

COPY

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.

96

No. A253156

REPORTERS' DAILY TRANSCRIPT
Tuesday, September 22, 1970
P. M. SESSION

APPEARANCES:

For the People:

DONALD A. 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.

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PAGES 11137 to 11244

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

I N D E X

PEOPLE'S WITNESSES: DIRECT CROSS REDIRECT RECROSS

GLEASON, William C. (Cont'd)	11162	11163F	
MARSHALL, Ralph	11169		
OLMSTEAD, Samuel E. J.	11177	11190F	11213
(reopened)		11193F	
		11196S	
		11200K	
		11211H	
GRAP, George D.	11214	11219F	
		11228S	
		11234K	

E X H I B I T S

PEOPLE'S: FOR IDENTIFICATION IN EVIDENCE

259 - Photograph of back of automobile	11161
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1 LOS ANGELES, CALIFORNIA, TUESDAY, SEPTEMBER 22, 1970

2 2:05 P.M.

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

6 You may proceed, Mr. Bugliosi.

7 MR. BUGLIOSI: Your Honor, can we approach the bench?

8 THE COURT: Very well.

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

11 MR. BUGLIOSI: I learned, your Honor, that that
12 photograph was not taken on August 16th; the photograph and
13 the property was recovered on November 25, 1969 at Spahn
14 Ranch.

15 There was no search warrant, so we are not going
16 to have to get into that.

17 However, he advises me, Gleason advises me, that
18 he got Spahn's permission to enter the ranch on November
19 25th..

20 They entered this trailer and a Juan Flynn was
21 living in the trailer and Juan Flynn gave him an Gutierrez
22 permission to take possession of the helter skelter board.

23 So we are not dealing with a search warrant. We
24 are not dealing with August 16th. We are dealing with a
25 consent issue given by Mr. Spahn and Juan Flynn.

26 I would certainly like to go into that now.

1 MR. SHINN: Your Honor, I think he has got to show
2 us that this writing on the panel has some connection with
3 the defendants in this case, your Honor.

4 I believe he said that he got it from Juan's
5 trailer.

6 It might be Juan's, you know. He may not even
7 connect the defendants in this case.

8 THE COURT: We have to take it one step at a time.

9 MR. KANAREK: Your Honor, furthermore, if I may in this
10 connection, in order to get to the trailer he has to get
11 permission to get on the land.

12 Also I don't believe that this person, I don't
13 know if Mr. Bugliosi made the representation, that this man
14 even knew who Juan Flynn is or was, or because someone
15 happens to be located somewhere does not mean they are the
16 owners.

17 There has to be the proper foundation.

18 MR. BUGLIOSI: Juan Flynn advised him that he was
19 living in this trailer.

20 It goes towards the issue of whether the officers
21 acted reasonably or not.

22 They knew Juan Flynn -- in fact, Juan Flynn was
23 arrested August 16th out at the ranch, so they were
24 familiar with Juan Flynn.

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1 MR. HUGHES: I think there is another ample question,
2 and that is the question of just who the trailer belongs
3 to, regardless of whose land it was parked on or who
4 actually happened to be inside it at the time that the
5 officer made the seizure.

6 It is my understanding that the trailer belonged
7 to one Randy Starr, who recently died.

8 MR. BUGLIOSI: Well, your Honor, to facilitate the
9 proceedings this afternoon -- we have wasted a lot of
10 time this morning -- I will pass this for the moment.

11 This is a crucial bit of evidence, but I
12 could probably get it in at a later time, and we can move
13 on this afternoon. I do have other witnesses to call.
14 But I do want to get into the fact that Helter Skelter was
15 found printed on a door at Spahn Ranch, and that is the
16 language found at the La Bianca residence.

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17 MR. KANAREK: In the possession of Juan Flynn.
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1 MR. BUGLIOSI: We will put on evidence that Juan
2 Flynn will testify that he did not write that there and
3 that when he moved into the trailer it was already there.

4 MR. KANAREK: That is prejudicial. The prejudicial
5 value
6 /far outweighs the probative value.

7 The fact that it was found in the trailer --

8 THE COURT: All right, Mr. Kanarek. Sometimes I would
9 like to have you explain that objection to me.

10 MR. KANAREK: I would be glad to point out that Witkin
11 devotes an entire section to that, because --

12 THE COURT: Not now, Mr. Kanarek. This is not the
13 time.

14 MR. KANAREK: Very well.

15 MR. BUGLIOSI: I will pass this for the moment, your
16 Honor.

17 I understand that there will be a stipulation as
18 to the car?

19 MR. KANAREK: Yes.

20 MR. BUGLIOSI: There is also going to be a stipulation
21 as to the car at the Tate residence?

22 MR. KANAREK: Yes.

23 MR. BUGLIOSI: I can enter into that also.

24 THE COURT: You are going to pass this whole matter?

25 MR. BUGLIOSI: I am going to pass the matter of
26 Helter Skelter on the board, but I will put it on later.
I have other witnesses to call, among whom is Michael

1 Hendricks.

2 Has the matter been resolved as to Michael
3 Hendricks? I feel that I have a right to call him to the
4 stand.

5 MR. KANAREK: He is supposed to be in Atascadero.
6 He spent less than a week here. The District Attorney got
7 him out of the mental hospital.

8 THE COURT: I am not concerned with his present
9 condition because I observed him and I am convinced that
10 he fulfills the requirement of 701 of the Evidence Code.
11 The point that concerns me as far as Mr. Hendricks is
12 concerned is whether or not he was able, at the time that
13 his testimony is related to, to perceive those events as
14 to which he is being asked the questions now.

15 MR. BUGLIOSI: There is no evidence that he didn't,
16 your Honor.

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1 THE COURT: Well, there is evidence in the file
2 that raises some very serious questions. I don't think
3 the evidence is conclusive by any means, but certainly it
4 raises some questions which I can't ignore.

5 MR. BUGLIOSI: I think this is a matter of cross-
6 examination, your Honor.

7 THE COURT: It is more than a matter of cross-
8 examination.

9 MR. BUGLIOSI: I have yet to hear of a case that --

10 THE COURT: Look at People vs. McGaghan. That is
11 precisely the point they are talking about.

12 MR. BUGLIOSI: If a person is completely insane and
13 you hold up your fist and they say they see a bus driving
14 by, that is a different story. But this man, there is just
15 no evidence in the record that at that time he couldn't
16 perceive anything.

17 Right now he certainly answers all the questions
18 responsively and intelligently and carries on a conversa-
19 tion, and there is no evidence that at any previous time
20 he couldn't do it.

21 THE COURT: Except for the matters in the file which
22 indicate various doubts on the part of some of the
23 examining psychiatrists as to his mental condition, which
24 raises the question in my mind as to whether or not he was
25 capable at that time.

26 As I mentioned before, this question wasn't

1 addressed to them, so they didn't answer it. So, I don't
2 know what their answer would be.

3 It may very well be that they would find that
4 he was competent, but I have no way of knowing.

5 MR. BUGLIOSI: To me, it is almost --

6 THE COURT: Take a look at People vs. McCaghan.

7 I don't like the law, I just have to apply it.

8 MR. BUGLIOSI: I don't doubt that.

9 This is a one out of a hundred situation where a
10 person, no matter how crazy they are --

11 THE COURT: If it happens to be the one that is this
12 case, I have no way of knowing.

13 MR. BUGLIOSI: Is there anything in the file that
14 indicates that when he looks at a bus he sees an elephant?

15 I am serious.

16 THE COURT: Let's not raise that up here.

17 Call your next witness.

18 MR. BUGLIOSI: I am wondering if there is anything
19 in the file that says he can't see things; that when he
20 looks at something he sees something else.

21 THE COURT: Take a look at the file.

22 MR. FITZGERALD: They do indicate that he had
23 visual hallucinations. He used to see people at the end
24 of his bed.

25 MR. BUGLIOSI: Many people have hallucinations.

26 THE COURT: Let's not argue it up here. We will take

1 the time when we get to that point.

2 I will look at the file again.

3 My present feeling is that he probably should be
4 examined, or there should be some expert testimony. I
5 will have to make the ultimate decision, but I think I will
6 need some assistance in making it.

7 MR. BUGLIOSI: Would the Court then order a
8 psychiatric examination of him fairly expeditiously?

9 THE COURT: Absolutely.

10 MR. BUGLIOSI: As it is now, we are going to be
11 calling him pretty far out of order.

12 THE COURT: He is presently in the County Jail?

13 MR. BUGLIOSI: He is upstairs on the 9th Floor. He
14 has been hanging around here and I have been wanting to
15 bring him down every day and I haven't been doing it
16 because of this problem.

17 So, if the Court could order the examination
18 very rapidly?

19 THE COURT: When we get to that point we will have to
20 have a conference. I want you to pinpoint the time and
21 the general nature of the expected testimony so that in the
22 order for the examination I can instruct the doctor what
23 questions I want answered.

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1 MR. BUGLIOSI: I was going to call Mr. Hendricks as
2 my next witness after this witness.

3 THE COURT: All right, then, perhaps we should retire
4 to chambers. I can make the appointment after you inform
5 me of these facts.

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

8 THE COURT: Ladies and gentlemen, I am going to ask
9 counsel to come into chambers for a few minutes. We have
10 a matter that has to be discussed. I will ask the jury
11 to stay in the jury box; hopefully we will be in in a
12 few minutes.

13 (The following proceedings were had in the
14 chambers of the Court, outside the hearing of the members
15 of the jury and the defendants, all counsel being present:)

16 THE COURT: The record will show all counsel are
17 present.

18 Mr. Bugliosi, I think perhaps the best way to
19 proceed would be if you could make a general offer of
20 proof as to Mr. Hendricks' testimony, fixing a period of
21 time to which his testimony will relate.

22 MR. BUGLIOSI: Mr. Hendricks advises me, your Honor,
23 that he stayed at Spahn Ranch during July and early August
24 of 1969, spending between two and three and four days a
25 week at the ranch, spending the other days at his parents'
26 cabin near Crestline.

1 He did not stay there permanently.

2 While he was at the ranch he met Mr. Manson.
3 He had seen him almost every day but not every day. He
4 did see Mr. Manson carry a gun around on his person.

5 He said it was a .22 caliber Longhorn revolver.
6 Mr. Hendricks will of course testify to his familiarity
7 with guns.

8 He said Mr. Manson used to carry the revolver
9 in a black holster on his side.

10 I have shown him the revolver already, and he
11 has identified it as being the one he saw Manson with.

12 He said that he liked the revolver, and he
13 told Manson about it, that he would like to have it, and
14 Manson said no, that the revolver was his, Mr. Manson's.

15 This occurred he believed in July of 1969.

16 He never saw anyone else at the ranch with
17 that gun in their possession other than Charles Manson.

18 His duties at the ranch were guard duties, to
19 guard against the Panthers attacking the ranch.

20 THE COURT: Whose duties?

21 MR. BUGLIOSI: Hendricks' duties at the ranch were
22 to serve on guard duty to alert anyone -- to alert the
23 people at the ranch that the Panthers were coming.

24 Manson spoke to him about the coming bloody
25 revolution, and that Manson intended to cut a trail out
26 in the desert and kill everyone on the way.

1 When Hendricks eventually left the ranch in
2 early August, 1969, Manson gave him a 9 millimeter auto-
3 matic, told him to go out and blow up a pig.

4 He said when a police officer stops him and
5 asks him for his identification, to pull out the automatic
6 and shoot the officer.

7 His main testimony, your Honor, will be the
8 identification of the gun and the fact that Manson said
9 it was his gun.

10 THE COURT: All right. Then I will appoint two
11 psychiatrists to examine Mr. Hendricks as expeditiously
12 as possible.

13 I will ask that the reporters prepare a special
14 transcript of today's proceedings in chambers regarding
15 Mr. Hendricks, and also have the former testimony of Mr.
16 Hendricks in this proceeding as to the question of his
17 competency.

