: Objected to as being immaterial and
19 irrelevant.

20 MR. KANAREK: Most material as to the motive for
21 the witness being at the Spahn Ranch.

22 MR. STOVITZ: I will withdraw the objection upon
23 counsel's representation.

24 THE COURT: You may answer.

25 THE WITNESS: What was your question?

26 Q BY MR. KANAREK: Did you tell anyone at the

1 Spahn Ranch that you did not want your husband to know
2 where you were?

3 A Not that I recall.

4 Q When you say not that you recall, you mean --
5 well, let me ask you this:

6 Was your state of mind such that you did not
7 want your husband to know where you were?

8 A Yes.

9 Q That was your state of mind, right?

10 A Yes.

11 Q So it's a fair statement that you told
12 people not to tell your husband you were up in the cave
13 area?

14 MR. BUGLIOSI: I don't believe it's a fair statement
15 at all, your Honor.

16 THE COURT: Sustained.

17 Q BY MR. KANAREK: Now, did you convey your state
18 of mind by using the English language to people at the
19 Spahn Ranch, that you did not want your husband to know
20 where you were?

21 MR. STOVITZ: I object to the question as being
22 immaterial, irrelevant, calls for hearsay and having been
23 asked and answered.

24 She said she didn't know, she did not believe
25 she did.

26 THE COURT: Do you understand the question?

1 THE WITNESS: Yes.

2 THE COURT: You may answer it.

3 THE WITNESS: I don't recall telling anybody this,
4 but I may have, I may have but I don't recall.

5 Q BY MR. KANAREK: But you may have?

6 A Yes.

7 Q Now, do you recall a time after you were at the
8 Spahn Ranch, do you recall a time you were hitchhiking
9 with Sandra Goode?

10 A Yes.

11 Q And the hitchhiking that you did with Sandra
12 Goode, did it take you down to Topanga Canyon?

13 A Yes.

14 Q And did you, in hitchhiking, you got a ride
15 with a man driving a car, is that correct?

16 A I don't know who gave us a ride.

17 Q Well, did someone pick you up who gave you and
18 Sandra Goode a ride?

19 A Yes.

20 Q And you were going from the Spahn Ranch area
21 to the beach area?

22 A Right.

23 Q Over Topanga Canyon, is that right?

24 A Yes.

25 Q And as you went over Topanga Canyon did you
26 see some people that you recognized?

A No.

20-1

1 Q On this hitchhiking that you did with Sandra
2 Good?

3 A No.

4 Q How long after you came to the Spahn Ranch
5 did this hitchhiking with Sandra Good take place?

6 A I had been there a couple of weeks.

7 Q Pardon?

8 A I had been there for a couple of weeks.

9 Q Did you have a conversation with the driver
10 concerning the speed that the driver should go as he went
11 through the area where your husband's truck had been
12 parked?

13 A Hitchhiking with Sandra Good?

14 Q You don't understand the question?

15 A No.

16 Q On this occasion when you hitchhiked with
17 Sandra Good, did this hitchhiking take you past the area
18 where your husband had his truck parked?

19 A Yes, but the truck wasn't in view.

20 Q Pardon?

21 A Yes, but the truck wasn't in view, it was down
22 a side road.

23 Q As you approached the area where the truck
24 was, did you have a conversation with the driver of the
25 automobile?

26 A No, not that I recall.

20-2

1 Q Did you tell the driver of the automobile to
2 speed up as you drove by the area where your husband's
3 truck was?

4 A No.

5 Q You never uttered such words to the driver?

6 A Not on that occasion, no.

7 Q What is that?

8 A Not on that occasion, no.

9 Q Well, did you utter those words on some other
10 occasion?

11 A Yes.

12 Q What other occasion was it when you uttered
13 the words that you are alluding to?

14 A I believe it was when I hitchhiked with Sandy.

15 Q And would you tell us what occurred on that
16 occasion?

17 MR. BUGLIOSI: It appears that we are asking for
18 irrelevant testimony.

19 MR. KANAREK: It goes to her state of mind.
20 Mr. Bugliosi brought it out.

21 THE COURT: Let's find out what occasion she is
22 referring to. I don't know. Bring that out.

23 MR. KANAREK: Yes.

24 Q When did this other occasion occur, Mrs.
25 Kasabian?

26 A When?

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Q Yes.

A Wait. I am not really quite sure when.

It may have been with Sandy Good. I am pretty sure it was now.

Q It was with Sandy Good?

A Yes.

