

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.

64

No. A253156

REPORTERS' DAILY TRANSCRIPT  
Thursday, August 20, 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.

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

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## I N D E X

PEOPLE'S WITNESSES:	DIRECT	CROSS	REDIRECT	RECROSS
DE ROSA, Jerry Joe	8400	8419F 8429S 8433H	8435	
(Reopened) . . . . .		8433F		
WHISENHUNT, William T.	8437	8458F 8464S 8473K		
BURBRIDGE, Robert E.	8478	8483F 8484S 8485K	8488	
KILGROW, Raymond H.	8490	8495F	8496	

## E X H I B I T S

PEOPLE'S:	FOR IDENTIFICATION	IN EVIDENCE
106 - Photograph of female Caucasian	8399	
107 - Photograph of male Caucasian	8399	
108 - Photograph of two suitcases	8400	
109 - Photograph of door	8407	
110 - Photograph of entranceway	8408	
111 - Photograph of front door	8409	
112 - Photograph of interior of Tate residence	8409	
113 - Photograph of interior of Tate residence	8409	

I N D E X (Continued)E X H I B I T S

<u>PEOPLE'S:</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
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114 - Photograph of split rail fence	8411	
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115 - Photograph of interior of Tate residence	8412	
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116 - Photograph of button next to stone	8417	
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117 - Photograph of female and male	8435	
--	------	--

118 - Photograph of portion of Tate residence	8442	
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119 - Photograph of hallway	8447	
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120 - One piece of gun grip	8480	
--------------------------------	------	--

121 - One piece of gun trip	8480	
--------------------------------	------	--

122 - Photograph of chair	8482	
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123 - Photograph of telephone wires	8492	
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DEFENDANTS':

K - Photograph of male Caucasian	8419	
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LOS ANGELES, CALIFORNIA, THURSDAY, AUGUST 20, 1970

2:08 P.M.

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(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. Bugliosi.

MR. KANAREK: May I have, as to this witness, the  
objections as to immateriality and irrelevancy?

THE COURT: Yes, you may.

MR. KANAREK: Thank you, your Honor.

MR. BUGLIOSI: Your Honor, I have here a photograph of  
a female Caucasian.

May it be marked People's next in order?  
People's 106?

THE COURT: 106 for identification.

MR. BUGLIOSI: I have another photograph, your Honor.  
A male Caucasian.

May it be marked as People's 107 for  
identification?

THE COURT: It will be so marked.

JERRY JOE DE ROSA,  
the witness on the stand at the time of the noon recess,  
resumed the stand and testified further as follows:

## DIRECT EXAMINATION (CONTINUED)

1 BY MR. BUGLIOSI:

2 Q Did you enter the living room of the Tate  
3 residence?

4 A Yes, I did.

5 Q What did you observe when you entered the  
6 living room?

7 A I observed suitcases blocking the doorway.

8 MR. BUGLIOSI: All right. Before you go any further.

9 I have a photograph here, your Honor, of two  
10 suitcases.

11 May it be marked People's 108 for  
12 identification?

13 THE COURT: It will be so marked.

14 Q BY MR. BUGLIOSI: Were there any things, or was  
15 there anything, near the suitcases?

16 A Yes, there was.

17 Q What was that?

18 A A pair of glasses.

19 Q I show you People's 108 for identification.

20 Do you know what is shown in that photograph?

21 A Yes.

22 Q These are the suitcases and the pair of glasses  
23 that were blocking the doorway.

24 (The photograph is shown to the Court.)

25 MR. BUGLIOSI: Q Is this photograph a fair and  
26

1081d

1 accurate representation of the way the suitcases and the  
2 glasses looked at the time you saw them?

3 A Yes, it is.

4 Q What is the next thing that you observed?

5 A I observed a male and a female Caucasian, bodies,  
6 in the living room.

11

11-1

1 Q Did they appear to be dead?

2 A Yes, they did.

3 Q I show you People's 87 for identification,  
4 do you know what is shown on that photograph?

5 A This is the female that was in the living  
6 room.

7 Q The one that appeared to be dead?

8 A The one that appeared to be dead, yes.

9 Q Is this photograph a fair and accurate repre-  
10 sentation of the way the female looked when you saw her  
11 dead in the living room?

12 A Yes, it is.

13 Q I show you People's 106 for identification,  
14 do you know what is shown in that photograph?

15 A Yes, this is the same female who appeared to  
16 be dead in the living room.

17 Q The same female as depicted in People's 87  
18 for identification?

19 A Yes.

20 Q Is People's 106 for identification a fair  
21 and accurate representation of the way the female looked?

22 A Yes, it is.

23 THE COURT: May I see that?

24 (Exhibit handed to the Court.)

25 BY MR. BUGLIOSI:

26 Q I show you People's 107 for identification,

1 do you know what is shown in that photograph?

2 A This is a picture of the male that was in the  
3 living room that appeared to be dead.

4 Q Is this a fair and accurate representation of  
5 the way the male looked?

6 A Yes.

7 Q Now, you will notice that People's 106, and  
8 87 and People's 107 all show a rope.

9 Did you see a rope at the scene?

10 A Yes, I did.

11 Q Was the rope attached or connected to the bodies  
12 of the female and male whom you found dead in the living  
13 room?

14 A Yes, it was.

15 Q In what fashion?

16 A It was around their necks, attached at one  
17 end to the female and the other end to the male.

18 Q The rope was around both of their necks?

19 A Yes, it was.

20 Q The same rope?

21 A Yes.

22 Q I direct your attention to People's 106 for  
23 identification -- 107 for identification, and, specifically,  
24 what appears to be a towel around the neck of the male.

25 Is that a towel?

26 A Yes, it is.

1 Q Was a towel around the male's neck or face  
2 when you arrived at the scene?

3 A Yes, it was at the time.

4 Q Covering his whole face?

5 A Yes, it was, yes.

6 THE COURT: May I see that?

7 (Exhibit handed to the Court.)

8 BY MR. BUGLIOSI:

9 Q I show you People's 14 for identification,  
10 do you know what is shown in that photograph, sir?

11 A This is a picture of the living room and the  
12 loft above the living room.

13 Q This is the living room in which you found the  
14 male and female lying dead on the floor, is that correct?

15 A That's correct.

16 Q Did you go up to the loft?

17 A Yes, I did.

18 Q Was there anything up there?

19 A There was nothing up there.

20 Q You did not recover anything from up there?

21 A Nothing at all.

22 Q Is this photograph, People's 14 for identifi-  
23 cation, a fair and accurate representation of the way the  
24 loft and ladder looked at the time you entered the  
25 residence for the first time?

26 A Yes, it is.

1 Q I take it you found blood in the vicinity of  
2 the male and female, is that correct?

3 A Yes.

4 Q Did you find blood anywhere else on the  
5 premises?

6 A There were traces of blood leading through a  
7 hallway and on the rear door of the master bedroom.

8 Q I show you People's 11 for identification,  
9 do you know what is shown in that photograph?

10 A This is the master bedroom of the house and  
11 this depicts the rear door to the bedroom with the blood  
12 on the door.

13 The door was open as shown in the picture,  
14 when I arrived.

15 Q This door that is shown in this photograph,  
16 is this the door that leads to the swimming pool of the  
17 Tate residence?

18 A Yes, it is.

19 Q The back door of the master bedroom?

20 A Yes.

21 Q Sharon Tate's bedroom?

22 A Yes.

23 MR. FITZGERALD: Objected to, your Honor, it calls  
24 for a conclusion.

25 MR. BUGLIOSI: It has already been identified as  
26 Sharon Tate's bedroom.

1 MR. FITZGERALD: Well, then, don't ask this witness  
2 that question.  
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12 fls.

12-1

1 Q Now, the blood that you are referring to on the  
2 door, is that around the door knob, in that general  
3 vicinity?

4 A Yes, it is.

5 MR. BUGLIOSI: I have here another photograph, your  
6 Honor, depicting the bottom of the door with some blood  
7 spatterings.

8 May it be marked People's next in order?

9 THE COURT: 109 for identification.

10 MR. STOVITZ: Is that a small photograph,  
11 Mr. Bugliosi?

12 MR. BUGLIOSI: Pardon me?

13 MR. STOVITZ: Is that a small photograph?

14 MR. BUGLIOSI: Yes.

15 Q I show you People's Exhibit 109 for  
16 identification.

17 Do you know what is shown in that photograph?

18 A This is the doorway, the front doorway, of the  
19 Tate house, with blood on the threshold and the area around  
20 the threshold.

21 Q Is this a fair and accurate representation of  
22 the way it looked when you arrived on the scene?

23 A Yes, it is.

24 Q Going back to People's 11 for identification,  
25 is this a fair and accurate representation of the way the  
26 bedroom and door looked with the exception of the fact that

2-2

1 the door was open?

2 A That is correct, yes.

3 Q Otherwise it looks the way it looked when you  
4 arrived at the scene; is that correct?

5 A Yes, that is correct.

6 MR. BUGLIOSI: I have here, your Honor, another  
7 photograph. It looks like it is the entranceway of the  
8 Tate residence.

9 May it be marked People's 110 for identifi-  
10 cation?

11 THE COURT: It will be so marked.

12 MR. BUGLIOSI: Q I show you People's 110 for  
13 identification.

14 Do you know what is shown in that photograph?

15 A Yes.

16 This is the entrance to the Tate house.  
17 There is a flagstone entry walkway. It has blood on the  
18 brick around the walkway.

19 Q Is that a fair and accurate representation of  
20 the way it looked when you arrived?

21 A Yes, it is.

22 Q Incidentally, was there any light on in front of  
23 the Tate residence when you arrived?

24 A There was a porch light on, yes.

25 Q Where was the porch light in relation to the  
26 front of the house?

1 A By the front door.

2 MR. BUGLIOSI: I have another photograph, your Honor,  
3 showing the front door of the Tate residence.

4 May it be marked People's 111 for  
5 identification?

6 THE COURT: It will be so marked.

7 MR. BUGLIOSI: Q I show you People's 111 for  
8 identification.

9 Do you know what is shown in that photograph?

10 A Yes.

11 The front door of the Tate house with the front  
12 porch light on in the front, and the front area of the  
13 house.

14 Q You say the light is on in the photograph?

15 A Yes.

16 Q Is this the way it looked when you arrived at  
17 the scene?

18 A Yes, it is.

19 MR. BUGLIOSI: I have another photograph here, your  
20 Honor, showing the interior portion of the residence.

21 May it be marked as People's 112 for  
22 identification?

23 THE COURT: It will be so marked, People's 112.

24 MR. BUGLIOSI: Q I show you People's 112 for  
25 identification.

26 Do you know what is shown in that photograph?

NDX

??

1           A     This is the dining room as it is seen off the  
2 entry hall of the Tate residence.

3           Q     Is that a fair and accurate representation of  
4 the way it looked when you arrived at the scene?

5           A     Yes, it is.

6           MR. BUGLIOSI: I have here, your Honor, another  
7 photograph depicting the interior of the residence; again,  
8 a different portion of the residence.

9                     May it be marked People's 113 for identifi-  
10 cation?

11           THE COURT: It will be so marked.

12           MR. BUGLIOSI: Q     I show you People's 113 for  
13 identification.

14                     What is shown in that photograph?

15           A     This is the loft above -- or in the living  
16 room above where the male and female bodies were in the  
17 living room.

12a-1

1 Q Does that photograph show the way it looked  
2 when you arrived at the scene?

3 A Yes, it does.

4 Q In addition to the light near the entranceway  
5 of the Tate residence, did you observe any other lights  
6 on at the premises?

