

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.

122  
NO. A -267861REPORTERS' DAILY TRANSCRIPT

Monday, July 26, 1971

VOLUME 22APPEARANCES:

For the People: JOSEPH P. BUSCH, JR., District Attorney  
BY: ANTHONY MANZELLA  
Deputy District Attorney

For Defendant, Manson:

IRVING A. KANAREK, ESQ.

MARY LOU BRIANDI, CSR  
ROGER K. WILLIAMS, CSR  
Official Court Reporters

COPY

1 LOS ANGELES, CALIFORNIA, MONDAY, JULY 26, 1971, 9:50 A. M.

2  
3 THE COURT: We will take the case of People versus Charles  
4 Manson.

5 All right. The record will show Mr. Kanarek to be  
6 present, and four prospective alternate jurors are in the box,  
7 Mrs. Wilson, Miss Cole, Mrs. Ashcraft, and Mrs. Bracken.

8 Mr. Manson is present.

9  
10 VOIR DIRE EXAMINATION

11 BY THE COURT:

12 Q I'll put these questions to you collectively, and  
13 ask you: Is there any one of you -- raise your hand if there  
14 is an affirmative answer.

15 Is there any one of you who was not present in the  
16 courtroom, since the Court first called this case with your  
17 group present? And since the Court questioned the first  
18 prospective juror taken from your group?

19 (No affirmative response.)

20 Q Is there any one of you whose answers would be any  
21 different than the answers of that first prospective juror to  
22 the questions put to that prospective juror of a general nature?

23 (No affirmative response.)

24 Q Would it be any hardship to serve as an alternate  
25 juror in this case?

26 PROSPECTIVE JUROR BRACKEN: (Indicating.)

27 Q Miss -- is it Miss Bracken?

28 MRS. BRACKEN: Mrs.

1 PROSPECTIVE JUROR ASHCRAFT: I'm Ashcraft.

2 THE COURT: You are Ashcraft. All right.

3 PROSPECTIVE JUROR BRACKEN: I'm Mrs. Bracken.

4 THE COURT: Let's switch it around. Would you take -- the  
5 order in which we have it is Bracken, Ashcraft, Cole and  
6 Wilson, starting at that end.

7 (Whereupon, the prospective alternate jurors  
8 switched their seats in the jury box.)

9 BY THE COURT:

10 Q Would it be a hardship to any of you to serve in  
11 this case?

12 PROSPECTIVE JUROR BRACKEN: (Indicating.)

13 Q Miss -- ?

14 A Bracken.

15 Q Miss Bracken? Or is it Mrs.?

16 A Mrs.

17 Q Mrs. Bracken.

18 A Yes. It would be a hardship to me for both my  
19 health and my employment. I called my supervisor, and my  
20 doctor last week, when we first came in, and my doctor said  
21 that -- I have rheumatoid arthritis, and my doctor said that it  
22 would be detrimental to me to have to sit for such a long  
23 length of time.  
24  
25  
26  
27  
28

1 fls.

1-1

1 Q How long have you had that ailment or how long have  
2 you known you've had it?

3 A Since I was 13.

4 Q So had you had similar advice before this type of  
5 sitting and this type of inactivity would be harmful to you?

6 A Well, I -- I have to get a certain amount of rest  
7 and a certain amount of exercise and take my medication in order  
8 to keep going.

9 Q Is your normal day more active --

10 A Yes, quite a bit more.

11 Q -- than you have been as a juror; is that what you  
12 are saying?

13 A Yes.

14 MR. MANZELLA: People would stipulate it would constitute  
15 a hardship.

16 MR. KANAREK: I would like to inquire.

17  
18 VOIR DIRE EXAMINATION

19 BY MR. KANAREK:

20 Q You are employed by?

21 A Compton Unified School District. I am a public  
22 school speech specialist.

23 Q You are a public school speech specialist?

24 A Public school speech specialist.

25 Q And let us say there were opportunities here to  
26 walk around day to day, from time to time, say like a recess  
27 every hour, like for ten minutes or so, would that be -- how  
28 would that affect your physical condition?

1           A       That would help.

2                   On my job I have -- uh, I work with children in  
3 small groups for 30 minutes, so I have an opportunity to walk  
4 the children back to their rooms. And we'll get new children  
5 every 30 minutes, and this ends up being a pretty good  
6 situation for me.

7                   During the last week or so you've been in the  
8 courtroom on and off?

9           A       Pardon me?

10          Q       During the last week or so you've been in the  
11 courtroom on and off, while we've had the proceedings in this  
12 case?

13          A       Yes.

14          Q       And from time to time you've had to sit for, say,  
15 an hour or so, right?

16          A       Uh-huh.

17          Q       What was the result of that sitting?

18          A       Well, I can feel some stiffness.

19          Q       But, then, you get up and walk around and it is  
20 gone, is that right?

21          A       Well, it improves. But the thing about the  
22 condition is that right now I happen to be in a period where I  
23 don't happen to be in too much trouble. But the thing about  
24 the condition is it gets better and it gets worse, and within a  
25 period of six months I can have -- behaving more problems,  
26 where I would need more exercise.

27          Q       Have you lost any time from your work while you  
28 were working because of this condition?

1           A       Yes.

2           Q       When was the last time you lost time from work  
3 because of this condition, your actual work?

4           A       I think in May I stayed out two days.

5 BY THE COURT:

6           Q       Mrs. Bracken, when did you last talk to your  
7 doctor?

8           A       When did I last talk to my doctor?

9           Q       Yes.

10          A       The first -- I think it was Tuesday, the day you told  
11 us to call your employers.

12          Q       And this was the medical advice that he gave you?

13          A       Yes.

14          Q       That you should not serve on the jury for such a  
15 long period of time because of the relative inactivity?

16          A       Right.

17          THE COURT: The Court finds it would be a hardship to you,  
18 and that you shouldn't be required to serve, and does excuse  
19 you.

20          PROSPECTIVE JUROR BRACKEN: Thank you.

21  
22  
23  
24  
25  
26  
27  
28  
la file.

1a-1

1 THE COURT: Room 253 forthwith, if you would, please.

2 Did someone else raise their hand? Mrs. Ashcraft?

3 MR. KANAREK: Thank you, Mrs. Bracken.

4 ALTERNATE PROSPECTIVE JUROR NO. 2: Yes, I called my  
5 office like you suggested and they said that there was no  
6 way that I could be off work from four to five months. That --  
7 in fact, they thought I was nuts for even asking, you know.  
8 They have cut down on their employees quite a bit.

9 THE COURT: It is a good possibility you would lose your  
10 job?

11 ALTERNATE PROSPECTIVE JUROR NO. 2: Well, I don't think  
12 I would lose my job. I've been there 13 years. I would not  
13 be paid.

14 THE COURT: For whom do you work?

15 ALTERNATE PROSPECTIVE JUROR NO. 2: Great West Electric.

16 THE COURT: You use your earnings to support yourself?

17 ALTERNATE PROSPECTIVE JUROR NO. 2: And my mother.

18 THE COURT: All right, the Court --

19 MR. KANAREK: Your Honor, may I just ask a question?

20 THE COURT: No, you may not.

21 The Court excuses you, and the Court denies your  
22 motion to have the County pay her salary.

23 ALTERNATE PROSPECTIVE JUROR NO. 2: Thank you.

24 THE COURT: The Court finds this is a hardship which you  
25 should not be required to endure and does excuse you.

26 ALTERNATE PROSPECTIVE JUROR NO. 2: Thank you.

27 THE COURT: Room 253 forthwith.

28 MR. KANAREK: Thank you.

1 BY THE COURT:

2 Q Mrs. Cole.

3 A Miss Cole.

4 Q Miss Cole.

5 Did you raise your hand, too?

6 A Yes, I did.

7 Q What kind of a hardship to you would it be?

8 A Well, not a total hardship. You see, I work  
9 nights and I get a night premium working nights, and when I  
10 don't work, I don't get it. So I lose an average of about  
11 \$50 a month. Now, I can put up with it for one month, but  
12 over four or five months, I couldn't lose that amount of money.

13 Q How long have you been employed?

14 A Three and a half years.

15 Q At night?

16 A No, not at night. I've been working nights about  
17 a year.

18 Q In other words, you've been getting that premium  
19 for about a year?

20 A Yes.

21 Q And you probably have grown to depend on it,  
22 haven't you?

23 A I definitely depend on it.

24 Q What type of work is it?

25 A Lab assistant at the General Hospital.

26 THE COURT: People?

27 MR. MANZELLA: In the People's opinion, it would  
28 constitute a hardship.



1 MR. KANAREK: Your Honor, this lady --

2 THE COURT: The Court finds it is a hardship.

3 MR. KANAREK: May I ask some questions?

4 THE COURT: The Court finds it would be a hardship, and  
5 does excuse you, Miss Cole. The Court denies the defendant's  
6 motion to pay the \$50 a month or --

7 MR. KANAREK: That she be paid.

8 THE COURT: Paid her full salary, yes, the Court denies  
9 the motion.

10 You may be seated.

2 fls.

2-1

1 Q Yes. Miss -- is it Mrs. Wilson?  
2 A Mrs. Wilson.  
3 Q Would it be a hardship to you, Mrs. Wilson?  
4 A No, it wouldn't.  
5 Q Neither a personal nor financial?  
6 A No.  
7 Q What type of work do you do?  
8 A I work in the dietary department out at the County  
9 Medical Center.  
10 Q And is there a Mr. Wilson?  
11 A No, there isn't.  
12 Q Are you related to or a friend of any law  
13 enforcement officer?  
14 A No, I'm not.  
15 Q Have you served as a juror before in a criminal  
16 case?  
17 A No, I haven't.  
18 Q In what area do you reside?  
19 A South Los Angeles.  
20 Q Do you have views concerning the death penalty,  
21 Mrs. Wilson, such that you could not be fair and impartial in  
22 determining guilt or innocence?  
23 A No.  
24 Q Or do you have views concerning the death penalty  
25 such that you could not be fair and impartial -- strike that.  
26 Are your views such that you would automatically  
27 refuse to impose the death penalty, regardless of the evidence?  
28 A No.

2-2

1 Q Or would you automatically impose the death penalty,  
2 upon a conviction of murder of the first degree, regardless of  
3 the evidence?

4 A Well, I would have to review the evidence.

5 Q You would look at the evidence to determine whether,  
6 in your discretion, you should impose the death penalty?

7 A Right.

8 Q Have you heard the name Charles Manson before you  
9 came into this courtroom?

10 A Yes.

11 Q In connection with what?

12 A Well, over the news.

13 Q In connection with this case or some other case or  
14 both?

15 A Well, that was at the beginning; but recently, I  
16 just haven't paid that much attention to it.

17 Q You haven't paid much attention to what?

18 A To the news about -- you know. Well, this was at the  
19 beginning, when everything first started.

20 Q Are you talking about some other case, or this  
21 case?

22 A Another case.

23 Q All right. Now, is this the Tate-La Bianca homicide  
24 case?

25 A (No response.)

26 Q The Sharon Tate --

27 A Yes.

28 Q -- homicide case?

1 A Yes, I think that was it.

2 Q Is that the one? Did you follow that in the press?

3 A Oh, no.

4 Q Or via television or radio?

5 A I didn't follow it. It would just come on the news;

6 but I didn't follow it through.

7 Q And when you said "the news," you mean television

8 or radio?

9 A Television.

10 Q All right. Do you know the result of that case?

11 A No, I sure don't.

12 Q You don't know whether Mr. Manson was convicted of

13 anything?

14 A No. Because of the way we were, we don't have

15 special hours --

16 Q Have you ever heard the name Shorty Shea?

17 A No.

18 Q Have you ever heard the name Gary Hinman?

19 A No.

20 Q Have you ever heard the name Spahn Ranch?

21 A I don't quite remember.

22 Q Have you ever heard the name Manson Family?

23 A Yes.

24 Q What does that mean to you?

25 A Well, I just heard it over the news, at the

26 beginning of the first case, when it first happened.

27 Q What does it mean to you?

28 A In what way?

1 Q Well, is it a baseball team or a football team?

2 A Well, I've never given it that much thought.

3 Q So you don't know what the Manson family is?

4 A I haven't even given it that much thought, what  
5 they --

6 Q Well, about all you've heard about Mr. Manson was  
7 that his name was in the papers; is that right?

8 A No, I heard it over television.

9 Q Or over television?

10 A Yes.

11 Q And that's about all you know about him?

12 A That's right.

13 Q You don't know whether he was ever accused of a  
14 crime or convicted or --

15 A Well, I know he was accused.

16 Q He was accused of what?

17 A Of the first crime -- this movie star; this is the  
18 one -- when it first started.

19 Q What movie star is that?

20 A The movie star that was killed. I can't quite  
21 remember her name, because that was when I first heard it over  
22 the news, the first time it ever happened.

23 Q Well, do you think that you could judge this case  
24 based on the evidence that's presented here, and -- and  
25 disregard anything whatever it might be that you may have heard,  
26 seen or read?

27 A Oh, yes.  
28

2a-1

1 Q Do you think that you would let anything that you  
2 might remember about what you've heard, seen or read enter  
3 into your judgment in this case?

4 A No. Because after reviewing the evidence -- no,  
5 I don't think so.

6 Q Are you sure about your ability to segregate what  
7 you might have heard, seen or read in the publicity, from the  
8 evidence in the case?

9 A Yes, because --

10 Q Can you do that?

11 A Oh, sure. Because I didn't read or see that  
12 much.

13 Q Well, something may come back to your memory, and  
14 it would not be fair to utilize that in the evidence, as  
15 evidence; do you understand that?

16 A No, I don't think so, no.

17 Q And so you would have to judge this case based  
18 upon the evidence that's received in this --

19 A Particular case.

20 Q -- case, and the Court's instructions of law.  
21 Will you do that?

22 A Yes.

23 Q And can you be fair and impartial in spite of what  
24 you may have heard, seen or read?

25 A Yes.

26 THE COURT: Mr. Kanarek?

27

28

VOIR DIRE EXAMINATION

2a-2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

BY MR. KANAREK:

Q Now, Mrs. Wilson, what is your state of mind as to what happened to Sharon Tate?

A Well, in what way?

Q Can you hear me?

A Yes.

Q Do you know, what is the -- do you know what happened to her?

A No, I didn't keep up with the case. As I said, I heard it over the news, but I didn't follow it through.

Q No. But just -- do you have any idea what happened to her?

A That she was murdered.

Q Right. And who do you think did it, from what you heard in the publicity?

A I didn't even give it a thought.

Q Well, as you sit there right now, who do you think -- do you have any knowledge from the publicity as to whether anyone was convicted of that murder?

A No.

Q You have no knowledge or idea as to whether anyone was convicted of that murder?

A No.

Q Directing your attention to Mr. Manson, do you -- from the publicity, did you hear whether or not Mr. Manson had anything to do, according to the publicity, with the case involving Sharon Tate?

A Would you repeat that question, please?

