

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 106

HON. RAYMOND CHOATE, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

CHARLES MANSON,

Defendant.

102

No. A-267861

REPORTERS' DAILY TRANSCRIPT

Thursday, June 24, 1971

VOLUME 2APPEARANCES:

For the People:

JOSEPH P. BUSCH, JR., District Attorney

BY: ANTHONY C. MANZELLA

Deputy District Attorney

For Defendant Manson: IRVING A. KANAREK, Esq.

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LOS ANGELES, CALIFORNIA, THURSDAY, JUNE 24, 1971

10:20 A.M.

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THE COURT: Good morning, ladies and gentlemen.

Where's Mr. Kanarek?

THE BAILIFF: I haven't seen him, your Honor. I'll check out in the hall.

(Whereupon, a discussion off the record ensued at the bench between the Court and the clerk.)

(Short recess.)

(The following proceedings were had in chambers, not within the presence or hearing of the prospective jury panel.)

MR. KANAREK: If I may, your Honor, I make a motion to sever the two counts as to Mr. Manson. That's our belief, and I will incorporate by reference the previous arguments to the Court; if the Court will take judicial notice of what was done in connection with Mr. Davis, and the state of the record, I do make the motion to sever the two counts and have separate trials on each of these counts. That's one motion.

And the other motion is --

(Whereupon, a discussion off the record ensued between Mr. Kanarek and Mr. Manzella.)

MR. KANAREK: The District Attorney informs me that we can enter into a stipulation -- this motion is a motion to change venue -- that all the foundational requirements have been met; that -- in connection with the declarations and affidavits and what is required by the Penal Code;

1 And that we -- the District Attorney agrees that
2 we can incorporate by reference our previous argument in
3 connection with the motion to change venue.

4 In addition, we would ask the Court to take
5 into account the voir dire that occurred in the -- before
6 Mr. Davis was stayed, and today to date. And we make that
7 motion.

8 MR. MANZELLA: We'll stipulate that the motion is
9 properly presented, and that all these things that he referred
10 to are incorporated.

11 THE COURT: Very well. The Court denies the motions.

12 Okay. Let's proceed.

13 MR. KANAREK: Thank you, your Honor.

14 (Whereupon, the following proceedings were had in
15 open court, within the presence and hearing of the prospective
16 jury panel:)

17 THE COURT: All right. The record will show the
18 defendant to be present, with Mr. Kanarek, his attorney; that
19 Mr. Manzella is present for the People, and all the prospective
20 jurors who were in the box at the declaration of the last
21 recess are now there, and that the prospective jurors who were
22 beyond the rail are now there.

23 I think, at the time that the Court recessed last
24 night, that we had called Mrs. Craig.

25
26 VOIR DIRE EXAMINATION OF

27 MRS. LIBBIE MILLER

28 BY THE COURT:

1 Q Is that correct?

2 A No. I'm Libbie Miller.

3 Q I'm sorry. Your name, ma'am?

4 A Libbie Miller.

5 Q Is that Mrs.?

6 A Libbie Miller.

7 Q Is it Mrs.?

8 A Mrs.

9 Q Thank you. Mrs. Miller, you were present during
10 all the proceedings since the Court first called this case?

11 A Yes.

12 Q And will your answers be any different than the
13 majority of jurors who responded to the Court's questions,
14 put to the group as a whole?

15 A Yes. I am prejudiced. I am strongly against the
16 death penalty. I could not be fair.

17 Q I see. So that -- to clarify your thinking about
18 that -- or, to clarify what your thoughts are, are your views
19 concerning the death penalty such that you would, because of
20 those views, automatically vote against the death penalty,
21 without regard to any evidence?

22 A Yes, sir.

23 Q Are your views such that you would refuse even to
24 consider imposing the death penalty in this case or in any case?

25 A Yes, sir.

26 Q Are your views concerning the death penalty so
27 strong that you could not be fair and impartial, in determining
28 the first phase of the case --

1 A I have a closed mind.

2 Q Excuse me. Would you, ma'am, let me finish?

3 A I'm sorry.

4 Q Yes, ma'am.

5 Are your views concerning the death penalty
6 such that you would be unable to be fair and impartial, in
7 determining the question of guilt or innocence?

8 A Yes.

9 Q You stated that you have a closed mind in
10 respect to what?

11 A I am strongly against the death penalty.

12 Q I see. You would never be able to vote for it in
13 any circumstances?

14 A Never.

15 MR. MANZELLA: Your Honor, the People would respectfully
16 challenge Mrs. Miller for cause, under Section 1073, Subdivision
17 2 of the Penal Code and Section 1074, Subdivision 8 of the
18 Penal Code.

19 THE COURT: The Court grants the challenge.

20 MR. KANAREK: Yes, your Honor. I would just like the
21 record to reflect we oppose the lady being excused, --

22 THE COURT: Very well.

23 MR. KANAREK: -- oppose the challenge.

24 THE COURT: Very well. The record may so show.

25 Thank you, Mrs. Miller, for being here.

26 Do you have time left on jury duty?

27 JUROR NO. 8: Yes, sir.

28 THE COURT: All right. Room 253, then, the jury assembly

1 room, please, right away.

2 Call one to fill Mrs. Miller's spot, if you would,
3 please.

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1 THE CLERK: Robert L. Coker, C-o-k-e-r.

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3 VOIR DIRE EXAMINATION OF

4 ROBERT L. COKER

5 BY THE COURT:

6 Q Mr. Coker, you have been present during all the
7 proceedings?

8 A Yes, I have.

9 Q Would your answers be any different than the
10 majority of the jurors have responded to the Court's ques-
11 tions put to the group as a whole?

12 A No, they were not.

13 Q All right. Beginning with the individual ques-
14 tions I have asked everyone, would you suffer any hardship
15 if you were to serve on this jury?

16 A Yes, I would.

17 Q Tell us what that would be.

18 A My wife is undergoing an operation in July, and
19 she'll be in the hospital a week. And when she does get out
20 of the hospital, she will be laid up for approximately six
21 weeks.

22 Q And do you work during the day?

23 A Yes, I do.

24 Q Do you anticipate someone would be taking care
25 of her while you are at work?

26 A No, I will have to take approximately a four to
27 six-week leave of absence from work.

28 Q What type of work do you do?

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1 A I work at the Xerox Data Systems. I am a
2 planner.

3 Q And you will be absenting yourself from Xerox for
4 the purpose of caring for your wife?

5 A Correct.

6 Q Is there anyone else who could do that? Is there
7 any other person whom you could find to take care of her?

8 A Not that I know of, sir.

9 Q Do you have the money or the funds to hire care
10 for her?

11 A No, I don't.

12 MR. KANAREK: Stipulate, your Honor.

13 MR. MANZELLA: People will stipulate there is a
14 hardship, your Honor.

15 THE COURT: Thank you, gentlemen.

16 Both of these gentlemen will stipulate that you
17 may be excused.

18 JUROR NO. 8: Thank you.

19 MR. KANAREK: Thank you, Mr. Coker.

20 THE COURT: Room 253 forthwith, Mr. Coker.

21 THE CLERK: Bert L. Rountree, R-o-u-n-t-r-e-e.

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23 VOIR DIRE EXAMINATION OF

24 BERT L. ROUNTREE

25 BY THE COURT:

26 Q Mr. Rountree, you have been present during all
27 the proceedings thus far, have you not?

28 A Yes, sir.

1 Q Would your answers be any different than the
2 majority of the group have responded to the questions as a
3 whole?

4 A With one exception, your Honor.

5 Q Go ahead.

6 A I must tell you I am deeply prejudiced where Mr.
7 Manson is concerned.

8 Q You mean you have read or heard or seen something
9 via the publicity media and, therefore, you have those
10 feelings?

11 A That is correct, sir, plus the fact that --

12 Q Well, let's just keep it general at this point.

13 If I were to instruct you that you should set
14 aside, set aside whatever you may have heard, seen or read
15 about Mr. Manson or any other trial that he has been involved
16 in and decide any issues in this case without reference to
17 those things, could you do that?

18 A I have done a lot of soul searching, sir. I could
19 not do it.

20 Q You couldn't do it?

21 A No, sir.

22 MR. KANAREK: Yes, your Honor, I would, under 1073,
23 Subsection 2, respectfully challenge Mr. Rountree.

24 MR. MANZELLA: No opposition from the People.

25 THE COURT: All right, Mr. Rountree, thank you for
26 being frank and open in connection with your feelings. You
27 are excused, then, and the Court would direct you to report
28 to Room 253 forthwith.

1 Do you have any time left on jury service?

2 JUROR NO. 8: Yes.

3 MR. KANAREK: Thank you, Mr. Rountree.

4 JUROR NO. 8: Thank you, sir.

5 THE CLERK: Mrs. Machara H. Taylor, M-a-c-h-a-r-a,
6 Taylor. She is the one out sick.

7 THE COURT: Machara Taylor. She has called in to
8 Mrs. Holt and has indicated she is ill. The Court will
9 excuse her from appearance today. You might check whether
10 or not she can be called back.

11 THE CLERK: She said she will call tomorrow.

12 THE COURT: She's going to call later. Very well.

13 THE CLERK: Mrs. Margaret Somerville, M-a-r-g-a-r-e-t,
14 S-o-m-e-r-v-i-l-l-e.

15
16 VOIR DIRE EXAMINATION OF
17 MARGARET SOMERVILLE

18 BY THE COURT:

19 Q Mrs. Somerville, have you been present during all
20 of the proceedings thus far?

21 A Yes, sir.

22 Q Would your answers be the same as the majority
23 or would they be any different than the majority have
24 responded to the Court's questions put to the group, put to
25 the group as a whole?

26 A No different to the general questions, sir.

27 Q All right.

28 Let's get to the specific questions, then.

1 Would there be any hardship to you if you were
2 to serve here?

3 A Yes, there would. I have a small one-woman
4 business and I can manage --

5 Q What is the nature of that business?

6 A I make gauging paste for the petroleum industry
7 and for the military.

8 Q You make gauging --

9 A Gauging paste. It is a very peculiar business.

10 Q Gauging paste, p-a-s-t-e?

11 A P-a-s-t-e.

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1 Q Tell us what gauging paste is.

2 A All right. There are several different composi-
3 tions and materials that will do the same thing.

4 This particular one has a water sensitive dye
5 in it. It is smeared on a gauge rod and the rod is dropped
6 into a tank.

7 Q Smeared on what type of a rod?

8 A Gauge rod, where there is water in the bottom of
9 the tank and the paste stays white and the oil, it stays red.
10 And I've been doing this for 25 years.

11 But I do all the work except for occasionally
12 part-time help when I have a large order. I can manage for
13 a month.

14 Q Is this the source -- sole source of your income?

15 A No, I am married, but if I weren't available to
16 take care of my business, I wouldn't have a business.

17 Q In other words, the refineries -- you work for
18 refineries, is that it?

19 A No. I sell this mostly through distributors.
20 Occasionally I have a contract for the Department of Defense.
21 I just finished a contract for them, so I have --

22 Q This 30-day period that you are serving --

23 A I can manage for a 30-day period by working nights
24 and weekends, but for longer than that, I can't see how I can
25 manage.

26 THE COURT: All right.

27 MR. KANAREK: Stipulate, your Honor.

28 THE COURT: These gentlemen --

1 MR. MANZELLA: People will stipulate.

2 THE COURT: -- stipulate that you may be excused.

3 Thank you, Mrs. Somerville. The Court does excuse you.

4 MR. KANAREK: Thank you, Mrs. Somerville.

5 THE CLERK: Mrs. Virginia Stokes, S-t-o-k-e-s.

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7 VOIR DIRE EXAMINATION OF
8 VIRGINIA STOKES

9 BY THE COURT:

10 Q Mrs. Stokes, have you been present during all of
11 the proceedings thus far?

12 A Yes, your Honor.

13 Q And would your answers be any different than the
14 majority of the jurors have responded to the Court's
15 questions put to the group?

16 A No, sir.

17 Q All right.

18 Would it be any hardship for you to serve on
19 this jury?

20 A No, sir.

21 Q All right. You would have no personal or
22 financial hardship, I take it?

23 A No, sir.

24 Q Very well.

25 Have you served as a juror before?

26 A Yes, sir, in the Municipal Court.

27 Q Have you ever served as a Superior Court juror?

28 A No, sir.

1 Q Have you served on criminal cases in a Municipal
2 Court?

3 A No, sir.

4 Q Just civil?

5 A Yes, sir.

6 Q All right. And you will take care to note that
7 the burden of proof is beyond a reasonable doubt in a
8 criminal case, then?

9 A Yes, sir.

10 Q You will be able to follow the Court's instruc-
11 tions, will you -- strike that.

12 You will follow the Court's instructions in
13 respect to the law in this case, will you not?

14 A Yes, sir.

15 Q Are you employed?

16 A No, sir.

17 Q Is there a Mr. Stokes?

18 A Yes, sir.

19 Q What's his occupation?

20 A Butcher for the Wilson Packing Company.

21 Q All right.

22 In what general area do you reside?

23 A In Watts.

24 Q Are you a friend of or a relative of any law
25 enforcement officer?

26 A Yes, I am. I have a first cousin who is a judge
27 in the Municipal Court.

28 Q In Los Angeles County?

1 A Yes.

2 Q Other than this relationship with a judge of the
3 Municipal Court, do you have any contact with law enforcement
4 officials?

5 A No, sir.

6 Q Do you think that this relationship would in any
7 way affect your judgment?

8 A No, sir.

9 Q In respect to the death penalty, do you have such
10 opinions concerning it that you would automatically refuse to
11 impose it without regard to any evidence that might be
12 developed?

13 A No, sir.

14 Q Or are your opinions concerning the death penalty
15 such that if the defendant were convicted of murder in the
16 first degree you would automatically vote to impose the death
17 penalty without regard to any evidence?

18 A No, sir.

19 Q Are your views concerning the death penalty such
20 that you would be unable to be impartial in determining the
21 question of guilt or innocence?

22 A No, sir, I would not be unable to be impartial.

23 Q Can you think of any reason now why you couldn't
24 be fair and impartial in the case?

25 A Not any reason.

26 THE COURT: All right, let's go on to Mrs. Fraga, then.

27 JUROR NO. 7: Miss Perez-Fraga. It is a hyphenated
28 name.

1 THE COURT: Miss Perez-Fraga. Thank you, Miss Perez-
2 Fraga.

3 MR. KANAREK: May I inquire as to the spelling. I
4 don't think I have it correctly.

5 JUROR NO. 7: P-e-r-e-z hyphen F-r-a-g-a.

6 MR. KANAREK: Thank you.

7
8 VOIR DIRE EXAMINATION OF
9 MISS INEZ D. PEREZ-FRAGA

10 BY THE COURT:

11 Q Miss Perez-Fraga, have you -- strike that.

12 Would it entail any hardship to you personally or
13 financially?

14 A Yes, it would, sir.

15 Q To serve as a juror in this case?

16 A Yes, it would.

17 Q Give us the information.

18 A Uh, I'm working for Security Pacific National
19 Bank and I was just up for a promotion and I called my office
20 and they said they would have to consider someone else.

21 Q What type of promotion would that be?

22 A Supervisor.

23 Q In other words, if you were --

24 A To stay here --

25 Q -- called upon to serve here and did serve for
26 five months or longer, it would cost you the promotion?

27 A Yes, sir. Because we're working on a summer
28 schedule, you know, vacations and all that. And they said

1 that within 30 days -- well, it would be all right by that
2 time. Everybody would be coming back and everything would be
3 stable. But if I were to continue, then, they'd have to look
4 for somebody else.

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1 Q Would that mean a loss of funds to you? Money,
2 too?

3 A I would receive my salary, if I were on the case.
4 Moneywise, I would not -- they -- of course, I would lose.

5 Q As far as the promotion is concerned?

6 A That entails a salary increase.

7 Q And you would lose that?

8 A Yes, I would.

9 MR. MANZELLA: The People will stipulate there's a hard-
10 ship, your Honor.

11 MR. KANAREK: Submit it, your Honor.

12 THE COURT: Miss Perez-Fraga, the Court will excuse you.
13 The Court finds that this is a hardship which you should not
14 be required to suffer.

15 The Court thanks you for being here. Do you have
16 time left on jury service?

17 JUROR NO. 7: Yes, sir.

18 THE COURT: All right. Then report to Room 253, the
19 jury assembly room, forthwith, if you would, please.

20 JUROR NO. 7: Thank you, sir.

21 MR. KANAREK: Thank you, Miss Perez-Fraga.

22 THE CLERK: Dorothy Zlatkoff; Z-l-a-t-k-o-f-f.

23
24 VOIR DIRE EXAMINATION
25 OF DOROTHY ZLATKOFF

26 BY THE COURT:

27 Q Is it Mrs. Zlatkoff?

28 A Yes.

1 Q Have you been present during all the proceedings
2 thus far, since the case has been called?

3 A Yes.

4 Q Now, would your answers be any different, Mrs.
5 Zlatkoff, than the majority of jurors have responded to the
6 questions put to the group as a whole?

7 A No, I don't think -- no.

8 Q And would there be any hardship to you, were you
9 chosen to serve?

10 A Yes.

11 Q Tell us about that.

12 A I am working for Bank of America; and last night,
13 I called my employer, and I was told that if I was not -- if
14 I am engaged, let's say, and then off an extra week, until
15 maybe a month, is fine; but not for this length of time. They
16 can't pay me, and I would have to get replaced.

17 And I simply cannot afford to lose the job.

18 Q This is your sole source of survival, your wages?

19 A No.

20 Q Is there a Mr. Zlatkoff?

21 A Yes, um-hmm.

22 Q And he's employed?

23 A Yes, he is self-employed; but at the moment, he's
24 -- he has a small business, but at this moment, they have to
25 subcontract, because of ill health.

26 Q And your wages and salary are used to support the
27 family?

28 A Partially.

1 Q Do you have children?

2 A Yes.

3 Q How many?

4 A One.

5 Q The bank will pay you for no more than your 30 days?

6 A No. They just said, if another month, or two weeks --

7 Q In addition?

8 A In addition. But no more.

9 Q No more than perhaps a total period --

10 A This length of time, no.

11 Q -- a total period of two months or so?

12 A That's right.

13 THE COURT: Gentlemen?

14 MR. KANAREK: Your Honor, I just have a question, if I
15 may.

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VOIR DIRE EXAMINATION

18 BY MR. KANAREK:

19 Q Mrs. Zlatkoff, did they tell you they would termi-
20 nate you, if you were not --

21 A No, not in these words. But it was said, "We
22 would have to replace you."

23 Q I see.

24 A Because there's vacations scheduled. And we have
25 to -- I'm a note teller, -- "and we'll have to -- to replace
26 you for another note teller, and we'll have to teach somebody."

27 MR. KANAREK: Submit it, your Honor.

28 MR. MANZELLA: The People will stipulate there's a

1 hardship, your Honor.

2 THE COURT: All right. The Court finds that there would
3 be an extraordinary hardship, then, Mrs. Zlatkoff, and does
4 excuse you. Thank you.

5 JUROR NO. 7: Thank you.

6 THE COURT: Do you still have some time left, then?

7 JUROR NO. 7: Yes.

8 THE COURT: You should report to Room 253 forthwith.

9 JUROR NO. 7: Thank you, your Honor.

10 THE COURT: Thank you, Mrs. Zlatkoff.

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1 THE CLERK: Samuel I. Yano; S-a-m-u-e-l; middle initial
2 I, Y-a-n-o.