7 A There was some Christmas lights on a split  
8 rail fence.

9 Q Were they on?

10 A Yes, they were.

11 MR. BUGLIOSI: Your Honor, I have here a photograph  
12 showing a split rail fence.

13 May it be marked as People's 114 for  
14 identification?

15 THE COURT: It will be so marked.

F 114 Id

16 BY MR. BUGLIOSI:

17 Q I show you People's 114 for identification.  
18 Do you know what is shown in that photograph?

19 A Yes.

20 This is the split rail fence around the front  
21 of the Tate house that has Christmas lights attached to  
22 the fence.

23 Q Now, you can't determine from this photograph  
24 whether the lights are on at the time these photographs  
25 were taken, can you?

26 A No, I cannot.

12a-2

1 Q But you say that when you arrived at the  
2 scene the Christmas lights were on?

3 A Yes, they were.

4 Q And they were intertwined on the split rail  
5 fence; is that correct?

6 A That is correct.

7 MR. BUGLIOSI: I have another photograph here  
8 showing a portion of the outside of the Tate residence,  
9 your Honor.

10 May it be marked People's 115 for identification?

11 THE COURT: It will be so marked.

12 BY MR. BUGLIOSI:

13 Q I show you People's 115 for identification.

14 Do you know what is shown in that photograph?

15 A This is the rear door of the master bedroom  
16 of the Tate house.

17 Q The rear door that is shown, the inside of the  
18 rear door that is shown in People's 11 for identification?

19 A Yes.

20 This would be the outside of that door.

21 Q Looking at the door from what direction?

22 A This would be from the caretaker's house in

23 a --

24 (Pause.)

25 Q Well, looking from the caretaker's house  
26 toward the Tate residence?

12a-3

1 A Yes.

2 Q You notice that there is a light on on the  
3 outside of the front door. Was that light on when you  
4 arrived at the premises?

5 A Yes, it was.

6 Q I take it that you entered the master bedroom;  
7 is that correct?

8 A That is correct.

9 Q Did you notice any telephone in the bedroom?

10 A Yes, there was a telephone.

11 Q Where was it located?

12 A It was by the bed on a night stand.

13 Q Was there more than one telephone?

14 A Not in the bedroom.

15 Q Was the receiver on the hook in the master  
16 bedroom?

17 A Yes, it was.

18 Q Did you eventually exit the Tate residence?

19 A Yes.

20 Q Did you then proceed to the caretaker's house  
21 in the rear?

22 A Yes.

23 Q What happened when you got back there, if  
24 anything?

25 A Officer Whisenhunt went to the rear of the  
26 caretaker's house and walked towards -- up the front

1 walk.

2 As I approached the front door of the care-  
3 taker's home, I observed a male Caucasian sitting in the  
4 living room on a couch.

5 Q What is the next thing that happened?

6 A I placed this male Caucasian under arrest.

7 Q Is that William Garretson?

8 A Yes, it is.

9 Q Did you place him under arrest for suspicion  
10 of murder?

11 A Yes.

12 Q Were there any dogs in the vicinity of the  
13 caretaker's house?

14 A Yes, there was.

15 Q Did they bark as you approached?

16 A Yes, they did.

17 Q Showing you People's 23 for identification.

18 Do you know what is shown in that photograph?

19 A Yes.

20 This is the living room area of the caretaker's  
21 home.

22 Q Directing your attention to something blue,  
23 a blue shirt or a blue towel, or something on a sofa.

24 Where was Mr. Garretson in relation to that  
25 blue item?

26 A He was sitting right on that item.

1 Q At the time that you placed him under arrest?

2 A Yes.

3 Q I show you People's 20 for identification.  
4 Do you know what is shown in that photograph?

5 A This is the walkway that would be in front of  
6 the caretaker's house, the patio area.

7 Q Is that the way it looked when you arrived at  
8 the scene?

9 A Yes, it is.

10 Q I show you People's 21 for identification.  
11 Do you know what is shown in that photograph?

12 A Yes. This is the couch that Mr. Garretson was  
13 sitting on in the living room.

14 Q Is that the way it looked when you arrived at  
15 the scene?

16 A Yes, it is.

17 Q I show you People's 22 for identification.  
18 Do you know what is shown in that photograph?

19 A This is also the living room of the caretaker's  
20 house.

21 Q And is that the way it looked when you arrived  
22 at the scene?

23 A Yes.

13 fls.

1           Q     You indicated that when you arrived at the  
2 scene you met Winifred Chapman and some young lad?

3           A     That's correct.

4           Q     That eventually you saw Mr. Garretson and  
5 placed him under arrest?

6           A     That's correct.

7           Q     In addition to the young lad and Mrs. Chapman  
8 and Garretson did you find any other persons alive on the  
9 premises?

10          A     None.

11          Q     After you placed Mr. Garretson under arrest did  
12 you transport him anywhere?

13          A     Yes, I did.

14          Q     Where did you take him?

15          A     I took him to West Los Angeles Police Station.

16          Q     You took him into custody?

17          A     Yes, I did.

18          Q     As you were leaving the premises you had to  
19 approach the gate, is that correct?

20          A     That's correct.

21          Q     Was the gate closed as you approached it?

22          A     The gate is closed; it closes automatically.

23          Q     Did you somehow open the gate?

24          A     I activated a button on the inside of the gate  
25 to open the gate.

26               MR. BUGLIOSI: Your Honor, I have here a photograph

43-2

1 showing a button next to some stone. May it be marked  
2 people's next in order, people's 116 for identification?

3 THE COURT: It will be so marked.

4 Q BY MR. BUGLIOSI: I show you people's 116 for  
5 identification, sir, do you know what is shown in that  
6 photograph?

7 A Yes, this is the button that I activated to  
8 open the gate as we were leaving.

9 Q Now, this button is inside the front gate?

10 A That's correct.

11 Q This is not the button you used when you first  
12 entered the gate?

13 A No, it is not.

14 Q You will notice that there appears to be blood  
15 around the button, is that correct?

16 A That is correct.

17 Q Was there blood around the button when you  
18 pressed the button?

19 A Yes, there was.

20 Q Did you put your finger on that button?

21 A Yes, I did.

22 Q What time was that?

23 A This would be approximately 9:45.

24 Q You are familiar with the fingerprint man from  
25 the Scientific Investigation Division of the Los Angeles  
26 Police Department?

13-3

1 A Yes, I am.

2 Q Did they eventually arrive at the scene?

3 A They did.

4 Q Did they arrive at the scene after or before

5 you put your finger on that button?

6 A After I put my finger on that button.

7 Q What time did they arrive, about?

8 A It was approximately 10:00 o'clock, I believe.

9 Q Before they arrived, in addition to yourself

10 did you observe anyone else put their finger on that button?

11 A Yes, I did.

12 Q Who was that?

13 A Officer Whisenhunt, Officer Burbridge.

14 Q All right, anyone else?

15 A The button had to be activated to get out of

16 the gate, so anybody that was going in or out of the gate

17 or leaving the Tate residence would have to activate the

18 button to get out.

19 Q Assuming they went through the gate.

20 A Assuming they went through the gate, yes.

21 Q You transported Garretson down to the police

22 station, is that right?

23 A That's correct.

24 Q To your knowledge, sir, were you the first

25 officer that arrived at the scene?

26 A Yes, I was.

MR. BUGLIOSI: No further questions, your Honor.

13A

13a-1

1 THE COURT: Cross-examination, Mr. Fitzgerald?

2 MR. FITZGERALD: Thank you, your Honor.

3  
4 CROSS-EXAMINATION

5 BY MR. FITZGERALD:

6 I have a photograph of a male Caucasian, may  
7 it be marked Defendants' next in order, K?

8 THE COURT: K for identification.

9 MR. FITZGERALD: May I approach the witness?

10 THE COURT: Yes, you may.

11 BY MR. FITZGERALD:

12 Q Directing your attention to a photograph,  
13 do you recognize who is depicted in that photograph?

14 A Yes, I do.

15 Q Is that William Garretson?

16 A Yes, it is.

17 Q Is that the man you placed under arrest at  
18 the Tate residence on the morning of August 9th?

19 A Yes, it is.

20 Q Would you describe the circumstances of his  
21 arrest?

22 A I approached the door, observed the defendant  
23 sitting on the couch, told him to freeze, that he was under  
24 arrest.

25 The defendant stood up from the couch.

26 MR. BUGLIOSI: When you say "defendant," just for

Ds' K Id.

1 clarification of the record, whom are you referring to?

2 THE WITNESS: To Garretson.

3 MR. BUGLIOSI: In your mind he is a defendant?

4 THE WITNESS: At that time he was, yes.

5 MR. BUGLIOSI: He was a suspect?

6 THE WITNESS: He was a suspect.

7 MR. BUGLIOSI: I'm sorry.

8 MR. FITZGERALD: That's all right.

9 Q You may continue.

10 A The suspect stood up and I gained entry into  
11 the house.

12 Q How did you gain entry?

13 A Forced the door.

14 Q Was there some reason for that?

15 A I had no idea if the suspect had any weapons  
16 close to his possession; to protect myself and my brother  
17 officers.

18 Q And when you say "forced entry," what do you  
19 mean?

20 A I kicked the door in.

21 Q Then what happened?

22 A I put my handcuffs on the suspect and escorted  
23 him out.

24 Q Was the suspect Mr. Garretson dressed in the  
25 same fashion as is depicted in the photograph Defendants' K  
26 for identification?

1 A Yes.

2 Q In other words, he wasn't wearing his shirt?

3 A That is correct.

4 Q Did he fall or stumble to the floor at any time?

5 A He may have, I don't recall if he did or did not.

6 Q Did you direct him to lay on the ground outside?

7 A I directed him, yes, to lay on the ground,  
8 yes.

9 Q And did he do so?

10 A Yes.

11 Q Did you help him to the ground?

12 A No, he went down on his own.

13 Q You did not throw him to the ground or any-  
14 thing?

15 A No.

16 Q Did you or one of the officers in your presence  
17 get bitten by a dog as you entered the guest house?

18 A No officer got bitten by a dog.

19 Q Was there some contact between yourself or  
20 some officer who was present and a dog who also was  
21 present?

22 A None that I can recall, no.

23 Q Do you recall whether the lights inside the  
24 residence were on or off?

25 A Which residence?

26 Q Is there more than one residence?

1 A There is the caretaker's house and the Tate  
2 residence.

3 Q The Tate residence?

4 A There are two residences.

5 Q Is that a term of yours, "the Tate residence"?

6 A Yes.

7 Q And what do you call the other residence?

8 A The caretaker's residence.

9 Q Pardon me?

10 A The caretaker's residence.

11 Q The caretaker's residence?

12 Were there any lights on inside the Tate  
13 residence?

14 A I don't recall any lights being on.

15 Q After you investigated the scene did you have  
16 occasion to prepare a police report in connection with  
17 your observations?

18 A I made an arrest report, yes.

19 Q And the arrest report of Mr. Garretson, is  
20 that right?

21 A That is correct.

22 Q Did you prepare some other form of report wherein  
23 you placed the location of the bodies and the other things  
24 you have testified to?

25 A No, I did not.

13b-1

1 Q Were you interviewed by some other representa-  
2 tive of the Los Angeles Police Department in connection  
3 with your observations at the main residence, the Tate  
4 residence, on Saturday morning, August 9th?

5 A Yes, I was.

6 Q Do you recall when you were interviewed and by  
7 whom?

8 A I was interviewed by the West Los Angeles  
9 detectives, I think it was that day or the following day,  
10 I don't recall which positively.

