

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.

90

No. A253156

REPORTERS' DAILY TRANSCRIPT
Thursday, September 17, 1970
P. M. SESSION

APPEARANCES:

For the People:

DONALD MUSICH,
STEPHEN RUSSELL KAY,
[REDACTED] and
VINCENT T. BUGLIOSI,
DEPUTY DISTRICT ATTORNEYS

For Deft. Manson:

I. A. KANAREK, Esq.

For Deft. Atkins:

DAYE SHINN, Esq.

For Deft. Van Houten:

[REDACTED],
RONALD HUGHES, Esq.

For Deft. Krenwinkel:

PAUL FITZGERALD, Esq.

VOLUME 90

PAGES 10597 to 10691

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

COPY

I N D E X

PEOPLE'S WITNESSES: DIRECT CROSS REDIRECT RECROSS

DE CARLO, Danny ~~10,597~~ 10,597
(Cont'd)

E X H I B I T S

DEFENDANTS: FOR IDENTIFICATION IN EVIDENCE

U - Photograph of
female Caucasian 10,643

LOS ANGELES, CALIFORNIA, THURSDAY, SEPTEMBER 17, 1970

2:02 P.M.

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(The following proceedings were had, all defendants and their counsel being present; the jurors in the jury box.)

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

You may proceed, Mr. Fitzgerald.

CROSS-EXAMINATION (CONTINUED)

BY MR. FITZGERALD:

Q Mr. De Carlo --

A Yes.

Q -- you don't mind if I call you Mr. De Carlo, do you?

A Call me Danny.

Q Isn't that usually reserved for your friends?

A Everybody calls me Danny.

Q You went to the Spahn Ranch for the first time, I understand, in approximately March of 1969, is that correct?

A Yeah.

Q And when you arrived in March there were some people that were already residing at that location, correct?

1 A Yeah.

2 Q And those are the people you have already named,
3 is that right?

4 A Yeah.

5 Q Were the people you have named the only people
6 that were at the Spahn Ranch when you arrived in March of
7 1969?

8 A I don't understand what you mean by that.

9 Q Perhaps again, and I understand it is
10 repetitious, but perhaps you can tell us the identities of
11 the people that were living at the ranch when you first
12 arrived in March of 1969, if you can recall.

13 A (No response.)

14 Q To the best of your recollection.

15 A What do you mean, what they look like?

16 Q No, no, their names.

17 A I mean, you want me to name off everybody that
18 was there?

19 Q If you can, in March.

20 A In March. Well, let's see. There was Clem,
21 Charlie, Tex, the three girls were there, Ouish, Sherri,
22 Squeaky, Gypsy, Brenda.

23 That's all I can remember.

14-1

1 Q I have counted approximately 11 people that
2 you have just mentioned. Was that about it, 11 people or
3 so, 12, 14, something like that, when you first arrived at
4 the ranch in March of 1969?

5 A There was a few more but I don't know who they
6 were.

7 Q Now, from March of 1969 until the time you
8 left the ranch, did a number of people come and go?

9 A Yes.

10 Q And were they considered to be members of this
11 Family you refer to?

12 A Well, they were welcome, but they weren't, in
13 my opinion, I don't believe they were members of the
14 Family. But I mean, they were never told to leave. They
15 were welcome.

16 Q Do you recall somebody by the name of John -
17 Freeman being at Spahn Ranch during the months you were
18 there in 1969?

19 A The little kid?

20 Q A man who had four children, was an artist
21 from San Francisco, had a big Ford truck, a wife by the
22 name of Hattie?

23 A I remember a little kid whose name was Johnny.
24 I think that was his name, Johnny Freeman. A little boy,
25 a little ten-year-old boy. I think that was his name.
26 I am not sure.

1 Q This little ten-year-old boy was a member
2 of this Family that you referred to?

3 A Well, I don't know. I couldn't say yes or
4 no. I don't know. He was just there. He was only
5 there about --

6 Q Was there a person there by the name of
7 Mike Feeney at any time, a person who purported to be
8 an ex-priest?

9 A Yes, I remember him.

10 Q Was he there during some period of time from
11 March to the time that you left the Spahn Ranch?

12 A He was there for only a couple of days.

13 Q Was he a member of this group you refer to
14 as the Family?

15 A I don't know.

16 Q Was there a person there by the name of
17 Dave who was an expert in karate?

18 A Yes.

19 Q How long was he there during that period of
20 time, do you recall?

21 A Maybe two months. Maybe less.

22 Q Was he a member of this group that you
23 refer to as the Family?

24 A I don't know. I'd say he was. That is just
25 my opinion.

26 Q Did he have three girls with him, this Dave?

1 A No.

2 Q Did he have any girls with him?

3 A Well, he left ~~once~~ and he came back one time
4 and he had a broad with him.

5 Q Was there a person by the name of Bill Vance
6 that was at the ranch for some period of time between
7 March and the time you left?

8 A Yes.

9 Q How old was Mr. Vance? Do you have any opinion
10 as to the age of Mr. Vance?

11 A Oh, I think he was around, I don't know, about
12 35, maybe younger.

13 Q Was he a member of this group you refer to as
14 the Family?

15 A Yes, I'd say he was.

16 Q Was there a person there by the name of
17 Little Larry?

18 A Yes.

19 Q Was he a member of this group you refer to
20 as the Family?

21 A He was a ranch hand. Of course, later on,
22 I don't know, I'd say yes.

23 Q Was there a person by the name of Larry
24 distinguished from Little Larry who was referred to as
25 Crazy Larry?

26 A Crazy Larry? No, I don't know who that is.

1 Q Was there a person there by the name of Juan,
2 Juan Flynn?

3 A Yes.

4 Q Was he there during the period of time you
5 were at the Spahn Ranch?

6 A Off and on he was. I think he left one time
7 to make some movies or something. He was gone for a while.

15 fls. 7

15-1

1 Q Was he a member of this group you refer to as
2 the Family?

3 A Yeah, I'd say yeah.

4 Q Was there a person at the Spahn Ranch during
5 the same period of time by the name of John Swartz?

6 A Yeah.

7 Q Was he a member of this group that you refer to
8 as the Family?

9 A I would not say he was, no.

10 Q Did he live there?

11 A Yeah.

12 Q On the ranch?

13 A Yeah.

14 Q And did he work there continually during the
15 period of time you were there?

16 A I can't remember. He did live there; he lived
17 in a trailer. There was a big trailer there next to
18 George's house. He lived in that.

19 Q Did he live there during the period of time you
20 were there?

21 A Sometimes he did and sometimes he didn't because
22 we didn't --

23 Q Was he kind of an off-and-on person also?

24 A Right.

25 Q Did a person by the name of Randy Starr live
26 there during the period of time you were living there?

15-2

1 A Yeah.

2 Q Was he a member of this group you referred to as
3 the Family?

4 A No.

5 Q Was there some person referred to by the name of
6 Little Bobby, was he at the ranch during the period of time
7 you were there?

8 A (No response.)

9 Q Who was a partner of Mr. Vance.

10 A Little Bobby? I don't know who that is.

11 Q Was there some person referred to as Indian
12 Guy?

13 A No, I don't know who that is.

14 Q Was there a person referred to as Droopy?

15 A Yeah, but he was no member; he come up there to
16 visit me.

17 Q Is that a male person?

18 A Yeah.

19 Q That is an acquaintance of yours?

20 A Yeah, he's a friend of mine.

21 Q Was he at the Spahn Ranch from time to time?

22 A He come up once in a while, right.

23 Q Would he stay for a couple of days when he would
24 come up?

25 A Yeah.

26 Q He was not a member of this group that you refer

5-3

1 to as the Family, is that correct?

2 (No response.)

3 Or was he?

4 A No, he wasn't, no, he come up there to see me.

5 Q Excuse me, would you like to explain?

6 A No, I just say he would come up there and have a
7 good time.

8 Q Was there a person there by the name of Laurie?

9 A Laurie? Are you talking about a broad?

10 Q I believe it is a female Caucasian, yes.

11 A No.

12 Q Was there a person there by the name of
13 Stephanie Schram?

14 A Yeah.

15 Q Is she a member of this group you refer to as
16 the Family?

17 A I would say she was.

18 Q Kitty Lutesinger was there, was she not?

19 A Yeah.

20 Q Was she a member of this group you refer to as
21 the Family?

22 A Yeah.

23 Q Was Paul Watkins there?

24 A He left for a while; he was there at the
25 beginning.

26 Q Was he also a member of this group you refer to

15-4

1 as the Family?

2 A Yeah.

3 Q What about Brooks Postin?

4 A I didn't meet him until I went up to the desert.

5 Q You never saw him at the Spahn Ranch?

6 A No, I don't think I did, no.

7 Q Was there a person there by the name of Chuck
8 Beard?

9 A Chuck Beard. I knew a Chuck but I don't know
10 whether that was his last name or not.

11 Q Blond hair?

12 A Yeah.

13 Q Was he a member of this group you refer to as
14 the Family?

15 A I don't know if that is him or not.

16 Q Assuming for the moment --

17 Was there a person by the name of Chuck with
18 blond hair there during the period of time you were there?

19 A Yeah.

20 Q Was he, this person, Chuck, with the blond hair,
21 a member of this group you refer to as the Family?

22 A I don't know, I cannot say.

23 Q Was there a person there by the name of
24 Barbara Hoyt?

25 A Yeah.

26 Q Was she a member of this group you refer to as the

15-5

1 Family?

2 A Yeah.

3 Q There was a person there by the name of Snake,
4 is that correct?

5 A Yeah.

6 Q Was she a member of the group you refer to as
7 the Family?

8 A Yeah.

15A

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15a-1

1 Q Nancy Pittman was also there and a member of
2 this group, is that correct?

3 A Yeah.

4 Q Was there a person there by the name of Larry
5 Craven?

6 A Yeah.

7 Q I noticed you laughed.

8 A He is, you know, he's an egghead.

9 Q An egghead in the sense that he is an intellect?

10 A He is a nice guy, really, but he takes care of
11 the horses, you know, he's different.

12 Q He is not the egghead intellectual; he is the
13 reverse of that, the egghead moron?

14 A Well, he's a nice guy, you know, I did not mean
15 to say he was an egghead.

16 Q Did he live there, first of all?

17 A He lived there but he wasn't a member of the
18 Family.

19 Q What did he do there, if anything?

20 A He played with the horses.

21 Q Was there a Carol Matthews there during the
22 period of time you were there?

23 A I don't remember the name.

24 Q Was there a Mary Brunner there during the
25 period of time you were there?

26 A Yeah.

1 Q Was she a member of this group you referred to
2 as the Family?

3 A Yeah.

4 Q You omitted her when Mr. Bugliosi asked you for
5 the names of people that were members of the Family, is
6 that right?