2a-3

1 Q Yes. From what you heard in the publicity, did  
2 you hear anything concerning Mr. Manson and that case involv-  
3 ing Sharon Tate?

4 A No.

5 Q As you sit there now, what have you -- from the  
6 publicity, what have you heard concerning Mr. Manson? However  
7 large or however small it may be? Whatever you have heard,  
8 would you tell us?

9 A I haven't exactly heard anything or even discussed,  
10 you know, the case. I mean, it never have come to a point  
11 where it was that important, you know, that I would do that.

12 Q Well, then, you have heard the name Charles Manson  
13 before?

14 A Yes, I have.

15 Q All right. Would you tell us, what did you hear  
16 concerning Charles Manson?

17 A Well, as the case went -- when the crime first  
18 happened, I heard it over the news. But I have never followed  
19 it through.

20 Q Yes. But what did you hear concerning -- you  
21 heard the name Charles Manson?

22 A Yes.

23 Q Would you just tell us what you heard concerning  
24 Charles Manson, from the publicity?

25 A That he was being charged with so many murders,  
26 of these individuals that was killed at the time of -- of  
27 Sharon Tate.

28 Q And Sharon Tate was one of them; right?



2a-4

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

A Yes.

Q And from the publicity, had you heard that Mr. Manson was charged with her murder, among others?

A On television news, I heard this.

Q Yes. All right. You realize, Mrs. Wilson, all we are doing here is, we are gathering information, so Judge Choate can make decisions?

A I understand that.

Q And you are not in any way, shape or form on the defensive here?

A I understand.

Q Now, then, would you tell us, what did you read concerning -- or hear on television concerning these murders? How did they occur?

A Oh, I didn't hear all of that. I didn't listen to it that much.

2b fls.

1 Q Well, just as much as you did listen, tell us.

2 A Well, as I said before, that I heard that he was  
3 charged with committing these -- I think it was five crimes;  
4 I'm not sure. And that was all I -- you know, all I got over  
5 the news.

6 Because I wasn't paying that much attention to the  
7 television, and this is what I -- that's where I heard it.

8 Q All right. And having heard about these murders,  
9 would you tell us what you heard concerning how the murders  
10 came about? How were these people killed?

11 A Well, I didn't listen to all of that.

12 Q Did you hear anything concerning any racial matters,  
13 like black people and white people, in connection with these  
14 cases?

15 A No, no.

16 Q Or have you heard anybody discuss it --

17 A No.

18 Q -- concerning black people and white people, --

19 A No.

20 Q -- as far as these cases are concerned?

21 A No.

22 Q Now, how are -- does the name Abigail Folger --  
23 have you ever heard that name?

24 A I think that was in the first -- I think I heard  
25 that in the first time I heard it, you know, over the news.

26 Q When you say "the first time," what do you mean?

27 A When the crime first happened. I don't remember if  
28 it was this year or last year.

1 Q I see. And you heard -- have you heard the name  
2 Voitysk Frykowski?

3 A No, I don't remember that.

4 Q Steven Parent? Have you ever heard that name  
5 before?

6 A No, I haven't. I don't remember that name, either.

7 Q Or Jay Sebring?

8 A No.

9 Q Now, did you live in Los Angeles during all of  
10 1970?

11 A Certainly.

12 Q All right. And do you take a newspaper?

13 A No.

14 Q What newspaper -- do you ever read a newspaper?

15 A Very seldom.

16 Q I see. And how did you get your information as  
17 to what's going on in the world?

18 A The television.

19 Q You watch television news?

20 A I turn it on. And sometimes go to sleep with it  
21 on, and then get up and turn it off. That's the way I look at  
22 news.

23 Q I see. Now, during 1970, did you see any -- any  
24 pictures on television, drawings concerning people?

25 A No.

26 Q As far as -- you didn't see any drawings on  
27 any television news?

28 A No. No, I didn't.

1 Q Did you see -- does the name Tate-La Bianca case  
2 mean anything to you?

3 A I've heard it. But it doesn't mean anything.

4 Q What -- tell us as much as it does mean to you.

5 A No, I've heard the name, but -- I've heard the  
6 name, but I don't know what it means to me.

7 You know, I mean, I didn't hear the explanation  
8 about this case.

9 Q All right. May I ask, with whom do you live?

10 A Alone.

11 Q I see. And at work, do you ever have lunch hours  
12 and things like that, coffee breaks?

13 A Yes.

14 Q Have you, at any time, discussed anything called  
15 the Tate-La Bianca case with any fellow workers?

16 A No.

17 Q I see. Have you ever discussed Mr. Manson with  
18 any other person in your lifetime?

19 A No.

20 Q No one at all?

21 A No.

22 Q I see. You never discussed it with anyone until  
23 you discussed it with Judge Choate?

24 A That's right.

25 Q No one in your lifetime?

26 A No.

27 MR. KAHANEK: I see. All right.

28 May I approach the bench, your Honor?

1 THE COURT: Yes, you may.

2 (Whereupon, the following proceedings were had at  
3 the bench among Court and counsel, not within the hearing of the  
4 prospective alternate juror:)

5 MR. KAMAREK: I challenge this lady under 1073,  
6 Subdivision 2. I do not believe she's telling the truth. I  
7 will state it candidly, candidly on the record. Her last "no" --  
8 the reporter, of course, doesn't take down sounds, and the way  
9 she said that "no," with a rising "no," sort of a rising  
10 inflection, means "yes," to me.

11 And I think the lady is -- is not telling us the  
12 truth. She wants to be on this jury.

2c-1

1 THE COURT: Do the People have any comment?

2 MR. MANZELLA: No comment, your Honor.

3 THE COURT: Well, she seems peculiarly devoid of informa-  
4 tion, and just the kind of juror you apparently have been  
5 seeking in that respect.

6 MR. KANAREK: If it were true. But I say: I do not  
7 believe that it's true. I think that she has a wealth of  
8 information, and I think that she's not telling us the truth.

9 MR. MANZELLA: I have no objection to her being excused.  
10 But other than that, I have no comment.

11 THE COURT: It's true that she -- that you did elicit  
12 from her with your questions, your types of questions, that  
13 you elicited more information about what she knew than she  
14 first revealed.

15 You may be correct; she may be simply disguising  
16 what she does know.

17 Let me ask her a question or two from here.

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

21 BY THE COURT:

22 Q Did you, Mrs. Wilson, --

23 A Yes.

24 Q -- ever hear what the result -- ever hear over  
25 television what the result of that case was, involving the  
26 death of Sharon Tate?

27 (No response.)

28 Q Do you know what Mr. Manson was --

1 A Not exactly.

2 Q Well, you know whether he was convicted or  
3 acquitted? Or do you know whether he was set free, or do you  
4 know --

5 A No. No, I --

6 Q Did the jury find him guilty or not guilty?

7 A (Pause.) If I remember correctly, I think he was  
8 convicted.

9 Q And do you remember what the verdict was, in  
10 regard to penalty, whether it came back death or life as a  
11 sentence?

12 A They came back with death. I think that's what it  
13 was.

14 (Whereupon, the following proceedings were had  
15 at the bench among Court and counsel, not within the  
16 hearing of the prospective alternate jurors.)

17 MR. KANAREK: Renew my challenge, your Honor.

18 THE COURT: Well, I doubt that this lady is capable of  
19 setting aside what she may have learned, and I am inclined to  
20 grant the challenge.

21 MR. KANAREK: Thank you, your Honor.

22 THE COURT: The Court does grant the challenge.

23 (Whereupon, the following proceedings were had  
24 in open court, within the presence of the prospective  
25 alternate jurors.)

26 THE COURT: The Court will excuse you, Mrs. Wilson. The  
27 Court asks that you report to Room 253 forthwith.

28 PROSPECTIVE JUROR WILSON: All right. Thank you.

1 THE COURT: Thank you.

2 There's a report from a doctor here, gentlemen,  
3 with respect to an Ida Thompson. May her name be withdrawn?

4 MR. MANZELLA: Yes, your Honor.

5 THE COURT: The doctor indicates that she should be  
6 released from jury duty, and I'm inclined, with the report  
7 that he signed here, to grant this request.

8 MR. KANAREK: May we just have the name of the doctor and  
9 his address?

10 THE COURT: His name is George Sutoro Misonoue,  
11 M-i-s-o-n-o-u-e.

12 MR. KANAREK: And may the letter go along with the file,  
13 your Honor?

14 THE COURT: Yes, it may.

15 MR. KANAREK: Thank you.

16 THE COURT: Any objection to excusing her?

17 MR. KANAREK: No, your Honor, not upon the representa-  
18 tion.

19 THE COURT: Very well.

20 MR. KANAREK: Thank you, your Honor.

21 THE COURT: All right. The Court does excuse her.

22 (To the Clerk) Ida Thompson, you may take her  
23 name out, if you do draw it from the box.

24 All right. Select four more.

25 THE CLERK: Kenneth I. Scheider; S-e-h-e-i-d-e-r.

26 3 fls.



3-1

1 THE COURT: That would be seat 1.

2 THE CLERK: Ralph E. Edwards, E-d-w-a-r-d-s.

3 Flavio Celaya, C-e-l-a-y-a, first name F-l-a-v-i-o,  
4 Jr.

5 THE COURT: Spell it for me again.

6 THE CLERK: C-e-l-a-y-a.

7 THE COURT: Celaya.

8 THE CLERK: Celaya.

9 Jimmie A. Trotter, J-i-m-m-i-e, T-r-o-t-t-e-r.

10 THE COURT: Schneider, Evans, Celaya, and Trotter.

11 MR. KANAREK: Schneider.

12 THE COURT: Schneider, S-c-h-e-i-d-e-r.

13 MR. KANAREK: Yes, your Honor, in this interim, Mr.

14 Manson has a problem concerning his teeth. He informs me,  
15 the lower ones will probably have to come out and he's indicated  
16 to me that this requires a period of some two to three weeks  
17 for this problem. And it is a very pressing problem. And we  
18 would welcome the Court talking it over with his dentist. But  
19 he tells me this is an ongoing current situation, and he has  
20 a desire, of course, to have his physical condition alleviated.

21 THE COURT: The Court intends to take a week at the end  
22 of August, possibly two weeks. I'm not sure. And it may be  
23 from the 23rd on. Would that be -- let me just directly ask  
24 Mr. Manson directly.

25 MR. KANAREK: Sure.

26 THE COURT: Do you have any knowledge of when the dentist  
27 would be able to do this work?

28 THE DEFENDANT: You give me an hour to check with him

3-2

1 the other day, and he said if I didn't get some out of the  
2 bottom, I was going to loose them all. And it isn't a  
3 question of just a few, it is a question of there's a lot of  
4 work to be done down in there.

5 THE COURT: Is there one particular dentist? Could I  
6 have his name?

7 THE DEFENDANT: Just the jailhouse dentist, you know.

8 THE COURT: Did he tell you when he was going to begin  
9 that work?

10 THE DEFENDANT: He said he could begin as soon as I  
11 could get time off for the work. See, I don't even eat, and  
12 this is a problem. And I don't get it fixed pretty soon, --

13 THE COURT: I'll talk to him and find out if it can wait  
14 until the 23rd.

15 Is it giving you any pain or discomfort?

16 THE DEFENDANT: Yeah, quite a bit.

17 MR. MANZELLA: I'm sorry to interrupt, there was a  
18 request I was going to make, discuss with the Court and Mr.  
19 Kanarek. Since Mr. Manson's up, and this would require some  
20 time, I would like to discuss this other matter with the  
21 Court as well.

22 THE COURT: All right, go ahead.

23 MR. MANZELLA: Well --

24 THE COURT: Are those prospective jurors on the way?

25 THE BAILIFF: Yes.

26 MR. MANZELLA: After we selected the alternate jurors,  
27 your Honor, I wanted to ask the Court for a short recess  
28 before the People gave their opening statement and began

3-3

1 presenting evidence.

2 Now, we'll obviously get the alternate jurors  
3 before August 23rd, which was the time the Court was going  
4 to take off.

5 Now, the time -- as I say, I was going to ask for  
6 a short recess. Perhaps during that time the dentist could  
7 work on Mr. Manson's teeth at the same time. I don't know if  
8 the Court was going to grant my request for a recess --

9 THE COURT: Let's look at the situation after we get  
10 the alternate jurors, find out when it is and whether or not  
11 it is feasible, and in the meantime the Court will talk with  
12 that dentist and find out when he can begin this work.

Ba file

13 THE DEFENDANT: Well, he can begin it any time.  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

3a-1

1 THE COURT: And if he can delay it, perhaps delay it  
2 until perhaps we have these alternate jurors selected or  
3 until the 23rd, it might be feasible, and then you'd have a  
4 period of two weeks -- he would have a period of two weeks,  
5 at least, during which he can do that work.

6 THE DEFENDANT: I've got to get some out of the bottom.

7 THE COURT: The Court will find out whether or not it  
8 would be feasible, whether it would be reasonable to delay it,  
9 whether it would in any way be harmful to delay it until  
10 the 23rd. If it would be, well, then, we'll make some  
11 arrangements to have it done beforehand.

12 MR. KANAREK: I think the Court misspoke. It said  
13 October 23rd.

14 THE COURT: Did I? I meant August.

15 Are the jurors out there?

16 THE BAILIFF: Yes.

17 THE COURT: Bring them in.

18 Scheider, Evans, Calaya and Trotter. Would you be  
19 seated in that order, beginning with the end seat occupied by  
20 Mr. Scheider.

21 Gentlemen, if you would answer affirmatively to  
22 any of the Court's questions, raise your hand.

23 The Court wishes to know whether or not you, any  
24 of you -- would -- strike that.

25 Is there anyone of you who was not present at  
26 the time when the Court explained the nature of this case to  
27 prospective jurors in your group and when the Court examined  
28 the first prospective juror called to the box from your group?

1 Is there anyone of you who would answer  
2 differently to the questions of a general nature put to that  
3 alternate juror -- to that -- strike that -- to that prospec-  
4 tive juror?

5 Is there anyone of you for whom it would be a  
6 hardship to serve on this case?

7 BY THE COURT:

8 Q Mr. Schelder, would you tell us what it would be?

9 A Well, my place of employment said they won't pay  
10 me after 30 days.

11 Q What is your place of employment?

12 A Lawyers Title in the Hall of Records.

13 Q Lawyers Title?

14 A Yes.

15 Q And you work doing what?

16 A Title searcher.

17 Q Title searcher?

18 A Yes.

19 Q How long have you been so employed?

20 A Five months with them.

21 Q And they indicate that they will not pay you?

22 A Well, it is their policy after 30 days.

23 Q I see.

24 A So I'd have to live on \$5 a --

25 Q And do you support yourself from your earnings  
26 from Lawyers Title?

27 A Yes.

28 Q Just yourself, only yourself?

3a-3

1 A Just myself.

2 Q Are you a law student?

3 A No, I am not. Just a title searcher.

4 THE COURT: People?

5 MR. MANZELLA: We are of the opinion it would constitute  
6 a hardship, your Honor.

7 THE COURT: The Court believes it would be a hardship.  
8 The Court denies the defendant's motion, standing motion, and  
9 the Court does release you.

