

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 104

HON. CHARLES H. OLDER, JUDGE

COPY

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

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

Defendants.

68

No. A253156

REPORTERS' DAILY TRANSCRIPT
Monday, August 24, 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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I N D E X

PEOPLE'S WITNESSES: DIRECT CROSS REDIRECT RECROSS

NOGUCHI, Thomas T. 8827
(Cont'd)

E X H I B I T S

PEOPLE'S: FOR IDENTIFICATION IN EVIDENCE

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1 LOS ANGELES, CALIFORNIA, MONDAY, AUGUST 24, 1970

2 2:00 P.M.

3 ---o---

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

6 You may continue, Mr. Bugliosi.

7 Q BY MR. BUGLIOSI: Doctor, I believe you were
8 still pointing out the wounds on Mr. Frykowski, is that
9 correct?

10 A Yes, sir. May I proceed?

11 THE COURT: Yes.

12 THE WITNESS: I believe in the morning session I
13 covered the anterior trunk, chest and back.

14 Q BY MR. BUGLIOSI: When you say anterior you mean
15 front?

16 A Front, yes, and back and right arm, including
17 right hand and left arm including left hand.

18 So there are two areas to be described.

19 There were eight stab wounds in the left leg.
20 Again, they were labeled as stab wound 1 through stab wound
21 8.

22 Stab wound No. 1 of the left leg was found in
23 the upper mid-thigh in the front area.

24 Stab wound No. 2 of the left leg was found more
25 back of the left thigh in the upper portion.

26 Stab wound No. 3 was found slightly below stab

1 wound No. 2 on the back of the left thigh.

2 Stab wound No. 4 of the left leg was found in
3 front of the lower thigh.

4 Stab wound No. 5 was found slightly below the
5 location of stab wound No. 4, and is still slightly above
6 the kneecap.

7 No. 6 is found in the front portion of the
8 lower left thigh.

9 No. 7 was found in the back of the left leg,
10 more or close to the left calf.

11 Then No. 8 was found in the mid-tibial area,
12 that is, by this diagram, it is located here which I mark
13 here, under 8.

13-1

1 There was a through-and-through gunshot wound
2 on the front portion of the left thigh which was recognized
3 by further examination.

4 The entrance wound was about one-quarter inch
5 in diameter, showing no powder or unburned powder in the
6 tissue, but it was a superficial gunshot wound, and the wound
7 tract indicates the direction to be from left to right.

8 It only caused a penetration of the subcutaneous
9 tissue, with perhaps the superficial muscles involved.

10 No bullet was recovered.

11 Now, an examination of the left leg showed no
12 demonstrable injury.

13 THE COURT: The left leg? Did you say the left leg,
14 Doctor?

15 THE WITNESS: If I said the left leg, I am sorry, it
16 is the right leg which showed no demonstrable injury.

17 The right leg shows no stab wound or gunshot
18 wounds.

19 Aside from the 13 lacerations which I have
20 described in the head area, there are a number of abrasions,
21 that is, the loss of superficial skin tissue caused by
22 friction.

23 These marks are found in the lower forehead,
24 the left eyelid and cheek bone area on the left side, the
25 bridge of the nose, and some were found on the right and
26 left side of the lower cheek or jaw area.

1 The lacerations measured in size varying from a
2 half inch to 1-1/2 inches in length.

3 I believe that would describe, sir, the entire
4 wounds.

5 MR. BUGLIOSI: You may resume the witness stand,
6 Doctor. Thank you.

7 Q Incidentally, Doctor, you and I have had three
8 conferences prior to your testimony; is that correct; within
9 the past several months?

10 A Yes.

11 Q The original autopsy report, does it indicate
12 that Mr. Frykowski was shot once?

13 A Yes.

14 Q And you have since changed that, and it is your
15 belief now that there were definitely two gunshot wounds;
16 is that correct?

17 A Yes, sir.

18 Q Did any of the stab wounds to Mr. Frykowski
19 appear to have been inflicted after death?

20 A There is definite postmortem changes to indicate
21 the stab wounds were definitely inflicted after death, but
22 there are ^a number of stab wounds that appear to show yellow-
23 ish, pinkish fatty tissue, and I believe that the stab
24 wounds may have been caused during the dying process where,
25 perhaps, if it is postmortem, could be shortly, very
26 shortly, after the heart stopped.

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

2 (Mr. Bugliosi gets some exhibits from the file
3 cabinet.)

4 MR. BUGLIOSI: Q It is your testimony that some
5 of Mr. Frykowski's stab wounds appear to have been
6 inflicted while he was in the process of dying; is that
7 correct?

8 A Yes.

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1 Q I show you again People's Exhibit 167
2 through 175.

3 Could you point out, give us an illustration
4 of one or more of the wounds that you are referring to
5 that appear to have been inflicted while Mr. Frykowski
6 was in the process of dying.

7 MR. KANAREK: Your Honor, I wonder if we may approach
8 the bench.

9 Mr. Bugliosi and I have spoken before the
10 noon hour concerning this matter.

11 MR. BUGLIOSI: No, this is something else.

12 MR. KANAREK: This is something else?

13 MR. BUGLIOSI: Yes, yes.

14 THE WITNESS: It is certainly difficult to tell
15 from the black and white picture that this exhibit --

16 MR. KANAREK: Your Honor, ^{if} the foundation is not
17 there we will object.

18 Dr. Noguchi is being very candid. I would
19 object to any conjecture.

20 THE COURT: There hasn't been any yet.

21 BY MR. BUGLIOSI:

22 Q You are pointing to the photograph, People's
23 No. 174 for identification, Doctor?

24 A Yes.

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

1 THE COURT: You may.

2 MR. KANAREK: Thank you.

3 BY MR. BUGLIOSI:

4 Q Does the wound depicted in People's 174 for
5 identification appear to be the type of wound that you
6 referred to, i.e., the type of wound that was inflicted
7 during the process of dying?

8 A Yes, the difference was the stab wounds as
9 shown in People's Exhibit --

10 MR. BUGLIOSI: This one here is People's Exhibit 168.

11 THE WITNESS: -- 168, this exhibit shows wounds which
12 are lighter in color.

13 This usually indicates that the stab wound was
14 inflicted during the agonal stage, or during the process
15 of dying.

16 BY MR. BUGLIOSI:

17 Q That means now what, again?

18 A The process of dying.

19 Q Would you draw a circle around that wound.

20 A (Witness complies.)

21 MR. BUGLIOSI: Your Honor, may that wound be marked
22 in some fashion to indicate his testimony that it was
23 inflicted during the process of dying?

24 THE COURT: Yes.

25 (Mr. Bugliosi marks on the photograph.)

26 THE COURT: Wouldn't it be better if you preceded that

1 with "appears to have been"?

2 (Mr. Bugliosi so writes.)

3 MR. BUGLIOSI: Thank you, Doctor.

4 Q Doctor, on the date, August 10, 1969, at
5 about 2:00 p.m., at the Los Angeles County Coroner's
6 Office, did you supervise and direct an autopsy on the
7 body of one Steven Parent?

8 A Yes, sir.

9 Q Was the physical autopsy itself conducted by
10 Dr. Herrera of your office?

11 A Yes, sir.

12 Q You were present during the entire autopsy?

13 A Yes, sir.

14 Q Directing and supervising it?

15 A Yes.

16 Q I take it Dr. Herrera's autopsy findings were
17 reduced to a written autopsy report?

18 A Yes.

19 Q And you have this report with you at the
20 present time?

21 A Yes, I do.

22 Q And you examined it prior to coming into
23 court?

24 A Yes.

25 MR. BUGLIOSI: Is there any objection to Dr. Noguchi
26 looking at and referring to the autopsy report of Dr.

1 Herrera during his testimony?

2 Any objection?

3 MR. FITZGERALD: No.

4 BY MR. BUGLIOSI:

5 Q Doctor, as a result of the autopsy on the
6 body of Mr. Parent, did you form any opinion as to Mr.
7 Parent's cause of death?