7 A I gave you what I could remember. When you
8 brought it to my mind, the names, I'm telling you, you
9 know.

10 Q All right, was there a person there by the name
11 of Robert Milton Rheinhardt?

12 A He came up there to visit me and he was only
13 there for ten minutes.

14 Q He got arrested with you on the 16th, didn't he?

15 A Yeah.

16 Q Was that the 10-minute period he came up to
17 visit you?

18 A Yeah, he came back; he was going to date one of
19 the broads and he got busted.

20 Q When you were arrested on August 16th, this took
21 place in the very early morning hours, didn't it?

22 A Yeah.

23 Q About 6:00 a.m. or 5:00^{a.m.}/or something?

24 A Yeah.

25 Q That was when Mr. Rheinhardt was visiting you?

26 A I didn't know he was there until I was outside

1 and handcuffed, and I saw him there sitting next to me.

2 Q Was he a member of this --

3 He was not a member of this group you refer to
4 as the Family?

5 A No.

6 Q What about one David Hanum?

7 A The kid with the red hair?

8 Q Yes.

9 A He was there but he was only there for maybe
10 two weeks at the most.

16

16-1

1 Q Was there a person there by the name of
2 Julia Roberts?

3 A I don't remember the name.

4 Q What about Ruthanne Heublhurst?

5 A Yes, she was there.

6 Q That is the girl we have referred to as Ruth
7 Morehouse and Ouish?

8 A Right.

9 Q Now, this person Ruthanne Heublhurst, also
10 known as Ruthanne Morehouse and also known as Ouish, this
11 girl was a girl friend of yours; right?

12 A She sure was.

13 Q You were in love with her; right?

14 A Yes.

15 Q You are still in love with her; isn't that
16 correct?

17 A Yes.

18 Q And when Mr. Bugliosi asked you the other day
19 to name the persons who were living there, you omitted
20 her name, didn't you?

21 MR. BUGLIOSI: That is a misstatement, your Honor.

22 There was testimony about Ruth Morehouse.
23 He even gave an opinion, I believe, as to her age.

24 MR. FITZGERALD: Q Were you asked a question
25 about who belonged to this so-called Family when you
26 testified last Thursday?

16-2

1 A Yes. But, I don't know, that name will always
2 be in my mind.

3 Q So you didn't forget her?

4 A No.

5 Q Is there some reason you omitted stating her
6 name?

7 A Well, if I omitted her, I omitted her because
8 maybe I forgot. I didn't omit her because of any other
9 reason.

10 THE COURT: Hold the microphone a little closer, please.
11 BY MR. FITZGERALD:

12 Q Was there a person who was at the Spahn Ranch
13 during the period of time you were there by the name of
14 Vern Edward Thompson?

15 A Yes.

16 Q Was he a member of this group that you refer
17 to as the Family?

18 A Yes.

19 Q Was there a person there by the name of
20 Thomas John Wallerman, also known as T. J.?

21 A Yes.

22 Q Was he a member of this group that you have
23 referred to as the Family?

24 A Yes.

25 Q Was there a person there by the name of
26 Philadelphia John?

16-3

1 A Philadelphia John? No, I don't remember him.

2 Q Was there a person residing at the ranch during
3 the period of time that you were there by the name of Al
4 Springer?

5 A He didn't reside there. He came up there to
6 visit me.

7 Q Was he a friend of yours?

8 A Yes.

9 Q Do you have an opinion as to his age?

10 A He is 27, I think.

11 Q And was he a biker?

12 A Yes.

13 Q A biker is somebody who is affiliated with some
14 motorcycle organization; is that correct?

15 Or would you explain what a biker is?

16 A He likes a bike.

17 Q Was there a person residing at that location
18 during the period of time you were there by the name of
19 Scotty?

16a fls. 20 A Yes. Yes, there was.

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16A-1

1 Q Was he a member of this group that you refer to
2 as the Family?

3 A Well, he was only there for a week or so, as I
4 remember. I don't know.

5 You know, there was no membership card given
6 out. So, I don't know if they were members or not.

7 I can tell you who was out there.

8 Q Was there a person residing there at the time
9 you were there by the name of Zero?

10 A Yes.

11 Q Was Zero a member of this group that you refer
12 to as the Family?

13 A No. He came up there with Scotty. So, again, he was
14 only there for a week, you know. So, we got along with
15 them. We had a good time.

16 Q Was there a person there who was referred to as
17 Dog?

18 A He was only there a couple of days, but he only
19 came up there to visit me.

20 Q He was an acquaintance of yours also?

21 A Yes.

22 Q Was he also a biker?

23 A Yes.

24 Q Did you consider yourself at the time to be a
25 biker?

26 A Yes.

Q Was there a person residing there at the time

1 you were there by the name of Ella Jo Bailey, also referred
2 to as Yellerstone?

3 A Yes.

4 Q Was that a female Caucasian?

5 A Yes.

6 Q And was she a member of this group that you
7 referred to as the Family?

8 A Yes.

9 Q Was there a male Caucasian referred to as Slick
10 or Mike?

11 A Slick?

12 Q Residing at the Spahn Ranch at the time that you
13 were there.

14 A Slick? No.

15 Q Was there a person by the name of Charles
16 Grant Pierce, also known as Tex, who was living or residing
17 at the ranch during the period of time that you were there?

18 A Charles Grant Pierce?

19 Q Charles Grant Pierce.

20 A No.

21 Q Was there anybody residing, from time to time
22 or permanently, at the ranch when you were there by the name
23 of Tex other than Tex Watson?

24 A I don't remember the name. Maybe I'd recognize
25 his picture, but I don't know the name.

26 Q Excuse me. Are you finished?

1 A Yes.

2 Q Are you familiar with a Plymouth automobile
3 model referred to as a Road Runner?

4 A Oh, yes. I know who that is.

5 Q Do you know somebody who owned or possessed a
6 Plymouth Road Runner automobile during the period of time
7 you were residing at the ranch?

8 A He was there for about a day, maybe two days.
9 I know the car.

10 Q Do you remember what his name was?

11 A No.

12 Q He was not a member, I take it, of this group
13 that you refer to as the Family?

14 A No, I don't think he was.

15 Q Was there a person who resided there by the name
16 of Rocky?

17 A Yes.

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16B

16b-1

1 Q Was he a member of this group you refer to as
2 the Family?

3 A I don't know. I don't know if he was or not.

4 Q Was there a person, a male person, there who
5 was referred to as J. R., or Junior?

6 A Yes.

7 Q Was he a member of this group you refer to as
8 the Family?

9 A I don't know.

10 Q Was there a person there by the name of Joe
11 Shoemacher?

12 A Yes.

13 Q Was he a member of this group that you referred
14 to as the Family?

15 A Yes.

16 Q Was there a person there by the nickname of
17 Stickman who used to reside there during the period of
18 time that you were there?

19 A Yes, I know Stick.

20 Q Is he an acquaintance of yours?

21 A Yes. We played in the band together.

22 Q Was he a member of this group you refer to as
23 the Family?

24 A No. He only came up there once or twice maybe
25 to visit.

26 Q To visit you?

16b-2

1 A Yes, to visit me.

2 Q Incidentally, you were not held at the Spahn
3 Ranch against your will, were you, at any time?

4 A Against my will?

5 Q Against your will.

6 A Oh, no.

7 Q You were there freely and voluntarily?

8 A Oh, yes.

9 Q Was there a person there referred to as
10 86-George?

11 A Yes.

12 Q How long did he live there?

13 A Well, he came up there to visit me, because we
14 used to drink a lot. I don't know, he stayed there about
15 a week. Then his old lady came up there and got him and
16 took him back home.

17 Q Was he a member of this group you refer to as
18 the Family?

19 A No.

20 Q Was there a female Caucasian there by the
21 name of Little Patti?

22 A Yes.

23 Q Was she a member of this group you have
24 referred to as the Family?

25 A Yes.

26 Q Was there a person there by the name of The Duke?

1 A The Duke?

2 Q The Duke, D-u-k-e.

3 A The Duke? No.

4 Q Was there a person there by the name of Cupid?

5 A Bobby? Yes, he was there.

6 Q And was he a member of this group that you
7 refer to as the Family?

8 A Yes.

9 Q Was there a person there known as B.C., B.C.?

10 A Yes.

11 Q Was he a member of this group that you have
12 referred to as the Family?

13 A Well, I wouldn't say he was.

14 Q Excuse me. I didn't hear your answer. I am
15 sorry.

16 A No.

17 fls.

17-1

1 Q No? Was there a person by the name of Joanie,
2 or Joan, or Joanne?

3 A I heard of the name but I don't know, I can't
4 remember if I have ever seen her or not, I'm not sure, but
5 I heard of the name.

6 Q Was there a person there by the name of Bill
7 Humphrey?

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

9 No, I'm not familiar with the name Humphrey.

10 Q I'm not trying to be humorous or facetious, but
11 was there a person there who was known as "the keeper of
12 the witches"?

13 A The keeper of the witches?

14 Q Was there a person there who was known only as a
15 dirty old man?

16 A He came up there to see me.

17 Q There is, then, a person, dirty old man?

18 A Dirty old man, yeah.

19 Q Is that person a male Caucasian?

20 A Yeah.

21 Q He was an acquaintance of yours?

22 A Yeah, he was one of my partners.

23 Q Was he a member of this group you refer to as
24 the Family?

25 A No, he only came up there to visit me.

26 Q Was he also a biker?

1 A Yeah, kind of.

2 Q Now, was there a person by the name of Ruby
3 Pearl who was at the Spahn Ranch during the period of time
4 you were there?

