## 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.

No. A253156

REPORTERS' DAILY TRANSCRIPT Friday, September 11, 1970 A. M. SESSION

APPEARANCES:

DONALD A. MUSICH, STEPHEN RUSSELL KAY,

For the People:

VINCENT T. BUGLIOSI, DEPUTY DISTRICT ATTORNEYS

For Deft. Manson:

I. A. KANAREK, Esq.

For Deft. Atkins:

DAYE SHINN, Esq.

For Deft. Van Houten:

For Deft. Krenwinkel: PAUL FITZGERALD, Esq.

VOLUME 87

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

10,283 to 10,391 Official Reporters PAGES

LOS ANGELES, CALIFORNIA, FRIDAY, SEPTEMBER 11, 1970 1 9:52 o'clock a.m. 2 . 3 THE COURT: All parties, counsel and jurors are present. Did you have something, Mr. Kanarek? 6 MR. KANAREK: Yes. May we approach the bench, your 7 Honor? THE COURT: Very well. (The following proceedings were had at the 10 bench out of the hearing of the jury:) 11 MR. KANAREK: In what appears to be, your Honor, a 12 Probation Officer's report to the Juvenile Court --13 THE COURT: What is the subject we are on, Mr. 14. Kanarek? 15 MR. KANAREK: Mr. Hendricks, your Honor. 16 I gather Mr. Bugliosi is going to call Mr. 17 Hendricks. 18 MR. BUGLIOSI: Didn't you indicate that you wanted 19 us to put off the calling of Hendricks for some reason? 20 I was going to call him yesterday. 21 THE COURT: No, Mr. Kanarek and the other counsel 22 wanted to look at the file. 23 MR. BUGLIOSI: That was earlier in the day. 24 I thought later in the day after they had looked at the 25 file --26

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THE COURT: Mr. Kanarek indicates he had not completed looking at the file yesterday.

MR. BUGLIOSI: Have you completed looking at the file?

MR. KANAREK: Only in the sense, as much as I can, not being a psychiatrist, your Honor, but if Mr. Bugliosi is not going to call Mr. Hendricks --

MR. BUGLIOSI: I am, but not right now.

I am going to call Danny DeCarlo.

THE COURT: Let's get to the point, Mr. Kanarek.

MR. KANAREK: Mr. Bugliosi interjected his statement.

What I'm saying is this, your Honor, I am referring to the probation department report, and it states in this report his criminal behavior would seem to be complicated by an obvious organic problem with his brain that has neverbeen researched thoroughly prior to this time.

This file will reflect that there has been no "thorough research on his brain" subject to this February, 1970, report.

I have spoken with Dr. A. R. Tweed, and I can make the offer of proof, Dr. A. R. Tweed dictated this to me over the telephone this morning, and it is very close -- and this is the offer of proof:

That if he were called to testify, based upon the minimal -- I told him --

THE COURT: He made a diagnosis over the telephone!

MR. KANAREK: No, but because of the exigencies of time I'm asking your Honor to appoint doctors.

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THE COURT: You are going to have to show me some reason for it. Mr. Kanarek.

MR. KANAREK: That is what I am trying to do.

Dr. Tweed says , as a bare minimum, the entire record, meaning this Youth Authority file of Mr. Hendrix, should be reviewed and studied by psychiatrists before any comment could be made concerning the competency or lack of competency as to Mr. Hendrix.

This statement of Dr. Tweed's was made in response to my questioning the doctor, and after I pointed out matters concerning, for instance, in this report there are statements that Mr. Hendrix has seen little men sitting on the edge of his bed speaking to him, and the fact that he slashed his wrists and watched the blood, his own blood, drip into the sink.

THE COURT: If you are talking about something in the file now, Mr. Kanarek, I want to read it for myself. I don't want it second-hand.

MR. KANAREK: Right.

What I am saying, your Honor, is that Dr. Tweed says --

THE COURT: I am not interested in what Dr. Tweed says. He has never examined this man.

MR. KANAREK: No.

THE COURT: Then I couldn't be concerned with Dr. Tweed.

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Now, let's get down to the point. Do you have something in the file?

MR. KANAREK: Yes. What I just read to you about the obvious --

THE COURT: Do you have any objection to my reading the file?

MR. KANAREK: No. I have no objection to your Honor reading the entire file.

THE COURT: I will do that and take the matter up a little later.

MR. BUGLIOSI: With respect to Danny De Carlo, again we are going to go into the relationship of the members of the Family and Mr. Manson, things like that, which, under the Stevens case, goes toward the issue of conspiracy, the same as we did with Linda Kasabian.

THE COURT: That will be offered as part of the circumstantial evidence?

MR. BUGLIOSI: Yes. The relationship and association, one with the other, and also several other things.

Now -- I am Borry.

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THE COURT: You contend that it is part of the circumstantial evidence tending to show a conspiracy; is that correct?

MR. BUGLIOSI: Yes, tending to show a conspiracy, and circumstantial evidence showing that these people were very close to each other, and the interrelationship that they had with each other, that Manson had with the girls and the men in the Family.

Of course, I will be calling eight or nine witnesses to the stand for the same type of evidence. The only one I think we have called thus far is Linda Kasabian. Now Danny DeCarlo will testify to that and, of course, many other things, including the gun and the rope and things like that.

I believe he will testify that he was a member of the Family, and he made observations.

MR. HUGHES: Is it my understanding that you will be calling him against Leslie Van Houten also in this instance, or partly?

MR. BUGLIOSI: Yes. It has to be against Leslie Van Houten as to the conspiracy count. Not as to the five murders, but as to the conspiracy count. I think his testimony has to come in against her because she is charged with a conspiracy.

In fact, she will be mentioned in his testimony. She will be mentioned in his testimony in regard to the

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Family.

THE COURT: We don't have to go into all this on the record. You can confer with counsel.

Are you going to leave the Hendricks file with me, Mr. Kanarek?

MR. KANAREK: Certainly. Thank you.

THE COURT: All right.

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

THE COURT: Are you ready to proceed, Mr. Bugliosi?
MR. BUGLIOSI: Yes, your Honor.

The People call Danny DeCarlo.

THE CLERK: Raise your right hand, please.

Would you please repeat after me.

I do solemily 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 --1 THE CLERK: -- and nothing but the truth --2 THE WITNESS: -- and nothing but the truth --. 3 THE CLERK: -- so help me God. THE WITNESS: -- so help me God. 5 THE CLERK: Would you be seated, please. 6 Would you please state and spell your name. 7 THE WITNESS: Danny DeCarlo. THE CLERK: Would you spell it, please. THE WITNESS: D-e-C-a-r-1-o. 10 THE CLERK: Would you spell your first name, please. 11 THE WITNESS: D-a-n-n-y. 12 13 DANNY DE CARLO, 14 called as a witness by and on behalf of the People, having 15 been first duly sworn, was examined and testified as 16 follows: 17 18 DIRECT EXAMINATION 19. BY MR. BUGLIOSI: 20 What is your present occupation? 21 . A I am a gunsmith. 22 Gunsmith? Q 23 Yes, sir. A 24 Do you know Charles Manson seated to your Q 25. right front? 26 2b fls. Yes.

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-B-1		Q- When and where did you mest Mr. Manson for the
	1	first time?
	2	MR. KOMAREK: Immaterial, irrelevant.
	3	I would like to state this at the outset, your
	4	Honor
,	5	THE COURT: Just make your objection, Mr. Kanarek.
	6	MR. KANAREK: Very well
<b>3</b>	7	It is immaterial and irrelevant. There are two
<b>4</b>	8	days that are involved here.
	. 9	THE COURT: Overruled.
	10	MR. BUGLIOSI: When and whole did you meet Mr. Hanson
ж .	ü	for the first time?
	12	A At the ranch.
	13	Q The Spahn Ranch?
· ·	14	A Right.
*	15	Q In 1969?
	16	A Right.
	17	Q Approximately what month?
4	18	A I think it was March.
	. 19	Q March of 169?
	20	A Right.
\$ ************************************	21	Q How did you happen to go to Spahn Ranch in March
	22	of 1969?
	23	THE COURT: Keep your voice up, please, Mr. De Carlo.
	24	MR. KANAREK: Immaterial and irrelevant.
	25	THE COURT: Read the question, please.
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2B2q (The question was read by the reporter.) 1 MR. KANAREK: Also, your Honor, calling for a Ž conclusion and hearpay. 3 THE COURT: Overruled. You may answer. MR. BUGLIOSI: Do you remember the question, Danny? 6 THE WITNESS: No. 7 THE COURT: Read the question. 8 (The question was read by the reporter.) THE WITNESS: I went there to fix a bike. 10 MR. BUGLIOSI: Q A motorcycle? 11 Α Right. 12 You had heard that there was a motorcycle there 13 at Spahn Ranch? 14 MR. KANAREK: Object, your Honor, to that question on'. 15 the ground that it is calling for a conclusion and hearsay 16 on the part of this witness. 17 MR. BUGLIOSI: It is not offered for the truth. 81 THE COURT: Overruled. 19 MR. BUGLIOSI: Q You had heard that there was a 20 motorcycle at Spahn Ranch? 21 A. Right. And you went there to fix it? 23 A Right. 24

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you see Mr. Manson?

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Q When you arrived there for the first time, did

MR. KANAREK: Your Honor, I object to this question ,B3 1 on the grounds that it is immaterial and irrelevant, May I have a continuing objection, in any event, 3 on immateriality and irrelevancy as to all of this 4 witness testimony? 5 THE COURT: Very well. 6 MR. BUGLIOSI: Q Did you meet Mr. Manson the 7 first time that you went to Spahn Ranch? 8 Α Right. 9. Did he say anything to you with respect to the 10 motorcycle? 11 MR. KANAREK: Object, your Honor, on the grounds of 12 hearsay, and also on the grounds it is outside the scope of 13 the pleadings, whatever statements were made at that time. 14 THE COURT: Overruled. 15 You may answer. 16 Did he say anything to you MR. BUGLIOSI: Q 17 with respect to the motorcycle, Mr. De Carlo? 18 That it was broke. A 19 Q Did he ask you to fix it? 20 A Yes. 21 \*\*\*\*\* Q Did you fix it? 22 A Yes. 23 You are familiar with motorcycles? 24 A Yes. 25 Q Were you a member of a motorcycle club? 26

Yes. Called the Straight Satans? A It was a club. Q Do you want to forget the name, Danny? MR. KANAREK: Just a minute. Your Honor, this last question -- he asked a question, and this colloquy about "Do you want to forget it and all of that," I submit is improper. THE COURT: Let's proceed. Ask your next question. it 

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BY MR. BUGLIOSI:

Q Did you end up staying at Spahn Rench?

A Yeah.

Q. How did you happen to start living there?

A I just started living there.

Q Did anyone ask you to start living there?

MR. KANAREK: Calling for a conclusion, your Honor, and hearsay.

THE COURT: Overruled.

THE WITNESS: I was asked to stay there, right.

BY MR. BUGLIOSI:

Q By whom?

MR. KANAREK: Immaterial, your Honor.

MR.BUGLIOSI: Is there an outstanding objection, your

Honor?

MR. KANAREK: I don't think it has any materiality as to who asked him.

THE COURT: Approach the bench, Counsel.

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

THE COURT: Now, Mr. Kanarek, if you are back to your old tactics of using the objection as a tactical trial weapon to interrupt the direct testimony of this witness -- you asked for and were granted a continuing objection on the grounds of irrelevancy and immateriality. There is no necessity for you whatsoever to make such an objection.

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The objections you have been making are

Now, if you keep it up, Mr. Kanarek, I'm going to find you in contempt of court. I want you to understand that very clearly.

MR. KANAREK: May I say this:

First of all I would like to state to the Court, if your Honor wishes to call a recess in this connection, that --

THE COURT: I don't wish to call a recess. Now, get to the point and state whatever you want to state and let's get on with this trial.

MR. KANAREK: What the Court is doing is this:

In my humble opinion, the Court is, is, is -I hate to say this, but the Court is -- is attempting to
make counsel refrain from doing things by threats.