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4 VOIR DIRE EXAMINATION

5 OF SAMUEL I. YANO

6 BY THE COURT:

7 Q Mr. Yano, you have been present during all the
8 proceedings thus far, have you not, sir?

9 A Yes, sir.

10 Q Would your answers be any different than the
11 majority of the jurors have responded to the Court's
12 questions put to the group as a whole?

13 A No, sir.

14 Q And would there be any hardship to you, were you
15 to serve?

16 A Yes, sir.

17 Q Tell us about that.

18 A Well, I work for Shopping Bag food stores. And I
19 asked my manager about this, and he said, "You are entitled to
20 30 days and no more."

21 THE COURT: What happens after that? Will you lose any
22 position with the company?

23 A Well, there was --

24 Q Would you lose your job?

25 A There was nothing said definitely, but there was an
26 implied threat.

27 Q Will you be paid?

28 A No, sir.

1 Q After the 30 days?

2 A No, sir.

3 Q Is your salary your total source of income?

4 A Yes, sir.

5 THE COURT: Gentlemen?

6 MR. KANAREK: Submit it, your Honor.

7 MR. MANZELLA: We'll stipulate there's a hardship, your
8 Honor.

9 THE COURT: The Court finds there is an extraordinary
10 hardship, that Mr. Yano should not have to endure, and excuses
11 him.

12 Thank you, Mr. Yano. Room 253 forthwith.

13 Call another name to replace Mr. Yano.

14 THE CLERK: Mrs. Patricia Davis, D-a-v-i-s.

15 THE COURT: Call for another panel.

16 THE CLERK: How many?

17 THE COURT: 50.

18

19 VOIR DIRE EXAMINATION

20 OF MRS. PATRICIA DAVIS

21 BY THE COURT:

22 Q Mrs. Davis, --

23 A Yes, sir.

24 Q -- you have been present during all the
25 proceedings?

26 A Yes, I have.

27 Q Would your answers be any different than the
28 majority of jurors have responded to the Court's questions put

1 to the group as a whole?

2 A Yes, it would.

3 Q All right.

4 A I am very prejudiced against the defendant.

5 Q Against the defendant?

6 A Yes.

7 Q Is this because of something that you've heard, seen
8 or read?

9 A All three, yes.

10 Q During the last several months?

11 A Yes.

12 And when it first came to light, I used to work for
13 the Coroner's Office.

14 Q I see. You -- you were employed with the Los
15 Angeles County Coroner's Office?

16 A Yes, sir, I was.

17 Q And did something that you have heard, read or seen
18 in connection with your work have something to do with your
19 present position?

20 A Yes, sir.

21 Q Do you believe that you could give Mr. Manson a fair
22 trial?

23 A No, sir.

24 MR. KANAREK: Yes, your Honor. Under Section 1073,
25 Subsection 2, we enunciate the challenge, your Honor.

26 THE COURT: All right. Miss Davis, thank you very much.
27 The Court does excuse you.

28 Do you have time left on jury duty?

1 JUROR NO. 7: Yes, I have.

2 THE COURT: Report to the jury assembly room, Room 253,
3 forthwith, please.

4 JUROR NO. 7: All right. Thank you very much.

5 MR. KANAREK: Thank you, Mrs. Davis.

6 THE CLERK: Anthony -- I'll spell this --

7 C-h-i-e-r-i-c-h-e-t-t-i.
8

9 VOIR DIRE EXAMINATION OF
10 ANTHONY CHIERICHETTI

11 BY THE COURT:

12 Q Is that Chierichetti?

13 A Chierichetti.

14 Q Mr. Chierichetti, have you been present during all
15 the proceedings thus far?

16 A Yes, sir.

17 Q And would your answers be any different than the
18 majority of jurors have responded to the Court's questions put
19 to the group as a whole?

20 A No, sir.

21 Q Would this be any hardship to you, were you to be
22 chosen as a juror?

23 A Well, I called my supervisor yesterday, and he said
24 that -- I work for the L.A. City College District, and I would
25 be paid, but my services -- I'm a one-man worker there, and they
26 would have to scrounge around and train somebody for six months.

27 And they'd like to write a letter about it, if it
28 would help.

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Q Well, the letter probably wouldn't help.

A That was what he said.

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1 Q What type of work do you do for the college?

2 A Basically, I am what they call an audio-visual
3 technician.

4 Q Audio-visual?

5 A Audio-visual. But that encompasses electronic
6 work. I work with Security, for instance, and with -- there's
7 a certain amount of that. And we have an auditorium that --
8 I am the technician there, when they have programs that
9 involve lots of students, and it's a -- it's a very broad job,
10 and --

11 Q Well, since it's not a personal hardship to you,
12 the Court would ask the college to endure your absence for
13 several months, if necessary.

14 Have you had any previous jury experience?

15 A No, sir.

16 Q You've already told us the nature of your employment.
17 How long have you worked for the college?

18 A 14 years.

19 Q Are you related to or a friend of any law enforce-
20 ment officer?

21 A Well, I have a pretty good friend that's a Sheriff.
22 He's a captain.

23 Q He is a captain in the Sheriff's Department?

24 A Yes, sir. He's an instructor.

25 Q How good a friend is he? Is he one that you see all
26 the time, or --

27 A Well, I see him at church every Sunday.

28 Q Have you discussed cases with him at all?

1 A Not much. Occasionally we -- something that he's
2 involved in, I -- you know, I have a passing -- no, we don't
3 discuss too much.

4 Q Do you think that you could be fair and impartial
5 as a juror in spite of that relationship?

6 A I think so. But I do work -- you know, I am with
7 the Administration and that sort of thing, and I -- I would try
8 to be impartial, but I do work with them. It's my job.

9 Q When you say you work with the Administration, you
10 don't mean that you work with any police agency?

11 A The administration of the school and our security
12 force.

13 Q I see.

14 A You see, both of them are involved in --

15 Q Well, the security force is -- is the private
16 security force that's retained by the college?

17 A Yes, sir.

18 Q I see. Well, do you think that would prejudice
19 you as a juror in a criminal case?

20 A I would hope not.

21 Q Don't you know?

22 A Well, to be honest, I -- you know, you see things,
23 and it's -- it's hard to say that I couldn't -- I think I
24 could be non -- not be prejudiced, but I do have this
25 experience in my -- in the back of my --

26 Q You think you could be objective?

27 A Right.

28 Q In determining the issues that will be presented

1 to you as a juror?

2 A Yes.

3 Q You'll actually be sitting as a judge in the case;
4 you realize that?

5 A Yes.

6 Q Can't you set aside that relationship, or those
7 relationships for the purpose of being a juror?

8 A I believe I can.

9 Q All right. Is there a Mrs. Chierichetti?

10 A Yes, sir.

11 Q And is she employed outside the home?

12 A Yes, sir.

13 Q And what is her occupation?

14 A She's a school teacher.

15 Q In Los Angeles?

16 A Yes, sir.

17 Q In what area do you reside, Mr. Chierichetti?

18 A Highland Park.

19 Q Do you have views concerning the death penalty
20 such as would prevent you from being fair and impartial in
21 determining the question of guilt or innocence?

22 A Would you repeat that, please?

23 Q Yes. Do you have views concerning the death
24 penalty such as would keep you from being impartial in
25 determining guilt or innocence --

26 A No.

27 Q -- in the first phase?

28 Or do you have views concerning the death penalty

1 such as would cause you to automatically refuse to impose it,
2 regardless of the evidence?

3 A No, sir.

4 Q Or on the other hand, would you automatically,
5 upon a conviction of murder of the first degree, as I've
6 defined murder of the first degree, would you automatically
7 impose the death penalty, without regard to the evidence?

8 A No, sir.

9 Q Are your views on the death penalty such that you
10 would never vote to impose it?

11 A No, sir.

12 Q All right. Can you think of any reason now why
13 you couldn't be fair and impartial?

14 A No, sir.

15 THE COURT: Will both counsel approach the bench, please?

16 (Whereupon, proceedings were had at the bench
17 among Court and counsel, outside the hearing of the prospective
18 jury panel, which was not reported.)

19 THE COURT: I am going to ask those of you who are
20 beyond the rail, and those of you except for Mr. Stegall, to
21 leave the courtroom. I am going to question Mr. Stegall
22 individually and alone, separate and apart from you, and
23 I'll do that as to each of you on certain issues, and on cer-
24 tain matters which would reflect upon his suitability as a
25 juror.

26 And I'll call each one of you in the court, into
27 this courtroom, individually, for such voir dire examination.

28 So, Mr. Bailiff?

1 Yes. Except for Mr. Stegall, now, all of the
2 prospective jurors are ordered to leave the courtroom.
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VOIR DIRE EXAMINATION OF

PERRY A. STEGALL

BY THE COURT:

Q All right, Mr. Stegall, the Court wishes to ask you certain questions concerning what you may have previously heard, seen or read about Mr. Manson prior to coming into this courtroom.

Have you heard, seen or read anything about Mr. Manson?

A No, I wasn't that interested in it.

Q Had you ever heard his name before coming into this courtroom?

A Why, everybody has heard his name.

Q In what connection had you known of his name?

A It was on the front pages of all newspapers. If somebody reads the paper.

Q Is that in connection with the Tate-La Bianca homicide?

A Naturally. You would know it was on the headline if you subscribed to both papers.

Q Did you do that, did you subscribe to both papers?

A Oh, I take both of them.

Q The Los Angeles Times?

A And the Herald, too.

Q Did you read about the so-called Tate-La Bianca case during the course of the last year and a half?

A No, I wasn't that interested in it. I would just glance at it and see it.

1 Q Well, whether you glanced or looked or whatever
2 you may have done, did you read it?

3 A Not all of it, no, sir.

4 Q Uh, did you listen to the newscasts on the radio?

5 A Naturally. I have a television and two or three
6 radios. I can listen to them all the time.

7 Q Well, I assume that you could, Mr. Stegall, but
8 I'm asking whether you did.

9 A No, I wasn't that interested in the case.

10 Q So the most that you have ever heard about Mr.
11 Manson, the most you have ever seen, is simply having glanced
12 at a headline in the newspapers that you subscribed to; is
13 that right?

14 A That's right.

15 Q Do you know that he was placed on trial?

16 A Yeah, I knew he was placed on trial.

17 Q Do you know for what he was tried?

18 A So many different things you couldn't even figure
19 it all out.

20 Q Well, name one that you know of.

21 A Well, "Tate-La Bonca," and these two people out
22 at Silver Lake, and that musician.

23 Q You mean Gary Hinman?

24 A Yes.

25 Q Had you heard the name, heard, seen or read the
26 name Gary Hinman before you came into this courtroom?

27 A Not necessarily. I didn't pay no attention.

28 Q Use that microphone.

A Not necessarily. I wasn't interested in the case.

3-3

1 Q Well, you used the phrase "musician" or the
2 words "that musician."

3 A Well, he was supposed to be a musician.

4 Q Who?

5 A Hinman or some part of the --

6 Q All right. Where did you hear, see or read the
7 name Gary Hinman before you came into this courtroom?

8 A Well, naturally it got in the Times and the
9 Herald both. You would have had to have heard it.

10 Q So you read it in the newspaper?

11 A You couldn't have missed it if you read the
12 general news on the paper every day.

13 Q Mr. Stegall, you seem to have the idea in mind
14 that the Court is intending to quarrel with you by asking
15 these questions. I'm simply inquiring as to your state of
16 mind as to how much you know about Mr. Manson or Mr. Hinman
17 or Mr. Shea or anything concerning the trial that you have
18 referred to; do you understand?

19 A Yes, sir. I don't know anything about them.

20 Q All right. Do you know what Mr. Manson was
21 accused of?

22 A Not exactly. I don't know.

23 Q Well, was it being drunk in public view or
24 disturbing the peace or --

25 A Probably --

26 Q -- a drunk driving? You don't have any idea of
27 what he was accused of?

28 A Probably for masterminding a half a dozen murders

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1 or something. I don't know.

2 Q Do you know whether he was convicted?

3 A Yeah, he has already been convicted once.

4 Q All right. Do you know whether a jury returned
5 a verdict of -- do you know whether the jury returned a
6 verdict?

7 A Returned a verdict of guilty.

8 Q And do you know whether the jury returned a verdict
9 in a penalty phase?

10 A Well, if they return a verdict in guilt of a first
11 degree murder, it couldn't be anything else.

12 Q Couldn't be anything else but what?

13 A Death penalty. That's all there is to it. Or
14 life in the penitentiary. That's what it is.

15 Q Well --

16 A (Laughing.)

17 Q Well, do you know which they returned?

18 A No, I didn't read it.

19 Q You don't know whether they came back with a
20 verdict of life imprisonment or whether they came back with a
21 death penalty, then; is that right?

22 A I doubt if a judge gave them instructions to do
23 that. The judge has already given you instructions what the
24 penalty is going to be anyhow.

25 Q Mr. Stegall, you apparently weren't listening
26 when I told you about the death penalty.

27 Do you recall -- the Court won't go into it at
28 this time.

3-5

1 But you don't know whether the jury came back as
2 to life or death as to Mr. Manson?

3 A Not necessarily. Just what I heard, what one of
4 the fellows said here on the jury yesterday.

3a fls.

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1 Q What did you hear?

2 A Well, one of the jurors you were questioning said
3 he was already sentenced to die, as far as I know. I didn't
4 read it.

5 Q That's the first time you read anything about it?

6 A Yes.

7 Q Do you know the name Susan Atkins?

8 A Oh, yeah, I've seen her. She's been on the
9 headlines of the papers.

10 Q All right. What do you know about Susan Atkins?

11 A I don't know anything about her. I never seen
12 her. All I seen was just headlines on the paper.

13 Q So you're just a headline reader, then, is that
14 correct?

15 A Unless I'm interested in something, and I
16 wouldn't be interested in no cases like that.

17 Q Do you know the name Shorty Shea?

18 A Oh, yeah, he probably --

19 Q Have you heard it before I mentioned it in court
20 here?

21 A Oh, no more than he's supposed to be a janitor
22 or something out there on that ranch where they lived. That's
23 all I know.

24 Q Do you know the name -- or phrase "Manson Family"?

25 A No, I don't know any of them.

26 Q No, I'm not asking whether you know them, Mr.
27 Stegall. I'm asking you whether you know the phrase "Manson
28 Family"?

1 A Oh, they had some kind of a cult out there, I
2 guess, you know. That's the way you figured.

3 Q Then, you do know the name or phrase "Manson
4 Family," is that right?

5 A Oh, I heard of it.

6 Q And you take it to be a cult that was out there?

7 A Yeah.

8 Q Out where?

9 A Oh, out there in the hills somewhere in Nevada.

10 Q Have you ever heard the name Spahn Ranch?

11 A Oh, naturally it got in the headlines in the
12 paper.

13 Q That's the headline that you read?

14 A Yeah (laughing).

15 Q Well, in spite of all the headlines and informa-
16 tion that you gathered about Mr. Manson, do you believe that
17 you could be fair and impartial in this case to him?

18 A Sure can.

19 Q If the Court instructed you to set aside anything
20 that you may have heard, seen or read and anything that you
21 may remember during the course of the trial about what you
22 have heard, seen or read, would you be able to set that
23 aside?

24 A Naturally, because a man is innocent until the
25 Court proves him guilty anyhow.

26 Q You understand it is not the obligation of the
27 Court to prove him guilty. The Court is simply an arbiter
28 in this case.

1 A That's right.

2 Q A judge in the case. And it is the function of the
3 District Attorney's office representing the People to prove
4 him guilty.

5 Do you understand that?

6 A Oh, yeah.

7 Q All right. Would you, Mr. Stegall, be able to
8 set aside everything you may have learned via the headlines
9 or television or radio?

10 A That shouldn't have any bearing on this case.
11 This is a separate case.

12 Q Well, listen to the question.

13 I agree with you that it should not have any
14 bearing on this case.

15 Can you set it aside, put it out of your mind
16 temporarily while -- during the course of this trial, and
17 during the course of the deliberations that you would have
18 as a juror?

19 A I sure can.

20 Q Well, will you do that?

21 A Sure.

22 THE COURT: Mr. Kanarek.

23 MR. KANAREK: Thank you, your Honor.

24

25 VOIR DIRE EXAMINATION

26 BY MR. KANAREK:

27 Q Mr. Stegall, sir, it is certainly your intent
28 to put it aside, this information, right?

1 A It has nothing to do with this case.

2 Q But would you -- you understand, Mr. Stegall, that
3 these are just questions to determine what your thinking is;
4 you follow --

5 A Oh, yeah, I know what I am thinking.

6 Q And one of the things I am asking you is: You
7 intend -- you want to put aside these matters that you have
8 heard concerning Mr. Manson, right?

9 A I want to give everybody a fair break until the
10 Court has proved he is guilty.

11 MR. KANAREK: I wonder if we could approach the bench,
12 your Honor?

13 THE COURT: You can approach the bench.

14 MR. KANAREK: May we?

15 THE COURT: Yes, you may.

16 (Whereupon, proceedings were had at the bench
17 among Court and counsel, outside the hearing of the
18 prospective juror, which was not reported:)

19 (Whereupon, the following proceedings were had
20 in open court within the presence and hearing of the
21 prospective juror:)

22 THE COURT: Any questions from the People?

23 MR. KANAREK: Well, I have just a --

24 MR. MANZELLA: No, your Honor.

25 THE COURT: You have a few more?

26 MR. KANAREK: Yes.

3b fls.

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1 BY MR. KANAREK:

2 Q Mr. Stegall, would you say that you agree that
3 there are some things that you want to do, that you can't --
4 you physically couldn't do it, really?

5 A Do you understand?

6 A Probably everybody has that. You want to be over
7 in London or somewhere and can't be there.

8 Q Right.

9 And you probably have seen things and heard things
10 in your life that you would -- might want to forget, but you
11 just can't forget them, right?

12 A No, that wouldn't make any difference.

13 Q I'm not asking about this particular -- I'm only
14 asking in general is it true -- have you experienced in life,
15 Mr. Stegall, the situation where you've wanted to forget
16 something and it keeps popping back in your mind?

17 A No.

18 Q Have you ever experienced that?

19 A Not necessarily. I can see you -- meet you out on
20 the street and I wouldn't even know you.

21 Q Well, I'm referring to things perhaps that have
22 happened in your lifetime in the past.

23 A Oh, no. I never was around where anybody has
24 committed anything that bad in my life.

25 Q So your intent, certainly, is to put aside every-
26 thing you've heard concerning Mr. Manson?

27 A That has nothing to do with this case.

28 Q But that is your desire, right?

1 A It is what I will do. It is not my desire.

2 Q I see.

3 And you recognize, of course, you weren't in the
4 courtroom at all in --

5 A No.

6 Q Right, during the last trial?

7 A No.

8 Q And you certainly have experienced in life the
9 situation where the newspapers and the publicity and the way
10 they presented things can be so out of focus and give you the
11 misconception of actually what occurred in the courtroom?

12 A I know I read the Examiner and the news in the
13 Times and I know that in the court that both reporters were
14 there and they both write it different.

15 Q Just because these things have been stated --

16 A Sure.

17 Q -- that doesn't mean there's actually anything that
18 has any substance to what was stated?

19 A Nothing at all.

20 Q All right, thank you, Mr. Stegall.

21 THE COURT: Mr. Manzella, any questions?

22 MR. MANZELLA: No questions, your Honor.

23 THE COURT: All right, Mr. Stegall, you may go out and
24 join the others in --

25 Where are they? In the corridor, Mr. Burrell?

26 THE BAILIFF: No, your Honor, they are in Department 107.

27 THE COURT: They are in Department 107 right next door.

28 So the bailiff will take you over there and we'll ask Juror No.

1 2 to come in.