5 A Yeah.

6 Q Was she a member of this group you refer to as
7 the Family?

8 A No.

9 Q Was there a person there by the name of George
10 Spahn?

11 A Yeah.

12 Q Was he a member of this group you refer to as
13 the Family?

14 A I don't know.

15 Q Is there some doubt?

16 A Well, I don't know if he was or if he wasn't.
17 I don't know, I never talked to the old guy, so I don't
18 know.

19 Q How long in terms of months, Mr. De Carlo, were
20 you present at the Spahn Ranch, four, five, six?

21 A About six.

22 Q During that period of time you saw a number of
23 people come to that location, stay for a short period of
24 time and leave, is that correct?

25 A Yeah.

26 Q And in some cases it is difficult for you to

1 determine whether they were actually members of this group
2 you refer to as the Family?

3 A Right.

4 Q Was there some sort of an open-house policy at
5 the Spahn Ranch as far as you know in terms of other people
6 coming there?

7 A Yeah, everybody was welcome.

8 I mean, there was no -- the door was never closed
9 on you; you could always come up there.

10 Q Was anybody turned away?

11 MR. BUGLIOSI: That calls for a conclusion, your
12 Honor.

13 MR. FITZGERALD: If you know.

14 THE WITNESS: No, not that I can recall.

15 Q BY MR. FITZGERALD: Did you ever see Mr. Manson
16 turn anyone away?

17 A No.

18 Q Earlier you were referring to Mr. Manson giving
19 the people at the Spahn Ranch some instructions, correct?

20 A Yeah.

21 Q Did Manson give people instructions in terms
22 of what to eat?

23 A No.

24 Q Did Mr. Manson see that everybody was fed every
25 day?

26 A Yeah.

1 Q Would he see that everybody had a place to
2 sleep every day?

3 A Yeah.

4 Q Did you ever see Mr. Manson instruct or order
5 somebody to do something they did not want to do?

6 MR. BUGLIOSI: Calls for a conclusion, your Honor.

7 THE COURT: Sustained.

8 Q BY MR. FITZGERALD: Did you ever see
9 Mr. Manson order somebody to do something that you did not
10 consider to be in that person's best interests?

11 MR. BUGLIOSI: Calls for a conclusion, also irrelevant.

12 THE COURT: Well, I think it is ambiguous, also.

13 Sustained.

14 Q BY MR. FITZGERALD: When you arrived at the ranch
15 in March of 1969, to the best of your knowledge,
16 Mr. De Carlo, were there any guns at the ranch?

17 A No.

18 Q Before you came there, in other words, there were
19 no guns at the ranch?

20 MR. BUGLIOSI: Calls for a conclusion, your Honor.

21 THE COURT: Sustained.

22 Q BY MR. FITZGERALD: Did you bring some guns to
23 the ranch?

24 A Yeah.

25 Q To your knowledge at the time you brought those
26 guns to the ranch were those the only guns that were there

1 at the ranch?

2 A Yeah.

3 Q What guns did you bring, if there were more than
4 one?

5 A I brought the 303 British Enfield; the SLA Mark
6 No. 3; I brought the 20-gauge; I brought the .22, and a sub-
7 machine gun.

8 Q Is that a Thompson submachine gun?

9 A A Spizer MP 40 SH.

10 Q As a matter of fact you have some background in
11 firearms in the military service, do you not?

12 A Yeah.

13 Q Did you have a military occupational specialty
14 frequently referred to as an MOS in guns or firearms?

15 A Yes, I was a gunner's mate in the Coast Guard.
16 MOS is for Army.

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17a-1

1 Q I'm sorry, and in connection with your
2 military occupational specialty did you have occasion to
3 study guns?

4 A Yeah.

5 Q And in addition to this professional training,
6 in respect to guns, are guns also your hobby?

7 A Yeah.

8 Q You like guns?

9 A I love them.

10 Q And obviously from time to time you have fired
11 guns, have you not?

12 A Constantly.

13 Q I take it then that during the period of time
14 that you were at the Spahn Ranch you also fired guns at
15 that time?

16 A Yeah.

17 Q Did you fire the guns you have just mentioned,
18 the 303 and the 20-gauge and the Spizer and the submachine
19 gun?

20 A Yeah.

21 Q Did you also have occasion to fire the Buntline
22 .22 caliber pistol you referred to in your testimony this
23 morning?

24 A Yeah, yeah, I shot it.

25 Q Did you fire that weapon in a particular area
26 of the Spahn Ranch?

17a-2

1 A Yeah.

2 Q If that area has a name, what is it referred
3 to as, where you fired the .22 caliber pistol?

4 A Behind the ranch.

5 Q To your knowledge did anyone fire that pistol
6 at the ranch during the period of time that you were there
7 other than you?

8 A Yeah.

9 Q Who, if you can recall?

10 A Well, I shot it, Charlie and Tex shot it,
11 a couple of the broads fired it.

12 Q A couple of the broads?

13 A Yeah.

14 Q Who are the girls, do you recall?

15 A No, I don't know.

16 Q Did any of your biker friends when they came
17 out to the ranch to visit you, fire the gun?

18 A No, they brought their own.

19 Q Now, people in your motorcycle club used to
20 visit you from time to time at the ranch, isn't that
21 correct?

22 A A few of them did.

23 Q And when they would visit you, sometimes they
24 would bring firearms with them, isn't that correct?

25 A Well, there was only one occasion that there
26 was a gun brought up there.

17a-3

1 Q Oh, all right.

2 From time to time when the persons in your
3 motorcycle club used to visit you, would they fire your
4 weapons at the Spahn Ranch, your firearms?

5 A No.

6 Q Did Bruce ever fire that .22 caliber Buntline?

7 A Yeah.

8 Q The Buntline pistol?

9 Anybody else?

10 A (No response.)

11 Q There was Charlie, Bruce?

12 A Yeah.

13 Q Yourself?

14 A Yeah.

15 Q The two girls?

16 A Yeah.

17 Q Anybody else?

18 A No, not that I can recall or remember.

19 Q What about Clem, did Clem ever fire that
20 pistol?

21 A I don't know.

22 Q As far as you are able to tell -- strike that.

23 Are you able to tell whether People's Exhibit
24 39, the Buntline .22 caliber pistol, Exhibit 40, the
25 Buntline, are you able to tell whether that exhibit is
26 the identical and precise firearm you saw at the Spahn

17a-4

Ranch during the period of time you were there?

A I said it looked like it.

I will never say it is it, because I am not positive.

I am just saying it looks like it. That is it.

Q From your knowledge and experience in firearms, does that appear to have been manufactured by a standard manufacturer of firearms in the United States?

A Yes, a High Standard.

Q Have you ever seen pistols similar to that, Mr. DeCarlo?

A Yes.

17b fls.

17B-1

1 Q Hypothetically, which means I am asking you
2 to suppose a certain set of facts, suppose I were to
3 bring in here three or four or 80 pistols of the same
4 caliber, the same model, and I were to line them up for
5 you, would you be able to distinguish the precise Buntline
6 pistol that was at the Spahn Ranch during the period of
7 time you were there?

8 MR. BUGLIOSI: That assumes facts not in evidence,
9 your Honor, a hypothetical has to be based on evidence.

10 There is no evidence that these weapons have
11 been shown to him, so it is an improper hypothetical
12 question.

13 MR. KANAREK: Your Honor, may I ask, if I may, that
14 the question be allowed to be answered, based on equal
15 protection of the law in connection with the Court's
16 previous rulings?

17 We raised this very objection Mr. Bugliosi is
18 enunciating.

19 MR. BUGLIOSI: A hypothetical under the law has to be
20 based on facts already introduced into evidence. I think
21 the law is clear on that.

22 THE COURT: I think he may give his opinion on this,
23 Mr. Bugliosi.

24 The objection is overruled.

25 THE WITNESS: No, I could not do it, no.

26 Q BY MR. FITZGERALD: In terms of your -- strike

1 that.

2 These persons that you have referred to as
3 members of a group that you call the Family, did they eat
4 meat?

5 A No.

6 Q Were they vegetarians, to your knowledge?

7 A Yeah.

8 Q Were you a vegetarian during the period of time
9 you stayed there, Mr. De Carlo?

10 A I tried not to be.

11 Q You would eat meat, is that correct?

12 A Yeah.

13 Q And would the people there make a special
14 effort to see that you got meat at your meals, or would
15 they make an effort?

16 A They would make an effort.

17 Q Did you eat meat while you were there?

18 A Yeah.

19 Q Did the people who were residing at the Spahn
20 Ranch, to your knowledge, drink any alcoholic beverages?

21 A Uh-uh, no.

22 Q As a matter of fact, they were opposed to the
23 drinking of alcohol, isn't that correct?

24 A Yeah.

25 Q To the drinking of alcohol in any form, isn't
26 that correct?

1 A Yeah.

2 Q And you were a beer drinker, correct?

3 A Yeah.

4 Q Would it be fair to say that you were an enormous beer drinker?

5 A Yeah.

6 Q When you would get up in the morning, would you drink?

7 A Yeah.

8 Q Would you have people get you cases of beer?

9 A No, I would get it myself.

10 Q Would you make a run down the hill to get some beer every morning?

11 A Yeah.

12 Q Would you go on your motorcycle?

13 A Yeah, I had the three-wheeler down there.

14 Q The three-wheeler, is that a motorcycle with three wheels?

15 A Yeah.

16 Q Would you usually purchase a case of beer?

17 A Yeah, maybe a little less.

18 Q Would you come back to the ranch?

19 A Yeah.

20 Q You would drink the beer?

21 A Yeah.

22 Q Did you get drunk?

1 A Yeah.

2 Q Every day?

3 A Almost every day.

4 Q Have you previously told people that you were
5 drunk 99 per cent of the time you were at the Spahn Ranch?

6 A Yeah.

7 Q Was that a true statement?

8 A Yeah.

9 Q Were you drunk 99 per cent of the time you were
10 at the Spahn Ranch?

11 A Well, I was feeling good, -- I wasn't laying,
12 passed out.

13 There were times I went out to lunch, but, you
14 know, I stayed on my two feet most of the time.

15 I was pretty loaded.

16 Q Does that have anything to do with the fact
17 that you are unable to remember precise dates and times
18 and conversations and persons present and that sort of
19 thing?