10 The Court finds that this is a hardship which you  
11 shouldn't be required to endure, and does release you. Room  
12 253 forthwith, if you would, please.

13 Pass that on to Mr. Edwards.

14 BY THE COURT:

15 Q Mr. Edwards, I take it it would not be a hardship  
16 to you, either financial or personal?

17 A No.

18 Q And the Court would ask you whether you have served  
19 as a juror before?

20 A No.

21 Q Have you ever served as a juror in a criminal case  
22 of any type?

23 A No.

24 Q In what -- and what is your type of work? What  
25 type of work do you do?

26 A I am retired.

27 Q From what? What work?

28 A Carpenter.

3a-4

1

Q What business?

2

A Carpenter.

3

Q And for whom did you work?

4

A Oh, various construction companies. Cabinet companies, mostly.

6

Q And is there a Mrs. Edwards?

7

A Yes.

8

Q Is she employed outside the home?

3b file. 9

A No, she just retired.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

35-1

1 Q And in what type of work?

2 A She was with the federal government in the  
3 Veteran's Administration.

4 Q Are you related to or a friend of any law  
5 enforcement officer?

6 A Not now, no.

7 Q What do you mean by that, not now?

8 A Well, in past years, my father was in law  
9 enforcement.

10 Q Your father was connected with the police  
11 department in some way?

12 A No, he was a District Attorney at three counties,  
13 in Indiana. He died many years ago, though.

14 Q I see. Well, when was he last District Attorney of  
15 any county?

16 A I think 1918, 17 or 18.

17 Q Way back, then?

18 A Yes.

19 Q Do you think that would affect your judgment in this  
20 case, Mr. Edwards?

21 A Well, I don't know.

22 Q Would you be more inclined to favor the prosecution  
23 as a result of having been related or being related to a person  
24 who was a District Attorney for a number of years in his life?

25 A Well, I spent a lot of time in the courtroom with  
26 him. I don't know whether it would or not, after this long a  
27 time. I hardly think so.

28 Q You don't think it would affect your judgment?



3b-2

1 A No.

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

3 THE COURT: If you wish, yes, you may.

4 The Court doesn't believe so. The Court will go on  
5 and question Mr. Edwards.

6 BY THE COURT:

7 Q Are you sure it would not in any way affect your  
8 judgment, Mr. Edwards?

9 A I don't think so, no.

10 Q When you say "I don't think so," are you hedging  
11 at all?

12 A No, I am not.

13 Q All right. In what general area do you reside?

14 A Van Nuys.

15 Q And how long have you lived in the State of  
16 California?

17 A Since '31. That would be 40 years.

18 Q Do you have views concerning the death penalty,  
19 such that you could not be fair and impartial in determining  
20 the question of guilt or innocence?

21 A No.

22 Q Do you have views about the death penalty that  
23 would cause you to automatically refuse to impose it, regardless  
24 of the evidence?

25 A No.

26 Q Or do you have views concerning the death penalty,  
27 such that you would automatically refuse to impose it upon a  
28 a conviction of murder in the first degree?

3b-3

1 A No.

2 THE COURT: Let's pass the microphone on to Mr. Celaya.

3 Can you think of any reason, before you part with  
4 that microphone, Mr. Edwards, as to why you could not be fair  
5 and impartial in this case?

6 PROSPECTIVE ALTERNATE JUROR NO. 2: No.

7 BY THE COURT:

8 Q All right, Mr. Celaya, -- am I pronouncing your  
9 name correct?

10 A Yes, sir.

11 Q What type of work do you do?

12 A I am a letter carrier and I also own a beer bar.

13 Q You are a what owner?

14 A Letter carrier.

15 Q Oh, letter carrier.

16 A And a bar owner.

17 Q How do you find the time to combine those two  
18 careers?

19 A I get out of work at 2:30 and I'm usually down there  
20 by 3:00.

21 Q And you work until 2:00 in the morning or some-  
22 thing?

23 A No, I have somebody that comes in late.

24 Q I see. And where is your bar?

25 A On 24th and Vermont.

26 Q And where do you work at as a letter carrier?  
27 What area?

28 A Silverlake-Echo Park.

3b-4  
1 Q Mrs. Celaya?

2 A She is a contractor for a sewing factory.

3 Q Are you related to or a friend of any law  
4 enforcement officer?

5 A Yes, sir.

6 Q Tell us about that.

7 A Well, my brother-in-law in Springfield, Minnesota,  
8 used to be a policeman there.

9 Q He used to be a policeman there?

10 A Yes.

11 Q How long ago was he a policeman?

12 A About a year.

13 Q And how often have you seen him?

14 A I haven't seen him in the last three years.

15 Q You think that would affect your judgment in the  
16 case?

17 A I don't think so.

18 Q Are you hedging, as I asked Mr. Edwards, when you  
19 say "I don't think so"?

20 A I don't know.

21 Q Are you unsure about whether or not that would  
22 affect your judgment?

23 A Yes, sir.

24 Q You think it might, the fact that you were related  
25 to this brother-in-law policeman might affect your judgment so  
26 that you would be partial to the prosecution?

27 A I doubt it.

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

3b-5

1 THE COURT: Well, no, you may not.

2 BY THE COURT:

3 Q Well, tell me what your state of mind is in  
4 connection with that?

5 Are you unsure at this moment whether you can be  
6 fair to the defense, as fair to the defense as you can be to the  
7 prosecution?

8 A Well, I think I can be fair.

9 Q Well, when you say "I think" --

10 A Well, I'm sure I can be.

11 Q That's what I am concerned with. You know your  
12 state of mind better than anyone, and we're simply attempting  
13 to judge from what you have said whether or not that -- your  
14 state of mind would be such that you could not be fair.

15 Do you think you could be fair and impartial even  
16 though you might have had a brother-in-law who a year ago was  
17 a police officer?

18 A Yes, sir.

19 Q Then you saw this man the last time three years  
20 ago?

21 A Yes, sir, but I never knew him while he was a  
22 policeman because he was back there, then, and I've never  
23 been back there to Minnesota to see him.

24 THE COURT: Do you wish to approach the bench?

25 MR. KAMAREK: Yes.

26 THE COURT: All right, I'll let you approach later and  
27 make any objection that you might have or put anything on the  
28 record that you wish to.

3b-6

1 BY THE COURT:

2 Q Have you been a juror before?

3 A No, sir.

4 Q In neither a civil nor a criminal case?

5 A No, sir.

6 Q Do you know any reason why you couldn't be fair and  
7 impartial in this case?

8 A No, sir.

4 fls.

4-1

1 Q Are your views concerning the death penalty such  
2 that you would not be able to be fair and impartial in  
3 determining guilt or innocence?

4 A No.

5 Q Or are your views such that you would automatically  
6 refuse to impose the death penalty, regardless of the evidence?

7 A Yes, sir.

8 Q Do you mean by that that regardless of what  
9 evidence might be produced, you would automatically refuse  
10 to impose the death penalty?

11 A Yes, sir. It's against my conscience to do so.

12 Q And given the choice between life imprisonment and  
13 death, would you automatically choose life imprisonment? Is  
14 that your state of mind?

15 A Yes, sir.

16 Q Regardless of the evidence that would be produced?

17 A Yes, sir.

18 Q Are your views such that you would never vote to  
19 impose the death penalty, regardless of the evidence?

20 A Right.

21 MR. MANZELLA: The People would respectfully challenge  
22 the juror for cause under Section 1073, Subdivision 2 of the  
23 Penal Code, your Honor.

24 THE COURT: Any questions?

25 MR. KAMAREK: No questions.

26 THE COURT: All right. The Court grants the challenge.  
27 Mr. Celaya, the Court does excuse you and thanks you, and you  
28 may report to Room 253 forthwith.

VOIR DIRE EXAMINATION OF  
JIMMIE A. TROTTER

BY THE COURT:

Q Mr. Trotter, it would not be a hardship in any way for you to serve in the case; is that correct?

A No, it wouldn't.

Q What type of work do you do?

A Data processing, input manager.

Q For whom?

A May Company.

Q Is there a Mrs. Trotter?

A No.

Q And are you related to or a friend of any law enforcement officer?

A No, sir.

Q And have you ever served as a juror before, in a criminal case?

A No.

Q In what general area do you reside?

A Los Felix.

MR. KANAREK: I'm sorry. I didn't hear that.

PROSPECTIVE JUROR TROTTER: Los Felix area.

MR. KANAREK: Oh, Los Felix.

Q BY THE COURT: Are your views such that you would refuse to -- automatically refuse to impose the death penalty, regardless of the evidence in the case?

A No.

Q Or are your views such that you could not be fair

1 and impartial, as a result of your -- in connection with the  
2 first phase of the case, the guilt or innocence phase, as  
3 a result of your views concerning the death penalty?

4 A No.

5 Q Or would you automatically impose the death  
6 penalty, regardless of the evidence, upon a conviction of  
7 murder of the first degree?

8 A No, I wouldn't.

9 Q Now, we wish to ask both of you gentlemen now  
10 about the publicity that you may have heard, seen or read.  
11 And I'll ask Mr. Edwards to leave the room first, and then  
12 we'll go on with Mr. Trotter.

13 (Whereupon prospective juror Edwards exited the  
14 courtroom, and the following proceedings were had:)

15 Q BY THE COURT: Mr. Trotter, before you came in this  
16 courtroom, and the Court told you the title of this case, had  
17 you ever heard the name Charles Manson?

18 A Yes, I had.

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

21 A Yes, that's true.

22 Q And did you follow that case in the news?

23 A Yes, quite a bit.

24 Q The newspaper, --

25 A Yes.

26 Q -- television, radio?

27 A TV.

28 Q And did you talk it over with friends and relatives --



1 A Yes, I have.  
2 Q -- from time to time?  
3 A (Indicating affirmatively.)  
4 Q Do you know the result of that case?  
5 A Yes. He was found guilty.  
6 Q Of what?  
7 A Of murder.  
8 Q And do you know whether the jury returned with a  
9 verdict in the penalty phase?  
10 A Yes.  
11 Q What was it, to your best knowledge?  
12 A It was death.  
13 Q And do you know the name Susan Atkins?  
14 A Yes.  
15 Q What does that mean to you? What does that name  
16 mean to you?  
17 A Well, she was -- you know, she was found guilty  
18 also.  
19 Q She was a co-defendant, then?  
20 A Yes.  
21 Q Do you know the names of other co-defendants?  
22 A Uhh -- not offhand. I started following it quite  
23 a bit at first, and then later I didn't as much; I sort of  
24 lost interest.  
25  
26  
27  
28

4a fls.

4a-1

1 Q Do you know the name Bobby Beausoleil?  
2 A No.  
3 Q Mary Brunner?  
4 A Yes.  
5 Q What does that name mean to you?  
6 A Well, it was in -- I don't remember exactly in  
7 what connection it was. However, I do remember the name being  
8 mentioned.  
9 Q Do you know -- had you heard the name Shorty  
10 Shea, or had you heard the name Gary Hinman, before you came  
11 into this courtroom?  
12 A Gary Hinman, yes.  
13 Q In what connection had you heard it? Prior to the  
14 time that I read the indictment, that is.  
15 A Only in connection with the killing of Gary  
16 Hinman, the murder of Gary Hinman.  
17 Q In connection with his murder, you say?  
18 A Yes.  
19 Q Is that what you said?  
20 A Yes.  
21 Q And what had you read about that?  
22 A Well --  
23 Q Heard, seen or read about it?  
24 A Uh -- just the fact that he had been -- you know,  
25 murdered, as -- and he was a musician, I believe, at the time.  
26 Q Had you read that Mr. Manson was in some way  
27 connected with it?  
28 A Yes.

4a-2

1 Q Do you remember any of the alleged facts?

2 A No, not particularly, no.

3 Q Any news reports?

4 A I recall seeing them. But as far as the details,  
5 no, I didn't pay that much attention to them.

6 Q If I should instruct you that it would be your  
7 solemn obligation to set aside anything that you might have seen,  
8 heard or read in the news media, or in discussions that you've  
9 had with friends concerning Mr. Manson, the Tate-La Bianca case  
10 or this case, that you were to set aside anything that you  
11 might remember about such things, that you do not now remember,  
12 could you do that for the purpose of making a judgment in this  
13 case, based solely on the evidence and the Court's instructions?

14 A In this particular case, I'm not sure that I could  
15 be totally impartial, no.

16 Q You are not sure that you could eliminate those  
17 things from your mind that you had heard, seen or read?

18 A No, I'm not.

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

20 BY THE COURT:

21 Q Is that your state of mind?

22 A Yes, it is.

23 THE COURT: You needn't approach the bench.

24 MR. KANAREK: Very well. Thank you. 1073, Subsection  
25 2, your Honor.

26 THE COURT: All right. The Court grants the challenge.

27 In order for the Court to allow you to sit on the  
28 jury, the Court must find that you can effectively eliminate

4a-3

1 certain things from your mind -- not forget them, but set them  
2 aside -- for the purpose of making an independent judgment --  
3 a judgment on the case, independently of such things.

4 The Court appreciates your assessment of your  
5 inability in this case to do that. And the Court does excuse  
6 you.

7 Thank you, Mr. Trotter.

8 PROSPECTIVE JUROR TROTTER: Thank you.

9 MR. KAMAREK: Thank you, Mr. Trotter.

10 THE COURT: Get Mr. Edwards in.

11 Come forward, Mr. Edwards.

12  
13 VOIR DIRE EXAMINATION OF  
14 (Continued)

15 RALPH E. EDWARDS

16 BY THE COURT:

17 Q Mr. Edwards, I would like to ask you whether you  
18 had ever heard the name Charles Manson, heard, seen or read it,  
19 before you came into this courtroom and heard the Court read  
20 the indictment to you?

21 A I have.

22 Q And was that in connection with this case or some  
23 other case or both?

24 A Uh -- both cases.

25 Q Have you heard -- heard, seen or read anything  
26 about this case, in the last two weeks?

27 A Nothing except a headline yesterday that the jury  
28 had been accepted.

29 Q Simply that?

4a-4

1

A That's all.

2

Q All right. Now, in connection with that other case, had you followed that? Did you follow that in the news?

3

A I never follow any murder cases or anything of the kind in the news, because I -- I've got other things to do with my time.

4

Q Did you occasionally, however, read a news article or watch television or listen to the radio in connection with that case?

5

A Well, I listened to the news on the radio once in a while -- or, quite frequently, in fact -- and --

4b fls.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

4b-1

1 Q Do you know what the result of that case was?

2 A Yes, I know that's what the result was.

3 Q What do you believe it to be? What is your best  
4 knowledge of it?

5 A As far as I know, it was murder in the first  
6 degree.

7 Q And --

8 A And the death penalty was given to the defendant.

9 Q Was there more than one count, do you recall?  
10 More than one alleged victim?

11 A I don't -- it seems to me like there was, but I  
12 don't know. I don't know their names.

13 Q Had you heard the name Shorty Shea before you came  
14 into this courtroom? Or Gary Hinman? Either one.

15 A If I did, I don't remember it.

16 Q Do you know the name Susan Atkins?

17 A Yes, I'd heard that.

18 Q What do you know about that name?

19 A Just merely that I heard it on the radio. I put  
20 those things out of my mind, because I'm not -- I'm not  
21 interested in them.