11 Q Were there more than one interviewing officers?

12 A Yes, I believe there was, yes.

13 Q Did you tell them that you could not remember  
14 whether the -- strike that.

15 Did you tell them that you could not recall  
16 whether the Christmas lights were on or off, and I am  
17 referring to the Christmas lights near the split rail fence.

18 A As I recall I told them the lights were on.

19 Q Anywhere in or about the Tate residence did  
20 you see the imprint of what appeared to be the heel of a  
21 shoe in blood?

22 A I don't recall that, no.

23 Q Was there some reason why you placed your  
24 finger on the bloody button that operated the gate?

25 A So that I could go through the gate.

26 Q And was that intentionally done?

1 A I had to to get out of there.

2 Q You could not get over the embankment, I  
3 take it?

4 A No.

5 Q Now, you recall that the phone in the master  
6 bedroom was on the hook?

7 A That's correct.

8 Q Do you recall the telephone number by any  
9 chance?

10 A No, I do not.

11 Q Was there a record player, a stereo or a  
12 radio, playing within the Tate residence at the time you  
13 entered?

14 A No.

15 Q In your mind were the trunks, the steamer  
16 trunks, in an unusual or peculiar location?

17 MR. BUELIOSI: Calls for a conclusion and is also  
18 irrelevant.

19 THE COURT: Well, it calls for a conclusion.  
20 Sustained.

21 BY MR. FITZGERALD:

22 Q When you first saw the steamer trunks, did  
23 they appear to contain some address on the top of them --  
24 strike that.

25 As far as you are concerned, is there a top  
26 of a trunk and a bottom of a trunk?

1 A Yes, there is.

2 Q Were the trunks on their bottom when you first  
3 saw them?

4 A One of them was laying flat. The other one  
5 was lying propped on the top of the other.

6 Q Were both trunks closed?

7 A Yes, they were.

8 Q And did the trunk that was sitting on top of  
9 the trunk that was on its bottom, did that have blood on  
10 it or appear to have a red substance that resembled blood?

11 A I don't recall whether there was blood on  
12 there or not.

13 Q Did you remove any item of physical evidence  
14 from the Tate residence?

15 A None at all.

16 Q Did you remove the eyeglasses you have previously  
17 identified?

18 A No.

19 Q What if anything did you do in connection with  
20 those eyeglasses?

21 A The scene was protected by Officer Burbridge  
22 until the detectives and fingerprint people arrived.

23 Q And the eyeglasses were lying right next to  
24 one of the trunks, were they not?

25 A That is correct.

26 Q In plain view?

1 A Yes.

2 Q At the time you saw those eyeglasses they were  
3 not under any piece of furniture, were they?

4 A That is correct.

5 Q When you approached the Ambassador automobile,  
6 were the headlights to that vehicle on?

14 fls. 7 A They were off.

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1 Q Are you sure of that?

2 A That is correct.

3 Q Did you look into the interior of the car?

4 A Yes, I did.

5 Q Did you determine whether or not there was an

6 automatic or a standard transmission in the automobile?

7 A I believe it had a floor console with an

8 automatic, I believe. I am not sure.

9 Q Do you recall the location of the shift

10 selector?

11 For example, was it in Drive? Was it in Park?

12 Was it in First? Was it in Second?

13 A It was in a vertical position. I don't know

14 whether it was in Drive, Park, or whatever.

15 Q Was the ignition to the Ambassador automobile

16 on?

17 A It was off.

18 Q Are you sure of that?

19 A Yes.

20 Q Did you look at it?

21 A Yes, I did.

22 Q Did you touch the ignition key?

23 A No, I did not.

24 Q Let me ask you this: Was there an ignition

25 key?

26 A Yes, there was.

Q Did you touch the dashboard of the automobile

12-2

1 at any point in time?

2 A No.

3 Q On August the 9th, 1969, your assignment was  
4 what?

5 A Police officer for the City of Los Angeles,  
6 assigned to West L.A.

7 Q Were you a traffic officer or a burglary  
8 officer, or what?

9 A Patrol.

10 Q A patrol officer?

11 A Yes.

12 Q You were not an experienced homicide investi-  
13 gator, is that correct?

14 A Yes, that is correct.

15 Q Is it fair to say that you viewed your function  
16 as one of simply protecting the scene until more expert  
17 police officers could arrive?

18 A That is correct.

19 Q And you wanted to protect physical items of  
20 evidence so that they wouldn't be removed or tampered with;  
21 is that correct?

22 A That is correct.

23 MR. FITZGERALD: That concludes my examination, your  
24 Honor.

25 THE COURT: Mr. Shinn, any questions?

26 MR. SHINN: Yes, your Honor.

## CROSS-EXAMINATION

1  
2 BY MR. SHINN:

3 Q Officer, how long did you stay at this  
4 residence? The approximate time.

5 A Approximately 35, 40 minutes.

6 Q And all during this time, did you take a look  
7 around the premises?

8 A Yes.

9 Q Did you find anything unusual?

10 MR. STOVITZ: Besides the dead bodies?

11 MR. SHINN: Besides the dead bodies.

12 Q Let me ask you first: Did you inspect the  
13 premises from the outside?

14 A Yes. You mean the outside of the home?

15 Q Yes.

16 A Yes.

17 Q Did you walk around the house?

18 A Yes.

19 Q And you did not find anything unusual?

20 A I didn't go completely around the house.  
21 I was in the front part of the house mostly.

22 Q Did you, at any time, go halfway around the  
23 house or three-fourths of the way around the house?

24 A My partners were around the side and back.

25 Q And do you think that your fellow officers made  
26 a complete circle around the house?

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MR. BUGLIOSI: That calls for a conclusion.

2

MR. SHINN: I am asking if he knows.

3

THE COURT: Sustained.

4

Reframes the question.

5

MR. SHINN: Yes, your Honor.

6

Q Did these fellow officers tell you that they did go completely around the house?

8

MR. BUGLIOSI: Well, your Honor, that is irrelevant.

9

The officers are here and they will be taking the witness stand. I think they should testify as to what they did rather than asking him.

12

MR. SHINN: I just asked the witness whether his fellow officers told him.

13

14

MR. BUGLIOSI: It is irrelevant and calls for hearsay.

15

THE COURT: Sustained.

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1 BY MR. SHINN:

2 Q Did you see them go around the house then,  
3 any portion of the house?

4 A Yes, I saw them go around the house.

5 Q Which way? To the back where the swimming  
6 pool is?

7 A From the front door around to the rear of  
8 the house, around by the pool area.

9 I was by the pool area myself.

10 Q Did they indicate to you that they found some-  
11 thing unusual when they walked around the house?

12 MR. BUGLIOSI: Again, your Honor --

13 MR. STOVITZ: Calling for hearsay.

14 THE COURT: Sustained.

15 BY MR. SHINN:

16 Q Did they point out anything to you unusual?  
17 Physical, I mean.

18 A Other than the bodies, not that I recall.

19 MR. SHINN: Q Now, during your stay at this  
20 residence, did you take notes as to various items and  
21 where various things are located?

22 A No, I did not.

23 Q You didn't take any notes at all?

24 A No.

25 Q Then your testimony today is from your memory?

26 A That is correct.

1 Q And did you have a discussion regarding your  
2 testimony with other fellow officers or the District  
3 Attorney before coming to court today?

4 A Yes, I had.

5 Q Who did you have a conversation with?

6 A With Mr. Bugliosi and Officer Whisenhunt and  
7 Officer Burbridge.

8 Q You did talk to Mr. Bugliosi?

9 A Yes, I did.

10 Q When was this?

11 A This was this morning at approximately 9:00  
12 o'clock.

13 Q Did they show you these pictures that he  
14 showed you this afternoon?

15 A Yes, he did.

16 Q Was that the first time you saw these pictures?

17 A Yes.

18 Q And did you study these pictures?

19 A Yes, I did.

20 Q Did you or your fellow officers find anything  
21 unusual in that house besides the bodies?

22 A Not that I recall.

23 MR. SHINN: I have nothing further, your Honor.

24 THE COURT: Mr. Kanarek?

25 MR. KANAREK: No questions, your Honor.

26 THE COURT: Mr. Hughes?

1 MR. HUGHES: Yes, sir.

2 CROSS-EXAMINATION

3 BY MR. HUGHES:

4 Q Officer DeRosa, how many flag poles did you  
5 see up there at the Tate house?

6 MR. STOVITZ: I object to this.

7 We offered a stipulation which counsel  
8 accepted that this was not offered as to his client.

9 If he wants to withdraw from that stipulation,  
10 I have no objection to his cross-examining.

11 MR. HUGHES: Okay. I will withdraw my questions.

12 THE COURT: Very well.

13 Any redirect?

14 MR. FITZGERALD: I would ask leave of the Court  
15 to reopen cross-examination very briefly.

16 THE COURT: Very well.

17 CROSS-EXAMINATION (Reopened)

18 BY MR. FITZGERALD:

19 Q Officer, did you see any flag poles in the  
20 vicinity of the Tate residence or the caretaker's residence?

21 A I don't recall any flag poles.

22 Q Or on the grounds generally?

23 A There may have been. I don't recall it.

24 MR. FITZGERALD: May I again approach the witness?

THE COURT: Yes.

BY MR. FITZGERALD:

Q I have an exhibit that has heretofore been marked for identification as Defendants' A. It appears to be a black box with some marking on the box.

Would you examine that, please?

(Pause while the witness examines.)

Q Did you see anything that resembled that box within the Tate residence in plain view at the time you investigated the scene?

A I don't recall seeing this in the Tate residence.

There were a number of things in the house.

Q There were a number of items, or what we could probably describe as personal belongings?

A Yes.

Q It appeared to you as though people were living at the location?

A That is correct.

MR. FITZGERALD: I have nothing further. Thank you, your Honor.

THE COURT: Anything further, gentlemen?

MR. SHINN: Nothing further.

MR. KANAREK: No questions.

MR. HUGHES: No.

THE COURT: Any redirect?

MR. BUGLIOSI: Just a couple.

REDIRECT EXAMINATION

1 BY MR. BUGLIOSI:

2 Q Did you alter anything at the scene? Did you  
3 change the position of anything?

4 A No, I did not.

5 MR. BUGLIOSI: Your Honor, I have here another  
6 photograph depicting a female and male Caucasian lying on  
7 the living room floor.

8 May it be marked People's, I think it is 117 for  
9 identification?

10 THE COURT: It will be so marked.

11 MR. BUGLIOSI: Q I show you People's 117 for  
12 identification.

13 Do you know what is depicted in that  
14 photograph, sir?

15 A This is the male and female that were in the  
16 living room of the Tate residence.

17 Q Is that a fair and accurate representation of  
18 the way they looked when you arrived?

19 A Yes, it is.

20 Q Does this depict the rope around Sharon Tate's  
21 neck connected with Jay Sebring's neck?

22 A Yes, it does.

23 Q Is that the way it looked when you arrived?

24 A Yes.

25 MR. BUGLIOSI: No further questions.  
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THE COURT: Any examination?

MR. KANAREK: No questions.

THE COURT: Any questions, Mr. Fitzgerald?

MR. FITZGERALD: Nothing further, Your Honor.

THE COURT: You may step down, sir.

MR. BUGLIOSI: Officer Whisenhunt.

THE CLERK: Raise your right hand, please.

Would you please repeat after me.

I do solemnly swear --

THE WITNESS: I do solemnly swear --

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

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

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

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

THE CLERK: -- before this Court --

THE WITNESS: -- before this Court --

THE CLERK: -- shall be the truth --

THE WITNESS: -- shall be the truth --

THE CLERK: -- the whole truth --

THE WITNESS: -- the whole truth --

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

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

THE CLERK: -- so help me God.