I sincerely believe, your Honor, I most sincerely believe that it isn't just a matter of making a record on appeal. I want to exonerate Mr. Manson in this trial, and for them to bring in all of these things, months before this alleged conspiracy started is immaterial and irrelevant.

My purpose is to convince the Court.

Now, I know I have a continuing objection on the grounds of immateriality --

THE COURT: It doesn't acquire any stature by being

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repeated several times.

MR. KANAREK: It's by way, perhaps, of emphasis because the purpose is to convince the Court --

THE COURT: Now, you heard what I said, Mr. Kanarek. I mean exactly what I said.

I want the record clearly to reflect if there is another attempt by you to interrupt the witness with frivolous and repeated objections -- you asked for and were granted a continuing objection as to immateriality and irrelevancy.

MR. KANAREK: May I ask your Honor this:

When the question is asked who asked him to stay at the Spahn Ranch, my position is, your Honor, that is an improper question.

The only defendant here --

THE COURT: I am not going to argue with you, Mr. Kanarek, you heard what I have to say. You are not fore-closed from making objections, but when they become frivolous I'm going to do something about it.

MR. KANAREK: When do they become frivolous? I cannot read the Court's mind. I can only say this, and I say this with the greatest respect for the Court, I'm referring to the article I read yesterday in yesterday's Journal --

THE COURT: I am not interested in your philosophy, Mr. Kanarek, let's get on with the trial.

MR. KANAREK: I am not philosophical, I am only trying to convince the Court --THE COURT: Let's get on with the trial. .8 Ò 24, 

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-A-1	1	(The following proceedings were had in open
	2	court in the presence and hearing of the jury:)
	3	Q BY MR. BUGLIOSI: You say Mr. Manson asked you
	4	to start staying at the ranch?
	5	A He asked me if I would like to.
	б	Q You said yes?
र्के	7	A I sure did.
	8	Q Did he make any offer to you?
	9	MR. KANAREK: May I object to that, that is
	10	ambiguous, your Honor.
,	11	THE COURT: Sustained.
	12	Q BY MR. BUGLIOSI: Did he make any offer to you as
_	13	to why you should stay at the ranch?
	14	MR. KANAREK: May I object to that on the grounds it
	15	calls for hearsay, conclusion, and is ambiguous?
	16	THE COURT: Sustained.
	17	Q BY MR. BUGLIOSI: Did he tell you what advantages
	18	there would be if you started living at the ranch?
	19	MR. KANAREK: That is solicitation of hearsay. It
	20	calls —
हा: जो चर	21	THE COURT: It calls for a description of the
₹6	22	conversation rather than the conversation, Mr. Bugliosi.
	23	The objection is sustained.
	24	Q BY MR. BUGLIOSI: What did he may to you with
	25	respect to starting to live at the ranch?
	26	MR. KANAREK: May I object to that, your Honor, on

3A2	1	the grounds of hearsay.
<u> </u>	2	THE COURT: Overruled.
	3	Q BY MR. BUGLIOSI: You may answer the question,
	4	Danny,
ı	5	A What advantages do I have?
	6	MR. BUGLIOSI: No, that question was objected to.
*	7	Q I am asking you now, what did Mr. Manson say to
	8	you about your staying at the ranch?
E.	9.	MR. KANAREK: May we have a foundation as to time and
	10	who was present, your Honor, as the law requires?
	11	THE COURT: The objection is sustained. Lay your
	12	foundation.
	13	Q BY MR. BUGLICSI: This was in March of 169,
	14	Denny?
	15:	A Right.
	16	Q Do you remember the exact date? .
	17	A No.
	18	Q And you had this conversation with Mr. Manson, is
	19	that correct?
	20	A Right,
	21	Q Do you remember who was present at that time?
£	.22.	A No.
	23	Q There was you and Mr. Manson?
	24	A There might have been a few others, I don't
	25	knowa
,	26	Q You don't know who they are?

THE COURT: No, let's continue, Mr. Kanarek. ĭ 2 your objection. MR. KAMAREK: I would ask that that last question and . 3 answer be stricken -- that the answer be stricken. 4 THE COURT: The motion is denied. 5 . 6 Q BY MR. BUGLIOSI: Now, he told you these things before you actually started living at the ranch, is that 7 8 correct? 9 A No, this went on as I went along. 10 Q Right, but the first time you heard about it you 11 had not started living at the ranch at that point? 12 A I started living there the first day I went up 13 there. 14 Q Right, but you had this conversation with Manson, is that correct? 15 16 Right. A Q. 17 And thereafter you started living at the ranch? 18 A Right. 19 Q When didyou ultimately leave Spahn Ranch? 20 A In August. Q 21 What part of August? 22 A tast part. 23 From March of 1969 to the latter part of 1969, 24 did you live at Spahn Ranch continuously? 25 MR. KANAREK: Your Honor, may I inquire whether this witness has been told about the privilege against selfincrimination, your Honor, the constitutional privilege?

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THE COURT: Let's proceed. 1 Do you have the question in mind, Mr. De Carlo? 2 THE WITNESS: I cannot remember the question. 3 MR. BUCLIOSI: I will repeat the question, Mr. De Carlo. 5 BY MR. BUGLIOSI: From March of 1969, that is, 6 when you started living at the Spahn Ranch until the latter part of August when you left, did you live at Spahn Ranch continuou#ly? A Yes. 10 Who was living at Spahn Ranch when you first 11 started to live there in March of 1969? 12 Α Well, all of us were. 13 Q Could you name some names? 14 Well, Leslie. A 15 Q When you say Leslie, you mean Leslie Van Houten? 16 A Right. 17 Q The girl I am pointing to right here? 18 A Yes. 19 Q Who else was at Spahn Ranch in March of 1969? 20 A Katie. 21 Q Patricia Krenwinkel? 22 A Yes. 23 Q Who else? 24 Sadie. A 25 Susan Atkins? 26

1	A Right.
	Q You knew her as Sadie Glutz?
2	A Yeah.
3 '	Q Who else was living at Spahn Ranch?
4 `	A Well, me, Clem,
5	Q Is that Clem Tufts?
6	A Yeah, Clem.
7	MR. BUGLIOSI: May it be stipulated that Clem's true
8	name is Steve Grogan? So stipulated?
9	MR. KANAREK: I can't your Honor, may that
10	stipulation be deferred?
11	I don't think in context with these proceedings
12	that it is necessary at this time.
13	Besides, counsel was supposed to have checked
14	with fellow counsel before he offers a stipulation in the
15	presence of the jury.
16	THE COURT: Let's proceed. That is enough,
17	Mr. Kanarek.
18	Q BY MR. BUGLIOSI: So Clem was living there also?
19	A Yeah.
20,	Q And Charles Manson was living there?
21 22	A Yeah.
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3b-1	1	Q.	Anyone else?
~ ·	· 2	• Д	A few ranch hands.
•	.3	ନ୍	Have you ever heard of Charles Tex Watson?
	4	A	Tex?
	5	Q	Yes.
į	6	. ; A	He was there.
***	7	Q	In addition to Tex and Manson and yourself and
	8	Clem and Su	san Atkins, Patricia Krenwinkel and Leslie Van
1.3	9	Houten, wer	e there other girls living out there?
/	10.	<b>A</b>	Yeah.
•	11	Q.	How many?
	12	A	About ten others.
	13	ପ୍	Do you know their names?
	14	·· A.	Yeah.
i.	15	Q	Could you give us their names?
	16	· A	I cannot remember all of them.
	17	Q	All right, give us the ones you know of.
* *	18	A.	Kathy.
	19	Q.	Do you know her last name?
4* *	20	A	No.
2	21		Gypsy, Squeaky.
⊈9	22	Q.	Did you know Squeaky also by the name of
	23	Lynn Fromme	?
	24	·	Yesh.
	25	Q	I show you defense exhibit H, Danny, do you
	26	know who is	shown in that photograph?
	•	<b>:</b>	

THE WITNESS: Yeah, we was the Family.

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BY MR. BUGLIOSI:

Q They called themselves the Family?

A Right.

Q Did you ever become a member of the Family?

MR. KANAREK: Your Honor, that calls for a conclusion on the part of this witness.

THE COURT: Overruled.

THE WITNESS: Yesh.

## BY MR. BUGLIOSI:

Q About a month after you moved to Spahn Ranch,
Mr. Danny DeCarlo, did Mr. Manson make any statement to you
with respect to your motorcycle club?

MR. KANAREK: I object on the ground of solicitation of hearsay, your Honor.

THE COURT: Overruled.

THE WITNESS: Well, he wanted my club to come up there.

## BY MR. BUGLIOSI:

Q To come up there and live?

A Yeah.

Q What did you tell him?

MR. KANAREK: Your Honor, I object on the grounds of hearsay and improper foundation as to who was present at the time.

THE COURT: Lay the foundation. The objection is sustained.

BY MR. BUGLIOSI: 3b-4 When you had this conversation with Mr. Manson 0 was it at Spahn Ranch? 3 Yeah. Who was present at that time if you recall? Α I don't know. 6 But there was you and Mr. Manson? Q 7 Right. 8 Were there other people present? Q. A If there was I cannot remember. 10 So he asked you to bring your club to the 11 ranch and have them start living there? 12 MR. KANAREK: I don't think he has laid the foundation 13 as to time, your Honor. 14 MR. BUGLIOSI: He already testified it was about a month after he moved to Spahn Ranch, your Honor. 16 THE COURT: Is that correct, Mr. DeCarlo? When was 17 it, what time, what date? . 18 THE WITNESS: It was during the daytime. 19 THE COURT: What date? 20 THE WITNESS: I don't know the date. It was in July, 21 somewhere around June or July, I guess. 22 BY MR. BUGLIOSI: 23 Then it was a couple of months after you went 24 to Spahn Ranch, is that correct? 25 Right. A

What did you say when he asked you to have your Q 1 club start living at the ranch? " MR. KANAREK: I object on the grounds of hearsay, 3. your Honor. 4 THE COURT: Overruled. Ė You may answer. 6 THE WITNESS: Well, I was all for having them up 7 there, but they did not want to come up there. 8 BY MR. BUGLIOSI: Did you ask them? Q 10. A Yeah. 11 They said no, is that correct? 12 MR. FITZGERALD: Objection, your Honor, what a 13 motorcycle club says is obviously hearsay. 14 THE COURT: Sustained. 15 BY MR. BUGLIOST: 16 Did Mr. Manson tell you why he wanted your club 17 to come up and live at Spahn Ranch? 18 MR. KANAREK: Solicitation of a conclusion and 19: hearsay. .20 I object, your Honor, 21 Also it is an improper foundation. 22 THE COURT: It would seem to be irrelevant, Mr. 23 Bugliosi. 24 MR. BUGLIOSI: It is very relevant, your Honor, to 25 26 what we are talking about.