8 A Yes, sir.

9 Q What is that?

10 A The cause of death is multiple gunshot wounds
11 of the chest.

12 Q How many gunshot wounds did Mr. Parent have?

13 A There were five gunshot wounds.

14 Q How many of these five gunshot wounds were
15 fatal?

16 A Two.

17 Q Which ones were those?

18 A I labeled those gunshot wounds No. 1 through
19 No. 5, and No. 1 was on the chest, on the upper chest.

20 No. 2 was found in the lower chest.

21 Those two were fatal.

22 Q In addition to the five gunshot wounds, did
23 Mr. Parent have any other wounds on his body?

24 A Yes, there was one incised wound, sort of a
25 sharp cut.

26 Q A stab wound?

1 A Yes, this stab wound was found in the left
2 hand.

3 Q Are you using the term "incised wound" as
4 being synonymous with defense wound?

5 A Well, not always. It is not always synonymous,
6 but in this case it becomes synonymous because it is, in
7 my opinion, it is a defense wound.

14 fls.

14-1

1 Q Do you have any opinion as to the type of
2 weapon which caused this incised defense wound?

3 A Yes, I do have an opinion.

4 Q What is that opinion?

5 A In my opinion, in order to cause a sharp cut on
6 the hand, it requires the weapon to have a very sharp
7 cutting edge. So, I would classify this instrument which
8 is involved as a sharp instrument which has a capability of
9 slicing tissue.

10 Q A knife-life instrument?

11 A Yes.

12 MR. BUGLIOSI: Your Honor, I have here a photograph
13 of a male Caucasian.

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

15 THE COURT: 178.

16 MR. BUGLIOSI: Is that one seventy -- what, your
17 Honor?

18 THE COURT: 178

19 MR. BUGLIOSI: I have here a photograph of another
20 male.

21 May it be marked People's 179 for
22 identification?

23 THE COURT: It will be so marked.

24 MR. BUGLIOSI: I have here a photograph, your Honor,
25 of another -- another photograph of the male.

26 May it be marked People's 180 for

ndx

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1 identification?

2 THE COURT: It will be so marked.

3 MR. BUGLIOSI: I have here another photograph of a
4 male.

81 5 May it be marked People's 181 for identifi-
6 cation?

7 THE COURT: It will be so marked.

8 MR. BUGLIOSI: I have here a photograph, another
9 photograph, of a male.

82 10 May it be marked People's 182 for identifi-
11 cation?

12 THE COURT: It will be so marked.

13 MR. BUGLIOSI: I have here a photograph of a male.

14 May it be marked People's 183 for identifi-
15 cation?

16 THE COURT: It will be so marked.

78 17 MR. BUGLIOSI: Q I show you People's 178 for
18 identification, Doctor.

19 Was that photograph taken under your direction?

20 A Yes, sir.

21 Q Was that a photograph of Steven Parent?

22 A Yes.

23 Q Taken on August 9, 1969?

24 A Yes.

25 Q In the Coroner's office?

26 A Yes.

14-3

1 Q What portion of Mr. Parent's body is depicted
2 in that photograph?

3 A The left side of the body, including the chest
4 and the left shoulder.

5 Q I show you People's 179 for identification.
6 Is that also a photograph of Steven Parent?

7 A Yes.

8 Q Taken under your direction?

9 A Yes.

10 Q At the County Coroner's Office?

11 A Yes.

12 Q On August the 9th?

13 A Yes, sir.

14 Q What is shown in that photograph?

15 A It shows the entire face and neck and a portion
16 of the right shoulder.

17 Q I show you People's 180 for identification,
18 Doctor.

19 Is that also a photograph of Mr. Parent?

20 A Yes.

21 Q Taken under your direction at the Coroner's
22 office on August the 9th?

23 A Yes, sir.

24 Q What is shown in that photograph, Doctor?

25 A It shows the left forearm and also a portion
26 of the left upper arm.

14-4

1 Q I show you People's 181 for identification.
2 Is that also a photograph of Steven Parent?

3 A Yes.

4 Q Taken under your direction at the Coroner's
5 Office on August the 9th?

6 A Yes.

7 Q What is shown in that photograph?

8 A The left side of the body and the face.

9 Q I show you People's 182 for identification.
10 Is that also a photograph of Mr. Parent?

11 A Yes.

12 Q Taken under your direction at the Coroner's
13 Office?

14 A Yes.

15 Q On August 9th?

16 A Yes.

17 Q What is shown in that photograph?

18 A The left side of the face.

19 Q I show you People's 183 for identification,
20 Doctor.

21 Is that a photograph of Mr. Parent taken under
22 your direction at the Coroner's Office on August the 9th?

23 A Yes.

24 Q What is shown in that photograph?

25 A It shows the left side of the chest and the
26 left arm.

14a-1

1 Q Are the photographs, People's 178 through 183
2 for identification, fair and accurate representations of
3 the way Mr. Parent's body looked when you saw Mr. Parent's
4 body at the Coroner's Office on August the 9th?

5 A Yes.

6 Q You have also made some diagrams of Mr.
7 Parent's body, have you?

8 A Yes, I did.

9 Q And you brought them to court with you?

10 A Yes.

11 Q Would you please step down off the witness
12 stand again, Doctor, and approach the diagram?

13 A Yes.

14 Q How many diagrams did you make of Mr. Parent's
15 body?

16 A Two, sir.

17 MR. BUGLIOSI: May these be marked People's 184,
18 your Honor?

19 184 Id. THE COURT: 184.

20 (Mr. Bugliosi so marks the two diagrams.)

21 BY MR. BUGLIOSI:

22 Q Would you indicate on this diagram, Doctor,
23 the location of the five gunshot wounds, the area of the
24 body and the organs that they penetrated?

25 A Yes, sir.

26 Q Also indicate the wound tract, that is, the

1 path that the bullet followed once they entered Mr. Parent's
2 body.

3 A Yes, sir.

4 Q Also the location of the wound, incised the
5 defense wound.

6 A Again, the gunshot wounds are labeled gunshot
7 wound No. 1 through No. 5.

8 The entrance of gunshot wound No. 1 was found
9 in the left upper chest. I will label that GSW No. 1.

10 Q GSW meaning gunshot wound?

11 A It stands for gunshot wound, yes.

12 The gunshot wound penetrated the deeper tissue,
13 penetrating into the left chest cavity, penetrating the
14 left lung and penetrating the trachea, the windpipe.

15 The bullet was recovered in the back of the
16 windpipe area, in the midline.

17 From the trajectory, the direction of the
18 gunshot wound would be from the back, left to right, almost
19 on a horizontal plane.

20 So, the bullet was recovered in this area,
21 and the bullet was placed in an identification envelope,
22 and we surrendered the envelope to Sergeant Lee of the Los
23 Angeles Police Department.

24 Gunshot wound No. 2 was the same size as
25 gunshot wound No. 1, about one-quarter inch in diameter,
26 showing no visible unburned or burned powder deposit in

1 the vicinity of the entrance wound.

2 The gunshot wound tract penetrated into the
3 left chest cavity, piercing the left lung in the center
4 portion of the body, where the bullet was recovered and
5 placed in an envelope, and I surrendered that to Sergeant
6 Lee of the Los Angeles Police Department.

7 Now, gunshot wound No. 3 was found in the
8 left cheek.

9 During a fluoroscopic X-ray, a screen test,
10 I did find a bullet or bullet fragments in the head area,
11 and I discovered the exit was in the cheek, and I consider
12 this as a through and through gunshot wound.

13 Now, there are two more gunshot wounds. Mainly,
14 gunshot wound No. 4 and No. 5.

15 They were found on the back of the left forearm,
16 actually near the elbow. That was labeled No. 4; and near
17 the wrist area it is labeled No. 5.