18 I don't recall the date now, but it was
19 several weeks ago.

20 In other words, that I think should be the
21 first part of the transcript, the special transcript so
22 that the psychiatrists will have an opportunity to read
23 the testimony with respect to his competency that has
24 already taken place, plus the offer of proof so they
25 will be able to fix the time and the general nature of
26 the testimony.

1 And make three copies. That should be
2 sufficient.

3 My thinking at the moment is I will appoint
4 two psychiatrists, and in the event there is any serious
5 conflict as to their testimony, then conceivably a third
6 one will be appointed. That is why the third copy of
7 the transcript.

8 MR. FITZGERALD: Your Honor, I wonder if your Honor
9 might direct the Clerk to direct the doctors that you
10 appoint that the file from Atascadero State Hospital and
11 the California Youth Authority file are available to them,
12 and also there has been filed by me a declaration in
13 support of motion in re competency of witness Michael
14 Hendricks.

15 That is also in the Superior Court file;
16 that I could provide another copy to the Clerk. I wonder
17 if that might be made available to the psychiatrists as
18 well?

19 THE COURT: Have it made a part of the special
20 transcript if you like, and attach it as an exhibit to
21 the special transcript.

22 MR. KANAREK: We join in Mr. Fitzgerald's request,
23 your Honor.

24 MR. KAY: Your Honor, we have no objection to them
25 looking at the file from the Youth Authority and
26 Atascadero, where other medical doctors have examined

1 Mr. Hendricks.

2 But as far as Mr. Fitzgerald's document there,
3 I just don't know the legal basis for that coming in to be
4 viewed by the doctors.

5 THE COURT: Well, these are matters which, as I
6 understand it, Mr. Fitzgerald heard directly from Mr.
7 Hendricks.

8 Is that right, Mr. Fitzgerald?

9 MR. FITZGERALD: That is correct.

10 MR. KANAREK: It is under oath, your Honor, under
11 penalty of perjury by a lawyer in the case.

12 MR. FITZGERALD: For whatever value or weight it
13 might have.

14 THE COURT: If you wish to cross-examine Mr.
15 Fitzgerald on this declaration, I suppose that is
16 appropriate.

17 On the other hand I don't see any reason why
18 the doctor should not have the benefit of this testimony.

19 MR. BUGLIOSI: We don't question anything that Paul
20 puts in that document there, your Honor.

21 THE COURT: Then the declaration of Mr. Fitzgerald
22 will be attached to the special transcript.

23 The doctors will also have available to them,
24 and these files will be in the custody of the Clerk of
25 this department, a file from Atascadero State Hospital,
26 No. 021770, pertaining to Michael Dennis Hendricks, and

1 the file from the Youth Authority entitled "Michael Dennis
2 Hendricks, No. YA94580."

3 Both of these files will remain with the
4 Clerk and may be examined by the doctors at any time.

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1 MR. BUGLIOSI: Are the doctors going to be aware of
2 Section 700, that that is the issue that they have to
3 confront themselves with, and not insanity under McNaughton,
4 or under 1368?

5 THE COURT: That's right, the doctors will be
6 specifically instructed to give their opinion with respect
7 to the competency of Mr. Hendrix to perceive the matters as
8 to which his testimony will relate during the months of
9 July and August, 1969.

10 I have already determined from the voir dire
11 examination that he was competent under the provisions of
12 701 of the Evidence Code on the day that he testified in
13 this Court.

14 What I am concerned about is whether or not he
15 was competent to perceive the matters to which his testi-
16 mony will presumably relate according to your offer of
17 proof.

18 MR. BUGLIOSI: Will the Court's observations with
19 respect to his competency on the date he testified in court,
20 will that also be given to the psychiatrists?

21 THE COURT: Well, that will be in the transcript, in
22 the special transcript in the portion which contains
23 Mr. Hendricks' testimony on it, as to the competency
24 hearings some weeks ago, when I did find him competent
25 under the provisions of Section 701 of the Evidence Code.

26 But again, so the doctors won't be confused by

1 all of this, that finding related only to that date that
2 he was here in court.

3 What I am now concerned with is whether or not
4 he was competent in July and August of 1969 to perceive
5 and comprehend the things as to which his testimony will
6 relate according to Mr. Bugliosi's offer of proof.

7 MR. KANAREK: Would your Honor amend the request,
8 or include in the request that the doctors make an
9 analysis as to his present competency?

10 In other words, as they view him right now, so
11 to speak, because he will be taking the witness stand, and
12 I think that since this is being done -- because our
13 position is, of course, what we have enunciated previously.

14 THE COURT: I don't see any necessity, because under
15 the Evidence Code, that finding is made by the Court in
16 accordance with Section 701 of the Evidence Code, and
17 simply covers whether he is capable of expressing himself
18 concerning the matter so as to be understood, and whether
19 he is capable of understanding his duty as a witness.

20 MR. KANAREK: That is what I am saying.

21 THE COURT: That is a matter I determine, and I
22 already determined it.

23 The doctors' opinion won't help me on that.

24 MR. KANAREK: What I am saying, and I say this with
25 the greatest respect for the Court, I don't think the Court --
26 the Court not being a psychiatrist --

1 THE COURT: This does not have anything to do with
2 psychiatry.

3 MR. KANAREK: Well, that is where I think where the
4 person has this kind of a background, your Honor, that that
5 section that your Honor just alluded to cannot be taken as
6 literally as your Honor is purporting to take it.

7 THE COURT: I am not taking it literally. That is
8 why I am appointing doctors.

9 MR. KANAREK: I am talking about his present competency,
10 your Honor.

11 THE COURT: I understand.

12 MR. KANAREK: So we ask that the doctors be requested
13 in that regard.

14 MR. HUGHES: So that the record is clear, at the
15 time that Mr. Hendricks testified previously Mr. Bugliosi
16 and I had a stipulation that his testimony will not be received
17 for any purpose against Leslie Van Houten.

18 MR. BUGLIOSI: So stipulated.

19 MR. KAY: Has your Honor indicated which doctors you
20 are going to appoint yet?

21 THE COURT: I am about to.

22 I will appoint Dr. George Abe and Dr. Blake
23 Skrdla.

24 And I will request that these gentlemen expedite
25 their examination and report so that we may have the
26 benefit of their reports and testimony in court as soon as

1 possible, consistent with a thorough and complete
2 examination of the witness.

3 MR. KANAREK: Your Honor, I do object in any event to
4 the offer of proof counsel made.

5 THE COURT: There is no need to object to it. That
6 is not the purpose for which it was made.

7 We are not now concerned with the admissibility
8 of the testimony.

9 I asked for the offer of proof simply to pin-
10 point the time and to generally advise the doctors as to
11 the type of testimony, and at what point in time the
12 testimony will relate to.

13 MR. KANAREK: Yes, your Honor, I recognize I have a
14 continuing objection on relevancy and materiality, but my
15 point is --

16 THE COURT: You have your objection only when you
17 ask for it, Mr. Kanarek.

18 MR. KANAREK: I already asked for it with respect to
19 Mr. Hendricks.

20 Out of an abundance of caution I will ask for
21 it at this point in connection with Mr. Hendrick's
22 testimony.

23 THE COURT: At any rate there is no need to make that
24 objection now because all we are concerned with at the
25 moment is competence.

26 MR. KANAREK: I thought maybe if your Honor sustained

1 it we would not have to go through the competency test
2 because what he purports to want this man to testify to,
3 I suggest to the Court, is not admissible.

4 All of this scurrilous and inflammatory and
5 prejudicial material that he has referred to, it is just
6 not admissible.

7 That is what I was suggesting to the Court, on
8 legal grounds, I would make an objection and I do make an
9 objection to the offer of proof.

10 THE COURT: All right.

11 MR. KANAREK: May I have a ruling on that, your
12 Honor, just for the record?

13 THE COURT: I am not going to rule on it, Mr. Kanarek,
14 because it is ridiculous, and I will tell you the second
15 time, the offer was not made in connection with admissi-
16 bility. It was made on the question of competency.

17 MR. KANAREK: I agree.

18 THE COURT: Do you understand what I say?

19 MR. KANAREK: Yes.

20 THE COURT: Then don't keep making the objection.

21 MR. KANAREK: Very well, your Honor.

22 MR. SHINN: May I add something, your Honor?

23 It is not clear to me whether or not the Court has decided
24 to determine whether or not Mr. Hendricks is presently sane.

25 I believe Mr. Kanarek requested that.

26 THE COURT: What?

1 MR. SHINN: Whether he is presently sane.

2 THE COURT: I am not concerned with that. There is
3 no evidence to the contrary. We are not going into that
4 question.
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1 "DECLARATION IN SUPPORT OF MOTION
2 IN RE COMPETENCY OF WITNESS
3 MICHAEL HENDRIX
4

5 I, PAUL J. FITZGERALD, declare:

6 THAT I am an attorney licensed to practice
7 in the State of California.

8 THAT I am the attorney for Patricia
9 Krenwinkel in Case No. A-253156 currently on
10 trial in Department 104 of the Los Angeles
11 Superior Court.

12 THAT on September 7, 1970, at approxi-
13 mately 6:15 p.m., I interviewed Michael
14 Hendrix in the Los Angeles County Jail Attorney
15 Room, 441 Bauchett Street, Los Angeles, California.

16 THAT Hendrix informed me that he is eighteen
17 years of age, having been born April 17, 1952,
18 in Kansas City, Missouri, to Lewis and Lena
19 Hendrix.

20 THAT in 1962, Hendrix moved with his family
21 to Simi Valley, California, and has resided
22 continuously in Ventura, Los Angeles and
23 San Bernardino Counties.

24 THAT Hendrix informed me that in early
25 1970, he was arrested in San Bernardino County
26 for numerous burglaries.

2
1 "THAT as a result of said arrests,
2 petitions in the Juvenile Court were lodged
3 against him.

4 THAT upon conclusion of the juvenile
5 proceedings in San Bernardino County, Hendrix
6 was transferred to Ventura County, where
7 petitions were filed against him in the Ventura
8 County Juvenile Court, charging him with
9 additional burglaries.

10 THAT he attempted to interpose his
11 'insanity' as a defense to the charges in
12 Ventura County.

13 THAT the aforementioned petitions were
14 sustained against him and he was committed to
15 the California Youth Authority.

16 THAT upon placement within the California
17 Youth Authority, Hendrix attempted to commit
18 suicide by cutting his left arm and attempted
19 to blind himself by deliberately exposing his
20 eyes to ultraviolet light.

21 THAT according to Hendrix, he (Hendrix)
22 is insane.

23 THAT he (Hendrix) told a psychologist
24 for the California Youth Authority that when he
25 was released, he was going to blow up the new
26 Police Department in Ventura County and was

1 "going to go on a robbing, shooting spree.

2 THAT Hendrix maintains he is an 'expert'
3 in the field of firearms; having been illegally
4 engaged in the theft, transportation, receiving,
5 trading and selling of firearms for a period of
6 two years.

7 THAT Hendrix has owned, possessed, and used
8 over seventy-five separate and distinct fire-
9 arms.

10 THAT Hendrix always carries a gun and stated
11 he could easily kill anyone he chose to. 'I
12 could shoot anybody and I could still get a good
13 night's sleep. If I were on the street, I would
14 snuff (kill) Manson myself. I would blow him
15 up -- I would make it look as though it were an
16 accident -- like the Mafia.'

17 THAT upon my release, I am going to jump on
18 and maybe kill my father. He knocked my teeth
19 out because I attempted to join the service.'

20 THAT Hendrix stated he is an expert in the
21 field of explosives and demolition, having
22 manufactured and ignited hundreds of bombs.
23 Hendrix alleged that he blew up a house in
24 Ventura County with a bomb and riddled the
25 house with machine gun bullets.

26 THAT Hendrix maintains he always carries a

1 "pistol in a shoulder holster and frequently
2 carries materials for bomb making.

3 THAT Hendrix states he has a 'hang-up'
4 about guns and that guns are the reason he is
5 presently in an institution for the
6 criminally insane, Atascadero State Hospital,
7 which he refers to as 'Disneyland.'