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This did not take place in a vacuum. There was I a reason for his asking, presumably. 2 THE COURT: Objection sustained, let's proceed. 3 ' BY MR. BUGLIOSI: Q Do you know Al Springer? 5 A Yesh. 6 Q And who is Mr. Springer? 7 A My friend. 8 Is he a member of the motorcycle club that you Q 9 belong to? 10 Yeah. 11 Did Al Springer ever come to Spahn Ranch to 12 try to talk you into coming back to the motorcycle club? 13 MR. KANAREK: Your Honor, that is a solicitation of 14 a conclusion, hearsay and an improper foundation. 15 THE COURT: Sustained. 16 BY MR. BUGLIOSI: 17 Did you ever go back to the club, Mr. DeCarlo. 18. during that period of time between March, 1969, and August, 19 1 9697 20 MR. KANAREK: It assumes facts not in evidence, your 21 Honor, that he ever left the club. 22 He could be --23 THE COURT: Overruled. You may answer. 24 THE WITNESS: No, I did not go back. 25 26

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1	BY MR. BUGLIOSI:
2	Q How did the Family survive on the ranch, Mr.
3	DeCarlo?
4	In other words, what were their means of
5	support out there?
б ,	MR. KANAREK: Objection on the grounds it is calling
7	for a conclusion on the part of this witness.
<b>8</b> .	THE COURT: Overruled.
9	THE WITNESS: Well, there was money given to us.
10	BY MR. BUGLIOSI:
11	Q By whom?
Ì2'	A By different people.
13	Q Do you know who these people were?
14	A No.
15	Q Any other means of support out there?
16	MR. KANAREK: I object on the grounds it calls for
17	a conclusion.
18.	THE COURT: Overruled.
19	THE WITNESS: Cashing pop bottles.
20	BY MR. BUGLIOSI:
21	Q That never gave you too much money, did it,
22	Danny?
23	A I did all right.
24	Q You cashed in pop bottles, and you say that
25	people gave you money out there.
26	Was there any other means of support for the

	ı	Pamily?
	2	A I had my bike parts. I sold them.
	3	Q What about the rest of the Family?
εx	4	MR. KANAREK: Your Honor, I object on the grounds
	5	it is calling for a conclusion and it is ambiguous, your
	6	Honor.
1/2	7	THE COURT: Overruled.
	8 .	THE WITNESS: What about - what did the rest do?
	9	BY MR. BUGLIOSI:
,	10	Q What were their means of support? You said you
	1Į	were a member of the Family out there.
	12	Now, how did they get along?
	13	A We put all our money together, everything was
	14	together.
	15	Q Does that include personal property?
) ==		
4 fls.	16	A Right. I mean everything belonged to everybody.
4 ILS.	16 17	A Right. I mean everything belonged to everybody.
4 ILS.		A Right. I mean everything belonged to everybody.
4 ILS.	17	A Right. I mean everything belonged to everybody.
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4 ILS.	17 18 19 20 21 22 23	A Right. I mean everything belonged to everybody.
4 ILS.	17 18 19 20 21 22 23	A Right. I mean everything belonged to everybody.

That was the philosophy of the Family? Q -1 1 Object, your Honor KANAREK! .That is calling 2 condlusion. 3 TWE COURT: overruled. 4 THE WITNESS: Right. Everybody owned everything. 5 How would you get your food? MR. BUGLIOSI: 6 Go to the markets. A • 7 Q Behind the markets? 8 Behind the markets, right. A 9 Q Did they call these garbage runs? 10 Yes. 11 Q Who would go behind the markets; what members of 12 the Family? 13 Mostly the broads would. A 14 When you may the "broads," you mean the girls? : Q 15 The girls, right. A 16 Q During the time that you lived at Spahn Ranch; 17 Mr. De Carlo, did the Family have a leader? 18 MR. KANAREK: I object, your Honor. That is calling 19 for a conclusion on the part of this witness and hearsay. 20 THE COURT: Sustained. 21 Did you consider anyone in the MR. BUGLIOSI: Q 22 Family to be the leader, Mr. De Carlo? 23 MR. KANAREK: Your Honor, that is calling for a 24 conclusion. 25 MR. BUGLIOSI: He was a member of the Family.

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MR. KANAREK: And hearsay.

MR. BUCLIOSI: He was a member of the Family. If he can't testify to who the leader was --

THE COURT: I don't want argument on the record. If you want to argue, come to the bench.

DEFENDANT MANSON: You have to be going somewhere to lead. We weren't going anywhere, Mr. Bugliosi.

MR. BUGLIOSI: You will have your chance to take the witness stand about a month from now.

THE COURT: Mr. Manson, I have spoken to you before.
You are not to speak out in court.

Do you understand that, sir?

DEFENDANT MANSON: I understood it, sir.

(whereupon, all counsel having approached the bench, the following proceedings occur at the bench outside of the hearing of the jury:)

MR. KANAREK: Your Honor, there is a difference in status between Mr. Bugliosi and Mr. Manson. I would ask your Honor to issue an order to show cause in re contempt in view of Mr. Bugliosi's last statement.

Mr. Bugliosi is an officer of this court, and the statement that he uttered I would like to have read back to me at this time.

THE COURT: Mr. Kanarek, I don't want to hear any more of this.

You came up here to argue something,

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Mr. Bugliosi. Let's get on with it.

MR. BUGLIOSI: Your Honor, we run into this same objection every time.

The reason that it is so relevant, the proof of the relevance is that the defense vehemently objects to it.

THE COURT: That is not an argument that they object to it.

MR. BUGLIOSI: I am saying that it is very relevant.

He said that he was a member of the Family.

THE COURT: I heard the testimony.

MR. BUGLIOSI: There is no one else that can testify who he believed was the leader. No one else can do it except someone who was out there. There is absolutely no other person who can do it.

THE COURT: His belief is not in Issue.

MR. BUGLIOSI: His state of mind, the state of mind of every member of the Family is in issue, to ascertain who was the head of this group out there.

THE COURT: You may bring this out through his testimony, what Mr. Manson said and did, in fact. That is one thing. But Mr. De Carlo's belief as to who the leader was is a pure conclusion and is also irrelevant.

Let's get on.

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MR. KANAREK: May I also say this. In view of Mr. Bugliosi's last statement, I would ask for a mistrial based upon the Griffin case, your Honor. His last statement. I would ask your Honor to read over his last statement that he made as he was coming around the table to the bench. I would ask that it be read to the Court.

Based on the Griffin case, I would ask for a mistrial on the basis that it is an evasion of a fundamental constitutional right of Mr. Manson.

THE COURT: I will ask the jury to disregard the remark. I doubt if they even heard it. I don't think they heard what was said between Mr. Bugliosi and Mr. Manson.

I don't know who he was talking to.

In any event, if he was addressing his remarks to Mr. Manson, I certainly will admonish him not to do so.

MR. BUGLIOSI: Very well, your Honor.

THE COURT: I admonish all counsel not to direct themselves directly to parties.

MR. BUGLIOSI: Very well, your Honor.

Just briefly going back, your Honor. The state of mind of the members of the Family is relevant, your Honor, to show the association of the parties, to show the association by the state of mind and the inter-relationship between them.

Just to put on sterile acts -THE COURT: It is something for the jury to determine,

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what the relationship was.

MR. BUGLIOSI: The defense can say this, your Honor, and I am sure the defense will, and I think they have a right to do it during their defense, and they can put on evidence — and I think they intend to do it — that he was not the head of the Family.

I think it would be proper evidence, and it is a matter for the jury to decide.

But when someone is a member of a group, he has identified the group by name and said he was a member, his state of mind is important to show --

THE COURT: We have gone over this now. Mr. Bugliosi.

I have no reason to change my mind. He is not an elected head. It is not some objective fact that can be pointed to. We are talking about the state of mind of one of the members, a member who is not a party to this action.

MR. BUGLIOSI: I grant you, but how did he get that state of mind? It was by living out there, your Honor.

THE COURT: I haven't the faintest idea how he got that state of mind.

Let's proceed.

MR. BUGLIOSI: Very well.

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

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THE COURT: The jury is admonished to disregard any remarks of counsel, including, of course, Mr. Bugliosi, and any remarks of Mr. Manson; any of those, if any of those remarks were overheard.

Lat's proceed.

MR. BUGLIOSI: Q Going back to the girls in the Family, did they ever talk to you about they felt about Mr. Manson?

MR. KANAREK: May I object to that, your Honor, on the grounds of hearsay, conclusion, and it is ambiguous, and improper foundation, your Honor,

MR. BUGLIOSI: People vs. Stevens, your Honor.

THE COURT: Overruled.

You may answer.

THE WITNESS: They liked him.

MR. BUGLIOSI: Q Did they say anything else about him?

MR. KANAREK: I didn't hear the last answer.

THE WITNESS: They liked him.

MR. KANAREK: I am sorry?

DEFENDANT MANSON: They liked him.

MR. KABAREK: I am sorry.

45-1 BY MR. BUGLIOST: Did they say anything else about him? They worshipped him. 3 You say they worshipped him? 4 Yes, they worshipped him. 5 MR. KANAREK: Objection, your Honor. The vice of 6 this -7 THE COURT: The objection is sustained. The answer 8. \*\* is stricken. 9 Let's either get the conversation, Mr. Bugliosi, 10 or let's get on to another subject. 11 BY MR. BUGLIOSI: What did they use to say about him? 13. MR. KANAREK: I object to the question as ambiguous. 14 your Honor. 15 MR. BUGLIOSI: Your Honor, it has already been 16 objected to and it was overruled. 17 THE COURT: Lay the foundation. 18 The objection is sustained. 19 BY MR. BUGLIOSI: 20 During the period of time that you were out 21 there, Mr. DeCarlo, did the girls in the Family frequently 22 make statements about how they felt about Mr. Manson? 23 MR. KANAREK: I must object to that on the grounds of 24 hearsay, and it is ambiguous, your Honor. 25 THE COURT: Overruled. 26

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THE WITNESS: Yes.

## BY MR. BUGLIOSI;

Q What did they say about him?

MR. KANAREK: Objection, your Honor. In this regard, we must have precise people.

THE COURT: State the objection, Mr. Kanarek.

MR. KANAREK: The objection is that it is ambiguous. You can't lump people together. You must have precise people.

THE COURT: The objection is sustained.
BY MR. BUGLIOSI:

Q They used to say things about Mr. Manson; is that correct?

A Right.

Q All the girls?

A Right.

Q At various times?

A Right.

Q Do you remember the particular times?

A No.

Q What would the girls say about Mr. Manson?

MR. KANAREK: Same objection, your Honor.

THE COURT: Sustained.

## BY MR. BUGLIOSI:

Q Did you ever hear the girls say anything about Charlie with respect to his knowing all and seeing all?

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MR. KANAREK: I object, your Honor. It is ambiguous. He can ask about precise individuals.

THE COURT: Sustained.

MR. BUGLIOSI: He already said, your Honor, that all the girls made these statements.

THE COURT: The objection is sustained.
BY MR. BUGLIOSI:

Q How would the girls describe Charlie to you?

MR. KANAREK: Ambiguous, your Honor, because of the grouping of the girls.

THE COURT: Sustained.

BY MR. BUGLIOSI:

Q You said that all the girls used to say things to you about Charlie; is that correct?

A Right.

Q Were their remarks basically the same about Mr. Manson?

MR. KANAREK: I object, your Honor. It is ambiguous and calling for a conclusion.

THE COURT: Sustained.

MR. BUGLIOSI: If I cam get into the conversation, your Honor --

MR. KANAREK: May we make argument at the bench, your Honor?

MR. BUGLIOSI: Yes. May we approach the bench on this, your Honor?

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THE COURT: Very wall.

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

MR. BUGLIOSI: Your Honor, you did not permit me to have this member of the Family testify as to who was the leader. Now you are not permitting me to ask him what they said about Mr. Manson.

THE COURT: That isn't true, Mr. Bugliosi.

MR. BUGLIOSI: I asked him what they said about Mr. Manson. He said all the girls spoke to him about Mr. Manson.

THE COURT: You may lay a proper foundation as to who said what, who was present at the time, and so forth.

MR. BUGLIOSI: He said he does not remember the particular occasions or the various girls. He said, "all the girls," he didn't say any particular girls. He said "all the girls."

That is his testimony.

MR. FITZGERALD: Then it is inadmissible.

THE COURT: Ask him about a specific girl.

MR. BUGLIOSI: I can't break his testimony down to individual girls. He said "all the girls" used to say things about Mr. Manson.

THE COURT: That doesn't mean anything. It is simply inadmissible, that is all. It is improper.

MR. BUGLIOSI: I am putting on the relationship that

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these girls had with Charles Manson.

MR. FITZGERALD: You can't put in a conversation unless you can lay a foundation for it, Mr. Bugliosi.

THE COURT: It is just that simple.

MR. BUGLIOSI: The foundation is that he did not remember a specific conversation.

THE COURT: Then he can't testify to it. It is just that simple.

MR. BUGLIOSI: There is no rule that says the witness has to remember the date and the time and the persons present before he can relate a conversation.

THE COURT: He has to remember the parties to the conversation.

MR. BUGLIOSI: He said all the girls. I have already got that into evidence.

Now, if he said four of the girls -THE COURT: Ask him about someone specifically.
MR. BUGLIOSI: When he says "all the girls," I
can't break that down.