18 These gunshot wounds measured about the same.
19 Again, a quarter of an inch in diameter, showing no powder
20 tattooing or powder depositions indicating the visible
21 residue of the powder embedded in the tissue.

22 Now, an examination of the gunshot wound No.
23 5 and 4 disclosed that the two gunshot wounds were through
24 and through gunshot wounds.

25 I traced No. 4. The exit wound, of gunshot
26 wound No. 4 was found inside of the left forearm, a little

1 bit higher than the location of the entrance wound.

2 In the diagram, which I will mark here as
3 GSW No. 4, I will put "exit."

15 fls.

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1 This indicates that the direction of the gun-
2 shot wounds which most likely -- if you press down in this
3 fashion, it would be upward, but if you press your arm in
4 this fashion, it would be horizontal because of the
5 flexible position of the arm, it makes it difficult to
6 determine as to the trajectory.

7 In this diagram it looks like in an upward
8 direction.

9 Now, gunshot wound No. 4 is again through and
10 through as I have mentioned, and upon the inside of the
11 left forearm, I will mark here GSW No. 5, exit --

12 But during fluroscopic examination I found that
13 a fragmented lead was inside of the tissue and examination
14 of the vicinity of the gunshot wound No. 4 did not show
15 any fragments.

16 And there was a stab wound, sort of incised
17 wound cut through the entire thickness of the palm in this
18 fashion, shown in this diagram. This is a stab wound.

19 I believe I described the five gunshot wounds,
20 sir.

21 Q Doctor, have you indicated which of those
22 wounds were fatal?

23 A No, I have not.

24 Gunshot wound No. 1 would be definitely fatal.

25 Also gunshot wound No. 2.

26 I do not think gunshot wound No. 3 or 5 would
cause a death.

5-2

1 As to No. 4, close examination of the position
2 of gunshot wound No. 4 and gunshot wound No. 2, as left
3 arm is raised in this fashion, along with bruises along
4 what appears to be in the alignment of trajectory, this
5 fashion, I believe gunshot wound 4 and gunshot wound 2 are
6 related.

7 Q Are you saying, then, at the time Mr. Parent
8 received gunshot wound No. 4 to his left forearm, his left
9 forearm was probably flexed upwards at the elbow, is that
10 what you are saying?

11 A Yes.

12 MR. BUGLIOSI: You may resume the witness stand,
13 Doctor.

14 MR. KANAREK: Your Honor, if I may inquire just
15 briefly as to whether during this examination as to
16 Mr. Parent he used just the autopsy report.

17 THE COURT: While testifying today?

18 MR. KANAREK: What he has testified to today.

19 I just want the record to show so we know
20 what documents he did use.

21 THE COURT: Will you bring that out, Mr. Bugliosi?

22 Q BY MR. BUGLIOSI: What is the basis of your
23 testimony today with respect to Mr. Parent, is it the
24 autopsy report conducted by Dr. Herrera?

25 A Well, that is a part of it, the autopsy report.

26 Of course I was there and I saw it. I compared

5-3

1 the arm, one wound in comparison with the actual autopsy,
2 and the autopsy report and also on the strength of the
3 fluoroscopic examination.

4 Also I checked with black and white photographs,
5 sort of a total, entire material which we have here.

6 Q Doctor, were any bullets recovered by your
7 office from inside the body of Steven Parent?

8 A Yes.

9 Q How many?

10 A Two, sir.

11 Q Who recovered these bullets?

12 A They were recovered by Dr. Herrera.

13 Q In your presence?

14 A Yes.

15 Q Do you know from what part of Mr. Parent's body
16 these two bullets were recovered?

17 A Yes.

18 Q What part?

19 A The center portion of the upper chest area just
20 behind the trachea; it was corresponding with gunshot
21 wound No. 1.

22 Also the lower or mid portion of the aorta
23 area which corresponded with gunshot wound No. 2.

24 MR. BUGLIOSI: Your Honor, I have here an envelope
25 with a bullet contained therein.

26 May that be marked People's next in order?

15-4

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186

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1 THE COURT: 185 for identification.

2 MR. BUGLIOSI: I have here another envelope with
3 another bullet contained therein, may it be marked
4 People's 186 for identification?

5 THE COURT: It will be so marked.

6 Q BY MR. BUGLIOSI: I show you an envelope,
7 Doctor, with a bullet contained therein.

8 Did you ever see that envelope and that
9 bullet before?

10 A Yes, I have.

11 Q Where did you see that envelope and bullet for
12 the first time?

13 A Well, I saw it in an autopsy room on August 10,
14 1969.

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1 Q Is this one of the two bullets that Dr. Herrera
2 removed from Mr. Parent's body that you have been referring
3 to in your testimony?

4 A Yes.

5 Q And you say that Dr. Herrera turned over the
6 bullet to Sergeant Lee of the Los Angeles Police Department?

7 A Yes.

8 Q Do you see Dr. Herrera's signature on this
9 envelope, People's 185 for identification?

10 A Yes, I do.

11 Q Where it says "Sign"?

12 A "Sign," yes.

13 Q I show you People's 186 for identification,
14 another bullet in another envelope, have you ever seen that
15 bullet and envelope before?

16 A Yes.

17 Q Is this the second bullet that Dr. Herrera
18 removed from Mr. Parent's chest?

19 A That's correct, it's the second, but it
20 corresponds to gun No. 1, sir.

21 Q And this bullet also was turned over by
22 Dr. Herrera to Sergeant Lee of the Los Angeles Police
23 Department, is that correct, sir?

24 A Yes.

25 Q Did your office ever recover the bullet that
26 entered Mr. Parent's left cheek?

1 A No, sir.

2 Q Was there an exit wound for that bullet?

3 A Yes, that is the through and through gunshot
4 wound on the left cheek, the entrance being on the outside
5 of the teeth -- inside of the cheek, that is a buccal
6 surface.

7 Q Do you know what part of Mr. Parent's body
8 that bullet exited from? There was a bullet that entered
9 his left cheek, is that correct?

10 A Yes.

11 Q And you never found that bullet?

12 A No, sir.

13 Q Do you know where it exited from Mr. Parent's
14 body?

15 A Well, it has to be an opening; it has to be
16 the mouth.

17 Q The mouth?

18 A Yes.

19 Q There was no exit wound in his head for that
20 bullet?

21 A No, sir.

22 Q Doctor, you indicated that --

23 MR. KANAREK: Your Honor, in connection with that,
24 I think the doctor testified there was an exit, the inside
25 of what he called the buccal area.

26 THE COURT: That is what he said.

1 MR. BUGLIOSI: I am referring to the absence of an exit
2 wound.

3 Well, let me go over this area once again,
4 your Honor, to clarify it.

5 BY MR. BUGLIOSI:

6 Q Mr. Parent received a bullet entrance wound
7 to his left cheek, is that correct?

8 A Yes, sir.

9 Q Now, did you find any exit wound for that
10 bullet?

11 A Yes, that is the inside of the cheek.

12 Q All right, it entered the outside of his left
13 cheek and then it exited from the inside of his left
14 cheek, is that correct?

15 A Yes.

16 Q Now, after the bullet exited from the inside
17 of Mr. Parent's left cheek, do you know the trajectory or
18 the path the bullet followed?

19 A Yes, I have an opinion.

20 Q What is your opinion?

21 A Based on X-ray studies based on anatomy and
22 topography, the bullet went through the cheek and exited
23 through the mouth as the mouth was open.

24 Q There is no exit wound in the vicinity of the
25 mouth?

26 MR. KANAREK: It has been asked and answered and he

1 said there was. He said the exit wound was the buccal
2 area, your Honor.

3 THE COURT: Overruled.

4 BY MR. BUGLIOSI:

5 Q Was there any exit wound in the immediate
6 vicinity of the mouth?

7 A There was no additional exit wounds, no.

8 Q Doctor, I believe you indicated the entrance
9 wound No. 4 was a through and through wound, was that
10 correct?

11 A Yes, sir.

12 Q How did you determine it was through and
13 through?

14 A First of all, my close examination of a gunshot
15 wound where the entrance wound showed a round impact, an
16 entry characterizing of entrance wound.