22 Q Do you know the -- do you remember any news  
23 reports in connection with those names?

24 A (No response.)

25 Q I mean, can you recount any of the details?

26 A No, I can't. I can't -- I know that Susan Atkins  
27 was one of the parties involved, but I don't even know what  
28 she did or what part she had in the case.

4b-2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Q And regarding Gary Hinman, do you --

A That name, I don't --

Q You don't remember it?

A It doesn't ring a bell at all.

Q And Shorty Shan, the same?

A The same.

Q Now, if I were to tell you that it would be your solemn obligation to follow the Court's instructions, to set aside anything that you may have heard, seen or read in connection with that case -- that is, the Tate-La Bianca case -- this case or Mr. Manson -- anything that you may remember in the future -- you're sitting there now and stating that you can't remember some things concerning some names, but you probably would concede that perhaps something in the course of this trial might cause you to remember more detail.

If I were to tell you to set that aside, anything you might remember, along with setting aside news reports and conversations, could you do that, for the purpose of making a judgment independently, based upon the evidence in the case and the Court's instructions?

A I could.

Q Do you have any doubt about your ability to segregate the news reports from the evidence?

A No, I don't believe -- I don't think I could have any trouble.

Q And will you do that, if you are selected as a juror in this case?

A I would.

4b-3

1 Q And can you be fair and impartial in determining  
2 any issue that you might be called upon to determine in this  
3 case?

4 A I can.

5 Q All right. Any opinion that you might have formed,  
6 based upon news articles, conversations, will you set aside  
7 that opinion, and decide the case solely on the evidence and  
8 the Court's instructions?

9 A Yes.

10 THE COURT: You may approach the bench.

11 PROSPECTIVE JUROR EDWARDS: Your Honor?

12 Q BY THE COURT: Yes.

13 A There's one question in my mind.

14 Q All right. Do you wish to state it?

15 A I wish to state, for the sake of the other jurors  
16 and for you gentlemen, each party involved --

17 Q Very well. Go ahead.

18 A I, for most of my life, have had asthma and  
19 bronchitis. And it -- there is a possibility that it might --  
20 the same as the possibility that anyone else might become  
21 ill, that I might have an attack of asthma or bronchitis,  
22 which would hold me up for a day or two. And I don't consider  
23 it fair to your -- the Court or to the jurors, to come in  
24 without making this fact known.

5 fls.



5-1

1 Q What's been the history in the last year? Have  
2 you been incapacitated in the last year?

3 A Not from that, no. I was for a few days with  
4 a kidney stone.

5 Q You've been able to be up and about and active  
6 even in spite of this asthma and bronchitis?

7 A Yes.

8 However, I've worked all my life with a hypo-  
9 dermic needle with me or close to me, which I take adrenalin  
10 if I have to.

11 Q And you have it with you now?

12 A Yes.

13 Q Have you had any medical opinion which would  
14 indicate that this is the case, that you would be incapacitated  
15 or are you just judging from --

16 A I'm just judging from the past, is all.

17 But I wouldn't consider it fair to you or the  
18 other jurors to come onto this case without letting you be  
19 cognizant of the fact that I do have this condition.

20 Q What -- how long ago was the last attack which  
21 incapacitated you for anything more than an hour or two?

22 A Well, I can't -- it must be three or four years  
23 since I have been confined, and then it was with a cold and  
24 a bronchial condition along with it. That's what makes my  
25 voice a little husky.

26 Q Three or four years ago?

27 A Yes.

28 Q Since that time you've been using this medicant,

1 this hypodermic?

2 A Well, I've used it off and on since 1918.

3 Q Oh, I see.

4 Do you want to approach the bench?

5 The Court does not believe that would disqualify  
6 you. The Court thanks you for your concern, though, because  
7 certainly we do want you to be present every day you can be.  
8 We do want you to be present every day that evidence is taken.  
9 You have to listen to it just as if you were one of the jurors  
10 in the box.

11 PROSPECTIVE ALTERNATE JUROR NO. 2: That's why I told  
12 you what I did.

13 MR. KANAREK: May we take the recess your Honor  
14 indicated?

15 THE COURT: Yes. Yes, we'll take the recess at this time.

16 Don't converse amongst your fellow jurors or  
17 your fellow prospective jurors and don't talk with anyone  
18 in connection with the case, Mr. Edwards.

19 PROSPECTIVE ALTERNATE JUROR NO. 2: Thank you.

20 THE COURT: Take about 10 minutes. We'll take a  
21 recess in the Manson matter.

22 (Morning recess.)  
23  
24  
25  
26  
27  
28

6 fls.

6-1

1 THE COURT: The record will show Mr. Manson to be  
2 present with his attorney, Mr. Kanarek, and Mr. Mannella.  
3 Mr. Edwards is in the box.

4 I believe, Mr. Kanarek, that you wished to approach  
5 the bench, didn't you?

6 MR. KANAREK: Yes, your Honor.

7 THE COURT: You may.

8 (Whereupon, the following proceedings were had  
9 at the bench, not within the hearing of the prospective  
10 alternate juror;)

11 MR. KANAREK: Yes, Could I -- I do challenge under  
12 1073, Subsection 2 this gentleman, your Honor. I --

13 THE COURT: On what grounds?

14 MR. KANAREK: Well, first of all, about his -- his  
15 relationship with his father. He indicated that he had been  
16 to court with him, and he used the -- words such as, "I think,"  
17 and, "I believe," and so forth in connection with his father.

18 THE COURT: I do believe, however, that he can, in spite  
19 of the fact that he did use such words, that he can be fair  
20 and impartial; that he will be fair and impartial.

21 I don't think that would affect his judgment in  
22 this case.

23 MR. KANAREK: All right.

24 THE COURT: And the Court denies the challenge on that  
25 ground.

26 MR. KANAREK: I'll interrogate him.

27 THE COURT: On the publicity ground, you wish to  
28 interrogate him?

6-2

1 MR. KANAREK: Yes.

2 THE COURT: All right. Go ahead.

3 MR. KANAREK: Thank you.

4 (Whereupon, the following proceedings were had  
5 in open court, within the hearing of the prospective  
6 alternate jurors.)

7 THE COURT: Go ahead, Mr. Kanarek.

8  
9 VOIR DIRE EXAMINATION

10 BY MR. KANAREK:

11 Q Yes. Mr. Edwards, what -- what was that headline  
12 you saw yesterday in the Valley Green News Sheet?

13 A Yes.

14 Q And what did you -- what did the article state?

15 A I didn't read the article. I only read the  
16 headlines, when I was reading the Van Nuys News.

17 Q I see.

18 Now, the Court asked you whether, after a first  
19 degree murder conviction, you would automatically impose the  
20 death penalty.

21 Do you remember asking the Court -- do you remember  
22 the Court asking you that?

23 A Yes.

24 Q And you said, "No," in sort of a hesitant manner.  
25 What was your thinking as you said "No" in that way?

26 A I wouldn't automatically impose the death penalty,  
27 no.

28 Q But -- well, what -- what would be your state of

1 mind, as far as the death penalty was concerned?

2 A Well, the only thing I can say is, I'm not opposed  
3 to it. I already stated that.

4 Q What is your state of mind of a conviction of  
5 first degree murder, concerning the death penalty?

6 MR. MANZELLA: Your Honor, excuse me. I would object  
7 to the question as framed. It's asking the juror to  
8 prejudge the evidence, because at the time of the conviction  
9 of first degree murder, the juror will have heard evidence.

10 MR. KANAREK: I am asking him his state of mind in a  
11 vacuum, your Honor. I'm not asking him about evidence or  
12 anything.

13 I am just asking him his state of mind about the  
14 imposition of the death penalty after a conviction of first  
15 degree murder.

16 THE COURT: The objection is overruled.

17 You may answer it, if you understand it.

18 PROSPECTIVE JUROR EDWARDS: I understand it. I have --  
19 I've never arrived at that point, so I wouldn't know how I'd  
20 feel at that time.

21 Q BY MR. KANAREK: And what have you heard concerning  
22 the name Sharon Tate? If anything?

23 A Well, the only thing I know about her was that she  
24 was a movie actor, or connected with the movie industry in  
25 some way or another; and that she was murdered, or supposed  
26 to have been.  
27  
28

6a-1

1 Q And what is your -- from the publicity, what is  
2 your -- what have you heard concerning Mr. Manson, if anything,  
3 and that event concerning Sharon Tate?

4 A Only, as I stated, what I have automatically been  
5 forced to hear, over the radio or television.

6 I don't take the Los Angeles Times; I don't take any  
7 paper, except the Van Nuys News, and I read it just for the  
8 local news.

9 And I'm not interested and never have been in any  
10 murder cases. I've never followed one yet, through to its  
11 conclusion in the newspapers.

12 Q Well, Mr. Edwards, you are not on the defensive  
13 here. We are -- all we are doing here is gathering information  
14 for Judge Choate to make a decision. And so you don't -- there  
15 is no necessity for you to -- to sort of defend yourself, be-  
16 cause we are hopefully friends.

17 We just want to find out the information you know,  
18 however large or however small it may be, whether it came -- if  
19 you are a member of the Elks, whether it came from the Elks  
20 magazine, or whatever. See? That's all.

21 So, having in mind that, like you say, you were  
22 automatically forced, what were you referring to when you said  
23 that?

24 A Well, if I was -- if I am listening -- have been  
25 listening to the news of the television or been listening to the  
26 radio, I have heard the news mentioned.

27 But I pay no attention to anything in regard to the  
28 case at all, because I'm not interested in -- in murder cases.

1 I have got other things that I am interested in,  
2 other than that.

3 Q But then, it's a fair statement that, as you put  
4 it, you were automatically forced, against your will, on many,  
5 many occasions during 1970, to hear newscasts concerning the  
6 Tate-La Bianca case; is that correct?

7 A Well, I could hardly help but to, yes; it's  
8 correct.

9 Q And on occasion, did you see some of these  
10 pictures drawn of people in the courtroom --

11 A No.

12 Q -- that were put out?

13 A No. No, the only memory I have of seeing a  
14 picture, either on television or -- or in the papers, as I  
15 say, the only paper I take is the Van Nuys News. And they have  
16 very little in their paper.

17 Q Well, now, having in mind -- having in mind what  
18 you have heard concerning this Tate-La Bianca case and  
19 Mr. Manson, would you tell us, in capsule form, whatever --  
20 however large or small it may be -- what have you heard?  
21 Concerning Mr. Manson and the Tate-La Bianca case?

22 A Well, as far as I know, the only thing that I --  
23 that comes into my mind is what I heard at the -- that first  
24 day or two, that the -- the murders were committed.

25 And then later, when the -- when the Manson  
26 Family was connected with it.

27 But nothing that I can remember that stands out in  
28 my mind regarding the case at all, other than the fact that



1 there was such a case.

2 Q Did you hear from the publicity how these  
3 alleged murders took place? What kind of weapon, if any, was  
4 used?

5 A Well, yes, I did hear something about them  
6 having been -- some of them hung up; and some of them were  
7 shot.

8 Q Well --

9 A And I guess there was some stabbing done, if  
10 my mind reverts back to --

11 Q And that involved how many people?

12 A I couldn't tell you.

13 Q And what, if any, place did Mr. Manson have in  
14 connection with those events, as far as you heard from the  
15 publicity?

16 A I don't know. Actually, I don't know what actual  
17 part he took in it.

18 Q Did you hear President Nixon make any statements  
19 concerning the case? Did you hear about that?

20 A I heard that he did make a statement, at the time  
21 that he made it, but I couldn't quote the statement now or  
22 come anywhere close to stating it.

23  
24  
25  
26  
27  
28  
7 fls.



7-1

1 Q Now, do you know the gist of what President Nixon  
2 said?

3 A Honestly, no.

4 Q By what company were you employed, Mr. Edwards?  
5 What company were you employed? I didn't get it  
6 when you said it to the Court. You said you were a retired --

7 A I am a retired union carpenter. And I was  
8 employed mostly for the union. I worked for the Standard  
9 Cabinet Company, for Adaptable Store Equipment Company, most  
10 recently, and I've been retired since November of 1967.

11 Q Now, when you went to the court with your father,  
12 when he was a District Attorney in Indiana, was this in  
13 connection with criminal cases?

14 A Uh, yes, all kinds of cases.

15 Q Including murder and robbery and everything, that  
16 is ran the gamut of criminal cases; is that correct?

17 A Yes. I don't remember of ever being -- I know  
18 there was one murder case, but I don't remember of ever going  
19 into the courtroom with him on that murder case. The fact is,  
20 he wouldn't have let me -- didn't let me.

21 Q I see.

22 Now, do you know, does the name La Bianca mean  
23 anything to you? The name La Bianca?

24 A Only that I had heard it connected with the Manson  
25 case, and it is just repetitious hearing of the name is all.

26 Q Does the name Rosemary La Bianca mean anything to  
27 you?

28 A No.

7-2

1 Q Or -- or, uh, Leno La Bianca.

2 A No.

3 Q Does that mean anything to you?

4 A No.

5 Q What does the term Manson Family mean to you, if  
6 anything?

7 A Well, uh, as near as I can interpret what I have  
8 heard of it or seen -- uh, not seen, but what I have heard of  
9 it, it was a communal family. And outside of that, I know  
10 nothing about it.

11 Q Now, your state of mind is, from what you heard  
12 in the publicity, however, that Mr. Manson has been convicted  
13 of murder in the first degree, right?

14 A Well, that's my state of mind, yes, that he had  
15 been connected -- or had been on the previous case. I  
16 couldn't help but hear that. I could not know it very well  
17 and still be living in Los Angeles, I guess.

18 Q And also the penalty? Do you know what the penalty  
19 was?

20 A Yes.

21 Q What was the penalty?

22 A The death penalty.

23 Q As to each of those murders?

24 A Uh, as far as I know, yes.

25 Q All right.

26 MR. KAHAREK: I would like to approach the bench, your  
27 Honor.

28 THE COURT: You may.

7-3

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Have you any doubt about what you have heard, seen or read, that you can set that aside, Mr. Edwards, or anything in connection with the news releases that you have heard, seen or read, and decide this case only on its evidence and my instructions?

ALTERNATE JUROR NO. 2: No, I haven't. I am only attempting to answer the questions as honestly as I can. I didn't -- I honestly don't want -- don't particularly care about being on this case. Don't want to be on it. But it is my duty as a juror to answer as honestly as I can.

THE COURT: And you can be independent, act independently of such information, of what you have learned, and decide the case only on the evidence?