8 THAT Hendrix stated that he would say any-
9 thing on the witness stand, regardless of its
10 truth or falsity, in order to secure his release
11 from the California Youth Authority.

12 I declare under penalty of perjury that the
13 foregoing is true and correct.

14 Executed on September 9, 1970, at
15 Los Angeles, California.

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18 PAUL J. FITZGERALD /s
19 PAUL J. FITZGERALD
20 Attorney"
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1 MR. KANAREK: Your Honor, just so the record will
2 be crystal clear --

3 THE COURT: It was up until now.

4 MR. KANAREK: -- your Honor is refusing to order a
5 test as to his present sanity; is that correct?

6 THE COURT: No, I am not refusing that, Mr. Kanarek.
7 I am doing just exactly what the record shows I am doing,
8 and that is all.

9 MR. KANAREK: Very well, your Honor.

10 (Whereupon the following proceedings occur in
11 open court, all defendants, counsel and jury present:)

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

14 You may proceed, Mr. Bugliosi.

15 MR. BUGLIOSI: Your Honor, I have here a photograph
16 of the back part of an automobile.

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

18 THE CLERK: 259, your Honor.

19 THE COURT: 259 for identification.

259 id.

20
21 WILLIAM C. GLEASON,
22 the witness on the stand at the time of the noon recess,
23 resumed the stand and testified further as follows:
24
25
26

12-2

DIRECT EXAMINATION (Continued)

BY MR. BUGLIOSI:

Q I show you People's Exhibit 259 for identification, a photograph.

Do you know what is shown in that photograph?

A Yes, sir.

Q What is shown in that photograph?

A A 1959 Ford sedan.

Q License plate No. GYY 435?

A Yes.

Q The license plate is depicted in the photograph?

A Yes.

Q Do you know to whom that car belonged?

A To a John Swartz.

Q Was this car impounded on August the 16th, 1969, at Spahn Ranch?

A Yes.

Q Was this photograph taken of the car at Spahn Ranch?

A Yes.

Q On August 16th, 1969?

A Yes.

Q I show you People's 38 for identification.

Do you know what is shown in that photograph?

A A 1959 Ford sedan.

Q Is that the Swartz car top?

12-3

1 A It appears to be the same car, yes, sir.

2 Q So, the car depicted in People's 38 appears
3 to be the same car depicted in People's 259 for identifica-
4 tion; is that correct?

5 A Yes, sir.

6 MR. BUGLIOSI: No further questions.

7 THE COURT: Mr. Fitzgerald?

8 MR. FITZGERALD: Yes, sir.

9
10 CROSS-EXAMINATION

11 BY MR. FITZGERALD:

12 Q Did you find any Buck knives at the Spahn
13 Ranch on the date of August the 16th, 1969?

14 MR. KANAREK: Your Honor, may my previous point at
15 the bench be preserved, your Honor, in regard to this?

16 THE COURT: Very well.

17 THE WITNESS: No, sir.

18 MR. FITZGERALD: I have nothing further.

19 THE COURT: Any questions, Mr. Shinn?

20 MR. SHINN: No questions.

21 THE COURT: Mr. Kanarek?

22 MR. KANAREK: No, I have no questions of this witness,
23 your Honor.

24 THE COURT: Mr. Hughes?

25 MR. HUGHES: No questions, your Honor.

26 THE COURT: Anything further?

12-4

1 MR. BUGLIOSI: No, your Honor.

2 THE COURT: You may step down, sir.

3 MR. BUGLIOSI: May the witness be excused, your
4 Honor?

5 THE COURT: Yes, you are excused.

6 MR. BUGLIOSI: Your Honor, I have a few stipulations
7 to enter into with the defense which I believe will be
8 agreeable with the defense.

9 THE COURT: Have they been discussed with defense
10 counsel?

11 MR. BUGLIOSI: Yes, your Honor.

12 THE COURT: Very well.

12a fls.

12-5

1 MR. BUGLIOSI: May it be stipulated that Richard
2 Bates was called by the prosecution here at this trial
3 and testified that he is a tow-truck operator employed
4 at Howard Sommers Garage located at 7252 Deering Street,
5 Canoga Park, California;

6 That on August the 16th, 1969, he drove to
7 the Spahn Ranch at 12000 Santa Susanna Pass Road in
8 Chatsworth and at the direction of a California Highway
9 Patrolman he impounded a 1959 Ford automobile with the
10 license plate No. GYY 435 upon it;

11 That he transported said vehicle to the garage
12 Impound Lot located at 7252 Deering Street in Canoga Park.

13 May it be deemed that he further testified
14 that in being shown photographs of People's 38 and
15 People's 259 for identification, he identified these
16 photographs as depicting the subject 1959 Ford, license
17 plate No. GYY 435.

18 So stipulated?

19 MR. KANAREK: So stipulated.

20 MR. FITZGERALD: So stipulated.

21 MR. HUGHES: So stipulated.

22 MR. SHINN: So stipulated.

23 MR. BUGLIOSI: May it be further stipulated that
24 Betty Thomason was called by the prosecution at the trial
25 and testified as follows:

26 That she is a clerk at the Howard Sommers

12-6

1 Garage located at 7252 Deering Street in Canoga Park,
2 California, and that she has checked her business records
3 concerning a 1959 Ford, license plate No. GYY 435, and
4 that said car was stored at the Howard Sommers Impound Lot
5 from August the 16th, 1969, to the present;

6 And that she also was shown photographs,
7 People's 38 and People's 259 for identification, and
8 10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-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1 August the 4th, 1969, till August the 8th, 1969;

2 That this subject 1969 Chevrolet, then, was
3 owned and registered to Airways Rent-A-Car.

4 Also, a 1968 Porsche, registered to Jay
5 Sebring.

6 And a 1968 Pontiac registered to Abigail
7 Folger.

8 So stipulated?

9 MR. FITZGERALD: So stipulated.

10 MR. HUGHES: So stipulated.

11 MR. KANAREK: So stipulated.

12b fls. 12 MR. SHINN: So stipulated.

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12B-1

1 MR. BUGLIOSI: People call Deputy Olmstead.

2 Your Honor, may I withdraw that? There are a
3 few other witnesses I would like to call just briefly to the
4 stand.

5 THE COURT: Very well.

6 MR. BUGLIOSI: Mr. Marshall.

7 (A witness enters the courtroom.)

8 THE CLERK: Would you please repeat after me.

9 I do solemnly swear --

10 THE WITNESS: I do solemnly swear --

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

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

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

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

15 THE CLERK: -- before this Court --

16 THE WITNESS: -- before this Court --

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

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

19 THE CLERK: -- the whole truth --

20 THE WITNESS: -- the whole truth --

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

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

23 THE CLERK: -- so help me God.

24 THE WITNESS: -- so help me God.

25 THE CLERK: Would you be seated, please.

26 Would you please state and spell your name.

1 THE WITNESS: Ralph Marshall, R-a-l-p-h,
2 M-a-r-s-h-a-l-l.

3
4 RALPH MARSHALL,
5 called as a witness by and on behalf of the People, being
6 first duly sworn, was examined and testified as follows:

7
8 DIRECT EXAMINATION

9 BY MR. BUGLIOSI:

10 Q Are you a Sheriff's Deputy, sir?

11 A No. I am a police officer for the City of
12 San Fernando.

13 Q Do you know a Sandra Collins Pugh?

14 A Yes.

15 Q Do you know a Mary Brunner?

16 A Yes.

17 Q Did you book them into the San Fernando Police
18 Department on August the 8th, 1969?

19 MR. KANAREK: Your Honor, may I have a continuing
20 objection on materiality and relevancy?

21 THE COURT: Very well.

22 MR. KANAREK: As to this witness?

23 MR. SHINN: May I join in that, your Honor?

24 THE COURT: Very well.

25 MR. BUGLIOSI: Has the Court ruled?

26 THE COURT: Yes. You may have the continuing

12B3

1 objection.

2 MR. BUGLIOSI: Q Did you book them on August
3 the 8th, 1969?

4 A I did.

5 Q What time of day?

6 A Close to 5:00 o'clock in the afternoon.

7 Q Were they then transported down to Sybil
8 Brand Institute in East Los Angeles?

9 MR. KANAREK: That is calling for a conclusion on the
10 part of this witness, your Honor.

11 THE COURT: Overruled.

12 THE WITNESS: Yes, they were.

13 MR. BUGLIOSI: On that same date, August the 8th, 1969?

14 A Yes.

15 MR. KANAREK: Your Honor, I wonder, may we approach
16 the bench at this point?

17 THE COURT: As to his testimony?

18 MR. KANAREK: Yes, your Honor.

19 I would like to make a point to the Court, if I
20 may.

21 THE COURT: As to something that has already occurred?

22 MR. KANAREK: No, no, your Honor.

23 I would like to make it outside the presence of
24 the jury so that there won't be the least possibility of --

25 THE COURT: All right, you may approach the bench.

26 MR. KANAREK: Thank you.

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

4 MR. KANAREK: Yes, your Honor.

5 This is a situation wherein I believe that the
6 prejudicial value clearly outweighs the probative value.

7 THE COURT: Why do you have to come to the bench to
8 say that, Mr. Kanarek? You have said it all day out in
9 open court.

10 MR. KANAREK: Because I want to make an argument.
11 This is exceptionally important.

12 THE COURT: Get to the point then.

13 MR. KANAREK: The date is August the 8th. August the
14 8th is the date that is mentioned here.

15 Now, I don't think that the District Attorney
16 is alleging that these girls had anything to do with these
17 events. However, being very close to Mr. Manson, this
18 testimony is pregnant with the possibility of all kinds of
19 inferences being made by this jury because of that date.
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12c-1

1 THE COURT: I haven't the faintest idea what the
2 testimony is going to be.

3 MR. KANAREK: Then I would ask for an offer of proof,
4 your Honor.

5 THE COURT: Why?

6 MR. KANAREK: Because I believe that it is --

7 THE COURT: If it is objectionable, object to it and
8 I will rule.

9 MR. FITZGERALD: I will object, your Honor, on the
10 ground that it is immaterial and irrelevant.

11 We are talking about the arrest of people not
12 charged in the indictment.

13 MR. KANAREK: Right.

14 MR. HUGHES: I will join in that objection.

15 MR. KANAREK: Also, it is trivia which can be
16 magnified way out of proportion.

17 I believe they were arrested for hitchhiking,
18 and he is injecting this in here.

19 THE COURT: It hasn't been injected yet.

20 MR. KANAREK: I am trying to keep it away from the
21 jury.

22 MR. BUGLIOSI: I am not going to go into the arrest.

23 I think it would be easy if defense counsel
24 would agree to the period of their incarceration.

25 MR. KANAREK: No, I can't agree.

26 MR. BUGLIOSI: Then I will have to put on the evidence.

12c-2

1 MR. KANAREK: I can't agree.

2 Your Honor is the one to rule. I maintain
3 that this evidence has no probative value.

4 THE COURT: We don't have any evidence yet, Mr.
5 Kanarek.

6 MR. KANAREK: I mean, if he is going to put in
7 that they were in custody on this date, your Honor, it
8 will --

9 THE COURT: The record now shows that they were
10 arrested and transported to Sybil Brand.

11 MR. KANAREK: And not having all of the facts, the
12 jury is going to make improper inferences.

13 THE COURT: I assume that it has some relevancy.

14 MR. BUGLIOSI: Yes, your Honor.

15 THE COURT: What is the relevancy?

16 MR. BUGLIOSI: May I get in here where the Court can
17 hear me?

18 We have argued this point and the Court finally
19 held that it would be admissible.

20 THE COURT: Does this pertain to the visit or the
21 attempted visit by Linda Kasabian?

22 MR. BUGLIOSI: Yes. Not only on that issue, but
23 also on the issue that the conversation that Manson had
24 with Linda Kasabian was not before the Tate murders but
25 after the Tate murders, to prove that she was in town
26 during the Tate murders.