THE COURT: All right. Let's proceed.

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

MR. BUGLIOSI: Q You say that all the girls used to talk about Charlie?

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1 THE COURT: Sustained. 3 MR. BUGLIOST: Q 4 5 case, Mr. De Carlo? Yes. . 7 7 MR. KANAREK: Your Honor, that is ambiguous. 9 10 THE COURT: 11 MR. BUGLIOSI: Q 12 about Charles Manson? 13 MR. KANAREK: Your Honor, I object on the --14 15 16 will drop it right there. 17 18 bench --19 20 21 22 23 24 25

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MR. KANAREK: Objection, your Honor. That has been asked and answered several times.

Were some of the girls that spoke about Charlie the three female defendants in this

Do you remember what they mid about Charlie?

MR. BUGLIOSI: I am laying a foundation, your Honor.

Sustained.

Do you remember what they said

MR. BUGLIOSI: I will lay a foundation and then get into a particular conversation. If he doen't remember, I

MR. KANAREK: The Court made a certain ruling at the

THE COURT: Let's proceed.

MR. BUGLIOSI: All right.

Do you remember any statements made to you by theme three female defendants, Mr. De Carlo?

MR. KANAREK: I object on the ground that it is ambiguous, calling for a conclusion, improper foundation, your Honor.

THE COURT: You can answer that yes or no. Mr. De Carlo. The objection is overruled. THE WITNESS: Yes. ID · 5 \* 

4d-1	1	BY MR, BUGLIOSI:
	2	Q I am referring now to Susan Atkins, Patricia
	3	Krenwinkel and Leslie Van Houten, you understand that?
.'	4	A Right.
	5	Q Let's take them one at a time. Let's talk
	6	about Susan Atkins first,
** ***	7	Do you remember any strement she made to you
,	8	about Charles Manson?
±lla.	.9	A Well, that Charlie knew all.
	10	MR. KANAREK: Your Honor, that can be answered yes
	11	or no.
**	12	I am not objecting at this point because the
_	13	question solicits a yes or no answer.
	14	I ask that the last answer be stricken.
•	15	THE COURT: State your objection, Mr. Kanarek.
	16	MR. KANAREK: I am asking that the last enswer be
<b>%</b> c	17	stricken.
•	18	THE COURT: State your objection.
•	19	MR. KANAREK: That it is not responsive, your Honor.
<b>2</b> €	20	THE COURT: Overruled.
. *	21	BY MR. BUGLIOSI:
*	22	Q Susan Atkins told you that Charles Manson
	23	knew all?
*.	24	A Right.
	25	Q Did she say anything else about him?
1	26	MR. FITZGERALD: Hearsey as to Patricia Krenwinkel.

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MR. KANAREK: Also no foundation as to who else was present, your Honor.

THE COURT: Overruled.

MR. HUGHES: Hearsay as to Leslie Van Houten.
BY MR. BUGLIOSI:

Q Did she say anything else about him other than the fact that he knew all?

MR. KANAREK: May we have a foundation as to the time and who else was present, your Honor?

THE COURT: All right.

Lay the foundation.

BY MR. BUGLIOSI:

Q Do you recall when you had this conversation with Susan Atkins?

A No.

Q Did you have several conversations with her with respect to Charles Manson?

A No.

Q How many conversations did you have with her with respect to Charles Manson?

A She just commented to me that --

MR. FITZGERALD: That's not responsive, your Honor.

THE COURT: How many conversations, Mr. DeCarlo?

MR. KANAREK: I ask that the answer thus far be stricken.

THE WITNESS: Just a conversation.

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4d-3	1	They all said the same thing, you know.			
	2	THE COURT: That will be stricken. Lay the founda-			
	3	tion, Mr. Bugliosi.			
	4	MR. BUGLIOSI: Very well.			
, ,	5.	Susan Atkins had a few conversations with you			
	6	with respect to Charles Manson; is that correct?			
****	. 7	A Yes.			
<i>.</i>	8	Q At Spahn Ranch?			
÷** .	9	A Yes.			
	10	Q Do you remember the particular dates that she			
	71	told you certain things about Charles Manmon?			
	12	A No.			
_	, 13	Q Do you know who was present when she told you			
	14	these things?			
	15	A No.			
	16	o . And she told you that Manson knew all; is			
٠,	17	that correct?			
	18.	MR. KANAREK: Objection, your Honor, That is			
	19	leading and suggestive.			
<i>3</i> *	20	MR. BUGLIOSI: He has already answered it.			
%	21	MR. HUGHES: Hearsay as to Leslie Van Houten.			
	22	THE COURT: Overruled.			
	23	BY MR. BUGLIOSI:			
<u>-</u>	24	Q She told you that he knew all?			
	25	A Right.			
	26	Q Did she tell you anything else about Charlie?			

MR. KANAREK: No foundation, your Honor. I object on the grounds of foundation, your Honor.

THE COURT: Overfuled.

You may answer.

THE WITNESS: Well, that he knew all, that he sees all.

MR. BUGLIOSI: Q What about Patricia 48-1 1 Krenwinkal? Did you ever have any conversation with her 2 with respect to Charles Manson? MR. SHINN: May this be limited to the declarant, your 4 Honor? Š THE COURT: Let's wait until we get to the conver-6 sation, Mr. Shinn. MR. SHINN: I beg your pardon? THE COURT: Make your objection when we get to the conversation. The foundation hasn't been laid yet. 10 MR. SHINN: He is going into the conversation now, your 11 Honor. 12 THE COURT: Proceed. 13 hear MR. BUGLIOSI: Q Did you ever/Patricia 14 Krenwinkel ever say anything with respect to Charles Manson? 15 Yes. A 16 During your period of time at the Spahn Ranch? 17 A Yes. 18. Q Do you remember the particular occasions when 19 she spoke to you about Charles Manson? 20 Α. No. 21 Do you remember who was present during those Q 22 conversations 23. A No. 24

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foundation. ľ MR. KANAREK: Objection on lack of foundation and 2 hearsay. 3 THE COURT: Overruled. MR. BUGLIOSI: You may answer that, Mr. Decarlo. 5 MR. HUGHES: Hearsay as to Defendant Leslie Van Houten. 6 THE WITNESS: I can answer that? 7 MR. BUGLIOSI: Yes. R THE WITNESS: I don't remember the time. 9 Look, they all dug --10 THE COURT: Answer the question, Mr. De Carlo. 11 What was the conversation? 12 THE WITNESS: I don't know the conversation. MR. BUGLIOSI: Q You can 't remember the exact 14 words? A No. 16 Q You said that Susan Atkins told you that Manson 17 knew all and could see all? 18 MR. SHINN: Your Honor, that has been asked and 19 answered. 20 MR. BUGLIOSI: Q Did Patricia Krenwinkel say 21 anything similar to that? 22 MR. KANAREK: Objection, your Honor. Leading and 23 suggestive. THE COURT: Overruled. 25 THE WITNESS: Yes, something similar to it. 26

MR. BUGLIOSI: Q on more than one occasion?
A I don't know.
Q What about Leslie Van Houten? Did you have
conversations with her with respect to Charles Manson?
A Yes.
Q During your period of time at the Spahn Ranch?
A Right.
Q Do You remember the exact dates that you spoke
to Leslie Van Houten about Charles Manson?
A No.
Q Do you know who was present during these conver-
sations?
A No.
Q What did Hiss Van Houten tell you about Charles
Manson?
MR. HUGHES: Object for failure to lay a foundation.
MR. KANAREK: No foundation and hearsay and con-
clusion, your Honor.
THE COURT: Overruled.
You may answer.
THE WITNESS: She said about the same thing.
MR. SUGLIOSI: Q That he knew all and saw all?
A Right.
MR. KANAREK: Your Honor, that is leading and
suggestive.
THE COURT: Overruled.

MR. BUGLIOSI: Q Your answer was "right" to that question?

A Right.

Q Did you ever hear Mr. Manson tell the girls in the Family?

MR. KANAREK: Object on the grounds of hearsay, conclusion, leading and suggestive, and assuming facts not in evidence, your Honor.

MR. FITZGERALD: And ambiguous.

THE COURT: Sustained.

MR. BUGLIOSI: On what particular ground, your Honor?

THE COURT: It is sustained, Mr. Bugliosi, on several grounds.

Let's proceed.

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BY MR. BUGLIOSI:

Q Did you ever overhear Charlie have a conversation with the girls in the Family with respect to what he felt their role in the Family was?

MR. KANAREK: Objection, your Honor, on the --

MR. BUGLIOSI: It is foundational, your Honor.

MR. KANAREK: -- grounds that it is leading and suggestive. There is no foundation.

MR. BUGLIOSI: That is what I am laying right now, Mr. Kanarek.

MR. KANAREK: Your Honor, it is leading and suggestive and it solicits conclusion and hearsay.

THE COURT: Approach the bench, Counsel.

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

THE COURT: Mr. Bugliosi, I think you are just asking for all the difficulties that you are getting into now.

MR. BUGLIOSI: I am laying foundation. I am directing his attention to an area. Then I want to ask: When
did you hear the conversation? Who was present? And
what was said?

THE COURT: When you make that statement about their role in the Family, and this type of thing, you are running into objections.

MR. BUGLIOSI: He can say anything. I know what the

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answer is going to be, but the jury doesn't know.

"Function or role," they could have a role of working. The jury doesn't know.

THE COURT: Why don't you just ask for the conversation and then the jury can decide about their roles.

MR. BUGLIOSI: It is impossible to ask for conversation unless I draw his attention to a particular area.

I can't say: Did you ever hear him talk to the girls?

He has heard him talk to the girls for some five or six months. I have to draw his attention to a particular area.

THE COURT: I think you can sharpen it up more than that.

MR. BUGLIOSI: His answer is, as he told me, that he heard Mr. Manson tell the girls that their job out there was to have babies and take care of the men. I have to draw his attention to that area, I have to draw his attention to a certain area to get the answer from him. I can't just talk about general conversations.

I am sure he has heard innumerable conversations that he had with the girls.

"Function or role," maybe the Court wants me to use different words rather than function or role.

THE COURT: It is not what a question of what I want,
Mr. Bugliosi. It is a question of laying a proper foundation

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and getting the witness to relate a conversation without being leading and suggestive or any of the other objections that have been raised.

I realize that sometimes you have to refer to a subject matter.

MR. BUGLIOSI: I know,

THE COURT: Let's proceed.

MR. BUGLIOSI: I can't ask the question: Did he ever tell the girls that their role was to have babies, and stuff like that, because that really would be leading. I would like to draw his attention to certain things.

THE COURT: Let's proceed.

48-1 (Whereupon, all counsel return to their 1 respective places at counsel table and the following 2 proceedings occur in open court within the presence and . 3 hearing of the jury:) 4 MR. BUGLIOSI: Q Did you ever hear Mr. Manson . 5 tell the girls in the Family what their role or their ъ function was in the Family? \* 2 7 MR. KANAREK: I object, your Honor, on the grounds of 8 \*\*\* foundation, leading and suggestive, conclusion, and it is 9 hearsay. 10 It is the same question, your Honor. 11 THE COURT: overruled. 12 THE WITNESS: Yes. 13 When did you hear him tell the MR. BUGLIOSI: Q 14 girls what their role or function was? 15 When? Ï6 Yes. 17 I don't know when. 18 Q More than once? 19 A Yes. .20 Q How many times? 21 A I don't know. Five or six, I guess, I don't 22 know. 23 Do you know who was present during these 24 conversations other than Mr. Manson and the girls? 25 A No.

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Q	Here	YOU	present
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A A couple of times I was.

Q okay.

What did you hear Mr. Manson tell the girls with respect to their role in the Family?

MR. KANAREK: Your Honor, that is ambiguous, improper foundation, solicits hearsay; also, who were the girls that he is speaking of?

MR. BUGLIOSI: All right. I will go into that, if you can remember.

Q Do you remember what girls were present when Mr. Manson told them of their role or function in the Family?

A No.

Q How many girls were there?

A Five or six.

