

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.

60

No. A253156

REPORTERS' DAILY TRANSCRIPT
Tuesday, August 18, 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.
PAUL FITZGERALD, Esq.

For Deft. Krenwinkel:

For Linda Kasabian:

GARY FLEISCHMAN, Esq.
RONALD L. GOLDMAN, Esq.

VOLUME 60

PAGES 800¹ to 8090

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

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I N D E XPEOPLE'S WITNESS:RECROSSKASABIAN, Linda
(Cont'd)

8002(K)

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LOS ANGELES, CALIFORNIA, TUESDAY, AUGUST 18, 1970

2:05 o'clock p.m.

(The following proceedings occur in open court, all defendants, counsel and jurors present:)

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

You may continue, Mr. Kanarek.

MR. KANAREK: Thank you, your Honor.

LINDA KASABIAN,

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

REGROSS-EXAMINATION (Continued)

BY MR. KANAREK:

Q Mrs. Kasabian, you have told us that the paramount thing in your life is the welfare of your child?

A Yes.

Q And is your state of mind such that you consider that the welfare of your child depends upon your being with your child?

A No.

Q Then you are telling us that your state of mind, in August of 1969, was such that you didn't think that your

1 being with your child was very important for your child's
2 welfare?

3 MR. STOVITZ: I object to the question as ambiguous
4 as to what is very important.

5 THE COURT: Well, I think the form of the question
6 is objectionable, Mr. Kanarek.

7 Sustained.

8 MR. KANAREK: Certainly, your Honor.

9 I will try to reframe it, your Honor.

10 BY MR. KANAREK:

11 Q In August of 1969, September of 1969, did you
12 consider your physical presence near your daughter Tanya
13 was important in connection with your daughter's welfare?

14 A At what time?

15 Q At any time.

16 A At any time?

17 Q Yes.

18 A Sometimes I felt it was important that I be
19 with her; and then while I was at the ranch, I felt that
20 it wasn't important that I be with her.

21 Q When you were at the ranch, you felt it
22 wasn't important that you be with her?

23 A Yes.

24 Q And after you left the ranch, you felt it was
25 important that you be with her?

26 A Yes.

1 Q And did you feel that this -- what other
2 factors were important as far as your child's welfare
3 was concerned?

11 fls.

4 A I don't understand.
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1 Q Well, were there any other factors to be
2 considered in determining your child's welfare as far as
3 your state of mind was concerned other than just your
4 physical presence with her?

5 A I still don't quite understand.

6 Q Do you consider that -- you always have it in
7 mind, the welfare of your child, right?

8 A Yes.

9 Q And one of the important things as far as the
10 welfare of your child is concerned is that you, her natural
11 mother, be with her?

12 A Yes.

13 Q Is that correct?

14 A Yes.

15 Q Now, were there any other matters affecting
16 your state of mind as to the welfare of your child other
17 than your physical presence?

18 A I am really not sure what you are asking me.

19 Q You don't understand the question?

20 A No.

21 Q One of the factors to be considered, your state
22 of mind is such you certainly recognize one of the factors
23 to be considered in the welfare of a child is the mother's
24 physical presence, right?

25 A Yes.

26 Q But if the mother is a narcotic addict, or the

1 mother is a convict, or the mother associates with people
2 of that character or, let us say, the mother steals money,
3 the mother does various things, then these other factors
4 are to be considered also in determining the welfare of
5 the child as far as your state of mind is concerned?

6 MR. STOVITZ: Objection, irrelevant, immaterial,
7 nothing to do with the issues of this case.

8 It calls for a conclusion of this witness.

9 MR. KANAREK: Your Honor, she has professed --

10 THE COURT: The objection is sustained, Mr. Kanarek.

11 MR. STOVITZ: The reason she cannot understand it, I
12 submit, your Honor, the question is unintelligible.

13 THE COURT: The objection has been sustained.

14 BY MR. KANAREK:

15 Q Mrs. Kasabian, is your state of mind such that
16 you can recognize that the welfare of Tanya, or did you
17 recognize at that time in the summer of 1969 that the welfare
18 of Tanya was not dependent solely upon your physical presence?

19 A That's right.

20 Q And what were the other factors that you
21 considered concerning the welfare of Tanya?

22 A Food.

23 Q What?

24 A Food and clothing, and attention and love from
25 other people.

26 Q Right. Now, you have come to this court and

1 you have told us all, right? Everything?

2 A Yes.

3 Q Right?

4 A Yes.

5 Q Now, when you went to the Juvenile Court of
6 Referee Lebow, out in Sylmar, did you tell everything?

7 A No.

8 Q And the reason you did not tell everything was
9 because --

10 What was the reason you did not tell every-
11 thing concerning your background, the background of Tanya
12 and everything that had occurred that you are now telling
13 us?

14 MR. STOVITZ: Object to the question, your Honor.

15 In this courtroom she is asked questions and
16 gives answers. In that courtroom she is not asked ques-
17 tions and she only answers the things she is asked.

18 MR. KANAREK: I wonder if counsel recognizes what
19 is pregnant in that last statement of his, your Honor.

20 THE COURT: The objection is sustained.

21 BY MR. KANAREK:

22 Q Did you hear Mr. Stovitz's last remark?

23 A I wasn't really listening to it.

24 THE COURT: Ask your next question.

25 MR. KANAREK: Very well.
26

1 BY MR. KANAREK:

2 Q When you were in court in Sylmar did you feel
3 that you did not have to tell everything --

4 Did you feel you did not have to tell the whole
5 truth, is that what you felt?

6 MR. BUGLIOSI: Ambiguous and irrelevant.

7 THE COURT: Sustained.

8 BY MR. KANAREK:

9 Q Was your state of mind such, Mrs. Kasabian, that
10 you felt you did not have to tell the whole truth when you
11 were in Sylmar?

12 MR. BUGLIOSI: Same objection.

13 THE COURT: Sustained.

14 BY MR. KANAREK:

15 Q Did you tell the whole truth, Mrs. Kasabian,
16 when you were in front of the court in Sylmar?

17 MR. BUGLIOSI: Ambiguous and too broad, your Honor.

18 THE COURT: Sustained.

19 BY MR. KANAREK:

20 Q When you were in Sylmar before the Referee
21 that heard the Superior Court matter last September, Mrs.
22 Kasabian, was your state of mind such that you wished to
23 hide something from the court?

24 MR. BUGLIOSI: Ambiguous, irrelevant, too broad.

25 THE COURT: Sustained.

26 MR. KANAREK: Your Honor, may we approach the bench?

12-1

1 THE COURT: Very well.

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 THE COURT: Mr. Darrow, do you have the Penal Code?

6 THE CLERK: Yes, I do, your Honor.

7 MR. KANAREK: Your Honor, the point is that this
8 witness has testified as to her state of mind, that she
9 is interested in the welfare of Tanya.

10 We certainly are allowed to impeach her if,
11 in fact, that is a specious argument, because if her state
12 of mind was that the welfare of Tanya depended upon factors
13 other than her mere physical presence and she did
14 not reveal these matters to the Court in San Fernando, then
15 it is relevant and material to show that she is lying in
16 connection with that motive about the welfare of Tanya.

17 THE COURT: The objection will be sustained.

18 MR. BUGLIOSI: Your Honor, would you ask Mr. Kanarek
19 how long he will anticipate cross-examination?
20 We have other witnesses to call and I would like to know
21 whether to bring them down.

22 We have had several of them come and go the last
23 couple of days.

24 THE COURT: Of course, Mr. Hughes has to cross-
25 examine yet.

26 MR. BUGLIOSI: Can we briefly get an idea whether you
are going to be through today?

1-22

1 MR. KANAREK: I doubt it, your Honor.

2 Mr. Bugliosi has opened up -- we opposed
3 his opening up these matters, and these matters are wide
4 open so far as we are concerned at this point.

5 THE COURT: I don't know what you mean by "these
6 matters."

7 MR. FITZGERALD: I personally anticipate that we
8 would conclude today.

9 I would certainly agree to hold harmless the
10 D.A. if he excused his witnesses and ordered them to
11 return tomorrow.

12 Is that your concern about the witnesses this
13 afternoon?

14 MR. BUGLIOSI: We have one witness here. The next
15 witness whom we intend to call is not here.

16 I wonder if we should call him in right now.

17 MR. FITZGERALD: I don't think so, but my personal
18 opinion is that the examination ought to be concluded this
19 afternoon.

20 MR. KANAREK: I will represent to the Court that I
21 will not ask for a dismissal because this witness is not
22 present, Mr. Bugliosi's witness.

23 THE COURT: What about a mistrial, Mr. Kanarek,
24 or an evidentiary hearing?

25 MR. KANAREK: Neither of those other two, your
26 Honor. I do represent to the Court.

12-3

1 I am sure that Mr. Bugliosi recognizes the
2 fact that --

3 MR. BUGLIOSI: If we finish at a quarter to 4:00
4 today, would the Court adjourn until tomorrow?

5 THE COURT: If we run out of witnesses this afternoon,
6 we will certainly adjourn.

7 MR. BUGLIOSI: I have got another one. I don't know
8 whether to have him come in. He was here all day yesterday.

9 THE COURT: All right.

12A

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

5 MR. KANAREK: Q Now, Mrs. Kasabian, you have
6 told us that you were scared to call the police?

7 A Yes.

8 Q Is that correct?

9 A Yes.

10 Q And when you were in court in San Fernando,
11 out there in the juvenile court, were you, at that time,
12 scared to tell Referee Libow the things that you are
13 telling us in these last few days?

14 A Yes.

15 Q You were scared?

16 A Yes.

17 Q And would you tell us, Mrs. Kasabian, why you
18 were scared?

19 A Why I was scared?

20 Q Yes.

21 A Because they represented authority, the police,
22 and I was just afraid. I didn't know how to go about
23 talking to them.

24 I was afraid they would say I was crazy, and
25 I didn't know where the Family was.

26 I just didn't know what would happen.

1A2

1 Q Let's take those one at a time, Mrs. Kasabian.
2 You felt that they would think you were crazy?

3 A Yes.

4 Q And because you felt -- you thought -- you
5 really believed that they would think you were crazy; is
6 that right?

7 A I guess so, yes.

8 Q Well, you guess so or you know so?

9 A Yes.

10 Q Were you afraid if they thought you were crazy
11 that they would lock you up and put you in Atascadero or
12 at Patton, or some mental institution?