2 And the Court will tell you that you are not to
3 discuss anything that was -- that occurred during the course
4 of this voir dire of you alone.

5 Do you understand that?

6 JUROR NO. 1: It has nothing to do with me anyhow.

7 THE COURT: You are not to discuss it.

8 JUROR NO. 1: Okay.

9 MR. KANAREK: As a matter of personal preference --

10 THE COURT: You need a recess?

11 MR. KANAREK: Yes, thank you, your Honor.

12 THE COURT: All right. We'll take a recess until 11:30.

13 (Short recess.)
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1 THE COURT: All right. The record will show that
2 Mr. Kanarek is present with Mr. Manson, and Mr. Manzella for
3 the People; and we have in the box Mrs. Stearn.

4
5 VOIR DIRE EXAMINATION

6 OF MARIAN STEARN

7 BY THE COURT:

8 Q Is that correct?

9 A Yes.

10 Q Mrs. Stearn, we want to ask you whether you have
11 ever heard, before you came to this courtroom, the name
12 Charles Manson.

13 A Yes, I have.

14 Q And was that in connection with the -- a previous
15 trial?

16 A No, it was just reading and watching television.

17 Q Was it in connection with reading about a previous
18 trial?

19 A Yes.

20 Q And watching television --

21 A And the television.

22 Q -- in connection with that trial?

23 A That trial.

24 Q Do you subscribe regularly to any newspaper?

25 A No. I just watch the news, and listen to the
26 radio.

27 Q I see. Did you watch any news program regularly?

28 A Yes. Every day at 6:00 o'clock.

1 Q Every day at 6:00 o'clock?

2 A Right. And I come home --

3 Q Was that your habit during 1970?

4 A Yes, it was.

5 Q Have you also talked with members of your family
6 and with friends concerning Mr. Manson's previous court trial
7 -- or previous trial, rather?

8 A Yes, we have discussed it.

9 Q Concerning his previous court appearances?

10 A No.

11 Q And the case?

12 A What had happened, on television. And what I heard
13 on the news.

14 Q I see. You heard about the case, and about the
15 Tate-La Bianca homicides?

16 A Yes.

17 Q Over the news?

18 A Um-hmm.

19 Q Do you know the name Susan Atkins?

20 A No, I don't.

21 Q Do you know the name Steven Grogan?

22 A No, I don't.

23 Q Bruce Davis?

24 A No.

25 Q Do you know the name Gary Hinman? Or had you
26 heard it before the Court mentioned it?

27 A No. Just on television.

28 Q Do you know the name Shorty Shea?

1 A No.

2 Q Mary Brunner?

3 A No.

4 Q Do you know the name Spahn Ranch?

5 A No.

6 Q Have you ever heard the name -- or the phrase,
7 "The Manson Family"?

8 A Yes.

9 Q And what does that mean to you?

10 A Well, all the things that they have done, all the
11 murders they've committed, and --

12 Q The phrase "Manson Family" brings that up in your
13 mind?

14 A Yes.

15 Q Do you regard the Manson Family as a group?

16 A Yes, I think they are a group.

17 Q Headed by Mr. Manson?

18 A Yes, I believe so.

19 Q Now, do you know what the results of that trial,
20 the Tate-La Bianca homicide trial, do you know what the
21 results were?

22 A I don't remember that.

23 Q Do you know what Mr. Manson was charged with?

24 A With murder.

25 Q And do you know what verdict was found by the
26 jury?

27 A That he was guilty.

28 Q And do you know what punishment was determined by

1 the jury?

2 A Guilty, by execution, I guess.

3 Q Well, is that your best recollection?

4 That they came back with the death penalty?

5 A Yes.

6 Q Well, having all in mind that you know about
7 Mr. Manson, and about the Manson Family, and about that
8 previous trial, if I were to instruct you that you should set
9 aside everything that you may have learned, that you may have
10 heard, seen or read, and decide this case solely on the evidence
11 here, and the law as I shall state it to you, would you be able
12 to do that?

13 A I don't think so. I think it would be very hard
14 to do.

15 Q I understand that it would be very hard. What I
16 am asking you is, really, can you do that? And will you do
17 that?

18 Can you do it, in the first place?

19 A I don't think so.

20 Q You don't think you can?

21 A No.

22 DEFENDANT MANSON: It's impossible for anyone to do.

23 MR. KANAREK: 1070 --

24 THE COURT: 1076?

25 MR. KANAREK: 1073, Subdivision 2.

26 THE COURT: 1073, Subdivision 2. All right. You are
27 making the challenge for cause?

28 MR. KANAREK: Yes, your Honor. I would assume that we

1 have our previous ground rules, that it's not necessary to
2 have the foundation enunciated each time?

3 THE COURT: No, you needn't enunciate. The Court
4 would grant the challenge for cause. All right.

5 Thank you very much, Mrs. Stearn. The Court
6 appreciates your being direct and frank with the Court.

7 JUROR NO. 2: Thank you very much.

8 THE COURT: And you are excused now. Do you have any
9 further time?

10 JUROR NO. 2: Yes, I do.

11 THE COURT: All right. Go to Room 253 at 1:30, then.
12 You are excused until 1:30, when you are to report to Room 253.

13 JUROR NO. 2: Thank you very much.

14 THE COURT: All right. You can leave that microphone
15 right there on the seat.

16 All right. Procure that next juror, will you,
17 please?

18 THE BAILIFF: Yes, sir. She's on the way.

19 THE COURT: On the way?

20 THE BAILIFF: Yes, sir.

21 THE COURT: Good.

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1 DEFENDANT MANSON: Someone's been thinking through your
2 head.

3 THE COURT: You're going to have to go back there, Mr.
4 Manson.

5 DEFENDANT MANSON: There's no one here but us.

6 THE COURT: Pardon?

7 DEFENDANT MANSON: There's no one here but us.

8 THE COURT: You're going to have to go back if you
9 don't be quiet.

10 DEFENDANT MANSON: There's just us here.

11 THE COURT: Talk to Mr. Kanarek.

12 DEFENDANT MANSON: Just us.

13 I bet you wake up to it. Sooner than I thought.

14 THE COURT: Take your seat, Mrs. Wallace, seat No. 3.

15
16 PAULINE WALLACE

17 BY THE COURT:

18 Q I want to ask you, Mrs. Wallace, whether you have
19 ever heard the name Charles Manson -- heard, seen or read the
20 name Charles Manson before you came into this courtroom?

21 A Yes, sir.

22 Q Was that in connection with the so-called Tate-
23 La Bianca homicide trial?

24 A Yes, sir.

25 Q And in connection with that, did you -- do you
26 subscribe to a newspaper regularly?

27 A Yes, a local paper. And I watch the news on
28 television.

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1 Q Was it mostly through those sources that you
2 learned about Mr. Manson in that case?

3 A Entirely.

4 Q And --

5 A More through television.

6 Q More through television?

7 A Uh-huh.

8 Q What television programs did you watch generally?

9 A I usually have Channel 2, but I sometimes have
10 7 as well.

11 Q And those are newscasts that you watch regularly,
12 is that right?

13 A Yes.

14 Q Also listen to the radio during the course of the
15 last year and a half?

16 A Yes. I listen to the radio a great deal at
17 night.

18 Q And you probably heard details about this trial
19 and about those homicides over the radio, did you not?

20 A Yes, I did.

21 Q All right.

22 Do you know the name Susan Atkins?

23 A Yes.

24 Q And in what connection do you know Susan Atkins?

25 A Well, she's one of the three girls, is all.

26 Q You believe that she was one of the three who
27 was accused of the crimes of which Mr. Manson has been
28 convicted?

1 A Yes, uh-huh.

2 Q Did you know, incidentally, that Mr. Manson was
3 convicted in that trial?

4 A Yes.

5 Q Do you know of what he was convicted?

6 A Of what -- you mean what his conviction was?

7 Q Yes.

8 A Uh, I can't remember whether it was death or life,
9 actually.

10 Q Oh, you mean as far as sentence is concerned?

11 A Uh-huh.

12 Q You don't remember whether the jury came back with
13 the death penalty or whether they found for life imprisonment?

14 A No, I really couldn't tell you.

15 Q You do know he was charged with murder, is that
16 correct?

17 A Yes.

18 Q You know as a matter of fact there were more than
19 one murder?

20 A Yes.

21 Q How many do you know about or had you heard?

22 A I believe there were seven, weren't there?

23 Q Well, the Court is asking you of your best
24 recollection. It is really not a test, I --

25 A Oh.

26 Q -- I just want to find out what you --

27 A Well, you know, I am able to sort of turn TV off
28 mentally, so I don't listen to the details sometimes things

1 like this. But it seems to me it was seven.

2 Q Before you came into this courtroom had you heard
3 the name Shorty Shea or musician Gary Hinman?

4 A Yes.

5 Q In what connection had you heard that or those
6 names?

7 A Well, Shorty Shea is the one that is supposed to
8 have disappeared. And Hinman is the one that was murdered
9 in Redondo, I believe, or Manhattan Beach or one of those.

10 Q And do you know the name Mary Brunner?

11 A Yes.

12 Q How do you know that name? What does that mean to
13 you?

14 A Only that she is one of the girls.

15 Q How about Bobby Beausoleil?

16 A I don't know except they're part of the case,
17 that's all.

18 Q How about the phrase "Manson Family," what does
19 that mean to you?

20 A Pardon?

21 Q The phrase or the name "Manson Family," what does
22 that mean to you?

23 A Well, it means this group who lives up on the
24 desert and did what they are supposed to -- what the newspaper
25 or TV said they did.

26 Q Did you read or hear anything about a statement
27 of President Nixon that was made during the course of this
28 trial?

1 A Yes, that was on the news a bit.

2 Q Did you reflect upon that as to whether or not
3 the President was justified in making such a statement?

4 A I felt that the President didn't do it accidentally.

5 Q Did you assess whether he was right or wrong in
6 making the statement he did?

7 A Yes.

8 Q What were your conclusions?

9 A My conclusion would be that it would be all right
10 for him to make it.

11 Q Well, did you make a determination as to whether
12 -- regardless of the propriety of the President's making the
13 statement -- he was correct in his statement concerning
14 guilt?

5a fls. 15 A Yes, I do. I feel he was correct.

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1 Q And subsequently, of course, you learned that
2 Mr. Manson was found guilty of murders, as you said?

3 A Yes.

4 Q Now, can you set aside everything that you have
5 learned about Mr. Manson in the course of the last year and a
6 half, everything you have learned over radio and television
7 and the press, through conversing with friends, -- I suppose
8 you have conversed with friends about this?

9 A Very little, actually.

10 Q Well, can you set aside whatever you may have
11 learned from any source and be objective and impartial in
12 determining any of the issues in this case?

13 A I'm pretty sure I could.

14 Q Well, I need to know for certain that you can and
15 you need to know before you can -- to serve as a juror.

16 What I mean is, you must be able to, and you must
17 state to me that you will do that, and that you will decide
18 this case solely from the evidence here and the law as I
19 shall state it to you.

20 A Well, this is a different case, isn't it?

21 Q Yes.

22 A Then, I could.

23 Q Well, if you should recollect some facts that -- or
24 things that you believe to be facts from what you have garnered
25 over the last few months from the publicity media, or from
26 conversations, would you set those aside, put them aside?
27 You don't -- you can't forget them, perhaps, but could you put
28 them aside for the purpose of making a judgment on any issue

1 that might arise in this case?

2 A Yes.

3 Q Can you do that?

4 A I can do that.

5 Q Will you do that?

6 A I will do that.

7 Q All right.

8 MR. KANAREK: Your Honor, I wonder if it might be fruit-
9 ful to approach the bench with the reporter?

10 THE COURT: You may.

11 If it is -- your objection -- all right, you may
12 approach the bench.

13 (Whereupon, the following proceedings were had at
14 the bench among Court and counsel, outside the hearing of the
15 prospective juror:)

16 MR. KANAREK: Your Honor, in connection, first of all,
17 with Mr. Stegall, I just want to make sure that we have the
18 same ground rules as previously, that even though we don't
19 enunciate a challenge for cause under 1073, Subsection 2, as to
20 the publicity, that in fact it will be deemed enunciated as to
21 each and every prospective juror?

22 THE COURT: Who has knowledge of Mr. Manson's conviction?

23 MR. KANAREK: Well, what I mean is, in order to speed it
24 up, maybe the District Attorney will stipulate that it is my
25 position that each -- that we have -- that it should go to each
26 and every juror who comes before the Court. I think that's
27 what -- in essence, what we had previously. It would be deemed
28 a continuing objection.

1 THE COURT: All right.

2 MR. KANAREK: Is that agreeable?

3 MR. MANZELLA: On the grounds of prejudicial pretrial
4 publicity --

5 THE COURT: On the grounds of prejudicial pretrial
6 publicity Mr. Manson thereby could not receive a fair trial?

7 MR. MANZELLA: -- would that -- and that challenge
8 applies to any juror?

9 MR. KANAREK: Any juror.

10 MR. MANZELLA: That has knowledge of the case?

11 MR. KANAREK: Well --

12 MR. MANZELLA: That is, of Mr. Manson's name?

13 MR. KANAREK: It applies -- I would say it would apply to
14 each juror that comes before the Court.

15 MR. MANZELLA: Okay.

16 MR. KANAREK: If we have it on a continuing basis --

17 MR. MANZELLA: Fair, that's agreeable to me. I'll
18 stipulate.

19 MR. KANAREK: So stipulate.

20 THE COURT: All right.

21 MR. KANAREK: Then, I would -- of course, I think
22 Mr. Stegall comes within the ambit of that.

23 THE COURT: He does, and the Court has that in mind in --
24 well, it made no ruling as to Mr. Stegall because it was off
25 the record that you approached the bench and you indicated
26 that you felt that Mr. Stegall was deficient intellectually
27 and that he --

28 MR. KANAREK: -- as --

1 THE COURT: You didn't raise that other issue, but the
2 Court will deem that you did raise it and that you have made a
3 challenge for cause as to Mr. Stegall.

4 Based on that ground, the Court denies the challenge.
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1 MR. KANAREK: As to this lady, your Honor, with the
2 great respect and -- and admiration that she obviously has
3 for the President of the United States, I think that it is
4 somewhat of a -- what we might call "command influence,"
5 speaking poetically.

6 This is not a military trial, but I mean, I don't
7 see -- she can be exhorted, and she can be spoken to, and she
8 can say that she's not going to be influenced, but when she
9 says that Mr. Nixon -- and it's in the record; I don't have
10 to belabor it -- I think that -- I think that it's clear,
11 regardless of what she said, that she could not be fair and
12 impartial.

13 And I think your Honor -- and indeed, all of us,
14 under 1073 Subsection 2 -- must take that into account. Her
15 bare statement is all there is, and -- and I --

16 THE COURT: Well, you can question her. But it
17 appears to me as though she's a reasonably bright and
18 intelligent woman. And I think that she's capable of
19 following an instruction.

20 MR. KANAREK: I don't think we can take a chance, your
21 Honor. If she thinks that President Nixon was right, and
22 she had -- she was never in the courtroom, and she's going to
23 be influenced.

24 MR. MANZELLA: She said that -- it was my understanding
25 that she said -- strike it.

26 It was my understanding that the Court's question
27 was whether she thought the President was right in making
28 the statement.

1 MR. KANAREK: And she said: "Yes."

2 MR. MANZELLA: She said, "Yes," right. In other words,
3 if he believed Manson was guilty, she thought it was all
4 right for him to say so. Not that she believed he was
5 right that Manson was guilty, but that it was right for him
6 to say so, if this is what he believed.

7 MR. KANAREK: Well --

8 THE COURT: I think she's bright enough, however, to
9 segregate what she has heard and the opinions that she might
10 have been forming, or had formed. She's bright enough to set
11 those aside.

12 MR. KANAREK: Your Honor, it's our feeling --

13 THE COURT: And to be objective in making a decision.

14 MR. KANAREK: Your Honor, it's our feeling that
15 intellectual capacity and brightness are really not too
16 related to the emotional aspect.

17 Many people have intelligence, and are still very
18 emotional. And I think that's the -- that's the vice and the
19 danger. And I don't think that -- I don't think that it's,
20 as we have said, just a function of brightness.

21 THE COURT: Well, the challenge for cause is -- on that
22 ground is denied, likewise.

23 MR. KANAREK: Well, I'll interrogate her, then. I
24 thought we might save some time by bringing this to the
25 Court's attention at the bench.

26 (Whereupon, the following proceedings were had
27 in open court, within the presence and hearing of the
28 prospective juror:)

1 THE COURT: You may question Mrs. Wallace -- or Miss
2 Wallace.

3 MR. KANAREK: Yes. Thank you, your Honor.

4 BY MR. KANAREK:

5 Q Miss Wallace, would you say that it's been your
6 experience in life that there are some things we intend to do,
7 that are physically -- or mentally -- impossible to do?

8 A Yes, I would say that.

9 Q And certainly, your intent -- your intent would
10 be to put aside everything that you've heard concerning Mr.
11 Manson; that's your intent, right?

12 A Right.

13 Q But is it a fair statement, you don't know whether
14 you could do it or not?

15 A Is that a statement I have made previously?

16 Q No, no. I am asking you: As you look into the
17 depths of your mind, is it a fair statement, you don't know
18 that in fact you will be able to put aside the information
19 that you have heard by way of TV, radio and other sources?

20 A This is a new case, isn't it? That is different --
21 a different case than the one that's already gone on?

6a fls.

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1 Q May I backtrack a little bit, ma'am?

2 A Okay.

3 Q Now, the -- I am speaking now of just your state of
4 mind -- forget that you ever came to this trial. Right now,
5 you are here, but if you can, just for a moment, assume that
6 you weren't here.

7 A Very well.

8 Q Now, directing your attention, then, to the time
9 before you came here to court, can you think whether or not you
10 would -- it would be physically or mentally possible for you
11 to put aside everything that you had heard concerning Mr,
12 Manson in your lifetime?

13 That's all the question is. Forget the context,
14 any other context.

15 A I don't believe, Mr. Kanarek, that anyone who has
16 listened to television, radio, read in the paper anything about
17 Mr. Manson, can completely forget what has gone on before.

18 I understood this was a different trial, that you
19 were trying -- that you were trying him for something other
20 than the trial before this.

21 Q Well, may I ask you this? First of all, you are not
22 -- although I am sure that you may feel like you are on the spot,
23 we are all friends, and I hope that you are a friend of mine.

24 A I am.

25 Q Right. But if you would listen to the question?
26 It's a -- that's the nature sometimes of the legal process.
27 We have a purpose in asking the question.

28 And I know -- I'm sure that if I were sitting

1 where you are sitting, I would want to make perhaps the same
2 rejoinder.

3 But if you would just answer the question without --
4 without any added embellishment on your part?

5 A You are really asking me if I have a prejudice
6 against Mr. Manson; isn't that the question?

7 Q No. No, I am not. I am asking you just to answer
8 -- and I hope that you won't hold it against us, for asking --

9 A I am holding nothing against you (laughing).

10 Q All right. My question is -- and I'll ask you
11 this: Directing your attention to everything that you've heard
12 concerning Mr. Manson, you certainly intend -- you would want
13 to, because of the Court's instructions -- to put aside what
14 you heard; right?