ALTERNATE JUROR NO. 2: Yes, I'm going to make my own mind up about anything, any jury that I might be on.

7a fls.

7a-1

1 MR. KANAREK: And may I ask a question from here?

2 THE COURT: Yes.

3 MR. KANAREK: May I ask --

4 THE COURT: Yes.

5 BY MR. KANAREK:

6 Q Mr. Edwards, what do you mean when you say you  
7 don't want to be on the jury?

8 A Well, I don't want to be tied up that long. I'm  
9 candid. I'm getting to the place where I am 70 years old and  
10 I don't know how many more years I'm going to live. And to be  
11 tied up for this number of months is cheating me out of part  
12 of the life I have left.

13 However, that doesn't mean that I am not willing  
14 to do my duty as a citizen.

15 (Whereupon, the following proceedings were had at  
16 the bench among Court and counsel, outside the hearing of the  
17 prospective alternate jurors.)

18 MR. KANAREK: Well, your Honor, I do challenge this  
19 juror despite the protestations of --

20 THE COURT: You don't believe he's capable of setting  
21 aside what he has heard, seen or read?

22 MR. KANAREK: No, I do not, your Honor.

23 He talks about automatically forced to -- and --

24 THE COURT: People?

25 MR. MANZELLA: We would oppose the challenge, your Honor.  
26 He seems to be, judging by the jurors we've seen in the past,  
27 he seems to be firm. He seems to be intelligent. He seems  
28 to have, in my opinion, somewhat less than the amount of

1 knowledge than most of the jurors have had. On top of that, he  
2 seems to be firm and intelligent. I think he's capable of  
3 setting aside whatever he may have heard, seen or read or may  
4 remember of what he has heard, seen or read. I think he will  
5 do it, and he will be impartial.

6 Accordingly, the Court would deny the challenge.  
7 The Court believes that he can decide the case fairly and  
8 impartially, setting aside any opinions he may have formed.

9 MR. KANAREK: Well, your Honor, if I may, I think we've  
10 lost sight of the fact that --

11 THE COURT: I think the record --

12 MR. KANAREK: -- it isn't knowledge of the detail that  
13 counts, the fact he knows of the result. If someone knows,  
14 for instance --

15 THE COURT: I think the record is abundantly clear in  
16 connection with your viewpoint concerning anybody who knows  
17 the results of the Tate-La Bianca case.

18 MR. KANAREK: I mean, as to Mr. Manson, seven death  
19 sentences, it is pretty horrendous.

20 THE COURT: Yes, you have stated that a number of times,  
21 and I don't think it is necessary to restate it. But the  
22 Court has viewed various jurors. Some of them I believe could  
23 not set aside what they have learned about the case, couldn't  
24 set aside opinions about the case. But those whom the Court  
25 has passed, the Court honestly believes, after viewing them and  
26 listening to them, that they can do what is required in order to  
27 be fair and impartial, and the Court denies the challenge in  
28 this case.

1 (Whereupon, the following proceedings were had in  
2 open court within the presence and hearing of the prospective  
3 alternate jurors.)

4 THE COURT: All right, select three more names.

5 THE CLERK: Lindbergh Williams, L-i-n-d-b-e-r-g-h, last  
6 name W-i-l-l-i-a-m-s.

7 THE COURT: He would be in seat No. 1.

8 THE CLERK: Mrs. Mary C. Watson, M-a-r-y, last name  
9 W-a-t-s-o-n.

10 THE COURT: W-a-t-s-o-n?

11 THE CLERK: Right.

12 Andres S. Zamora, A-n-d-r-e-s, middle initial S,  
13 last name Z-a-m-o-r-a.

14 That leaves us down to four.

15  
16 7b, fls.  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

7b-1

1 THE COURT: Order us another panel for the afternoon.

2 THE CLERK: How many?

3 THE COURT: We'll need 50. Tell them not to send any  
4 of those who have previously come over to this courtroom in  
5 the case. We had a mixture of them at one time, so tell them  
6 to eliminate those.

7 Those three are on the way, Mr. Kuckera?

8 THE BAILIFF: Yes.

9 (Whereupon, there was a pause in the proceedings.)

10 THE COURT: Where are they? On the other side of the  
11 Hall of Justice in the hallway?

12 THE BAILIFF: Yes, sir.

13 THE COURT: What's the problem with getting them here?

14 THE BAILIFF: We had to send a runner.

15 THE COURT: All right, we're in recess. Let me know  
16 when they get here.

17 Pick two more names so we can have them standing  
18 outside.

19 Oh, here they are.

20 Mr. Williams, you would be in seat No. 1.

21 PROSPECTIVE JUROR NO. 1: Yes, sir.

22 THE COURT: Mrs. Watson and Zamora are the other two  
23 names.

24 And now, call three more in order.

25 THE CLERK: Bessie M. Ellois, B-e-s-s-i-e, last name  
26 E-l-l-o-i-s.

27 Florence L. Washington, W-a-s-h-i-n-g-t-o-n.

28 George E. Walty, W-a-l-t-y.



7b-2

## VOIR DIRE EXAMINATION

BY THE COURT:

Q All right, Mr. Williams.

A Yes, sir.

Q Miss Watson or Mrs.?

A Mrs.

Q Mrs. Watson, and Mr. Zamora.

A Yes, sir.

Q Would you let me know if, by raising your hand, if you would answer affirmatively to any of my questions, first few questions.

Is there anyone of you who was not present when the Court explained the nature of this case to prospective jurors from your group, and is there anyone of you who was not present when the Court questioned the first prospective juror taken from your group?

Is there anyone of you whose questions -- whose answers would be any different than the answers than that first prospective juror's were to the questions of a general nature that the Court put to that juror?

All right.

Would it be a hardship to you to serve in the case?

A (Prospective Alternate Juror No. 1) It would to me, your Honor.

Q It would be, Mr. Williams?

A Yes, sir.

Q Would you explain it to us?

A Well, I called my company I worked for and they



7b-3

1 said they wouldn't pay me for six months. And I would lose my  
2 supervisory position.

3 Q You would lose your supervisory position?

4 A Yes.

5 Q What company do you work for?

6 A Channel 2, CBS.

7 Q They'll pay you for how long?

8 A Just the 30 days.

9 Q Just the 30 days.

10 Do you use your earnings to support yourself and  
11 your family?

12 A Yes, sir.

13 THE COURT: People?

14 MR. MANZELLA: The People are of the opinion it would  
15 constitute a hardship.

16 THE COURT: The Court likewise finds it would be a  
17 hardship and denies the defendant's standing motion and does  
18 excuse Mr. Williams. Thank you, Mr. Williams.

19 ALTERNATE PROSPECTIVE JUROR NO. 2: Yes, sir.

20 THE COURT: Room 253, if you would, please, the jury  
21 assembly room.

22 Do you have time left on jury duty?

23 ALTERNATE PROSPECTIVE JUROR NO. 2: Yes, six to eight  
24 more days.

25 THE COURT: All right, report there now, if you would.  
26 Perhaps you can be picked up on another jury in another  
27 courtroom.  
28

7c 11g.

7c-1

1 THE COURT: Then, the next name would be Elloie. Have  
2 Elloie come over.

3 BY THE COURT:

4 Q Mrs. Watson, it would not be a hardship, neither  
5 financial or personal to you?

6 A No.

7 Q What type of work do you do?

8 A I don't. I am a housewife.

9 Q Want to use that microphone?

10 A I am a housewife and mother.

11 Q In what general area do you reside?

12 A The Hollywood area.

13 Q Is there a Mr. Watson?

14 A Yes.

15 Q What type of work does he do?

16 A He works for Maltz Realty Company.

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

19 A No.

20 Q Have you sat on a criminal jury before?

21 A No.

22 Q As a juror?

23 Pardon?

24 A No.

25 Q Have you worked outside of the home at all?

26 A Yes.

27 Q Doing what?

28 A I was a checker in a cafeteria.

7a-2

1 Q Do you have such views concerning the death  
2 penalty that you would be unable to be impartial in determin-  
3 ing the question of guilt or innocence in the first phase of  
4 the case?

5 A No.

6 Q Or do you have such views concerning the penalty  
7 that you would automatically refuse to impose it regardless of  
8 the evidence?

9 A No.

10 Q Or would you automatically impose it upon a  
11 conviction of murder of the first degree, regardless of the  
12 evidence?

13 Would you impose the death penalty, vote for the  
14 death penalty, upon a conviction of murder of the first  
15 degree, regardless of the evidence in the case?

16 A Yes.

17 Q In other words, if somebody was convicted of murder  
18 in the first degree, your reaction would be to automatically  
19 vote for the death penalty?

20 A Right, yes.

21 Q Regardless of whatever evidence there might be?

22 A Well, I might take the evidence in consideration.

23 Q You would look at the evidence to determine  
24 whether you should impose life imprisonment or death?

25 A Yes.

26 Q It would not be an automatic reaction on your part--

27 A No.

28 Q -- or would it be?

7c-3

1 A No.

2 Q Concerning publicity, I'll ask you about that in a  
3 minute. But we'll go on to Mr. Zamora.

4 Now, Mr. Zamora, what type of work do you do, sir?

5 A I am retired.

6 Q From what type --

7 A I am retired from the Post Office and the Title  
8 Insurance and Trust Company.

9 Q And are you an attorney?

10 A No.

11 Q What did you do for Title Insurance and Trust?

12 A I operated a copy flow machine.

13 Q In what area did you work? Central Los Angeles?

14 A Yes, down here at Spring and --

15 Q Are you acquainted with or related to any law  
16 enforcement officers?

17 A No.

18

19

20

21

22

23

24

25

26

27

28

8 file.

1 Q Is there a Mrs. Zamora?  
2 A Yes.  
3 Q And what type of work does she do?  
4 A She's a housewife.  
5 Q And was she ever employed outside the home?  
6 A No.  
7 Q Have you ever served as a juror in a criminal  
8 case?  
9 A No, only in the civil cases.  
10 Q Only in the civil --  
11 A Yes.  
12 Q -- field? Would you take particular notice of the  
13 burden of proof in each case? You understand --  
14 A Yes.  
15 Q -- the respective burdens of proof?  
16 A Right.  
17 Q You understand what they are, do you not?  
18 A Right.  
19 Q All right. In what general area do you and  
20 Mrs. Zamora reside?  
21 A In El Sereno.  
22 Q Do you have views concerning the death penalty,  
23 Mrs. Zamora, such that you wouldn't be fair and impartial in  
24 determining guilt or innocence?  
25 A No.  
26 Q Or do you have views concerning it that you would  
27 automatically refuse to impose it, regardless of the evidence?  
28 A No.

1 Q Or would you automatically impose it, regardless of  
2 the evidence, upon a conviction of murder first --

3 A No.

4 Q -- degree? All right.

5 Let's pass the microphone down to the lady who has  
6 just come in.

7 VOIR DIRE EXAMINATION OF

8 BESSIE M. ELLOIE

9 BY THE COURT:

10 Q Would it be any hardship to you to serve,  
11 Mrs. Elloie?

12 A Yes, definitely.

13 Q Would you tell us about that?

14 A Well, I have two minor children.

15 Q Keep your voice up, will you?

16 A I have two minor children. And I just had a  
17 daughter who had surgery, and -- well, I think my hands are  
18 pretty full.

19 Q Were you present when the Court explained the  
20 nature of this case, and when the Court questioned the first  
21 prospective juror?

22 A Yes, I was.

23 Q All right. The first prospective juror from your  
24 group, I mean?

25 A Yes.

26 Q Would your answers be any different than -- to the  
27 general questions?

28 A No, they would not.

1 Q Who's taking care of the children now?

2 A My mother-in-law is, now, during the day.

3 Q Would it be possible to have her take care of the

4 children during the period of time that you'd serve as a juror?

5 A Well, I don't -- I think it would be a little

6 inconvenient to her, and --

7 Q She would do it, however?

8 A Well, I'm working during the day. So, during the

9 working hours, she will take care of the children.

10 Q Is that generally what happens, that she would,

11 that she -- that she would generally take care of your children?

12 A Yes. During my eight-hour period of work, yes.

13 Q I see. And for whom do you work?

14 A For the City.

15 Q The City of Los Angeles?

16 A Yes.

17 Q Well, can you explain to us wherein the inconvenience

18 or hardship lies?

19 A Well, for one thing --

20 Q You would be receiving your full salary, and you

21 would be paying your mother-in-law, would you not?

22 A It isn't the idea of the money involved.

23 But I don't think I would be able to devote my

24 mental ability, because I have -- the kids are very strongly

25 on my mind.

26 Q Well, how long has this been the situation, that

27 your mother-in-law has taken care of the children?

28 A Well, I started work during the month of May.

1 Q Well, have you found that you are unable to  
2 concentrate on your City job, as a result --

3 A Oh, yes.

4 Q -- of your children being home?

5 A Oh, yes. The City, yes. The type of work I am  
6 doing for the City, yes.

7 Q That you have been able to concentrate --

8 A Yes.

9 Q -- or have not?

10 A I have.

11 Q What type of work do you do?

12 A I am a book repairer.

13 Q But you believe that you'd be distracted by the  
14 circumstances in connection with your home and children, so  
15 that you wouldn't be able to fully concentrate in this case?

16 A Yes. On a matter of this type, yes, definitely.

17

18

19

20

21

22

23

24

25

26

27

28

2a file.



8a-1

1 Q Is there any reason why you couldn't be fair and  
2 impartial in this case, if you were selected as a juror?

3 A No, there's no reason.

4 Q Is there a Mr. Ellois?

5 A Yes, there is.

6 Q What kind of work does he do?

7 A He's a postal employee.

8 Q And are you related to or a friend of any law  
9 enforcement officer?

10 A No, I'm not.

11 Q In what area do you reside?

12 A Los Angeles.

13 Q Do you have such views concerning the death  
14 penalty that you would automatically refuse to impose it,  
15 regardless of the evidence?

16 A Definitely.

17 Q In other words, you would -- you would never vote  
18 to impose the death penalty?

19 A I don't think I would, seriously.

20 Q Is there some doubt in your mind, when you say,  
21 "I don't think I would." Is there any question?

22 A There is no doubt. Definitely, I wouldn't.

23 Q In other words, regardless of what evidence might  
24 be produced, your views would be to automatically refuse  
25 the death penalty?

26 A Right.

27 Q Given the choice between life imprisonment and  
28 death, would you automatically vote for life imprisonment, --

8m-2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

A I would, yes.

Q -- regardless of the evidence?

A Definitely, I would vote for life imprisonment.

Q Regardless of the evidence that might be --

A Regardless of the evidence.

Q Would you ever consider voting for the death penalty?

A Would I ever consider it?

Q Yes.

A Definitely. I don't think I would even consider it.

Q You don't think -- you say, "I don't think I would."

A Well, no, I would not. I'm sorry. I know I would not.

Q Do you know you would not consider --

A Consider voting for a death penalty, no.

Q In any case?

A In any case.

THE COURT: The People?

MR. MANZELLA: The People would respectfully exercise a challenge for cause under Section 1073, Subdivision 2 of the Penal Code.