13 A I didn't know what they would do.

14 Q You were afraid that you would be found
15 crazy?

16 A I just didn't know what would happen.

17 Q But one of the ideas was you felt that they
18 would think you were crazy?

19 A Something like that, yes.

20 Q And why did you think that if you told Referee
21 Libow, or the bailiff sitting in the courtroom about where
22 Mr. Skupen is sitting, why do you think that they would
23 think that you were crazy?

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

25 Q You have no reason for thinking that, for telling
26 us this story about your being crazy; that is not a story,

1 that is the truth?

2 A Say that again?

3 Q It is the truth that you thought that they would
4 think you were crazy if you told them the story?

5 A Yes.

6 Q Have you now told us all of the reasons as to
7 why you think that they would think you were crazy?

8 A I don't know. I don't know.

9 Q Pardon?

10 A I don't know.

11 Q You mean that is a question that sort of corners
12 you in and you don't know what to say, so you are saying --
13 you are sort of making up this "I don't know"?

14 A I just --

15 MR. BUGLIOSI: Argumentative, your Honor.

16 THE COURT: Sustained.

17 THE WITNESS: Excuse me.

18 MR. KANAREK: Q You really don't know, Mrs.
19 Kasabian, or is there some other reason?

20 MR. BUGLIOSI: Argumentative.

21 THE COURT: Overruled.

22 THE WITNESS: I just didn't know what they would do.

23 I mean, this is a fantastic thing, and I just
24 didn't know how they would react, and I thought maybe they
25 would think I was crazy.
26

12b-1

1 Q Then what was your next -- what was the next
2 process in your thinking? If they thought you were crazy,
3 then what would happen to you?

4 A I don't know. I don't know what they would do.

5 Q Did you think about what they might do if they
6 thought you were crazy?

7 A No.

8 Q Were you concerned that they might think that
9 you were crazy?

10 A No. It was just a thought why I didn't.

11 Q How long did you think about it?

12 A I don't know. I didn't dwell upon it.

13 Q I mean, was it a short vibration?

14 A It was just a passing thought that held me
15 back from going to the police.

16 Q And this passing thought, was this like an
17 instant, a flash?

18 A Yes.

19 Q And when did you have this instantaneous flash
20 in the proceedings that we have been speaking about? Was
21 it while you were before the Judge, or was it while you
22 were talking to Mr. Fleischman, or would you tell us when
23 you had this passing thought?

24 A When I had that thought?

25 Q Yes.

26 A I don't know when I had it.

12b-2

1 I believe it was even before I spoke with
2 Mr. Fleischman, but I don't know exactly when.

3 Q You mean you might have had it in New Mexico?

4 A Yes.

5 Q Did you have it in New Mexico?

6 A I think so, yes.

7 Q All right.

8 So, then, when you came and you were standing
9 in front of the Judge there in Sylmar, you no longer
10 thought that they would put you away because if you told
11 them this you would be crazy; right?

12 MR. BUGLIOSI: That assumes a fact not in evidence.

13 She never testified that she thought they
14 would put her away, your Honor. These are his words again.

15 THE COURT: I understand him to be putting the
16 question directly to the witness.

17 I don't see any objection to it.

18 MR. BUGLIOSI: He said: You no longer thought that
19 they would put you away.

20 THE COURT: Sustained for that reason, Mr. Kanarek.
21 BY MR. KANAREK:

22 Q Then, Mrs. Kasabian, as you were before the
23 Court there in Sylmar, your state of mind no longer had
24 anything in it concerning the thought that somebody might
25 think you were crazy if you told them what you are telling
26 us now, because that happened back in New Mexico; right?

12b-3

1 A Yes.

2 Q So, therefore, when you were before the court,
3 that reason didn't apply about your thinking that somebody
4 would think you were crazy?

5 A But that is why I didn't say anything, because
6 I decided back in New Mexico that I wouldn't.

7 Q You decided back in New Mexico that you weren't
8 going to say anything in Sylmar?

9 A I didn't know if I was going to Sylmar.

10 Q Well, wherever you were going, whatever court
11 you were going, or wherever, in order to get Tanya in your
12 possession, you had already made up your mind that you
13 weren't going to say something; right?

14 A Yes.

15 Q And so, when you stood before the court there
16 back in the summer of 1969, that was water over the dam,
17 no longer were you considering the fact that you might
18 be crazy or that somebody might think you were crazy?

19 A I don't understand what you are saying.

20 Q As you stood before the court there in Sylmar,
21 the crazy aspect of this had no place because you had
22 already made up your mind, you are telling us now, that
23 you weren't going to bring this up, these matters up,
24 because of the fact that somebody might think you were
25 crazy?

26 MR. BUGLIOSI: Beyond the scope of the redirect, your

Honor.

MR. JAMES: It certainly is not, your Honor.

THE COURT: Overruled.

Do you understand the question?

12c Fls.

42C-1

1 THE WITNESS: Yes. That thought was no longer in my
2 head.

3 MR. KANAREK: All right.

4 Q Then that thought not being in your mind as you
5 were before the Court there in San Fernando or Sylmar,
6 would you tell us what was in your mind?

7 A Just to get Tanya.

8 Q Right?

9 A Yes.

10 Q Just to get Tanya?

11 A Yes.

12 Q And you wanted the physical possession of Tanya
13 and you didn't care whether you lied, stole, killed; you
14 would do anything to get the physical possession of Tanya
15 at that time; right?

16 MR. BUGLIOSI: That is a compound question, your Honor.

17 THE COURT: Overruled.

18 THE WITNESS: I don't think I would go to the extent
19 of killing, no.

20 MR. KANAREK: Q But you would go to the extent
21 of almost anything to get Tanya because you, Linda Kasabian,
22 wanted Tanya in your immediate presence; is that correct?

23 MR. BUGLIOSI: That is unintelligible, your Honor.
24 It is also irrelevant.

25 If he wants to ask her if she did lie, and what
26 was the nature of the lie, that is something else.

THE COURT: Sustained.

~~MR. KANAREK: All right. I will accept Mr. Bugliosi's~~

1 question.

2 Q Did you hear Mr. Bugliosi's question?

3 A Yes.

4 Q All right. Would you answer that?

5 A If I lied?

6 MR. STOVITZ: I object to that, your Honor. It is
7 an improper question.

8 THE COURT: Frame the question, Mr. Kanarek.

9 MR. KANAREK: Yes, sir.

10 Q Mrs. Kasabian, would you tell us, as you stood
11 before the Court there, did you lie?

12 A I don't even think I said anything before the
13 Court.

14 Q Well, did you say anything or didn't you?

15 A I don't believe I did, no.

16 Q You came into the court and nobody asked you
17 anything?

18 A I think my attorney spoke for me.

19 Q I see. And would you tell us who was present?

20 A Police officers.

21 Q Yes?

22 A And my attorney and myself.

23 Q And was there a referee there?

24 A What is a referee?

25 Q The man sitting in a place similar to Judge
26 older, or perhaps at a desk.

1 A He was sitting at a table.

2 Q The man doing the deciding?

3 A Yes.

4 Q Was his name Libow?

5 A I don't know.

6 Q Was there a probation officer present?

7 A Yes.

8 Q And there was a court reporter present; is
9 that correct?

10 A I don't know about that.

11 Q Do you remember a Mrs. D. Smith being present?

12 A No.

13 Q Well, was there a court reporter present?

14 A I don't know.

15 Q Was there a clerk present?

16 A I don't know.

17 Q So, at the present time, you are telling us
18 that you don't know whether you said anything there or not?

19 A I didn't say -- I didn't tell any lies, I
20 know.

21 I think I said who I was, my name; and it seems
22 to me that my attorney did all the talking to the referee.

23 Q Would you tell us what your attorney said?

24 A I don't know. I don't remember.

25 It just lasted for about a minute.

26 Q Well, what was the gist of what your attorney

said?

1 A That I was here to get my child, and that I
2 should get my child, that there was no reason, or some-
3 thing like that, why I shouldn't.

4 Q And did the referee or the probation officer,
5 or anyone there, ask any questions of you?

6 A Not that I can recall now.

13-1

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

(Pause.)

BY MR. KANAREK:

Q Now, Mrs. Kasabian, I have here a file which is denominated "In the Matter of Tanya Kasabian, Superior Court State of California for the County of Los Angeles, Juvenile Court, File No. 385486."

I would ask you, if you would, please, to read over, beginning at page 4.

(Mr. Kanarek hands the file to Mr. Bugliosi.)

BY MR. KANAREK:

Q Now, is it a fair statement, Mrs. Kasabian, that in connection with the present proceeding, the case concerning which you are testifying today, that you recognize -- your state of mind is such -- that one of the benefits that you are getting from this immunity is that you will be able to be in the physical presence of Tanya?

MR. BUGLIOSI: Your Honor, I object on the grounds it is beyond the scope of the redirect examination.

MR. KANAREK: Your Honor, this goes to the very matters that Mr. Bugliosi raised. It goes to her state of mind in connection with what she is uttering at this very instant.

THE COURT: Overruled, you may answer.

THE WITNESS: What was your question?

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

13-2

1 THE COURT: Read the question.

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

4 "Q Now, is it a fair statement, Mrs.
5 Kasabian, that in connection with the present
6 proceeding, the case concerning which you are
7 testifying today, that you recognize -- your
8 state of mind is such -- that one of the benefits
9 that you are getting from this immunity is that
10 you will be able to be in the physical presence
11 of Tanya?")

12 THE WITNESS: Yes.

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

14 BY MR. KANAREK:

15 Q I show you, Mrs. Kasabian, and I ask you if
16 you would read over to yourself, beginning at page 4, line
17 8, ending at -- begin where it says: Parent's Statement,
18 and ending on page 5, line 4, where it says "Individual,"
19 what appears to be a social worker's report.

20 Would you read those lines over to yourself,
21 please.

22 MR. BUGLIOSI: Your Honor, if this is a statement
23 before the court then apparently it would be impeachment.

24 If it is not, then I object on the ground
25 that this is hearsay.

26 THE COURT: What statement?

1 MR. BUGLIOSI: If it is a statement made before the
2 court.

3 He asked her if she made any statement before
4 the court.

5 Now apparently he is showing her something.
6 If this is a statement which Mr. Kanarek represents was
7 made before the court, then I withdraw my objection.