15 A Yes, sir.

16 Q All right. Now, my question is: You don't know,
17 as a matter of fact, that you can, in fact, put that -- those
18 matters aside, that you've heard, in connection with whatever
19 may happen in this courtroom? You don't know that you can --
20 or do you? That's my question.

21 A Very well. I don't know that I can.

22 Q Is that a fair statement?

23 A That's a fair statement.

24 MR. KANAREK: Then, your Honor, I have no further
25 questions.

26 And 1073, Subsection 2, your Honor.

27 THE COURT: The Court will grant the challenge. The
28 Court believes that --

1 MR. MANZELLA: Your Honor, I would like to have the
2 opportunity to question Miss Wallace, please.

3 THE COURT: All right.

4
5 PAULINE WALLACE

6 BY MR. MANZELLA:

7 Q Miss Wallace, do you understand that you are not
8 required to forget anything that you may know about Mr. Manson --

9 MR. KANAREK: Well, I'll object --

10 Q BY MR. MANZELLA: -- in --

11 MR. KANAREK: -- to that. I'm sorry. He hasn't finished
12 the question, your Honor.

13 THE COURT: Go ahead.

14 Q BY MR. MANZELLA: (Continuing) -- if you sit as a
15 juror in this case and deliberate as a juror in this case?

16 MR. KANAREK: I'm sorry. May I -- I'm sorry if I
17 interrupted. I don't think the --

18 THE COURT: Well, the question may be unclear. I think
19 you should distinguish between forgetting and setting aside
20 anything that may be in the juror's mind at this time.

21 MR. MANZELLA: Thank you.

22 Q Miss Wallace, by "forgetting," --

23 THE COURT: I'll sustain the objection.

24 Q BY MR. MANZELLA: By "forgetting," I mean to not
25 remember, which is what most of us mean by the word "forget."
26 That is --

27 A Very well. I could do that.

28 Q Now, by putting aside, we mean something other

1 than forgetting. You are not required, when you are required
2 to put aside something, you are not required to forget it.
3 That is, not remember it.

4 A Um-hmm.
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1 Q What you are required to do, in essence, is to
2 make a decision without regard to what you may remember, or
3 what you may have heard, seen or read about this case or
4 any other case involving Mr. Manson.

5 Do you understand that?

6 A Yes. And I felt that this is what I was to do
7 in this, if I were on this case.

8 Q Well, you were absolutely correct, Miss Wallace.

9 MR. KANAREK: Your Honor, perhaps -- I don't think --

10 MR. MANZELLA: Well, if there is an objection --

11 MR. KANAREK: Your Honor?

12 THE COURT: The Court believes, Mr. Manzella, that your
13 statement of that nature is not a proper one. As the Court
14 indicated earlier, the Court would not like to have comments
15 from counsel in response to the jurors' answers, unless it's
16 called for. And the Court strikes that statement.

17 MR. KANAREK: Yes, your Honor. I believe, inadvertently,
18 some potential jurors have entered the courtroom.

19 THE COURT: Yes, they have come in now.

20 MR. MANZELLA: Do you want me to cease questioning for the
21 moment?

22 THE COURT: Yes, for the moment.

23 MR. MANZELLA: Thank you.

24 THE COURT: Ladies and gentlemen -- oh, this includes
25 a new group?

26 THE BAILIFF: Yes. This is some of our panel and the
27 combined group, sir, filling in now.

28 THE COURT: All right. Ladies and gentlemen, those of

1 you who are prospective jurors in this matter, the Court
2 is going to excuse you until 2:00 o'clock. You are excused
3 at this time until 2:00 o'clock.

4 We are in recess until then.

5 I will admonish you that you are not to converse
6 amongst yourselves nor with anyone else, nor permit anyone
7 to converse with you about this case, nor are you to form or
8 express any opinion on the matter until it is finally submitted
9 to you, should you be chosen as a juror in the matter.

10 I'll see you all at 2:00 o'clock.

11 Just one moment, now, Mrs. Wallace.

12 At 2:00 o'clock, will you return, then, and be
13 in your place in the box?

14 JUROR NO. 3: Yes.

15 THE COURT: Ladies and gentlemen, you are to return
16 to Department 107 at 2:00 o'clock. Department 107 at 2:00
17 o'clock.

18 JUROR NO. 3: And I am to come here?

19 THE COURT: Yes, you should be here.

20 (Whereupon, at 12:05 o'clock p.m. an adjournment
21 was taken until 2:00 o'clock p.m. of the same
22 day, Thursday, June 24, 1971.)
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1 LOS ANGELES, CALIFORNIA, THURSDAY, JUNE 24, 1971

2 2:30 P.M.

3 ---O---

4 THE COURT: Case of People versus Manson.

5 The record will show that Miss Wallace is in the
6 box.

7 Mr. Manson is present with Mr. Kanarek, and we're
8 ready to proceed.

9
10 VOIR DIRE EXAMINATION (CONTINUED)

11 BY MR. MANZELLA:

12 Q Miss Wallace, I just have a few more questions that
13 I'd like to ask you.

14 Do you understand that when the Court asks if
15 you can put aside what you have read, seen or heard in the
16 news media, it is not asking you if you can forget what you
17 have read, seen or heard in the news media?

18 A Yes, I understand that.

19 Q Now, do you understand that by the words "put
20 aside," we mean in part that you consider the evidence that
21 you hear at this trial without considering anything you've
22 read, seen or heard in the news media?

23 A That's the way I feel about this.

24 Q You understand that by "put aside," we mean in
25 part that you determine the guilt or innocence of this
26 defendant based on what you have heard in this courtroom and
27 what you've considered of the evidence you've heard in this
28 courtroom, without considering what you've read, seen or heard

1 in the news media?

2 A Yes, I know that. That's the way I feel about it.
3 This is the trial. But I know nothing about Mr. Manson as far
4 as this trial is concerned.

5 Q Now, understanding that, about the words that we
6 have been using here, can you put aside what you have read,
7 seen or heard in the news media and act fairly and impartially
8 in this case?

9 A Yes, I feel that I already said that I could do
10 that.

11 Q And, again, do you feel that in spite of what you
12 have read, seen or heard in the news media, you can put that
13 aside and determine the guilt or innocence of Mr. Manson
14 based only on what you hear in the courtroom?

15 A Yes.

16 Q You've said that you could do that.

17 My next question is will you do that?

18 A Certainly I will.

19 Q Thank you.

20 MR. MANZELLA: I have no further questions.

21 DEFENDANT MANSON: He has already granted the challenge.
22 Why do you want to ask --

23 THE COURT: Do you want to question further?

24 MR. KANAREK: Yes, yes.

25 Your Honor has granted the challenge?

26 THE COURT: Well, the Court did grant the challenge,
27 but I may have misunderstood what she said. It may have been
28 that she misunderstood what was said. The Court was inclined

1 to grant the challenge when you finished your conversation with
2 her, when you finished your questioning of --

3 DEFENDANT MANSON: If you move back up, you'll fall off.

4 THE COURT: Mr. -- pardon -- you're going to have to be
5 quiet, now, Mr. Manson.

6 DEFENDANT MANSON: If you move back up, you'll fall off
7 it.

8 THE COURT: But if you wish to ask her any questions,
9 any further questions, the Court will permit it. At this time
10 I believe she is of a mind that she can set aside -- she may
11 not be able to forget what she may have heard, seen or read in
12 the media, but she can set it aside, in the Court's opinion,
13 and will set it aside for the purpose of trying the issues in
14 this case.

15 Go ahead.

16
17 VOIR DIRE EXAMINATION

18 BY MR. KANAREK:

19 Q Yes, now, Miss Wallace, if it comes to pass in this
20 court that there is brought before you the very matters that
21 you already know, in deciding matters in this court, right
22 now -- you say that this is a separate case, but in
23 pursuance of this case it may well be that these very things
24 -- for instance, the convictions that you know about, the
25 results that you know about, the death sentence that you know
26 about -- all of that may be brought before you in this case,
27 the very matters that you already know.

28 Now, is your state of mind such that you will not

1 think of the material that you already know?

2 A Yes, Mr. Kanarek, I feel that's so.
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1 Q And when you say you feel that's so --

2 A All right. Maybe that's a wrong word to use.
3 Yes, that is so. Leave out the word "I feel." That must be
4 a colloquialism, as far as I am concerned.

5 Q Now --

6 A May I just say this? But I feel that, as a juror,
7 I would be as fair as possible. I am not in this jury box to
8 be unfair. And I don't feel that I am judging Mr. Manson
9 on the Manson and Tate trial.

10 I never felt that when I came into this jury box.
11 This is another trial. I -- this is a trial to see whether or
12 not Shorty Shea has disappeared or is dead, is it not?

13 Q Well --

14 A And that someone in -- at the beach was murdered.
15 I have not made up my mind that Mr. Manson killed either one,
16 or that the other one, in the desert, is -- was killed by Mr.
17 Manson.

18 I haven't made up my mind to that opinion. And
19 as far as I am concerned, the Manson case is over. This is
20 another case.

21 Now, if I can't convince you of that, then
22 perhaps I'd better not be on the jury.

23 I would like very much to be on a jury. I happen
24 to be a person who feels that that's part of a citizen's
25 responsibility.

26 Q Well, Miss Wallace, the point I am trying to get
27 at in these discussions, which -- that we are talking about --
28 you are certainly not a defendant. There -- we -- this is

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1 what the -- the procedure that the Legislature takes for --
2 in connection with this interrogation.

3 And I am saying to you -- I am saying to you --
4 asking you, in fact, because this is the nature of the legal
5 process -- that there may come to pass, in this very courtroom,
6 matters that you already have heard will be presented to you,
7 and that you have read in the newspapers; you've seen things
8 on television.

9 The evidence that comes before you in the court-
10 room may be different, pertaining to these matters. But
11 they will be the same matters.

12 For instance, on the matter of the death sentence,
13 the matter of the convictions will be brought most likely to
14 you. And so the question is -- and this is no reflection
15 upon you, because we are all flesh and blood --

16 A Well, I can hardly think that it would be a
17 reflection on me, Mr. Kanarek.

18 Q Well --

19 A I have a feeling you and I aren't on the same
20 beam.

21 Q Well, the fact is that all -- the whole purpose
22 here is to determine your state of mind. And in asking these
23 questions, I do it with the greatest of respect for you.

24 And I think that -- that when you think of what
25 I am speaking of -- namely, that these very same matters that
26 you've read about in the newspapers, even though this is a
27 different case, these same matters will be brought to your
28 attention; that is the question.

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1 Will it be possible for you to forget that which
2 you read in the newspapers pertaining to the same matters
3 that are going to be brought to your attention here?

4 A It will be possible for me to forget, Mr. Kanarek.

5 DEFENDANT MANSON: She changed her mind. Ask her if
6 she changed her mind from the last question?

7 Q BY MR. KANAREK: Now, may I ask you this, then,
8 Miss Wallace? Before the noon hour, I asked you -- I said,
9 "You certainly intend to put aside matters that you've
10 already heard. You certainly intend to." And we asked you:
11 "If you -- not having had that experience, whether you knew
12 for sure?"

13 And you indicated that you didn't know for sure
14 that you could put it aside.

15 Do you remember answering that way?

16 A If I -- I did not answer it in an uncertain way,
17 Mr. Kanarek. I feel, too, that some of your questions --
18 you've practically putting words in my mouth.

19 Now, I feel that I have made myself clear as to
20 this.

8a fls.

Q Now, Miss Wallace, in order to -- in order to --
you say you have a desire to be on this jury; right?

A Not on this jury. On a jury.

Q I see.

A I don't care whether it's this jury or another
jury. I happen to be a good citizen, and I would like to be
on a jury.

Now, I don't -- it isn't easy for me to come up
from Long Beach on a bus, and transfer on Main Street, and go
home on a bus. And last night, it was quarter of 7:00 when I
got home.

I'm not doing this for pleasure. I tell you that
I would like to be a good citizen and serve on a jury. Now,
if that's asking too much, of a retired person, then excuse me.
There are other cases.

I feel there's too much feeling between Mr. Kanarek
and me, for me to be a good juror on this case.

BY THE COURT:

Q Use the microphone; will you?

Thank you, Miss Wallace.

Now, I didn't hear what you --

A I said: I feel that there must be a personality
clash between Mr. Kanarek and me; and since there is, I don't
feel that I would be a good juror on this case.

Q Now, do you think that you could overcome whatever
prejudice you might have --

A Oh, I could overcome it.

Q -- that you could overcome whatever prejudice you

1 might have against Mr. Kanarek?

2 A I feel I have more of a prejudice against Mr. Kanarek
3 than I have against Mr. Manson.

4 Q Do you think you could overcome it, for the
5 purpose of being fair to Mr. Manson?

6 A I am a teacher, and I have learned through 39 years
7 experience that I can do almost anything in the way of -- in
8 the way of promoting good fellowship between anyone.

9 Q Well, at this point, do you think that you can give
10 Mr. Manson a fair trial?

11 A I certainly do.

12 Q Do you think that your antipathy toward
13 Mr. Kanarek would well up, so that you could not be fair to
14 Mr. Manson?

15 A Certainly not. By tomorrow morning, I would think
16 that Mr. Kanarek was a buddy.

17 I happen to be the kind of person who has a pretty
18 short fuse, and he annoyed me today.

19 But from now on, as far as that's concerned, he is
20 an attorney, and I shall give him all respect as an attorney --
21 if he gives me respect.

22 Q Well, you realize that we are simply inquiring --
23 Mr. Kanarek, as well as everyone else -- are inquiring to
24 determine your state of mind with respect to this publicity,
25 and whether or not you can set aside what you've learned, and
26 whether you will.

27 A I will.

28 THE COURT: Any further questions, Mr. Kanarek?

1 MR. KANAREK: No, your Honor. But I do respectfully --
2 I believe that, under 17-- under 1073, Subsection 2, your
3 Honor, I believe that the lady should be excused.

4 MR. MANZELLA: The People oppose the motion, your
5 Honor.

6 MR. KANAREK: She indicated this morning that she did
7 not know whether she could follow through on that intent. That
8 was before this afternoon. I would refer your Honor to the
9 transcript of this morning.

10 THE COURT: Yes, I remember that.

11 JUROR NO. 3: Was that just a poor choice of words?
12 Or was it when Mr. Kanarek asked me if what I had heard on
13 television or in the paper had influenced me in my feeling
14 toward Mr. Manson?

15 I've -- I consider that it's an insult to my
16 intelligence, to ask me a question as to whether or not what
17 I had heard on television or radio or paper had influenced me
18 at all in my -- what I thought about Mr. Manson.

19 But as I said then, that's the other trial. It's
20 not this trial.

21 THE COURT: Well, the Court believes that you are
22 sincere and honest, and there may have been some confusion
23 that was rendered by the nature of the questioning, that
24 led me to believe otherwise.

25 I was about to grant the challenge, but the Court
26 now finds that you do have the capability of setting aside any-
27 thing you may have learned concerning the previous case and
28 Mr. Manson; that you will set aside whatever you may remember

1 concerning those other cases or concerning this case.

2 Will you do that?

3 JUROR NO. 4: Yes, sir, I can do that.

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1 THE COURT: And therefore, the Court denies the
2 challenge.

3 Do not talk amongst your fellow jurors or permit
4 anyone to talk to you about what has occurred here, while you
5 separate, being questioned separately from the other jurors.

6 You may now retire to the assembly room, and we'll
7 ask Mr. Scott to come in.

8 JUROR NO. 3: Thank you, your Honor.

9 THE COURT: And after that, Mr. Waggoner.

10 THE BAILIFF: Yes, sir.

11
12 VOIR DIRE EXAMINATION
13 OF KLEPPER M. SCOTT

14 BY THE COURT:

15 Q Mr. Scott, prior to coming into this courtroom,
16 have you ever heard the name or read or seen the name of
17 Charles Manson?

18 A Yes.

19 Q And was that in connection with the so-called
20 Sharon Tate-La Bianca homicide cases?

21 A Yes, sir.

22 Q Did you follow that court case, that case that
23 took place over the last year or so?

24 A Not closely, but you couldn't avoid some.

25 Q Did you read newspaper articles and see
26 television newscasts, hear the radio in connection with that
27 case?

28 A Yes.

1 Q Do you know the outcome of the case?

2 A Partially.

3 Q What is your best recollection of what the outcome
4 of the case was?

5 A I think they were all found guilty and sentenced
6 to death.

7 Q Do you know the name Susan Atkins?

8 A I've heard that name, yes, sir.

9 Q What does that name mean to you?

10 A That she was one of the women in the case.

11 Q Do you know the name Shorty Shea? Or had you heard
12 it before, before the Court told you about this indictment?

13 A I'd heard it on the radio, TV.

14 Q What had you heard?

15 A Well, that he was missing, I think.

16 Q Had you heard the name Steven Grogan or Bruce
17 Davis?

18 A Those two names aren't familiar.

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1 Q Had you heard, seen or read the name Mary
2 Brunner?

3 A No, I don't think so.

4 Q Bobby Beausoleil?

5 A Hum, that name sounds familiar, but I can't
6 connect it with anything.

7 Q Gary Hinman?

8 A There again, it sounds familiar, but I don't
9 remember what the connection is.

10 Q Did you discuss that, Mr. Manson's previous
11 trial with your friends, relatives or co-workers?

12 A On occasions, slightly.

13 Q Do you know the name Spahn Ranch?

14 A I've heard of that name.

15 Q If you were instructed to set aside whatever you
16 may have heard, seen or read, and whatever opinion you may
17 have formed from what you may have heard, seen or read
18 concerning Mr. Manson or this case, or the Tate-La Blanca
19 case and to decide all of the issues that are presented to
20 you in this case independent of such matter that you had
21 heard, seen or read, could you do that?

22 A I don't know for sure. It would be hard.

23 Q The Court realizes it would be hard and you would
24 have to be objective and set aside whatever you may have
25 heard, seen or read over a period of many months in the
26 newspaper, television, radio.

27 I'm simply asking you whether you can do that and
28 be able -- thus be able to decide in this case from the

9-2

1 evidence that's presented from this witness stand and the
2 instructions of law as I shall state it to you?

3 A That I am not sure of. I think I could, but I
4 don't know. I have not tried to completely set aside
5 something of this importance before, so I don't know now
6 for sure.

7 THE COURT: Any questions?

8 MR. KANAREK: No questions, your Honor.

9 MR. MANZELLA: No questions.

10 MR. KANAREK: 1073, Subsection 2.

11 MR. MANZELLA: No opposition from the People, your
12 Honor.

13 THE COURT: The Court will grant the defendant the
14 challenge. The Court believes that Mr. Scott does not meet
15 the test set out in 1076 that requires that he can and will
16 set aside what he may have heard, seen or read or any opinion
17 that he may have heard, seen or read and be fair and
18 impartial. Therefore, the Court grants the challenge.

19 Thank you, Mr. Scott.

20 Do you have time left?

21 JUROR NO. 4: Yes.

22 THE COURT: Room 253, then, forthwith.

23 You can leave that microphone right there.

24 Mr. Waggoner or Mr. Rosales. I can't remember
25 which.

26 MR. KANAREK: Your Honor, before that other juror gets
27 here, I would ask your Honor in connection with Mrs. Wallace --

28 THE COURT: Miss Wallace.

9-3

1 MR. KANAREK: -- it is obvious she wants to be a
2 juror. Her self-serving statements that she can -- I think,
3 your Honor, that's circumstantial evidence in connection with
4 her state of mind, that she is determined -- to make statements
5 -- she'll say anything to get on this jury, your Honor.