12c-3

1 When the Court looked at it from that viewpoint,
2 the Court said that there wouldn't be any question as to
3 its admissibility on that basis.

4 MR. KANAREK: I don't think that is a fair statement
5 of what the Court said.

6 MR. BUGLIOSI: I remember the Court saying it was
7 admissible on that point.

8 MR. SHINN: I believe the Court ruled against it.

9 THE COURT: What I said finally was that the relevancy
10 of it was simply to show that it was possible for the
11 meeting or the conversation to have occurred.

12 MR. BUGLIOSI: Right. Between Manson and Linda.

13 Forget about the fact that these girls -- that
14 Linda visited these girls. Forgetting about that fact,
15 the point is that Manson would not have told Linda to go
16 down there if they weren't actually incarcerated.

17 So, your Honor, this is circumstantial evidence
18 that when Manson spoke to Linda, when they had that conver-
19 sation, it was not before the Tate-La Bianca murders, it
20 was after.

12d fls.

12d-1

1 THE COURT: That is a matter for argument.

2 MR. BUGLIOSI: Right. Sure.

3 THE COURT: All I am saying is that it is relevant
4 to show that such a meeting would be possible since they
5 were, in fact, in jail.

6 MR. FITZGERALD: Can Patricia Krenwinkel have a
7 continuing objection as to the materiality and relevancy?

8 THE COURT: Yes.

9 MR. HUGHES: Same objection on the part of Miss Van
10 Houten.

11 MR. SHINN: And I will join in Mr. Kanarek's motion.

12 THE COURT: All right.

13 I think it would be best if you could stipulate.

14 MR. FITZGERALD: Three of us are agreeable but one of
15 the attorneys is not agreeable.

16 MR. KANAREK: I can't stipulate to it, your Honor.

17 THE COURT: Why not?

18 MR. KANAREK: The fact of the matter is we don't
19 know what day, whether this has anything to do --

20 THE COURT: Never mind. You don't have to explain
21 it to me, Mr. Kanarek. If you don't want to stipulate,
22 that is enough, you don't have to stipulate.

23 All right, let's proceed.

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

1 MR. BUGLIOSI: No further questions.

2 MR. FITZGERALD: No questions.

3 MR. SHINN: No questions, your Honor.

4 MR. KANAREK: No questions, your Honor.

5 MR. HUGHES: No questions, your Honor.

6 THE COURT: You may step down, sir.

7 MR. BUGLIOSI: Deputy Olmstead.

8 (The witness enters the courtroom.)

9 THE CLERK: Raise your right hand, please.

10 Would you repeat after me.

11 I do solemnly swear --

12 THE WITNESS: I do solemnly swear --

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

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

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

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

17 THE CLERK: -- before this court --

18 THE WITNESS: -- before this court --

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

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

21 THE CLERK: -- the whole truth --

22 THE WITNESS: -- the whole truth --

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

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

25 THE CLERK: -- so help me God.

26 THE WITNESS: -- so help me God.

1 THE CLERK: Would you be seated, please.

2 Would you state and spell your name?

3 THE WITNESS: My name is Samuel E. J. Olmstead;
4 O-l-m-s-t-e-a-d.

5
6 SAMUEL E. J. OLNSTEAD,

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

10
11 DIRECT EXAMINATION

12 BY MR. BUGLIOSI:

13 Q What is your occupation, sir?

14 A I am a Deputy Sheriff for the County of Los
15 Angeles stationed at Malibu.

16 Q Were you employed on the date of July 28, 1969?

17 A Yes, I was.

18 Q On that date did you proceed to Spahn Ranch in
19 Chatsworth?

20 A Yes, I did.

21 Q About what time did you proceed to that
22 location?

23 A I believe it was somewhere around 1:00 o'clock
24 in the morning.

25 Q Were you accompanied by anyone?

26 A Not in my vehicle, no.

1 Q Did you stop anywhere before arriving at the
2 ranch itself?

3 A Yes, I did.

4 Q Where did you stop?

5 A I stopped at the intersection of Santa Susanna
6 Pass Road and Topanga Canyon.

7 Q Approximately how far away is that from the
8 group of buildings at Spahn Ranch?

9 A I would say approximately one and a half to
10 two miles.

11 Q Directing your attention to Defendant Charles
12 Manson seated to your right front, have you ever seen him
13 before?

12e fls.

12E-1

1 MR. KANAREK: Your Honor, then I will object on the
2 grounds -- may I do this at the bench?

3 THE COURT: State the objection.

4 MR. KANAREK: On the grounds of illegal search and
5 seizure, illegal arrest, Fourth Amendment rights.

6 I would like to elaborate on it at the bench.

7 This is the very same issue, your Honor, that
8 counsel has deferred as to other matters. The very same
9 issues prevail here, because there has to be a proper --
10 I'd like to do it at the bench if I may.

11 THE COURT: You may approach the bench.

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

15 THE COURT: The question now pending is whether or not
16 he can recognize him or can identify him?

17 What was the question, Mr. Bugliosi?

18 MR. BUGLIOSI: Do you recognize Mr. Manson?

19 THE COURT: Yes.

20 MR. KANAREK: I believe that his recognition would
21 take place -- it is the fruit of the poison tree type
22 situation. He only knows Mr. Manson as a result of an
23 illegal entry, an illegal search and an illegal arrest.

24 This evidence, which is clearly --

25 MR. BUGLIOSI: May I briefly be heard to save some
26 time?

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12E2

1 He first saw him at Santa Susana Pass Road and
2 Topanga Canyon Road, at the intersection, on July 28th, and
3 Mr. Manson invited him back to the ranch.

4 They were going to the ranch, and Mr. Manson
5 said, "Follow me," and they went to the ranch together.

6 We are not going to put on any evidence of any
7 search at the ranch. It is just for the conversation.

8 THE COURT: All right, let's proceed.

9 MR. FITZGERALD: We all knew that.

10 MR. KANAREK: I understand that.

11 What I am saying: Is counsel representing that
12 he is not going to solicit any kind of conversation --

13 THE COURT: You are just wasting time, Mr. Kanarek.

14 MR. KANAREK: No, I am not.

15 THE COURT: Now I am informed by one of the other
16 defense counsel that you knew about it all the time.

17 MR. KANAREK: Your Honor, he may be asking about --

18 THE COURT: I don't want to hear any more. If you
19 have an objection, state it and state it succinctly, and let's
20 get on.

21 MR. KANAREK: My objection is that what took place
22 on --

23 THE COURT: Your objection has been to everything
24 whether it is good, bad or makes any sense.

25 If you have any objection to make at this time,
26 state it.

L2e3

1 MR. KANAREK: Well, if there is anything here that is
2 based on the August 16th --

3 THE COURT: Nothing has been offered in that regard.

4 Let's proceed.

5 (Whereupon, all counsel return to their
6 respective place at counsel table and the following pro-
7 ceedings occur in open court within the presence and hearing
8 of the jury:)

9 MR. KANAREK: Your Honor, may I have a continuing
10 objection on relevancy and materiality as to this witness?

11 THE COURT: You may.

12 MR. BUGLIOSI: Q Directing your attention to
13 Defendant Charles Manson seated to your right front in the
14 blue shirt, do you recognize him, sir?

15 A Yes, I do.

16 Q Did you see him on July the 28th, 1969?

17 A Yes, I did.

18 Q Where, for the first time?

19 A At the intersection of Santa Susana Pass Road
20 and Topanga Canyon.

21 Q This was about 1:00 o'clock in the morning?

22 A Approximately, yes.

23 Q What was Mr. Manson doing at that time?

24 A He told me he was looking out for the Family;
25 he was the look-out at that point and he was watching for
26 Black Panthers who he expected to attack the Family at the

12E4

1 Spahn Ranch.

2 MR. KANAREK: Your Honor, I would ask that that be
3 stricken on the grounds of hearsay.

4 THE COURT: Overruled. Motion is denied.

5 MR. HUGHES: Your Honor, may I ask that that be
6 limited to the declarant only?

13

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1 THE COURT: Very well, that will be limited to
2 Mr. Manson.

3 The jury is admonished to so consider it.

4 Q BY MR. BUGLIOSI: Did this person who you now
5 know to be Charles Manson, did he give you his name?

6 A Yes, he did.

7 Q What name did he give you?

8 A Charles Summers.

9 Q S-u-m-m-e-r-s?

10 A Yes.

11 Q Was he standing out in the road, or what?

12 A Yes, he was.

13 Q By himself?

14 A When I arrived at the location there was two
15 Los Angeles Police officers and, I believe, four or five
16 -- wait. Four or six deputy sheriffs at that location.

17 Q After he told you what he was doing there,
18 what was the next thing that happened?

19 A He asked if he could lead us to the ranch
20 because he said that the people at the ranch were armed
21 and if we went up there without him that there is liable to
22 be some shooting.

23 Q What is the next thing that happened?

24 ~~MR. KANAREK: May that be stricken, your Honor?~~

25 THE WITNESS: We followed him to the ranch.

26 MR. KANAREK: May that last statement be stricken on

1 the grounds of hearsay, your Honor?

2 THE COURT: Motion denied.

3 Q BY MR. BUGLIOSI: You say you followed him to
4 the ranch. Did he drive to the ranch?

5 A Yes, he did.

6 Q In what?

7 A In a dune buggy.

8 Q Did this appear to be his own dune buggy?

9 A Yes.

10 Q This was not a police officer's dune buggy?

11 A No, sir.

12 Q You followed Mr. Manson?

13 A Yes, sir.

14 Q In your car?

15 A Yes, sir.

16 Q What happened after you arrived at the ranch?

17 A Immediately after we arrived at the ranch?

18 Q Yes.

19 A Well, immediately after we arrived at the
20 ranch, Mr. Manson jumped off his dune buggy and ran into one
21 of the buildings in the location.

22 Q Did you tell him to run into one of the
23 buildings?

24 A No.

25 Q What is the next thing that happened?

26 A We got out of our cars and pursued him and at

1 this time we came upon approximately 11 people in the
2 building at the location.

3 Q Did Mr. Manson later come out of the building and
4 talk to you?

5 A Yes.

6 Q How long after he ran into the building did he
7 come out of the building?

8 A Almost immediately, just a -- maybe a few
9 minutes.

10 Q Did you have a conversation with Mr. Manson at
11 that time?

12 A Yes, I did.

13 Q Where did the conversation take place?

14 A In the parking lot in front of the Spahn
15 Ranch.

16 Q Who was present at that time in addition to
17 yourself and Mr. Manson, if anyone?

18 A There was no one present with myself. There
19 were other deputy sheriffs, and Highway Patrol officers in
20 the area there, though.

21 Q Did you have any conversation with Mr. Manson
22 with respect to Black Panthers?

23 A Yes, I did.

24 Q What did he say to you?

25 MR. KANAREK: I object on the grounds of hearsay.

26 Your Honor,

THE COURT: Overruled.

THE WITNESS: He advised me that the Police

Departments and the motorcycle gangs should join forces and wipe out the Negro community.

Q Did he say anything else to you?

A Yes.

Q What did he say?

MR. KANAREK: Same objection, your Honor, on the grounds of hearsay.

THE COURT: Overruled.

THE WITNESS: Well, we talked about the reason the people at the ranch were armed and expecting an attack from the Black Panthers.

And he advised me that a Black Panther had come up there to ride a horse and apparently made advances towards one of the female members of the Family, or one of the women of the group, as he called it, I believe, and he said that they, the Family, or the members of the Family, had beat him up, and this is why the Panthers were going to attack him.

Q Did he say anything else about Black Panthers?

MR. KANAREK: Object on the grounds of hearsay, your Honor.

THE COURT: Overruled.

THE WITNESS: He said that they had seen Black Panthers in the area walking around the ranch, and had seen quite a few of them driving by and apparently casing the place.

Q Did Mr. Manson say anything about his respect

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1 for the police?

2 A Yes, he did.

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Q What did he say?

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

THE COURT: Overruled.