8 If he cannot represent that, then I object
9 on the grounds it is hearsay.

10 MR. KANAREK: I am asking her to look at it. She
11 hasn't testified to anything, your Honor.

12 MR. BUGLIOSI: All right.

13 MR. STOVITZ: May we, with the permission of the
14 Court, ask that after the witness looks at it, may the
15 Court look at it so before the question is put to the
16 witness/^{so}the context of it will be intelligible to all
17 concerned.

18 MR. KANAREK: I have no objection to your Honor
19 reading the report. I have not asked a question yet.

20 (Witness reads the report silently.)

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

22 MR. STOVITZ: May the court be allowed to read the
23 statement so that the question that is put to the witness
24 can be properly objected to?

25 MR. KANAREK: I have no objection to the Court's
26 reading the statement.

1 THE COURT: What portion is it, Mr. Kanarek?

2 MR. KANAREK: Well, I have various questions, your
3 Honor.

4 THE COURT: I understand. What portion?

5 MR. KANAREK: The beginning, where it says "Parent's
6 Statement", your Honor.

7 We asked her to read over the Parent's Statement.

8 Thank you.

9 BY MR. KANAREK:

10 Q Now, Mrs. Kasabian, directing your attention to
11 this Parent's Statement that you read over, did you, prior
12 to this time --

13 THE COURT: Just a moment. That is an improper
14 characterization of it, Mr. Kanarek.

15 It is an inaccurate characterization of it.

16 MR. KANAREK: Parent's Statement, your Honor.

17 THE COURT: That is what it says there. Is it a
18 signed statement?

19 MR. KANAREK: No, your Honor.

20 THE COURT: It is someone else's statement typed in.

21 MR. KANAREK: That is what I am going into right now.

22 THE COURT: Then the characterization at least at
23 this point is inaccurate.

24 MR. KANAREK: Very well, I will reframe it.

25 MR. BUGLIOSI: I am going to object prospectively,
26 your Honor, on the ground that the question itself contains

1 hearsay, and if he is asking, say, for a yes answer, it
2 would be an adoption of hearsay, unless it is being offered
3 for impeachment purposes, your Honor.

4 THE COURT: Let's hear what the question is first.

5 Go ahead, Mr. Kanarek.

6 BY MR. KANAREK:

7 Q Mrs. Kasabian, did you, prior to the time that
8 you went to court, meet with a social worker?

9 A Yes, I did.

10 Q And did you have a conversation with the social
11 worker?

12 A Yes.

13a fls. 12

13A-1

1 Q And, having read over this "Parent's Statement,"
2 does this "Parent's Statement" reflect the substance of
3 your conversation with the social worker?

4 MR. STOVITZ: Object, immaterial, irrelevant, out-
5 side the scope of redirect examination.

6 MR. KANAREK: Your Honor, this is completely
7 analogous to Mr. Stovitz's reading to her out of the
8 transcript and asking her whether those are her questions
9 and answers.

10 THE COURT: No, it is not, sir.

11 MR. KANAREK: Your Honor, there is no distinction.

12 THE COURT: The objection is sustained.

13 MR. KANAREK: May I ask on what basis, your Honor?

14 THE COURT: Irrelevant.

15 MR. KANAREK: Your Honor, it is offered on the issue
16 of state of mind, her state of mind.

17 THE COURT: You may ask additional questions,
18 Mr. Kanarek.

19 MR. KANAREK: Very well, thank you.

20 THE COURT: Questions that will be proper, but that
21 question is objectionable.

22 Q BY MR. KANAREK: Now, when you met with the
23 social worker, Mrs. Kasabian, would you tell us where it
24 was that you met with her?

25 A Where? It was a he.

26 Q It was a he?

13a2

1 A Yes.

2 Q Where did you meet with him?

3 A At his office.

4 Q Where was that?

5 A I don't know, I don't remember now.

6 Q Was it in Los Angeles, in the Los Angeles area?

7 A Yes.

8 Q And in whose presence were you other than the
9 social worker when you met with him?

10 A It was a small office and he had secretaries
11 here and there, but it was just him and me.

12 Q That was how long before you went to court out
13 at Sylmar?

14 A I will say about three weeks.

15 Q And during that three-week period were you in
16 the Los Angeles area?

17 A No.

18 Q You came to his office?

19 A Yes.

20 Q Then you went to court subsequent to the time
21 you went to his office, right?

22 A Excuse me?

23 Q After you went to his office you went to court
24 sometime?

25 A Yeah.

26 Q In this period between the time that you

13-3

1 went to his office and the time you went to court, where
2 were you?

3 A In New Mexico.

4 Q You went back to New Mexico?

5 A Yes.

6 Q And how many times did you meet with the social
7 worker?

8 A Just that once, and then I believe he was in
9 the court that day.

10 Q The day of the hearing?

11 A Yes.

12 Q And when you met with him did he ask you
13 questions and did you give him answers?

14 A Yes.

15 Q It was conversation between you?

16 A Yes.

17 Q And was the subject matter Tanya?

18 A Yes.

19 Q And was the subject matter the welfare of
20 Tanya?

21 A Yeah.

22 Q What was best for Tanya?

23 A Yes.

24 Q Is that right?

25 A Right.

26 Q And so he asked you questions and you said, you

13-4
1 gave him answers.

2 Now, directing your attention then, Mrs.
3 Kasabian, at the time that you were speaking with the social
4 worker, were the events of the first and second night that
5 you have spoken of in this courtroom, were they in your
6 mind?

7 A Possibly.

8 Q You don't know for sure?

9 A No -- I may have been thinking about it.

10 MR. BUGLIOSI: I object to the line of
11 questioning, ambiguous.

12 "Were you thinking about them," or "Were they
13 in your mind?"

14 THE COURT: What was the answer?

15 THE REPORTER: "Possibly."

16 THE COURT: That is the answer.

17 Q BY MR. KANAREK: Was your state of mind,
18 Mrs. Kasabian, such that you felt that if you told the
19 social worker what you had done on what you have called the
20 first and second nights, was your state of mind such that
21 you felt that if you stated what you had done that you would
22 not get Tanya?

23 MR. BUGLIOSI: That calls for a conclusion, your
24 Honor.

25 MR. KANAREK: Your Honor, Mr. Bugliosi opened the
26 subject matter about this witness' state of mind in

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1 connection with Tanya.

2 THE COURT: Overruled, you may answer.

3 THE WITNESS: What was your question again?

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

5 THE COURT: Read the question.

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

8 "Q BY MR. KANAREK: Was your state
9 of mind, Mrs. Kasabian, such that you felt that
10 if you told the social worker what you had
11 done on what you have called the first and
12 second nights, was your state of mind such that
13 you felt that if you stated what you had done
14 that you would not get Tanya?"

15 THE WITNESS: I don't know if I thought that or not.
16 I was just afraid to say anything.

17 Q BY MR. KANAREK: So, as you sat there in front
18 of the social worker you were afraid to say anything about
19 the first and second nights?

20 A Yes.

21 Q My question, Mrs. Kasabian, is were you afraid
22 to say anything about the first and second nights because
23 you were afraid that if you said anything you would not
24 get Tanya, that is my question.

25 MR. STOVITZ: That question was asked of the witness.
26 She gave her answer the best she could.

1 I submit it is repetitious and outside the
2 scope of redirect examination.

3 MR. KANAREK: She has not given an answer the best
4 she could.

5 THE COURT: overruled, you may answer.

6 THE WITNESS: I don't know, I'm not sure.

7 Q BY MR. KANAREK: What are you not sure of?

8 MR. BUGLIOSI: Argumentative, your Honor.

9 MR. KANAREK: I am asking her to explain. Counsel has
10 gone into great length, he read transcripts, to have her
11 explain.

12 MR. BUGLIOSI: She said she is not sure of his
13 question.

14 MR. KANAREK: I suggest that is not the purport of
15 her statement, your Honor.

16 THE COURT: The objection is sustained.

17 She answered the question, Mr. Kanarek.

18 Q BY MR. KANAREK: You have just stated you are
19 not sure, right?

20 A Yes.

21 Q May I ask you, what do you mean by those words
22 which you just stated, that you are not sure?

23 A I wasn't sure at the time -- wait -- I'm not
24 sure how to put it.

25 I am just not sure, that's all.

26 I wasn't sure. I am just not sure.

1 Q When you say those words, "I am not sure,"
2 what do you mean, Mrs. Kasabian?

3 A That if I had said anything I would not get
4 Tanya back. I'm not sure if those were my thoughts.
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13b-1

1 Q Now, then, as you sat there in front of the
2 social worker, Mrs. Kasabian, were the things that you had
3 done on the first and second nights in your mind as you
4 spoke with the social worker?

5 MR. BUGLIOSI: I object on the ground it is ambiguous,
6 your Honor.

7 "In your mind" meaning were you thinking about
8 it as opposed to what was in your mind subject to recall.

9 THE COURT: Sustained.

10 MR. KANAREK: All right, very well, I will ask you
11 this, Mrs. Kasabian:

12 Q As you sat, picture you and the social worker
13 are sitting across from each other, right?

14 A Uh-huh.

15 Q Would you tell us, Mrs. Kasabian, as you sat
16 there across from the social worker were you thinking, as
17 you conversed with the social worker, of the events wherein
18 you had participated in what you have called the first and
19 second nights?

20 A I don't remember thinking about them, no.

21 Q And when you say you don't remember thinking
22 about them, is it true that you at the time --

23 At the time you spoke with the social worker,
24 discussing Tanya and her welfare, isn't it true that at
25 that point you had forgotten the first and second nights,
26 what had occurred?

13b-2

1 A Forgotten them?

2 Q Yes.

3 A No, I don't think I could ever forget them.

4 Q Well, then as you sat there speaking with the
5 social worker, in your mind were the events that you had
6 participated in the first and second nights, is that correct?

7 MR. BUGLIOSI: Same objection, your Honor.

8 THE COURT: Sustained.

9 BY MR. KANAREK:

10 Q As you sat in front of the social worker,
11 Mrs. Kasabian, were you actively thinking of the events
12 you participated in the first and second nights as you
13 spoke about the welfare of your daughter Tanya?