6 I just want to make sure no juror comes in the
7 room while I am speaking.

8 But I would ask your Honor to --

9 THE COURT: Well, the Court has already made a judgment
10 in that case and the Court believes that the woman is intelli-
11 gent enough to do what she said she'll do. If I didn't think
12 she'll do that, and make a sincere effort to do it, and could
13 do it, I'll eliminate her from the jury. But I think she can
14 do it.

15 DEFENDANT MANSON: I could think that, too.

16 You could unthink it just as well as you could
17 think it.

18
19 JACK WAGGONER, JR.

20 BY THE COURT:

21 Q Mr. Waggoner.

22 A Waggoner.

23 Q Mr. Waggoner, we want to know whether you had
24 ever heard, seen or read the name Charles Manson before you
25 ever came to this courtroom?

26 A Yes, indeed, I have heard and seen it on television.
27 Read about it in the newspapers, yes.

28 Q Heard it over the radio newscasts?

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A Yes.

Q Was that in connection with the Tate-La Bianca
homicides?

A Yes.

Q And did you follow that trial closely?

A No.

Q You did subscribe to a paper during the year
1970?

A Los Angeles Times, Pomona Progress-Bulletin.

Q They each carried stories concerning same?

A Yes.

9a fls.

9a-1

1 Q Did you regularly look at any television news-
2 casts or listen to radio newscasts?

3 A Not regularly. I usually turn on Steve Allen. I
4 get tired of listening to the newscasts. Pardon me.

5 Q Did you talk over this case, Mr. Manson's case
6 with your family or friends or co-workers?

7 A Uh, from time to time, yes, with both family and
8 co-workers.

9 Q Do you know the name Susan Atkins?

10 A I've heard of it.

11 Q Do you know in what connection?

12 A Uh, as I surmise, she is a young lady who is
13 associated with Mr. Manson and is involved in the trial.

14 Q Do you know the name Steven Grogan?

15 A No, I do not.

16 Q Bruce Davis?

17 A No.

18 Q Gary Hirman before you came into this?

19 A I've heard that last name.

20 Q Before you came into this courtroom?

21 A Hirman, uh, yes, I have, somewhere. I don't
22 remember where.

23 Q Does it ring a bell to say "musician Gary Hirman"?
24 Is that --

25 A I vaguely remember a musician and I vaguely
26 remember something of -- coming to grief somehow or other,
27 but it is so vague I'd have to read up on it.

28 Q How about the name "stuntman," or the name

1 "Shorty Shea" description?

2 A It does not ring a bell.

3 Q Mary Brunner?

4 A I've heard the name, but I'm not familiar.

5 Q Bobby Beausoleil?

6 A Uh, blank.

7 Q The term "Manson Family"?

8 A Uh, that refers to Mr. Manson and people associated
9 with him that lived with him in his commune or whatever you
10 would call it.

11 Q Spahn Ranch?

12 A The Spahn Ranch?

13 Yes, I've heard of that.

14 Q In what connection?

15 A I vaguely recollect that that's where the commune
16 was.

17 Q During the course of that trial do you remember
18 reading or hearing the statement by President -- made by
19 President Nixon pertaining to the guilt of Mr. Manson and the
20 Tate-La Bianca case?

21 A I remember hearing of that, and also the
22 reprimands to him in the newspapers and so forth.

23 Q Have you formed any opinion concerning the guilt
24 of Mr. Manson at that time?

25 A I hadn't studied enough at that time. Of
26 course, you form opinions continually on everything, but as
27 to how valid that opinion would be in my mind, I would not be
28 too sure. You always form opinions.

1 Q Did you learn of the outcome of the Tate-La
2 Bianca case?

3 A Yes, I did.

4 Q What's your best knowledge of it?

5 A Uh, if I recollect it, he and the young ladies --
6 I forget which ones -- were found guilty of murder, I
7 believe, in the first degree. But, then, again, I'm vague
8 about it.

9 In the penalty phase of the trial they were
10 condemned to death.

11 Q Do you know how many Counts of murder there were?

12 A I do not.

13 Q Now, if you were instructed by this Court to set
14 aside whatever opinion you may have formed from what you may
15 have heard, seen or read concerning Mr. Manson or the Tate-
16 La Bianca case, or this case, and decide all the issues
17 submitted to you independent of such matters, could you
18 follow that instruction?

19 A I could try.

20 Q Well, trying would not be enough, because you
21 would not be qualified if you simply tried and failed.

22 A Depends on how close things come and if things
23 come very close you have a tug of war in your mind and as
24 to how -- what the outcome of that is going to be is difficult
25 to say. That's what I really mean there.

9b fls.

9b-1

1 If it seems very clear-cut to me, then, it is
2 simple and I don't know if it is going to be clear-cut or not.

3 Q The test is whether you can set aside whatever
4 opinions you may have formed and whether you will -- and let's
5 assume that it is an extremely close case in one or the other
6 of the counts or both. If it is a close case, and something
7 that you may have heard, seen or read pops up or appears in your
8 memory, are you saying to me that you are not sure that you can
9 set aside that previously-learned information?

10 A Well, your instructions would certainly come to
11 mind and my conscience would be awakened at that time, and I
12 can say, I'll do my best there. If it is a very close case,
13 hard to tell what things are lurking within ourselves, really.

14 I could be dishonest and say, well, I am a physi-
15 cist or a scientist and one of my jobs is to look at evidence
16 just objectively and come to conclusions about it.

17 Q Of course, that's about the attitude that the
18 Court is asking you to assume in its instruction to you.

19 A Right, but this involves inanimate things as far
20 as most -- my past experience in physics are concerned.
21 Emotions don't come into play in regard to physics, for instance,
22 or science.

23 Q So at this stage you are uncertain about whether
24 you can exhibit that same emotional control and eliminate those
25 things?

26 A I am not absolutely. Certainly, I can say I think
27 I could, but I am not absolutely certain. But I can say I think
28 I could, to be absolutely honest with you. I can try,

1 definitely try.

2 THE COURT: Mr. Kanarek.

3 MR. KANAREK: I have no questions, your Honor.

4 MR. MANZELLA: No questions, your Honor.

5 THE COURT: No challenge from either side?

6 MR. KANAREK: I would like to approach the bench, your
7 Honor.

8 THE COURT: All right, you may.

9 (Whereupon, proceedings were had at the bench
10 among Court and counsel, outside the hearing of the prospective
11 juror, which was not reported:)

12 (Whereupon, the following proceedings were had in
13 open court within the presence and hearing of the prospective
14 juror:)

15 THE COURT: No questions from either side?

16 MR. KANAREK: No questions, your Honor.

17 MR. MANZELLA: No, your Honor.

18 BY THE COURT:

19 Q Mr. Waggoner, you realize that should you allow
20 anything of that nature that you have learned from any of the
21 media to remain in your mind in deciding any issue in this
22 case, that it would be contra to your oath as a juror?

23 A Yes.

24 Q And it would be extremely unfair to the defendant?

25 A Of course.

26 Q Well, I want you to reflect on that and indicate
27 to me again whether or not you are firmly convinced that you
28 can set aside what you may have heard, seen or read and I'll

1 question you about it at a later time.

2 Now, would you join the other jurors, again,
3 Mr. Waggoner, and the Court instructs you that you are not
4 to converse with them about what occurred here in the court-
5 room.

6 JUROR NO. 5: Right.

7 MR. KANAREK: Thank you, Mr. Waggoner.

8 THE COURT: The next juror, Mr. Rosales.

9 MR. KANAREK: It is Dr. Waggoner?

10 JUROR NO. 5: Either way.

11 MR. KANAREK: Either way, thank you.

12 MR. MANZELLA: Your Honor, it is my understanding that
13 Mr. Kanarek had a continuing objection on the grounds of
14 1073, Subdivision 2 of the jurors who had any knowledge of the
15 case. In which case, the challenge has been made to Mr.
16 Waggoner.

17 THE COURT: That's true.

18 MR. MANZELLA: If that challenge is being withdrawn as
19 to that particular prospective juror, I think that ought to be
20 clear.

21 THE COURT: Is it?
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1 MR. KANAREK: Well, your Honor, that's the point.

2 THE COURT: Do you wish to hold your argument for just a
3 moment?

4 MR. KANAREK: Oh, yes. There's another prospective juror.

5 THE COURT: Mr. Rosales, would you just step outside,
6 just outside the door, if you would, please?

7 MR. KANAREK: This, your Honor -- this, I would like to
8 point out to the Court.

9 As your Honor can recollect, we accepted the first
10 12 jurors in the box, because we felt that they didn't have
11 knowledge of the case. But on the basis that Mr. Manson wants
12 to get out of custody -- he wants to get out of jail; he wants
13 to go to the desert, as he puts it, and live a free life, as he
14 should be entitled to -- and the fact of the matter is, on a
15 relative basis, we are in this kind of a situation:

16 This man is a scientist. He's on a -- on a comparable
17 basis, he is so much more fair than this last lady, who will
18 say anything to stay on this jury, that we are on the horns of
19 a dilemma.

20 We -- on an absolute basis, the man has knowledge,
21 he has been exposed to publicity. But every person coming into
22 this box has. And the way your Honor is ruling, you're allowing
23 them to decide whether they want to be on this jury or not,
24 by -- by them -- by the individual juror merely regurgitating,
25 "I will; I can put it aside."

26 And they can't. It's physically impossible,
27 mentally impossible.

28 Bhuton vs. the United States and countless other

1 cases indicate that, indicate that some things are beyond human
2 capacity.

3 And so what we are doing, is, we are getting rid
4 of people that may be more fair by -- just by the very fact
5 of their candor. And that's the horns of the dilemma that I
6 am in.

7 I just want the record to reveal that: We wish to
8 get to trial in this case. We want Mr. Manson exonerated,
9 and get him out of the horrendous type of custody he's in.
10 And so these -- this is the reasoning behind it.

11 THE COURT: Well, let's pinpoint it, now. Let's ask you
12 -- the Court does ask you whether or not you wish to withdraw
13 your objection to Mr. -- to withdraw your challenge as to
14 Mr. Waggoner, except for the -- yes, that's it.

15 Do you wish to withdraw your challenge as to
16 Mr. Waggoner?

17 MR. KANAREK: Well, I am compelled, because I want to get
18 as fair a jury as possible -- I don't believe any jury in these
19 United States, in Southern California -- especially right here
20 in Los Angeles, where these -- where the Tate-La Bianca trial
21 occurred -- I don't believe we'll -- it is possible to get a
22 jury that is within the framework and within the constitutional
23 guarantees.

24 Sheppard vs. Maxwell, Rideau vs. Louisiana, the
25 Billie Sol Estes cases, they give us guidelines from the
26 United States Supreme Court. It is impossible to get a fair
27 jury.

28 But since we -- we are before the Court, and we are

1 proceeding, we have -- we have people who -- who are -- people
2 like this gentleman, and I don't -- and since we are -- we
3 are picking a jury here, and we -- we have no alternative,
4 we -- our position is, with Mr. Waggoner, that we have no
5 questions to ask him.

6 I have no questions to ask him. That's my
7 position, your Honor.

8 THE COURT: Well, perhaps you would want to withdraw
9 your standing -- your standing challenge for cause, and make it
10 each time; and when you do challenge for cause, I will take it
11 that the challenges are made on the same grounds.

12 In other words, just state your challenge for cause
13 each time, without repeating the standing challenge for cause,
14 and then you need not restate your grounds.

15 Do you want to do that?

16 MR. KANAREK: Well --

17 THE COURT: Then you need not state that there is a
18 challenge as to each juror.

19 MR. KANAREK: Well, I do feel -- and I want this
20 record to reflect that, from our viewpoint, that every one of
21 these prospective jurors, by -- as a matter of law, it is
22 impossible -- and your Honor can take judicial notice of the
23 proceedings --

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1 THE COURT: All right. Now, you need not argue that
2 again.

3 MR. KANAREK: Yes.

4 THE COURT: Because I think you just stated your
5 position, that anyone who has heard of Mr. Manson's conviction
6 in the previous case, anyone who knows of his involvement in
7 the previous case, is disqualified, in your opinion, by
8 reason of the cases that you've cited.

9 You need not state those grounds again. And if
10 you wish to, rather than having a standing challenge, you
11 may state your challenge for cause each time. And at this
12 time, if you wish to have Mr. Waggoner remain on, without a
13 challenge -- without my overruling your challenge -- then you
14 may do so -- or, whatever you wish in respect to Mr. Waggoner.

15 MR. KANAREK: My position is: I have no questions to
16 ask him, your Honor.

17 MR. MANZELLA: Your Honor?

18 THE COURT: Then your standing challenge remains as to
19 him?

20 MR. KANAREK: Well, no. I -- in view of your Honor's --

21 THE COURT: Then do you withdraw your challenge as to
22 him, except --

23 MR. KANAREK: Yes. It's my position -- my position is
24 this: It's a violation of due process and equal protection;
25 but I have no alternative, because of the fact that Mr. Manson's
26 not on bail; he's in custody. We want to proceed and get him
27 exonerated.

28 THE COURT: So you are not challenging Mr. Waggoner?

1 MR. KANAREK: Hmmm -- in the sense that I am saying he --
2 it's a relative thing. It's a comparable thing. It's -- and
3 so I am challenging. I am challenging him specifically for
4 the reasons enunciated. That challenge by us, however, does
5 not mean that he is not a better juror than many. And since
6 we have to have jurors, it's a matter of choice, and it's
7 a matter of the lesser of two evils, that kind of thing.

8 And I want this record to reflect that this is
9 the only reason. Because otherwise, we get prosecution-
10 oriented, death-oriented people --

11 THE COURT: Well --

12 MR. KANAREK: -- and it --

13 THE COURT: -- without argument, would you simply tell
14 me what your --

15 MR. KANAREK: Well, I want the record to reflect why.
16 I think it's most important. In any event, Mr. Manson is
17 being denied a fair trial.

18 THE COURT: All right. Then I take it there's no
19 challenge for cause against -- as to Mr. Waggoner from either
20 side. And we'll go on with the questioning of Mr. Rosales.

21 Mr. Rosales, the next person will be --

22 MR. MANZELLA: Your Honor, would the Court consider
23 removing his permission to have a continuing challenge for
24 cause? Because I'm not clear that the challenge for cause
25 has been removed as to Mr. Waggoner.

26 THE COURT: Let's do that at -- why don't you make your
27 challenge as to each one? But you need not restate your
28 grounds, unless you have some unique ground, as to somebody

1 unusual? You need not restate your ground, but just state
2 your challenge, if there is a challenge.
3

4 LEONARD C. ROSALES

5 BY THE COURT:

6 Q Mr. Rosales?

7 A Yes.

8 Q We want to know what your knowledge of Mr. Manson
9 and this case may be, from what you may have heard, seen or
10 read, via any of the publicity media, the news media.

11 You have heard of Mr. Manson before?

12 A Yes.

13 Q Was that in connection with the Tate case?

14 A Yes.

15 Q And did you follow that case as the prosecution
16 went on?

17 A Not very closely. I haven't really followed it
18 that much. I just heard, you know, watching on television --

19 Q Do you read a newspaper regularly?

20 A No, I don't.

21 Q Do you listen to radio or watch a television
22 newscast regularly?

23 A Once in a while, when I get a chance to watch
24 it. But I haven't followed it that much.

25 Q During the year 1970, did you regularly read a
26 newspaper, watch television newscasts, or any radio newscast?

27 A Not regularly, no. I just -- whenever I turned
28 it on, and it was there, I looked at it.

1 Q What was your main source of news concerning Mr.
2 Manson and the Tate-La Bianca case?

3 A TV. Television.

4 Q Television. And when would you generally look
5 at the newscast?

6 A Usually at the 11:00 o'clock news.

7 Q Pardon?

8 A The 11:00 o'clock news.

10b fls.

10b

1 Q All right. Did you discuss the case with your
2 family, friends, or coworkers?

3 A Just average talk; you know, just this and that
4 about it.

5 Q All right. Did you ever hear the name Mary
6 Brunner?

7 A Mary Brunner?

8 Q Mary Brunner.

9 A Hmmm -- it doesn't ring a bell, no.

10 Q Bruce Davis?

11 A It sounds kind of familiar, but I couldn't be sure.

12 Q Steve Grogan?

13 A No, I don't think so.

14 Q Gary Hinman? Before you came into court, did you
15 hear -- in this case, did you hear the name Gary Hinman?

16 A Before I came into this courtroom?

17 Q Yes.

18 A Yes, I've heard of the name.

19 Q In what connection?

20 A With the cases that I've heard on TV.

21 Q Did you read about it in the newspaper, or see it
22 on television?

23 A I saw it on television.

24 Q And what did you read or hear about that name?

25 A Well, I just -- like I said, this is what they said
26 on television, about what happened to him. And that was about
27 it.

28 Q What do you remember of what they said happened to

1 him?

2 A Oh, I couldn't actually remember what it was.
3 Like I say, I didn't follow it that close. I just picked up
4 bits and pieces of it, and that was about it.

5 Q How about the name Shorty Shea, or Stuntman Shorty
6 Shea?

7 A The same way. Just bits and pieces.

8 Q Do you remember any facts about that name?

9 A Not -- not facts about it. Do you mean in
10 connection with --

11 Q Well, that's probably a poor choice of words on my
12 part. Rather than facts, but news reports about that name?

13 A Just the news about the Tate case; and this is
14 about it -- this altogether.

15 Q Tell me what you mean by that.

16 A Well, when they discussed it, about -- with
17 Hinman, and Shorty Shea; and that was about all I'd ever
18 catch. The name just sticks out, and this is about all I
19 hear about it.

20 Q Well --

21 A I'm not too great with names. I don't remember
22 names that easily, for any one to stick out.

23 Q Do you remember reading the phrase or hearing the
24 phrase, "The Manson Family"?

25 A Uh -- yeah, Manson Family, correct.

26 Q What does that name mean to you?

27 A What does it mean to me?

28 Q Yes.

1 A Just the Manson Family; that's all.

2 Q Well, is it a baseball team or a soccer team or
3 what?

4 A (Laughing.) Just some relatives, family named
5 Manson.

6 Q What? Relatives of Mr. Manson's?

7 A I don't know what relatives. You just said a
8 family name, and this is it.

9 Q Well, had you ever heard the term before I
10 mentioned it?

11 A The Manson Family?

12 Q Yes.

13 A Well, like I say, it's just -- a name just pops in,
14 "Manson," And this is all I hear.

15 Like I say, I don't pay attention to it too much.

16 Q Do you know what the results of that trial, the
17 Tate-La Bianca case, were?

18 A Well, like I said, I didn't follow it. So
19 actually, I didn't know what the results were.

20 From looking at television or radio, just what
21 people said.

22 Q Well, from what people said, do you remember
23 whether Mr. Manson was convicted?

24 A I heard he was convicted, yes, sir.

25 Q Do you know whether the jury deliberated on the
26 death penalty or life imprisonment? And if so, what their
27 verdict was in that respect?

28 A Well, I heard that they -- that the verdict was the

1 death penalty. That's what I heard, via people.

2 Q Did you, during the course of the case, hear about
3 Mr. Nixon, the President of the United States, making some
4 statement?

5 A No, I didn't.

6 Q If I were to instruct you, if you were chosen as a
7 juror, and I were to instruct you that you were to set aside
8 whatever opinion you may have formed, from what you may have
9 heard, seen or read concerning Mr. Manson, whether in the Tate-
10 La Bianca case or in this case, and that you were to decide
11 all issues that might be presented to you independently of
12 such matter, and be fair and impartial in the case, could you
13 and would you follow that instruction?