20 A Yeah.

18-1

1 Q You lived in an area of the ranch referred
2 to as the bunkhouse; is that correct?

3 A Yes.

4 Q And is this bunkhouse part of some store
5 front that are set out at the Spahn Ranch?

6 A Yes.

7 Q The Spahn Ranch is a movie set, isn't it?

8 A Yes.

9 Q And it has got a saloon; right?

10 A Yes.

11 Q And a cafe; right?

12 A Yes.

13 Q A bunkhouse?

14 A Right.

15 Q And some other little store fronts; right;
16 a jail or something?

17 A Yes.

18 Q Now, people used to actually live inside
19 these movie sets; right?

20 A Yes.

21 Q And you used to live inside the bunkhouse movie
22 set; right?

23 A Yes.

24 Q And in there was a bed; right?

25 A Yes.

26 Q And that bed you used to sleep on; right?

18-2

1 A Yes.

2 Q In addition to that bed, was there any other
3 furniture there?

4 A Oh, yes. I had it fixed up. I had my chair
5 in there and I had all my guns. I had a radio. I had a
6 good time.

7 Q That was sort of your gunshop; right?

8 A Yes.

9 Q And in addition to the firearms that you had
10 within the bunkhouse, you also had some equipment relating
11 to gunsmithing; correct?

12 A Yes.

13 Q And you had some mechanical paraphernalia to
14 manufacture your own bullets; isn't that right?

15 A Yes.

16 Q And you, as a matter of course, used to manu-
17 facture your own bullets; is that right?

18 A Yes.

19 Q What kind of bullets did you manufacture?

20 A 9 millimeter, .45 and .30 caliber.

21 Q Incidentally, where did this .22 caliber pistol
22 come from, this Buntline, as far as you know?

23 A It came from Bill Vance. That is, the first
24 time I saw it.

25 Q It was in the possession of Bill Vance?

26 A Well, I didn't see him in the possession of it,

18-3

1 but he traded the pistol for the truck.

2 Q Bill Vance did?

3 A Yes.

4 Q As opposed to Charlie?

5 A Well, he gave Charlie the pistol and Charlie
6 gave him the truck.

7 Q Was there some reason that you know of that
8 Charlie gave Bill Vance the truck in order for Bill Vance
9 to trade it for the pistol?

10 A Was there a reason?

11 Q Was it to prevent somebody from being shot,
12 so far as you know?

13 A Well, that might be possible, I don't know.
14 That rings a bell.

15 He didn't like guns. He didn't want guns
16 up there anyway.

17 Q Mr. Manson?

18 A Right.

19 Q Didn't want guns at the Spahn Ranch?

20 A At first he didn't, no.

21 Q And told you that?

18a fls. 22 A Yes. He told me he didn't want no guns.

23

24

25

26

18a-1

1 Q I take it you were angry about the fact that
2 your truck was traded for a pistol?

3 A Yes, I was mad about it.

4 Q What is that pistol worth, or that pistol that
5 you saw at the ranch worth?

6 A It was worth about 60, \$65.

7 Q What was your truck worth?

8 A I got it for nothing.

9 Q What was the fair market value, if you know,
10 of your truck?

11 A About \$250.

12 Q Well, it would appear that somebody came out on
13 the short end of the deal; right?

14 A Yes.

15 Q Were you angry about that?

16 A No. Because, you know, it was a good truck,
17 and normally, the truck, you know, it should have been
18 everybody's property but, you know, I liked it so much.

19 Q You kind of kept it to yourself?

20 A Right.

21 Well, I didn't have it that long.

22 Q Did you ever get the truck back?

23 A Yes, I got it back.

24 Q How soon?

25 A Three months later.

26 Q Now, you testified previously that an aspect

18a-2

1 of the philosophy of the group that you refer to as the
2 Family was that they share everything; is that correct?

3 A Yes, they did.

4 Q Everything that belonged to one belonged to
5 one another or other people?

6 A Right.

7 Q That wasn't true, though, of your belongings;
8 isn't that right?

9 A Well, yes, it was; but I just liked the truck,
10 you know.

11 Q You also had a radio; right?

12 A A radio, yes. I had an FM.

13 Q And you didn't give that to anybody; right?

14 A Well, they didn't like radios.

15 Q Actually, you had some dispute about what kind
16 of music you should listen to; right?

17 A Yes. I dig jazz.

18 Q And you locked your radio station to a particu-
19 lar jazz station; you locked it to a particular station?

20 A I broke it so they couldn't turn it.

21 Q Because they were turning your radio to rock
22 and roll?

23 A Right.

24 Q Or more contemporary forms of music; right?

25 A Right.

26 Q And you didn't share your clothes with anybody

1 else, did you?

2 A Well, they didn't like my clothes.

3 Q Because they were all greasy; right?

4 A Well --

5 Q Excuse me.

6 Why didn't they like your clothing?

7 A Well, I don't know. I don't know. I guess
8 they did.

9 Q And you had a motorcycle there, didn't you?

10 A Yes.

11 Q It was a chopper?

12 A Yes.

13 Q A modified Harley-Davidson?

14 A Yes.

15 Q And actually you used to store that motorcycle
16 in the bunkhouse with you; correct?

17 A Well, the only time I brought it in the bunk-
18 house is when I rebuilt the engine on it. Other than that
19 I parked it out front or out back.

20 Q You rebuilt the engine most of the time,
21 didn't you?

22 A Yes, I tore that thing apart many times.

23 Q During the early days of August of 1969, if
24 you are able to recall, was your motorcycle in a state of
25 disrepair?

26 A Yes.

8b fls.

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Q And was it in the bunkhouse?

A Yes.

18B-1

1 Q Was there much room in the bunk house with your
2 bed, your radio and your motorcycle?

3 A Well, there were two rooms. There were two
4 rooms in the bunk house.

5 Q In what room was your bed?

6 Let's refer to them as the back and the front.
7 Can we do that? Would that be a fair statement?

8 A Yes.

9 Well, in one of the rooms. The rooms are next
10 to each other.

11 Q Is there a door to both rooms?

12 A Well, there is a door in front to the side and
13 into the back. There is three ways. Well, no. There is
14 not three ways of getting in but there are three doors.

15 Q What was in the big room when you lived there?

16 A That was all the chickens.

17 Q What items of furniture, if any?

18 A Well, they had some old stage coaches.

19 Q What about the back room? Is that where you had
20 your bed?

21 A The back room? The back room is where all the
22 chickens were, in the back room.

23 There were two front rooms next to each other,
24 and then there is one in the back.

25 Q Where was your bed located actually? Which
26 room?

18b2

1 A It was in the second room facing the bunk house.
2 It was the room to the right.

3 Q And what was in there?

4 A My bed.

5 Q Anything else?

6 A Oh, I had a lot of -- I had candles, some
7 incense.

8 Q Was there more than one bed in that room?

9 A At one time there was.

10 Q And ^{at} some time, I take it, there wasn't?

11 A Well, there were old wooden bunks that were in
12 there.

13 Q At some time there were more than one bunk?

14 A Yes.

15 Q In where you used to actually sleep?

16 A Right.

17 Q Somebody, I take it, moved them out, the others?

18 A Well, yes. Dismantled them, more or less.

19 Q Dismantled them? When did that happen? Do you
20 remember?

21 A No, sir.

22 Q What was done with the space where the dismantled
23 bunks once were?

24 A It was just space.

25 Q Was there a plant, a piece of vegetation, at the
26 Spahn Ranch referred to as Elmer?

1 A Yes.

2 Q Did that plant belong to you?

3 A No, he didn't belong to me. I found him. I
4 took care of him, though.

5 Q Was Linda Kasabian ever with you when you did
6 your gardening?

7 A I don't know if Linda was there.

8 Q What would you do to take care of your plant
9 Elmer?

10 A Well, I'd water him and, you know, I'd take
11 care of him good.

12 Q Now, referring to the sequence in which people
13 used to have dinner during the period of time you were
14 there. If you are able to respond, did Mr. Manson have
15 dinner first or did he have dinner last?

16 A We ate chow all together.

17 THE COURT: Mr. Fitzgerald, we will take our recess
18 at this time.

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

22 The Court will recess for 15 minutes.

23 (Recess.)
24
25
26

19-1

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

3 You may continue, Mr. Fitzgerald.

4 MR. FITZGERALD: Thank you. I wonder if I might
5 approach the witness, your Honor?

6 THE COURT: Yes.

7 MR. FITZGERALD: I have a photograph of a female
8 Caucasian that appears to be young in age. May this be
9 marked Defendants' next in order, U.

10 THE COURT: It will be so marked.

11 BY MR. FITZGERALD:

12 Q Do you recognize who is depicted in that
13 photograph, Mr. DeCarlo?

14 A Who is that? Quish.

15 Q Is she also known as Ruthanne Heublhurst and
16 Ruth Morehouse, right?

17 A Yes.

18 Q That is the girl we previously mentioned as
19 being your girl friend?

20 A Yeah.

21 Q Is there some way you can explain what con-
22 stituted membership in this group you refer to as the
23 Family at the Spahn Ranch?

24 Is there something that separates members from
25 non-members?

26 Is there some way you can explain that?

19-2

1 A No, there were no set rules that you had to
2 have.

3 Q Was there some initiation procedure or rite,
4 r-i-t-e?

5 A No.

6 Q Was it simply a matter of time that you had
7 resided at that location?

8 A I don't know what you mean by that question.

9 Q Well, if you stayed at the Spahn Ranch for a
10 certain period of time, would you automatically become a
11 member?

12 A No.

13 Q Was there any sort of meetings where they voted
14 on whether or not a particular person would be allowed
15 membership, or anything like that?

16 A No.

17 Q You previously indicated, have you not, that
18 there was no such thing as membership cards or that sort
19 of thing?