14 MR. BUGLIOSI: Repetitious, with the exception he
15 added the word "actively," your Honor.

16 THE COURT: Sustained.

17 BY MR. KANAREK:

18 Q Mrs. Kasabian, did you, directing your atten-
19 tion to your state of mind, did you with deliberation and
20 with intent to deceive, withhold any conversation on your
21 part from the social worker concerning the events of the
22 first and second nights that you participated in?

23 MR. BUGLIOSI: I object, your Honor, ambiguous.

24 Did she withhold any information that was
25 requested of her?

26 THE COURT: It is also compound.

1 MR. BUGLIOSI: Also compound.

2 BY MR. KANAREK:

3 Q As you sat in front of the social worker,
4 Mrs. Kasabian, was your state of mind such that you felt
5 that the social worker -- I will withdraw that,

6 As you sat in front of the social worker,
7 Mrs. Kasabian, discussing the welfare of Tanya, did you
8 intend to deceive the social worker by not volunteering to
9 him the events of the first and second nights?

10 MR. BUGLIOSI: Ambiguous and irrelevant, your Honor.

11 MR. KANAREK: It goes to her state of mind concern-
12 ing Tanya.

13 Mr. Bugliosi raised that very issue.

14 THE COURT: Sustained.

15 BY MR. KANAREK:

16 Q Did the social worker, Mrs. Kasabian, ask you
17 to say something like, words to the effect, "Would you
18 please tell me what this is all about?"

19 MR. BUGLIOSI: Ambiguous, "Please tell me what this
20 is all about"!

21 MR. KANAREK: Your Honor, I am asking the witness --

22 THE COURT: That is a preliminary question.

23 Overruled.

24 Was there an answer?

25 THE REPORTER: No.

26 THE WITNESS: What was your question again?

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

2 THE COURT: Read the question.

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

5 "Q Did the social worker, Mrs. Kasabian,
6 ask you to say something like, words to the effect,
7 'Would you please tell me what this is all about?'"

8 THE WITNESS: I don't know if he said that, but he
9 asked me why I left Tanya.

10 BY MR. KANAREK:

11 Q And what did you tell him --

12 He asked you why you left Tanya at the
13 Spahn Ranch, right?

14 A Yes.

15 Q Pardon?

16 A Yes.

17 Q All right, and what did you tell him?

18 A I think I told him something like I had to
19 hitchhike to New Mexico or something to that effect, and
20 I did not want to hitchhike with my little girl, and I left
21 her with some people.

22 Q You told him you left her with some people?

23 A Yes.

24 Q What people did you tell him you left her with?

25 A I believe I said Mary Brunner.

26 Q What else did you tell him?

1 A That was my reason why I left Tanya there that
2 I told him.

3 Q What was the reason, Mrs. Kasabian?

4 A That I had to hitchhike to New Mexico to get
5 my husband and I did not want to hitchhike with my little
6 girl.

7 Q Did you tell him anything else?

8 A Sure, we had a conversation.

9 Q Well, what else did you tell him?

10 A I don't know, I can't remember.

11 Q Would you think for a moment and reflect
12 perhaps?

13 A Concerning why I left her there?

14 Q Anything that you told him, Mrs. Kasabian,
15 whatever.

16 THE COURT: She is asking you I believe if you want
17 additional answer to the same question or whether you are
18 asking another question.

19 BY MR. KANAREK:

20 Q No, what I am asking, Mrs. Kasabian, is for
21 you to tell us the complete conversation you had with
22 the social worker.

23 A I think I -- excuse me.

24 MR. BUGLIOSI: I object on the grounds it is too
25 broad.

26 THE COURT: Sustained.

1 MR. KANAREK: Then, your Honor, I would invoke the
2 equal protection of the law in that your Honor has ruled
3 previously, I believe it was yesterday, that if part of a
4 conversation goes in, then all of it should go in, and
5 based on that I ask that all of this conversation go in,
6 invoking the equal protection clause, your Honor.

14 fls.

14-1

1 MR. BUGLIOSI: If the other party brings in a part.

2 This is a situation where he started bringing
3 it out in the first place. So, 356 does not apply.

4 MR. KANAREK: I submit, your Honor --

5 THE COURT: All right, gentlemen. The objection will
6 be sustained.

7 Let's proceed. Ask your next question.

8 MR. KANAREK: Q Mrs. Kasabian, would you tell us
9 what else was stated by you and stated by the social worker
10 at this meeting other than what you have already told us?

11 MR. BUGLIOSI: Too broad a question, your Honor.
12 Calls for hearsay.

13 THE COURT: Sustained.

14 MR. KANAREK: Q Mrs. Kasabian, after you told
15 the social worker about the hitchhiking to New Mexico, that
16 you didn't want to hitchhike with your daughter to New
17 Mexico, was there any further conversation?

18 MR. BUGLIOSI: Object on the same grounds.

19 THE COURT: Sustained.

20 MR. KANAREK: Q Was there conversation,
21 Mrs. Kasabian -- let me ask you this: -- then, as you spoke
22 with the social worker and told the social worker that you
23 didn't want to hitchhike with your daughter to New Mexico,
24 your state of mind was such that you knew that you were
25 telling a lie; is that correct, Mrs. Kasabian?

26 A Yes.

4-2
1 Q And you knew that you were deliberately
2 deceiving the social worker; is that correct?

3 A Yes.

4 Q And you were deliberately deceiving the social
5 worker so that you could later on perform a fraud on the
6 Superior Court of the State of California and get your baby
7 under false pretenses? Was that your state of mind,
8 Mrs. Kasabian?

9 MR. BUGLIOSI: Argumentative, your Honor. Calls for
10 a conclusion. Ambiguous.

11 THE COURT: Sustained.

12 MR. KANAREK: Q Your state of mind, Mrs. Kasabian,
13 was to ask and talk with the social worker so that later
14 on you could come to a Superior Court and get your child,
15 based upon the utterances that you were making to the
16 social worker; is that correct?

17 MR. BUGLIOSI: Immaterial. Compound.

18 THE COURT: Sustained.

19 MR. KANAREK: Q What was your purpose and motive
20 and intent, Mrs. Kasabian, in lying to the social worker?

21 MR. BUGLIOSI: Immaterial, your Honor.

22 THE COURT: Sustained.

23 MR. KANAREK: Q Now, Mrs. Kasabian, in fact,
24 Mrs. Kasabian, the first night -- I will withdraw that.

25 In fact, the first time, Mrs. Kasabian, that
26 you went to the Spahn Ranch -- I am now referring to the

-3

1 first time when you went with Gypsy, the first day you met
2 Gypsy, and the day of the night that you had intercourse
3 with Tex Watson -- at that time, your purpose was merely
4 to visit the Spahn Ranch and not to stay there; is that
5 correct?

6 A No.

7 Q Then I refer you to your language -- may I
8 approach the witness, your Honor?

9 THE COURT: Mr. Kanarek, if you are going to use
10 that --

11 MR. KANAREK: No. There is a specific portion of it
12 that I am going to direct your attention to.

13 THE COURT: I am talking about your language.

14 MR. KANAREK: Pardon?

15 THE COURT: You had better approach the bench, sir.

16 MR. KANAREK: Yes, your Honor.

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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 MR. STOVITZ: Mr. Fitzgerald says he would like to
5 waive his presence.

6 MR. FITZGERALD: If you want us, we will come. We
7 don't feel it is necessary.

8 THE COURT: You apparently were about to show the
9 witness the file from the juvenile proceedings; is that
10 right?

11 MR. KANAREK: Yes.

12 THE COURT: And you said something there about her
13 statement.

14 I didn't see anything in there about her
15 statement.

16 MR. KANAREK: It is the "Parent's Statement." That is
17 her statement to the social worker.

18 MR. FITZGERALD: I think I can clarify it.

19 THE COURT: That is what you say.

20 MR. FITZGERALD: I think I can clarify it much
21 shorter.

22 MR. KANAREK: I want to lay the foundation.

23 MR. FITZGERALD: If you will allow me to interrupt,
24 I will get the file and show you precisely and exactly what
25 is going on.

26 THE COURT: The point is that you can't impeach her

14a 2
1 with this statement. There is no foundation for it.
2 It isn't a statement that she made.

3 MR. KANAREK: It is her statement.

4 MR. FITZGERALD: It purports to be in quotes.

5 THE COURT: That doesn't make it her statement.

6 MR. FITZGERALD: I agree.

7 MR. STOVITZ: Your Honor has read enough probation
8 reports that paraphrase the defendant's statement.

9 THE COURT: You will have to do it some other way, not
10 that way.

11 MR. KANAREK: I will ask her if she made this
12 statement to the social worker.

13 THE COURT: That is not the way you started out.

14 The reason I stopped you was because you talked
15 about her statement.

16 MR. KANAREK: Very well. I will rephrase it.

17 THE COURT: It assumes a fact that isn't in evidence,
18 that it is her statement.

19 In any event, even if she said it was her
20 statement, this is a typewritten sheet made up by someone
21 who listened to what she said, perhaps.

22 MR. FITZGERALD: I think he can ask her if she,
23 A, made a statement, and B, what she said in the statement.

24 THE COURT: Yes.

25 MR. STOVITZ: If it is material to the issues in the
26 case, he can.

1 MR. KANAREK: Right.

2 MR. FITZGERALD: My personal feeling is -- as a
3 matter of fact, I have the social worker under subpoena,
4 and I would prefer to call the social worker.

5 THE COURT: For impeachment you can certainly ask
6 those questions.

7 That is not the reason I stopped you. The
8 reason that I stopped you was because you were misstating
9 what the facts are with respect to that statement.

10 MR. KANAREK: Very well.

11 MR. SHINN: May we have a recess at this time? One
12 of the defendants has to go to the restroom.

13 THE COURT: All right. We will take it right here.

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

18 THE COURT: Ladies and gentlemen, we will take our
19 recess at this time.

20 Do not converse with anyone nor form or express
21 any opinion regarding the case until it is finally submitted
22 to you.