THE WITNESS: He told me that he respected the police, and that due to this respect, he said that he could, if he wanted to, he could kill me any time he wanted to, he said, all he would have to do is drive up next to me at a stop sign and stick a shotgun out of the window and blow my head off. *(Small Linda Kanarek: I about Manan wanting to kill the driver of the white sports car and blow it up)*

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

THE COURT: No, you may not.

BY MR. BUGLIOSI:

Q Did he say anything to you about any guns being trained on you during your conversation with him?

MR. KANAREK: Leading and suggestive your Honor.

THE COURT: Overruled.

THE WITNESS: Yes, he did.

BY MR. BUGLIOSI:

Q What did he say?

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

THE COURT: Overruled.

THE WITNESS: I asked him where the rest of the people that live at the ranch were, because we came across warm sleeping blankets and what appeared to be bedrolls.

13a-2

and things laid out where there was nobody sleeping in them.

1 And he told me that the people had scattered
2 that
3 into the hills around us and/at that time, he said, there were
4 guns trained on us from the hills around us, and that on his
5 command that we could be wiped out.

6 DEFENDANT MANSON: Hah, hah, hah, hah, a fairy tale,
7 that is so far away from any truth.

8 THE COURT: All right, Mr. Manson.

9 BY MR. BUGLIOSI:

10 Q Did you ask Mr. Manson to take you to these
11 people?

12 A Yes, I did.

13 Q What did he say?

14 MR. KANAREK: I object on the grounds of hearsay, your
15 Honor.

16 THE COURT: Overruled.

17 THE WITNESS: He said I could not reach them with the
18 radio car; we would have to take dune buggies to get to
19 them.

20 BY MR. BUGLIOSI:

21 Q You eventually left the ranch that night?

22 A Yes, we did.

23 MR. BUGLIOSI: No further questions.

24 THE COURT: Mr. Fitzgerald?

25 MR. FITZGERALD: Yes, your Honor.
26

13a-3

CROSS-EXAMINATION

1
2 BY MR. FITZGERALD:

3 Q What was your assignment at that time, Officer?

4 A I was assigned to Patrol Division, Malibu
5 Station.

6 Q And did you consider this a bizarre incident?

7 A No, sir.

8 Q You did not consider this to be bizarre, somebody
9 telling you about attacks by Black Panthers and people in
10 the hills, armed, and that sort of thing?

11 MR. BUGLIOSI: I object, your Honor, on the grounds
12 it calls for conclusion and also it is irrelevant.

13 THE COURT: Sustained.

14 MR. FITZGERALD: Perhaps I can approach it another way.

15 BY MR. FITZGERALD:

16 Q Did you make a report of this?

17 A Yes, I did.

18 Q Do you have that report with you?

19 A No, sir.

20 Q Is that report available?

21 A I believe it probably is.

22 It was in the form of a memorandum to my
23 captain.

24 Q And what was the substance of the memorandum
25 to your captain?

26 A The activity that we observed at the location,

13a-4

1 and the people that we had talked to.

2 Q No arrests were made at the location, is that
3 correct?

4 A That is not correct.

5 Q Oh, were arrests made?

6 A Yes, sir.

7 Q Was there an arrest made of Mr. Manson?

8 A No, sir.

9 Q Was there an arrest made of anybody in the
10 immediate vicinity of Mr. Manson?

11 A There was an arrest made of a person who lived
12 at the ranch.

13 Q Who was that?

14 A I don't recall the man's name.

15 Q And what was the basis for the arrest, do you
16 recall?

17 A Oh --

18 MR. BUGLIOSI: This is irrelevant, your Honor, beyond
19 the scope of direct examination.

20 THE COURT: Sustained.

21 BY MR. FITZGERALD:

22 Q And who was your supervising officer to whom you
23 submitted this report?

24 A Captain Pearson.

25 MR. FITZGERALD: I have nothing further.

26 THE COURT: We will take our afternoon recess at this

1 time.

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

5 The court will recess for 15 minutes.

6 (Recess.)

13b fls.

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

2 MR. FITZGERALD: I have just a few more questions, your
3 Honor.

4
5 CROSS-EXAMINATION (Reopened)

6 BY MR. FITZGERALD:

7 Q Officer, are you familiar with the term
8 "putting somebody on"?

9 A I believe so.

10 Q Did it appear that Mr. Manson was putting you
11 on about these Black Panthers, and the raids on Spahn Ranch?

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

13 THE COURT: Overruled.

14 THE WITNESS: No, sir, it did not.

15 Q BY MR. FITZGERALD: Did it appear to you he was
16 serious in all respects?

17 A Yes, sir.

18 Q Did you search the immediate vicinity to
19 determine if there were any Black Panthers in the area or
20 people resembling Black Panthers or ostensibly Black
21 Panthers?

22 A We did look over the area, not specifically for
23 Black Panthers, but we did not run across any Black
24 Panthers.

25 Q Now, did it appear that Mr. Manson was just
26 kidding you along so that he could get to the ranch quick?

1 and tell somebody to hide, to tell people to get out of that
2 room you refer to, where you were?

3 MR. BUGLIOSI: Ambiguous question.

4 THE COURT: Sustained.

5 Q BY MR. FITZGERALD: Was it your understanding
6 that once Mr. Manson arrived, actually at the ranch, that
7 he was going to wait for you and you both would go into the
8 building?

9 A Yes, I believe this was the understanding; he
10 would go in with us.

11 Q So when Manson raced up there and jumped out,
12 you felt that he breached some agreement with you?

13 A Yes.

14 Q And what was your state of mind, what did you think
15 Mr. Manson was going to do inside that building?

16 A I had no idea what he was going to do in there.

17 Q But you wanted to check it out?

18 A Yes, I did.

19 Q So as soon as possible you ran into the
20 building?

21 A I personally did not go into the building but
22 there were other deputies that did follow him.

23 Q Did you eventually go into the building?

24 A Yes, I did.

25 Q Did you discover some bed rolls there?

26 A Yes, we did.

1 Q And sleeping bags?

2 A Yes.

3 Q And I believe you previously testified that those
4 bed rolls and sleeping bags appeared to be warm.

5 A Some of them did, yes.

6 Q As though people had recently been sleeping in
7 them or laying in them, right?

8 A Yes.

9 Q But you did not see anybody in the vicinity?

10 A No, we found 11 people at the ranch there.

11 Q Where were they?

12 A Sleeping in different parts of the building,
13 and walking around.

14 Some of them came walking out when we were
15 there.

16 Q Was that the first time you had been at the
17 Spahn Ranch?

18 A No, sir.

19 Q Hadn't you been there previously?

20 A Yes.

21 Q Actually you had been there on numerous
22 occasions, had you not?

23 A I believe so, yes.

24 Q You participated in raids at that location on
25 a number of occasions, is that right?

26 A No, sir.

1 Q You had not?

2 A No, sir.

3 Q Was it on routine patrol matters you were there?

4 A Yes, sir.

5 Q Had you ever seen Mr. Manson before the evening
6 of July 28th?

7 A I am not sure that I have, no.

8 Q Had you ever talked to anybody who represented
9 that they resided at the Spahn Ranch before July 28th?

10 A Yes.

11 Q Had you talked to a number of people?

12 A Yes.

13 Q Did they appear to be youngsters?

14 A Most of them were under 30 years old I would
15 say.

16 MR. FITZGERALD: I have nothing further, your Honor.

17 THE COURT: Any questions, Mr. Shinn?

18 MR. SHINN: Yes, your Honor.

19
20 CROSS-EXAMINATION

21 BY MR. SHINN:

22 Q Officer, when you first met Mr. Manson on
23 this particular day, was he in an automobile or was he
24 walking?

25 A When I first met him he was walking.

26 Q Was he walking up the hill or down the hill?

1 A There was no hill there to walk on. He was --
2 he walked up to me at the location of Topanga Canyon and
3 Susanna Pass Road where the Los Angeles Police Department
4 found him sitting in the bushes on his dune buggy,
5 apparently as a lookout.

6 Q As a lookout?

7 A Yes, that is what he claimed that he was doing.

8 Q Were you in uniform at that time?

9 A Yes, sir.

10 Q And I believe you stated you said you had a
11 conversation with Mr. Manson?

12 A Yes, I did.

13 Q And I believe you said that this was the first
14 time you saw Mr. Manson?

15 A This was the first time that I recall talking
16 to him, yes.

17 Q And approximately how long was this conver-
18 sation with Mr. Manson?

19 A I talked to him for a few moments at Susanna
20 Pass Road and Topanga Canyon, and then we had a conver-
21 sation at the ranch which probably lasted maybe 20 minutes
22 to a half hour.

23 Q And did you see him after that?

24 A I saw him once after that, yes.

25 Q And when was that, about three weeks after?

26 A Yes, sir.

1 Q And that is the only other time you saw
2 Mr. Manson, is that correct?

3 A As far as I can recall, yes.
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1 Q Do you recall whether or not Mr. Manson had
2 a beard the first time you met him?

3 A Yes, sir, he did.

4 Q How about his hair?

5 A What about his hair?

6 Q Was it long, short?

7 A Yes, it was very similar to the way it is now.

8 Q And you also stated that Mr. Manson entered the
9 ranch first, is that correct?

10 A Yes, sir.

11 Q And you were behind Mr. Manson?

12 A Yes, sir.

13 Q In an automobile?

14 A yes, sir.

15 Q How far behind Mr. Manson?

16 A I believe I was probably the third car behind
17 him.

18 There were about four cars, four or five cars.

19 Q What was the purpose of having Mr. Manson
20 enter the ranch first?

21 A He advised us that there were members of the
22 Family at the ranch who were armed, expecting this attack
23 by the Black Panthers, and that if we went in there without
24 him that there was a possibility that someone would get
25 shot.

26 Q In other words, he wanted to protect you, is

1 that correct?

2 A That is correct.

3 MR. SHINN: I have nothing further.

4 THE COURT: Any questions, Mr. Kanarek?

5 MR. KANAREK: Yes.

6
7 CROSS-EXAMINATION

8 BY MR. KANAREK:

9 Q officer, when you looked into the sleeping
10 area you found that people had in fact been sleeping, right?

11 There were sleeping equipment, beds, which had
12 been freshly used, right?

13 A Yes, sir.

14 Q And so is it a fair statement that your state
15 of mind was such that you recognized that there were no
16 armed people about that ranch, is that a fair statement of
17 your state of mind?

18 A No, sir.

19 Q Well, was your state of mind -- you did see
20 beds that had been freshly used, right?

21 A Yes, sir.

22 Q And directing your attention to the number of
23 beds, about how many were there?

24 A We found beds in quite a few different
25 buildings. I could not give you an exact number of how
26 many beds we did find.

1 We found some buildings with, I would say,
2 probably as many as five or six bed roll-type mattresses.

3 One building even had a fire in the fireplace
4 and there was no one in the building. This building was
5 away from the general area.

6 Q And you went in and actually raided this
7 place, right?

8 A No, sir, I would not call it a raid.

9 Q Well, what would you call it?

10 A We were actually looking for the people who
11 supposedly owned the automobiles that were reported to us
12 that were stolen from the place.

13 Q And you came down there with how many, six,
14 seven police cars that night?

15 A I would say there were probably five, around
16 five cars.

17 Q Around four or five police cars?

18 A That's right.

19 Q And you needed Mr. Manson to get you onto the
20 premises with five police cars filled with police officers,
21 is that right, Officer?

22 MR. BUGLIOSI: That is a misstatement. He said
23 Manson said that.

24 MR. KANAREK: I asked him whether he needed Mr. Manson
25 to lead him on this foray.

26 THE COURT: That calls for a conclusion. The

1 objection is sustained.

2 Q BY MR. KANAREK: Well, you had how many police
3 officers in that area, officer?

4 A Probably eight, eight or nine.

5 Q Eight or nine police officers in five police
6 cars, right?

7 A Yes, sir.

8 Q And you are telling us that here you have a man
9 who tells you what you have told us he said, and you allow
10 him to go on the premises first.