14 A Sure.

15 Q You feel you actually could set aside whatever you
16 may have learned?

17 A Of course. Like I couldn't judge what he had
18 done before, because I didn't follow it.

19 Q And the next question is: Will you do that?

20 A Do you mean on the evidence, and whatever --

21 Q No.

22 A -- instructions you give?

23 Q No. The first question is: Can you set aside
24 what you may have learned?

25 A Oh, yes, sure.

26 Q And the next question is: Will you set it aside?

27 A Yes.

28 Q And be fair and impartial?

1 A. Sure.

2 THE COURT: Mr. Kanarek?

3 MR. KANAREK: Yes, your Honor.

4 BY MR. KANAREK:

5 Q Mr. Resales, you certainly intend -- your intent
6 is to put aside everything that you've already heard concerning
7 the Tate-La Bianca case and Mr. Manson?

8 A I will.

9 Q Is that -- that's your intent, right?

10 A Yes, that's what I will do.

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1 Q But you don't know for sure that you will be
2 able to do it, do you?

3 A I know I will, because I couldn't judge it before.

4 Q Pardon?

5 A I couldn't judge it because I didn't have the
6 facts. I couldn't do anything before.

7 Q What we're talking about is what you know and
8 what you've heard.

9 A Uh-huh.

10 Q And you've heard about the convictions, right?

11 A Uh-huh.

12 Q And you know what happened, what the penalty --

13 A Well, I heard what it was.

14 Q What did you hear that it was?

15 A It was the death penalty. That's what I heard.

16 Q Now, the questions -- you certainly -- you want
17 to, and you hope to, and you intend to put aside everything
18 you've heard, right?

19 A Everything I've heard, yes.

20 Q But do you know for sure -- let me put it this
21 way: Not having heard the evidence in this case, you don't
22 know whether or not something that happens in this trial

into focus in your mind things that you have
television and TV and elsewhere outside of the

Well, would bring it into my mind, but I wouldn't

I would go by what the evidence is here.

You would try, certainly, to these matters that

11-2

1 you've said would bring it into your mind, you certainly
2 would try not to use that in connection with this case?

3 A Everybody tries to do everything.

4 Q Pardon?

5 A Everybody tries to do everything.

6 Q Right, you would try?

7 A Naturally.

8 Q You would do every bit of power that you had to
9 do it, right?

10 A Sure.

11 Q But not ever having to experience that, you don't
12 know for sure you could?

13 A Well, I've never been in a trial, if that's what
14 you mean.

15 Q You don't know for sure you could or you couldn't?
16 It is not really -- not having that experience, you don't
17 know that in fact you could put it aside?

18 A Well, like I say, I would try my best to put it
19 aside because I can't go on what happened before, because I
20 haven't had that much information on it.

21 Q You could try. You don't know for sure you
22 could; is that a fair statement?

23 A I'll try the best I can.

24 Q Right.

25 But as you've indicated very honestly to us,
26 not having experience, you don't know for sure that in fact
27 you could do this?

28 A If --

11a Fls.

11-3

1 MR. MANZELLA: Excuse me, Mr. Rosales.

2 I object to the question on the ground it is
3 argumentative because Mr. Kanarek added at the beginning of
4 the question "not having experience before." That makes the
5 question argumentative, your Honor.

6 MR. KANAREK: Well, I don't see that, your Honor.

7 MR. MANZELLA: It does. There are many reasons why
8 a person could or could not do it without having the
9 experience before.

10 MR. KANAREK: The juror is being very honest and candid.

11 MR. MANZELLA: That doesn't make the question any less
12 argumentative.

13 MR. KANAREK: The question, I don't believe, is --

14 THE COURT: The question is somewhat argumentative in
15 form, however, I'll permit it in view of the questions that
16 preceded it.

17 You may answer the question.

18 JUROR NO. 6: Ask the question again, please.

19 MR. KANAREK: May it be read so that --

20 THE COURT: Yes.

21 (Whereupon the pending question was read by
22 the reporter as follows:

23 "Q. Right.

24 "But as you've indicated very honestly
25 to us, not having experience, you don't know for
26 sure that in fact you could do this?")

27 JUROR NO. 6: Well, I'm not positive about anything. I
28 just know that I will do my best to do -- use what evidence

1 there is to base my own opinions or verdict or whatever goes
2 with it, only on what's in this case, not what's before it.

3 MR. KANAREK: Thank you, thank you.

4 You may examine.

5 MR. MANZELLA: I have no questions.

6 MR. KANAREK: Well, 1073, Subsection 2, based upon
7 our ground rules, your Honor.

8 MR. MANZELLA: No opposition from the People, your Honor.

9 THE COURT: All right, the Court will excuse you, Mr.
10 Rosales.

11 The test is whether you could set aside what you
12 may have heard, seen or read and be fair and impartial in
13 spite of it, whether you would do that. And the Court must
14 be definite and certain in its mind and you must be likewise
15 that you could do that, and the Court does grant the
16 challenge.

17 Accordingly, the Court does excuse you and thanks
18 you for being here. Thanks very much.

19 Room 253 at -- let's see, tomorrow would be
20 satisfactory. Tomorrow morning at 9:00 o'clock.

21 JUROR NO. 6: Tomorrow at 9:00 o'clock, jury assembly
22 room?

23 THE COURT: Tomorrow at 9:00 o'clock, jury assembly
24 room.

25 MR. KANAREK: Thank you, Mr. Rosales.

26 THE COURT: Is your time over?

27 JUROR NO. 6: No.

28 THE COURT: Want to bring the next one in?

11b

1 THE BAILIFF: Yes, sir. He's on his way in.

2 JUROR NO. 7: Sir, could I make a personal point I
3 forgot to mention before?

4 THE COURT: Well, maybe we'll get to it.

5
6 ANTHONY CHIERICHETTI

7 BY THE COURT:

8 Q Yes.

9 A Uh, I have --

10 Q Your name again?

11 A Anthony Chierichetti.

12 Q Go ahead, Mr. Chierichetti.

13 A I had set up a dental -- a couple of appointments
14 after the 30-day period but I thought I would be on, and
15 the dentist has told me I should take care of this within a
16 three-month period, which this was the end of it. I just
17 thought I'd mention it, if it makes any difference.

18 Q Well, the Court doesn't intend to sequester you,
19 and you'll be available in the late afternoon.

20 A That's fine.

21 Q Maybe the doctor or dentist could accommodate
22 you in the late afternoon.

23 I can understand that's a problem, though.

24 A I hadn't thought of that. That's true. We
25 could probably work it out.

26 Q Mr. --

27 A The other thing I wanted to mention, I have to
28 mention it, is my vacation. We have tickets and so on to

1 meet my son in London. That's a bad place to -- to mention
2 it. I didn't mention it earlier.

3 Q When are you supposed to go on that vacation?

4 A August 1st. He's over there studying and we
5 make these long range plans to do this.

6 Q When had you intended to be there?

7 A August 1st or 2nd.

8 MR. KANAREK: Stipulate, your Honor.

9 MR. MANZELLA: People will stipulate, your Honor. It
10 is a hardship.

11 THE COURT: All right, the gentlemen have stipulated
12 that you may be excused, then, Mr. Chierichetti, and the
13 Court thanks you for being here.

14 MR. KANAREK: Thank you, Mr. Chierichetti.

15 THE COURT: You can report to Room 253 tomorrow at
16 9:00 o'clock, if you will, please.

17 JUROR NO. 7: Tomorrow morning?

18 THE COURT: Yes.

19 Next one would be Mrs. Stokes.

20 Anybody need a recess?

21 MR. KANAREK: It would be helpful, your Honor.

22 THE COURT: All right, ten minutes.

23 MR. KANAREK: Thank you.

24 THE COURT: Miss Stokes, we're going to take a recess
25 for ten minutes. In ten minutes come in and seat yourself
26 in seat No. 8.

27 JUROR NO. 8: Yes, your Honor.

28 (Afternoon recess.)

12-1

1 THE COURT: The defendant is present with his counsel,
2 the record should show.

3
4 VOIR DIRE EXAMINATION

5 OF VIRGINIA STOKES

6 BY THE COURT:

7 Q Mrs. Stokes, have you previously heard the name
8 Charles Manson? Heard, seen or read it?

9 A Yes, your Honor.

10 Q And was that in connection with another case
11 other than this case?

12 A Yes, your Honor.

13 Q Have you ever heard anything -- heard, seen or read
14 anything about this case?

15 A No, your Honor.

16 Q As to Mr. Manson, was it in connection with the
17 Tate-La Bianca case that you heard, saw or read his name?

18 A Yes.

19 Q And did you follow that case in the newspapers,
20 on television, or on the radio?

21 A No, I did not. My husband read the headlines to
22 me in the evenings.

23 Q I see. Did you indeed discuss the case?

24 A Not much.

25 Q Well, did you discuss it -- did he read the headlines
26 to you nearly every evening?

27 A Yes. About every evening.

28 Q And then did a discussion follow, or did you and he

1 talk about it a little?

2 A A little bit, very little bit.

3 Q Did you hear -- ever hear the President of the
4 United States make some comment about Mr. Manson's guilt during
5 the course of that trial?

6 A No, I never heard that.

7 Q Did you ever hear the name Susan Atkins?

8 A Yes, I have.

9 Q And in what connection do you know that name?

10 A In connection with Mr. Manson's case.

11 Q What do you know about Susan Atkins?

12 A Mainly that she cut her hair off, and that -- I
13 think she turned State's evidence; I'm not sure about that.

14 Q How about Steven Grogan and Bruce Davis? Have
15 you ever heard those names before you came into court?

16 A No, sir.

17 Q Gary Hinman? Have you heard --

18 A Yes.

19 Q -- that name?

20 A Yes, I have.

21 Q What do you know about that name? Or what do you --

22 A No, I don't -- he's the musician who was found
23 murdered.

24 Q Yes. What else do you -- have you heard, seen
25 or read about that name?

26 A Nothing else.

27 Q Did you read any account of his alleged murder?

28 A No, sir.

1 Q How about the name Shea? Shorty Shea? Stuntman
2 Shorty Shea?

3 A No, sir, it means nothing to me.

4 Q It doesn't mean anything to you.

5 Bobby Beausoleil?

6 A Nothing.

7 Q Mary Brunner?

8 A No.

9 Q Spahn Ranch?

10 A Yes. I've heard that name before.

11 Q What does that mean to you?

12 A I can't seem to recall anything about it. It was
13 one of the places in connection with Mr. Manson's --

14 Q The Manson Family? Have you heard that phrase
15 before?

16 A Yes, I heard about the Manson Family.

17 Q What does that mean to you?

18 A Well, it just seems to me that they're different
19 groups being formed, and they have different philosophies.
20 It means very little to me.

21 I never read his philosophy or anything. My husband
22 told me that he could hypnotize people, and -- and different
23 things like that.

24 But personally --

25 Q Do you believe that?

26 A Do I believe he can hypnotize people?

27 Q Yes.

28 A I don't know.

1 Q In view of all that you've heard about Mr. Manson,
2 and the Tate-La Bianca case, and possibly this case -- you
3 may remember something as the trial goes along, in connection
4 with this case -- do you feel that you can set aside everything
5 you may have heard, seen or read about him?

6 And act fairly and impartially as a juror in this
7 case, without regard to those things that you may have heard,
8 seen or read?

9 A Yes, your Honor.

10 Q Now, you've never done that before in a trial
11 similar to this, have you?

12 A No.

13 Q Or in any case?

14 A No.

15 Q But nevertheless, you believe that you can?

16 A Yes.

17 Q And will you do that?

18 A Yes, I will, to the very best of my ability.

19 Q Are you at all doubtful about your ability to set
20 aside all of that pretrial publicity, and be fair and impartial
21 to Mr. Manson?

22 A No, I'm not a bit doubtful about it, because I
23 know very little about it.

24 Q Well, if certain things should come to your
25 memory during the course of the trial, will you follow the
26 Court's instructions and disregard those things, and make your
27 decision independently of those items of news that -- that you
28 may remember?

A Yes, your Honor.

THE COURT: All right. Gentlemen?

12a

12a-1

1 MR. KANAREK: Thank you, your Honor.

2 BY MR. KANAREK:

3 Q Now, Mrs. Stokes, is it a fair statement that you
4 know of what the result was in the Tate-La Bianca case?

5 A Yes, sir.

6 Q What do you know the result to have been?

7 A Well, perhaps I said, "Yes, sir," too soon. I'm
8 not sure about it. But I think that Mr. Manson was convicted
9 in the first trial.

10 Q Now -- and convicted of what?

11 A Convicted of manslaughter.

12 Q And what do you think that the sentence was?

13 A I don't know.

14 Q I mean, what was the penalty?

15 A I don't know.

16 Q And how many different crimes was he convicted of,
17 as far as you know?

18 A I don't know.

19 Q Have you ever heard of Sharon Tate?

20 A Yes, I have.

21 Q And what do you know, if anything, concerning
22 Sharon Tate?

23 A Only that she was one with three girls who shaved
24 her head in protest -- or something.

25 Q I see. And does the name Volityck Frykowski mean
26 anything to you?

27 A No, sir.

28 Q Or Abigail Folger?

1 A No, sir.

2 Q Does the name Patricia Krenwinkel mean anything
3 to you?

4 A Yes, sir.

5 Q What was that?

6 A That she was one of the three girls that shaved
7 their heads during the protest at the trial, or something
8 similar to that. I saw their pictures on TV; that's about all
9 I know about it.

10 Q I see. And in connection with the Tate-La Bianca,
11 the previous case, what is your state of mind as to how many
12 people died or passed away?

13 A I don't know.

14 Q Is your state of mind that it was more than one
15 person?

16 A Yes. I -- my state of mind is that I think it
17 was eight persons.

18 Q And what is your state of mind, as to what
19 happened to those eight people, concerning which was before
20 the Court?

21 A What happened to those eight persons?

22 Q Yes.

23 A That they were killed.

24 Q And who was -- and from what you heard, and the
25 publicity, and what you and your husband discussed, what --
26 who -- what is your state of mind as to who the Court or the
27 jury found was responsible for those killings?

28 A I'm not sure about that. It seems that Mr. Manson

1 was not the one who did the actual killing, but he hypnotized
2 people and told them to do the work.

3 And some of the girls had testified that they had
4 stabbed Sharon Tate while she begged for her -- to let her
5 baby live, and -- as I say, I know very little about it.

6 Q Yes. And all that we are interested in is
7 just finding out what your state of mind is. You recognize
8 that.

9 And I assume that we are friends, I hope?

10 A Yes.

11 Q Right? All right. Now, then, would you tell me,
12 what is your state of mind, as far as the responsibility -- as
13 far as that Court was concerned, and that jury was concerned,
14 of Mr. Manson?

15 A Well, when I first heard about it, I just said to
16 myself, "He's a nut."

13-1

1 Q And having heard it for some period of months,
2 looking at your state of mind before you came into this
3 courtroom, what was your thinking concerning Mr. Manson?

4 A I had no idea I was coming to this courtroom.

5 Q Well, looking back at a time when your husband
6 and he -- you were discussing it, after you first heard about
7 it, by you projecting yourself back to the time when you
8 heard the results of the case, what was your -- what did you
9 think about Mr. Manson at that point?

10 A Well, you know they have those men sitting there
11 on death row and, uh, they're not, uh, putting them to death.
12 And I didn't have much opinion about it at -- one way or
13 another. I mean, I never gave it any serious thought.

14 Q I see.

15 And as you sit there presently, Mrs. Stokes, right
16 now, what is your thinking concerning Mr. Manson, whatever it
17 may be? Just tell us what it is.

18 A He's quiet. I'm thinking that he's thinking
19 about the long delay, perhaps, and the time in jail. And --
20 I don't know.

21 Q Now, having in mind, Mrs. Stokes, -- the Court
22 has asked you certain questions. And are we in agreement
23 that the purpose in your intent certainly would be to try
24 to put aside everything that you have heard concerning Mr.
25 Manson and that other case as you sit here and view and
26 judge this case; is that right?

27 A That's right, sir.

28 Q Now, that is certainly your intent and your

13-2

1 purpose and desire to do that, right?

2 A Right, sir.

3 Q Now, not having had the experience -- not having
4 had the experience, it is like -- like maybe swimming the
5 English Channel or swimming from San Pedro to Catalina.
6 You might intend to do it. You might have the greatest intent
7 in the world as you stepped there -- somewhere off of San
8 Pedro or Long Beach, but you might not be able to make it
9 to Catalina. Not all swimmers can do it.

10 A True.

11 Q What is your state of mind or your intent in
12 connection with putting that aside, this material, that the
13 Court has talked about?

14 A I believe that I can put it aside.

15 Q Is it a fair statement, though, you don't know
16 for sure that you can do it; is that a fair statement?

17 A Yes -- no, that is not a fair statement. I know
18 that I can put it aside.

19 Q I see.

20 And that is your -- there is no question in your
21 mind about that?

22 A No, sir.

23 Q Now, is your state of mind such -- may I ask you
24 -- and, again, you recognize that we are engaged in serious
25 business here.

26 And I may -- if I mention things that are
27 delicate, I'm sure you will understand that we are all here
28 for a serious purpose, right?

1 A Right.

2 Q Now, may I ask you, you are of the black or Negro
3 race, right?

4 A Right, sir.

5 Q Now, in that connection did you hear anything in
6 the Tate-La Bianca case concerning the black or Negro people?

7 A Yes, your Honor -- yes, sir.

8 Q Would you tell us what you heard?

9 You were never in the courtroom, right?

10 A I was never in the courtroom, no, sir.

11 Q And we certainly are in agreement that newspapers
12 and television stations are not accurate in what they transmit,
13 right?

14 A Yes, right.

15 Q All right. Would you tell us what you heard,
16 though, by way of that publicity?

17 A I heard that the Manson Family had tried to throw
18 the evidence toward the Black Panthers, and I heard -- this is
19 just gossip -- that Mr. Hinman is a Negro musician, one of
20 the murdered men.

21 I don't know if that's true or not. I just --

22 Q I see.

23 Now, may I ask you, if it should come to pass,
24 as I think it will in this court, that people of the black
25 or Negro race come here and testify on behalf of Mr. Manson --
26 these people will come here and they will be witnesses that
27 we are calling from the prisons, from Folsom and maybe San
28 Quentin and maybe other prisons, is your state of mind such

1 that you will listen to these people and put aside this
2 gossip, as you put it, that you may have heard from whatever
3 the source may be?

13a fls. 4

A Yes, I would put aside the gossip.

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1 Q And, for instance, one bit of gossip I can tell
2 you for sure, no question, is Gary Hinman was a person who
3 was of the Caucasian or white race, for instance. That's
4 just an example of how gossip and publicity and all of that
5 can be so wrong.

6 A I see.

7 Q But certainly if these black people come to this
8 courtroom, you'll give them the attention and you will give
9 them the consideration and you will give their testimony the
10 consideration that it should have, is that right?

11 A Yes, sir.

12 Q And the fact that these people have been in
13 prison with Mr. Manson for many, many years, and the fact
14 that these people also have been in the dungeon; is that
15 going to affect your fairness in deciding this case?

16 A No, sir.

17 MR. KANAREK: Thank you.

18 MR. MANZELLA: No questions, thank you.

19 THE COURT: All right, we'll thank you, now, Mrs.
20 Stokes, and ask you to return to the group. And we'll ask
21 that Mr. Wakefield -- Mr. -- is it Mr. Wakefield?