23 The court will recess for 15 minutes.

24 (Recess.)
25
26

14b-1

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

3 You may continue, Mr. Kanarek.

4 MR. KANAREK: Q Mrs. Kasabian, did you tell the
5 social worker that you and your daughter Tanya returned to
6 Los Angeles on July 1, 1969?

7 A Possibly, yes.

8 Q Did you tell the social worker "It was our plan
9 to join friends going to South America. These plans did
10 not work out" --

11 MR. BUGLIOSI: I object.

12 MR. KANAREK: "Robert" --

13 Your Honor, this is exactly what --

14 MR. BUGLIOSI: Whether the answer is yes or no,
15 your Honor.

16 THE COURT: Have you completed the question, Mr.
17 Kanarek?

18 MR. KANAREK: No, your Honor.

19 THE COURT: Complete the question.

20 MR. BUGLIOSI: The question itself contains hearsay.
21 He is reading hearsay.

22 MR. KANAREK: It is not offered certainly for the
23 truth of the matters asserted, it is offered for the
24 utterances that this lady made.

25 THE COURT: Complete the question.
26

14b-2

1 BY MR. KANAREK:

2 Q Did you tell the social worker, "It was our plan
3 to join friends going to South America. These plans did
4 not work out. Robert, my husband, originally planned to
5 come to Los Angeles, but remained in New Mexico"?

6 A The first part sounds right. I don't know
7 about the last part.

8 Q When you say "the first part," what is that?

9 A That we planned to go to South America.

10 Q But this part -- and what is the last part that
11 is not correct?

12 A I think it says something like he stayed in
13 New Mexico, or something like that.

14 I don't know that I said that.

15 Q I see.

16 Now, did you tell the social worker "At this
17 time I met a girl by the name of Gypsy who took me to visit
18 Spahn's Movie Ranch"?

19 MR. STOVITZ: I object to the question, your Honor,
20 as immaterial and irrelevant, and has nothing to do with
21 redirect or recross-examination.

22 THE COURT: Sustained.

15 fls.

45-1
1 MR. KANAREK: Well, your Honor, it goes to show --

2 THE COURT: The objection is sustained.

3 MR. KANAREK: May we then approach the bench?

4 THE COURT: Unnecessary.

5 MR. KANAREK: Then, your Honor, I would make the
6 motion to, if indeed it is not a part of our cross-
7 examination, I make a motion to open up cross-examination
8 for this purpose, and I cite your Honor's allowing
9 Mr. Eugliosi to open up, and I would like to open up just
10 for this matter of Gypsy.

11 MR. STOVITZ: My objection primarily is aimed at the
12 fact that if it is offered for an inconsistent statement, it
13 is an inconsistent statement on an immaterial point.

14 MR. KANAREK: It impeaches this witness in that she
15 stated she went there on the first day to live there.

16 MR. STOVITZ: A collateral matter, your Honor, I
17 believe the Evidence Code still provides impeachment on a
18 collateral matter --

19 THE COURT: Objection sustained. Let's proceed,
20 Mr. Kanarek.

21 MR. KANAREK: May I make the offer of proof, your
22 Honor?

23 THE COURT: You don't have to make an offer of proof
24 on cross-examination, let's proceed.

25 Q BY MR. KANAREK: Did you tell the social
26 worker, Mrs. Kasabian, this was near the end of July?

1 MR. STOVITZ: I object to the question, your Honor,
2 as immaterial and irrelevant. It is collateral matter.

3 THE COURT: Sustained.

4 MR. KANAREK: Your Honor, then I do make the motion
5 to open up cross-examination analogous to what Mr. Bugliosi
6 did in connection with his --

7 THE COURT: The objection is sustained. Let's
8 proceed.

9 MR. KANAREK: Is the motion denied, your Honor?

10 THE COURT: The motion is denied.

11 Q BY MR. KANAREK: Did you tell the social worker,
12 "I planned to return in about a week to pick up Tanya,
13 to return to New Mexico, and when I called Spahn Movie
14 Ranch they told me that Tanya had been placed in custody"?

15 MR. BUGLIOSI: Objection, your Honor, it is incom-
16 petent, irrelevant and immaterial and calls for hearsay.

17 THE COURT: Sustained.

18 MR. KANAREK: It goes to this witness' state of mind,
19 on Tanya, your Honor.

20 THE COURT: Sustained.

21 MR. KANAREK: Your Honor, may I then approach the
22 bench in connection with this matter?

23 THE COURT: It is not necessary, Mr. Kanarek.

24 Ask your next question.

25 Q BY MR. KANAREK: Now, Mrs. Kasabian, when you
26 went with Gypsy, the first time you ever went to the Spahn

1 Ranch, did you go there to visit or did you go there to
2 live?

3 A To live.

4 MR. KANAREK: Then, your Honor, may I approach the
5 bench?

6 THE COURT: It won't be necessary, Mr. Kanarek.

7 Ask your next question.

8 Q BY MR. KANAREK: Now, during this time,
9 Mrs. Kasabian, that you tell us that you considered
10 Mr. Manson to be Jesus Christ, that period of time while
11 you were at the Spahn Ranch, did you do everything that
12 Charles Manson asked you to do blindly, without any
13 question whatsoever?

14 A I did not hear the first part of your
15 question.

16 MR. KANAREK: What part -- may it be read, then, your
17 Honor?

18 THE COURT: Read the question.

19 (Whereupon, the reporter reads the pending
20 question as follows:

21 "Q BY MR. KANAREK: Now, during
22 this time, Mrs. Kasabian, that you tell us
23 that you considered Mr. Manson to be Jesus
24 Christ, that period of time while you were at
25 the Spahn Ranch, did you do everything that
26 Charles Manson asked you to do blindly, without

1 "any question whatsoever?")

2 THE WITNESS: Yes.

3 Q BY MR. KANAREK: You did?

4 A Yes.

5 Q And you made -- there was no questioning on
6 your part as to anything Mr. Manson asked you to do?

7 A No.

8 Q Now, then, I ask you, Mrs. Kasabian, to read
9 over Volume 36 --

16-1

1 MR. BUGLIOSI: I will object to this line of question-
2 ing on the grounds that it is beyond the scope of redirect.

3 MR. KANAREK: Your Honor, it is exactly in line with
4 the redirect.

5 THE COURT: What is the question?

6 MR. KANAREK: Yes. Just a moment.

7 Would you read over lines 8 through 14,
8 Volume 56, page --

9 MR. STOVITZ: 56?

10 MR. KANAREK: Sorry. 36. Page 5600.

11 MR. STOVITZ: 5600?

12 MR. KANAREK: Yes. Line 8 through 14.

13 (Pause while the witness reads.)

14 MR. STOVITZ: I believe the witness has complied,
15 Counsel.

16 MR. KANAREK: You have read that?

17 THE WITNESS: Yes.

18 MR. BUGLIOSI: I would ask the Court to look at
19 that portion of the transcript, your Honor, and preclude
20 any further questioning on it on the rationale that it
21 does not constitute impeachment.

22 MR. KANAREK: Well, your Honor, Mr. Bugliosi interro-
23 gated on this very point.

24 MR. BUGLIOSI: It does not constitute impeachment,
25 your Honor.

26 MR. KANAREK: How can he tell? I haven't asked the

16-2

1 question.

2 MR. BUGLIOSI: I know the area of the transcript that
3 you pointed out, Mr. Kanarek.

4 THE COURT: Ask your question.

5 MR. KANAREK: Q Did you so testify, Mrs. Kasa-
6 bian?

7 A Yes, I did.

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

9 THE COURT: Yes.

10 BY MR. KANAREK:

11 Q Page 5600, lines 8 through 14.

12 "Q Did you disagree with his philosophy
13 in some" --

14 "Q Did you disagree with his philosophy
15 in some respects?

16 "A Yes, I did.

17 "Q And you told him that you disagreed
18 with it when he told you?

19 "A No. Because I was told never ask why."

20 Now, Mrs. Kasabian, you followed everything that
21 Mr. Manson told you to do without any question; right?

22 A Yes.

23 Q Then, when you stated, in answer to the question
24 "Did you disagree with his philosophy in some respects?"

25 "Yes, I did," was that a true statement?

26 A Yes.

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Q All right.

Then, you were operating under your own free will and you, at times, disagreed with Mr. Manson; right?

A Within my own self, yes.

Q What do you mean by within your own self?

A I never expressed any disagreement to him.

Q Well, now, you went out on a creepy-crawly mission; right?

A When?

Q Well, did you, while you were at the Spahn Ranch, go out on a creepy-crawly mission?

16a fl.a.

16a-1

1 MR. BUGLIOSI: Beyond the scope of the redirect
2 examination.

3 MR. KANAREK: Your Honor, this goes to show that
4 the witness is being less than candid, and I have a right
5 to go into this.

6 MR. BUGLIOSI: I object to that gratuitous and
7 inflammatory remark, your Honor.

8 THE COURT: That will be stricken, and the jury is
9 admonished to disregard it.

10 MR. FITZGERALD: I will object on the ground that it
11 is beyond the scope.

12 THE COURT: The objection will be sustained.

13 MR. BUGLIOSI: Do you want to take the witness stand,
14 Mr. Kanarek?

15 MR. KANAREK: Q Mrs. Kasabian, then you did
16 operate under your own free will. You thought some of
17 the things -- you didn't do everything that Mr. Manson
18 told you; is that right?

19 MR. STOVITZ: Ambiguous and compound, your Honor.
20 "Some of the things" and "all of the things" are ambiguous
21 and compound.

22 THE COURT: Sustained.

23 BY MR. KANAREK:

24 Q Well, Mrs. Kasabian, it is a fair statement,
25 you have told us that you disagreed with some of Mr.
26 Manson's philosophies; right?

1 A Yes.

2 Q All right.

3 So that you were not under any trance, you
4 were not hypnotized, you were free to think, and you did
5 think that some of the things that Mr. Manson said you
6 didn't agree with; right?

7 A Yes.

8 Q All right.

9 Now, when you were going to the Tate residence,
10 your state of mind was that you were going there to steal;
11 right?

12 A Yes.

13 Q And you were going because you, Linda Kasabian,
14 wanted to do it; right?

15 MR. BUGLIOSI: I will object, your Honor. Beyond
16 the scope of redirect examination.

17 MR. KANAREK: Your Honor, counsel interjected this
18 exact issue. He read from the transcript. He interrogated
19 on this very point.