11 MR. BUGLIOSI: It is irrelevant.

12 THE COURT: Overruled.

13 THE WITNESS: Yes, sir, he did precede before us up
14 there.

15 Q BY MR. KANAREK: Then in fact is your state of
16 mind such that you think Mr. Manson tricked you?

17 Would you answer that?

18 A I don't understand the question.

19 Q Well, you were there with the purpose of going
20 onto the premises with a number of police officers, right?

21 A Yes, sir.

22 Q And Mr. Manson led the parade to the ranch,
23 right?

24 A Yes, sir.

25 Q Now, would you say that this frustrated what
26 you were attempting to accomplish, the fact that Mr. Manson

1 went first, instead of a police officer?

2 A No, sir.

3 Q pardon?

4 A No, sir.

5 Q Is it a fair statement that out of all these
6 events you got one traffic warrant?

7 A No, sir.

8 Q Pardon?

9 A That is not a fair statement.

10 Q I see. Well, is it a fair statement that the
11 only violation of law involved in these incidents was a
12 traffic warrant?

13 A No, sir, that is not a fair statement.

14 Q I see. Now, before coming to court today,
15 officer, did you read over your notes to refresh your
16 recollection?

17 A Yes, sir.

18 Q Of these events?

19 A Yes, sir.

20 Q But you did not bring with you that which you
21 read over to refresh your recollection?

22 A Yes, I did bring that over with me.

23 Q May I see it?

24 A Yes, sir.

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

1 THE COURT: You may.

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

3 THE COURT: You may.

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1 Q Was your state of mind, Officer, such that you
2 felt that Mr. Manson had sounded the alarm?

3 A Yes, sir.

4 Q So, in fact, your state of mind was that Mr.
5 Manson fooled you; there were nine police officers there
6 and he led the raid on his own ranch; is that correct,
7 Officer?

8 A No.

9 Q Pardon?

10 A No, sir.

11 Q Well, he, in fact, was in front of you, in
12 front of the police officers; is that correct?

13 A Yes, sir.

14 Q Then, is it a fair statement, Officer, that this
15 one arrest that you say that you did make, that involved
16 a traffic violation; is that correct?

17 A No, sir.

18 Q Now, you say, Officer, that you have been to
19 the ranch on a number of occasions; right?

20 A Yes, sir.

21 Q And have you gone to the ranch there with other
22 police officers?

23 A Yes, sir.

24 Q And I am now speaking prior to the time of this
25 July 28 entrance.

26 You went there with other police officers?

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1 A Yes, sir.

2 Q And on these occasions when you went with other
3 police officers, your intent was to raid the place; is
4 that correct?

5 MR. BUGLIOSI: It is irrelevant.

6 THE COURT: Sustained.

7 MR. KANAREK: Q It is a fact, is it not, Officer,
8 that your purpose and intent and motive for harassing and
9 raiding the Spahn Ranch was because of the fact that you
10 didn't like the life style up there, you were unhappy
11 with the way that you thought these people lived personally?

12 MR. BUGLIOSI: That assumes a fact not in evidence.
13 It is also a lecture.

14 MR. KANAREK: It is cross-examination, your Honor.

15 THE COURT: It is argumentative.

16 Sustained.

17 BY MR. KANAREK:

18 Q Officer, would you tell us, what was your
19 state of mind, your personal feeling, towards hippies?

20 MR. BUGLIOSI: It is irrelevant, your Honor.

21 MR. KANAREK: It is most relevant, your Honor. It
22 goes to the bias of the witness.

23 THE COURT: Overruled.

24 You may answer.

25 THE WITNESS: My personal opinion of hippies?

26 MR. KANAREK: Yes.

14-3

1 THE WITNESS: Hippies can take in a vast field of
2 people.

3 MR. KANAREK: We give you carte blanche.

4 THE WITNESS: There can be clean hippies and there can
5 be dirty hippies.

6 MR. KANAREK: You tell us.

7 THE WITNESS: It is up to a person. If he wants to
8 wear his hair long and dress in a certain style, you know,
9 that you call hippie dress, that is his prerogative.

10 BY MR. KANAREK:

11 Q And you don't have any resentment of that?

12 A No.

13 I don't like to be around hippies that are
14 dirty and smell bad, but that is their problem.

15 Q What about the people at the Spahn Ranch? What
16 was your state of mind toward them?

17 A I had no problems at the Spahn Ranch.

18 Q My question was: What was your state of mind
19 towards them? Did you like them?

20 A I didn't dislike them.

21 I didn't like them as friends, but they are
22 people who lived in our area and they got police protection
23 just like anybody else that lives in the area.

24 Q Were you there that night to protect Mr. Manson
25 and the other people at the ranch?

26 A I was there that night to investigate a possible

14-4

1 stolen car at that location.

2 Q I see.

3 And so, you were not there on that night at
4 least to protect the people at the ranch; right? Is that
5 correct?

6 A No. You just don't turn on protection and turn
7 it off when you go to investigate a crime.

14a fls.

14-5

1 Q Officer, will you give us an instance when you
2 ever protected anybody at the ranch?

3 MR. BUGLIOSI: Irrelevant, your Honor.

4 THE COURT: Sustained.

5 BY MR. KANAREK:

6 Q As a matter of fact, Officer, is it a fair
7 statement that you didn't like the people at the ranch?

8 A No, that is not a fair statement.

9 Q You liked them, then?

10 A I didn't dislike them.

11 Q Well, what do you mean by that? You used the
12 double negative, "I didn't dislike them." What do you
13 mean by that?

14 MR. BUGLIOSI: It is irrelevant, your Honor. It is
15 also repetitive.

16 THE COURT: Sustained.

17 BY MR. KANAREK:

18 Q As you testify on the witness stand right now,
19 Officer, presently, what is your state of mind towards
20 hippies?

21 MR. BUGLIOSI: Asked and answered.

22 THE COURT: Sustained.

23 MR. KANAREK: Your Honor, I asked him previously as
24 to his attitude at that time.

25 THE COURT: The objection is sustained, Mr. Kanarek.
26 Ask your next question.

1 MR. KANAREK: Yes, sir.

2 Q What is your state of mind presently, Officer,
3 towards Mr. Manson as you testify?

4 A He is a defendant in this case. That is the
5 only thing that I know about Mr. Manson.

6 Q Is it a fair statement, Officer, that your state
7 of mind is that you are completely neutral in this case and
8 you don't care whether Mr. Manson is convicted or acquitted?
9 Just whatever happens is okay with you? Is that your state
10 of mind?

11 MR. BUGLIOSI: Compound and also argumentative.

12 THE COURT: Sustained.

13 BY MR. KANAREK:

14 Q Would you tell us then, Officer, what is your
15 state of mind toward Mr. Manson?

16 MR. BUGLIOSI: Asked and answered.

17 THE COURT: Sustained.

18 MR. KANAREK: Well, may I ask this?

19 Q Do you like Mr. Manson?

20 MR. BUGLIOSI: It is irrelevant, your Honor.

21 THE COURT: Sustained.

22 MR. KANAREK: In view of the Court's rulings, your
23 Honor, I have no further questions.

24 Thank you.

25

26

14-7

1 THE COURT: Mr. Hughes?

2 MR. HUGHES: Yes, sir.

3
4 CROSS-EXAMINATION

5 BY MR. HUGHES:

6 Q Deputy Olmstead, this document which you just
7 gave to Mr. Kanarek, you prepared that, did you?

8 A Yes, sir, I did.

9 Q Did you prepare it soon after the events?

10 A No, sir.

11 Q When did you prepare this document, Officer?

12 A I am not actually sure of the date that I
13 prepared the paper you have there. I believe it was in
14 the first part of this year. I am not actually certain.

15 Q Do you recall writing:

16 "At the ranch we found 11 people in different
17 buildings and evidence that many more had fled the
18 buildings as the alarm was sounded that we were there.

19 "Incidentally, we felt that Manson sounded
20 the alarm for as we entered the ranch he was driving
21 ahead of us and he disappeared into the buildings
22 before we could stop him."

23 Did you write those words?

24 A Yes, sir.

25 Q Did you write these words, Officer:

26 "While the crews were checking identification

14-8

1 "on the people and the cars at the location, I
2 engaged Charles Manson in conversation in an
3 attempt to discover the type of operation going
4 on at the ranch.

5 "I asked him who the leader of the group was,
6 and he told me there was no leader, that they were
7 just all living at the same place."

8 Did you write those words?

9 A Yes, sir.

10 MR. HUGHES: I have no further questions.

11 MR. KANAREK: Your Honor, may this be marked as an
12 exhibit, or if the officer needs it, I would ask that a
13 copy be marked for identification in connection with this
14 case.

15 THE COURT: Do you wish it marked as a defendants'
16 exhibit?

17 MR. KANAREK: May we?

18 Yes, your Honor.

19 Is it inconvenient, Officer?

20 THE WITNESS: No, sir.

21 MR. KANAREK: Do you need this particular copy?

22 THE WITNESS: No, sir.

23 MR. KANAREK: Thank you.

24 THE CLERK: FF.

25 THE COURT: It will be marked FF for identification.

FF d.

14 b fls.

14b-1

1 THE COURT: Any redirect, Mr. Bugliosi?

2 MR. BUGLIOSI: No, your Honor.

3 Oh, one more question if I may.

4 REDIRECT EXAMINATION

5 BY MR. BUGLIOSI:

6 Q This area where you first saw Mr. Manson, was
7 that a dark area?

8 A Yes, sir.

9 Q Were there any lights, artificial illumination
10 or anything like that?

11 A There were artificial lights on Topanga Canyon,
12 but where he was positioned, apparently, before he was
13 discovered by the police officers, it was very dark.
14 It was in the midst of some trees and bushes.

15 MR. BUGLIOSI: Thank you.

16 No further questions.

17 THE COURT: Anything further?

18 MR. FITZGERALD: Nothing further, your Honor.

19 MR. KANAREK: No.

20 MR. HUGHES: No questions.

21 MR. SHINN: No.

22 THE COURT: You may step down.

23 MR. BUGLIOSI: Deputy George Grap, or former Deputy
24 George Grap, rather.

25 (The witness enters the courtroom.)
26

14b-2

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

2 Would you repeat after me.

3 I do solemnly swear --

4 THE WITNESS: I do solemnly swear --

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

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

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

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

9 THE CLERK: -- before this court --

10 THE WITNESS: -- before this court --

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

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

13 THE CLERK: -- the whole truth --

14 THE WITNESS: -- the whole truth --

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

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

17 THE CLERK: -- so help me God.

18 THE WITNESS: -- so help me God.

19 THE CLERK: Would you be seated, please.

20 Would you state and spell your name?

21 THE WITNESS: George D. Grap. The last name is spelled
22 G-r-a-p.

23
24 GEORGE D. GRAP,

25 called as a witness by and on behalf of the People, having
26 been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q Now what is your occupation, sir?

A I am currently a real estate salesman.

Q On the date of July the 28th, 1969, were you a Deputy Sheriff?

A Yes, sir.

Q On that date did you proceed to Spahn Ranch at 12000 Santa Susanna Pass Road in Chatsworth?

A Yes, sir.

Q You were accompanied there by fellow deputies, I take it?

A Yes.

Q Was one of them Deputy Olmstead?

A Yes.

Q Directing your attention to the Defendant Charles Manson seated to your right front in the blue denim shirt. Have you ever seen him before?

A Yes, sir.

Q Was July 28th, 1969, the first time that you saw him?

A No, sir.

Q Did you see him on July 28th, 1969?

A Yes, sir.

Q Where did you first see him on that date?

A At approximately the intersection of Santa

1 Susanna Pass Road and Topanga Canyon.

2 Q Is that near the ranch?

3 A It is approximately a half mile, a half to
4 three-quarters of a mile south, or east.

5 Q Did you have any conversation with Mr. Manson
6 that night with respect to the Black Panthers?

7 A Yes, sir.

8 Q Did the conversation take place at that
9 location or at the ranch?

10 A Both.

11 Q All right.

12 With respect to the conversation that took
13 place at Santa Susanna Pass Road and Topanga Canyon, who
14 was present during the conversation?