THE WITNESS: -- so help me God.

THE CLERK: Would you be seated.

MR. KANAREK: Your Honor, may I have the same -- I am

44B3

1 sorry.

2 THE COURT: Just a moment.

3 THE CLERK: Would you please state and spell your  
4 name for the record.

5 THE WITNESS: William T. Whisenhunt;  
6 W-h-i-s-e-n-h-u-n-t.

7  
8 WILLIAM T. WHISENHUNT,  
9 called as a witness by and on behalf of the People, being  
10 first duly sworn, was examined and testified as follows:

11  
12 DIRECT EXAMINATION

13 BY MR. BUGLIOSI:

14 Q What is your occupation?

15 MR. KANAREK: Your Honor, may I have the same  
16 objection on immateriality and relevancy?

17 THE COURT: Very well.

18 MR. KANAREK: Thank you, Your Honor.

19 Q Your occupation, sir?

20 A Police officer for the City of Los Angeles.

21 Q Your assignment?

22 A Assigned to the Questioned Document Section of  
23 the Scientific Investigation Division.

24 Q What was your assignment in August of '69?

25 A I was, at that time, assigned to West  
26 Los Angeles Patrol Division.

4B4

1 Q On the date of August the 9th, 1969, did you  
2 proceed to the address 10050 Cielo Drive in the City of  
3 Los Angeles?

4 A Yes.

5 Q About what time did you arrive there?

6 A Approximately 9:15 to 9:20 in the morning.

7 Q What was the purpose of your going there, sir,  
8 on that date and time?

9 A I was responding to a call to back up another  
10 unit at the scene of a possible homicide.

11 Q You arrived there by yourself?

12 A I did.

13 Q What did you observe when you first arrived?

14 A I observed Officer De Rosa already at the  
15 scene standing in the roadway.

16 Q The officer that just left the witness stand?

17 A I believe so.

18 Q What is the next thing that you did?

19 A He informed me that he had a possible dead  
20 body in a vehicle just inside a fenced yard.

21 Q Did you then enter the gate of the Tate residence?

22 A I did.

23 Q Did you approach the aforementioned vehicle?

24 A I did.

25 Q I show you People's 6 for identification.

26 Is that the vehicle that you have been referring

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to in your testimony?

1 A Yes.

2 Q Did you look inside the vehicle?

3 A Yes, I did.

4 Q What did you observe?

5 A I observed a male Caucasian slumped down in the  
6 seat. He appeared to be dead.

7 Q Was the engine to the vehicle on?

8 A No.

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1 Q Were the lights on?

2 A No.

3 Q Did you look at the ignition key?

4 A As I recall, the ignition was in a vertical  
5 position.

6 Q Was there a gear selector?

7 A Yes.

8 Q What position was that in?

9 A It was a console type gear selector and, as  
10 I recall, it was in a vertical position, straight up and  
11 down.

12 MR. BUGLIOSI: May I have just a moment, your Honor?

13 (Pause while Mr. Bugliosi and Mr. Stovitz  
14 confer.)

15 BY MR. BUGLIOSI:

16 Q I show you People's 42 for identification.

17 Do you know what is shown in that photograph,  
18 sir?

19 A Do I know what is shown in that photograph?

20 Q Yes.

21 What is depicted in that photograph?

22 A A vehicle with an open door and the body of a  
23 male Caucasian slumped down in the front seat.

24 Q Was this the person about whom you have been  
25 referring in your testimony being behind the driver's  
26 seat?

1 A Yes.

2 Q And he appeared to be dead?

3 A Yes.

4 Q Is that a fair and accurate representation of  
5 the way he looked when you arrived?

6 A With the exception of the door being closed  
7 when I arrived, yes.

8 Q Now it is open?

9 A Yes.

10 Q Did you proceed in the direction of the Tate  
11 residence?

12 A Yes, I did.

13 Q Did you enter the residence?

14 A Yes, I did.

15 Q How did you enter?

16 A I entered by a side window through a vacant  
17 bedroom.

18 Q Before you entered, did you notice whether or  
19 not the front door to the Tate residence was open or  
20 closed?

21 A The door was open.

22 Q Was there any reason why you entered through  
23 a window if the door was open?

24 A Yes.

25 Q What is that?

26 A The entranceway to the residence was covered

1 with blood, and the possibility that there might still be  
2 suspects inside, I elected to enter through the side  
3 window along with Officer Burbridge.

4 MR. BUGLIOSI: Your Honor, I have here another  
5 photograph depicting a portion of the Tate residence.

6 May it be marked People's 118 for identification?

P 118 Id.

7 THE COURT: It will be so marked.

8 BY MR. BUGLIOSI:

9 Q I show you People's 118 for identification.  
10 Do you know what is depicted in that photograph,  
11 sir?

12 A Yes. This is the side of the house with the  
13 open window through which I entered.

14 Q Then you entered the interior of the Tate  
15 residence; is that correct?

16 A Yes.

17 Q You observed the male and female dead on the  
18 living room floor, sir; is that correct?

19 A Yes.

20 Q I show you People's 12 for identification.  
21 Do you know what is shown in that photograph?

22 A Yes. This is a bedroom at the back portion  
23 of the residence.

24 Q Is this the one leading to the swimming pool?

25 A Yes. The door leads from this bedroom to  
26 the swimming pool.

15 fls.

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1 Q I show you People 's 13 for identification, do  
2 you know what is on that photograph?

3 A Yes.

4 Q What is that?

5 A This is a photograph of another bedroom that is  
6 directly off the hallway as you enter from the living room.

7 Q How many bedrooms did you notice in the Tate  
8 residence?

9 A Three.

10 Q One is the one depicted in People 's 12 and the  
11 other one is the one depicted in People 's 13?

12 A Yes.

13 Q Do you know where the third bedroom was?

14 A That was -- I believe it was the bedroom through  
15 which, through the window through which I entered originally  
16 into the residence.

17 Q Did you see any furniture in that room?

18 A No, it was being painted.

19 Q Did you observe many of the windows of the  
20 Tate residence?

21 A Yes, I did.

22 Q Did you observe anything unusual about any of the  
23 screens to the windows?

24 A Yes.

25 Q What window?

26 A The front window of the Tate residence, when

15-2

1 I first approached, I observed that the screen was off,  
2 laying in front of the window.

3 The window was partially opened and the screen  
4 had a slash, a horizontal slash along the bottom part of  
5 it.

6 Q I show you People's 4 for identification, do  
7 you see the window and the screen in that photograph?

8 A Yes, I do.

9 Q Was that the center portion to the far right?

10 A Yes, it is.

11 Q The center, far right?

12 A Yes, it is.

13 Q To the right of the front door?

14 A That's correct.

15 Q Is this a fair and accurate representation of  
16 the way the window and the screen looked when you  
17 arrived at the scene?

18 A Yes, it is.

19 Q I show you People's 26 for identification, do  
20 you know what is shown on that photograph?

21 A Yes, it is a close-up of the window and the  
22 screen sitting on the ground, leaning up against the house.

23 Q Is it a fair and accurate representation of the  
24 way it looked when you arrived?

25 A Yes, it is.

26 Q Do you recall where on the screen the slash was,

.5-3

1 sir?

2 A Yes, as I recall and as previously testified to,  
3 the slash was on the bottom portion of the screen.

4 Q You say "previously testified to" -- before the  
5 Grand Jury?

6 A No, sir, here just about 15 seconds ago.

7 MR. BUGLIOSI: Oh, I'm sorry.

8 Q Could you indicate with this red pencil here,  
9 sir, where the cut was on that screen?

10 (Witness complies.)

11 A As I recall, it was this way.

12 MR. STOVITZ: You will have to keep your voice up,  
13 sir.

14 Q BY MR. BUGLIOSI: You say it was running  
15 horizontally?

16 A That is correct.

17 Q Near the bottom of the screen?

18 A Yes.

19 Q As depicted by this red line?

20 A Yes.

21 MR. BUGLIOSI: Your Honor, may I mark that "slit  
22 in screen"?

23 THE COURT: Yes.

24 We will take our recess, Mr. Bugliosi, at this  
25 point.

26 Ladies and gentlemen, do not converse with anyone

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1 nor form or express an opinion regarding the case until it  
2 is finally submitted to you.

3 The Court will recess for 15 minutes.

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

3 You may continue, Mr. Bugliosi.

4 Q BY MR. BUGLIOSI: Directing your attention to  
5 the television set depicted in People's 11 for identification  
6 in the master bedroom, was that on or off when you arrived?

7 A At the time I arrived it was off.

8 Q Is there a hallway to the Tate residence, sir?

9 A Once you are inside the Tate residence there is a  
10 hallway inside, yes.

11 MR. BUGLIOSI: I have a photograph here, your Honor,  
12 may it be marked as People's 119?

13 THE COURT: People's 119 for identification.

14 Q BY MR. BUGLIOSI: I show you People's 119 for  
15 identification, do you know what is shown on that photograph?

16 A Yes, this is the hallway.

17 Q Does this hallway lead directly to the pool  
18 area?

19 A Yes, it does.

20 Q Through the master bedroom?

21 A Yes.

22 Q Did you ascertain whether there was any stereo  
23 set inside the Tate residence?

24 A Yes, there is.

25 Q Where was it located?

26 A Just inside the hallway to the left of the

1 cabinet.

2 Q Was it on or off when you arrived?

3 A It was off.

4 Q You exited the Tate residence?

5 A Yes.

6 Q Proceeded to the caretaker's house?

7 A That's correct.

8 Q What happened as you approached the caretaker's  
9 house?

10 A I heard dogs barking.

11 Q Were any of the dogs outside the caretaker's  
12 house?

13 A No.

14 Q Did any of them come outside?

15 A After I heard the dogs bark I went around to  
16 the front and I heard some scuffling motion and I  
17 approached the glass door.

18 Q Go ahead.

19 A The officers had a suspect inside the house.  
20 I opened the glass doors and a dog charged me  
21 from within.

16-1

1 Q You had a scuffle with him then?

2 A Well, he bit the end of my shotgun, and I  
3 closed the door on his -- closed the door, and he caught  
4 his head in it.

5 Then I --

6 Q His head just happened to get caught there?

7 A That is correct, Counsel.

8 At that point I directed the individual inside  
9 to remove his dog, and he did so.

10 And then he came out and was handcuffed by  
11 Officer DeRosa.

12 Q As you were approaching the caretaker's house,  
13 did you hear any noise coming from within the caretaker's  
14 house?

15 A Yes.

16 At the time that the dogs barked, when I  
17 walked to the back door, I heard a noise from within the  
18 residence say, "Shhh, be quiet."

19 Q Did you accompany Officer DeRosa in taking  
20 Garretson down to the Police Station?

21 A Yes, I did.

22 Q Did you return to the Tate residence a few  
23 days later?

24 A Yes.

25 Q Do you know when it was, approximately?

26 A I returned that day, the next day and the day

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1 after, for a period of three days.

2 Q Did you ever participate in any type of an  
3 experiment at the scene of the Tate residence involving the  
4 firing of a .22 caliber revolver?

5 MR. KANAREK: May we approach the bench, your Honor,  
6 on this kind of an interrogation?

7 THE COURT: That question calls for a yes or no  
8 answer.

9 MR. KANAREK: I think it is immaterial. There is  
10 no foundation. Certainly there is no foundation.

11 THE COURT: No.

12 That question can be answered yes or no.

13 You may answer. Do you have the question in  
14 mind?

15 THE WITNESS: Yes, your Honor.

16 The answer is yes.

17 BY MR. BUGLIOSI:

18 Q When did this experiment take place?

19 A Sometime within the first three days. Approxi-  
20 mately the 11th, I believe.

21 Q August the 11th?

22 A Yes.

23 Q '69?

24 A Yes.

25 Q What part did you play in the experiment?

26 MR. KANAREK: I object, your Honor, on the grounds

1 that it is calling for a conclusion. No foundation.