17 On the other side of the left forearm showed
18 a slightly jagged, irregular opening.

19 This is typical of an exit wound.

20 Furthermore, a fluoroscopic X-ray study
21 indicated there was no bullet.

22 And furthermore I personally probed through
23 the gunshot wound which was connected, and the tip of
24 the surgical instrument, called a surgical probe, came
25 through the exit wound.

26 So a logical conclusion is that it is a through

1 and through wound.

2 Q You testified that there was an interrelation-
3 ship between gunshot wounds 4 and 2, is that correct?

4 A Yes.

5 Q You said they were related, is that correct?

6 A That is my opinion, yes.

7 Q In what fashion were they related?

8 A The relationship would be the gunshot wound,
9 when it left, gunshot wound No. 4, when it left the
10 forearm, and gunshot wound No. 2, are probably caused by
11 one bullet, one bullet entered and exited and re-entered
12 the left side of the chest.

13 Q So you are saying then, correct me if I am
14 wrong, that the bullet which entered Mr. Parent's left
15 forearm at the point of the diagram, that you designated
16 wound No. 4, passed through and through his left forearm
17 and re-entered Mr. Parent's body at that point on the
18 diagram which you have designated wound No. 2, is that
19 correct?

20 A Yes, that is my opinion.

21 Q So entrance No. 4 and No. 2 were in your
22 opinion caused by one and the same bullet?

23 A Yes, sir.

24 Q You testified earlier that there were five
25 gunshot wounds to Mr. Parent's body, is that correct?

26 A Yes, sir.

1 Q However two of these five gunshot wounds were
2 caused by one and the same bullet, is that correct?

3 A That is my opinion, yes, sir.

4 Q So would your final analysis be then that Mr.
5 Parent was shot four times?

6 A Yes.

7 Q The answer is yes?

8 A Yes, sir.

9 Q So a total of four bullets then actually entered
10 Mr. Parent's body, is that correct?

11 A Yes.

12 Q And of those four bullets two of them were
13 recovered by Dr. Herrera of your office, is that correct?

14 A Yes.

15 Q Doctor, from your analysis of these wounds
16 and your presence at the autopsy, et cetera, was there any
17 medical evidence of any sexual molestation to any of the
18 five victims' bodies?

19 A No, sir.

20 Q Was there any medical evidence of any mutilation
21 or dismemberment of any part of the five victims bodies?

22 A No, sir.

23 Q You testified that Mr. Frykowski received 51
24 stab wounds, Sharon Tate 16, Jay Sebring 7, Abigail Folger
25 28 stab wounds, and that would be a total of 102 stab
26 wounds, is that correct, Doctor?

1 A Yes.

2 Q Did you personally examine all 102 stab wounds?

3 A Yes.

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A Yes.

Q Did you personally examine all 102 stab wounds?

A Yes.

16-1

1 Q Based on your examination of these wounds,
2 Doctor, did you form any opinion as to whether or not all
3 wounds were caused by the same type of weapon?

4 MR. KANAREK: Your Honor, I will object to that on
5 the basis that it is calling for a conclusion, conjecture,
6 and there is no foundation, your Honor.

7 THE COURT: Overruled.

8 THE WITNESS: Yes, I do have an opinion.

9 MR. BUGLIOSI: Q What is that opinion?

10 A In my opinion, the 102 stab wounds were caused
11 by a similar type of stabbing weapon.

12 Q In your opinion, Doctor, what type of weapon
13 caused all these wounds?

14 MR. KANAREK: Object on the grounds, your Honor, of
15 calling for a conclusion, hearsay, and improper foundation.

16 THE COURT: Overruled.

17 THE WITNESS: Yes, I do have an opinion.

18 MR. BUGLIOSI: What is that opinion?

19 THE WITNESS: A stabbing weapon which had the
20 capability of creating a sharp penetrating wound has to
21 have a sharp, cutting edge on at least one side. Many
22 stab wounds that I found on five, or at least four, of the
23 decedents show stab wounds measuring 1 inch to 1-1/2 inches
24 in length, and sometimes the stab wound showed a very sharp
25 cutting edge on one side with the other angulation rather
26 dull.

16-2

1 MR. BUGLIOSI: Q Before we get into all of these
2 dimensions now, Doctor, your opinion, then, is that the
3 weapon which caused these wounds, you say, is a sharp,
4 cutting weapon?

5 MR. KANAREK: I object, Your Honor. That is assuming
6 facts not in evidence that it was one weapon.

7 MR. BUGLIOSI: The type of weapon or weapons.

8 THE COURT: Overruled.

9 MR. BUGLIOSI: Q You say it is a sharp, cutting
10 type of instrument?

11 A Yes.

12 MR. KANAREK: Again, I must object on the ground that
13 it is assuming facts not in evidence, that there is just one
14 weapon.

15 THE COURT: This is a matter for cross-examination,
16 Mr. Kanarek.

17 Overruled.

18 MR. BUGLIOSI: Q You indicated that in your
19 opinion all 102 wounds were caused by the same type of
20 an instrument or weapon; is that correct, Doctor?

21 A Yes. This is my opinion based on a study of the
22 wounds.

23 I would say that the stab wounds were caused by
24 the same type or a similar type of stabbing weapon.

25 Q Now, without getting into the dimensions of the
26 blade at this point, what type of a weapon do you feel was

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1 the murder weapon?

2 MR. KANAREK: Again, your Honor --

3 MR. FITZGERALD: What he feels is irrelevant.

4 MR. BUGLIOSI: I am asking what his opinion is.

5 MR. KANAREK: It is assuming that there was one
6 weapon. That is the point, your Honor. I think it is
7 assuming facts not in evidence and I object on those
8 grounds.

9 THE COURT: Overruled.

10 MR. BUGLIOSI: I am not assuming that it was one
11 weapon. I am asking what type of weapon. There could have
12 been a hundred weapons.

13 THE COURT: Overruled.

14 You may answer.

15 THE WITNESS: I would say this was a strong stabbing
16 weapon that had at least one cutting edge, or maybe two,
17 a double cutting edge.

18 MR. BUGLIOSI: Q You say it is a strong weapon;
19 is that correct?

20 A Yes. It had to be very strong to cause these
21 wounds.
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16A-1

1 Q Why do you say it had to be a strong weapon that
2 caused those wounds?

3 A Well, a strong weapon in comparison with a
4 kitchen knife or a very inexpensive kitchen knife which would
5 easily break as it went into the human body.

6 One of the reasons that I did the fluoroscopic
7 examination was basically not for looking for a bullet but I
8 was looking for a possible broken blade embedded in the five
9 decedents, and I didn't find any.

10 Q You found no broken knife fragments inside any
11 of the victims' bodies?

12 A No, sir.

13 Q And this indicates what to you, Doctor?

14 A This means that the sharp instrument was sub-
15 stantially strong, including the type of blade.

16 Q Is it your opinion that the type of weapon
17 which caused these 102 wounds was a sharp, cutting, strong
18 instrument? Is that correct?

19 A Yes, that is my opinion.

20 Q Can you give us an example of the type of
21 instrument which could have caused these wounds?

22 MR. KANAREK: Calling for conjecture, your
23 Honor.

24 THE COURT: Overruled.

25 THE WITNESS: Just to give you an example, it is some-
26 thing strong which will deliver the same type of wound
pattern as would a bayonet.

16a2

1 THE COURT: Read the last answer, please.

2 (Whereupon, the answer was read by the reporter.)

3 MR. KANAREK: I ask that that be stricken, your Honor.

4 THE COURT: The motion is denied.

5 MR. BUGLIOSI: Q What about a kitchen knife?

6 A It depends on the type of kitchen knife, whether
7 it is well made or not; but the ordinary kitchen knife --
8 we have had quite a few cases that we have handled in my
9 department, and often kitchen knife causes breakage.