15 A Mr. Manson, Deputy Olmstead, and there were
16 approximately two officers from LAPD, and a number of
17 CHP units.

18 Q What did Mr. Manson say?

19 MR. KANAREK: Your Honor, may I have a continuing
20 objection on relevancy and materiality as to this witness?

21 THE COURT: You may.

22 MR. KANAREK: Thank you, your Honor.

23 And may I also object to this particular question
24 on the grounds of hearsay?

25 THE COURT: Overruled.
26

1/2 fls.

4C-1

1 MR. HUGHES: May I ask that it be limited to the
2 declarant, your Honor?

3 THE COURT: It will be limited to Mr. Manson, and the
4 jury is advised to so consider it.

5 MR. BUGLIOSI: Q You may answer the question.

6 This is the conversation, now, at the inter-
7 section or near the intersection of Santa Susanna Pass Road
8 and Topanga Canyon Road.

9 A Right.

10 Would it be acceptable for me to explain what
11 I asked and what his reply was?

12 Q Yes. You can relate the conversation you had
13 with him, right.

14 A Okay.

15 I asked Mr. Manson why he had been hiding in
16 the bush area close to the intersection in a dune buggy.

17 And he related that he was on lookout for the
18 Black Panthers.

19 That seemed rather unusual, so I asked him why
20 he felt the Black Panthers might be coming to the Spahn
21 Ranch or to that area.

22 Mr. Manson responded, using his own words,
23 he said, "We got into a hassle with a couple of those black
24 mother-fuckers and we put one of them in the hospital, and,"
25 he said, "they said they would get us for that."

26 Q Okay.

14C2

1 Did you have any further conversation with
2 Mr. Manson at that particular location?

3 A No, sir.

4 Q Did you have an additional conversation with
5 Mr. Manson at the Spahn Ranch?

6 A Yes, sir.

7 Q How long after the first conversation did the
8 second conversation take place?

9 A I can only estimate perhaps 30 minutes later.
10 20 to 30 minutes.

11 Q Who was present during the second conversation
12 in addition to yourself and Mr. Manson, if anyone?

13 A Officer Olmstead, two more deputy sheriffs,
14 two members of the Highway Patrol, and ten persons that were
15 at the ranch.

16 Q They were all a part of this same conversation?

17 A No, sir. There were independent conversations
18 going on in close proximity.

19 Q Did you have any independent conversation with
20 Mr. Manson?

21 A Yes.

22 Q About the Black Panthers?

23 A Yes.

24 Q This was just you and he; is that correct?

25 A We were the only ones within earshot range.
26

5-1

1 Q All right, what did he say to you and what did
2 you say to him?

3 MR. KANAREK: Object on the grounds of hearsay, your
4 Honor.

5 THE COURT: Overruled. J V

6 THE WITNESS: Mr. Manson indicated to me by a sweep
7 of his hand the mountains to the north; that they had
8 fortified these positions in expectation of the Black
9 Panthers arriving, continuing as I was filling out the cards,
10 and so forth, Mr. Manson said:

11 "You know, you guys, you cops ought to get
12 smart and join up with us," he said, "Those guys are out
13 to kill both you and us."

14 He said, "I know you hate them as much as we
15 do, but if we join together we could solve this problem."

16 And he said, "Well, they are out to stop us,
17 we should stop them first." ↑ ↑

18 Q All right, so you are no longer with the
19 Sheriff's Office, is that correct, sir?

20 A That's correct. *[Signature]*

21 MR. BUGLIOSI: Thank you, no further questions.

22
23 CROSS-EXAMINATION

24 BY MR. FITZGERALD:

25 Q The first conversation you had with
26 Mr. Manson in regard to the Black Panthers, Deputy Olmstead

13-2

1 was present and heard that entire conversation?

2 MR. BUGLIOSI: Calls for a conclusion, your Honor,
3 it is also compound.

4 THE COURT: Sustained.

5 Q BY MR. FITZGERALD: You used the term "ear-
6 shot," what does that mean?

7 A Within good hearing distance.

8 Q Was Deputy Olmstead within earshot of
9 Mr. Manson at the time Mr. Manson had the first conver-
10 sation with any regard to the Black Panthers?

11 A I don't know, sir.

12 Q I thought you said Deputy Olmstead was
13 present.

14 A He was. I was not concerned with Deputy
15 Olmstead at that time.

16 Q What does present mean to you?

17 A In close proximity; it could be within 50
18 feet.

19 Q In close proximity is different from earshot?

20 A Yes, sir.

21 Q And you don't know whether he was within ear-
22 shot or not?

23 A No, I don't.

24 Q Did you ever have a conversation with Officer
25 Olmstead subsequent to the first conversation and determine
26 in fact he heard the conversation?

1 A Not at that time.

2 Q At any time.

3 A Yes.

4 Q And did you determine that he had heard the
5 conversation?

6 MR. BUGLIOSI: Calling for hearsay between the two
7 officers, your Honor.

8 THE COURT: Sustained.

9 Q BY MR. FITZGERALD: Did you prepare a report
10 of this matter?

11 A This particular matter?

12 Q Of this particular matter, yes.

13 A Yes.

14 Q What did you think I was talking about?

15 MR. BUGLIOSI: Argumentative, your Honor.

16 THE COURT: Sustained.

17 Q BY MR. FITZGERALD: Did you prepare a report
18 of this particular matter?

19 A Yes.

20 Q In the regular and ordinary course of business
21 as a police officer?

22 A Yes.

23 Q Did you submit it to your superior?

24 A Yes.

25 Q Who was your superior?

26 A At the time it was Captain Pearson.

1 Q When did you submit the report to Captain
2 Pearson?

3 A Quite some time after the incident.

4 Q Is there some reason for that, that you
5 submitted it quite some time later?

6 A There was no relevancy in submitting it at
7 that time.

8 Q In other words, you did not make a report of
9 this after it happened?

10 A Of the entire incident that occurred that
11 evening, a report was filed, an official report.

12 Q Does that official report contain the conver-
13 sation you had with Mr. Manson in regard to the Black
14 Panthers?

15 A No.

16 Q Is there some reason for that?

17 A It was not part of the case.

18 The case concerned, I believe, stolen license
19 plates or a stolen vehicle.

20 This had nothing to do with evidence in that
21 respect.

22 Q Do you have a copy of the report you later
23 submitted to your superior?

24 A Yes.

25 Q Do you have it with you?

26 A Yes.

1 Q May I see it, please?

2 A Sure.

3 (Document handed to Mr. Fitzgerald.)

4 Q Now, Officer, did you check the mountains to
5 see if in fact they were fortified?

6 A No.

7 Q Did you examine the hills to determine if any-
8 body was armed in the hills?

9 A No.

10 Q I take it that if there had been people --
11 strike that.

12 If you felt there were people in the mountains
13 that were armed, it would have presented a police problem
14 that warranted investigation, is that correct?

15 MR. BUGLIOSI: It is hypothetical and not based on the
16 evidence, your Honor.

17 THE COURT: Sustained.

18 Q BY MR. FITZGERALD: Did you conduct an
19 investigation to determine if anybody up in the hills was
20 armed?

21 A Just visually.

22 Q Did you see anybody?

23 A No.

24 Q Of course it was dark, wasn't it?

25 A Very dark, right.

26 Q People could easily have been hiding with guns

1 in the hills, correct?

2 A It is possible.

3 Q Was one of the reasons you did not conduct an
4 investigation of the hills because you did not believe
5 there were people up there that were armed?

6 A It seemed like a useless task, you might say.

7 The area covered by Mr. Manson's sweep of his
8 arm, the darkness, the terrain, made it virtually impossible
9 to check.

10 Q How many police cars were there present, do you
11 recall?

12 A I believe there were five.

13 Q And did those five police cars go from the
14 intersection of Santa Susanna Pass Road and Topanga Canyon
15 Boulevard into the Spahn Ranch?

16 A Yes, sir.

17 Q Did you actually have a -- during that period of
18 time, during July of 1969 the Malibu Sheriff's office had
19 a helicopter patrol, did they not?

20 A I don't recall if it was active at that time,
21 sir.

22 Q Did you report to your superiors that Mr. Manson
23 had indicated that there were people in the hills that were
24 armed, or that the hills were fortified?

25 A No, sir.

26 Q Did you return at any time during the daylight

1 hours and attempt to search the mountain area?

2 A It seemed inappropriate.

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15a-1

1 Q You knew of Mr. Manson before July 28th, did
2 you not?

3 A Yes.

4 Q Had you met Mr. Manson prior to the 28th?

5 A Yes.

6 Q Was that at the Spahn Ranch?

7 A That's correct.

8 Q Was that during some previous raid?

9 A No, sir.

10 Q What, briefly, were the circumstances of your
11 initial meeting with Mr. Manson?

12 A Just casual conversation.

13 Q And was that the only time before the 28th that
14 you met him, was the time you had a casual conversation
15 with him?

16 A No, I met him once prior to that.

17 Q What was the circumstances of that meeting?

18 A His being brought to jail.

19 Q And you were bringing him to jail?

20 A No, sir, another crew.

21 Q Pardon me?

22 A A different crew was bringing him to Malibu
23 Station.

24 Q And you were at Malibu Station?

25 A That's correct.

26 Q Actually you had not known of Charles Manson

15a-2

1 from sources other than meeting him before the 28th,
2 correct?

3 A That is true.

4 Q Actually his name appeared on a wall at the
5 Malibu Sheriff's Station, did it not?

6 A No, I believe there was a warrant outstanding
7 for him but that was all.

8 Q There was a warrant outstanding, and outstanding
9 warrant?

10 A Not at this time. There had been in the past
11 and his name was on the warrant, obviously and it was, in
12 other words, my recollection, having talked to Charles
13 Manson and remembering that this warrant was outstanding
14 at one time, he had already taken care of the warrant.

15 But it was just that that brought his name to
16 my mind.

17 Q Had you heard other police officers discuss
18 Mr. Manson before the 28th?

19 A Only that he, on various circumstances, had
20 been arrested for various crimes. That is it.

21 Q That was the extent of the conversation,
22 purely business?

23 A Correct.

24 MR. FITZGERALD: I have no further questions.

25 THE COURT: Mr. Shinn?

26 MR. SHINN: Yes, your Honor.

15a-3

CROSS-EXAMINATION

BY MR. SHINN:

Q Sir, you stated that you at the present time are a real estate salesman.

A That's correct.

Q When did you leave the force?

A When did I leave?

Q Yes.

A July 3rd, 1970.

Q July 3rd, 1970. I believe you testified you met Mr. Manson on July 28th, 1969, is that correct?

A On this particular incident, yes.

Q Yes, and this report that you handed to Mr. Fitzgerald is dated March 19, 1970?

A That's correct.

Q That is approximately eight months later?

A Uh-huh.

Q When you made this report. Is there a reason for the delay?

A Yes, as I stated there was no reason to file a report of Mr. Manson's comment on the night in question. I in no way related it to the case in hand, that of stolen vehicle plates or a stolen vehicle, I don't remember exactly what the charge was, but it in no way related to it until further investigation by Sheriff's Homicide Bureau, linking the two.

15a-4

1 At that time they requested I submit a report
2 of the comments he made.

3 Q On July 28th, 1969, when Mr. Manson made his
4 remarks did you just pass it off as a joke, is that correct?

5 A No.

6 Q It was not very serious?

7 A No, these remarks were unusual to me, the idea
8 of joining forces to combat.

9 Q So you thought in your mind at that time it
10 was just a joke?

11 A I did not lend too much credence to it.

12 Q You did not think it was too serious at that
13 time, correct?

14 A Correct.

15 Q And did you take notes of Mr. Manson's conversa-
16 tion on this particular day?

17 A No.

18 Q You did not take any notes at all?

19 A No.

20 Q And you did not make any other police reports
21 regarding this conversation with Mr. Manson?

22 A No.

23 Q In other words, eight months later you decide
24 to make this report and you made it all by memory, is
25 that correct?