20 THE COURT: Where?

21 MR. BUGLIOSI: Are we going to put on the case all
22 over again?

23 MR. KANAREK: He read this to her. I can show you.

24 MR. BUGLIOSI: That testimony is not impeachment.

25 THE COURT: I don't want to hear colloquy on the
26 record in front of the jury.

1 MR. KANAREK: May I approach the bench and show the
2 Court where?

3 THE COURT: Yes, you may.

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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. KANAREK: These are the exact lines, your Honor.

5 THE COURT: What transcript?

6 MR. KANAREK: Volume 58, your Honor, Page 7842.

7 MR. FITZGERALD: I will join in the prosecution's
8 objection that it is beyond the scope of this limited
9 examination.

10 MR. KANAREK: There is no limited examination.

11 MR. FITZGERALD: We will be here forever if we
12 continue this.

13 MR. KANAREK: I can't help it if Mr. Bugliosi opened
14 up this matter, your Honor.

15 THE COURT: What are you referring to?

16 MR. KANAREK: Page 7842.

17 THE COURT: All right.

18 MR. KANAREK: He asked her to read Lines 1 through 14
19 on Page 5600.

20 It is the exact subject matter I am going into
21 right now.

22 MR. BUGLIOSI: I asked her, your Honor, "Did
23 Manson ever" --

24 THE COURT: Just a minute. Let me read this so I
25 can understand what he is talking about.

26 MR. BUGLIOSI: Sorry.

16B2

1 (Pause while the Court reads.)

2 THE COURT: The reason it was asked, Mr. Kanarek,
3 is shown on Page 7845 where the question was asked: "Did
4 Charles Manson ever himself tell you never to ask why?"

5 In other words, that was the only purpose for
6 reading the other testimony.

7 Now you are reading it for an entirely
8 different purpose.

9 MR. KANAREK: Your Honor, the subtlety involved is
10 that there is a difference between an act and a thought.

11 The question was never asked -- the question
12 was --

13 THE COURT: I don't know what you are talking about.

14 MR. KANAREK: What I am saying is this, your Honor --

15 THE COURT: It was opened up for the purpose of
16 asking a specific question as to whether Mr. Manson ever
17 told Linda never to ask why.

18 That was the only purpose for opening it up.

19 MR. KANAREK: No.

20 THE COURT: Look at the transcript.

21 MR. KANAREK: He cannot limit his purpose, your
22 Honor.

23 THE COURT: But you are limited on recross to the
24 scope of their redirect testimony.

25 MR. KANAREK: Your Honor, if we are talking about
26 acts as well as thoughts, then --

THE COURT: The objection is sustained. It is beyond the scope.

MR. KANAREK: Your Honor, I have a right to go into what he has --

THE COURT: Let's proceed. I have ruled, Mr. Kanarak,

MR. KANAREK: Yes, sir.

17-1

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

3 Q BY MR. KANAREK: Now, Mrs. Kasabian, is it a
4 fair statement, Mrs. Kasabian, that many things that
5 Mr. Manson told you were completely rejected by you?

6 MR. STOVITZ: At the time or now, Counsel? I object
7 to the question as being ambiguous.

8 THE COURT: Sustained.

9 MR. KANAREK: Your Honor, I used the word "were."
10 Does your Honor wish me to rephrase it?

11 THE COURT: Rephrase it.

12 Q BY MR. KANAREK: Mrs. Kasabian, at the time
13 that you were at the Spahn Ranch, is it a fair statement
14 that you were operating under your own free will, and you
15 rejected many of the things that Mr. Manson told you?

16 MR. BUGLIOSI: Compound question, also beyond the
17 scope of redirect examination, your Honor.

18 THE COURT: Sustained.

19 MR. KANAREK: Well, your Honor, it's right here at
20 Page 7843 where Mr. Bugliosi questioned concerning that
21 very subject matter.

22 THE COURT: The objection is sustained.

23 Q BY MR. KANAREK: Now, Mrs. Kasabian, would you
24 read --

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

26 Q BY MR. KANAREK: Would you read Page 5599,

1 Mrs. Kasabian, Lines 23 through 26?

2 Would you read those?

3 A I just did.

4 Q Would you read them out loud, the question and
5 the answer?

6 A (Reading:)

7 "Q And did Charlie speak with
8 you at length about his philosophies?

9 "A I guess so, I can't even
10 remember half the things he told me, they
11 just never seemed to take root."

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

13 Q That question was asked of you and you gave
14 that answer?

15 A Yes.

16 Q Right?

17 A Yes.

18 Q So, in fact, Mr. Manson not only had no con-
19 trol over what you did, Mr. Manson in fact had no control
20 even over what you were thinking, is that right,
21 Mrs. Kasabian?

22 MR. BUGLIOSI: Compound question, calls for a
23 conclusion.

24 THE COURT: Sustained.

25 Q BY MR. KANAREK: You have testified,
26 Mrs. Kasabian, in answer to the question:

1 "And did Charlie speak with you at
2 length about his philosophies?"

3 And you answered: "I guess so, I
4 can't even remember half of the things he
5 told me; they just never seemed to take root."

6 Now, what did you mean by that, Mrs. Kasabian?

7 A His ideas, you know, his way of thinking, his
8 way of doing things at the time that I was there -- after
9 a while I accepted them, but when I left I just sort of
10 got rid of them.

11 They did not take root; they did not stay
12 with me.

13 Q They just never seemed to take root; right?

14 A Right.

15 Q So they never took root whatsoever, right?

16 A They did for a little while.

17 Q They did for a little while?

18 A Yes.

19 Q So then when you uttered these words, "They
20 just never seemed to take root," that is not what you meant?

21 A They did not stay with me. They did not take
22 root. They were in my mind and I did some of these
23 things, but after a while I did not do them any more; they
24 did not stay with me, I got rid of them; I did not believe
25 in them.

26 Q Mrs. Kasabian, what does the word "never" mean

1 to you?

2 MR. BUGLIOSI: Argumentative.

3 MR. KANAREK: She used the word, your Honor, she put
4 it in this record.

5 We have a right to know what that word means.

6 THE COURT: In what context? Are you talking about a
7 particular phrase in the record?

8 MR. KANAREK: Her particular language, she used
9 these words.

10 THE COURT: Then read that portion that you are
11 asking about, Mr. Kanarek.

12 MR. KANAREK: Yes.

13 THE COURT: So the witness has the advantage of
14 seeing and hearing it in context.

15 Q BY MR. KANAREK: Is the word "never" in your
16 vocabulary, Mrs. Kasabian?

17 A Yes.

18 Q All right, then, would you tell me what do
19 you mean when you use the word "never"?

20 A Actually, I should never use the word never.
21 I don't know exactly what it means even when I use it.

22 Q There are a lot of words you use that you don't
23 know what they mean when you use them.

24 MR. BUGLIOSI: Argumentative.

25 THE COURT: Sustained.

26 Q BY MR. KANAREK: Have you now told us,

1 Mrs. Kasabian, your meaning of the word "never"?

2 THE COURT: Place it in context, Mr. Kanarak, it is
3 meaningless in a vacuum.

4 If you are referring to some portion of the
5 transcript, specify what portion you are talking about so
6 the witness can answer you.

7 Q BY MR. KANAREK: Well, may I ask you this,
8 Mrs. Kasabian, when you testified here on the witness
9 stand on July 31st, 1970, you told us:

10 "I can't even remember half the things he
11 told me."

12 Now, directing your attention to July 31st,
13 1970, has anything happened between that date and this
14 date to make you remember more or better or worse than
15 you did on that date?

16 MR. BUGLIOSI: Ambiguous, your Honor, irrelevant.

17 THE COURT: Do you understand the question?

18 THE WITNESS: Not completely.

19 MR. STOVITZ: Not to interrupt counsel, your Honor, we
20 have two witnesses waiting outside. May we excuse them
21 until 9:45 tomorrow?

22 THE COURT: Yes.

23 MR. STOVITZ: Thank you.
24
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17a-1

1 BY MR. KANAREK:

2 Q In fact, Mrs. Kasabian, when you were at the
3 Spahn Ranch you came and went as you pleased, is that
4 correct?

5 MR. BUGLIOSI: Beyond the scope of redirect examina-
6 tion, your Honor.

7 THE COURT: Sustained.

8 MR. KANAREK: Your Honor, my impression was --

9 THE COURT: The objection is sustained. Ask your
10 next question.

11 MR. KANAREK: May I inquire of the Court, your Honor,
12 I believe counsel opened up a portion of direct examina-
13 tion.

14 His representation to the Court was that direct
15 was being opened up also in his questioning of Mrs. Kasa-
16 bian.

17 I direct your Honor's attention to that.

18 THE COURT: I don't understand what you are saying.

19 MR. KANAREK: Counsel, I believe, represented --

20 THE COURT: Yes, but what has that to do with this?

21 MR. KANAREK: Your Honor, this is part of the subject
22 matter.

23 THE COURT: Where? Show me in the transcript.

24 MR. KANAREK: May I approach the bench?

25 THE COURT: Yes.

26 (The following proceedings were had at the

17a-2

bench out of the hearing of the jury:)

MR. STOVITZ: Our objection goes to the point that this is fully covered on cross-examination.

THE COURT: There is no question about that. I don't recall any of this on redirect.

MR. STOVITZ: There was nothing on redirect.

MR. KANAREK: He represented to the Court he was opening up both direct and redirect.

THE COURT: That has nothing to do with what we are talking about, Mr. Kanarek.

MR. KANAREK: Your Honor --

THE COURT: The question is, what in fact did he examine on. I don't care what he called it.

MR. KANAREK: He represented to the Court he was opening up on direct examination and redirect.

THE COURT: I don't understand what you are saying. I say it is beyond the scope.

If you have a transcript reference, you can show me; show me, otherwise let's get on with it.

The fact is it is beyond the scope.

MR. KANAREK: All right, here it is.

Your Honor, in order to facilitate matters I make a motion that I open up my cross.

Mr. Bugliosi, your Honor, has imposed upon the Court and upon all of us by not doing his job --

MR. STOVITZ: Where is the reference?