10 The majority of the wounds are quite
11 characteristic, and I would say that it is unlikely to be
12 caused by a thin blade, a kitchen knife type of sharp
13 weapon. I doubt it very much.

14 Q What about a pocket knife?

15 A A pocket knife? My understanding is that that
16 is a small knife?

17 Q Yes.

18 A No.

19 That is my opinion.

20 Q Now, did you examine the dimensions of the
21 wounds to determine the dimensions of the blade that
22 caused these wounds?

23 A Yes, I did.

24 Q Did you form any opinion as a result of that
25 examination, Doctor?

26 A Yes, I did.

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1 Q Based on your examination of the dimensions of
2 the wounds, did you form any opinion as to the length of
3 the blade on the bayonet type instrument that caused these
4 wounds?

5 A Yes, I do have an opinion.

6 Q What is that opinion?

7 A This is a study based on the depth and
8 appearance of the stab wounds on the surface of the skin.
9 It appears that the stabbing weapon had to have the blade
10 length of at least five inches, and the width of the blade,
11 based on the --

12 Q We are just talking about the length right now,
13 Doctor.

14 Five inches?

15 A At least five inches.

16 Q Could it have been more than five inches?

17 A Yes.

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16b-1

1 Q Did many of the wounds have a depth, then, of
2 five inches?

3 A Yes.

4 Q What about the width of the blade?

5 A Yes, I do have an opinion.

6 Q Okay.

7 What is your opinion on that?

8 A The width of the stabbing weapon can be
9 calculated from the stab wound on the surface of the skin.

10 Many had a one-inch skin length. Others had
11 one and a half inches.

12 Q From one to one and a half inches?

13 A So that my opinion would be, as a maximum
14 width, would be between one inch to one and a half inches.

15 Q What about the thickness of the blade that
16 caused these wounds?

17 A Yes, I do have an opinion.

18 Q What is that opinion?

19 A Well, this again, the thickness of the piercing
20 type, the penetrating type of weapon, can be studied from
21 the stab wound on the surface.

22 There is a wide separation, a tearing appear-
23 ance, which was found in a number of the stab wounds.

24 This is quite different from a kitchen knife.
25 A kitchen knife has a thickness of maybe one-sixteenth
26 of an inch. But I would say the sharp instrument we are

1 dealing with here in this case is the thickness of probably
2 around one-eighth of an inch in thickness.

3 Q Were there any wounds that appeared to have
4 been caused by a blade with a thickness in excess of one-
5 eighth of an inch?

6 A Yes.

7 Q Up to what measurement? One-eighth to what?

8 A Not all the stab wounds shows that, but there
9 were some widely separated wounds. It would go as far as,
10 let me see, three-sixteenths to one-quarter of an inch in
11 thickness.

12 Q So, the length of the blade was at least five
13 inches and possibly more; is that correct?

14 A Yes.

15 Q And the width one to one and a half inches?

16 A Yes.

17 Q The thickness about one-eighth of an inch,
18 possibly up to a quarter of an inch; is that correct?

19 A Yes.

20 Q Now, you were indicating earlier in your
21 testimony as to whether the blade was double-edged or
22 single-edged.

23 When you say double-edged, you mean sharp on
24 both sides?

25 A Yes.

26 Q Did you form any opinion, based on your

1 examination of the wounds, as to whether the type of
2 instrument that caused these wounds was double-edged or
3 single-edged?

4 A I do have an opinion.

5 Q What is that opinion, Doctor?

6 A Based on the appearance of the stab wounds --
7 not all the stab wounds showed the characteristics -- but
8 a preponderance of the stab wound patterns, it appears that
9 a double-edged weapon is involved.

10 Q Sharp from tip to the hilt?

11 A Yes.

12 Q On both sides?

13 A Well, it appears to have been, based on the
14 multiple stab wounds, that one side was sharp.

15 Q From tip to hilt?

16 A Tip to hilt.

17 Q What about the opposite side?

18 A The opposite side seems to have been sharp
19 probably for a distance of one and a half to two inches,
20 and then it appears that it shows a thick back, which
21 apparently caused a separation of, a penetrating type
22 wound.

23 THE COURT: We will take our recess at this time,
24 Mr. Bugliosi.

25 Ladies and gentlemen, do not converse with
26 anyone nor form or express any opinion regarding the case

until it is finally submitted to you.

The court will recess for 15 minutes.

MR. SHINN: May I address the Court?

THE COURT: Yes.

MR. SHINN: I have a matter in Federal Court, and I want to try to substitute out.

May I go over there and come right back? It is Judge Pregerson's court.

THE COURT: Very well.

(Recess.)

17 fls.

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

3 You may continue, Mr. Bugliosi.

4 Q BY MR. BUGLIOSI: Doctor, you indicated that
5 it appeared that the type of blade that caused the 102
6 wounds could very well have been a double-edged blade, is
7 that correct?

8 A Yes.

9 Q Sharp from the tip to the hilt on one side and
10 sharp back about 1-1/2 to 2 inches on the other side, and
11 then flattening out.

12 A Yes.

13 Q Did any of the wounds indicate that they
14 had been caused, or did an examination of the wounds
15 indicate that they had been caused by a single-edged
16 blade?

17 A Yes.

18 Q About how many?

19 A I would say about one-third of the stab wounds
20 could have been caused by a single-edged sharp instrument.

21 Q Doctor, I wonder if you could illustrate for the
22 Judge and the jury on a sheet of paper there how a wound
23 looks that has been caused by a double-edged blade, and
24 then show another wound that has been caused by a single-
25 edged blade.

26 Could you draw that for the Judge and jury?

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1 A All right.

2 The estimation of shapes and size of stab wounds
3 based on the stab wound found in the decedent is a ever-
4 challenging task for a forensic pathologist.

5 I have studied very carefully --

6 MR. FITZGERALD: May I interrupt you, Doctor.

7 That is not responsive. I move to strike.
8 Those are gratuitous self-serving statements, immaterial
9 and irrelevant.

10 Also they are conclusionary.

11 THE COURT: Sustained. The answer will be stricken.

12 The jury is admonished to disregard it.
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1 MR. BUGLIOSI: Q What we would like to have you
2 do, Doctor, on that sheet of paper is draw a wound which
3 would be caused by a double-edged blade, and then draw
4 another wound that would be caused by a single-edged blade,
5 to show the distinction between the two types of wounds
6 caused by the blades.

7 A All right, I would be glad to.

8 A knife which has a double edge, when it
9 penetrates, I would expect to find a stab wound similar to
10 one that I am going to draw on this paper.

11 (The witness draws.)

12 THE WITNESS: This stab wound shows two sharp
13 cutting edges.

14 Sometimes, due to the thickness of the blade
15 involved, often this sharp, cutting edge could be spread
16 such as this. But identifiable characteristics will be the
17 sharp edge on both sides.

18 MR. BUGLIOSI: Q Could you designate that "double-
19 edged blade"?

20 A (Witness complies.)

21 Q Now, could you draw the type of wound that
22 would be caused by a single-edged blade to show the
23 distinction?

24 A All right, sir.

25 A single-edge would create a stab wound similar
26 to this. (Drawing)

1 Q Could you draw it a little darker, please,
2 Doctor?

3 A The top of the stab wound shows either a
4 flattening or a round, double angulation, in comparison
5 with the other side which is sharp.

6 Q Would you designate that as a single-edged
7 blade?

8 MR. BUGLIOSI: Your Honor, may I mark this as
9 People's next in order?

10 THE COURT: 187 for identification.

11 (Mr. Bugliosi so marks.)

12 MR. BUGLIOSI: Q Let me ask you this, Doctor.
13 Well, before I ask you that question, let me ask you: In a
14 single-edged blade wound, you say it is flat, there is a
15 flat tearing on one side of the wound; is that correct?