2 MR. STOVITZ: I submit, your Honor, in order to lay  
3 a foundation we have to go step by step.

4 We can't lay a foundation from the universe.  
5 We have to go by the witnesses step by step. Counsel well  
6 knows this.

7 MR. KANAREK: There is no showing, your Honor, of  
8 any materiality and --

9 THE COURT: All right. Let's approach the bench,  
10 gentlemen, and talk about it.

11 (Whereupon all counsel approach the bench and  
12 the following proceedings occur at the bench outside of  
13 the hearing of the jury:)

14 MR. KANAREK: Your Honor, because of the fact --

15 MR. FITZGERALD: Can we have an offer of proof,  
16 your Honor?

17 THE COURT: What do you expect to show?

18 MR. BUGLIOSI: The offer of proof, your Honor, is  
19 that his participation in the experiment was that he went  
20 to the caretaker's house, he entered the caretaker's house,  
21 turned the Hi Fidelity or stereo up to volume four.

22 In fact, I am going to have to ask him what  
23 the stereo was at when he arrived on the day of -- on  
24 August the 9th.

25 Anyway, he arrives a couple of days later and  
26 turns the stereo up to volume four, and he is fairly close

1 to the stereo set, and they fire a .22 caliber revolver  
2 from outside the Tate residence, and he could not hear  
3 the shots being fired.  
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1 The only relevance, of course, is that the  
2 defense may very well argue, well, Garretson is probably  
3 involved and certainly he must have heard those shots, and  
4 he is lying on the witness stand.

5 Now, if they can assure me and Mr. Stovitz  
6 that they will not raise any issue whatsoever as to  
7 Garretson's complicity in these murders --

8 MR. KANAREK: Keep your voice down.

9 MR. BUGLIOSI: I am sorry.

10 If they can assure me that they will not,  
11 then this testimony wouldn't be relevant.

12 Actually, we have a right to put it on anyway  
13 because the jury may be thinking about it.

14 But our position is that the defense is going to  
15 try to put the hat on every breathing body they can find.

16 I would like to have him testify that he was  
17 next to the stereo, that it was on No. 4, and that he  
18 couldn't hear anything, he couldn't hear the shots.

19 THE COURT: Did Garretson testify to that? I don't  
20 recall.

21 MR. BUGLIOSI: He testified that the stereo was on  
22 through the night. He didn't testify it was at No. 4.

23 But I was going to have him testify --

24 THE COURT: He didn't testify that he was right next  
25 to it all the time, did he?

26 MR. BUGLIOSI: Most of the time he said he was close

16a2

1 to it.

2 On the main diagram, I think it shows he was  
3 about seven or eight feet away from it.

4 I brought that out when Garretson was on the  
5 stand that the stereo was on most of the night.  
6 After parent left he turned it on, and it was on most of the  
7 night, maybe all the night, and he was very close to it.

8 So, your Honor, I am just putting this on to  
9 show that even if the shots were fired, with the volume at  
10 number 4, you can't hear the shots for some reason. I  
11 don't know whether it was the acoustics or what.

12 MR. KANAREK: May I respond, your Honor?

13 THE COURT: Yes.

14 MR. KANAREK: Obviously, I am sure your Honor -- I  
15 hope your Honor will agree with me -- before this kind of  
16 an experiment could be made, you have to show that the  
17 weapon, the alleged weapon that was used, had some kind of  
18 similarity to the weapon he used in the experiment.

19 They can't show that foundation at this time.

20 The prejudicial effect of it far outweighs any  
21 probative value.

22 They decide to pick a .22. There are literally  
23 -- there are many, perhaps thousands, of types of weapons  
24 involved.

16F

16b-1

1 THE COURT: I assume that the People are going to  
2 put on some evidence that a .22 was, in fact, used.

3 MR. BUGLIOSI: Yes.

4 MR. STOVITZ: How can you say there is a prejudicial  
5 effect to this kind of proof?

6 You keep using those words without knowing  
7 what you are talking about.

8 MR. KANAREK: May I refer to Witkins? They can't  
9 just go and perform an experiment with a gun and have this  
10 witness testify as to his conclusions.

11 His ears may be different, your Honor, than  
12 Mr. Garretson's ears.

13 Your Honor would not even allow us to have  
14 Linda Kasabian attempt to read lips when she testified  
15 she read lips.

16 And here we are dealing with inputs that are  
17 not shown to be anything here or have anything whatsoever  
18 to do with what actually occurred.

19 Your Honor, it is conjecture, it is not rele-  
20 vant, it is not material. It opens up all kinds of avenues  
21 of prejudice for them to just say he just shot a .22.

22 MR. SHINN: Your Honor, I am inclined to agree with  
23 Mr. Kanarek, because of the fact that Mr. Garretson isn't  
24 even a defendant in this case.

25 Why should we allow this type of evidence in?

26 MR. BUGLIOSI: Because I have good reason to believe

1 that the defendants are going to try to put the hat on  
2 many other people rather than the defendants.

3 MR. SHINN: Put the hat?

4 MR. BUGLIOSI: Put the hat on other people means  
5 pointing the finger at some other people.

6 MR. FITZGERALD: Prove.

7 MR. BUGLIOSI: All right. You might prove other  
8 people committed the murder.

9 MR. KANAREK: It is incompetent, your Honor. Just  
10 because the prosecution wants to prove something doesn't  
11 mean they have a right or the legal power to do such a  
12 thing without showing that this is equivalent to what  
13 occurred.

14 THE COURT: Just a moment.

15 Now, gentlemen, if we are going to have a  
16 bench conference, there is no point in just Mr. Kanarek  
17 and the Court talking.

18 MR. BUGLIOSI: I am sorry.

19 MR. FITZGERALD: Yes, sir.

20 THE COURT: I am not satisfied yet that the conditions  
21 are the same.

22 I would want to review Mr. Garretson's testimony  
23 as to where he was at that time.

24 MR. BUGLIOSI: The diagram shows it, your Honor.  
25 The large diagram. It has X's on it.

26 Is that here? Do you have the diagram?

1 THE COURT: That is not what I mean.

2 I want to read his testimony as to where he  
3 was at different times, how much time he spent in one  
4 place and the other.

5 MR. BUGLIOSI: All right.

6 My recollection is that almost the whole night  
7 he was seated on the couch, and we drew an X to show where  
8 he was.

9 THE COURT: Then there is the other question of  
10 whether or not the gun and the ammunition used in the  
11 experiment were similar to the gun and the ammunition  
12 fired by whoever shot Mr. Parent.

13 MR. BUGLIOSI: Okay. I will pass it for now.

14 MR. FITZGERALD: Also, the official reports of the  
15 Los Angeles Police Department indicate that they didn't  
16 believe Garretson, and the reports of their tests were  
17 that they could hear.

18 MR. BUGLIOSI: Really?

19 MR. FITZGERALD: Yes.

20 MR. BUGLIOSI: Do you have it?

21 MR. FITZGERALD: Yes.

22 MR. BUGLIOSI: I don't have it and I asked for the  
23 reports about five months ago.

17 fls.

16B-1

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

3 Q BY MR. BUGLIOSI: Was there a stereo or hi-  
4 fidelity set inside Mr. Garretson's house there?

5 A Yes.

6 Q Did you examine the set?

7 A Yes.

8 Q Did it have a volume control?

9 A Yes, it did.

10 Q The volume control was broken down to numbers?

11 A Yes.

12 Q What number was it at, as you recall?

13 A As I recall it was at number 4.

14 MR. BUGLIOSI: No further questions, your Honor.

15 THE COURT: Mr. Fitzgerald.

16  
17 CROSS-EXAMINATION

18 BY MR. FITZGERALD:

19 Q Did someone refresh your memory as to the  
20 numerical setting on the stereo?

21 MR. BUGLIOSI: Is that a question, Counsel?

22 Q BY MR. FITZGERALD: Did somebody refresh your  
23 memory as to the numerical setting on the stereo?

24 A No.

25 Q You have a very good memory for numbers?

26 A At the time the ballistics tests were taken the

16B2

1 officers at the scene were questioned as to what the  
2 setting on the stereo was.

3 Q When was that?

4 MR. KANAREK: May that last about the ballistics and  
5 all of that be stricken on the grounds of no foundation?

6 THE COURT: There was no testimony other than the  
7 bare statement.

8 The witness is attempting to answer the  
9 question.

10 MR. KANAREK: He was asking about numbers, your Honor,  
11 and this witness volunteered about ballistics.

12 I would ask your Honor to strike that and  
13 admonish the jury not to consider it for any purpose.

14 THE COURT: There is nothing to consider. He did not  
15 say anything. He merely referred to it in answering the  
16 question of Mr. Fitzgerald.

17 Let's proceed, gentlemen.

18 Q BY MR. FITZGERALD: Did you write that down  
19 some place?

20 A No, I did not.

21 Q You just carried it with you in your head?

22 A Yes.

23 Q Five or six or eight or nine months, right?

24 A Yes.

25 Q Was there a telephone in that guest house?

26 A Yes, there was, as I recall it.

JB4

1 Q What was the phone number?

2 A I don't know.

3 Q Did you look at it?

4 A No, I did not.

5 Q How many windows were there at the guest house?

6 A As I recall, the front of the guest house was  
7 almost one continuous glass frontage, broken down into  
8 smaller windows.

9 There's quite a few.

10 Q Were they open or closed?

11 A It depends, some of them were open, some of  
12 them are built in framework, they are not open.

13 Q Let's take them one at a time, and numerically  
14 you can designate them as we will go from 1 through how many  
15 windows there are, and we will determine which ones of them  
16 were open, right?

17 MR. BUGLIOSI: I object on the ground of  
18 immateriality, your Honor.

19 THE COURT: Overruled.

20 THE WITNESS: Which end of the house would you like  
21 to start at?

22 Q BY MR. FITZGERALD: That is up to you, whichever  
23 is more convenient to you.

24 A Okay, if you start at the bedroom where  
25 Garretson is, there is a French door type that opens away  
26 from the wall and it closes, and, as I recall, there are a

.6B4

1 number of panes within this one.

2 It is then next to a frame type work of  
3 windows that extends to another door next to that one.

4 There is then a wall, as I recall, there is a  
5 window in the bathroom.

6 That wall extends out to the porch area, as you  
7 get into the porch area there is another glass door that  
8 opens.

9 Attached to that is another framework of glass  
10 windows going to the corner.

11 There is then an extension of the house that  
12 goes out away from the porch.

13 As I recall, there is a window on that extension  
14 that goes toward the back of the house. At the back of the  
15 house there is a door and another window.

16 The back of the house then comes up to -- it  
17 comes through to a storage room and, as I recall, there is  
18 either one or two windows in the storage room that lead to  
19 a back door and continue around that side until you get  
20 past the back door, where there is a service porch entrance  
21 that has a door on it.

22 As I recall, that is about all the windows.

23 Q Now, how many of those windows were open?

24 A At the time that I got there? At what point,  
25 Counsel? I don't understand your question.

26 Q At any time you were there --

1                   Were the windows in different conditions the  
2 first time you were there from the last time you were there?

3           A       I was there for approximately a three or four-  
4 day period, Counsel, I don't understand which time you are  
5 referring to.

6                   Do you mean upon my initial approach to the  
7 house?

8           Q       Was there any difference in the condition of the  
9 windows from the first time you were in there until the  
10 last time you were there?