17a-3

1 MR. KANAREK: What I am saying, I can dig it out, I
2 am sure, your Honor will remember he stated he was opening
3 up on direct and redirect.

4 THE COURT: I will tell you what, Mr. Kanarek,
5 in view of the fact that you seem unable to find it --

6 MR. KANAREK: I can find it. I don't want to take
7 the time. I will find it, your Honor.

8 THE COURT: If you will stop interrupting me, sir,
9 we will try to conduct this proceeding in an orderly manner.

10 What I'm trying to tell you is in view of the
11 fact you are having difficulty in finding the transcript
12 reference and since we obviously are not going to finish
13 today, you may look for it overnight and give me the
14 reference in the morning.

15 MR. KANAREK: Very well, your Honor.

16 MR. STOVITZ: But please, I implore counsel not to
17 use up the rest of the time. Maybe Mr. Hughes can recross-
18 examine now and counsel can look for it overnight.

19 THE COURT: That is not necessary.

20 MR. STOVITZ: I mean not for him to take up the rest
21 of the afternoon.

22 THE COURT: If there is any reason, if any counsel
23 has good reason to reopen the examination at any time I will
24 consider it. That goes for any counsel.

25 MR. KANAREK: Then while we are here, your Honor --

26 THE COURT: So if you finish today or not does not

17a-4

1 make any difference. If you want to find a reference over-
2 night and want to reopen for a little purpose tomorrow, you
3 may do that.

4 MR. KANAREK: I will make the motion at the bench to
5 save time that I be allowed to open, if your Honor does
6 deem it to be cross-examination, I would ask to reopen
7 concerning --

8 THE COURT: Mr. Kanarek, it is not a question of
9 whether it is cross-examination or recross-examination or
10 re-recross, that is not the point.

11 The point is whether or not it has been covered
12 and how it's been covered.

13 The reason I let Mr. Bugliosi reopen this morn-
14 ing for a limited purpose in a limited area was because
15 I thought the ends of justice required it.

16 Now, part of that, as I explained to you on
17 the record, was because of your own conduct and the manner
18 in which you objected and made motions, and I think tried
19 to interrupt the testimony of this witness.

20 I felt the jury did not have an adequate
21 opportunity because of that to hear some of these matters.

22 Other matters were simply explanation matters
23 that came out on cross-examination and were proper
24 redirect.

25 Two matters I recall were a reopening of the
26 direct examination, perhaps only one matter.

So simply because the People did it is not
a good enough excuse. There has to be a reason for doing
it.

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1 MR. KANAREK: Your Honor, may I then open up my
2 cross-examination and I will represent to the Court that
3 this witness told the social worker that she went, the
4 first time she went to the Spahn Ranch, she went to visit
5 and not to move there.

6 And I ask that I be allowed to open up to ask
7 her concerning that.

8 I make the motion to do that.

9 I represent to the Court that she told the
10 social worker that when she went with Gypsy that first
11 day, it didn't say that first day, but she said when she
12 went with Gypsy she went to visit.

13 THE COURT: It would be impeachment if at all on
14 a totally collateral point.

15 It has no bearing. It is so remote it has no
16 bearing.

17 MR. KANAREK: She said she started to live there on
18 the first day.

19 This is important, your Honor, because of the
20 fact it is our position that she started to live there on
21 the second day, and that the real motivation, this is
22 not collateral, the real motivation to go there was not
23 the first day, she did not come there to live the first
24 day, she came there the second day because she stole the
25 money and she had to have a place to hide out.

26 THE COURT: She already said that.

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1 MR. KANAREK: But the prosecution is going to argue
2 she did not move there the first day. The prosecution is
3 going to argue --

4 Pardon me, the prosecution is going to argue
5 she did move there the first day but she did not in fact
6 move there the second day.

7 Our position is she just visited the first day
8 and she did not actually move there. Therefore it is
9 not on a collateral point.

10 THE COURT: You went into that completely on cross-
11 examination. There is no point, no necessity to reopen.

12 MR. STOVITZ: He had the file on cross-examination
13 too, your Honor.

14 In fact, Mr. Kanarek had this file long before
15 we ever saw it.

16 MR. KANAREK: I would ask to interrogate her. I will
17 just ask that one question.

18 THE COURT: What question?

19 MR. KANAREK: Your Honor indicates that he at no time
20 will foreclose counsel.

21 I will just ask her the one question, "Did you"
22 -- I represent to the Court I won't ask her anything else
23 concerning Gypsy except that one question;

24 "Did you tell the social worker when you went
25 with Gypsy that you went there to visit?"

26 That is all I will ask about it, in line with

1 your Honor's statement that you will never foreclose counsel
2 from getting to a point.

3 THE COURT: I did not mean I would let you go on
4 forever, Mr. Kanarek.

5 What I said was that I would always listen if
6 counsel has a good reason to reopen, even though he may
7 have already closed, if there is some compelling reason to
8 do so, and the ends of justice would be served by doing it.

9 I would listen to such argument. If I think
10 it desirable I would permit it.

11 I did not mean we would go on endlessly.

12 MR. KANAREK: I will represent to the Court I will
13 only ask that one question in connection with that matter.

14 I won't ask any other questions, I will just
15 ask her whether she told the social worker that she went
16 there to visit the Spahn Ranch.

17 May I do that?

18 THE COURT: Yes, I will permit it.

19 MR. KANAREK: Thank you.

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

22 BY MR. KANAREK:

23 Q Mrs. Kasabian, would you read to yourself lines
24 1 through 7 at page 5600 of Volume 36.

25 MR. KANAREK: May I approach the witness, your Honor?
26

1 BY MR. KANAREK:

2 Q Would you read lines 1 through 7?

3 (Witness complies.)

4 Would you read that out loud.

5 THE WITNESS: (Reading.)

6 "Q So, what you told the Court and the
7 jury on your direct examination about his philoso-
8 phies was an incomplete statement of what he told
9 you inasmuch as you can't remember some of what
10 he told you?

11 "A Well, a lot of it I have forgotten, you
12 know, I just sort of let go of it because I know
13 that it was not true."

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1 MR. KANAREK: Thank you.

2 Q Now, Mrs. Kasabian, I have another question to
3 ask you concerning --

4 THE COURT: Just a moment, did you say "another
5 question"?

6 MR. KANAREK: No, your Honor, that wasn't --

7 THE COURT: You haven't asked a question.

8 MR. KANAREK: Then my question is:

9 Q You did so testify, Mrs. Kasabian?

10 A Yes, I did.

11 MR. KANAREK: Thank you.

12 THE COURT: Mr. Kanarek --

13 MR. KANAREK: Yes -- yes, your Honor.

14 THE COURT: All right, let's proceed and I will
15 talk to you about that later.

16 MR. KANAREK: Pardon?

17 THE COURT: I said I will talk to you about that
18 later.

19 MR. KANAREK: Oh, the sequence of what I got
20 permission to do I changed. I changed the sequence, your
21 Honor.

22 What I am saying, I did not want to ruin the
23 continuity of the previous subject matter, your Honor, I
24 am still going to ask only this ^{one} question that I indicated
25 to the Court on this other subject matter.

26 THE COURT: Proceed.

MR. KANAREK: I understand your Honor's thinking.

7A2
1 Because we were in the previous subject
2 matter I thought it would be appropriate to ask what I
3 just asked.

4 THE COURT: You did not help me at all.

5 Let's proceed.

6 MR. KANAREK: Very well, your Honor, because I am
7 following the Court's instructions explicitly, your Honor.

8 Q BY MR. KANAREK: Now, Mrs. ^Kasabian, did you
9 tell the social worker when you were there at his office
10 in the summer of 1969:

11 "At this time I met a girl by the name of
12 Gypsy who took me to visit Spahn's Movie
13 Ranch."

14 Did you so state to the social worker?

15 A Possibly yes.

16 Q Well, did you tell the social worker that you
17 were going to visit or you were going to live there when
18 you went with Gypsy?

19 A I really don't know what I told him.

20 Q I see. Now, you told us this morning,
21 Mrs. Kasabian, you told us something about passports.

22 Did you have a passport?

23 A Yes, I did.

24 Q And when did you obtain this passport?

25 A Maybe the second or third day after I arrived
26 in Los Angeles.

7A3

1 Q And you obtained this passport because you had
2 hoped to go to South America with your husband, Mr.
3 Kasabian?

4 A Yes.

5 Q And is it a fair statement, Mrs. Kasabian,
6 that your state of mind was such that when you found out
7 that your husband did not intend to take you to South
8 America, you were unhappy?

9 MR. BUGLIOSI: It is beyond the scope of redirect
10 examination. It was gone into on original cross-
11 examination, your Honor.

12 THE COURT: Sustained.

13 Q BY MR. KANAREK: Well, Mrs. Kasabian, who else
14 obtained passports in connection with going to South
15 America besides yourself?

16 MR. BUGLIOSI: It is irrelevant and calls for a
17 conclusion.

18 THE COURT: Sustained.

19 Q BY MR. KANAREK: Now, when you were speaking of
20 the vibrations that you had testified to, Mrs. Kasabian,
21 do you remember this morning speaking of vibrations?

22 A Yes.

23 MR. BUGLIOSI: This was on recross-examination, your
24 Honor, so I will object right now. This was not redirect.

25 MR. KANAREK: Your Honor, we have a right to
26 interrogate --

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1 THE COURT: Overruled, you may proceed.

2 MR. KANAREK: Thank you.

3 Q BY MR. KANAREK: Now, at times when you had
4 these vibrations, when you communicated by way of
5 vibrations, is there ever any color involved in connection
6 with the vibrations?

7 A Color? I don't understand.

8 Q Well, in your mind, in your mind when you
9 communicate by these vibrations that you are speaking of,
10 in your mind do you see any colors at the time that these
11 vibrations are occurring?

12 A No.

13 Q Now, referring to these vibrations, is there
14 any actual movement you feel in your mind, any movement
15 back and forth, fast back and forth movement that you
16 consider to be vibrations?

17 A Yes.

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1 MR. FITZGERALD: Immaterial, your Honor.

2 MR. BUGLIOSI: Objection. Immaterial.

3 MR. KANAREK: Your Honor, I am entitled to get a
4 description of what she actually means by the word
5 "vibration."

6 THE COURT: Overruled. You may answer.

7 THE WITNESS: What was your question?

8 MR. KANAREK: May I have the last question and answer
9 read back, your Honor?

10 THE COURT: Yes.

11 (The record was read by the reporter.)