THE COURT: Yes. Any questions?

MR. KANAREK: Well, yes.

VOIR DIRE EXAMINATION

BY MR. KANAREK:

8a-3

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Q Mrs. Elloie, am I pronouncing your name right?

A Elloie.

Q Elloie?

A Elloie.

Q So you -- you would certainly discuss the evidence with your fellow jurors; is that correct, Mrs. Elloie?

A Would you repeat that again, please?

Q Would you discuss the evidence with your fellow jurors?

A No. No.

Q I am speaking now concerning the death penalty matters.

A Would I discuss it?

Q Yes.

A No.

Q You wouldn't discuss the evidence with any of your fellow jurors?

A No.

THE COURT: I see. Thank you, Mrs. Elloie.

PROSPECTIVE JUROR ELLOIE: You're welcome.

THE COURT: The Court grants the challenge. You are excused, Mrs. Elloie.

PROSPECTIVE JUROR ELLOIE: Thank you.

THE COURT: Room 253 forthwith, please.

Let's see. The next name was Washington, am I saw it.

VOIR DIRE EXAMINATION OF

B-4

FLORENCE L. WASHINGTON

BY THE COURT:

Q Mrs. Washington, were you present when the Court explained the nature of this case, and --

A Yes, I was.

Q -- first conversed with the first juror taken from your group?

A Yes, I was.

Q And would your answers be any different than the answers of that prospective juror to the questions of a general nature?

A No.

Q Would it be a hardship to you to serve in the case? Bring the microphone up there.

Would it be a hardship to you, Mrs. Washington, to serve in the case?

A No, I don't think so.

Q You'd better get that closer. It has to be very close, about an inch.

A No, I guess not.

Q It would not be either a personal nor a financial hardship?

A No.

Q All right. What kind of work do you do?

A Pastry cook at the Los Angeles City Schools.

Q And is there a Mr. Washington?

A No.

Q How long have you been so employed as a pastry cook?

A Ten years.

8b fls.

9  
1 Q Do you know of the name Bobby Beausoleil?

2 A Other than connected in the case, yes.

3 Q In what way, do you remember?

4 A No, I don't really.

5 Q Do you know the name Mary Brunner?

6 A No.

7 Q Do you know the name Shorty Shea? Have you ever  
8 heard it before or read it?

9 A I've heard it, yes.

10 Q You can't remember in what connection?

11 A No.

12 Q Can you remember the name Gary Hinman?

13 A I've heard the name, yes.

14 Q Do you remember any details?

15 A No, huh-uh.

16 Q All right. I'll ask you this, do you believe that  
17 you could set aside what you may have heard, seen or read,  
18 even though you say it is not very much, do you think you can  
19 set it aside, and set aside any opinions that you might have  
20 formed about Mr. Manson, about the Tate-La Bianca case, or  
21 about this case, and decide this case only from the evidence  
22 and the Court's instructions of law? Can you do that?

23 A I --

24 Q Can you set aside in your mind -- not forget,  
25 because you probably will never be able to forget certain  
26 things -- but can you set those things aside for the purpose of  
27 making decisions that you will be called upon to make in this  
28 case?

1           A       I know I should, but I really don't know if I  
2 could.

3           Q       You don't know whether you could?

4           A       No.

5           Q       You don't know whether you could be independent  
6 in determining -- acting independently of such matters, rather,  
7 in determining any issue that you might be called upon to make  
8 in this case?

9           A       I really couldn't say.

10          Q       You couldn't say?

11          A       Couldn't say.

12          MR. KANAREK: Approach the bench, your Honor.

13          THE COURT: No need to. The Court finds you should,  
14 then, be excused, Mrs. Washington. The Court finds that you  
15 could not assure the Court that you would set aside any  
16 opinions you might have formed, or any information you may have  
17 heard from the news media, and decide the case impartially,  
18 aside from such matters and, therefore, will excuse you. Thank  
19 you, Mrs. Washington.

20                   That would be Room 253, forthwith, if you would,  
21 please.

22                   Could we have Welty?

23          MR. KANAREK: Your Honor, there are some in the box. Did  
24 your Honor wish to interrogate on publicity, those in the box  
25 before you bring a new juror?

26          THE COURT: I thought we'd just find out -- go straight  
27 through here. We have one left after Welty.

28          BY THE COURT:

1 Q Mr. Welty, sir, were you present when the Court  
2 explained the nature of this case to prospective jurors?

3 A Yes, your Honor.

4 Q Were you present when the Court chose the first  
5 prospective juror from your group to the box and questioned  
6 that first prospective juror?

7 A Yes, your Honor.

8 Q Would your answers be any different to the  
9 questions of a general nature than the answers to that  
10 prospective juror?

11 A Yes, your Honor.

12 Q They would?

13 A Yes, your Honor.

14 Q They would be?

15 A Yes, your Honor.

16 Q In what way would they differ?

17 A Well, I would have had to testify or answered that  
18 I had been a witness in, oh, possibly 200 criminal trials.

19 Q Oh, is that true?

20 In what case -- in what way?

21 A As a law enforcement officer, both for the Los  
22 Angeles City and Los Angeles County Health Department.

9a file.

9a-1

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Q Oh, I see.

You have worked as a Health Department official  
for a number of years?

A For 36 years.

Q Are you so employed now?

A No, I am retired now, your Honor.

Q What -- what were your functions as a health  
officer?

A Well --

Q First, are you a medical doctor?

A No, your Honor, I am -- I was originally called a  
health inspector, and then later became a supervising  
inspector, and then later a public health sanitarian was the  
term.

Q A public health sanitarian?

A That is the present name.

Q That's the title?

A That's the present title.

Q I see. And that was for the City of Los Angeles  
you worked?

A Uh, 31 plus years for the City of Los Angeles.  
A little less than five for the County, Los Angeles County.

Q Do you think that as a result of that experience  
that you could be -- you could not be fair and impartial?

A It would seem almost impossible that I hadn't  
gathered some prejudice in it.

Q Do you think you would be inclined to be prejudiced  
in favor of the prosecution?



9a-2

1 A Well, I would think so.

2 THE COURT: Well, very well, then, in view of that,  
3 then, the Court would excuse you and thank you for your  
4 appraisal of your inability to be impartial. You are excused,  
5 to report to Room 253 forthwith.

6 Let's see, you needn't report there until 1:30,  
7 Mr. Walty. 1:30 is satisfactory.

8 ALTERNATE PROSPECTIVE JUROR NO. 1: Thank you. Thank  
9 you, your Honor.

10 BY THE COURT:

11 Q Let's see, is it Mr. Edwards -- Mrs. Watson.

12 Let's take Mrs. Watson, spend a few minutes with  
13 her.

14 Mrs. Watson, just be seated there, anywhere.  
15 Mr. Kuckers will bring you the microphone.

16 Before you came to this courtroom, had you heard,  
17 seen or read the name Charles Manson?

18 A Yes.

19 Q And was that in connection with this case or the  
20 Tate-La Bianca case or both?

21 A The Tate-La Bianca case.

22 Q And did you follow that case in the news?

23 A No.

24 Q You simply saw, heard, or read a news article  
25 occasionally, is that correct?

26 A No, the only reason I noticed at all, is because  
27 my girl friend had pictures of them -- uh, like different  
28 stages of how he looked. And she showed them to me and I

9a-3

1 asked her --

2 Q You mean Mr. Manson?

3 A Yes. And I asked why is he in the papers, and  
4 she told me he was involved in murders. And I said, oh,  
5 okay.

6 Q And did you follow them from time to time?

7 A No.

8 Q That's the only reference you heard of it over  
9 a period of months?

10 A Well, I heard people talking here and there, but  
11 I didn't pay it no mind. But it didn't involve me, so I just  
12 let it go on by.

13 Q Did you happen to see any television reports  
14 concerning the case?

15 A No, I don't listen to the news.

16 Q How about the radio?

17 A I never play it.

18 Q You never play the radio?

19 A No.

20 Q Do you read a newspaper regularly?

21 A I read Ann Landers and the comics to my children,  
22 and that's all of the newspaper that I read.

23 Sw b file.

9b  
2ax1

1 Q Well, do you know who the alleged victims were, or  
2 any one of the alleged victims in that case?

3 A No. Nope.

4 Q Do you know whether the jury came back with a  
5 verdict in the case?

6 A No, I didn't even know it was over.

7 Q Do you believe the fact that you learned that  
8 Mr. Manson was accused of crimes would affect your judgment in  
9 the case?

10 A I don't really believe so.

11 Q Do you think you could decide the case, this  
12 case, solely on what evidence is presented here and dis-  
13 regard anything that you may have heard, seen or read about  
14 Mr. Manson, the Tate-La Bianca case or this case?

15 A Yes.

16 Q Are you sure about it?

17 A Yes, because, like -- I didn't know what that  
18 case -- anything about it, so it wouldn't affect me one way  
19 or the other.

20 Q You can set aside any opinions that you may have  
21 formed, although you apparently haven't formed any with the  
22 exception that you do believe that Mr. Manson was accused of  
23 something, a murder?

24 A Well, his name was mentioned in it. I don't know  
25 if he was accused of it.

26 Q Any opinions that you might have formed, would you  
27 set them aside, even if you don't remember them at this time?

28 A Yes.

1 Q And decide the case solely on the evidence  
2 that's presented here and the Court's instructions of law?

3 A Yes.

4 Q You understand it would be unfair, extremely  
5 unfair for you to utilize any of that information that you may  
6 have learned, whatever it may be that you've learned, even  
7 though you don't remember it now? You may remember it later  
8 during the course of the trial, and it would be unfair to use  
9 it --

10 A To form an opinion --

11 Q -- in any way in deciding any issue in this case?  
12 You understand that?

13 A Yes, I do.

14 Q You were going to say something.

15 A I was going to say, form an opinion of what I  
16 might have heard that might come back against him in this case?

17 Q Yes.

18 A I understand that, and I wouldn't do that.

19 Q You wouldn't allow that to happen in your mind?

20 A No.

21 Q You would segregate such information from the  
22 evidence in the case?

23 A Yes.

24 Q Is that correct?

25 A Yes.

26 THE COURT: Well, it is after 12:00 o'clock.

27 MR. KANAREK: Your Honor, I wonder if we could approach  
28 the bench just with Mr. Hanzellia.

1 THE COURT: Yes, you may.

2 You are excused now --

3 MR. KANAREK: That's what I wanted to ask your Honor,  
4 something that your Honor --

5 (Whereupon, proceedings were had at the bench  
6 among Court and counsel, outside the hearing of the prospective  
7 juror, which were not reporters.)

8 (Whereupon, the following proceedings were had  
9 in open court within the presence and hearing of the  
10 prospective juror:)

11 THE COURT: We'll be in recess, then, until 2:30. You  
12 need not come back until 2:30. The other jurors --

13 THE BAILIFF: They're outside.

14 THE COURT: The other panel, there should be a new  
15 panel, and they should be assembled at 2:00 o'clock out in the  
16 hallway on the far side.

17 THE BAILIFF: Yes, your Honor.

18 Do you want the rest of the jurors back --

19 THE COURT: Let's see, Mr. Zamora, Mr. Edwards, tell them  
20 to come back at 2:30.

21 (Whereupon, an adjournment was taken at 12:04,  
22 to reconvene at 2:30 P. M. of the same day.)

23

24

25

26

27

28

10 fls.

LOS ANGELES, CALIFORNIA, MONDAY, JULY 26, 1971

2:40 P.M.

\* \* \* \*

THE COURT: The record will show Mr. Manson to be present with Mr. Kanarek. There is a single prospective juror in the box, Mrs. Watson.

VOIR DIRE EXAMINATION (Continuing)

BY THE COURT:

Q Had we begun to question you, Mrs. Watson? I believe that we left off without questioning you about your knowledge of pretrial publicity; is that the case? Had we asked you about whether you had ever heard, seen or read Mr. Manson's name before?

A Yes.

Q I recall that now, yes.

And I had asked you a question as to whether or not you believed you could set aside anything that you might have heard, seen or read, any opinions that you might have formed, and decide the case solely on the evidence that's presented in the trial and the -- and the Court's instructions.

Can you do that?

A Yes, I can.

Q Will you do that?

A Yes.

Q And can you be a -- a fair and impartial juror in the case, in spite of what you may have heard, seen and

1 read?

2 A Yes.

3 Q And in spite of any opinions that you may have  
4 formed concerning Mr. Manson, this case or any other case?

5 A Yes.

6 THE COURT: Mr. Kanarek?

7 MR. KANAREK: Thank you, your Honor.

8  
9 VOIR DIRE EXAMINATION

10 BY MR. KANAREK:

11 Q What area do you live in?

12 A The Hollywood area.

13 Q Where?

14 A Hollywood.

15 Q Near what big intersection?

16 A Uh -- Santa Monica and -- and Van Ness.

17 Q Now, Mrs. Watson, directing your attention to the  
18 publicity, what you heard concerning Mr. Manson in that Tate-  
19 La Bianca case, what did the publicity reveal to you as to  
20 what happened, as far as the result was concerned concerning  
21 Mr. Manson?

22 A Well, to be quite truthful, I didn't know about  
23 the case had even started. I thought it was -- when -- when  
24 someone said that the Manson case was being tried, I thought  
25 it was for the Tate-La Bianca murders.

26 Q Well, you say your friend had pictures of Mr.  
27 Manson?

28 A Yes. He had a -- it was in the newspaper. She

1 had cut pictures out. There was about -- maybe six of them,  
2 showing him in different styles -- like his hair long, beard  
3 and stuff like that.

4 Q I see.

5 A There was nothing written underneath; just  
6 changes, how he looked.

7 Q Oh. And did you and your friend from time to  
8 time talk about Mr. Manson?

9 A No.

10 Q What did your friend tell you concerning Mr.  
11 Manson?

12 A She just -- she just said, "Do you know who this  
13 is?"

14 And I looked at the pictures, and I said, "No."  
15 And she said, "Well, it's Charles Manson."

16 And I said, "Okay."

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
11 file.



11-1

1 Q I see. What is your friend's name?

2 A Jacqueline Thomas.

3 Q Jacqueline Thomas?

4 A Yes.

5 Q I see. Does she live in the Hollywood area?

6 A Yes.

7 Q What is her address?

8 A 7082 North Van Ness.

9 Q So, from time to time you have been to her house

10 and seen these pictures of Mr. Manson?

11 A No, I seen them the once.

12 Q I see. Now, directing your attention, then to the

13 result of that other case or any case concerning Mr. Manson.

14 Have you heard from the publicity what the results

15 of any case has been concerning Mr. Manson?

16 A No.

17 Q Do you watch, television, news?

18 A No.

19 Q Do you read the newspapers?

20 A Just Ann Landers and the comics.

21 Q I see.

22 Now, in answer to a Court's question, the Court

23 asked you, whether, at the conviction of first degree murder,

24 you would automatically impose the death sentence, and you said

25 "I might."