22 THE BAILIFF: Mr. Wakefield, sir.

23 THE COURT: -- to come in.

24 Do not discuss, Mrs. Stokes, what has gone on
25 here in the courtroom with your fellow jurors or anyone.

26 JUROR NO. 8: Yes, your Honor.

27 THE COURT: Have Mr. Wakefield come in and we'll
28 question him.

1 MR. KANAREK: Oh, your Honor, Mr. -- I'm sorry, I'll
2 bring it up after -- thank you.

3
4 ROY WAKEFIELD

5 BY THE COURT:

6 Q Mr. Wakefield, we want to know from you what you
7 have heard, seen or read concerning Mr. Manson before you
8 entered this courtroom and became a prospective juror in
9 this case.

10 Could you give us just a capsule, in capsule
11 form what you may have heard, seen or read written in
12 connection with him.

13 A Most of what I have heard is from the newspapers
14 and it was just an account of the first trial that went on,
15 and --

16 Q You are referring to the Tate-La Bianca trial?

17 A Yes.

18 Q And during the course of that trial did you
19 follow the -- follow the case?

20 A Well, not real closely, no.

21 Q Did you watch television at all in 1970 concerning
22 this case or listen to the radio or read the newspaper?

23 A Uh, a little bit, but not a great deal.

24 Q Do you know what the result was of that prosecu-
25 tion of Mr. Manson?

26 A I believe there was a conviction.

27 Q Of what?

28 A Of Mr. Manson.

13b fls.

1 Q Of what charge?

2 A Uh, uh, conspiracy, I believe.

3 Q And do you know whether there was a decision by
4 the jury in the penalty phase or whether there was a penalty
5 phase in connection --

6 A Yes, there was a penalty phase.

7 In fact, I was surprised it was separated into
8 two parts that way.

9 Q You remember being surprised when you learned about
10 that, read about that; is that correct?

11 A Yes, when I read about it.

12 Q Do you know what the jury decided in the penalty
13 phase?

14 A I believe -- I believe they decided the group was
15 guilty, I believe.

16 Q Then, after the determination of guilt, did you
17 know what they decided in the penalty phase?

18 A I guess it was the death penalty or --

19 Q Is that your best impression?

20 A Yes.

21 Q Did you read, hear or see anything concerning
22 a statement by the President of the United States during the
23 course of that trial?

24 A No, I don't remember any statement by the
25 President.

26 Q Do you know the name Bobby Beausoleil?

27 A No, I do not.

28 Q Mary Brunner?

1 A No.

2 Q Gary Hinman? Did you hear that name before the
3 Court told you about this case?

4 A I believe I heard that, the last one on the news
5 broadcast on the radio.

6 Q What do you remember about that name or the
7 news report surrounding that name?

8 A I believe he was some kind of an individual
9 connected with music or some kind of musician or something.

10 Q And, what else?

11 A And, uh, I think the only other thing I remember
12 was that he had something to do with being a friend of
13 Doris Day or Doris Day's son or something like that.

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1 Q Do you know the name Shorty Shea?

2 A No, I do not.

3 Q Never heard that.

4 Spahn Ranch?

5 A I think I heard -- I heard about the Spahn Ranch.

6 Q What do you know about that?

7 A Uh, there was a search made in that area, as I
8 remember.

9 Q For what?

10 A Uh, I believe for either an individual or
11 individuals that they were trying to contact. I suppose in
12 connection with the trial.

13 Q Now, have you ever sat on a trial before where
14 there was a great deal of publicity?

15 A Uh, no, I never have.

16 Q Well, even though this may be a new experience to
17 you, if I were to instruct you that you were to set aside--
18 not forget, because it is difficult to forget -- but if you
19 were instructed to set aside what you may have heard, read
20 or seen concerning Mr. Manson and that Tate-La Bianca trial,
21 and this case, anything that you may remember about this case
22 and Mr. Manson that you may have heard, seen or read previously,
23 will you set aside that matter? Will you set that aside
24 and be fair and impartial to Mr. Manson in the course of
25 this trial?

26 A I would make every attempt to do so, yes.

27 Q Can you do that?

28 A I believe so.

1 Q Well, unless you're sure enough to take your oath,
2 and you are under oath, of course, that you will set it
3 aside, then, you, of course, realize you should not sit as
4 a juror.

5 A I understand that, yes.

6 Q And what we are interested in is your complete
7 impartiality and your ability to be impartial in spite of what
8 you may have been exposed to in the news media, from the news
9 media; do you understand?

10 A Yes, I do understand.

11 Q So that's the basis of our inquiry at this time.
12 Can you set it aside? Will you set it aside?
13 You've looked at television more or less regularly,
14 have you?

15 A Uh, no, I've been going to school in my off
16 hours, that is, in the evenings, night school. That takes
17 a great deal of my time.

18 Q Did you go to night school during the course of
19 that trial during 1970?

20 A Yes, I did.

21 Q Did you listen to the radio when you were driving
22 to work or when you were driving to school or back?

23 A Mostly going back and forth between work.

24 Q And you heard reports concerning the trial,
25 that Tate-La Bianca trial?

26 A That is correct.

27 Q Incidentally, do you know how many victims were
28 involved in that case?

1 A Uh, no, I do not.

2 Q Now, examining your state of mind at this time, and
3 knowing your capabilities and incapacabilities, do you think
4 that if you were instructed to set aside whatever opinions
5 you may have formed from what you may have heard, seen or
6 read concerning Mr. Manson or the Tate-La Bianca case or this
7 case or whatever you may remember, that you could do so and
8 decide all issues submitted to you independent of such matters?

9 A I feel that I could.

10 Q Will you do that?

11 A I would.

12 THE COURT: All right.

13 Mr. Kanarek.

14 MR. KANAREK: Yes, thank you.

15
16 VOIR DIRE EXAMINATION

17 BY MR. KANAREK:

18 Q Yes, Mr. Wakefield, directing your attention --
19 first of all, we're in agreement that law is an adversary
20 process, right?

21 A Right.

22 Q But in terms of this discussion that we are
23 having with you, we're not adverse. You -- that is, as far
24 as we are concerned, we're just discussing your state of
25 mind.

26 You're not -- you certainly don't consider
27 yourself to be a witness or on the spot or anything?

28 A That's correct.

1 Q Right.

2 A Right.

3 Q Now, -- now, then, you certainly intend -- your
4 intent would be to follow the Judge's order?

5 A Right.

6 Q And to put aside everything you may have heard
7 concerning this Tate-La Bianca case and concerning Mr. Manson
8 that you heard before coming to the courtroom, right?

9 A Right.

10 Q Now, have you ever heard of Sharon Tate?

11 A Uh, just briefly on the news.

12 Q What have you heard concerning Sharon Tate?

13 A Uh, mainly that she had a husband who is a movie
14 producer.

15 Q And as far as the Tate-La Bianca trial, so-called,
16 is concerned, can you tell us what -- did you know what her
17 position in that trial was? What did -- what was -- she --
18 what was her name and the circumstances concerning her in
19 that trial?

20 A Well, as far as I know her name is Sharon Tate.
21 I'm not sure of her married name.

22 Uh, she was an actress, I believe, on television.
23 I believe she appeared on Peyton Place. I'm not sure, but I
24 vaguely feel that she might have appeared on that television
25 show.

26 I don't know too much else about her.

27 Q What do you feel her place was in that trial,
28 that previous trial that the Court has been talking to us

1 about?

2 A Uh, well, I imagine from the name of the trial
3 that she was a victim of that trial.

4 Q And your state of mind as to what happened to
5 her?

6 A She was -- she died as a result of what took
7 place before the trial.

8 Q What do you think -- what is your state of mind
9 as to what took place?

10 A Uh, she was at a house, uh, I think. And she
11 lost her life. I don't know all the details. I'm --

12 Q I mean, in what way is your state of mind that
13 she lost her life?

14 A You mean how do I feel about her losing her
15 life?

16 Q No, no, how do you think that -- what caused
17 her to die?

18 A I'm not really sure.

19 Q And, now, does the name Abigail Folger mean
20 anything to you?

21 A Uh, no, it does not.

22 Q Or Voityck Frykowski?

23 A I vaguely remember the name, but I'm not sure
24 of the connection to the case.

14 Els.

14-1

1 Q Does Jay Sebring, that name, mean anything to you?

2 A No, that doesn't mean anything.

3 Q Does Leno La Bianca? Does that name mean anything
4 to you?

5 A I think he -- if I remember, he was a grocery -- in
6 the grocery business, or connected in some way with the grocery
7 business.

8 Q And what was his place in these proceedings?

9 A Well, I imagine he was one of the victims -- or,
10 he was a victim.

11 Q And when you say "a victim," you mean a victim of
12 what, Mr. Wakefield?

13 A Of being murdered.

14 Q Now, directing your attention, then, Mr. Wakefield,
15 to your state of mind, certainly your intent is to follow what
16 the Court says; right?

17 A Right.

18 Q Is it a fair statement that you don't know whether
19 the intent that you have could in fact be followed through; is
20 that a fair statement? You don't know that, in fact, when
21 matters begin to be portrayed here in the courtroom, that you
22 would be able to set aside those things that you have heard?

23 A I'm not 100 per cent sure, no.

24 Q And in connection with -- would you say that you
25 have a certain regard and an affection for law enforcement
26 officers?

27 A I feel that law and order is necessary to our
28 society, and is a part of our society.

14-2

1 Q My question, though, is specifically as far as --
2 in connection with your recent experience that you had in --
3 on March the 8th, 1971.

4 A I am very happy that law enforcement was available
5 at that time.

6 Q Right. And you -- your feeling -- you would say
7 that you feel a certain amount of indebtedness to the District
8 Attorney's Office, and to the Los Angeles Police Department in
9 connection with those events? Is that a fair statement?

10 A Well, I am somewhat glad that -- well, I find it
11 difficult to answer exactly. I'm not sure how I should answer
12 -- or, exactly what you mean.

13 Would you restate that, or --

14 Q Certainly. Certainly. On March the 8th, 1971,
15 you were -- you tell us that you were robbed, --

16 A Right.

17 Q -- is that right? And as a result of that incident,
18 you've had some relationship develop with Los Angeles Police
19 Department personnel; is that a fair statement?

20 A That is a fair statement.

21 Q And as a result of that relationship -- pardon me.
22 As a result of those events, you've had some relationship
23 develop in connection with the District Attorney's Office?

24 A That's correct.

25 Q And is it a fair statement that your feeling
26 towards these two groups of individuals is certainly one of
27 friendship, at least?

28 A Yes.

1 Q And is it a fair statement that -- that your
2 feeling in that regard is such that -- that there may be some
3 difficulty in your taking a police officer that comes to this
4 witness stand, and analyzing his testimony as objectively and
5 as neutrally as, let's say, someone that comes to the witness
6 stand who is not a police officer -- maybe someone whose
7 apparel is a little bit unusual, whose appearance is a little
8 bit unusual?

9 A I don't feel that my experience with the Police
10 Department, in my particular instance, would have a great deal of
11 bearing on any subsequent event in -- in dealing with the law
12 further, as in this case.

13 That is my feeling, anyway.

14 Q Now, referring your attention to -- you said
15 you are not sure 100 per cent. Do you remember you've stated
16 that?

17 A Yes, that's correct.

18 Q What did you really mean by that, when you said
19 that to us, Mr. Wakefield?

20 A Well -- uh -- I think your question to me was:
21 How do I feel about the police -- if I remember correctly; and
22 I -- whether I felt friendly toward them, if I remember
23 correctly.

24 My feeling is: I think that -- that the police
25 are a necessary thing, but there are two sides to every issue,
26 and -- and -- I'm not exactly certain as to what your --

27 Q Well, when -- I believe your answer, when you
28 included the words, "100 per cent," was in response to a

1 question as to whether or not, even though you intended to put
2 aside matters that the Court has told you you must put aside --

3 A Yes, right.

4 Q -- whether you could in fact, not having had that
5 experience, whether you could in fact put aside these matters
6 concerning Mr. Manson and the Tate-La Bianca trial, which has
7 been in the past.

8 And I think you answered something to the effect
9 of: You are not 100 per cent sure you could -- or words to
10 that effect.

11 Do you recall answering like that?

12 A I -- yes, I do now.

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14a-1

1 Q That's the 100 per cent that I was referring to.
2 Would you tell us, what did you mean by that, when you said
3 that? What did you mean with respect to that?

4 A Well, regarding the police force, I feel that --
5 that in the fact that I've dealt with them so far, I've felt
6 that the 100 per cent that I would feel inclined not to go
7 along with everything that they accomplished or did, would --
8 would agree with the way I feel about it, entirely.

9 I -- maybe I am missing your point. I'm sorry.

10 THE COURT: We'll get back to it.

11 You may all stand, ladies and gentlemen,
12 We are not going to keep you very long.

13 Come on in, if you would, please.

14 Thank you. Some of you have not been sworn as
15 prospective jurors here, but nevertheless, I'll expect you to
16 -- I'll expect to see you back on Monday morning. I am going
17 to excuse you until Monday morning.

18 Is there anyone whose term expires between now and
19 Monday morning? Whose term as a juror expires between now and
20 Monday morning?

21 I see no hands. And there are about 50 people here
22 -- or more. I'll expect to see you all back on Monday morning.

23 I will excuse everyone except Mr. Wakefield,
24 Mrs. Thompson, Mr. Prior, and Mr. Akamine.

25 Those jurors will remain. The rest of you, the
26 Court will excuse you until 9:45 on Monday morning.

27 The Court cautions you that you are not to converse
28 about this case with anyone, nor permit anyone to converse with

1 you about it, nor to form or express any opinion on it until
2 the matter is submitted to you, should you be chosen as a juror
3 in this case.

4 Remember the admonition I have heretofore given
5 you concerning publicity. You are not to hear, see or read
6 anything in connection with this case. You are to avoid
7 hearing, seeing or reading anything in connection with this
8 matter.

9 All right. With the exception of those names that
10 I've mentioned, then all of you are now excused until 9:45
11 Monday morning. I'll see you then.

12 A PROSPECTIVE JUROR: 107?

13 THE COURT: Report to Department 107, yes.

14 A PROSPECTIVE JUROR: Do we report to the assembly room
15 tomorrow?

16 THE COURT: No, you need not report there.

17 A PROSPECTIVE JUROR: Then we are off duty tomorrow?

18 THE COURT: Yes, that's true. You are to report to
19 Department 107.

20 A PROSPECTIVE JUROR: Monday?

21 THE COURT: Monday, yes.

22 Go ahead, Mr. Kanarek.

23 Now, as to those jurors whose names I mentioned,
24 would you remain out in the corridor, please?

25 Remain out in the corridor. The Court may be
26 calling you in just a few moments.

27 Let's move along here with Mr. Wakefield.

28 MR. KANAREK: Yes.

1 THE COURT: And if you would restrict it to publicity, it
2 might go a little faster.

3 MR. KANAREK: Yes, your Honor.

4 THE COURT: Go ahead, Mr. Kanarek.

5 MR. KANAREK: Yes, thank you, your Honor.

6 BY MR. KANAREK:

7 Q Mr. Wakefield, sir, the question I am asking you
8 has nothing to do with police officers. I think, before we
9 spoke of police officers, we were talking about your intent,
10 and you indicated that you had an intent, and we spoke -- I
11 think we agreed that there's a difference between intending to
12 do something and doing it. There may be a vast difference.

13 And so we asked whether, knowing that you had this
14 intent, would it be possible to put aside and not think of
15 these matters concerning Mr. Manson and the Tate-La Bianca
16 case?

17 And you said words to the effect of: You were not
18 100 per cent sure that you could do that.

19 Do you remember saying that?

20 A Yes. I remember now, yes.

15-1

1 Q Now, would you tell us what did you mean when you
2 said you were not 100 percent sure that you could do that?

3 A Well, regarding the first trial and so forth,
4 I heard it, I believe, enough on the radio about that, that
5 I will be -- I mean, I can't divorce this completely in my
6 mind. I don't know how else I can say it.

7 Q Thank you.

8 MR. KANAREK: Your Honor, may we approach the bench
9 with the reporter?

10 THE COURT: No, you needn't approach -- well, very well,
11 you may approach the bench.

12 (Whereupon, the following proceedings were had
13 at the bench among Court and counsel, outside the
14 hearing of the prospective juror:)

15 THE COURT: What was it last -- what was Irving's last
16 statement?

17 (Whereupon, the following question was read
18 by the reporter:

19 "Q Now, would you tell us what did you
20 mean when you said you were not 100 percent sure
21 that you could do that?

22 "A Well, regarding the first trial and so
23 forth, I heard it, I believe, enough on the radio
24 about that, that I will be -- I mean, I can't
25 divorce this completely in my mind. I don't know
26 how else I can say it.")

27 MR. KANAREK: Well, your Honor, first I would like to
28 challenge -- I am reluctant to challenge in open court.

1 THE COURT: All right, you can challenge now.

2 MR. KANAREK: A challenge under 1073, Subsection 2.
3 I think that this witness, if we look at his -- the whole
4 picture -- in fact, March 8, just a few months ago, he was
5 robbed.

6 THE COURT: The Court is not concerned about that
7 aspect of it.

8 MR. KANAREK: Well, the publicity aspect. The man is
9 obviously stating that he cannot --

10 THE COURT: There is no grounds for cause, as I see it,
11 in connection with this robbery and the aftermath of that.

12 But do the People have any argument in respect to
13 his ability to set aside --

14 MR. MANZELLA: On publicity?

15 THE COURT: -- on the publicity aspect?

16 MR. MANZELLA: Yes.

17 THE COURT: Do you want to ask any questions?

18 MR. MANZELLA: I would oppose the motion at this point
19 because he hasn't said anything to cause his excusal. He
20 answered the Court's questions, so that under Section 1076,
21 your Honor, 2, it would not be proper to excuse him.

22 An answer in the terms of not being able to
23 divorce one thing from another doesn't fit within the
24 requirements of Section 1073, Subsection 2. It is not
25 actually bias. He is not required to divorce or forget,
26 the way we have put it or required in the language of the
27 section. He is required to act fairly and impartially in
28 spite of the opinion he formed. Those are all very nebulous

1 terms.

2 THE COURT: I'll permit you to ask the questions.

3 MR. KANAREK: I also want to make another point. I
4 want to challenge Mrs. Stokes under Section 1073, Subsection
5 2.

6 Again, I am reluctant to state it in open court.

7 THE COURT: Well, I see -- on the grounds you previously
8 stated?

9 MR. KANAREK: Well, on the ground of pre-trial
10 publicity.

11 In other words, we're interrogating on publicity.

12 THE COURT: Yes.

13 MR. KANAREK: I think that this lady would have the
14 most horrible of tasks. I think it would be impossible for
15 her.

16 THE COURT: To set aside what she has learned?

17 MR. KANAREK: Yes. Again, the word "set aside" --
18 I mean -- I'm sure we don't want to get into any semantic
19 difference of opinion here. We can -- the idea between
20 "set aside" and "forget" or the other words that might be
21 conjured up --

22 THE COURT: Disregard.

23 MR. KANAREK: There are various --

24 THE COURT: You've used all those words, yes, in the
25 course of --

26 MR. KANAREK: It is our belief that this lady should be
27 excused and we would challenge her under 1073, Subsection 2.

28 THE COURT: That challenge is denied.

1 As to your challenge in respect to Mr. Wakefield,
2 the Court will allow the People to question him.

3 MR. MANZELLA: All right, I'll just ask a few questions.

4 THE COURT: The Court will allow the People to ask a
5 few questions or to --

6 MR. KANAREK: Thank you, your Honor.

7 (Whereupon, the following proceedings were had
8 in open court within the presence and hearing of the
9 prospective juror:)

15a fls.