16 A Yes, sir.

17 Q And then it is sharp on the other side; is
18 that correct?

19 A Yes.

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18z-1

1 Q Now, could this type of a wound, Doctor,
2 right here, the one that I am pointing to, the one that
3 you designated "single-edged blade," could that type of
4 wound be caused by a blade that is double-edged at the
5 beginning but then flattens out as it proceeds toward the
6 hilt?

7 A Yes.

8 MR. KANAREK: That question assumes facts not in
9 evidence, your Honor. It is an improper hypothetical
10 question.

11 MR. BUGLIOSI: It is not improper at all.

12 MR. KANAREK: There is no foundation.

13 MR. BUGLIOSI: There is a lot of foundation for that
14 question.

15 THE COURT: Overruled.

16 You may answer.

17 THE WITNESS: My answer would be yes.

18 MR. BUGLIOSI: You may resume the witness stand.

19 Your Honor, I have here a photograph of a
20 wound, an entrance wound.

21 May it be marked as People's 188 for identifica-
22 tion?

188 id.

23 THE COURT: It will be so marked.

24 MR. BUGLIOSI: I have here another photograph,
25 your Honor, of another wound. May it be marked People's
26 189 for identification?

THE COURT: It will be so marked.

BY MR. BUGLIOSI:

Q I show you People's 188 for identification.

Do you know what is shown in that photograph,

Doctor?

A Yes.

Q What is shown in that photograph?

A This shows a stab wound.

Q Was this photograph taken under your direction?

A Yes.

Q Is that a wound to the body of any of the five victims in the Tate case?

A Yes.

Q Who is that?

MR. KANAREK: Your Honor, I will object on the grounds of improper foundation.

It is obviously an enlargement, and I think the foundation should be laid before there is any testimony concerning that, as to the magnification.

MR. STOVITZ: That will be done before it is offered as an exhibit, your Honor.

THE COURT: Overruled.

You may answer.

THE WITNESS: This belonged to one of the stab wounds on Sharon Tate Polanski.

BY MR. BUGLIOSI:

1 Q Does that wound appear to be caused by a
2 double-edged or a single-edged blade?

3 A In my opinion, this is one caused by a double-
4 edged sharp instrument.
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1 Q Would you say that this is an illustrative
2 wound caused by a double-edged blade?

3 MR. KANAREK: Calling for conjecture, no foundation.

4 THE COURT: Overruled.

5 THE WITNESS: My answer is yes.

6 BY MR. BUGLIOSI:

7 Q I show you People's 189 for identification,
8 is that a photograph taken under your direction?

9 A Yes, sir.

10 Q Is that a photograph of a wound of any particu-
11 lar victim in this case?

12 A Yes.

13 Q Who is that?

14 A This is one of the stab wounds -- Abigail
15 Folger.

16 Q Is this an illustrative wound caused by a
17 single-edged blade?

18 A Yes.

19 Q You notice there is a flattening surface on
20 this wound, is that correct?

21 A Yes.

22 Q It is sharp on one side and it has a flattening
23 surface on the other, is that correct?

24 A Yes, sir.

25 Q Going over this point once again for clarifica-
26 tion:

1 Is it your position that the wound depicted in
2 this photograph, 189 for identification, would you say is
3 an illustrative wound caused by a single-edged blade,
4 is it your position that this type of wound could have been
5 caused by a double-edged blade at the beginning which
6 flattens out at one point on one side and proceeds back
7 to the hilt?

8 MR. KANAREK: Leading and suggestive, your Honor,
9 improper foundation and a conclusion.

10 THE COURT: Overruled.

11 THE WITNESS: My answer is yes.

12 BY MR..BUGLIOSI:

13 Q Did you understand my question?

14 A Yes.

15 Q So this wound here, then, depicted in People's
16 189 for identification could have been caused by either
17 a single-edged or a double-edged blade, is that correct?

18 A Yes.

19 Q Doctor, you are going to have to leave the
20 witness stand again. I should have had you do this
21 before, but could you draw for the Judge and the jury how
22 you envision the murder weapon of this case to have been.

23 Draw in the murder weapon.

24 MR. KANAREK: I object, assuming facts not in
25 evidence.

26 There is no foundation that there was one

1 murder weapon. In fact the evidence would seem to indicate
2 that this is not certain; therefore it is calling for
3 conjecture, your Honor.

4 It is asking for an expert opinion without the
5 proper foundation, and it is a conclusion and hearsay.

6 THE COURT: Sustained.

7 BY MR. BUGLIOSI:

8 Q Doctor, you indicated that perhaps two-thirds
9 of the wounds appear to have been caused by a double-
10 edged blade, is that correct?

11 A Yes.

12 Q And you have given the dimensions of what you
13 think the blade was, is that correct?

14 A Yes.

15 Q All right, could you draw on that diagram
16 there the same diagram, the way you envisioned the double-
17 edged blade to have looked.

18 MR. KANAREK: I object to that, your Honor, on the
19 basis that it is calling for a conclusion and it is an
20 improper hypothetical question.

21 There is no foundation in this record, your
22 Honor, for him to give such an answer.

23 It is sheer conjecture.

24 THE COURT: Go back and read the question.

25 (Whereupon the reporter reads the pending
26 question as follows:

1 "Q All right, could you draw on that
2 diagram there the same diagram, the way you envisioned
3 the double-edged blade to have looked.")

4 THE COURT: I think the question is ambiguous, Mr.
5 Bugliosi.

6 BY MR. BUGLIOSI:

7 Q Do you have any impression in your mind,
8 Doctor, as to how the double-edged blade that caused two-
9 thirds of these wounds looked? Do you have any impression
10 in your mind on that?

11 MR. KANAREK: I object, your Honor, on the grounds
12 that is calling for a conjecture; no foundation for the
13 question.

14 It is a request for a conclusion.

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1 MR. BUGLIOSI: Dr. Noguchi has been giving his
2 conclusions for the last day and a half. He is an expert.
3 This is what he is testifying to.

4 Q BY MR. FITZGERALD: He is a medical doctor.

5 MR. KANAREK: There is no foundation, your Honor, for
6 that question.

7 MR. BUGLIOSI: He already formed an opinion as to the
8 dimensions of the blade that caused the wound.

9 Now I am merely asking him to draw a diagram
10 as to what he already testified.

11 THE COURT: He has not testified to that, Mr. Bugliosi.

12 He said that the width varies between certain
13 dimensions and the length would not be less than something.

14 That is not the same thing as being able to
15 draw the weapon used.

16 MR. BUGLIOSI: I don't want him to draw it to scale.

17 I grant to the Court that Dr. Noguchi does not
18 know the exact dimensions of the blade, and I'm not asking
19 him to do that.

20 He is not in a position to do that.

21 He says he does not know. What I would like to
22 have is just a drawing of the general configuration of the
23 double-edged blade that caused two-thirds of these wounds.

24 I think he is in a position to certainly do that.

25 MR. SHINN: Your Honor, I object on the further
26 grounds he is not a weapons expert, your Honor.

19a2

1 THE COURT: Are you talking about a cross-section,
2 a planed view, or what?

3 MR. BUGLIOSI: I'm sorry.

4 THE COURT: It is ambiguous as to what kind of a
5 view you are talking about. Are you talking about a cross-
6 section of the blade without reference to length, shape or
7 size, or are you talking about a diagram or a sketch of the
8 weapon itself, or how he envisions the weapon?

9 I don't know what you mean.

10 Q BY MR. BUGLIOSI: Doctor, do you think you can
11 put down on that paper in a drawing fashion a sketch of
12 what the double-edged blade looks like?

13 MR. KANAREK: Your Honor, I must object on the ground
14 it is assuming facts not in evidence, again, that there was
15 one, two, three or four.