20 A Yeah.

21 Q I take it though that your motorcycle group,
22 the Straight Satans, that is a membership group?

23 A Well, that is a -- I cannot answer that.

20 fls.

20-1

1 Q Well, is there something one has to do within
2 the Straight Satans in order to become a member of that
3 organization?

4 MR. BUGLIOSI: Irrelevant, your Honor.

5 THE COURT: Sustained.

6 MR. FITZGERALD: Q Did the Straight Satans have
7 what are called colors?

8 MR. BUGLIOSI: Irrelevant.

9 THE COURT: Sustained.

10 MR. FITZGERALD: Q Were the Straight Satans
11 colors at the Spahn Ranch during the month of August, 1969?

12 A I am not going to answer that.

13 Q You cannot answer that?

14 A I am not going to answer any question you have got
15 to ask me about my club.

16 Q Is there some reason for that?

17 MR. MUSICH: I will object to the last question as
18 assuming facts not in evidence.

19 THE COURT: Which question?

20 MR. MUSICH: And immaterial.

21 About the colors and the testimony concerning the
22 colors, your Honor.

23 THE COURT: I don't understand the objection.

24 He asked if the colors -- if there were colors
25 there, as I understood it.

26 MR. MUSICH: I will object as to assuming facts not

1 in evidence, or ambiguous as to what colors mean.

2 THE COURT: Did you understand the question,
3 Mr. De Carlo?

4 THE WITNESS: Yes.

5 THE COURT: Overruled.

6 Did you answer the question?

7 THE WITNESS: I told him I wasn't going to answer.

8 THE COURT: Well, let's make sure we are all talking
9 about the same question.

10 Is this the one about the colors at the ranch,
11 Mr. Fitzgerald?

12 MR. FITZGERALD: Yes, your Honor.

13 THE COURT: Would you reframe the question?

14 MR. FITZGERALD: Very well.

15 Q Did the Straight Satans, your motorcycle
16 organization, have something called colors?

17 MR. BUGLIOSI: It is irrelevant.

18 THE COURT: Sustained.

19 MR. FITZGERALD: Q You were arrested at the
20 Spahn Ranch in the early morning hours of August the 16th;
21 isn't that correct?

22 A Yes.

23 Q And certain items of your personal property were
24 seized by representatives of the Los Angeles County
25 Sheriff's office; is that correct?

26 A Yes.

1 Q Your colors were seized by the sheriff's
2 Department, were they not?

3 MR. BUGLIOSI: Irrelevant, your Honor.

4 THE COURT: Sustained.

5 BY MR. FITZGERALD:

6 Q The Straight Satans had a sword as a symbol of
7 their organization, did they not?

8 MR. BUGLIOSI: Irrelevant.

9 THE COURT: Overruled.

10 MR. FITZGERALD: Didn't they?

11 A No.

12 MR. FITZGERALD: Q The Straight Satans didn't
13 have a sword?

14 A No.

15 Q The sword you referred to as being in a scabbard
16 on Mr. Manson's dune buggy, wasn't that, in fact, the
17 Straight Satans' sword or the symbol of the Straight Satans?

18 A It didn't belong to the club.

19 Q Did the club have a sword similar to that
20 exhibit?

21 MR. BUGLIOSI: Irrelevant.

22 THE COURT: Sustained.

23 MR. FITZGERALD: Q Did you bring a sword to the
24 ranch?

25 A No.

26 Q Did you bring a small sword to the ranch?

1 A I sure didn't.

2 Q You previously identified a blade with some sort
3 of hilt; right?

4 A Yes.

5 Q Where did you first see that?

6 A I saw it at the ranch.

7 Q To your knowledge, did one of your biker friends
8 bring it to the ranch?

9 A It is possible.

10 Q Is it probable?

11 A Possible.

12 Q Do you know the origin of that knife with the
13 scabbard -- or with the hilt -- excuse me.

14 MR. BUGLIOSI: Ambiguous, your Honor.

15 THE COURT: Sustained.

16 MR. FITZGERALD: Q Do you know where it came
17 from?

18 A Yes.

19 Q Where did it come from?

20 A From a friend.

21 Q A friend of yours?

22 A Yes.

23 Q Did that friend bring it to the ranch?

24 A I don't know if he did or not.

25 Q Did he bring it to you?

26 A No.

Q Was it one of your biker friends?

1 A It was a friend.

2 Q Well, was he also a member of the Straight
3 Satans?

4 A I am not going to answer that.

5 THE COURT: Answer the question.

6 MR. BUGLIOSI: I object on the grounds it is
7 irrelevant, your Honor, who is a member of the Straight
8 Satans.

9 We are getting off into a tangent here that is
10 irrelevant to the issues.

11 THE COURT: Sustained.

12 MR. FITZGERALD: Q You testified previously
13 that you are a member of an organization called the
14 Straight Satans; is that correct?

15 A I was until about a year ago.

16 Q And that is a motorcycle club; right?
17 Is that correct?

18 A Yes.

19 Q And you were intimately associated with the
20 members of that organization, were you not?

21 A Yes.

22 Q And members of that organization used to frequent
23 the Spahn Ranch during the period of time that you were at
24 the Spahn Ranch; isn't that correct?

25 A One or two did.

26 Q And disagreements of relatively major proportions

1 developed between the Straight Satans motorcycle club and
2 the persons living at the Spahn Ranch; is that correct?

3 MR. BUGLIOSI: That is too broad a question, your
4 Honor. I object on that ground. It is ambiguous.

5 THE COURT: Sustained.

6 MR. FITZGERALD: Directing your attention to the
7 evening hours of August the 15th, 1969. Did a contingent
8 of persons you knew that belonged to the Straight Satans
9 come to the Spahn Ranch?

10 A Yes.

21-1

1 Q In order to capture you?

2 MR. BUGLIOSI: That calls for a conclusion, your
3 Honor.

4 THE COURT: Sustained.

5 BY MR. FITZGERALD:

6 Q What was their purpose in coming, if you know?

7 A To get me.

8 Q To keep you away?

9 A To take me back down to Venice.

10 Q Was Venice, California, the headquarters of
11 your organization?

12 A Yeah.

13 Q Is that where they wanted to take you?

14 A Well, they did, yeah.

15 Q Was there some reason for that, if you know?

16 A Yeah, because they were my brothers.

17 Q What does that mean?

18 A Well, I mean we stick together.

19 Q Had you abandoned them?

20 A In a way.

21 Q You were living at the Spahn Ranch for a period
22 of approximately six months, correct?

23 A Yeah.

24 Q During that period of time did you ever visit
25 the other members of your group?

26 A Yeah.

21-2

1 Q Would you leave the Spahn Ranch and go to
2 visit them or would they come to see you?

3 A I mostly would go down there and see them.

4 Q Were some items of physical property that
5 belonged to the Straight Satan organization taken by you
6 to the Spahn Ranch?

7 A No.

8 Q Did you wear a particular kind of clothing as
9 a member of the Straight Satan organization?

10 A Yeah:

11 Q A particular type of jacket?

12 A Well, I had my boots on.

13 Q Did you wear a jacket with a particular
14 insignia?

15 A I'm not going to answer that.

16 Q Did you bring any of your clothing to the ranch?

17 A Just what I had on.

18 Q Do the Straight Satans have a sword?

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

20 BY MR. FITZGERALD:

21 Q I mean full length sword?

22 MR. BUGLIOSI: Asked and answered.

23 THE COURT: Well --

24 MR. BUGLIOSI: Also irrelevant.

25 THE COURT: -- it is also ambiguous. The objection
26 is sustained.

21-3

1 BY MR. FITZGERALD:

2 Q Mr. DeCarlo, you testified previously as to
3 Mr. Manson's philosophy in regard to Negroes, is that
4 right?

5 A Yeah.

6 Q And is it your opinion that as the result of
7 these conversations with Mr. Manson it appeared to you that
8 he was racially prejudiced?

9 A We felt about the same.

10 Q And how did you feel about Negroes in America?

11 A About the same.

12 Q The same as what?

13 A The same as Charlie.

14 Q Well, what were your opinions?

15 A I don't think they should fool around with
16 white girls.

17 Q Did you ever hear Mr. Manson use the term
18 "nigger" or is that your term?

19 A We both use it.

20 Q Did you have any contact with militant black
21 organizations, Black Panthers, while you were at the Spahn
22 Ranch, beginning in March, 1969?

23 A One weekend a couple of carloads come up, but
24 I don't know if they were Black Panthers.

25 Q Were they black?

26 A Yeah.

21-4

1 Q Were you afraid as a result?

2 A No, I got my gun.

3 Q Loaded it?

4 A Yeah.

5 Q Were you prepared to use it?

6 A If I had to.

7 Q Were you afraid of blacks during the period of
8 time you resided at the Spahn Ranch?

9 A No.

10 Q Do you know why those blacks came to the
11 ranch?

12 MR. BUGLIOSI: Calls for a conclusion.

13 THE COURT: Sustained.

14 BY MR. FITZGERALD:

15 Q Did Manson have a philosophy in regard to
16 anything besides the so-called Helter Skelter?

17 MR. KANAREK: Your Honor, I object, that is assuming
18 facts not in evidence, that Mr. Manson had any philosophy
19 about Helter Skelter.

20 I think this record does not show that.

21 THE COURT: The question is ambiguous, sustained.

22 BY MR. FITZGERALD:

23 Q You had conversations with Mr. Manson in regard
24 to Helter Skelter, correct?

25 A I did not have.

26 Q You never had any conversations with him in

21-5

1 regard to Helter Skelter?

2 A Other than hearing him use the word, I did
3 not ask him what it meant.

4 Q So you were totally ignorant as to what it
5 meant?

6 A I did not know what it meant at first, no.
7 I never heard of the word.

8 Q And you never did learn from Mr. Manson, right?

9 A No, I picked it up as I went along.

10 Q From somebody else?

11 A Well, just from listening to the way they
12 used it.

13 Q Who is "they"?

14 A Oh, the Family, everybody.

15 Q But not Mr. Manson?

16 A No.

17 Q He never told you about Helter Skelter?

18 A You mean the definition of the word?

19 Q The definition of the word.

20 A No, he never did.

21 Q Incidentally, in the form you are using it,
22 how is it spelled?

23 A H-a -- H-e-l-t-e-r -- S-k-e-l-t-e-r.

24 Q And it's two words?

25 A Yeah.

26 MR. KANAREK: Your Honor, may that last answer be

1 read back in toto?