Q Do you remember what Mr. Manson told these five or six girls as to their role in the Family?

MR. FITZGERALD: It is immaterial and irrelevant.

There is no showing that these defendants were present.

THE COURT: Overruled.

You may answer.

THE WITNESS: To take care of the men. That was their job.

That was their job anyway.

MR. KANAREK: I ask that that be stricken. 1 THE COURT: The last sentence is stricken and the 2 jury is admonished to disregard it. 3 MR. BUGLIOSI: Very well. 4 You heard Mr. Manson tell the girls in the 5 Family that their role was to take care of the men; is 6 that correct? 7 MR, KANAROK: I object to Mr. Bugliosi paraphrasing 8 the witness answer and re-asking it. THE COURT: Sustained. It has been asked and answered. İ MR. BUGLIOSI: Q Did the girls in the Family 11 walk around nude? 12 MR. FITZGERALD: Objection, your Honor. 13. MR. KANAREK: I object, your Honor. 14 MR. BUGLIOSI: On what grounds? 15 MR. FITZGERALD: Whether they are nude, or whether 16 Mr. Bugliosi is nude, or anyone else is nude, is 17 immaterial. 18 MR. BUGLIOSI: I am laying a foundation. Maybe 19 Mr. Manson ordered it. 20 THE COURT: Overruled. 21 MR. KANAREK: May we approach the bench on this, your 22 Honor? 23 THE COURT: No. you may not, sir. 24 Answer the question. 25 THE WITNESS: You want to know if he told them to 26. take their clothes off?

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BY MR. BUGLIOSI:

Q I want to know right now, Danny, whether the girls in the Family used to walk around nude, now and then?

A Yeah.

Q Did you ever hear Mr. Manson instruct the girls to walk around nude?

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

It is a solicitation of hearsay and I would like to approach the bench on the subject if I may.

THE COURT: Overruled, you may answer.

MR. FITZGERALD: It is improper and it is misconduct.

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

THE COURT: You may answer.

THE WITNESS: You asked me if he told them to take their clothes off.

BY MR. BUGLIOSI;

Q Yes, to walk around in the nude.

A Yes.

Q Did you hear him tell the girls that several times?

MR. KANAREK: I object, your Honor, on the grounds it's leading and suggestive.

MR. FITZGERALD: And it is ambiguous, what girls?

THE WITNESS: All girla.

THE COURT: Sustained.

Mr. Bugliosi, the same comments I made at the 5~2 1 bench still apply. 2 MR. BUGLIOSI: Yes, referring to foundation, your Honor? THE COURT: That's right. 5 BY MR. BUGLIOSI: . 6 When did you hear Mr. Manson tell the girls to 7 Q do something with respect to their clothing? 8 . 4 A You want the month? If you remember. 10 Q. Around June, I guess, when I first got up there. A 11 What about after June? 12 Well, they took their clothes off anyway. 13 14 never had to tell them. He told them a couple of times but, well, they 15 just did it anyway. 16 17 They used to walk around in the nude? They sure did. 18 A You kind of liked that, didn't you, Danny? . 19 Q 20 I dug it -- I liked it. A 21 Did you ever hear or observe any female member 22 of the Family disobey Mr. Manson? 23 MR. KANAREK: Object, your Honor, calling for a 24 conclusion, solicitation of hearsay, improper foundation, 25 your Honor. 26 MR. FITZGERAID: It assumes facts not in evidence in

1	the sense that it assumes there were orders to either obe
2	or disobey.
.3	THE COURT: The objection is sustained.
4	BY MR. BUGLIOSI:
5	Q Did you ever hear Mr. Manson give instruction
6	to the girls?
7	A Yeah.
8	Q On how many occasions?
ġ.	A A couple.
10	Q Did you ever hear any girl in the Family, or
11	observe any girl in the Family disobey Mr. Nanson?
12	MR. KANAREK: I object, your Honor, on the grounds
13	it is the same it is one thing to
14	THE COURT: Sustained.
15	BY MR. BUGLIOSI:
16	Q Would you relate the instances when you heard
17	or observed Mr. Manson give instructions to the girls in
18	the Family?
<b>19</b>	MR. KANAREK: Object on the grounds of improper
<b>2</b> 0	foundation, solicitation of hearsay and conclusions, your
21	Honor.
22	It is ambiguous.
23.	THE COURT: Overruled. You may answer.
24	THE WITNESS: I did not hear the question.
25	MR. BUGLIOSI: Your Honor, could the reporter read
26	the question.

٠.,	1	THE COURT: Read the question.
	- 2	(Whereupon the reporter reads the question
	ູ3	as follows:
**************************************	4	"Q Would you relate the instances when
	5	you heard or observed Mr. Manson give instructions
	6	to the girls in the Family?")
	· Ť	THE COURT: Read the objection also.
	8	(Whereupon the reporter reads the objection
**	è	as follows:
	10	"MR. KANAREK: Object on the grounds of
	n	improper foundation, solicitation of hearsay
	12	and conclusions, your Honor.")
	13	THE COURT: Sustained on the lack of foundation.
	14	BY MR. BUGLIOSI:
*	15	Q You say you remember Mr. Manson giving instruc-
	16	tions to the girls in the Family?
	1,7	MR. KANAREK: That has been asked and answered, your
	18	Honor.
	19	THE COURT: Overruled.
<b>5</b> .	. 20	THE WITNESS: Yes.
	' 21	BY MR. BUGLIOSI:
	22	O Do you remember the occasions when you heard
	23	him give instructions to the girls in the Family?
,	24	A Well, like "Go get me a cigarette," or something
	. 25	like that, you know.

Anything else?

25.

MR. KANAREK: Your Honor, that is not responsive. May that be stricken?

THE COURT: The answer will be stricken. The jury is admonished to disregard it.

We will take our recess at this time.

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

The court will recess for 15 minutes. (Recess.)

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

You may continue, Mr. Bugliosi.

- O BY MR. BUGLIOSI: I believe we were talking, Mr. De Carlo, about instructions that Mr. Manson gave to girls in the Family. Do you recall that?
  - A Yeah.
- Q Directing your attention to these three girls, the three female defendants, Susan Atkins, Patricia Krenwinkel and Leslie Van Houten, were they ever present when Mr. Manson gave instructions to the girls?
  - A Yes.
- Q Do you remember the dates, the particular dates of these instructions?
  - A No.
- Q Do you remember every single girl that was present?
  - A No.
- Q But you do remember on occasion that Susan Atkins, Patricia Krenwinkel and Leslie Van Houten were present, is that correct?
  - A Yeah.
- Q Would you relate to the Judge and the jury what instructions you heard Mr. Manson give the girls at times that Miss Krenwinkel, Miss Atkins and Miss Van Houten were present?

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MR. FITZGERALD: Objection, your Honor, it's ambiguous.

I wonder if I may be permitted to ask the witness a question for the purpose of interposing an objection.

MR. BUGLIOSI: I would object to that, your Honor.
This is direct examination.

THE COURT: What is your objection, Mr. Fitzgerald?
MR. FITZGERALD: That it is ambiguous.

We don't know if there were times when there were conversations when one or more of the defendants were not present.

MR. BUGLIOSI: I specifically directed his attention to those times when these girls were present.

MR. FITZGERALD: Lack of foundation, your Honor.
MR. KANAREK: Solicitation of hearsay.

THE COURT: The question is uncertain at this point as to who was present, Mr. Bugliosi. Sustained.

Q BY MR. BUGLIOSI: There were occasions when Mr. Manson gave instructions to the girls, and these three female defendants were present, is that correct?

MR. KANAREK: That is ambiguous, your Honor.

THE COURT: Ambiguous? How?

MR. KANAREK: Well, is he referring to other people being present when he says "girls" and then he mentions these three defendants? It is ambiguous.

THE COURT: Overruled. You may answer. Ì THE WITNESS: Yes. 2 BY MR. BUCLIOSI: In addition to the three Q 3 female defendants do you recall who else was present on 4 these occasions when Mr. Manson gave instructions? 5 MR. KANAREK: That is ambiguous, your Honor. 6 THE COURT: Overruled. 7 THE WITNESS: No. 8 BY MR. BUGLICSI: Pardon? C 9 A No. 10 Q But there were other girls present? 11 Yes, there was other girls present. A 12 Q Members of the Family? 13 Yeah. A 14 What instructions did you hear Mr. Manson give 15 these girls, including Miss Atkins, Piss Krenwinkel and 16 Miss Van Houten? 17 MR. KNAREK: Object, your Bonor, on the grounds of 18 improper foundation, hearsay and conclusion. 19 THE COURT: Cyerruled. 20 THE WITNESE: To panhandle for money. 21 0 DY MR. BUGLICET: What do you mean by panhandle? 22 Well, panhandle. A 23 That means to go out in the street and beg for 24 money? 25 Yeah, just asking people for money. 26

Q You heard Manson tell a group of girls including these three female defendants to go panhandle for money, is that correct?

MR. KANAREK: That is assuming facts not in evidence.

Your Honor.

THE COURT: Overruled.

THE WITNESS: Yeah, well, we all did it. Even I did it.

MR. BUGLIOSI: All right --

THE COURT: That was not the question, Mr. De Carlo.

Read the question.

The answer will be stricken. The jury is admonished to disregard it.

Listen to the question and answer the question only that is asked.

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

"Q You heard Manson tell a group of girls including these three female defendants to go panhandle for money, is that correct?")

THE WITNESS: Right.

Q BY MR. BUGLIOSI: Did you ever hear him give these three female defendants any other instructions?

MR. KANAREK: Your Honor, that is ambiguous. There is no foundation.

MR. BUGLIOSI: We are talking about the same conversations, your Honor.

THE COURT: This calls for a yes or no answer. Ĭ Overruled. 2 THE WITNESS: Would you read the question again? 3 THE COURT: Read the question. 4 (Whereupon, the reporter reads the pending 5 question as follows: 6 BY MR. BUGLIOSI: Did you ever 7 hear him give these three female defendants 8 any other instructions?") 9 THE WITHESS: Yeah. 10 Q BY MR. BUGLIOSI: Do you remember the particular 11 dates of these other instructions? 12 A No. 13 Were any other girls present in addition to these 14 three female defendants? 15 Yeah. 16 Do you know who they were? 17 A No. 18 Q There was more than one? 19 A Yeah. 20 Q What were those instructions? 21 MR. KANAREK: No foundation, your Honor, and it's 22 ambiguous as to whether the girls were together, all three, 23 one, two, or three of them, your Honor. 24 It is a solicitation, your Honor --25 THE COURT: I think it is still uncertain, 26

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Mr. Bugliosi. Objection sustained on that ground. 1 BY MR. BUGLIOSI: Now, you testified to 2 Mr. Manson giving instructions to several girls including 3 these three female defendaris to go and panhandle. 4 Now I am asking you if you heard Mr. Manson give 5 any other instructions to a group of girls including these 6 three female defendants. 7 MR. KANAREK: Your Honor, it is the same question 8. that your Honor just sustained the objection to. ġ THE COURT: Overruled. 10 THE WITNESS: Yeah. 11 BY MR. BUGLIOSI: Do you remember the particular 12 time and occasion? 13 A No. 14 Q Do you know who the other girls were in 15 addition to these three female defendants? 16 · A No. 17 But it was during the period of time batween 18 March and August of '69, is that correct? 19 A Yes. 20 21 22 23 24 25 26

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What instructions did you hear Mr. Manson give? MR. KANAREK: I object on the grounds of improper foundation, your Honor, and it's ambiguous.

THE COURT: Overruled.

To go get chow. THE WITNESS:

## BY MR. BUGLIOSI:

- Did lir. Manson tell the group of girls including the three female defendants where to get the chow?
  - A No.
- Did you ever hear Mr. Manson tell a group of girls including these three female defendants to go on a garbage run?
  - A Yeah.
  - Q On more than one occasion?
  - A Yeah.
  - Many times? Q
  - Oh, a few times.
- Did you ever hear Mr. Manson give any instructions to a group of girls including these three female defendants with respect to sex?

MR. KANAREK: Your Honor, I must object.