12 MR. KANAREK: Q Would you describe these
13 movements for us, Mrs. Kasabian?

14 A It is energy. It is an awareness of energy
15 being transmitted.

16 I can't -- that is all I can say about it.

17 Q You say that you feel these physical -- you
18 feel the physical movements?

19 A Yes.

20 Q Well, would you describe where in your body
21 do you feel the physical movements?

22 A Right here (indicating).

23 Q Pointing to right above your -- in between
24 your eyebrows but a little above the eyebrows; is that
25 correct?

26 A Yes.

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Q Is that correct?

A Yes.

Q Are these vibrations localized at that point in your head?

MR. FITZGERALD: That is immaterial and irrelevant.

I think counsel is misquoting the witness. The "vibration" is a figure of speech. I don't think the witness necessarily has to mean it literally.

MR. KANAREK: I disagree with my esteemed colleague. I do not consider it a figure of speech.

MR. STOVITZ: I submit that if she had true vibrations, Mr. Kanarek would have stopped questioning long ago.

THE COURT: Overruled.

You may answer.

THE WITNESS: What is the question?

THE COURT: Read the question.

(The question was read by the reporter.)

THE WITNESS: I don't understand.

MR. KANAREK: Q You pointed to a place on your head where you tell us that the vibrations are located; is that correct? You pointed to a spot on your head?

A Yes, I know what I pointed to.

Q Is that where the vibrations are located?

A Yes.

Q How deep inside your skull is the place where these vibrations are located?

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1 MR. FITZGERALD: That is immaterial and irrelevant.
2 I object to this whole line of questioning.

3 MR. KANAREK: It is most relevant and most material,
4 Your Honor, otherwise we are just playing charades here,
5 Your Honor.

6 THE COURT: The objection is sustained.

7 Let's proceed.

8 MR. KANAREK: Q Mrs. Kasabian, these vibrations
9 that you say that you actually feel, are they on the
10 surface of your skin?

11 A No.

12 Q They are deep inside your -- right deep inside
13 your head; is that right?

14 A Yes.

15 Q And they are at about the location that you
16 have indicated?

17 A Right in here.

18 Q Right.

19 Then, beginning there, how far back through your
20 head do they go?

21 A I have no idea how far back.

22 Q At the time that these vibrations occur, your
23 whole head, as far as you are concerned, seems to vibrate;
24 right?

25 A No.

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18a-1

1 Q Just this portion of your head? That is what?
2 About how much in diameter?

3 A Well, it doesn't have boundaries. It is
4 limitless. It is boundless. That is all I can say.

5 Q It is limitless and it is boundless?

6 A Yes. I mean, it doesn't have walls, you know.
7 It just keeps -- I can't explain it. It is
8 like a channel leading to the universe. It is just a
9 limitless amount of space, boundless.

10 Q I see.

11 And in connection with your testimony here in
12 court, what place do these vibrations play?

13 MR. BUGLIOSI: That assumes a fact not in evidence.

14 THE COURT: Sustained.

15 BY MR. KANAREK:

16 Q You have testified here in court for some days
17 now, Mrs. Kasabian?

18 A Quite a few days.

19 Q Right?

20 A Yes.

21 Q And has anything that you have related to us,
22 anything that you have told us, has anything that you told
23 us come by way of these vibrations?

24 A I don't quite understand what you mean.

25 Q Well, you used these vibrations because this
26 gives you some kind of a communication with people; right?

1 A Yes.

2 Q Now, when you were speaking with Mr. Bugliosi
3 over there at the Sybil Brand Institute, did you feel any
4 of these vibrations?

5 A Not that I can recall.

6 Q My question is: In connection with some of
7 the things that you have told us, is the source of
8 information part as a result of these vibrations you feel?

9 MR. BUGLIOSI: Ambiguous.

10 THE COURT: Sustained.

11 BY MR. KANAREK:

12 Q Have you used these vibrations to obtain any
13 of the information that you have told us here in court,
14 Mrs. Kasabian?

15 A Concerning the two nights or everything I have
16 talked about?

17 Q Concerning anything you have talked about.

18 A Did I use vibrations for what now?

19 I am still not quite sure what you are saying.

20 Q I am not saying. I am just asking.

21 A Asking, whatever.

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

23 THE COURT: Yes. Read the question.

24 (The question was read by the reporter.)

25 THE WITNESS: Yes.

26 MR. KANAREK: All right.

1 Q Would you tell us, Mrs. Kasabian, what you have
2 told us here in court that has been dependent upon these
3 vibrations as a source of information?

4 A A lot of it had to do with conversations about
5 my drug-taking, about my God realization, my ESP experience.

6 That is about all I can think of at the moment.

7 Q And what you have told us about your drug-
8 taking, would you tell us how this information came to you
9 by way of these vibrations?

10 MR. BUGLIOSI: Irrelevant, your Honor.

11 MR. KANAREK: It is most relevant.

12 MR. BUGLIOSI: It is beyond the scope of redirect
13 examination.

14 MR. KANAREK: It goes to the very fundamental
15 credibility of the witness.

16 THE COURT: Overruled.

17 You may answer.

18 THE WITNESS: What was the question?

19 MR. KANAREK: May the question be read?

20 THE COURT: Read the question.

21 (The question was read by the reporter.)

22 THE WITNESS: What I meant was that when I actually
23 took the drug itself, some of the things that came to me
24 came through vibrations.

25 MR. KANAREK: Well, tell us what, Mrs. Kasabian?

26 MR. STOVITZ: That is immaterial and irrelevant.

1 MR. KANAREK: It is most material.

2 THE COURT: Sustained.

3 MR. KANAREK: Your Honor, may I approach the bench
4 on this subject?

5 THE COURT: No.

6 Let's proceed, Mr. Kanarek.

7 BY MR. KANAREK:

8 Q Mrs. Kasabian, you have told us that pending
9 this trial you sat there at Sybil Brand and that vibrations--
10 you felt vibrations, you emanated them and you received
11 them while you were sitting there preparing to testify
12 in this trial; is that correct?

13 A Yes.

14 Q Is that correct?

15 A Yes.

16 18 b flg.

18B-1

1 Q All right.

2 So, in preparation to testify here and tell us
3 the things that you have told us from the witness stand,
4 Mrs. Kasabian, you prepared yourself by communicating with
5 the universe, the all universal universe, apart from your
6 physical body; is that correct?

7 A Yes.

8 MR. STOVITZ: Objected to as ambiguous and compound,
9 your Honor.

10 MR. HUGHES: She already answered, your Honor.

11 THE COURT: Sustained.

12 The answer will be stricken.

13 MR. KANAREK: Q Mrs. Kasabian, in preparation
14 to come here and testify, you felt vibrations from outside
15 your body in order to get certain information that you have
16 talked about here in court; is that correct?

17 A To get certain information?

18 Q Yes.

19 A No.

20 Q You don't understand the words "certain
21 information"?

22 MR. STOVITZ: No, she does understand the words.

23 She answered the question, your Honor. He is
24 arguing with the witness now.

25 MR. KANAREK: Q Do you understand the words
26 "certain information"?

18B2

1 A Yes.

2 Q All right.

3 Now, my question is: In your preparing to
4 come to court here to testify, have you received certain
5 information by way of vibrations from the universe outside
6 your physical body?

7 A Yes.

8 Q All right.

9 Tell us what information you received from the
10 universe outside your physical body that you have testified
11 to in this courtroom?

12 A That to be here now testifying is the will of
13 God.

14 Q Have you finished?

15 A Yes. That is the size of it.

16 Q That is the size of it, what you have just said?

17 A Yes.

18 Q Now, in connection with getting that information
19 from the outside universe, did you first send out
20 vibrations yourself to the universe?

21 A Yes.

22 MR. STOVITZ: Objected to, your Honor. It calls for
23 hearsay.

24 THE COURT: overruled.

25 You may answer.

26 THE WITNESS: Yes, I did.

MR. KANAREK: Pardon?

8B3

1 THE WITNESS: Yes, I did.

2 MR. KANAREK: May I have the last question and
3 answer read back?

4 THE COURT: The answer was "yes, I did."

5 MR. STOVITZ: "Did you send out certain communications"
6 was your question, Counsel.

7 MR. KANAREK: Q Mrs. Kasabian, would you state
8 for us what are the communications -- what are the
9 vibrations that you sent out?

10 A It is sort of like when you get down on your
11 knees and you pray. Then you wait for an answer.

12 That is how I can put it.

13 Q I see.

14 And so, a part of this process that you went
15 through prior to coming to court was to get down on your
16 hands and knees and pray; is that right?

17 A Not on my hands and knees, no.

18 Q Well, part of the process was your locating
19 your body in a certain manner to send out vibrations and
20 wait for the return, for return information to your
21 vibrations; is that correct?

22 A Right.

23 Q Would you tell us, what is the time interval
24 between the time you send out the vibrations and the time
25 you get some information back?

26 MR. STOVITZ: I object to the question as immaterial

18B4

1 and irrelevant, your Honor.

2 MR. KANAREK: I think it is most material. It goes
3 to the credibility of this witness.

4 THE COURT: The objection is sustained.

5 MR. KANAREK: Then may I approach the bench, your
6 Honor?

7 THE COURT: No, sir.

8 Let's proceed.

9 MR. KANAREK: Q Is there a time interval,
10 Mrs. Kasabian, between the time that you send out these
11 vibrations and the time that you get returned to you
12 information as a result of your sending out the vibrations?

13 MR. STOVITZ: Immaterial and irrelevant, your Honor.

14 THE COURT: Sustained.

15 MR. KANAREK: Your Honor, I would like to approach the
16 bench concerning this subject.

17 THE COURT: It is time to adjourn, Mr. Kanarek.

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

21 The Court will adjourn until 9:45.

22 MR. FITZGERALD: Your Honor, could I quickly approach
23 the bench on a non-related matter?

24 THE COURT: Yes.

25 (Mr. Fitzgerald alone approaches the bench and
26 confers with the Court.)

(Whereupon, at 4:14 p.m. the court was in recess.)