2 THE COURT: Read the answer.

3 MR. KANAREK: Including the initial -- all of what
4 he said.

5 (Whereupon the reporter read the record.)

6 MR. KANAREK: I would like to make a motion that
7 the record be corrected. He said H-a.

8 I distinctly heard him say H-a. We can take
9 evidence on that, your Honor. The record shows H-a. I
10 believe he started H-a.

11 THE COURT: He started to answer the question and
12 then he started again.

13 MR. KANAREK: Yes, your Honor, but he started H-a.
14 I would like to take evidence on that. I believe he said
15 H-a.

16 THE COURT: You may bring it out on cross-examination.

17 MR. KANAREK: I would like this record to reveal, I
18 would like to make a motion that the record be corrected
19 because I believe Mr. Hollombe did not take it down
20 correctly and it is most important in connection with cer-
21 tain matters that I think the prosecution is going to offer
22 into evidence.

22 Els. 23 MR. HUGHES: Join in the motion, your Honor.

22-

1 THE COURT: Do you recall your answer?

2 THE WITNESS: I started to say h-a.

3 THE REPORTER: I got that. I didn't read it because
4 it was a false start.

5 THE COURT: Is it in the transcript?

6 THE REPORTER: Yes.

7 THE COURT: Then let's go back and read the answer
8 again. Read the question and the answer, Mr. Hollombe.

9 (Whereupon, the record was read by the reporter.)

10 MR. FITZGERALD: Q Mr. Manson had some dis-
11 cussions with you about Mr. Manson's feelings about blacks;
12 right?

13 A Yes.

14 Q Did he ever talk to you about politics?

15 A Yes.

16 Q Did he have a particular political persuasion?

17 A No. It didn't get that heavy.

18 Q Did he ever talk to you about the war or any-
19 thing like that?

20 A Viet-Nam?

21 Q Yes.

22 A No.

23 Q Did he ever talk to you about any of the
24 pressing political issues of the day?

25 A No.

26 Q It appeared, didn't it, that Mr. Manson wasn't

22-2

1 concerned about philosophy and politics and that sort of
2 thing; isn't that right?

3 A Yes.

4 Q Now, you had some conversations with Mr. Manson
5 in regard to the use, I believe, of LSD; right?

6 A Yes.

7 Q And I believe it was your testimony that
8 Mr. Manson was in favor of LSD; is that right?

9 A He liked it.

10 Q What about heroin?

11 A No.

12 Q Can you explain?

13 A Well, he didn't like any kind of narcotic
14 that was a downer, you know, where you stumble around and
15 fall.

16 Q Was heroin a downer?

17 A Yes.

18 Q What about reds?

19 A No, he hated reds.

20 Q What are reds?

21 A Seconal.

22 Q Are they barbiturates; seconal, tuinal?

23 A Tuinal? Maybe so.

24 Q Drugs that end in a-1?

25 A Well, I go by color.

26 Q If they are red in color, they are red; right?

2-3

1 A Yes.

2 Q Was there some problem with the use of reds at
3 the ranch, Mr. De Carlo, during the period of time you
4 resided there?

5 A There had been a couple of people come up there
6 loaded on reds.

7 Q What happened to them, if anything?

8 A Charlie whipped their ass.

9 Q Ran them off the ranch?

10 A Yes.

11 Q Because he didn't want anything to do with
12 people who were using those kind of drugs?

13 MR. BUGLIOSI: Calls for a conclusion, your Honor.

14 THE COURT: Sustained.

15 Q Why did he whip them?

16 MR. BUGLIOSI: Calls for a conclusion.

17 MR. FITZGERALD: If you know.

18 MR. BUGLIOSI: Calls for a conclusion.

19 THE COURT: Sustained.

22A

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22a-1

1 BY MR. FITZGERALD:

2 Q Did you use any downers at some time, Mr.
3 DeCarlo, during some period of time you were residing at
4 the ranch?

5 A I did once.

6 Q When you first moved to the ranch you came to the
7 ranch with somebody; right?

8 A Yes.

9 Q Now, was Mr. Manson's prejudice in regard to
10 drugs related only to downers and not to uppers?

11 A Just to downers.

12 Q What about speed? Was Manson in favor of
13 people ingesting methydrine hydrochloride?

14 A I don't know what his opinion was on speed.

15 Q So, so far as you know, if Mr. Manson favored
16 a drug, it was simply LSD?

17 A LSD, mescaline and weed.

18 Q Are those the so-called psychedelic drugs?

19 A Well, weed is not psychedelic..

20 Q What is weed?

21 A downer? An upper?

22 A No. It is not a real downer.

23 Q Had you ever heard Manson use the words
24 "white collar worker"?

25 A No.

26 Q That is your word,, isn't it?

1 A That is my word, right.

2 Q Now, People's Exhibit No. 39, a Buck knife that
3 you previously identified. Is there anything peculiar
4 about that particular knife that stands out in your memory
5 or recollection?

6 A Yes.

7 Q What is it?

8 A Well, Linda lost it one time and she came up
9 to me and asked me if I had it. So, I saw Clem with it.
10 So, I took it off Clem and kept it for me. And then I
11 eventually gave it back to her.

12 Q Did you put your initials on it or anything?

13 A No. I had my hand on it.

14 Q What is a Buck knife?

15 A That is just the maker.

16 Q The manufacturer?

17 A Yes.

18 Q Do you have any idea how many knives have been
19 manufactured by Buck Company?

20 A It is pretty well known.

21 Q Is it a fairly popular knife, so far as you
22 know?

23 A So far as I know, yes.

24 Q Is there anything that separates People's
25 Exhibit 39 from any other knife manufactured by Buck
26 Company?

Comp-Examination
↓ ↓
↑ ↑

1 A Other than it is a folding knife rather than a
2 straight blade.

3 Q You are not saying, in other words, that
4 People's 39 is the exact knife you saw Linda Kasabian
5 with, are you?

6 A It is the knife.

7 Q How do you know?

8 A I have never seen one like that before.

9 Q Is it different than any other knife manufactured
10 by Buck, to your knowledge?

11 A Yes.

12 Q How so?

13 A Well, the wooden handles, the blade release
14 on the back, the brass. It is an old knife.

15 Q Didn't it appear to be a standard manufacture?

16 A I have never seen one like it before.

22b fls.

22b-1

1 Q It was different because it had a brass back?

2 A Brass, wood handles, and it had a blade release
3 in the back.

4 Q And other Buck knives that you have seen do
5 not have a brass back; is that right?

6 A No. They are just straight knives.

7 Q Did it differ in any other respect aside from
8 the brass? You mentioned something about the handles?

9 A It had wooden handles.

10 Q Do knives also manufactured by Buck have some
11 different kind of handle?

12 A Well, I don't know. I am not an expert on
13 what they make. I am just telling you they got Buck knives
14 that are in sheaths, that fit in your pocket, fit in
15 your side. That one there you open. So that is the only
16 difference, how I distinguish the two.

17 Q This knife has not been in your possession and
18 under your direct control since the first time you saw it;
19 right?

20 A No.

21 Q It is possible, ~~that~~, that Linda Kasabian had
22 a knife other than People's 39; isn't it?

23 A No. That was the one, because she said she
24 had it for a long time.

25 Q Is it your opinion that it is the same knife,
26 People's 39 is the same knife, that Linda Kasabian had;

11

1 is that right?

2 It is your opinion; correct?

3 A That is my opinion, right.

4 Q And what do you base that opinion on?

5 A That looks exactly like the same knife.

6 Q There are no other knives like it, to your
7 knowledge?

8 A Oh, there probably is, but I have never seen
9 one.

10 I am not a fanatic on knives, so it kind of
11 fascinated me.

12 Q People's 39, now, the prosecution exhibit,
13 you don't know where that knife came from, do you?

14 A No.

15 Q So far as you know, it could have been imported
16 from Africa; right?

17 A Right.

18 Q Yet you are saying that is the precise knife
19 Linda Kasabian had; correct?

20 A I said it looks like it.

21 I can't say positively for sure beyond any
22 doubt in my mind that that is the knife. I can't say that
23 because I'd be lying to you.

24 It looks like it. That is it right there.

25 Q What was the date that you purchased with
26 Mr. Manson this rope?

1 A I don't know the dates.

2 Q Do you recall the week?

3 A No.

4 Q The month?

5 A It was in June.

6 Q Was that rope used around the ranch for some
7 purpose?

8 A For towing.

9 Q Did you see it used for towing?

10 A Yes.

11 Q Was that why it was purchased, if you know?

12 MR. BUGLIOSI: Calls for a conclusion, your Honor.

13 MR. FITZGERALD: All right. Strike that.

14 Q Did you have some conversation with Mr. Manson
15 in regard to the rope prior -- before -- buying it?

16 A No.

17 Q Did Mr. Manson ever discuss with you before he
18 purchased the rope why he purchased it?

19 A No.

20 Q Did he ever discuss with you after he purchased
21 it why he purchased it?

22 A No.

23 Q Did you ever see him use the rope after he
24 purchased it?

25 A Yes.

26 Q What did he use it for?

1 A Towing dune buggies.

2 Q On more than one occasion?

3 A Yes.

4 Q On several occasions?

5 A Yes.

6 Q You have some degree of familiarity with rope
and line, do you not?

7 A Yes, sir.

8 Q What is the difference between rope and line?

9 They are not synonymous, are they?

10 A They are not what?

11 Q You testified on direct examination that they
12 are the same thing, rope and line. Rope and line are not
13 the same thing, are they?

14 A Well, I get the term "line" from when I was
15 in the Service.

16 Q Right.

17 What does line mean in the Service?

18 A It means rope.
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23 fls.

23-1

1 Q Does whether or not something is referred to
2 as line or rope have to do with the diameter or circum-
3 ference of the rope?