Q And you told the driver to speed up as you went through the area where your husband was?

A No, that is not right.

Q Well, what is right? What did happen?

A We were driving by Topanga Shopping Plaza and a certain person that lived in the truck was hitchhiking, and the driver started to pick her up, and I said, "No, please don't stop, go fast." And he did.

Q And that was because you knew people in that area?

A Yes.

Q And you didn't want your husband to know where you were?

A Right.

Q Correct?

A Yes.

Q Now, Mrs. Kasabian, you have seen Mr. Manson on the Ranch; is that correct?

A Yes.

Q Have you seen Mr. Manson clean the toilets on

20-4

1 the Ranch?

2 A No.

3 Q You never have?

4 A No.

5 Q Directing your attention to the times, the
6 number of times, Mrs. Kasabian, that you have been in
7 Mr. Manson's presence, in his immediate presence.

8 How many times, while you were at the Ranch,
9 were you in Mr. Manson's immediate presence; that is,
10 right in the same -- within a few feet of him?

11 MR. STOVITZ: I object to the question as now being
12 ambiguous and compound. "Presence" and "a few feet" are
13 two different things.

14 THE COURT: Do you understand the question?

15 THE WITNESS: Yes.

16 THE COURT: You may answer it.

17 Overruled.

18 THE WITNESS: I don't know how many times.

19 BY MR. KANAREK:

20 Q Well, would you give us an estimate?

21 A No, I can't. I don't know.
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20a fls.21

1 Q Well, you told us that you had, during the
2 entire time you were there, sexual relations 11 times;
3 right?

4 A Right.

5 Q And of those 11 times you were with Mr. Manson
6 four times you said?

7 A Right.

8 Q Now, other than those four times, on how many
9 other occasions were you in Mr. Manson's immediate presence?

10 A A number of times.

11 Q Well, would you give us an estimate of how
12 many times?

13 A I don't know. I can't give you a number. I
14 just know a number of times.

15 Q Can you think about it for a moment and tell
16 us?

17 A I don't have a number to give you.

18 MR. KANAREK: I see.

19 MR. FITZGERALD: With the Court's indulgence, may
20 I interrupt the proceedings and make a request that we
21 approach the bench before the adjournment?

22 THE COURT: It is about that time anyway, Mr.
23 Fitzgerald, so you may approach the bench now.

24 MR. STOVITZ: May the witness and the jury be excused
25 then, your Honor?

26 THE COURT: Well, let's just see what we have here

1 first, gentlemen, before I excuse the jury.

2 (Whereupon all counsel approach the bench
3 and the following proceedings occur at the bench outside
4 of the hearing of the jury:)

5 MR. FITZGERALD: I asked to approach the bench
6 because there has been a motion that had been filed
7 previously, and all counsel would like the matter set
8 down for hearing.

9 I found it in the Superior Court file, and
10 Mr. Kanarek has it in his hands.

11 MR. KANAREK: Your Honor, this is a Notice of Motion
12 requesting the Court to order Peter J. Pitchess, et cetera,
13 et cetera. Rather than belabor it, you can read it.

14 MR. STOVITZ: Can we have the date of the motion,
15 Counsel, so we have some intelligence?

16 THE COURT: It was filed on July 29th, and I recall
17 this motion because at the time you filed it I told you
18 that it couldn't be heard at 11:00 o'clock, to set it
19 down for some other time not during trial hours, which you
20 indicated you were going to do, but you never did.

21 In other words, when you filed it, you had
22 it noticed on July 31st at 11:00 a.m. As a matter of
23 fact, I believe that the filing stamp was put on it at
24 a time when it didn't have any date on it or time.

25 MR. KANAREK: Because of the urgency, your Honor.

26 I don't believe that this type of motion --

1 THE COURT: I am just telling you the genesis of
2 what happened, the chronology of what happened.

3 If you want it heard, I will hear it.

4 MR. KANAREK: Yes.

5 The relief that we ask is a very fundamental
6 type of relief, that Mr. Manson does not have to interview
7 witnesses through a screen with a Deputy Sheriff listening
8 to our conversations. It is preposterous.

9 We have to interview witnesses through a
10 screen. We ask your Honor to make the immediate order
11 that we can interview witnesses. There are four or five
12 Deputies watching everything. Nothing is going across
13 the attorney room desk, your Honor.