16 THE COURT: This question calls for a yes or no
17 answer.

18 You may answer that question.

19 THE WITNESS: Yes.

20 Q BY MR. BUGLIOSI: Could you do that, Doctor?

21 MR. KANAREK: Well, then, your Honor, I will object
22 on the ground it is assuming a fact not in evidence.

23 It is an improper hypothetical question.
24 It is a request for a response from a purported expert
25 where the foundation is not in the record, and it is calling
26 for improper conclusions, your Honor, in that there may be

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three, four weapons and --

1 THE COURT: I think you can relate it to a specific
2 wound, Mr. Bugliosi. I agree with Mr. Kanarek. It is too
3 general.

4 The objection is sustained.

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

6 MR. FITZGERALD: May we approach the bench, your
7 Honor?

8 THE COURT: Very well.

9 (The following proceedings were had at the
10 bench out of the hearing of the jury:)

11 MR. HUGHES: We asked to approach the bench because
12 some of the counsel and one of the defendants, Leslie
13 Van Houten, noticed, and I noticed, that the stab wound
14 pictures which are People's Exhibits 189 and 188, were
15 being displayed to the jury in our estimation, held up in
16 such a way that the jury was being exposed to these before
17 they had been admitted into evidence.

18 We had planned to -- I believe the other
19 counsel -- at least these pictures are on Tate, so it
20 doesn't affect me that much in the sense that it is not
21 going to my defendant.

22 However, I believe it is inflammatory against
23 my defendant inasmuch as she is not charged in these
24 counts, perhaps other counsel would like to be heard.
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19B

19b-1

1 MR. STOVITZ: I would like to show that Exhibit 88
2 looks like a picture of the moon with a crater on it;
3 there is no face or arm shown on it whatever.

4 This was shown to the doctor.

5 No. 89 is a black and white photograph. If
6 anything it looks like a tear in some kind of material.
7 It doesn't look like a human body at all.

8 These pictures were used by the doctor as
9 illustrations of cuts by an instrument sharp on both ends
10 versus sharp on one end.

11 There is nothing inflammatory about these pic-
12 tures at all.

13 If they were displayed to the jury, it was
14 certainly inadvertent, by Mr. Bugliosi showing it to the
15 doctor and inadvertent by me passing it to Mr. Kanarek
16 and back again.

17 MR. FITZGERALD: I did not see the action. My
18 client Patricia Krenwinkel told me it was Mr. Stovitz who
19 held it up to the jury while he was reading the back
20 portion.

21 MR. STOVITZ: This is true, I was reading the back
22 portion.

23 THE COURT: I admonish you again, gentlemen, keep
24 the pictures under control.

25 You have to keep them face down or in the
26 folder until they have been received in evidence.

1 Since one diagram has been received in
2 evidence so far, they are not entitled to see anything yet.
3 These particular photographs of course look just exactly
4 what they purport to be, a couple of stab wounds, but I
5 don't consider that is so shocking that anyone has been
6 prejudiced by it.

7 After all, the doctor has been testifying about
8 102 stab wounds, and describing them in some detail, so
9 the photographs can hardly surprise anyone.

10 But I again admonish the prosecutors to keep
11 these pictures under control until such time as the jury
12 has a chance to view them.

13 MR. BUGLIOSI: These black and white photos that I
14 have been showing the witness, Mr. Stovitz has suggested
15 that the Coroner make a marking on the photos showing the
16 number of the wounds.

17 In other words, correlate the black photos
18 to the diagram, 102 wounds should be indicated on the
19 black and white photographs.

20 For instance, wound No. 7 of Sharon Tate should
21 be marked wound No. 7 on the photograph.

22 I understood there was an objection from Mr.
23 Kanarek on that, is that correct?

24 MR. KANAREK: In connection with what?

25 MR. BUGLIOSI: Did you hear what I was just saying?

26 MR. KANAREK: Not fully.

1 MR. BUGLIOSI: Mr. Stovitz has suggested that I show
2 Dr. Noguchi all of the black and white photographs and have
3 him mark on the photographs the numbers of the wounds as
4 he did on the diagram.

5 MR. KANAREK: My position is it is unnecessarily
6 cumulative.

7 Now, if we want this jury to make legal analyses --

8 THE COURT: This is correlation between the photograph
9 and the diagram; it is not cumulative.

10 I suggest, Mr. Bugliosi, if you are going to do
11 it, have the doctor do it overnight.

12 MR. BUGLIOSI: Yes, if the Court were to permit us
13 to do that.

14 THE COURT: My next suggestion was he not do it on
15 the stand.

16 In the first place, the pictures are not in
17 evidence.

18 MR. BUGLIOSI: Of course we are going to offer them
19 and hopefully the Court will receive them.

20 THE COURT: I understand, but I see nothing objec-
21 tionable about relating the photographs to the diagram.

22 MR. SHINN: I have no objection.

23 THE COURT: But let's not do it while he is on the
24 stand. We are wasting a lot of time.

25 MR. BUGLIOSI: Sure.

26 MR. KANAREK: For what it's worth, my position on

1 behalf of Mr. Manson is that it is cumulative, unnecessarily
2 cumulative.

3 It is gory enough without having double.

4 THE COURT: Anything else?

5 MR. HUGHES: We would like to have a meeting of all
6 the defendants for maybe five or ten minutes in the lockup.

7 THE COURT: You mean at 4:15?

8 MR. HUGHES: Yes.

9 THE COURT: Very well.

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

12 BY MR. BUGLIOSI:

13 Q Taking a look at People's 188 again for
14 identification, you say that is a wound to Sharon Tate,
15 is that correct?

16 A Yes, sir.

17 Q Does it indicate what number wound that is,
18 Doctor?

19 A This wound corresponds to stab wound No. 7.

20 Q Looking at People's 189 for identification,
21 a wound to Abigail Folger, what number wound is that?

22 A This wound corresponds to stab wound No. G.
23
24
25
26

19c fls.

19C-1

1 Q Stab wound No. G?

2 A Yes.

3 Q There is no number to the wound?

4 A There were additional stab wounds that were
5 found following the examination.

6 I labeled those in alphabetical order, A
7 through G.

8 Q Going back to 188 for identification, you will
9 notice the wound, and you indicated that is the type of
10 wound that would have been caused by a double-edged blade,
11 is that correct?

12 A Yes.

13 Q Sharp on both sides?

14 A Yes.

15 Q Could you draw a sketch of the type of blade as
16 you envision it that could have caused this wound?

17 A Yes.

18 Q And then do the same with People's 189.

19 (Witness complies.)

20 THE COURT: Can we have the black pen for the doctor
21 to use on this drawing?

22 MR. BUGLIOSI: May we mark this People's next in
23 order, your Honor?

24 THE COURT: People's 190 for identification.

25 MR. BUGLIOSI: This is a blue pen, will that suffice,
26 your Honor?

1 THE WITNESS: The blade which creates a double
2 sharp edge stab wound, if I were to cut the blade, it
3 would be (indicating on diagram with blue ink) this type of
4 a blade, as a blade to be cut sagittally, that is, top to
5 bottom, in a sagittal direction.

6 Q BY MR. BUGLIOSI: Most of us are not familiar
7 with that word, Doctor, is that a medical term?

8 A Yes, I think it is best to say cut vertically.

9 But if I see the blade from sideways, I
10 would think that a stab wound of this type would be caused
11 similar to the stab wounds found in one of the victims.

12 Q People's 188 for identification, is that
13 correct, Doctor?

14 A Yes. One of the edges should be sharp in order
15 to create very sharp uninterrupted wound.

16 But if you find a stab wound on both sides
17 where they have sharp angulations, the other side should be
18 sharp equally.

19 But the wound which I have observed in Sharon
20 Tate's case, I saw that there are indentations on top of
21 the stab wound which makes me think the sharp edge up to
22 here, and then either it becomes heavy or it is indented
23 to such an extent on top of the back of the sharp instru-
24 ment, will be either/^{this} type of wound or a superimposed wound
25 by a sharp, cutting edge on the tip of the bayonet type of
26 weapon, which eventually is pressed out by insertion of the

1 heavy back.