4 A Yeah, I think that distinguishes the two, right.

5 Q What do you call little strands, is that line or
6 is that rope?

7 A I don't know.

8 Q How long was this line?

9 A About 150 feet.

10 Q You have seen rope like this before, I take it.

11 A Yeah, we had it on my PT boat.

12 Q A nylon line?

13 A Yeah.

14 Q Anything peculiar or distinguishing about this
15 particular piece of nylon line purchased by Mr. Manson?

16 A No.

17 Q Were you in the store when it was purchased?

18 A Yeah.

19 Q Did somebody get it off a large spool?

20 A I can't remember.

21 Q Where did the rope come from inside the store?

22 A It came from inside of the store.

23 Q Behind the counter?

24 A No.

25 Q Behind closed doors?

26 A No.

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Q Where was it in relation to --

A It was out in the open.

Q On a spool or in a box?

A It might have been on a spool. I think it was on a spool.

Q Could one inspect the rope or line before one bought it?

A Yeah.

Q Did you hear Mr. Manson engage in a conversation with anybody in the store with regard to the purchase?

A I cannot remember.

Q Did you see Mr. Manson pay for it?

A Yeah.

Q Do you recall how much it was?

A I think everything was around \$200.

Q You had some conversation with him about the amount of money used to buy the rope?

A No.

Q Was that cheap rope or expensive rope?

A It's expensive.

Q Didn't you ask him why he was purchasing the rope?

A Not that I can remember.

Q Where is the store located?

A In Santa Monica.

Q Whereabouts?

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A I don't know the exact street.

Q You are pretty familiar with Santa Monica, California, aren't you?

A Not really.

Q Your headquarters used to be in Venice, California, right?

A We were not welcome in Santa Monica.

Q You never went to Santa Monica?

A If we did we went to jail.

Q Santa Monica is located physically right above Venice, isn't it?

A We never went to Santa Monica.

Q Some of the same thoroughfares or streets that went to Santa Monica went through the Venice portion of the City of Los Angeles?

A We tried to avoid them.

Q Lincoln Boulevard went through Santa Monica and into Venice, right?

A Yeah.

Q So does Main Street, right?

A Yeah.

Q So does Ocean Boulevard, right?

A Yeah.

Q And other streets, right?

A Yeah.

Q Was the surplus store on any of those streets I mentioned?

23-4

1 A I don't know what street it was on.

2 Q You are more familiar with the Bay area of the
3 City and County of Los Angeles than you are with the
4 central portion, are you not?

5 A Yeah.

6 Q Now, you have previously testified to some of
7 the girls, not all of them, at the Spahn Ranch during the
8 period of time you were there, going nude, is that right?

9 A Yeah.

10 Q Did you ever go nude?

11 A Yeah.

12 Q Portions of that ranch are exposed to the
13 public, are they not, the public view from Santa Susana
14 Pass Road?

15 A Yeah.

16 Q Were you ever nude in the portions exposed to
17 the public view?

18 A No.

19 Q From time to time during your stay at the
20 Spahn Ranch people would leave and sometimes return, right?

21 A Yeah.

22 Q Sometimes people would be gone a day, sometimes
23 as much as two or three or four days, correct?

24 A Yeah.

25 Q Sometimes people would go and they would never
26 come back, right?

1 A Yeah.

2 Q There were a lot of people that passed through,
3 is that correct?

4 A Yeah.

5 Q They would stay anywhere from a day to a week
6 and then move on, is that correct?

7 A Yeah.

8 Q Now, you have been in the military service,
9 correct?

10 Are you familiar with something called a bed
11 check?

12 A Yeah.

13 Q Are you familiar with something called a head
14 count?

15 A Yeah.

16 Q Was there ever a bed check at the ranch or a
17 head count to determine who was present and who was
18 absent?

19 A No.

20 Q Was Mr. Manson absent for some periods of time
21 during the entire period that you were at the Spahn Ranch?

22 A Yeah.

23 Q Would he leave and go places?

24 A Yeah.

25 Q Do you know where he would go?

26 A No, I didn't take care.

1 Q Did you ever go with him and stay away for two
2 or three days?

3 A No, I don't think I did.

4 Q Were you ever there when Manson was gone by
5 himself or with some other people for two or three days at
6 a time?

7 A Yeah.

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13A

23A-1

1 Q Did things go on at the ranch in his absence?

2 A Yeah.

3 Q Was there an area of Chatsworth frequented by
4 people who used to stay at the Spahn Ranch from time to
5 time, called Devil's Canyon?

6 A Yes.

7 Q How far was that from the Spahn Ranch?

8 A A couple of miles.

9 Q And how long would it take you to traverse that
10 couple of miles if you were walking?

11 A Maybe a half hour or so.

12 Q Are there any roads to take from Spahn Ranch to
13 Devil's Canyon?

14 A Yeah.

15 Q Were those standard asphalt roads?

16 A No, they were dirt.

17 Q Now, you previously testified that there was a
18 dune buggy that belonged to Mr. Manson, correct?

19 A Yeah.

20 Q I thought, though, that your testimony was that
21 nothing belonged to a particular individual?

22 A Yeah, that's true.

23 Q Did that dune buggy that you testified belonged
24 to Mr. Manson belong to anybody else who wanted to use it?

25 A Yeah, anybody could use it.

26 Q Did you ever see anybody else use it?

A2

1 A Yeah.

2 Q Did you see Tex use it?

3 A Yeah.

4 Q Did you see Bruce use it?

5 A Yeah.

6 Q Did you see Clem use it?

7 A Yeah.

8 Q Did you use it?

9 A Yeah.

10 Q Did you ever see any of the girls use it?

11 A Yeah.

12 Q Linda?

13 A No.

14 Q Brenda?

15 A Possibly.

16 Q Mr. De Carlo, is it not true from your dis-

17 cussions with Mr. Manson, that Mr. Manson indicated to you

18 that he actually loved the black people?

19 A Yeah, there was one time he said that.

20 Q Did you ever hear him say he hated blacks or

21 Negroes?

22 A Yeah.

23 Q When was that, do you recall?

24 A No.

25 Q Did Mr. Manson ever use the word "hate"?

26 A No.

43a3

1 Q Did he ever use the word "love"?

2 A He used that word a lot.

3 Q He used the word love frequently and the word
4 hate never, right?

5 A Well, he used the word "hate" a couple of times.

6 But he used the word love more than anything.
7 He don't because he -- you know, he never -- uh, he never
8 really hated anything.

9 MR. BUGLIOSI: I move to strike that, your Honor,
10 on the grounds it is a conclusion of the witness.

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

13 Read the last question.

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

16 "Q He used the word love frequently
17 and the word hate never, right?")

18 THE WITNESS: Did you ask me a question?

19 Q BY MR. FITZGERALD: There was a question mark at
20 the end of the word "right."

21 In other words, is it correct that he used
22 the word "love" frequently and never used the word "hate"?

23 A He used the word "hate."

24 Q Did it appear to you that Mr. Manson loved
25 things as opposed to hating things?

26 MR. BUGLIOSI: Too broad a question, your Honor.

23a4

1 Loved what? It's ambiguous.

2 THE COURT: Sustained.

3 Q BY MR. FITZGERALD: Did you actually hear
4 Manson ever say that he hated blacks or Negroes?

5 A Yeah.

6 Q When was that?

7 A Sometime in -- I don't know when, while I was
8 there.

9 Q Just one big blur?

10 A Because we never had no clocks or calendars up
11 there, so, hell, I didn't know what time it was.

12 It got dark, light, dark, and that was it.

13 We never listened to a radio; we had no calendar,
14 so one day went along like the next day.

15 I did not know if it was Monday, Wednesday, or
16 Friday, so --

17 Q And I take it you had a lot of conversations
18 with an awful lot of people during the period of time you
19 were at the Spahn Ranch?

20 A Yeah, I talked to a lot of people.

21 Q You probably talked to 100 people, right?

22 A Yeah.

23 Q What makes you remember this conversation where
24 Manson said he hated Negroes?

25 A Well, we both think about the same way, so --

26 MR. KANAREK: Your Honor, I ask that be stricken as

23a5

1 a conclusion, your Honor.

2 MR. BUGLIOSI: Believe it or not, your Honor, the
3 People join Mr. Kanarek in that motion.

4 THE COURT: I am not sure, unless Mr. De Carlo
5 finished his answered.

6 Did you finish your answer?

7 THE COURT: Yes.

23B

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23b-1

1 THE COURT: The answer will be stricken as not
2 responsive.

3 The jury is admonished to disregard it.

4 BY MR. FITZGERALD:

5 Q You don't remember what month you had this
6 conversation with Manson when he said he hated Negroes?

7 A No.

8 Q And you don't remember the week?

9 A No.

10 Q And you don't remember the time of day?

11 A No.

12 Q And you don't remember the exact location of
13 the conversation?

14 A It was at the ranch.

15 Q How big is the ranch?

16 A It's pretty big.

17 Q You don't remember who was present?

18 A No.

19 Q Tell us exactly what happened?

20 A He just said that he wanted the blacks to
21 fight against the police -- I can't remember word for
22 word exactly what was said.

23 I mean, you know, the feeling is there; if
24 you want me to put it in exact words, I cannot remember.

25 Q So you got the feeling he hated blacks, is
26 that right?

23b-2

1 A No, I did not get the feeling, I mean, you
2 know, we talked about it.

3 Q But he did not use the word "hate" apparently,
4 right?

5 A Yeah, he did.

6 Q He said "hate"?

7 A No, I'm not sure.

8 Q It's actually you that hate the blacks, isn't
9 that right, Mr. DeCarlo, isn't that true?

10 A No.

11 Q Not true?

12 A No.

13 Q You love blacks?

14 A I don't love them and I don't hate them.

15 Q You previously testified that your understanding
16 was that Manson hated blacks, and he felt the same as you
17 did, right?

18 A Right.

19 Q You don't hate blacks?

20 A I don't love them and I don't really hate them.
21 Some things that they do I don't like. I am
22 sure the feelings are mutual.

23 MR. KANAREK: I did not hear that last portion.

24 THE COURT: Read the answer.

25 (Whereupon, the reporter reads the answer as
26 follows:

"A I don't love them and I don't really
hate them.