14 THE COURT: You confer with Mr. Manson in the lockup
15 here all day long, do you not?

16 MR. KANAREK: I am talking about witnesses, your
20b fls. 17 Honor. We need witnesses to prepare our case.

20B-1

1 MR. FITZGERALD: Mr. Kanarek is referring to a
2 situation wherein the attorney, be it Mr. Kanarek or
3 any attorney, proceeds to the attorney room of the County
4 Jail to interview Mr. Manson or other defendants in the
5 presence of and with a person who is admitted to the jail
6 as a material witness.

7 Prior to approximately two weeks ago, those
8 interviews were confidential in the typical attorney-
9 client situation.

10 Recently, for reasons unknown to the defendants,
11 the Sheriff has altered his policy with regard to this
12 case and Mr. Manson and the female defendants particularly.
13 Henceforth, when the attorney comes to the attorney room
14 of the County Jail with a material witness, that conver-
15 sation is overheard.

16 I mean, your Honor, it is deliberately overheard,
17 for security reasons. It takes place at a different
18 portion of the jail, through a screen, with an officer
19 standing immediately behind the respective defendant.

20 It is all counsels' contention that it violates
21 the attorney-client privilege and proscriptions in re
22 Poe, among others, and we would like to have the matter set
23 down for hearing and let the Sheriff present his side of
24 it.

25 THE COURT: That is what I was going to say.

26 Now that the matter has been apparently --

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1 of course, the motion still has a July 31st, 11:00 a.m.
2 date and time on it.

3 When did you want the matter heard?

4 MR. KANAREK: Right now.

5 MR. FITZGERALD: Tomorrow morning, the next morning.

6 THE COURT: This is precisely the point that I am
7 trying to make. You have to give the other side an
8 opportunity to respond.

9 You can't set these down with 30 seconds'
10 notice. That was what I was trying to tell you the first
11 time.

12 MR. STOVITZ: May we have it at 1:30 tomorrow after-
13 noon?

14 THE COURT: It will be heard, but you have to give
15 the Sheriff an opportunity to respond.

16 MR. FITZGERALD: Wednesday or Thursday is agreeable.

17 MR. SHINN: Your Honor, may I say something in this
18 regard?

19 I believe I did talk to, I believe, Chief
20 Kramer, regarding this matter, and he said that this was an
21 order of a Judge of the Superior Court.

22 I said, "What judge?"

23 And he said, "Judge Older and Judge Dell,"
24 your Honor.

25 THE COURT: Well, let's see what Mr. Kramer has to
26 say about it, if he is going to respond.

20b3

1 I don't know who is going to respond and I
2 don't know what order he is referring to.

3 I have had conversation from time to time
4 about security matters with the Sheriff. I don't recall
5 anything about interviewing witnesses.

6 MR. STOVITZ: Wednesday morning at 9:00 o'clock?

7 THE COURT: Thursday would be better.

8 MR. FITZGERALD: Thursday at 9:00 a.m.?

9 THE COURT: Thursday at 9:00 a.m.

10 MR. STOVITZ: Thank you.

11 THE COURT: Can you arrange to have the Sheriff or
12 the People, or whoever want to respond to this declaration,
13 here?

14 MR. STOVITZ: I think it would be better if you call
15 Sergeant Maupin and have him call the right parties.

16 THE COURT: Will you bring this to the right parties?
17 I don't care who responds, but I think they should have a
18 proper notice.

19 MR. HUGHES: That will not require the presence of
20 other attorneys; is that correct?

21 MR. FITZGERALD: I think we all should be here.

22 THE COURT: If you are joining in the motion, you
23 will have to be present, and so will the defendants.

24 Mr. Darrow, we are setting this down for hearing
25 on Thursday, this Thursday, 9:00 a.m., this motion of
26 Mr. Kanarek to require Peter Pitchess to do certain things

1 or not to do certain things, so we will need the defendants
2 present at that time.

3 THE CLERK: Yes, sir.

4 THE COURT: Anything further?

5 MR. FITZGERALD: No.

6 MR. SHINN: Will the record indicate that Susan
7 Atkins joins in the motion?

8 MR. FITZGERALD: Yes. Patricia Krenwinkel also joins.

9 MR. HUGHES: Defendant Leslie Van Houten will join.

10 THE COURT: Yes, I assume you all do.

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

15 THE COURT: Do not converse with anyone nor form or
16 express any opinion regarding the case until it is finally
17 submitted to you.

18 The Court will adjourn until 9:45 tomorrow
19 morning.

20 (Whereupon, at 4:21 p.m. the court was in
21 recess.)
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