11          A       Some I had opened after I had arrived.

12          Q       Was there some reason for that?

13          A       Yes, because they were all closed and it was  
14 hot inside.

15          Q       When was that?

16          A       That was the latter part of the first day, of  
17 the 9th of August.

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17A

17a-1

1 Q What was the condition of the windows on  
2 Sunday?

3 A I am not sure what the dates were in relation  
4 to the day of the week.

5 Q Did you make your report?

6 A No, I did not.

7 Q You testified the ignition of the Ambassador  
8 was in a vertical position, right?

9 A As best I can recall that is what it was.

10 Q What does that mean?

11 A As I recall the key was straight up and down.

12 Q Does that mean the ignition was on, off or  
13 whatever?

14 A I don't know.

15 Q Did you check to see if the ignition was on?

16 A No, I did not.

17 Q What year Ambassador was that?

18 A It was a white, I believe, a '65-'66,  
19 somewhere in that vintage.

20 Q And when you say "vertical," you mean straight  
21 up and down?

22 A Yes, sir.

23 Q Neither to the left nor to the right?

24 A No.

25 MR. FITZGERALD: I have nothing further.

26 THE COURT: Any questions, Mr. Shinn?

17a-2

1 MR. SHINN: Yes, your Honor.

2 CROSS-EXAMINATION

3 BY MR. SHINN:

4 Q Officer, you stated that you entered the  
5 residence through a window?  
6

7 A Yes.

8 Q This is the Tate residence?

9 A Yes, sir.

10 Q And this window was in the back --  
11 Was it at the back of the residence?

12 A Well, it depends.

13 If you face the front door it would be on the  
14 side, but at the side I approached it it was at the back,  
15 so facing the front of the house, to clarify it, facing  
16 the front of the house it would be the window on the  
17 right side entering the end of the house.

18 Q Was the front door open at that time?

19 A Yes.

20 Q And was the back door open?

21 A I don't recall the back door being open.

22 Q Did you see this front door was open before  
23 you entered the window?

24 A Yes.

25 Q Was there any reason for not going through  
26 the front door?

17a-3

1 A Yes.

2 Q And did you see this other window when the  
3 screen was down?

4 A Yes.

5 Q Now, you saw that before you entered the  
6 rear window?

7 A That is correct.

8 Q And that window was open with the screen off?

9 A Yes.

10 Q Was there any reason why you did not go into  
11 that window?

12 A Yes, there is.

13 Q Now, did you arrive at the same time with  
14 Officer DeRosa?

15 A No.

16 Q Did you arrive before or after Officer DeRosa?

17 A After.

18 Q And do you know approximately how much later  
19 you arrived at the scene?

20 A After DeRosa did?

21 Q Yes.

22 A I do not.

23 Q Was it about a half hour later?

24 A I don't know.

25 Q Approximately what time did you arrive at  
26 the residence?

1 A Approximately 9:15 or 9:20 in the morning.

2 Q Did you have any conversation with Officer  
3 DeRosa when you arrived there?

4 A Yes, I did.

5 Q Now, these pictures you identified today,  
6 did you see these pictures before?

7 A Yes.

8 Q When was that?

9 A I saw them in Mr. Bugliosi's office today.

10 Q Today?

11 A Yes.

12 Q Now, after the last time you left the residence,  
13 that was back in August, correct?

14 A Yes.

15 Q Have you been back to that residence at any  
16 time before coming to court today?

17 A Since the last time I left in August? No.

18 MR. SHINN: Your Honor, may I approach the witness,  
19 your Honor?

20 THE COURT: Yes.

21 MR. SHINN: Thank you.

22 BY MR. SHINN:

23 Q Referring to People's 26, I believe you  
24 stated that this was the window on the side, is that  
25 correct?

26 A This is the front of the house as you look

1 towards the main entrance or the front door, this window  
2 is directly to the right.

3 Q Looking at the picture, there is no indication  
4 where the front is or where the back of the house is?

5 A That is correct, you cannot tell that from this  
6 picture unless you remember.

7 Q Did someone tell you this was the window on  
8 the side of the house?

9 A That is not the window on the side of the house,  
10 that is the window in the front of the house.

11 Q Did someone tell you that is a picture of a  
12 window in front of the house, or by looking at that picture  
13 could you tell it was a window in front of the house?

14 A I knew because I could remember from before.

15 Q Is there any indication on the photograph that  
16 indicates to you it is a front window?

17 A No.

18 Q There is no front door on that picture, is  
19 there?

20 A No.

21 Q In other words, you just guessed this was the  
22 window in the front?

23 MR. STOVITZ: That is argumentative, your Honor, when  
24 he says "just guessed," the witness was where?

25 THE COURT: Sustained.  
26

1 BY MR. SHINN:

2 Q Do you know who took this picture?

3 A No, I do not.

4 Q You were not present when they took this  
5 picture?

6 A I was present when pictures were taken. I  
7 don't know if I was present when this particular picture  
8 was taken.

9 Q Did you make a search of the house?

10 A Yes, I did.

11 Q A thorough search?

12 A I like to think so.

13 Q Did you find anything?

14 MR. STOVITZ: Besides the bodies, Counsel?

15 BY MR. SHINN:

16 Q Besides the bodies, did you find anything unusual?

17 A Unusual?

18 Q Yes.

19 A Is that what you said?

20 Q Yes.

21 A The type of things you would find I imagine  
22 inside anybody's house with the exception of a few items.

23 Q You don't recall finding anything unusual,  
24 like a gun?

25 A Yes, I found a gun in the house.

26 Q Which gun is that, Officer?

1           A       Well, it was an award that was given to a  
2 producer by, I believe, the cast that was involved in  
the filming of a movie.

17b fls.

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1 Q That gun belonged to the people that lived  
2 there, correct?

3 A That is what I was told, yes.

4 Q Anything else you found that was unusual?

5 A I don't know exactly what you mean, Counsel.

6 Q Well, anything that is in evidence or --

7 MR. STOVITZ: He doesn't know what is in evidence.

8 It calls for a conclusion.

9 MR. BUGLIOSI: That is too broad a question, your  
10 Honor.

11 THE COURT: Sustained.

12 (Off the record discussion between Mr.  
13 Fitzgerald and Mr. Shinn.)

14 Q BY MR. SHINN: Officer, you said, among other  
15 things you found a gun and some other few exceptions, right?

16 A Yes.

17 Q What are those exceptions?

18 MR. BUGLIOSI: Exceptions, your Honor? Ambiguous.

19 MR. SHINN: The officer testified he found a gun and  
20 other exceptional things, your Honor.

21 THE COURT: "Other exceptional things"?

22 MR. SHINN: Yes.

23 MR. FITZGERALD: "With a few minor exceptions, things  
24 we find in anybody's house."

25 THE WITNESS: That's correct.

26 MR. BUGLIOSI: I object on the ground it calls for a

182

1 conclusion, your Honor.

2 MR. SHINN: I am only asking what he found.

3 THE COURT: He can testify to what he meant by what  
4 he said.

5 MR. SHINN: Yes, your Honor.

6 THE COURT: Overruled, you may answer.

7 THE WITNESS: Well, with the exception to the gun  
8 that was found in the Tate residence, during a search of  
9 Garretson's residence, which is the caretaker's house in the  
10 back, we turned up a few so-called sticks of marijuana.

11 And that was the exception I was referring to.

12 Other than that, most of the things that were  
13 there you would find in anybody's house.

14 Q BY MR. SHINN: Did you see a video tape?

15 A A video tape of what?

16 Q Some tape, video tape.

17 Do you have it around here?

18 A I don't know what you are referring to, Counsel.

19 MR. SHINN: May I approach the witness, your Honor?

20 THE COURT: Yes.

21 Q BY MR. SHINN: I am referring to Defendants' A,  
22 did you see that box before at the residence?

23 A No.

24 Q Or a box similar to that at the residence?

25 A No, not that I recall.

26 Q Officer, you stated that you made a thorough

17B3

1 search, is that correct?

2 A Yes.

3 Q And your fellow officers made a thorough search,  
4 is that correct?

5 MR. STOVITZ: That calls for a conclusion of this  
6 witness, your Honor, as to what somebody else did.

7 THE COURT: Sustained.

8 Q BY MR. SHINN: Did you see your fellow officers  
9 searching around the house?

10 A Yes.

11 Q And everything you testified to you found  
12 except other things that you did not mention?

13 MR. STOVITZ: That is objected to an unintelligible,  
14 your Honor.

15 THE COURT: Sustained.

16 MR. SHINN: I will reframe the question, your Honor.

17 Q BY MR. SHINN: Did you find a knife in this  
18 house?

19 A No, I did not -- well, let me strike that.

20 I observed numerous knives in the house.

21 Q Well, did you see any one searching the sofa  
22 or a chair?

23 A No, I wasn't in the front room portion.

24 Q Did you, yourself, search the sofa or the  
25 chair?

26 A No, I did not.

/B4

1 Q Did you see a bloody knife in the sink?

2 MR. STOVITZ: That assumes a fact not in evidence,  
3 that there was a bloody knife in the sink.

4 THE COURT: Overruled.

5 MR. STOVITZ: That assumes a fact not in evidence,  
6 that there was a bloody knife in the sink.

7 THE COURT: Overruled, you may answer.

8 THE WITNESS: No.

9 MR. SHINN: I have no further questions, your Honor.

10 THE COURT: Mr. Kanarek, any questions?

11 MR. KANAREK: Yes, your Honor.

12  
13 CROSS-EXAMINATION

14 BY MR. KANAREK:

15 Q Officer --

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

17 THE COURT: Yes.

18 Q BY MR. KANAREK: Referring to People's Exhibit  
19 26, Officer, I show you this window. That was the front of  
20 the house?

21 A Yes.

22 Q And is there any reason you did not go through  
23 that window?

24 A Certainly.

25 Q What was the reason you did not go through the  
26 window?

A Because I observed the screen had been split.

5  
L7B5Q

1 Not wanting to make a frontal entrance into a  
2 residence where there might be armed suspects inside,  
3 for my own personal safety I elected to take a less  
4 obvious direction into the residence, thereby going through  
5 a side window where I could protect myself.

6 Q Your state of mind was such that, based upon  
7 the information that you had had concerning possible  
8 homicides, and looking at that screen and that open window,  
9 was your state of mind such that you felt that the indivi-  
10 dual or individuals responsible entered through that window?

11 MR. STOVITZ: objected to, your Honor, ambiguous,  
12 compound, unintelligible.

13 The state of mind of this witness is immaterial.

14 THE COURT: Sustained.

15 Q BY MR. KANAREK: Well, Officer, as a police  
16 officer you have been trained in connection with the  
17 investigation of crime, is that correct?

18 A Yes.

19 Q Well, based upon your experience, Officer,  
20 would you tell us, looking at this picture, is it your  
21 opinion that -- and looking at the entire scene that you  
22 had there in front of you -- is it your opinion that the  
23 people who participated in this homicide entered through  
24 that window?

25 MR. STOVITZ: That is objected to as calling for  
26 expert opinion, your Honor, conjecture and speculation.

1 MR. KANAREK: Is counsel saying this police officer  
2 is not an expert?

3 THE COURT: Objection sustained.

4 MR. STOVITZ: Would your Honor please direct  
5 Mr. Kanarek and Mr. Fitzgerald to address the Court rather  
6 than counsel.

7 THE COURT: Let's proceed, gentlemen.

8 MR. KANAREK: I don't believe I addressed Mr. Stovitz.

9 THE COURT: You appeared to be.

10 MR. KANAREK: I was looking in that direction, but I  
11 was not addressing him.

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1 Q Then, Officer, directing your attention to  
2 this picture, was it your state of mind that you wished  
3 to preserve this evidence as one of the reasons why you  
4 didn't enter through the window?