15a-1

VOIR DIRE EXAMINATION

BY MR. MANZELLA:

Q Mr. Wakefield, I just have a few questions to ask you. They'll probably be the same questions that everybody else has asked you already.

A All right.

Q I have some confusion in my own mind about what you mean by the term "divorce, divorce one thing from another."

A Well --

I'm not asking you to explain it unless you want to. I've got some other questions --

A Well, I'll be glad to explain it,

I used to be a school teacher and I think everybody is a product of everything that happens to them, a sum total product. And, therefore, I've heard the news reports about the first trial.

Now, whether this would influence my judgment regarding this second trial -- I don't feel it would influence me a great deal, no. That's as straight an explanation as I can give.

Q All right.

Do you understand that when we say -- strike that.

You understand that if it influences you at all or if you think it is going to influence you at all, what you've heard, seen or read in the news media about Mr. Manson or about anything that has to do with him, if you think it will influence you at all in your duties as a juror here in this case, that you cannot sit on this case; you understand that?

1 A I understand that.

2 Q Is that your state of mind?

3 A That's my state of mind.

4 MR. MANZELLA: Your Honor, I have no opposition to
5 Mr. Kanarek's challenge for cause.

6 THE COURT: Thank you, Mr. Wakefield. The Court would
7 excuse you, then, and the Court thanks you very much for being
8 here.

9 Have you any time left as a juror?

10 JUROR NO. 9: Yes, I do.

11 THE COURT: Then, report tomorrow, Room 253, at 9:00
12 o'clock.

13 JUROR NO. 9: All right.

14 MR. KANAREK: Thank you, Mr. Wakefield.

15 I gather, your Honor would contemplate adjourning
16 at this time?

17 THE COURT: I'll take one more, Miss Thompson.

18 MR. KANAREK: I had a request. We would like to inter-
19 view a potential witness and we need the assistance of the
20 Court to get this person --

21 THE COURT: Before we take Mrs. Thompson, let's take
22 Mr. Akamine, who has raised a point with us just before he
23 left the jury box off the record.

24 Mrs. Thompson, we might get you in another minute
25 or two.
26
27
28

VOIR DIRE EXAMINATION
OF AKIRA AKAMINE

BY THE COURT:

Q Mr. Akamine.

A Yes, sir.

Q Would you simply be seated over there.

You indicated off the record, and I heard you say something to the Court or to the clerk as you left the jury box previously that you knew something about Mr. Gary Hinman in connection with your church; is that correct?

A Yes, sir.

Q And that church is what?

A The Nichiren Shoshu of America.

Q Say it again very slowly. Nich--

A Nichiren Shoshu.

Q What do you know about Mr. Hinman?

A Well, I knew him, you know, through the church.

Q Did you know him personally?

A Yes.

Q As a result of the knowledge of Mr. -- of knowing Mr. Hinman, rather, would you find it impossible to be impartial in this case?

A Well, I followed the case ever since I've -- you know, it happened.

Q Since the -- you mean you followed the case involving Mr. Hinman?

A Yes.

Q And would it be difficult for you to be fair to

1 Mr. Manson in this case?

2 A I really don't know, unless it -- you know, -- this
3 is why I am not sure. This is the reason why I thought maybe I
4 should say something about it before it got too deeply --

5 Q Had you formed the opinion that Mr. Manson had
6 something to do with Mr. Hinman's death?

7 A Yes, I have.

8 Q Well, having formed that opinion, do you think
9 you could be fair and impartial to Mr. Manson in this trial?

10 A I don't think so, sir.

11 THE COURT: Any questions?

12 MR. KANAREK: I have no questions, your Honor.

13 MR. MANZELLA: No questions from the People, your Honor.

14 THE COURT: Any challenge?

15 MR. KANAREK: With regret, yes, your Honor.

16 THE COURT: You do challenge for cause?

17 MR. KANAREK: In view of the witness' statement -- in
18 view of what he has stated, I do it with most regret.

19 THE COURT: All right, the challenge for cause on behalf
20 of the defendant is granted. Thank you, Mr. Akamine.

21 JUROR NO. 12: Akamine, sir.

22 THE COURT: Thank you, Mr. Akamine.

23 MR. KANAREK: Thank you, Mr. Akamine.

24 THE COURT: Are you scheduled for further jury duty?

25 JUROR NO. 12: Yes, I am.

26 THE COURT: Room 253 tomorrow, then, if you will.

27 Room 253.

28 MR. KANAREK: Your Honor, I would like to state to this

1 witness -- thank him for his exceptional honesty and candor.

2 Thank you, sir.

3 THE COURT: Mrs. Thompson, now.

4 Let's see, we only have four left.

5
6 VOIR DIRE EXAMINATION

7 OF HELEN THOMPSON

8 BY THE COURT:

9 Q Mrs. Thompson, you may be seated right there, if
10 you would, please.

11 Mrs. Thompson, we want to know what opinions you
12 might have formed, what knowledge you may have as a result of
13 any pretrial publicity concerning Mr. Manson.

14 Have you heard Mr. Manson's name previously,
15 previous to this trial?

16 A Yes, I have.

17 Q And have you read any newspapers, heard and seen
18 it on television and on radio?

19 A Yes, I have.

20 Q Was that in connection, largely, with the Tate-
21 La Bianca homicides?

22 A Yes.

23 Q Have you heard anything whatever about the so-
24 called Shea-Hinman homicides?

25 A Only what I have read in the newspapers and on
26 television.

27 Q Could you briefly tell us what you may have heard
28 or read in the newspapers concerning Gary Hinman?

1 A I don't know if I can or not.

2 Q Can you remember anything right offhand?

3 A Not really.

4 Q Do you know who Gary Hinman is?

5 A I think he's a musician.

6 Q And what do you know about him?

7 A Nothing, really.

8 Q You can't at this moment remember what you know
9 about him?

10 A Uh --

11 Q Or what you have heard about him or read about
12 him?

13 A No. I have a little -- something in my mind, but
14 I'm not too sure if this is what I read or if it is just --

15 Q How about the name Shorty Shea?

16 A I have a little something in my mind that I think
17 that this is what -- that this is about him.

18 Q Do you know what Mr. Manson was charged in that
19 other case with, the Tate-La Bianca case?

20 A Uh, not really.

21 Q Well, do you -- did you read the result or hear
22 or see the result of that trial?

23 A Yes.

24 Q Do you know whether Mr. Manson was convicted of
25 anything?

26 A Uh, I can't say definitely. Uh, yes, I think so.

27 Q Do you know whether he was sentenced?

28 A I can't remember right now.

16-1

1 Q Do you know whether the jury deliberated on a
2 penalty?

3 A No, I don't.

4 Q And you don't know whether the jury came back with
5 a life imprisonment sentence or a death sentence?

6 A No.

7 Q Have you ever heard the name Susan Atkins?

8 A Yes.

9 Q In what connection?

10 A In connection with the Manson -- the Manson case.

11 Q Do you mean the previous case?

12 A Yes.

13 Q Have you heard anything about Susan Atkins in
14 connection with this case?

15 A No.

16 Q Have you heard or seen or read anything in
17 connection with the Susan Atkins' confession in that other case?

18 A No.

19 Q Do you know the name Bobby Beausoleil?

20 A Yes.

21 Q How do you know that? In what connection?

22 A Well, I just recognize the names, now that you
23 are saying them, from the newspaper articles and --

24 Q Do you know the name Spahn Ranch?

25 A Yes.

26 Q What does that mean to you?

27 A It's where the -- these events were supposed to
28 have taken place.

1 Q What events?

2 A Uh -- the murders.

3 Q What murders?

4 A From the Manson case.

5 Q The Tate-La Bianca case?

6 A Yes.

7 Q Do you know anything whatever about a statement
8 by President Nixon concerning that trial and Mr. Manson?

9 A I don't remember exactly what it was.

10 Q You do remember the President made some pronounce-
11 ment?

12 A Yes.

13 Q Do you have any opinion about that?

14 A No.

15 Q Now, considering that you have heard matters on
16 the radio, and you have seen television and have read the
17 newspapers over many months, concerning that trial, and con-
18 cerning Mr. Manson, if I were to instruct you that you were
19 to set those matters aside, to disregard whatever matters that
20 you may have heard, and to disregard any opinions that you may
21 have formed concerning Mr. Manson or the Tate-La Bianca
22 case or this case, and that you were to disregard anything that
23 you might remember concerning those news reports, could you do
24 that?

25 A I'm not sure.

26 Q Do you understand that it would be highly unfair
27 to Mr. Manson --

28 A Yes.

1 Q -- to allow you to sit as a juror, unless you
2 can say to us, under oath, that you can set those things aside
3 that you have learned, and that you can decide this case only
4 on its evidence and the law as I shall state it to you?

5 Do you understand that?

6 A Yes.

7 Q Can you say whether or not you could at this time
8 be fair and impartial to --

9 A No.

10 Q All right. It would be -- do you think it would
11 be too difficult for you to forget what you may have learned?

12 A It might.

13 MR. KANAREK: 1073, Subsection 2, your Honor.

14 THE COURT: The People?

15 MR. MANZELLA: I just want to ask her the question
16 again, your Honor.

17 BY MR. MANZELLA:

18 Q Mrs. Thompson, in spite of what you've heard,
19 seen or read in the news media about Mr. Manson or about his
20 case, can you be fair and impartial in this trial?

21 A I don't know.

22 MR. MANZELLA: No opposition to the challenge, your
23 Honor.

24 THE COURT: Thank you, Mrs. Thompson. It is a difficult
25 task, and the Court appreciates your frankness.

26 Do you have any more time left on jury duty?

27 JUROR NO. 10: Yes, I have.

28 THE COURT: Well, the Court thanks you and excuses

1 you. You may report tomorrow morning, then, to Room 253 at
2 9:00 o'clock.

3 JUROR NO. 10: Thank you.

4 MR. KANAREK: Thank you, Mrs. Thompson.

5 Your Honor?

6 THE COURT: One more. Mr. Prior.

7 MR. KANAREK: Oh, yes.

8 THE COURT: That leaves us with practically an empty
9 jury box, except for one, two, three, four seats.

10 THE CLERK: Five.

11 THE COURT: Five?

12
13 VOIR DIRE EXAMINATION OF

14 JOSEPH PRIOR

15 BY THE COURT:

16 Q Mr. Prior, we wish to know whether, before this
17 trial, before you were called into this courtroom, you had
18 ever heard, seen or read anything in connection with Mr.
19 Manson.

20 A Yes, I have.

21 Q And is that in connection with the Tate-La Bianca
22 homicides?

23 A Yes.

24 Q Did you follow that case involving Mr. Manson, in
25 any of the news media?

26 A No. Just off and on, I read things.

27 Q Did you read newspapers concerning it?

28 A Yes.

1 Q Did you listen to television and watch television?

2 A Yes, but not extensively. You know, just --

3 Q You didn't make a regular habit of watching
4 television?

5 A No, huh-uh.

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1 Q Did you listen to any news reports on the radio
2 regularly?

3 A No.

4 Q Did you talk to friends, coworkers or your family
5 concerning --

6 A Yes.

7 Q -- the case?

8 A Yes, sir.

9 Q From time to time?

10 A Yes.

11 Q Did you -- do you remember hearing anything --
12 any statement that -- hearing or seeing or reading any state-
13 ment that the President of the United States made during the
14 course of that trial?

15 A Yes.

16 Q Did you have any reflection or thoughts about that
17 statement?

18 A No, sir.

19 Q Did you think that it was a proper statement, then?
20 Or did you have any --

21 A I think that the -- he made a mistake. He didn't
22 mean to say it -- or, he said it offhandedly.

23 I don't think he had any thought of --

24 Q Had you formed any opinion as to Mr. Manson's
25 guilt, to those charges, at that time?

26 A I would say I had, yes.

27 Q Now, did you subsequently learn that Mr. Manson was
28 convicted of some crime?

1 A Yes.

2 Q What is your knowledge, or what is your opinion
3 concerning that?

4 A Well, he was -- I -- he was guilty of the crime.
5 But I also have a reservation about the people who were -- I'm
6 not saying that the crime was right, but the people who live
7 that way, they invite trouble, to my mind. So I --

8 Q What do you mean by that?

9 A Well, I --

10 Q To what kind of people are you referring?

11 A Well, from what I gather, there was dope and
12 partying, and all that. I'm not saying that -- I agree with
13 the verdict that was rendered, but it's my belief that those
14 people might have been -- you know, partially responsible in
15 some way.

16 Q You mean the victims in that Tate-La Bianca case?

17 A Yes, that's what I -- yes.

18 Q I see.

19 A But I haven't, you know, thought about it a great
20 deal.

21 Q Well, you say you agree with the verdict. What do
22 you believe the verdict to have been?

23 A Well, I believe he was convicted of --

24 Q Of what?

25 A Of murder in the first degree.

26 Q And do you remember whether the jury came back with
27 life imprisonment or the death penalty?

28 A Well, I quit following it after a while, and I

1 didn't --

2 Q So at this time, you don't have any knowledge as
3 to what the sentence was?

4 A No, I don't.

5 Q Do you know how many victims there were in that
6 case?

7 A I believe there were four.

8 Q All right. And do you recognize the name Susan
9 Atkins?

10 A Yes.

11 Q What do you know about that name, from what you've
12 heard, seen or read?

13 A I know very little.

14 Q Well, what is your best remembrance?

15 A I believe she went east to visit her mother in
16 Connecticut.

17 Q All right. Do you know the name Steven Grogan?

18 A No.

19 Q Bruce Davis?

20 A No.

21 Q Gary Hinman?

22 Had you heard that before --

23 A I've heard that name, yes.

24 Q In what connection had you heard that name?

25 A Well, I understand he was murdered; that's all.

26 Q And do you know anything more about that?

27 A No. I wouldn't know --

28 Q Did you form any opinion that Mr. Manson was

1 responsible for Mr. Hinman's murder?

2 A Well, at work, they might have talked, and I might
3 have formed an opinion from what they had said.

4 Q You understand that what they said at work,
5 or what you may have read in the newspapers, is certainly not
6 to be considered by you?

7 A No, that's right.

8 Q Do you understand that?

9 A Yes, I do.

10 Q And do you know the phrase -- are you familiar with
11 the phrase "Manson Family"?

12 A Yes.

13 Q What did that mean to you?

14 A Well, they lived together in their -- near
15 Chatsworth, I believe.

16 Q With Mr. Manson as part of the group, or as the
17 leader?

18 A The leader, yes.

19 Q Now, if I were to instruct you that these opinions
20 that you may have formed in the past, these news reports that
21 you've heard, seen or read, were to have no part in your
22 determination of any of the issues that might arise in the
23 course of this case, could you set aside whatever opinions you
24 might have formed, or may have formed in the past, or could you
25 set aside -- and could you set aside anything that you might
26 remember during the course of the trial, from that --

27 A Well, it would be difficult for me, I believe,
28 from the evidence I had --

1 Q The Court realizes it would be difficult. But the
2 Court hopes you understand that, unless you can set it aside,
3 unless you will set it aside, it would be unfair to Mr. Manson
4 to have you sit on this jury.

5 A Well --

16b

16b-1

1 Q What I am asking, then, is: whether or not you
2 are objective enough to set aside what you may have heard, seen
3 or read, to set aside any opinions that you may have formed,
4 and be fair and impartial to Mr. Manson in this case.

5 A I believe I could do that, yes.

6 Q And will you do that?

7 A Oh, yes. I -- if I'm on it, I will do it, yes.

8 THE COURT: Mr. Kanarek?

9 BY MR. KANAREK:

10 Q Yes. Mr. Prior, sir, does the name Sharon Tate
11 mean anything to you? That name?

12 A Oh, yeah. I know she was an actress, yes.

13 Q And what do you think that her place in these --
14 in the proceedings were?

15 A Well, I have no idea what --

16 Q I see. Do you know what had happened to her, if
17 anything?

18 A Well, I just know that she was murdered, yeah.

19 Q I see.

20 A Um-hmm.

21 Q Now, certainly your intent, your purpose, Mr.
22 Prior, would be to put aside and not consider matters that
23 have occurred -- purportedly, that have been relayed to you
24 by way of publicity?

25 A Yes.

17-1

1 Q You're -- that certainly is your purpose?

2 A Yes.

3 Q The question is: Is it a fair statement that
4 you don't know for sure whether you could do it or not, not
5 having experienced it?

6 A I'm not sure I couldn't do it, that's right.

7 Q Is that a fair statement: You don't know whether
8 you could or not?

9 A Yes.

10 MR. KANAREK: Yes, your Honor.

11 THE COURT: Mr. Manzella, any questions?

12 MR. MANZELLA: No.

13 MR. KANAREK: 1073.

14 MR. MANZELLA: No opposition to the challenge.

15 THE COURT: All right, the Court grants the challenge
16 for cause.

17 Thank you for being frank about your opinions,
18 Mr. Prior, and your inability to set them aside.

19 Room 253 tomorrow at 9:00 o'clock.

20 JUROR NO. 11: Thank you.

21 MR. KANAREK: Thank you, sir.

22 Your Honor, I have a request for the Court.

23 THE COURT: Let's hear your request.

24 MR. KANAREK: My request is, your Honor, there is
25 someone that is currently in the County Jail that we wish to
26 consult with as a -- certainly, to be conservative, a potential
27 witness. I think he will be a witness. And I wondered if
28 your Honor -- we will arrange it at the convenience of the

17-2

1 Sheriff. I will be present at a time when the Sheriff -- so
2 that the Sheriff will be inconvenienced as little as possible.

3 THE COURT: Who is it?

4 MR. KANAREK: His name is Kenneth Como. His booking
5 number is 1544573, and if your Honor would make that --

6 THE COURT: How long an interview do you want?

7 MR. KANAREK: Oh, I'm sure we wouldn't require over an
8 hour. That would be conservative.

9 THE COURT: When do you want it, next week?

10 MR. KANAREK: At the convenience of the Sheriff.

11 THE COURT: Within the next seven days the Court orders
12 the Sheriff arrange an interview between Mr. Manson, Mr.
13 Kanarek, and Mr. Como.

14 MR. KANAREK: Yes. Now, if this be done before 9:00
15 o'clock, may we -- it is possible we might want a couple of
16 hours.

17 What I am saying is, if I come up there at a time
18 convenient to the Sheriff, may we have that, because he could
19 be a very important witness.

20 THE COURT: The Court will permit an hour's interview,
21 and then if you need further time, let me know.

22 MR. KANAREK: Thank you. Thank you, your Honor.

23 Your Honor, it is possible -- if your Honor
24 makes the two-hour request now, we wouldn't have to
25 inconvenience the Sheriff --

26 DEFENDANT MANSON: Save all that other confusion.

27 THE COURT: An hour and a half.

28 MR. KANAREK: All right, thank you, your Honor.

1 At the convenience of the Clerk, could that
2 minute order get to the Sheriff?

3 THE COURT: Yes, the Court would order that.

4 THE CLERK: How do you spell that name?

5 MR. KANAREK: C-o-m-o.

6 THE COURT: All right, Monday I'll see you, Mr. Kanarek,
7 at 9:45.

8 MR. KANAREK: Very well, your Honor, thank you.

9 (Whereupon at 5:00 o'clock p.m. an adjournment
10 was taken until 9:45 o'clock a.m., Monday,
11 June 28, 1971.)
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