26 A Substantially, right.

1 Q And since it was all by memory some of these
2 statements that Mr. Manson said, you may have been mistaken
3 as to what he actually said, is that right?

4 A I don't believe so.

5 Q In other words, you have a very good memory
6 for this date of July 28, 1969?

15b fls. 7 A For this conversation I do.

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L5B-1

1 Q As to other comments, would you say your memory
2 was very good for that day?

3 A It depends on how unusual the statement is in
4 regards to the surrounding circumstances.

5 Q In other words, your report only reflects the
6 substance of the conversation, is that correct?

7 A No.

8 Q You mean to say your report is word for word
9 of the conversation you had with Manson?

10 A Yes, sir.

11 Q Okay now, would you relate to us what his
12 exact words were?

13 A What his exact words were?

14 Q Yes, the conversation you had.

15 A As to which conversation?

16 Q The whole conversation you had with Mr. Manson.

17 A All right.

18 I asked Mr. Manson why he was hiding in the
19 brush at this intersection.

20 Mr. Manson replied, "I am a lookout for the
21 Black Panthers."

22 At this point I asked him why he felt the Black
23 Panthers might be en route.

24 Mr. Manson responded, "We've got into a hassle
25 with a couple of these black mother-fuckers and we put one
26 of them in the hospital. They said they would get us for

1 that."

2 Continuing to the ranch, in the process of
3 filling out the cards, Mr. Manson approached me and said,
4 "You know, you cops ought to get smart and join up with us;
5 those guys are out to kill you just like they are out to
6 kill us. I know you hate them as much as we do, and ^{if} we
7 join together we could solve this problem."

8 Or let me think -- it's either, "Solve the
9 problem," or "clear the problem."

10 "We've got to stop them before they stop us."

11 MR. SHINN: Your Honor, may the record reflect --

12 I will represent to the Court that I have
13 followed his testimony --

14 THE COURT: If you are going to testify, Mr. Shinn,
15 you will have to wait until an appropriate time and be
16 sworn like any other witness.

17 MR. SHINN: I just want to make a representation to
18 the Court, your Honor.

19 May this be marked as next in order for
20 defendants' exhibit, your Honor?

21 THE COURT: GG for identification.

22 MR. KANAREK: GG, your Honor?

23 THE COURT: Yes.

24 Q BY MR. SHINN: Officer, do you remember any other
25 conversations you had with any other persons on this day?

26 A The majority of my conversation concerned the
car and the identification of the people.

16e1

1 Q Well, did you have any other conversation with
2 anyone else on 7/28/69?

3 A Not of a nature that wasn't strictly in a
4 police sense.

5 Q Well, do you recall how many persons you talked
6 to that day?

7 A Approximately five.

8 Q Five persons you talked to the whole day?

9 A Well, not the whole day. At this one incident.

10 Q I am speaking of this day of 7/28/69. How many
11 people did you talk to?

12 A Exactly or approximately?

13 Q Well, approximately is all right.

14 A Perhaps 60 people.

15 Q 60 people?

16 A Yes.

17 Q Do you recall who you talked to first, the
18 first person that you talked to that day?

19 A No.

20 Q Do you recall the second?

21 A No.

22 Q Do you recall any of the persons you talked to
23 that day, the 60 persons?

24 A Yes.

25 Q How many do you remember?

26 A Perhaps four or five.

16-2

1 Q Out of the 60?

2 A Right.

3 Q Do you recall what you had for breakfast that
4 day?

5 A No.

6 Q Lunch?

7 A No.

8 Q Dinner?

9 A No.

10 Q Do you recall what time you went home that
11 day?

12 A Yes.

13 MR. SHINN: I have nothing further.

14 THE COURT: Mr. Kanarek?

15 MR. KANAREK: Yes, sir.

16
17 CROSS-EXAMINATION

18 BY MR. KANAREK:

19 Q Officer, did you memorize what occurred on
20 that occasion, or did you memorize what you wrote down
21 on this paper?

22 A That paper indicates --

23 MR. BUGLIOSI: That assumes facts not in evidence,
24 your Honor, that any memorization is involved here.

25 THE COURT: The objection is sustained.

26

16-3

1 BY MR. KANAREK:

2 Q Officer, when you just testified from the
3 witness stand -- I will withdraw that.

4 Prior to the time that you took the witness
5 stand, Officer, did you attempt to memorize what we have
6 marked as Defendants' Exhibit GG?

7 A No. I read over it.

8 Q You have read it over frequently?

9 A No. I read over it.

10 Q Pardon?

11 A I read over it. Not frequently.

12 Q When you wrote this on March 19, 1970, up
13 until March 19, 1970, had you had any occasion to remember
14 your conversations with Mr. Manson?

15 A Yes. Just to myself.

16 Q That is, between the time that you saw him
17 and March 19, 1970?

18 A Yes.

19 Q Before you spoke with anyone from the District
20 Attorney's Office, you kept turning these things over in
21 your mind?

22 A Yes.

23 Q Constantly; is that correct?

24 A That is correct.

25 Q I see.

26 And directing your attention to this, you felt

1 very strongly about what Mr. Manson had told you, right,
2 when he told it to you?

3 A How do you mean I felt strongly about it?

4 Q Well, you are telling us that before anyone
5 from the District Attorney's Office spoke to you concern-
6 ing this matter, you nevertheless turned it over in your
7 mind time after time from July of '69 to sometime before
8 March of 1970?

9 A The only reason it kept recurring in my
10 memory is because of the notoriety Mr. Manson had achieved.

11 Q But from July of 1970 -- pardon me, of '69 --
12 until the time in November or December of '69, you had
13 no occasion whatsoever to think about these things; right?

14 A Not as often as perhaps later I thought about
15 them.

16 Q Well, up until the fall of 1969, from July of
17 '69 till the fall of '69, you had no occasion to associate
18 Mr. Manson with this case; right?

19 A No. But then, again, it is the idea -- it was
20 so erratic, the idea of joining the police with whatever
21 you want to call it, a motorcycle-oriented gang, in the
22 hopes of combating the Black Panthers. It seemed out-
23 landish, and because it was so outlandish, in my memory
24 it just kept recurring.

16a fls.

16-A-1

1 Q You say it was so outlandish, but you didn't
2 cause any investigation concerning that, concerning what
3 you are speaking of, this outlandishness, to be instituted
4 by the Sheriff's Department or the District Attorney;
5 right?

6 A That is correct.

7 Q Now, when Mr. Manson made these statements to
8 you about joining up with the Black Panthers -- pardon me --
9 when he made these statements you say about the police
10 and Mr. Manson and his friends joining up with you, what
11 did you tell him?

12 A I don't believe I even remarked to him.

13 Q In other words, you made no response to him
14 whatsoever?

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

16 Q Directing your attention to all of what you
17 told us that Mr. Manson told you, Mr. Grap -- is that it?

18 A That is correct.

19 Q Would you tell us what you told Mr. Manson?

20 You have told us various statements. You have
21 told us various statements that you say Mr. Manson made.
22 Will you tell us what you said in connection with this
23 subject matter, these two conversations?

24 A Well, it wasn't actually a two-way conver-
25 sation. It was more or less Mr. Manson just independently
26 relating, you might say, in a bolsterous sense or in an

.6a2

1 outward going sense. Nobody had actually engaged him in
2 this conversation. He just independently took it upon him-
3 self to expound on these subjects.

4 Q And you made no response to it?

5 A No.

6 Q Did you tell him it was outlandish?

7 A No.

8 Q You are telling us now that you thought about
9 it for months?

10 A I did.

11 Q But you didn't tell him at the time it was out-
12 landish?

13 A Well, it seemed rather silly to tell him it was
14 outlandish when he just made the statement.

15 Q You thought that then was no time to tell him?

16 A No, I didn't think it would accomplish any-
17 thing.

18 Q I see.

19 You thought about it and decided that you
20 wouldn't tell him it was outlandish as you heard these
21 statements; right?

22 A Okay.

23 Q Pardon me?

24 A Yes. All right.

25 Q Well, --

26 A Substantially, that is it. I didn't make a

1 comment.

2 Q I see.

3 Now, when did you talk to Mr. Bugliosi con-
4 cerning these matters?

5 A I believe it was probably after -- it would be
6 March 18th of this year.

7 Q Pardon? I am sorry?

8 A March 18th of this year.

9 Q And did Mr. Bugliosi contact you concerning
10 these matters?

11 A No. Mr. -- what is his name -- he is another
12 District Attorney, Bernard, -- yes, Burton Katz contacted me
13 in regard to the Hinman case, and this is when I related
14 this.

15 Q In other words, is it a fair statement, Officer,
16 are you trying to get any notoriety because of this?

17 MR. BUGLIOSI: Oh, that is argumentative, your
18 Honor.

19 THE COURT: Sustained.

20 MR. KANAREK: Q Officer, then may I ask you
21 this:

22 It is a fair statement, then, that the District
23 Attorney's Office solicited you for these statements,
24 you didn't contact the District Attorney; is that right?

25 A No.

26 Q That is not right?

You just told us that Mr. Katz contacted you.

A In regard to another case.

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16b-1

1 Q But he contacted you in connection, supposedly,
2 with Mr. Manson; right?

3 A Correct.

4 Q And you, all these months you had this turning
5 over in your mind, this outlandishness and all of that,
6 and at no time did you contact the District Attorney's
7 Office to tell them about these conversations, which were
8 never put down in writing until the District Attorney's
9 Office contacted you; is that correct?

10 A Correct.

11 Q And so, in fact, it wasn't that outlandish,
12 was it?

13 MR. BUGLIOSI: Argumentative, your Honor.

14 THE COURT: Sustained.

15 BY MR. KANAREK:

16 Q Would you tell us, Officer, when were you
17 first contacted by any representative of the District
18 Attorney's Office concerning Mr. Manson?

19 A I don't know the precise date, sir.

20 Q Pardon?

21 A I don't know the precise date.

22 Q Well, will you give us an estimate of when
23 it was?

24 A Okay.

25 It was late February of this year.

26 Q 1970; right?

16b-2

1 A Yes.

2 Q And after you had this conversation -- was
3 this by telephone?

4 A No. No.

5 Q Someone came over and spoke to you in person?

6 A A member of the Sheriff's Homicide Bureau
7 requested that I attend a meeting with Deputy District
8 Attorney Burton Katz.

9 Q All right.

10 Now, it was at this time that you, after
11 being solicited by the District Attorney's Office, that
12 you related these events, these conversations; is that
13 correct?

14 A Yes.

15 Q Pardon?

16 A Yes.

17 Q And in order to relate or in order to write
18 up what was written up here, did you refer to any reports?

19 A Just the field interrogation cards that we
20 had filled out that night.

21 Q And those field interrogation cards reflected
22 none of the language that you have told us occurred?

23 A Right.

24 Q Is that right?

25 A That is correct.

26 Q And as a matter of fact, is it a fair statement

1 that nowhere did you cause to be put in writing any of the
2 outlandish statements, what you term outlandish statements,
3 until the District Attorney's Office contacted you, is that
4 right, or until the investigation or some investigatory
5 officer of the Sheriff's Department contacted you?

6 A Yes. But I am afraid you are getting the wrong
7 idea.

8 MR. KANAREK: Well, all I want is just a correct
9 answer to the question.

10 THE WITNESS: Okay. Correct.

11 MR. KANAREK: Pardon?

12 THE WITNESS: You are correct.

13 BY MR. KANAREK:

14 Q And at no time did you cause any writing
15 whatsoever until you were approached by law enforcement
16 people; right?

17 A That is correct.

18 MR. KANAREK: Thank you. :
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17 fls.

THE COURT: Any questions, Mr. Hughes?

MR. HUGHES: Yes, I do have, your Honor, I see it is 4:19 and I expect my questions might last ten minutes or so.

THE COURT: All right, we will adjourn 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 adjourn until 9:45 tomorrow morning.

(Whereupon, an adjournment was taken to reconvene at 9:45 a.m., Wednesday, September 23, 1970.)