5 MR. STOVITZ: Immaterial, your Honor.

6 MR. KANAREK: This man is making --

7 THE COURT: Overruled, you may answer.

8 THE WITNESS: Yes.

9 BY MR. KANAREK:

10 Q That was one of your reasons, right?

11 A Yes.

12 Q And your state of mind was such that you felt  
13 that what we see in this picture was evidence that should  
14 not be disturbed, is that correct?

15 A That is correct.

16 MR. KANAREK: Thank you, your Honor.

17 THE COURT: Mr. Hughes?

18 MR. HUGHES: I believe, your Honor, that since --  
19 because of the stipulation I am not supposed to ask  
20 questions.

21 However, I would ask in regard to that, your  
22 Honor, that during the Tate homicide, and witnesses that  
23 pertain only to that, that Miss Van Houten and my presence  
24 not be required in the courtroom.

25 THE COURT: Well, I cannot agree with that, sir.

26 MR. STOVITZ: May we call our next witness, your

17c-2

1 Honor?

2 THE COURT: Any redirect examination?

3 MR. STOVITZ: No, your Honor.

4 THE COURT: You may step down, sir.

5 THE WITNESS: Thank you, your Honor.

6 THE COURT: Call your next witness.

7 MR. BUGLIOSI: Call Mr. Burbridge.

8 THE CLERK: Would you raise your right hand, sir.

9 Would you please repeat after me:

10 I do solemnly swear --

11 THE WITNESS: I do solemnly swear --

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

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

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

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

16 THE CLERK: -- before this court --

17 THE WITNESS: -- before this court --

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

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

20 THE CLERK: -- the whole truth --

21 THE WITNESS: -- the whole truth --

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

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

24 THE CLERK: -- so help me God.

25 THE WITNESS: -- so help me God.

26 THE CLERK: Would you be seated, please.

1                   Would you please state and spell your name  
2 for the record.

3           THE WITNESS: Robert E. Burbridge, B-u-r-b-r-i-d-g-e.

4           THE COURT: I did not get the spelling.

5           THE WITNESS: B-u-r-b-r-i-d-g-e.

6  
7                   ROBERT E. BURBRIDGE,  
8 a witness called by and on behalf of the People, having  
9 been first duly sworn, was examined and testified as  
10 follows:

11  
12                   DIRECT EXAMINATION

13           BY MR. BUGLIOSI:

14           Q       What is your occupation and assignment, sir?

15           A       Police Officer, City of Los Angeles, assigned  
16 to the Metropolitan Division.

17           Q       On the date of August 9, 1969, did you proceed  
18 to the address at 10050 Cielo Drive, Los Angeles?

19           A       Yes, sir.

20           Q       You were working out of the West Los Angeles  
21 Division?

22           A       Yes, sir.

23           Q       What time did you arrive approximately?

24           A       Approximately ten minutes to 9:00.

25           Q       Did you go there by yourself?

26           A       Yes, sir.

1 Q Did you enter the Polanski residence or the  
2 Tate residence?

3 A Yes, sir.

4 Q You entered with Officer Whisenhunt?

5 A Yes, sir.

6 Q Through a window?

7 A Yes, sir.

8 Q Is that the window shown in People's 118 for  
9 identification?

10 A Yes, sir.

11 Q Did you notice whether there were any outside  
12 lights on at the Tate residence?

13 A Yes, sir, there were.

14 Q What lights were they?

15 A There were some outdoor floodlights, and some  
16 Christmas tree lights all along a fence.

17 Q Outdoor floodlights you mean in front of the  
18 residence?

19 A There was one overlooking the pool and there  
20 is one in the front, possibly a porch light.

21 Q You mean near the front door of the Tate  
22 residence?

23 A Yes, sir.

24 Q And the other one was by the back door?

25 A Yes, the back door.

26 Q Facing the pool?

1 A Facing the pool.

2 Q Towards the caretaker's place?

3 A That's correct.

4 Q I show you People's 114 for identification,  
5 do you know what is shown in that photograph?

6 A This photo depicts the Christmas tree lights  
7 along the fence.

8 Q Can you determine whether those lights were on  
9 in the photograph?

10 A No, I cannot.

11 Q Were they definitely on when you arrived there?

12 A Yes, sir.

13 Q You entered the Tate residence, is that correct?

14 A Yes, sir.

15 MR. BUGLIOSI: Your Honor, I have here two pieces of  
16 a gun grip, broken, may they collectively be marked  
17 People's next in order -- is that 120?

18 P 120 Id. THE COURT: They will be so marked.

19 MR. BUGLIOSI: Two pieces collectively -- strike that,  
20 strike that.

21 Let me mark one piece People's 120 and the other  
22 People's 121 for identification.

23 BY MR. BUGLIOSI:

24 Q I show you People's 120 and 121 for identifica-  
25 tion. Have you ever seen those two pieces of gun grips  
26 before?

1 MR. KANAREK: Your Honor, I don't mind counsel's  
2 alluding --

3 THE COURT: Sustained. You are characterizing the  
4 object before it has been identified, Mr. Bugliosi.

5 BY MR. BUGLIOSI:

6 Q Have you ever seen those two pieces of wood  
7 before -- I am assuming they are wood, now, they might  
8 not be.

9 A Yes, sir, they look like the same pieces that  
10 were in the living room of the Tate residence.

11 Q You saw these two pieces of, let's call it,  
12 wood, on the floor of the Tate residence?

13 A Yes, sir.

14 Q Where on the floor?

15 A Just as you come in the front door there is  
16 a slight entrance hall; it was on the carpeting just to  
17 the left as you walk through the front door on the  
18 carpeting.

17d fls.

17D-1

1 MR. BUGLIOSI: Your Honor, I have here another  
2 photograph, depicting a chair with two -- what appears to  
3 be the same two pieces of wood beneath the chair.

4 May it be marked People's 122 for identifi-  
5 cation?

6 THE COURT: It will be so marked.

7 Q BY MR. BUGLIOSI: I show you People's 122 for  
8 identification.

9 Do you know what is shown in that photograph?

10 A Yes, it's the two pieces of wood.

11 Q People's 120 and 121?

12 A Yes, sir.

13 Q They are shown in People's 122 for  
14 identification?

15 A Yes, sir.

16 Q You will notice that in this photograph these  
17 two pieces of wood appear to be beneath a chair, is that  
18 correct?

19 A That is correct.

20 Q Were they beneath a chair when you first  
21 arrived?

22 A No, sir, they must have been moved or kicked  
23 to that location.

24 Q You don't know how they got there?

25 A I have no idea.

26 Q Did you see any other piece of wood besides

122

D2

1 these in the inside of the residence on the floor?

2 A No, not that I can remember.

3 Q No other small pieces of wood --

4 A No, not that I remember.

5 Q -- resembling those two pieces?

6 A No, sir.

7 Q Were you present when Officer DeRosa and  
8 Officer Whisenhunt took Mr. Garretson off the premises  
9 and transported him to the police station?

10 A Yes, sir.

11 Q Did you remain on the premises?

12 A Yes, sir.

13 Q Why did you remain?

14 A To preserve the crime scene.

15 Q Did you alter anything at all at the crime  
16 scene?

17 A Did I alter anything?

18 Q Did you change anything, move anything  
19 around?

20 A Nothing.

21 MR. BUGLIOSI: No further questions.

22 THE COURT: Cross-examination.

23  
24 CROSS-EXAMINATION

25 BY MR. FITZGERALD:

26 Q Did you kick those pieces of wood items,

17D3

1 Exhibits 120 and 121, under the pieces of furniture?

2 A No, sir.

3 Q Did you place them there in any respect?

4 A No, sir.

5 Q When you found them they were where you said  
6 they were, right?

7 A Yes, sir.

8 MR. FITZGERALD: Nothing further.

9 THE COURT: Mr. Shinn?

10  
11 CROSS-EXAMINATION

12 BY MR. SHINN:

13 Q Officer, when you found these pieces, was  
14 anyone else present at that time, any other officers?

15 A I believe Officer Whisenhunt was with me.

16 Q How about Officer De Rosa, was he present?

17 A No, sir.

18 Q You found these pieces the first day you  
19 arrived there?

20 A Yes, sir, as we were going through the house I  
21 saw it laying right by the door as I went into the living  
22 room.

23 Q And did you call it to the attention of the other  
24 officer?

25 A Officer De Rosa or Officer Whisenhunt?

26 Q Whisenhunt.

A Whisenhunt? I don't believe so. I cannot

17D4

1 recall.

2 MR. SHINN: Nothing further, your Honor.

3 THE COURT: Mr. Kanarek.

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

5 THE COURT: You may.

6  
7 CROSS-EXAMINATION

8 BY MR. KANAREK:

9 Q Officer, directing your attention to these two  
10 pieces of wood --

11 MR. STOVITZ: There are actually three, so don't  
12 lose the small one, Counsel.

13 MR. KANAREK: Very well, Counsel.

14 Q BY MR. KANAREK: Directing your attention to  
15 these three pieces of wood, is it a fair statement, Officer,  
16 that you do not know the history of -- let me withdraw that.

17 You tell us that these three pieces appear to be  
18 the pieces that are underneath, that are here in the picture,  
19 right?

20 MR. STOVITZ: That is not the witness' testimony,  
21 Counsel, he said two pieces.

22 MR. FITZGERALD: If you would direct Mr. Stovitz to  
23 properly object.

24 MR. STOVITZ: I object, your Honor, counsel is  
25 attempting to mislead this witness.

26 THE COURT: Overruled.

1 Mr. Stovitz, I admonish you, sir, as I  
2 admonished you in the past, you know better than what you  
3 are doing now.

4 Let Mr. Kanarek conduct his cross-examination.

5 Mr. Kanarek, put the question directly to the  
6 witness; there was nothing improper about the question.  
7 The witness is perfectly capable of answering a question.

8 THE WITNESS: Would you repeat the question, sir?

9 MR. KANAREK: Yes, Officer.

10 Q BY MR. KANAREK: You tell us that when you came to  
11 the Tate residence you saw certain items on the floor,  
12 certain pieces of wood, is that correct?

13 A Yes, sir.  
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1 Q Now, you tell us also that these two pieces,  
2 or these pieces of wood, whichever way you want to  
3 denominate it, appear to be the same as the ones you saw  
4 when you went to the Tate residence; is that correct?

5 A Yes, sir.

6 Q You have no way of knowing whether, in fact,  
7 any or all or two of these pieces of wood are, in fact,  
8 the same pieces of wood that you saw when you were at the  
9 Tate residence; is that correct?

10 A Presently?

11 Q Yes.

12 A They appear to be the same, yes.

13 They could possibly be different. I didn't  
14 mark them, so --

15 Q So, as you sit there on the witness stand,  
16 you have no way of knowing whether, in fact, these pieces  
17 are pieces that you saw, the pieces of wood that you have  
18 testified that you saw on the floor?