"Some things that they do I don't like.
I am sure the feelings are mutual.")

MR. KANAREK: Thank you.

24 fls.

14-1

1 Q Did you have a child by the name of Dennis
2 De Carlo?

3 A Yes.

4 Q Was he living with you at the Spahn Ranch during
5 the period of time that you were living there, Mr. De
6 Carlo?

7 A He was there a while.

8 Q How old was Dennis?

9 A 15 months.

10 Q How old is he now?

11 A 2 years, 4 months.

12 Q Are you testifying here today as a result of
13 some agreement you have made in regard to the custody of
14 your child?

15 A No.

16 Q When did you first have a conversation with any
17 police agency in regard to this case, the so-called Tate
18 case? Do you recall?

19 A It was November.

20 Q November 17th?

21 A It was in November sometime.

22 Q There were certain promises made to you by the
23 police in return for some information you could allegedly
24 give them?

25 A No, they didn't promise me nothing.

26 Q Did you testify in a courtroom for the

24-2

1 prosecution?

2 MR. BUGLIOSI: Is that the end of the question?

3 MR. FITZGERALD: Q Against a person by the name
4 of Robert Beausoleil?

5 MR. BUGLIOSI: I object, your Honor. It is
6 irrelevant.

7 MR. KANAREK: Your Honor, I must object to that
8 question.

9 MR. BUGLIOSI: It doesn't pertain to this case. It
10 is totally irrelevant.

11 THE COURT: Sustained.

12 MR. FITZGERALD: Q In November, 1969, were there
13 three felonies pending against you in the County of
14 Los Angeles to be prosecuted by the District Attorney of
15 Los Angeles County?

16 MR. BUGLIOSI: I object on the grounds of irrelevance.

17 THE COURT: Sustained.

18 MR. FITZGERALD: Were certain charges, certain
19 felony cases, dismissed against you in return for some
20 information in connection with this case, Mr. De Carlo?

21 A No.

22 Q Were certain charges dismissed against you --

23 A I told you no, there were no charges dropped
24 against me. I will tell you again, no. So you go check
25 your records.

26 Q Is your name Danny Thomas De Carlo?

1 A Yes.

2 Q Were you charged in Superior Court Information

3 A --

4 MR. BUGLIOSI: I object to this, your Honor. This is
5 not proper impeachment, and Mr. Fitzgerald knows it.

6 The Penal Code only permits impeachment on the
7 grounds of a felony conviction. I object on that ground.

8 MR. KANAREK: It is proper on the grounds of bias.
9 There are other grounds besides conviction of a felony for
10 impeachment, your Honor.

11 MR. HUGHES: Your Honor, I object to Mr. Bugliosi
12 raising his voice.

13 THE COURT: Do you wish to come to the bench,
14 Mr. Fitzgerald?

15 MR. FITZGERALD: I don't.

16 THE COURT: Then I admonish you, sir, you know the
17 rules as well as I and the rest of counsel.

18 MR. FITZGERALD: I will make an offer of proof. This
19 is perfectly legitimate. I will make an offer of proof.

20 MR. BUGLIOSI: Let's go to the bench.

21 MR. FITZGERALD: I didn't say anything. I just
22 asked.

23 MR. BUGLIOSI: Let's go to the bench.

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

1 MR. BUGLIOSI: Your Honor --

2 MR. FITZGERALD: Let me make an offer of proof first.

3 MR. BUGLIOSI: I am sorry.

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24A-1

1 MR. FITZGERALD: I will make an offer of proof that
2 in Superior Court case A-058,069, a three-count felony
3 information charging, in Count I, a violation of Penal
4 Code Section 487.1, P.C., in Count II, charging a violation
5 of 496, Receiving Stolen Property, and in Count III
6 charging a violation of Health & Safety Code Section 11530,
7 were dismissed against Mr. De Carlo by the then Acting
8 Chief of the Santa Monica District Attorney's office, one
9 David Fitts, now a Superior Court Judge, in return for
10 Mr. De Carlo's testimony against one Bobby Beausoleil.

11 I will also make an offer of proof that --

12 THE COURT: How are you going to prove that by this
13 witness who already said it wasn't?

14 MR. BUGLIOSI: Furthermore, it is not this case
15 right here. I don't know how he can bring in what
16 happened in some other case.

17 MR. FITZGERALD: I will bring in the Judge.

18 THE COURT: What is the relevancy?

19 MR. FITZGERALD: If you will let me finish, I will
20 tell you the relevancy.

21 THE COURT: Don't talk to me that way. I don't like
22 your flippant attitude.

23 MR. FITZGERALD: It is not a flippant attitude.
24 This is perfectly proper. I am not doing anything improper.

25 I checked the records of the Superior Court --

26 THE COURT: You are attempting to bring in some other

1 offense that has nothing to do with this matter.

2 MR. FITZGERALD: All right. Let's start from the
3 beginning.

4 THE COURT: All right.

5 MR. FITZGERALD: There was a so-called member of the
6 Manson Family by the name of Robert Kenneth Beausoleil.
7 Mr. Beausoleil was charged in the Superior Court of the
8 County of Los Angeles with the charge of murder, the
9 so-called murder of Gary Hinman.

10 Also charged in that murder is Charles Manson and
11 Susan Denise Atkins.

12 Representatives of the District Attorney's
13 Office and the Los Angeles Police Department had conver-
14 sations with Mr. De Carlo on or about November 17th, 1969,
15 wherein they promised that the charges pending against
16 Mr. De Carlo would be dismissed in return for his testimony
17 against Mr. Beausoleil, a Family member.

18 In the same conversation, the officers extracted
19 from Mr. De Carlo information in connection with the so-
20 called Tate-La Bianca homicides, and it is my understanding
21 that it was Mr. De Carlo's understanding that the cases
22 would be dismissed against him for a continuing obligation
23 to testify.

24 Now, I'd like to point out to the Court that
25 Mr. De Carlo also testified before the Grand Jury on
26 December the 8th, 1969, in regard to this case, and in regard

1 to the same distinct offer of immunity for charges pending
2 against him. And I think it is obviously relevant.
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24b-1

1 THE COURT: Say that last part again. I didn't
2 understand that.

3 MR. FITZGERALD: My whole position is that they
4 promised DeCarlo that the charges against him would be
5 dismissed if he not only testified against Beausoleil
6 but if he testified against Manson and these defendants,
7 and that was part of the agreement, and he is now follow-
8 ing through with that agreement.

9 I think it goes to his bias.

10 THE COURT: You asked him and he said no. Now,
11 if you have some way of proving that, Mr. Fitzgerald,
12 you may prove it. But what you are doing is reciting these
13 cases after the witness has already told you that he hasn't
14 been promised anything.

15 In other words, what you are doing is dragging
16 before the jury the evidence of some alleged other offenses
17 charged against him after he has already told you that he
18 has received no promises.

19 Now, if you have some evidence to prove that
20 he is lying, certainly you may show it.

21 MR. BUGLIOSI: Your Honor --

22 MR. FITZGERALD: Wait a minute. I'd like to make
23 my offer of proof.

24 If I may just go to counseltable, I will give
25 you certified copies of the information. I will demonstrate
26 my good faith. I am not asking in bad faith.

24b-2

1 THE COURT: That is beside the point of what you
2 have said now. You may prove it at the proper time.

3 MR. BUGLIOSI: Your Honor, is that admissible, an
4 agreement that was made in another case?

5 THE COURT: The point is now, Mr. Fitzgerald, you
6 asked the witness whether he was ever promised anything
7 by the District Attorney, and he said no.

8 MR. FITZGERALD: If I asked him if he was convicted
9 of a felony and he said no, I'd be entitled to say: Isn't
10 it true that ^{on} such and such a date you were charged with such
11 and such an offense, and on such and such a date you were
12 convicted?

13 All I am trying to do is lay the foundation,
14 your Honor.

15 THE COURT: If you have the evidence.

16 MR. FITZGERALD: I have got the evidence. Mr. Hughes
17 also has evidence, and Mr. Shinn and Mr. Kanarek.

18 THE COURT: What evidence are you talking about?

19 MR. FITZGERALD: Okay.

20 MR. BUGLIOSI: Your Honor --

21 THE COURT: What do you mean by okay, Mr. Fitzgerald?
22 You shrug your shoulders, you hold up your hands palm
23 upwards, and you say okay after I make the statement to you,
24 "If you have some evidence."

25 MR. FITZGERALD: You have ruled. I have made my
26 offer of proof. The record stands for itself.

24b-3

1 I think what I am doing is perfectly proper.

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

3 MR. FITZGERALD: Well, the record speaks for itself.

4 THE COURT: All right.

5 MR. BUGLIOSI: If any agreement was made with Mr.
6 DeCarlo and charges were dismissed against him in some
7 other murder trial, it is not admissible.

8 THE COURT: It depends on what the agreement was.

9 MR. BUGLIOSI: If the agreement pertains to this
10 trial, I would say yes.

11 THE COURT: Mr. Fitzgerald, as I understand, is making
12 that representation.

13 MR. BUGLIOSI: Do you have some evidence?

14 MR. FITZGERALD: Yes.

15 MR. BUGLIOSI: If you can show me that, I'd like to
16 look at it.

17 THE COURT: The state of the record now is that you
18 have asked this witness and he has denied it, and apparently
19 you want to go ahead and get before the jury the charges in
20 the other cases.

21 MR. BUGLIOSI: That is what I am worried about.
22 He had two other felony charges pending against him, and
23 it is already out in front of the jury.

24 MR. KANAREK: May the record reflect that I join
25 on behalf of Mr. Manson Mr. Fitzgerald's comments?

26 MR. HUGHES: I would appreciate joining for Leslie

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1 Van Houten.

2 MR. SHINN: Susan Atkins also joins.

3 THE COURT: All right.

4 It is now 4:15.

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

9 THE COURT: Ladies and gentlemen, do not converse with
10 anyone or form or express any opinion regarding the case
11 until it is finally submitted to you.

12 The court will adjourn now until 9:45 tomorrow
13 morning.

14 (Whereupon at 4:14 o'clock p.m. the court
15 was in recess.)
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