26 Do you remember saying that?

27 A Yes.

28 Q What did you mean by that?

1           A       Well, if all the evidence pointed to he was  
2 guilty, more than likely I would ask for the death penalty.

3           Q       I see. In other words, when you said "might,"  
4 you mean that you recognize that this case is in two phases?

5           A       Yes.

6           Q       Potentially two phases?

7           A       Yes.

8           Q       Possibly two phases.

9                   And so your state of mind is, that directing your  
10 attention to that second phase, if there were a conviction of  
11 first degree murder, that you -- what is the best way of  
12 stating it as to what your thinking is?

13          A       You mean if he was convicted of murder one, right?

14          Q       Yeah, right.

15          A       Should the death penalty be -- uh, wait a minute,  
16 excuse me.

17                   So he's convicted of murder one, right?

18          Q       Yes.

19          A       I would definitely vote for, uh, I believe it is  
20 gas chambers here in California?

21          Q       Yes.

22                   You would definitely vote for the gas chamber?

23          A       Right.

24                   MR. KAMAREK: May we approach the bench, your Honor?

25                   THE COURT: Mrs. Watson, would that be without regard to  
26 any other evidence?

27                   PROSPECTIVE ALTERNATE JUROR WATSON: No, what I mean, like  
28 if it was proven beyond a shadow of a doubt, like. If there

1 was no sign that he might not be guilty, and all evidence points  
2 that he is guilty. I would vote for the death penalty.

3 MR. KANAREK: May we --

4 THE COURT: You understand that --

5 Yes, you may approach the bench.

6 You understand, Mrs. Watson, before a person can be  
7 found guilty of any crime in the State of California, the jury  
8 must find unanimously that the defendant, beyond a reasonable  
9 doubt, committed a crime?

10 PROSPECTIVE ALTERNATE JUROR WATSON: Yes.

11 THE COURT: And I've explained reasonable doubt to you  
12 and you understand?

13 PROSPECTIVE ALTERNATE JUROR WATSON: Yes.

14 THE COURT: Gentlemen, do you want to approach the bench?

15 MR. KANAREK: Yes, with the reporter.

16 THE COURT: Are you saying that upon a conviction of  
17 murder of the first degree that you would further review the  
18 evidence, re-examine the evidence to determine whether the  
19 defendant is guilty of the crime, beyond all doubt?

20 PROSPECTIVE ALTERNATE JUROR WATSON: Well, I would have  
21 to -- to give a fair opinion.

22 THE COURT: And then, that would be the basis upon which  
23 you might -- you, as one, would vote for the death penalty?

24 PROSPECTIVE ALTERNATE JUROR WATSON: Right.

25 THE COURT: Is that right?  
26  
27  
28

11a fls.

11a-1

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

MR. KANAREK: Your Honor, I challenge this juror under 1073, Subsection 2, on the basis that it is clear what her thinking is in connection with what should be done after a conviction of murder. What she calls, quite sophisticatedly, in accordance with TV approaches, murder one.

THE COURT: People have any comment?

MR. MANZELLA: Yes. I think her statement of her state of mind is fairly clear in that she would require more evidence to impose the death penalty than she would to convict for first degree murder -- I think not an unreasonable position for a juror to take.

In other words, a juror would take -- have to be convinced beyond a reasonable doubt to convict a person of first degree murder, but that she would want to be convinced beyond a shadow of a doubt to impose the death penalty. And the way she put it, if all of the evidence pointed to guilt, she would impose the death penalty.

I think that's not an unreasonable position for a juror to take in answer to that question.

MR. KANAREK: Well, Mr. Manzella's analysis of her testimony, I think --

THE COURT: Nevertheless, I'm not sure of her understanding of reasonable doubt, I'm not sure -- this is, I think, the second time she's indicated that that would be her view. And I'm not quite sure but that upon a conviction of murder

11a-2

1 of the first degree that she wouldn't automatically vote for  
2 the death penalty.

3 Accordingly, I'm inclined to grant the challenge.

4 (Whereupon, the following proceedings were had  
5 in open court within the presence and hearing of the  
6 prospective alternate juror:)

7 THE COURT: The Court grants the challenge and does  
8 excuse you.

9 Do you have time left on jury duty?

10 PROSPECTIVE ALTERNATE JUROR WATSON: Yes.

11 THE COURT: How much time do you have left?

12 PROSPECTIVE ALTERNATE JUROR WATSON: A few weeks.

13 THE COURT: Would you report to Room 253. It is  
14 possible that you might be picked up for another courtroom.

15 MR. KANAREK: Thank you.

16 THE COURT: Bring the other group in.

17 We have Mr. Zamora left on the issue of  
18 publicity.

19 MR. MANZELLA: Yes, your Honor.

20 MR. KANAREK: Yes, your Honor.

21 THE COURT: We have Mr. Edwards remaining, don't we?

22 MR. KANAREK: This is Mr. Zamora?

23 THE COURT: Mr. Zamora, would you just be seated there,  
24 Mr. Kuczera will give you the microphone.

25  
26 VOIR DIRE EXAMINATION

27 BY THE COURT:

28 Q Mr. Zamora, had you heard of Mr. Manson before

11a-3

1 you came into this courtroom?

2 A Uh, yes.

3 Q In what connection?

4 A Uh --

5 Q With this case or -- in connection with this case?

6 A No, no.

7 Q Another case or both?

8 A Of the previous one.

9 Q You're talking about the Tate-La Bianca homicide

10 case?

11 A Yes.

12 Q And did you follow that in the press?

13 A No.

14 Q Radio or television?

15 A No.

16 Q You did not?

17 You just occasionally saw a news report or heard

18 a news report?

19 A Well, once in a while I watch the news, but very

20 seldom because of such things as this.

21 Q I see.

22 A I'm not too interested in that.

23 Q You tend to avoid that type of news?

24 A Right, right.

25 Q Nevertheless, did you learn about the results in

26 that case?

27 A No.

28 Q Whether the jury came back with a verdict and, if

1 so, what it was?

2 A I still don't know.

3 Q You don't know.

4 Do you know the name Susan Atkins?

5 A Yes.

6 Q Had you -- you had heard that name.

7 What does the name mean to you?

8 A Well, she had -- she was involved in something.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

12 fls.

12-1

1 Q Do you know in what way she was involved?

2 A No.

3 Q Do you know the name Mary Brunner?

4 A Brunner? No.

5 Q Do you know the name Bobby Beausoleil?

6 A I don't recall that.

7 Q Before you came into this court, had you heard the  
8 name Gary Hinman?

9 A Yes, yes.

10 Q And in what connection had you heard, seen or read  
11 that name?

12 A I don't know whether I read about it or whether I  
13 just heard it or saw it on television. I heard the name --

14 Q What are the details you can remember about --

15 A I don't recall anything. All I can recall is the  
16 name.

17 Q How about the name Shea? Shorty Shea?

18 A Also Shea. But I don't -- I didn't follow it up.

19 Q You don't remember what you --

20 A No.

21 Q -- had heard or read about Hinman or Shea?

22 A No.

23 Q Well, you do know that Mr. Manson was involved in  
24 a lawsuit of some type, a prosecution of some type?

25 A Yes.

26 Q And you do know it came about as a result of the  
27 death of Sharon Tate?

28 A I'd -- I don't know what the final verdict was.



1 Q Well, you do know that it came about --

2 A Yes.

3 Q -- as the result of the death of some person or  
4 persons?

5 A Right, right.

6 Q Then you must know that he was accused of some act  
7 of -- of a crime or --

8 A Yes, right.

9 Q Is that correct?

10 A Yes, right.

11 Q Do you know or suspect that he was accused of  
12 murder?

13 A Yes.

14 Q But you don't know whether that accusation was  
15 found to be true, and you don't know what the result of the  
16 trial was?

17 A No. I don't usually follow any -- any news of that  
18 type.

19 Q If I were to instruct you that, should you be  
20 chosen as an alternate juror in this case, and should you be  
21 called upon to decide any issue in this case, that you were to  
22 ignore -- that is, set aside -- anything that you may have  
23 heard, seen or read, any opinion that you may have formed, from  
24 what you had already seen or read, or that you were to set aside  
25 anything -- and that you were to set aside anything that you  
26 might remember about what you have heard, seen or read in  
27 connection with that Tate-La Bianca case or this case, or  
28 Mr. Manson, --

1           A       Yes.

2           Q       -- could you set such matters aside?

3           A       Yes, sir.

4           Q       Could you set them apart in your mind from the

5 evidence, and decide any question that you are called upon to

6 decide in this case solely upon the evidence and the Court's

7 instructions in the case?

8           A       I think I could follow it pretty close, sir.

9           Q       Well, let me ask you this, to listen carefully to

10 the question.

11                    Could you set aside any such opinions you might

12 have formed, anything that you might remember about the news

13 items that you may have heard, seen or read. --

14           A       Yes, sir.

15           Q       -- and would you decide the case only on the

16 evidence that's before you, --

17           A       Yes, right.

18           Q       -- and the Court's instructions?

19           A       Yes, sir.

20           Q       You believe that you can do that?

21           A       I think so.

22           Q       Now, are you expressing any doubt in saying,

23 "I think so"?

24           A       No.

25           Q       You are sure of it?

26           A       I'm sure that I would.

27           Q       And will you do that?

28           A       Yes.

1 Q And will you be fair and impartial in the case, in  
2 spite of any opinions that you may have formed, any that you may  
3 remember?

4 A Yes. I haven't -- like I say, I haven't followed  
5 it. So I -- I haven't formed any opinion about any case.

6 Q Well, if you are sure -- but you are sure you can  
7 be fair and impartial?

8 A Yes.

9 THE COURT: Go ahead, Mr. Kanarek.

10  
11 VOIR DIRE EXAMINATION

12 BY MR. KANAREK:

13 Q Mr. Zamora, sir, have you discussed or been in a  
14 group of people that have ever talked about Charles Manson?

15 A Hmm -- no. My family sticks pretty close, and  
16 we -- we don't discuss any -- any cases such as this.

17 We don't -- we don't have a panel at home that we  
18 would discuss any matters, cases such as this.

19 Q What do you mean?

20 A Uhhh -- court cases such as murders and stuff;  
21 riots and those things.

22 We hardly ever watch those things on television.

12a fls.

12-1

1 Q I see. And is there some reason that you don't --  
2 that you don't discuss murders and riots?

3 A No. We just -- it's just one of those things in  
4 the family.

5 Q I see.

6 A Just occasions where -- well, let me say this.  
7 My wife doesn't smoke; my daughter doesn't smoke; my son-in-  
8 law doesn't smoke; my brother doesn't smoke; and I don't  
9 smoke.

10 And so it's just one of those things that we  
11 don't go into.

12 Q All right. Now, may I ask near what big  
13 intersection in the Los Angeles area do you live?

14 A Oh -- the nearest intersection would be Monterey  
15 Road and Huntington Drive.

16 Q I see. And directing your attention, then, to the  
17 name Sharon Tate, is that name familiar to you? Have you  
18 ever heard it before?

19 A Yes.

20 Q And what have you heard concerning Sharon Tate?  
21 Whatever you have heard, however large or however small,  
22 remembering that you are not on the defensive here, and  
23 that all we are trying to do is asking questions so that Judge  
24 Choate can make decisions.

25 We both recognize that, right?

26 A Right. Uh-hh -- I've heard it, when this Tate-  
27 La Bonce case came up. But I don't recall all the names of  
28 the -- of the people involved.

12-2

1 I know that there were -- there were maybe four  
2 or five; I don't remember.

3 Q And when you say "four or five," you mean four or  
4 five what, Mr. Zamora?

5 A People who were connected with the Tate-La Bianca  
6 case.

7 Q In what way? When you say --

8 A Uh -- that might have had something to do with it,  
9 accused or suspected or something.

10 Q And when you say --

11 A Pardon.

12 Q Oh, I'm sorry.

13 A But when you -- when I hear the names, then I  
14 recall some of them.

15 Q And when you hear the name Sharon Tate, what do  
16 you recall?

17 A Well, Sharon Tate, I think, was the one that was  
18 the victim -- or one of the victims.

19 Q And one of the victims, you say?

20 And what happened to these victims, as you learned  
21 from the publicity?

22 A Gee, I don't remember.

23 Q Well, I mean, were they --

24 A Well, they were dead.

25 Q Pardon?

26 A They were dead.

27 Q They were dead?

28 A That's all I know.

12-3

1 Q And did they suffer their deaths, as you heard  
2 it from the publicity, by way of accident?

3 A I don't -- I don't remember the details about  
4 any of 'em.

5 Q Well, as best you recall, what would you say was  
6 the means by -- by means of which they suffered their deaths?  
7 Was it drowning or --

8 A Hum -- no. I -- I don't recall, but it seems to  
9 me that they were stabbed.

10 Q And so your state of mind is that this was not  
11 suicide; right?

12 A No, it wasn't suicide. That is, I don't think  
13 it was.

14 Q I see. And what do you think it was? Just based  
15 on the publicity that you've heard.

16 A Well, I would say that -- that it was murder.

17 Q I see. And then, having in mind the name of  
18 Charles Manson, as best you can remember from the publicity,  
19 how did his name get into the situations that you have told  
20 us about?

21 A Yes. Well, as far as I remember, I don't --  
22 I don't believe I remember hearing about Manson being present,  
23 if I remember right.

12b fls.

12b-1

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Q And what did you --

A I don't remember whether I heard that he was present at this -- at this Tate house.

Q Then what did you hear was his connection, if any, in connection with these murders?

A Oh, let's see. I think the connection was that he wasn't present, but he had something to do with it. I don't know what, whether he -- he ordered it done or whether -- I just don't know what -- how his name got into it.

Q And from what you heard of the publicity, what did the last jury in this other case -- what did that jury say, as far as Mr. Manson's connection with it is concerned?

A I don't recall, because I didn't read it.

Q Well, did you hear on television --

A No, and I didn't watch it.

Q In other words, you do recall that Mr. Manson was on trial for these murders that you have told us about?

A Right.

Q That is, Sharon Tate and others? Right?

A Yes.

Q Now, do you -- what have you heard from the publicity, or by speaking with people or in any way, as to what the result was in that case, as far as Charles Manson was concerned? As far as the jury was concerned?

A I don't remember hearing or reading about the verdict or anything. I don't know whether he was found guilty or not.

Q You don't know whether he was found guilty or not

1 guilty? Is that right?

2 A Right. I don't -- I don't know if he was found  
3 guilty or what his sentence was or anything. I don't -- I  
4 didn't follow it.

5 Q I see. So, as you sit there in the witness box  
6 now, in the jury box at the present time, you don't know  
7 whether Mr. Manson was freed of those charges or not?

8 A Well, I don't think he was freed, but I don't  
9 know what the result was.

10 Q Well, if a person, having lived in this country  
11 for some number of years, if a person is not freed of the  
12 charges, what do you think the result was?