MR. FITZGERALD: It is immaterial and irrelevant and it has nothing to do with the scope of the issues in this case.

MR. KANAREK: It calls for a conclusion, your Honor. There is no foundation for it.

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THE COURT: Read the question.

(Whereupon the reporter reads the pending question.)

MR. HUGHES: I would ask to join the objection.

MR. KANAKEK: It is also ambiguous, your Honor.

THE COURT: I suggest you approach the bench, Mr. Bugliosi.

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

THE COURT: I think the form of the question is objectionable.

In other words, it is all right to say "Did
you ever hear a conversation between so and so and so and so
regarding a particular subject?"

But you are not couching the sentence -- the question -- in that form. You are saying "Did you ever hear Mr. Manson give instructions?"

This can be considered in some respects to be a conclusionary type of question, calling for a conclusion, and also it has the aspect of being leading.

I think it is objectionable on both of those grounds.

It is one thing to refer to a subject matter of a conversation. It is another thing to pose part of that conversation, included in the question.

MR. BUGLIOSI: There is a slight problem. I see the Court's position; I think it has merit.

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But there is a slight problem. You don't use the word "instructions," you are talking about conversations.

Of course he could probably be on the stand for hours and hours just talking without --

THE COURT: Whether or not it is an instruction is something the jury has to determine.

MR. FITZGERALD: I am objecting to the subject matter of this conversation. I think this is a bsolutely shocking.

Your Honor is now letting in hearsay conversations that took place. No one knows who was present; no one knows when these conversations took place during the summer months of 1969.

And now you are allowing the prosecution to go into the area of sex.

What does sex have to do with murder in this case?

THE COURT: It may have a great deal to do with the conspiracy, Mr. Fitzgerald.

MR. FITZGERALD: They are trying to assassinate the character of these defendants to make up for the deficiency of her evidence. They did that with Linda Kasabian. That was scurrilous testimony with regard to a sexual orgy.

Now they are trying to bring in mudity and sex. For what reason?

MR. BUGLIOSI: When a person controls another person's

56-4 sexual behavior, that goes to the very heart of the matter. You have got to be kidding. 2 MR. FITZGERALD: We are not on trial for any sexual 3 misconduct or behavior here. 4 MR. BUGLIOSI: That is not why I am offering it. 5. I am offering it to show combination. 6 THE COURT: All right, I have communicated my views 7 to you. Mr. Bugliosi. Now let's get on with it. 8 (The following proceedings were had in open 9 court in the presence and hearing of the jury:) 10 BY MR. BUGLIOSI: 11 Mr. DeCarlo, did you ever hear Mr. Manson have 12 13any conversation with the girls in the Family with respect 14 to sex? 15 MR. KANAREK: That is the same question. THE COURT: Overruled. 16 17 THE WITNESS: Yeah. 18 BY MR. BUGLIOSI: 19 On many occasions? 20 On a few. On these few occasions do you recall whether 21 22 the female defendants were present? 23 I'm not sure. Do you ever recall Susan Atkins, Patricia Krenwinkel and Leslie Van Houten, anyone of them being 25 26 present at any time when Mr. Manson was discussing sex

	1	with the girls?		
	2	MR. KANAREK: That has been asked and answered just		
	3	a half instant ago, your Honor.		
•	4.	THE COURT: Overruled.		
	5	THE WITNESS: They could have been there; I cannot		
	6	exactly remember.		
9 <b>%</b>	. 7	BY MR. BUGLIOSI:		
•	8	When did these conversations take place		
** *	9	between Mr. Manson and the girls in the Family with		
	10	respect to sex?		
	11	MR. KANAREK: Well, your Honor, that is assuming		
* .	12	facts not in evidence and it is soliciting a conclusion.		
	13	THE COURT: Overruled.		
	14	THE WITNESS: I don't know.		
	15	BY MR. BUGLIOSI:		
. *.	16	Q Was it during the period of time that you lived		
	. 17	at Spahn Ranch?		
	18	A Yesh.		
8	19	Q Between March and August of 1969?		
. 4	, 20	4 Yeah.		
٠,٠	21	Q Do you remember the identity of the exact		
	. 22	girls being present?		
•	23	A No.		
	24	Q Were they all members of the Family?		
	. 25	A Yeah.		
•	26	O Do you know the number of girls present?		
Se f	il a.	A No.		

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Q Do you recall what Mr. Manson said with respect to sex?

MR. KANAREK: Object, your Honor, no foundation for this question and it is ambiguous, your Honor.

THE COURT: Sustained.

Q BY MR. BUGLIOSI: Were you present during these conversations that Mr. Manson had with several girls in the Family with respect to sex?

MR. KANAREK: Your Honor, this question is patently --he has just asked the man, your Honor, to testify.

THE COURT: What is your objection, Mr. Kanarek?

MR. KANAREK: I object to the question on the basis

that the question is at best a question which shows that the

prosecution is absolutely and irrevocably --

THE COURT: That will be enough.

MR. KANAREK: I would like to approach the bench.

THE COURT: Overruled. You may answer the question.

Read the question.

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

Present during these conversations that Mr.

Manson had with several girls in the Family

with respect to sex?")

THE WITNESS: Yeah.

Q BY MR. BUGLIOSI: And Manson was talking to the

I <b>-2</b>	girls?
2	A Yeah.
3	Q This was at Spahn Ranch?
4	A Right.
5	Q You don't know the number of girls present?
6	Å Na
*** 7	Q In addition to the girls and Mr. Manson and your-
. 8	SATE WAYS AND MAN THOMANNAS
* <sup>*</sup> *	A I don't know.
` . 10	Q There was more than one conversation?
11	A Right.
12	Q Do you remember what Mr. Manson said to the group
13	of girls at the time you were present with respect to sex?
14	MR. KANAREK: I object, your Honor, no foundation.
. 15	It is ambiguous, your Honor.
16	The question, in fact, has been asked and
17	answered.
18	THE COURT: Objection sustained.
19	D BY MR. BUGLIOSI: Do you know a man by the name
3 20	of Bruce Davis?
21	A Yeah.
22	Q Was he a member of the Family?
23	A Yeah.
24	Q There was Bruce and Clem and you and Mr. Manson.
25	William to Town C. William to St. Co.
26	MR. KANAREK: I object to that as ambiguous, Who
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5C2 else with respect to what, your Honor? 1 THE COURT: You are interrupting, Mr. Kanarek. 2 Wait until the question is finished. 3 MR. KANAREK: I'm sorry, your Honor. 4 THE COURT: Had you completed the question, 5 Mr. Bugliosi? 6 BY MR. BUGLIOSI: Well, what other men were , t. Q 7 members of the Family during that period of time that you R lived at Spahn Ranch, if any? Well, there was Charlie, me, Bruce, Clem and A 10 Tex, the five of us. 11 Did you ever hear Mr. Manson give instructions to Q 12 any of the men in the Family, any of theme five? 13 A Yeah. 14 Q Do you remember the particular dates that these 15 instructions were given? 16 A No. 17 Do you remember exactly who was present? 18 A No . 19 Q But it was one or more of the five men that you 20 just mentioned, is that correct? 21 A Right. 22 Q This was during the period that you lived at 23 Spahn Ranch? 24 A Right. 25 Do you recall what instructions you heard 26 Mr. Manson/to one or more of the five men you mentioned?

MR. KANAREK: Objection on the grounds of the 1 improper foundation, your Honor, solicitation of a 2 conclusion and hearsay. 3 THE COURT: Sustained. 4 MR. KANAREK: Ambiguous. 5 BY MR. BUGLIOSI: Did you ever hear Mr. Manson 6 give any instructions to any man in the Family with respect 7 to dune buggles? 8 . 4 Yeah, to get parts for them. A ġ Q Whom did he used to tell this to? 10 MR. KANAREK: Object, your Honor, there is no foun-11 dation at this time. 12 THE COURT: Sustained. 13 BY MR. BUGLIOSI: When did you hear Mr. Manson O 14 give instructions to any man in the Family with respect to 15 dune buggles? 16 I don't know exactly when. 17 Q. More than once? 18 oh, it was more than once. 19 A During the period that you lived at the Spahn 20 Ranch? 21 22 A. Right. Q What instruction did you hear him give? 23 MR. KANAREK: No foundation, your Honor, solicitation 24 25 of conclusion, hearsay, ambiguous. THE COURT: Sustained. 26

1	Q BY MR. BUGLIOSI: Do you know who was present
2	during these discussions?
3.	A No.
4	Q One or more of the five men?
5	A Right.
6	Q What instructions did you hear him give?
7	MR. KANAREK: Your Honor, that same question was
8	asked and answered. Your Honor sustained the objection.
9	MR. BUGLIOSI: Your Honor, I refer the Court to
10	People vs. Stevens, and the Shepardization of those cases.
11	THE COURT: Mr. Bugliosi, I don't want the argument
12	in front of the jury.
13	MR. BUGLIOSI: All right, may we approach the bench,
14	then?
15	THE COURT: You may.
16	(The following proceedings were had at the bench
17	out of the hearing of the jury:)
18	MR. BUGLIOSI: The Court has not ruled on this last
19	question. I don't know how the Court is going to rule.
20	THE COURT: That's right, the objection is not to
21	your objective, Mr. Bugliosi, but to the way in which you
22	are doing it.
23	The way in which you are framing the questions.
24	When you ask him, "What instructions were given,"
25	first, it assumes a fact not in evidence; secondly, it
26	calls for a conclusion.

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 It is also ambiguous.

What you are interested in, I take from your question, is the conversation. Why don't you ask for the conversation instead of characterizing it?

The subject matter is dune buggies, is that correct? I take that from your question.

MR. BUGLIOSI: Very good. I have one slight problem, your Honor, that Mr. Kanarek makes four or five objections and then when the Court sustains it I don't know on what particular ground and --

THE COURT: I am not going to give a discourse on the grounds every time I sustain an objection.

MR. BUGLIOSI: I am not asking the Court to do that but I am saying where there are five objections, sustained, this is why I tend to be somewhat repetitious.

I am not exactly sure.

THE COURT: Most of the objections have been sustained recently either because of lack of foundation, or the form of the question is objectionable, or because it calls for a conclusion or was ambiguous.

MR. BUGLIOSI: Now getting away from the word "instruction," I did do that with respect to sex, and I thought I laid the best foundation I could, and the Court still upheld --

THE COURT: I don't see what is so difficult about calling for the substance of a conversation.

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MR. BUGLIOSI: This is what I did. I said, "What did Mr. Manson say to this group of girls?"

THE COURT: In that case there weren't any of these women present, apparently.

MR. BUGLIOSI: I don't think they have to be. This is circumstantial evidence of his domination over the Family.

THE COURT: I am not prepared to go along with that.

MR. BUGLIOSI: I think it is a matter for the jury to

decide, what the tempoand the flavor of it is.

THE COURT: All right, let's get on with it.

MR. BUGLIOSI: I don't think the law is they have to be present during every conversation.

THE COURT: None of the alleged co-conspirators were present.

MR. BUGLIOSI: I don't think it is necessary if I lay a foundation that these defendants were members of the Family. If I don't do that, that would be a different story, but if I lay the foundation that they were members of the Family and I am putting on Manson's domination over the Family, the fact that they may not be present on a particular occasion —

THE COURT: I don't want any more lengthy arguments up here, Mr. Bugliosi. If you want to take a half day and argue lengthy points --

MR. BUGLIOSI: The reason why the lengthy argument is

5d-1	. 1	(The following proceedings were had in open	
	2	court in the presence and hearing of the jury:)	
•	. 3	BY MR. BUGLIOSI:	
	4	Q I show you People's 36 for identification.	
	5	Do you know who is shown in that photograph, Mr. DeCarlo?	
	. 6	A Yes, that is Tex.	
, *z .	7	Q Tex Watson?	
£ 1	8	A Right.	
	9	Q You have to answer out loud?	
	. Í0	A Yeah.	
·	1 <b>i</b>	Q Do you know how tall Tex was about?	
	12	A About six two.	
	13	Q Did you ever hear Mr. Manson say anything to	
	14	Tex Watson about dune buggies?	
· ·	15	A Yeah.	
,	16	Q Several times or just once?	
	17	A A couple of times.	
	18	Q During the period that you were at the ranch?	
,	. 19	A Right.	
	20	Q Do you know who was present in addition to Mr.	
٠,	21	Manson, yourself and Mr. Watson?	
7 .	22 ·	A No.	
,	23	Q What did you hear Mr. Manson say to Mr. Vatson	
	24	with respect to dune buggies?	
į.	25	MR. KANAREK: Improper foundation, your Honor.	
	.26	THE COURT: In what respect?	