2 Q You are indicating that on the top edge of the
3 blade it was jagged, by those lines you are drawing?

4 A It does not have to be jagged. It could be
5 jagged.

6 Q It could be jagged but it does not have to be?

7 A No.

8 Q Could it be flat?

9 A Yes.

10 Q But for the first 1-1/2 or 2 inches on top you
11 say it was sharp?

12 A Yes.

13 Q And then as it proceeded back toward the hilt
14 it was either flat or jagged, one or the other?

15 A Yes.

16 Q The bottom side was sharp from the tip to the
17 hilt, is that correct?

18 A Yes, sir.

19 MR. KANAREK: Your Honor, for clarification, are we
20 still talking about that particular wound that counsel has
21 elicited in the testimony in connection with the last
22 two exhibits?

23 He asked for a diagram as to a particular
24 wound, and I just wonder if we are still on that same track.

25 THE COURT: Clarify that, Mr. Bugliosi.

26 Q BY MR. BUGLIOSI: You are drawing a sketch of the

1 type of blade which you think caused the wound depicted
2 in People's 188, is that correct, Doctor?

3 A Yes, sir.

4 Q Incidentally, I have been using the word
5 "hilt." Do you know if there was a hilt to this bayonet
6 type weapon?

7 A No, I do not know, sir.

8 Q You may continue.

9 Have you already drawn the sketch now of the
10 type of blade that you think caused the wound shown on
11 People's 188?

12 A Yes.

13 Q Could you indicate the dimensions of that
14 blade on the diagram, not to scale, but the way you
15 envision the blade to be?

16 A The length of the blade should be at least five
17 inches and the width -- yes, I think we can say this, that
18 the width of the blade should be 1 to 1-1/2 inches.

19 And the tip of the knife to here, that is,
20 where the double edge disappears, may be a distance of
21 1-1/2 inches.

J-1

1 Q The thickness, then, would be a quarter of an
2 inch to a half an inch?

3 A I would say a quarter of an inch. This is the
4 most thick area. And of course, the sharp edge will be
5 thinner.

6 Q I am sorry that I misspoke. I meant an eighth
7 of an inch to a quarter of an inch, not a quarter to a
8 half.

9 A Yes. I mentioned that. One-eighth.

10 Q My apologies.

11 Would you draw now a sketch of the general
12 configuration of the type of single-edged blade that would
13 have caused the wound depicted in People's 189 for identifi-
14 cation?

15 Incidentally, mark that one right there "double-
16 edged blade."

17 (The witness marks.)

18 Q Now, could you draw the sketch of the single-
19 edged blade?

20 A The blade will be at least five inches in
21 length.

22 The tip of the blade is unknown as far as the
23 exact shape. One side is sharp and one side has a square
24 back. When you cut horizontally or vertically, then I
25 would expect to find the knife blade to be shown as in this
26 diagram. One side is sharp and one side has a square back.

20-2

1 Q Would you indicate the width on that, too, Doctor?
2 Would the width be the same as on the double-edged blade?

3 A Yes.

4 Q 1 to 1-1/2 inches?

5 A 1 to 1-1/2 inches, and the thickness will be
6 about 1/8th to 1/4 inch.

7 Q You may resume the witness stand, Doctor.
8 Doctor, to what depth did most of the 102
9 wounds penetrate?

10 A Most of them around three or four inches. Some
11 had a five-inch depth.

12 Q Did it appear that the murder weapon
13 penetrated the bones of any of the victims?

14 MR. KANAREK: Again, your Honor, I must object on the
15 ground that it is assuming facts not in evidence when
16 Mr. Bugliosi uses the singular, "murder weapon."

17 MR. BUGLIOSI: Murder weapon or murder weapons. Did
18 they penetrate any of the bones of the victims?

19 THE WITNESS: Yes.

20 MR. BUGLIOSI: Q Do you recall which victims?

21 A Almost all four victims, excluding Mr. Parent.

22 Q Incidentally, Doctor, you have no way of
23 knowing, of course, the number of murder weapons used on
24 these victims; is that correct?

25 A That is true.

26 Q And you have no way of knowing which of the five

20-3

1 victims died first?

2 A That is true.

3 Q Or last?

4 A That is true.

5 MR. BUGLIOSI: May it be stipulated that a
6 representative of the Coroner's Office took blood samples
7 from the bodies of all five victims and turned these blood
8 samples over to officer Joe Granado of the Scientific
9 Division of the Los Angeles Police Department.

10 So stipulated?

11 MR. FITZGERALD: So stipulated.

12 MR. KANAREK: So stipulated.

13 MR. SHINN: So stipulated.

14 MR. BUGLIOSI: Doctor, was there a toxicology
15 examination performed on the five victims in this case?

16 A Yes.

17 Q What is a toxicology examination?

18 A This is a type of chemical examination or an
19 examination to isolate and determine the amount and type of
20 drugs or poisons found in the human body.

21 Q Do you know who performed the toxicology
22 examination on the bodies of the five victims in this
23 case?

24 A Yes, I do.

25 Q Do you know when the examinations took place?

26 A Yes, I do.

40-4

1 Q Incidentally, are these toxicology examinations
2 a part of the autopsy reports in this case?

3 A Yes, sir.

4 Q Would you please look at the toxicology
5 examination and tell the Judge and jury who performed the
6 examinations, when they were performed, and what drugs, if
7 any, were found on the bodies of the five victims.

8 MR. FITZGERALD: Would you tell us, also?

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THE WITNESS: Yes, sir.

Starting with Steven Earl Parent.

The blood ethanol -- that is the alcohol content -- was determined to be .02 percent.

An examination of the blood also excluded the presence of barbiturates, amphetamine, methydrine, MDA, doriden, meprabonate, quaalved, soma and phenacetin.

Those compounds were absent.

We also studied the blood for morphine and codeine, and those two compounds were absent from the blood.

Q Doctor, with respect to the other victims, could you indicate what drugs or alcohol, if any, were found as opposed to stating what was not found. Okay?

A All right, sir.

The positive findings in the toxicological study in the case of Abigail Folger. The blood alcohol was found to be .05 percent. The MDA was 2.4 milligrams percent.

MDA is methyenedioxyamphetamine. The spelling is --

MR. STOVITZ: We had that the other day, Doctor.

THE WITNESS: You have it? Good.

There was no toxicological substance found in Sharon Tate.

Our study showed no toxicological substance in

20a-2

1 Jay Sebring.

2 In the case of Frykowski, we found blood --
3 pardon me -- MDA, .6 milligrams percent in the urine.

4 That is all, I believe.

5 Q Doctor, you recall that today, and also yester-
6 day, you went to the diagram and you numbered all of the
7 102 wounds.

8 Do you recall doing that?

9 A Yes.

10 Q Do you recall that I also showed you some
11 black and white photographs of the five victims in this
12 case?

13 Do you recall that?

14 A Yes, I do.

15 Q Tonight would you do us a little favor?
16 Could you put the corresponding numbers; the numbers on
17 the diagram, would you put those numbers on the wounds
18 depicted in the black and white photographs and come
19 back tomorrow morning with that?

20 A Yes, I will be able to do so.

21 Q I assume you don't have a speaking engagement
22 tonight?

23 A You may assume so.

24 MR. BUGLIOSI: I have no further questions.

25 Thank you, Doctor.

26 MR. FITZGERALD: Rather than commence any cross-

20a-3

1 examination at this time, I wonder if I might have an
2 opportunity to review some material?

3 THE COURT: Yes.

4 We will adjourn at this time, ladies and
5 gentlemen.

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

9 The court will adjourn until 9:45 tomorrow
10 morning.

11 (Whereupon at 4:10 p.m. the court was in
12 recess.)
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