19 A That is correct.

20 Q Is that correct?

21 A That is correct.

22 MR. KANAREK: Thank you.

23 Thank you, your Honor.

24 THE COURT: Does that complete your examination?

25 MR. KANAREK: Yes, your Honor.

26 Thank you.

18-2

1 THE COURT: Any redirect?

2 MR. BUGLIOSI: Yes.

3  
4 REDIRECT EXAMINATION

5 BY MR. BUGLIOSI:

6 Q Did you do anything with the two pieces, sir,  
7 after you saw them?

8 A Yes.

9 I brought it to the attention of the investi-  
10 gating officers at the scene.

11 Q Who was that?

12 A At the time it was a detective from the West  
13 Los Angeles Division, a Lieutenant. I don't recall his  
14 name.

15 MR. BUGLIOSI: No further questions.

16 THE COURT: Anything further, gentlemen?

17 MR. KANAREK: No.

18 MR. SHINN: No.

19 MR. HUGHES: No.

20 THE COURT: You may step down.

21 MR. KANAREK: Your Honor, I gather -- I don't know  
22 if I asked the Court, but as far as the materiality and  
23 relevancy, I gather I have the same objection as far as  
24 this witness is concerned?

25 THE COURT: Yes.

26 MR. KANAREK: Thank you.

1 MR. STOVITZ: Mr. Kilgrow.

2 (Mr. Kilgrow enters the courtroom.)

3 THE CLERK: Would you raise your right hand, please.

4 Would you please repeat after me.

5 I do solemnly swear --

6 THE WITNESS: I do solemnly swear --

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

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

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

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

11 THE CLERK: -- before this court --

12 THE WITNESS: -- before this court --

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

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

15 THE CLERK: -- the whole truth --

16 THE WITNESS: -- the whole truth --

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

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

19 THE CLERK: -- so help me God.

20 THE WITNESS: -- so help me God.

21 THE CLERK: Would you be seated, please.

22 Would you draw the microphone back, sir.

23 Would you please state and spell your name  
24 for the record.

25 THE WITNESS: My name is Raymond H. Kilgrow,  
26 K-i-l-g-r-o-w.

1                   RAYMOND H. KILGROW,  
2   called as a witness by and on behalf of the People, having  
3   been first duly sworn, was examined and testified as  
4   follows:

5  
6                   DIRECT EXAMINATION

7   BY MR. BUGLIOSI:

8           Q     What is your business or occupation, sir?

9           A     I am a repair foreman for the Pacific Telephone  
10   Company.

11          Q     On the date of August the 9th, 1969, did you  
12   proceed   to the address of 10050 Cielo Drive in the City of  
13   Los Angeles?

14          A     Yes, I did.

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-A-1

1 Q And about what time did you arrive there?

2 A It was approximately -- it was between 10:00  
3 and 11:00 a.m. I am not certain of the exact time.

4 Q What was your purpose for going there, sir?

5 A I was dispatched on a case of trouble from our  
6 dispatch center.

7 Q When you arrived at the scene, what did you  
8 observe?

9 A There were a number of people there, police  
10 officers and newspaper reporters; and of course, our  
11 telephone service drops were laying on the ground.

12 Q What did you say? Your telephone service  
13 what?

14 A The lead-in wires were laying on the ground.

15 Q Are you talking about telephone wires?

16 A Yes.

17 Q Is there a telephone post near the gate to the  
18 residence there?

19 A Yes, there is.

20 Q The telephone wires which were, I presume,  
21 attached to the telephone pole, were where?

22 A They were lying on the ground, on the  
23 opposite side of the driveway, when I arrived.

24 Q They had fallen to the ground?

25 A Right.

26 Q How many wires had fallen to the ground?

A Four, as near as I can recall.

3A2  
1 MR. BUGLIOSI: I have here a photograph, your Honor,  
2 depicting what appears to be a telephone and some  
3 telephone wires.

4 May it be marked as People's 123?

3  
5 THE COURT: 123. It will be so marked.

6 MR. BUGLIOSI: Q I show you People's 123 for  
7 identification.

8 What is shown in that photograph, sir, if you  
9 know?

10 A (Pause.)

11 Q Do you see a telephone pole in the photograph?

12 A Yes.

13 Q Do you see it, sir?

14 A Yes, I do.

15 Q Is that the telephone pole that you have been  
16 talking about in your testimony?

17 A Well, this is a different view than I had of  
18 the pole itself, but it looks like the pole as near as I  
19 can tell.

20 Q You notice there are a few wires which appear  
21 to have fallen to the ground; is that correct?

22 A Yes.

23 Q Are those telephone wires?

24 A They look like telephone wires, yes.

25 Q Did you repair those telephone wires?

26 A Two of them, yes.

1 Q What happened to the other two?

2 A We left them lying on the ground until after  
3 the investigation was finished.

4 We didn't do anything else with them at that  
5 time.

6 Q Were any of the four telephone wires draped  
7 over the gate at the residence?

8 A Yes, they were.

9 Q When you arrived?

10 A Yes.

11 Q Were all four draped over the gate?

12 A As near as I recall, I think they had been  
13 pulled back into the shrubbery, when I arrived.

14 Q Do you know where these wires had been severed?

15 A Where?

16 Q Where.

17 A Just a few inches from the attachments to the  
18 pole.

19 Q At the top of the pole?

20 A Yes.

21 Q All four?

22 A Right.

23 Q You were assisted by a gentleman by the name of  
24 Derick Gardner?

25 A Yes.

26 Q Who is also from the Telephone Company?

.8a4

1 A Yes, he is.

2 MR. BUGLIOSI: Thank you.

3 I have no further questions.

4 THE COURT: Mr. Fitzgerald?

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JB-1

## CROSS-EXAMINATION

1 BY MR. FITZGERALD:

2 Q Was there more than one telephone line leading  
3 into the house?  
4

5 A Yes.

6 Q Was there some reason for that?

7 A Yes.

8 They had, as I recall, each line had a number  
9 on it, a private number.

10 Q Then how many lines were there altogether?

11 A Four.

12 Q In other words, the Tate residence, or the  
13 residence there on Cielo Drive, had four separate and  
14 distinct telephone numbers?

15 A Well, if I recall correctly, there were two  
16 numbers going to one of the houses on the property, and  
17 the other two to the guest house, or whatever it was.

18 Q Did the multiple numbers work off a rotary?

19 A That I couldn't say at this time. I don't know.

20 Q Now, I take it that you were directed by one of  
21 your superiors to go to that location; is that correct?

22 A It was the dispatcher, yes.

23 Q And I take it that in the regular and ordinary  
24 course of business with the phone company you have some sort  
25 of a job order or job ticket or repair form?

26 A Yes.

1 Q And customarily included on one of those forms  
2 are the phone numbers, are they not?

3 A Not all of the numbers, no. Usually just one  
4 number, the first number.

5 Q Did you have a number on the job ticket?

6 A Yes.

7 Q What was the number, do you recall?

8 A I don't recall the number, no.

9 MR. FITZGERALD: I have nothing further.

10 THE COURT: Any questions, Mr. Shinn?

11 MR. SHINN: No questions.

12 THE COURT: Mr. Kanarek?

13 MR. KANAREK: No questions. Thank you.

14 THE COURT: Any redirect?

15 MR. BUGLIOSI: Yes, sir.

16  
17 REDIRECT EXAMINATION

18 BY MR. BUGLIOSI:

19 Q I show you People's 24 for identification.

20 Do you see the telephone pole in this aerial  
21 photograph, sir?

22 A Yes, I do.

23 Q Where is it?

24 A Right here.

25 Q On this photograph it is about an inch and a  
26 quarter from the gate?

1 A Yes.

2 Q To the right?

3 A Yes.

4 MR. BUGLIOSI: Thank you.

5 No further questions.

6 THE COURT: Anything further, gentlemen?

7 MR. FITZGERALD: Nothing further.

8 THE COURT: You may step down, sir.

9 MR. FITZGERALD: Could counsel approach the bench,  
10 Your Honor?

11 THE COURT: Yes.

12 (Whereupon, all counsel approach the bench and  
13 the following proceedings occur at the bench outside of  
14 the hearing of the jury:)

15 MR. FITZGERALD: I wanted to catch the Court before  
16 the Court adjourned.

17 Myself, Mr. Hughes and Mr. Shinn would like to  
18 be excused from being here tomorrow morning at 8:30.

19 Actually, we thought we joined in this motion,  
20 but apparently your Honor's remarks this morning would seem  
21 to indicate that we have not, and we need to get  
22 declarations prepared, and so on.

23 THE COURT: The reason I said that is because it is  
24 meaningless for you to join in the motion since your clients  
25 are in another jail and the facts that apply to Mr. Manson  
26 don't apply to them.

MR. FITZGERALD: There was a similarity of issues.

1 THE COURT: Even if I should find -- I don't know  
2 what I am going to find -- but if I should find that  
3 Mr. Manson is entitled to some relief, I couldn't make the  
4 same finding with respect to your clients. There is no  
5 evidence to support it.  
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18c-1

1 MR. SHINN: Your Honor, may I say something in that  
2 regard?

3 THE COURT: Yes.

4 MR. SHINN: I believe all defendants in this case  
5 cannot have an interview with their witnesses and their  
6 attorneys around a table, your Honor. It is the same  
7 thing.

8 I talked to Chief Kramer, and he --

9 THE COURT: I am not saying that you can't make the  
10 motion, Mr. Shinn. All I am saying is that you haven't  
11 made it.

12 MR. SHINN: And supported it?

13 MR. FITZGERALD: Right.

14 We would like to be excused from appearing  
15 tomorrow inasmuch as our appearance is pretty superfluous.

16 THE COURT: I have no objection to that.

17 I assume that you are withdrawing your motion?

18 MR. SHINN: Until a later time when we will file our  
19 declarations.

20 MR. FITZGERALD: We will file declarations.

21 THE COURT: Well, just so the record will be clear,  
22 I will not be able to make any finding with respect to  
23 your client until such time as there is a showing one way  
24 or another.

25 MR. FITZGERALD: That is our understanding. Right.

26 THE COURT: Of course, you are not prejudiced

18c-2

1 by not being here. You can file such a motion whenever  
2 you deem it necessary.

3 MR. FITZGERALD: Right.

4 THE COURT: So you will not be required to be here.

5 MR. FITZGERALD: I also understand that they don't  
6 have any more witnesses at the present time.

7 THE COURT: Are you ready, then, to adjourn?

8 MR. BUGLIOSI: Yes, your Honor. It is close to  
9 4:15.

10 THE COURT: All right.

11 8:30 for Mr. Kanarek and Mr. Manson.

12 MR. BUGLIOSI: There is no need for the prosecution  
13 to be here, is there?

14 THE COURT: No need for the District Attorney to be  
15 here.

16 MR. BUGLIOSI: Right.

17 THE COURT: The County Counsel will be here.

18 MR. BUGLIOSI: Right.

19 THE COURT: And Mr. Manson will be here.

20 MR. BUGLIOSI: Right.

21 THE COURT: I see no reason why the female defendants  
22 should be here.

23 MR. FITZGERALD: Right. May they also be excused?

24 THE COURT: Is that agreeable, Mr. Hughes?

25 MR. HUGHES: Yes.

26 THE COURT: Mr. Shinn?

18c-8

1 MR. SHINN: Yes. No objection.

2 THE COURT: The women defendants are excused.

3 All right, gentlemen.

4 MR. FITZGERALD: Thank you.

5 MR. BUGLIOSI: Thank you.

6 (Whereupon all counsel return to their  
7 respective places at counsel table and the following  
8 proceedings occur in open court within the presence and  
9 hearing of the jury:)

10 MR. STOVITZ: Does your Honor have Exhibit 123,  
11 the photograph of the outside of the house?

12 THE COURT: No, I do not.

13 We will adjourn at this time, ladies and  
14 gentlemen.

15 Mr. Kanarek and Mr. Manson will return at  
16 8:30 tomorrow morning.

17 The jury is excused until 9:45, our regular  
18 trial time.

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

22 9:45 tomorrow morning.

23 (Whereupon at 4:13 p.m. the court was in  
24 recess.)  
25  
26