MR. KANAREK: There is no time set for it. 5d-2 THE COURT: Establish the time. 2 BY MR. BUGLIOSI: Do you know the exact date that you heard Mr. Manson say certain things about dune buggies to Mr. Watson? 5 No. 6 What did you hear Mr. Menson say to Mr. Watson 7 with respect to dune buggies? 8 MR. KANAREK: No foundation. 9 THE COURT: Overruled. 10 THE WITNESS: Just to fix them, they broke down, to 11 fix them ---12 BY :MR. BUGLIOSI: 13 So you heard Mr. Manson tell Mr. Watson to fix Q. 14 dune buggies, is that correct? 15 MR. KANAREK: I object to Mr. Bugliosi paraphrasing. 16 THE COURT: Sustained. 17 BY MR. BUGLIOST: 18 Did you ever hear Mr. Manson tell Tex Watson 19 to do anything other than fix dune buggles? 20 No. 21 Did you ever hear him mention anything to Mr. 22 Watson about food? 23 MR. KANAREK: Asked and answered. The man has just 24 said no, your Honor. 25 THE COURT: Overruled. 26

5d-3 THE WITNESS: No. BY MR. BUGLIOSI: 2 Did you ever hear Mr. Manson say anything to Mr. Watson about a sleeping bag? MR. KANAREK: Asked and answered, in effect, because he said no. THE COURT: Overruled. · 12 · THE WITNESS: He told him to get some sleeping bags and make sure there was enough of them. BY MR. BUGLIOSI: 10 When did he tell Mr. Watson this? Q 11 A I don't know. 12 During the same period of time? Q 13 Right. A 14. That you lived at the ranch? Q 15. Λ Right. 16 Did you ever hear Mr. Watson give any instruc-17 tions to Mr. Manson? 18 MR. FITZCERALD: Hearsay, your Honor. 19 THE COURT: Sustained. BY MR. BUGLIOSI: 21 Did you ever hear Mr. Watson direct Mr. Manson 22 to do anything? MR. KANAREK: Hearsay. 24 MR. FITZGERALD: Hearsay. 25 THE COURT: Sustained, and also as to the form of 26

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the question.

## BY MR. BUGLIOSI:

Q Did you ever hear any male member of the Family at any time refuse to do anything that Mr. Manson asked them to do?

MR. FITZGERALD: Objection, immaterial and irrelevant.

MR. KANAREK: No foundation, your Honor, ambiguous, uncertain.

THE COURT: Sustained.

## BY MR. BUGLIOSI:

Q Did you ever hear Mr. Watson refuse to do anything that Mr. Manson asked him to do?

MR. KANAREK: Solicits a conclusion, your Honor.

THE COURT: Sustained.

MR. BUGLIOSI: He is a percipient witness, your Honor.

THE COURT: Objection sustained.

## BY MR. BUGLIOSI:

Q Did you ever hear Mr. Manson tell Mr. Watson to do anything, and hear Mr. Watson say he would not do it?

MR. KANAREK: That is compound, your Honor, no foundation for it, ambiguous.

THE COURT: Sustained.

## BY MR. BUGLIOSI:

Q Did you observe Mr. Watson during that period of time when you lived at Spahn Ranch? You saw him off

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5d-5	1	and on?		
	2	A Yeah.		
	3	Q He was living at the ranch?		
*	4	A Yeah.		
	. 5	Q Would you describe Mr. Watson as a talkative		
	. 6	individual or quiet?		
**	7	MR. KANAREK: Leading and suggestive.		
. ***	É	THE COURT: Overruled.		
<b>₹</b> ,	9	THE WITNESS: Just quiet.		
	10	BY MR. BUGLIOSI:		
•	11	Q Did you ever hear Mr. Watson give any opinions		
	12	on anything?		
· .	13.	MR. KANAREK: Object to that, your Honor.		
	14	MR. FITZGERALD: Calls for hearsay.		
	15	MR. KANAREK: No foundation, hearsay, a conclusion,		
	16	ambiguous.		
	17	THE COURT: Sustained.		
	18	BY MR. BUGLIOSI:		
	19	Q Did you ever hear Mr. Watson give an opinion		
\$	20 .	on anything during the period of time you lived at Spahn		
♥	21	Ranch?		
	22	MR. FITZGERALD: Immaterial, irrelevant, calls for		
	23	hearsay.		
	24	THE COURT: Sustained.		
	25	BY MR. BUGLIOSI:		
	26	Q What type of demeanor did Mr. Watson have?		

Would you describe him as moody, happy-go-lucky or what? ŀ MR. FITZGERALD: Immaterial. He is not on trial 2 here. 3 MR. KANAREK: It calls for a conclusion, your Honor. THE COURT: Sustained. 5 MR. BUGLIOSI: May I approach the bench, your Honor? ٠6 THE COURT: Very well. (The following proceedings were had at the 8 bench out of the hearing of the jury:) MR. BUGLIOSI: I intend to persist in this area. 10 I've got a job to do and I am just going to have to fight 11 it all the way through. 12 I've got authority on my side. 13 Of course if the Court is going to sustain 14 objections there is nothing I can do about it. 15 My point is this is completely relevant. 16 THE COURT: Keep your voice down, Mr. Bugliosi. 17 MR. BUGLIOSI: The law provides I can ask questions 18 like this, getting into demeanor. 19 I don't like the manner in which you are THE COURT: 20 speaking now. 21 MR. BUGLIOSI: I am dealing with seven murders here. 22 I am trying to show Manson's domination over the Family. 23 and the Court continually sustains objections. 24 THE COURT: Let's get back to work. 25 MR. BUGLIOSI: I want to give the Court a case, 26

(The following proceedings were had in open <u>\_-1</u> 1 court in the presence and hearing of the jury:) 2 BY MR. BUGLIOSI: Would the Family normally eat 3 together in the evening, Mr. De Carlo? 4 I object, it's immaterial, your Honor. MR. SHINN: 5 THE COURT: Overruled. б THE WITNESS: Yeah. 7 BY MR. BUGLIOSI: And where would the Family 8 . 2 normally eat at noon? 9 MR. SHINN: Objection, your Honor, immaterial. 10 THE COURT: Overruled. 11 THE WITNESS: In the saloon. 12 BY MR. BUGLIOSI: Was the saloon in the front 13 part of the ranch? 14 A Yeah. 15 There were a group of buildings in the front 16 part of the ranch, is that correct? 17 A Yeah. 18 The saloon was one of them? 19 Right. A 20 Did the Family ever eat at night in any place Q. 21 other than the saloon? 22 No. A 23 Did you ever eat in back of the ranch? Q 24 Yeah, a couple of times. A 25 Q By a campfire? 26

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A Yeah.

Q How would it come about that you would eat at night? Would anyone say anything, "It is time to eat," or anything like that?

MR. KANAREK: Object, your Honor, no foundation, calls

for a conclusion, ambiguous.

THE COURT: Overruled.

O MR. BUGLIDSI: You may answer the question.

Mr. De Carlo

A Well, Charlie would get us all together and sit down and eat chow.

Q Now, I imagine there were days when Mr. Manson was not out at the ranch, is that correct?

A Right.

Q Do you ever recall any occasion while Manson was at the ranch when the Family started eating before he said it was time to eat?

MR. KANAREK: Object, your Honor, that is assuming facts not in evidence.

THE COURT: Sustained.

Q BY MR. BUGLIOSI: You said that Mr. Manson would get the Family together at dinnertime.

MR. KANAREK: I must object to that paraphrasing, your Honor, of Mr. Bugliosi's.

THE COURT: Sustained.

Q BY MR. BUGLIOSI: How would Mr. Manson call the

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Family together at dinnertime, Mr. De Carlo?

A Well, they knew it was chow time; everybody would just head for the saloon.

Q You indicated that Mr. Manson would get the Family together. How would be do that?

MR. KANAREK: Argumentative, your Honor.

THE COURT: Overruled.

THE WITNESS: I mean, he would not go get them individually and drag them down there.

- O BY MR. BUGLIOSI: Would be say anything?
- A He would see that everybody was there.
- Q What would Mr. Manson say?

MR. KANAREK: I object on the grounds of no foundation, your Honor, it's a solicitation of hearsay and a conclusion.

THE COURT: Sustained.

D BY MR. BUGLIOSI: Did Mr. Manson say anything with respect to dinner?

MR. KANAREK: No foundation, your Honor.

THE COURT: Overruled.

THE WITNESS: No. sir.

Q BY MR. BUGLIOSI: Did you ever hear him say it was time to eat?

A A couple of times.

Q Do you ever recall the Family eating before he got the group together?

A No.

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Q Would it be a fair statement to say then that . 1 the Family never ate unless Manson got the group together; 2 would that be a fair statement? 3 MR. KANAREK: I object to the form of that question. 4 THE COURT: Sustained. 5 BY MR. BUGLIOSI: Did the Family ever start 6. eating at night without Manson getting the group together? 7 MR. KANAREK: He has been asked that question and he 8 answered that. ġ THE COURT: Sustained. 10 BY MR. BUGLIOSI: Did you call the evening meal 11 the dinner or the supper, Mr. De Carlo? 12 MR. SHINN: I object. It's immaterial, your Honor. 13 THE COURT: It is ambiguous in the form in which it: 14 is posed. Sustained. 15 BY MR. BUGLIOSI: The evening meal, would that 16 be called dinner or supper? 17 How would you call the evening meal? 18 The dinner. A 19 Q What time would the Family normally eat dinner 20 at night? 21 A No particular time, between 6:00 and 8:00. 22 Q Would the Family have discussions at dinnertime? 23 MR. KANAREK: I object to that, your Honor, on the 24 basis of no foundation. 25 THE COURT: overruled. 26

Q During these dinner discussions would Mr. Manson 1 talk about his philosophy on life? 2 MR. KANAREK: Calling for a conclusion, your Honor. 3 MR. FITZGERALD: I object, immaterial and irrelevant. 4 THE COURT: Overruled. 5 THE WITNESS: Yeah, we all did. б BY MR. BUGLIOSI: What would Mr. Manson may with 7 respect to his philosophy on life at dinnertime? 8 MR. KANAREK: Object, your Honor, improper foundation, 9 solicitation of a conclusion and hearsay. .10 MR. FITZGERALD: Object, immaterial and irrelevant. II THE COURT: Sustained. 12 MR. BUGLIOSI: On what ground, your Honor? 13 have been six objections. 14 THE COURT: Let's proceed, Mr. Bugliosi. . 15 BY MR. BUGLIOST: What would Mr. Manson say 16 with respect to his philosophy during these dinner dis-17 cussions? 18 MR. KAMAREK: Calling for a conclusion, assuming facts 19 not in evidence, no foundation for it, your Honor. 20 MR. FITZGERALD: Immaterial, and irrelevant. 21 THE COURT: Sustained. 22 BY MR. BUGLIOSI: What philosophies would Q 23 Mr. Manson talk about at dinnertime? 24 MR. KANAREK: Calling for a conclusion, your Honor, 25 improper foundation. It is the same question. 26

THE COURT: Sustained. 1 BY MR. BUGLIOSI: Did Mr. Manson say anything 2 at dinnertime when he was discussing philosophy about blacks and whites? 4 MR. KANAREK: Object, your Honor, on the ground --5 May we approach the bench, your Honor? 6 THE COURT: Very well. 7 (The following proceedings were had at the 8 bench out of the hearing of the jury:) 9 MR. KANAREK: I would ask your Honor to admonish the 10 jury not to consider that question for any purpose, and 11 move for a mistrial on the basis that mere admonishment 12 would not suffice. 13 THE COURT: That is frivolous, Mr. Kanarek. 14 MR. KANAREK: I know Mr. Bugliosi has a theory of 15 this case but it is so prejudicial -- it is leading 16 and suggestive. . 17 THE COURT: The motion is denied. 18 MR. SHINN: I will join the motion, your Honor. 19. MR. KANAREK: I object fundamentally to the 20 question. 21 THE COURT: I want to hear from Mr. Bugliosi, what he 22 is trying to get at. 23

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25 26 MR. BUGLIOSI: Linda Kasabian, through much of her testimony wasn't charged with these murders, but the Court permitted 14 days of cross-examination.

THE COURT: Just tell me right now, Mr. Bugliosi.

MR. BUGLIOSI: I am. This is my point. The Court permitted 14 days of cross-examination.

THE COURT: I don't want to hear about Linda Kasabian now.

MR. BUGLIOSI: Manson is charged with seven counts of murder, and I want to go into his state of mind with respect to this.

The Court permitted 14 days of cross-examination on Linda Kasabian ---

THE COURT: Keep your voice down, Mr. Bugliosi.
MR. BUGLIOSI: Sorry.

The Court permitted 14 days of cross-examination on Linda Kasabian on all aspects of her state of mind: She was meditating in her room back at Sybil Brand day after day, she was --

THE COURT: What has that got to do with this?

MR. BUGLIOSI: He is charged with seven counts of murder and I am putting on his philosophy and his relation-stip with the Family.

I request that we have a discussion in chambers on this right after the noon receas, or before we commence, your Honor.

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The Court is taking, basically, the same position now that it took with Linda Kasabian's testimony, and then I believe the Court was given the Stevens case and a few other cases, and the Court permitted me to ask questions about the interrelationship of Manson with the Family.

THE COURT: You are not talking now about an interrelationship. You are talking about when, apparently, he
got up -- whether he got up or not, I don't know -- but
apparently at dinnertime he made some statements about his
philosophy. What has that to do with it?

MR. BUGLTOSI: His philosophy, why he ordered these seven murders.

Is the Court saying that I can't put on his philosophy about Helter Skelter and blacks and whites when Helter Skelter was written in blood on the refrigerator door?

of the other members of the conspiracy were present what Mr. Manson said in their presence, but you don't formulate your question in that form. That is one of the objections. You make your questions leading and suggestive and you fail to lay foundations for them, which makes them objectionable.

That is what is causing 90 percent of your trouble this morning.

MR. BUGLIOSI: The problem is the fact that he can't

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remember exact dates and exactly who was present.

THE COURT: Maybe he can't even remember the conversations.

MR. BUGLIOSI: That is his business and my business.

THE COURT: And it is also my business.

IR. BUGLIOSI: I am the one that has to suffer.

THE COURT: I am tired of arguing with you, Mr. Bugliosi. Bither formulate your questions with a proper foundation or I am going to sustain the objections.

MR. BUGLIOSI: I want to ask about the discussions with the Family at night.

THE COURT: Ask him what the conversations were.

Don't characterize the conversation as to statements of philosophy or motives or anything else. Just ask what the conversation was.

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25 26 MR. BUGLIOSI: Then, if the conversation is about how the food is, then we get into --

THE COURT: That would be part of the conversation, that's right.

MR. BUGLIOSI: I am trying to draw his attention to certain areas, your Honor, to save time.

THE COURT: I told you that you may attempt to direct the witness's recollection and attention to a subject matter, yes, but you haven't been doing that. You have been going far beyond that.

MR. BUGLIOSI: The word "philosophy" is a general term, your Honor.

THE COURT: And it is a conclusion.

MR. BUGLIOSI: In any event, your Honor, it is now a quarter to 12:00. I would request a conference in chambers, especially with respect to people disobeying Manson and him giving instructions.

And I have got to show who Charles Watson is, obviously. He might have had as much power in the Family as Manson. I don't know of any way of getting it in with the Court's present posture. I couldn't get in that he never instructed Manson to do anything, that he always obeyed Manson.

THE COURT: You may call for conversation, Mr. Bugliosi. I keep telling you and telling you that over

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25 26 and over again.

MR. BUGLIOSI: People vs. Zollner, 102 Cal. 2d. You can ask the witnesses questions about people, what type of people were there, were they quiet?

THE COURT: I am not going to go through any more argument up here at the bench.

MR. BUGLIOSI: Can we meet then after 12:00 o'clock, because I think a 15-minute session might save a lot of time.

I can't let this go because our main case against Mr. Manson is twofold, his domination over the Family and --

THE COURT: I haven't foreclosed you from any area. The problem is that you won't formulate the question in a legal form and won't lay a foundation for them. That is the problem.

I haven't foreclosed you from examining the witness on these matters.

MR. BUGLIOSI: I asked him: At any time did you ever hear any female member of the Family disobey Mr. Manson.

MR. SHINN: Your Honor, about the meeting at 12:00 o'clock, your Honor, I have a prior engagement.

THE COURT: What is that?

MR. SHINN: Mr. Bugliosi suggested that we have a meeting at 12:00 o'clock, your Honor.

THE COURT: We can have it at a quarter to 2:00. 1 MR. BUGLIOSI: A quarter to 2:00? THE COURT: I don't know why we need a meeting. MR. FITZGERALD: I don't know why either. MR. HUGHES: I don't see any need for a meeting. It 5 is certainly not being requested by the defendants. 6b fls. 7. 10 11 12 13 . 14 15 16 17 18 19 20 23 24 .25

THE COURT: Let's get on with the examination.

MR. BUGLIOSI: Very well.

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

MR. BUGLIOSI: Q At dinnertime, when these discussions were being held and you say Manson did most of the talking, did he ever say anything about blacks and whites?

MR. KANAREK: Object, your Honor, on the grounds that it is leading and suggestive, calling for a conclusion, improper foundation, solicitation of hearsay.

MR. FITZGERALD: Immaterial and irrelevant,

THE COURT: Sustained.

MR. BUGLIOSI: Q Did he ever talk about blacks and whitem at these dinner discussions?

MR. KANAREK: Your Honor just sustained that objection.

THE COURT: Sustained.

MR. BUGLIOSI: During these dinner discussions, do you recall who was present, Mr. De Carlo?

A We all were.

Q You say "we all were." About whom are you referring?

A All of us in the Family.

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Q Would Tex Watson be present?

A Yes.

Q And, of course, yourself?

A Yes.

Q And what about the three female defendants, Susan Atkins, Patricia Krenwinkel and Leslie Van Houten? Yould they be present?

A Yes.

Q During any discussion at dinnertime, when Mr. Manson was talking to the Family, do you recall his saying anything about blacks and whites in the presence of Leslie Van Houten, Susan Atkins and Patricia Krenwinkel?

MR. KANAREK: Objection, your Honor. Assuming facts not in evidence, improper foundation, calling for a conclusion, hearsay.

MR. FITZGERALD: Immaterial and irrelevant.

THE COURT: Sustained.

MR. BUGLIOSI: Q Would Sugan Atkins, Patricia Krenwinkel and Leslie Van Houten normally be present at dinnertime?

A Yes.

Q And do you recall many occasions when they were present when Mr. Manson carried on discussions with the Family?

A Yes.

MR. KANAREK: Assuming facts not in evidence, your

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Honor.

THE COURT: Overruled.

MR. BUGLIOSI: Q In any of these discussions when these three female defendants were present, did Mr. Manson ever talk about blacks and whites?

MR. KANAREK: Object, your Honor, improper foundation, conclusion, hearsay.

THE COURT: He can answer yes or no. overruled.

THE WITNESS: Yes.

MR. BUGLIOSI: Q What did Mr. Manson say?

MR. KANAREK: Object, your Honor, on the grounds of improper foundation, conclusion, hearsay. It is also ambiguous.

> MR. FITZGERALD: It is immaterial and irrelevant. THE COURT: Sustained.

Do you wish to make an offer of proof? MR. BUGLIOSI: Yes, your Honor.

MR. KANAREK: May we approach the bench, your Honor? THE COURT: Certainly. That is the only way it is going to be made.

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

MR. BUGLIOSI: The offer of proof is that he used to say that he wanted to turn blacks against white people.

Of course, this is only the motive. That is all it is. Other than that, it is not much else. 3. 18. 

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25 26 MR. SHINN: It is highly prejudicial.

MR. BUGLIOSI: I know it is prejudicial.

MR. SHINN: Highly prejudicial.

MR. FITZGERALD: That is a mere opinion, that it is a motive.

MR. BUGLIOSI: We have a right to offer our own motive to the jury and put on evidence of motive.

MR. FITZGERALD: But you don't have a right thereby to bring in Manson's attitudes about what he eats, what he wears, the type of sexual activity, and the discussions he has at dinner.

Everybody in this country has an opinion on blacks and whites, racial attitudes.

MR. BUGLIOSI: Your Honor permitted 14 days — and Mr. Kanarek used a good phrase about equal protection of law — 14 days, in my opinion, of nonsense on Linda Kasabian.

Mr. Manson, the prosecution is alleging, ordered these murders. It was his philosophy that led up to these murders. The motive for the murders was to ignite Helter Skelter.

I am putting on very brief evidence, not 14 days, your Honor, but very brief evidence of a few statements that he made to the Family.

I think it is so obviously admissible that I am at a loss for words. I am just at a total loss for words.

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What can you say? You look at black and you see black. There is no sense in saying that it is orange. It is black. What can you say when you look at white?

THE COURT: Your offer of proof doesn't show anything about motive, Mr. Bugliosi.

MR. BUGLIOSI: It is his state of mind, that he wanted blacks to be turned against whites, your Honor.

THE COURT: He may have had a number of different states of mind about many things.

MR. BUGLICSI: That is up to the defense, your Honor. They can put him on the stand and say: No. I didn't have this state of mind.

I have a right to put on his state of mind with respect to these seven murders. The words Helter Skelter were printed in blood on the refrigerator door. He told Linda Rasabian to get —

THE COURT: Your offer doesn't say anything about Helter Skelter.

MR. BUGLIOSI: It is part of the same thing, part of the same thing, your Honor, turning blacks against whites.

THE COURT: Is this part of your offer of proof, that 'Mr. Manson said something about Helter Skelter?

MR. BUGLIOST: I am going to discuss that later.

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THE COURT: I don't know what you mean about you are going to discuss it later.

MR. BUGLIOSI: I am going to ask him later.

THE COURT: Is that part of your offer of proof?

MR. BUGLIOSI: As to this particular conversation.

THE COURT: This particular conversation that you are trying to elicit now?

MR. BUGLIOSI: No. As to this particular conversation, I am narrowing this particular conversation to the fact that Manson said he wanted blacks to be turned against whites.

THE COURT: I would suggest to you this, Mr. Bugliosi: Over the noon hour give some careful thought to what you contend your proof is going to show.

Now, I residue that part of it may have to come in through one witness and part through another. That is not unusual. But so far, I can't see any connection between what Mr. Manson believed about blacks and whites in the abstract and any motive.

MR. BUGLIOSI: He told Linda Kasabian to leave a wallet in a rest-room so it would be found and it would be believed that a black man committed these murders.

THE COURT: Now, that is the kind of thing that helps

But we can talk about it after the noon hour, before we get started.

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MR. BUGLIOSI: I think we should meet, if possible, at 1:30.

As I indicated to the Court, the first time that I called Linda Kasabian to the stand, that our case against Charles Manson was predicated on two points, the domination over the Family and --

THE COURT: We will meet after lunch, Mr. Bugliosi, and go over these matters.

MR. BUGLIOSI: All right.

THE COURT: They need some reviewing.

Can you all be here at a quarter to 2:00?

MR. KANAREK: No, your Honor.

THE COURT: All right, 2:00 o'clock.

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

THE COURT: We will recess at this time, ladies and gentlemen.

Do not converse with anyone or form or express any opinion regarding the case until it is finally submitted to you.

The court will recess until 2:00 p.m.
(Whereupon at 11:55 a.m. the court was in recess.)