13 A Well, he must have been guilty.

14 Q That's your state --

15 A I mean, found guilty.

16 Q Found guilty by the jury?

17 A Right.

18 Q So your state of mind is, taking the sum and  
19 substance of everything that you've heard by way of publicity  
20 and otherwise, as you sit there right now, is it a fair state-  
21 ment that in your mind you think he was found guilty by the  
22 jury?

23 A Right.

24 Q You do think that, of the several counts of murder;  
25 is that correct?

26 A Right.

27 Q And as you sit there in the jury box, do you have  
28 a feeling as to whether or not the jury brought in death or



1 life, as far as these murder charges were concerned?

2 A I don't know. I don't know what the verdict was  
3 or the sentence or anything.

4 Q Yeah.

5 Now, your -- you have no thinking, no state of  
6 mind as to that, as to what the sentence was?

7 A No, sir.

13 fls.

1 Q Now, have you ever been on a jury before,  
2 Mr. Zamora?

3 A I was in Municipal Court, but no criminal cases.

4 Q Well, did you hear drunk driving cases there?

5 A Yes, traffic citations and --

6 Q Drunk driving; assault, right?

7 A Yes.

8 Q Petty theft; that kind of thing?

9 A Right.

10 Q How many years ago was that, Mr. Zamora?

11 A Oh, I don't know. It could be three, four years  
12 ago.

13 Q In the Los Angeles Municipal Court?

14 A Yes.

15 Q There in the new courthouse there at 5th and Hill  
16 Street?

17 A I guess that's where it was. I know we were in  
18 the -- the Municipal Court was in there.

19 Q Did you come to the downtown area?

20 A Yes.

21 Q For your jury duty?

22 A Yes.

23 Q May I ask, do you have any friends or relatives  
24 that are in any type of work for the State of California?

25 A No.

26 Q Do you have any relatives named Zamora that worked  
27 for the Department of Highways?

28 A No, sir.

13-2

1 Q That worked for the State of California in any  
2 respect?

3 A No, sir.

4 Q Or have worked in the past for the Department of  
5 Highways of the State of California?

6 A No, I don't think there are very many Zamoras around.  
7 I haven't heard of any -- I have no relations that's --

8 Q You have heard of other people named Zamora?

9 A Yes, but not in connection with their jobs or  
10 anything.

11 Q All the people you know who are named Zamora, are  
12 they related to you?

13 A No, sir.

14 Q So, there are Zamoras?

15 A Yes, I know there are Zamoras. In fact, there are  
16 some in the jury now -- I don't know about the jury, but the  
17 prospective jurors.

18 Q I see.

19 A But I don't know them.

20 Q I see. Thank you.

21 Now, you work for both the post office and the  
22 Title Insurance and Trust Company?

23 A Right.

24 Q You had a period of time in your life you were with  
25 the post office, and then you retired and went to work for  
26 Title Insurance and Trust?

27 A Yes.

28 Q Searching titles?

1 A No, I had a different job in the title insurance.

2 Q Now, the Court asked you about the respective  
3 burdens of proof between a civil case and a criminal case; do  
4 you remember that?

5 A Yes, sir.

6 Q Have you been on both civil and criminal cases?

7 A No, I haven't been on no criminal cases.

8 Q You have been on no criminal cases?

9 A No.

10 Q And you have -- did you serve jury duty as you  
11 indicated previously to us?

12 A Right.

13 Q So --

14 A Traffic court and --

15 Q Drunk driving?

16 A Drunk driving.

17 Q And petty theft, right, like you've indicated to  
18 us?

19 A Well, I don't know if there were any petty thefts  
20 that I was on, but it was traffic citations and a couple of  
21 homosexual cases, and I think there's only about four of them.

22 Q I see.

23 When you were on jury duty?

24 A Right, yeah.

25 Q And these homosexual cases involve police officers'  
26 testimony about encounters that they had had in rest-rooms with  
27 people and that kind of thing?

28 A Well, it wasn't exactly like that, but they had

1 decoys.

2 Q I see.

3 Pardon?

4 A They had decoys.

5 Q I see.

6 May we approach the bench, your Honor?

7 THE COURT: Yes, you may.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

13a fls.

13a-1

(Whereupon, the following proceedings were had at the bench among Court and counsel outside the hearing of the prospective alternate juror.)

MR. KANAREK: Your Honor, when this man says he hasn't been in criminal cases, I doubt his intelligence to sit in this case. He's been on previous jury duty. He's been on what he calls homosexual cases, drunk driving, -- obviously he has been instructed by courts concerning reasonable doubt. And he says that none of these are criminal cases.

Well, I think -- I challenge him, not only on 1073, Subsection 2, not only as to the publicity, but also I challenge him because of his obvious lack of intellectual capacity.

After all of that jury duty, he doesn't know that those were criminal cases. I -- I -- I just urge that --

THE COURT: He has a misconception of what is and what is not a criminal case, what is a criminal case. It is not uncommon. You've heard that a number of times since we started selecting this jury.

MR. KANAREK: Well, there may be --

THE COURT: It is not uncommon to hear a juror respond, "No, I've never sat on a criminal case. Only a drunk driving case." Something of that nature. So I don't think that disqualifies him. He seems to me a fairly intelligent man, capable of doing what he says he can do, and that is setting aside anything that he may have heard, seen or read, set aside any opinions.

MR. KANAREK: Well --

13a-2

1 THE COURT: Although, he says he hasn't formed any  
2 opinions, but I believe that he has. But I think he's  
3 capable of setting them aside and he will decide the case  
4 on the evidence.

5 MR. KANAREK: May I ask the Court what opinion that the  
6 Court feels that he's formed?

7 THE COURT: He's formed the opinion Mr. Manson was  
8 guilty of something, in response to your questions.

9 MR. KANAREK: Guilty of murder. He knows that's a murder  
10 case. If your Honor feels that, I think it is incumbent upon  
11 the Court to discharge him.

12 THE COURT: No, not at all. I'll discharge him if I  
13 believe he cannot set that aside in making any decisions he's  
14 got to make in this case.

15 MR. KANAREK: Well, if your Honor feels --

16 THE COURT: And I feel he can't be fair and impartial.

17 MR. KANAREK: If your Honor feels that he thinks he's  
18 guilty of murder in the Tate-La Bianca case -- am I correct?

19 THE COURT: Surely.

20 MR. KANAREK: The Court feels that? That, based on that  
21 opinion --

22 THE COURT: He's one of a number of jurors of whom  
23 have expressed the same thought, that they hold the same  
24 opinion.

25 MR. KANAREK: That denies Mr. Manson of a fair trial,  
26 if he has that in mind.

27 THE COURT: Not in the Court's mind. The Court denies  
28 the challenge.

1 MR. KANAREK: May I ask a few more questions, your Honor?

2 THE COURT: Yes, you may.

3 (Whereupon, the following proceedings were had  
4 in open court within the presence and hearing of the  
5 prospective juror:)

6 THE COURT: Go ahead.

7 BY MR. KANAREK:

8 Q Mr. Zamora, you certainly would intend to follow  
9 the Court's instructions, right?

10 A Right.

11 Q About setting aside any opinions that you may have  
12 concerning Mr. Manson, as far as this case is concerned?

13 A Right.

14 Q And set aside the matters that you've heard or  
15 seen in the publicity, is that correct?

16 A Right.

17 Q But, for instance, you and I might decide to swim  
18 the Catalina Channel. We might get all prepared, and we might  
19 not be able to make it to Catalina.

20 A I know I wouldn't make it, that's for sure.

21 Q You know that for sure?

22 A Yeah.

23 Q That's what I am alluding to.

24 Sometimes we intend to do things that just for one  
25 reason or another we can't do.

26 So never having undergone this experience and  
27 recognizing your intent not to consider what -- consider these  
28 other matters that we've spoken of in this courtroom, is it



1 a fair statement that you don't know for sure, not having gone  
2 through this process of "not considering" -- we just don't  
3 know for sure whether it would be possible to do that in this  
4 case, correct?

13b flr.

5 A Well, what do you mean, possible to do what?

13b-1

1 Q Would it be possible -- not having actually gone  
2 through it, no matter how we might intend, is it possible that  
3 you might not be able not to consider the matters that we've  
4 spoken of here?

5 A I don't see why it would be. I would consider the  
6 evidence that's presented.

7 Q Right. But we're not talking about the evidence  
8 presented at this time, we're focusing in, zeroing in on the  
9 matters that you've heard outside the courtroom, Mr. Zamora.  
10 That's what we are speaking of. And not having considered  
11 those matters, we don't know for sure -- is that a fair  
12 statement -- that you don't know whether you could "consider  
13 those matters" in this case, the matters that you have heard  
14 in publicity?

15 A The matters I have heard so far would have nothing  
16 to do with it.

17 Q But is it a fair statement that you don't know,  
18 not having experienced it, whether you could or could not  
19 consider --

20 A Well, there's always a possibility.

21 Q That such would be the case?

22 A I mean, you can't be certain about anything.

23 Q Thank you.

24 A You might say, "I'll be here tomorrow," and you  
25 won't.

26 Q Right.

27 Thank you, sir.

28 May we approach the bench, your Honor?

13b-2

1 BY THE COURT:

2 Q Mr. Zamora, you mean by that there's always a  
3 possibility that you will consider something that you may  
4 have heard, seen or read in making a decision that's required  
5 of you in this case?

6 A No. What I had read or heard wouldn't have  
7 anything to do with this particular case.

8 Q What did you mean by your reply to Mr. Kanarek?

9 A Uh --

10 Q Would you allow -- is there a possibility that  
11 you would allow something, some opinion that you have formed  
12 to enter the case?

13 A I haven't formed any opinion of Mr. Manson.

14 Q Well, you formed an opinion that he was convicted?

15 A Well, he was convicted, but I'm not sure whether  
16 he was -- I don't know what his sentence was or anything.

17 Q Well, I'm simply trying to find out what you mean  
18 when you replied to Mr. Kanarek that there's always a possi-  
19 bility.

20 A Well, there could be a possibility that I don't  
21 go along with the -- but I may not hold true to the evidence.

22 Q That you might allow something that you have heard,  
23 seen or read to come into it?

24 A I doubt what I have heard before would have  
25 anything to do with this.

26 Sometimes the questions are quite ambiguous,  
27 you might say, that you can't understand them.

28 Q Well, let me ask you, what is your state of mind

1 in respect to what you say have heard, seen or read? Would you  
2 be able to set it aside?

3 A Yes, I would.

4 Q Would you be able to set aside any opinions that  
5 you now have formed or any that you may have formed through  
6 what you remember of pretrial publicity?

7 A Yes.

8 Of course, I can't remember very much because I  
9 didn't follow it.

10 Q And would you --

11 A But --

12 Q And would you decide the case only on the  
13 evidence?

14 A Only on the evidence.

15 Q And the Court's instructions?

16 A Right.

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

18 THE COURT: Yes, you may.

19 (Whereupon, the following proceedings were had  
20 at the bench among Court and counsel, outside the  
21 hearing of the prospective alternate jurors.)

22 MR. KANAREK: Your Honor, there is a classical case  
23 of the tip of the iceberg only showing. And I think this man  
24 has got Mr. Manson convicted and in the gas chambers in these  
25 charges that are before the Court right now. There is no  
26 question in my mind about it. And I do challenge him under  
27 1073, Subsection 2.

28 THE COURT: The People?

1 MR. MANZELLA: We oppose the challenge, your Honor.

2 He says that his answer -- he explained his answer  
3 to Mr. Kanarek's question and said he thought Mr. Kanarek's  
4 question was ambiguous, and that he did explain his answer  
5 to Mr. Kanarek's question, the apparent inconsistency.  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 MR. KANAREK: It was just -- the questions were not  
2 ambiguous, because he was unhappy with those answers, because  
3 those are the types of questions that are not leading and  
4 suggestive and there's no way that he can answer them except  
5 the way he did, when he did answer.

6 MR. MANZELLA: They are leading and suggestive, that's  
7 certainly true.

8 "Isn't it a fair statement," and then you keep  
9 going on and on, and "Isn't that right," and "Isn't that a  
10 fair statement."

11 THE COURT: Of course your questions are leading and  
12 suggestive. There is --

13 MR. KANAREK: Well --

14 THE COURT: You're trying to determine, as you should be,  
15 and the Court is in sympathy with your effort, whether the man  
16 would allow what he knows about Mr. Manson and the other  
17 cases to enter into his judgment. I think that --

18 MR. KANAREK: When he says --

19 THE COURT: Looking at him and watching him and observing  
20 his responses, I think that he may have been wanting to go  
21 along with your statement when he said there is a possibility,  
22 and he may have misunderstood what was being asked.

23 I don't think he's of a mind that he would allow  
24 anything that he may know to enter into his judgment. He  
25 seems to me to be honest in his reply and in his assessment  
26 of what he knows.

27 MR. KANAREK: Your Honor, this man has volunteered that  
28 nobody in his family, for instance, smokes. He comes from a --

1 he has some kind of a status -- or in his mind a morality  
2 standard which is such that I -- there is no question in my  
3 mind that he considers, as I said, Mr. Manson guilty as charged  
4 right now. He volunteered that about his wife doesn't smoke,  
5 his daughter doesn't smoke and all of that, and as I say,  
6 that's the tip of the iceberg. And if he went into complete--

7 THE COURT: Well, he may have certain moral standards  
8 which you may not like, but they may be also the type of  
9 standards which would compel a man to adhere to his word and  
10 adhere to the Court's instructions.

11 MR. KANAREK: Well, by the way, I'm not saying I don't  
12 like his moral standards. I don't want the Court to get that  
13 impression at all.

14 THE COURT: In other words, you like his moral  
15 standards, then?

16 MR. KANAREK: No, what I am saying is -- as a matter of  
17 fact, I don't smoke. That isn't the point.

18 MR. MANZELLA: And I wish I didn't.

19 MR. KANAREK: The point I am getting across to the Court,  
20 is that in the context of these proceedings and this question-  
21 ing, is coming out with that statement, that I am sure he  
22 considers himself a person who is against sin and against  
23 certain things that go on, including murder. And I say he is  
24 of such a rigid mind that there's no question in my mind,  
25 whatsoever, that he wants to be on this jury, and so he is  
26 telling -- he's not quite leveling with us, in any event.  
27 But he certainly -- he certainly is one that this Court should  
28 dismiss under 1073, Subsection 2.

1 THE COURT: The Court denies the challenge. The  
2 Court believes that he will set aside any opinion he might  
3 have formed, and that he can do so, and that he will do so,  
4 and that he will be fair and impartial in spite of what he  
5 may have heard, seen or read or in spite of any opinion he  
6 may have formed.

14' 11s.



14-1

1 (Whereupon, the following proceedings were had in  
2 open court, within the presence of the prospective alternate  
3 juror:)

4 THE COURT: All right. Bring the balance of the panel  
5 back in.

6 Bring Mr. Watson -- no; let's see. It's  
7 Mr. Edwards.

8 MR. KANAREK: I don't think your Honor wishes the balance  
9 at this time. There are not four -- we don't have four  
10 alternates.

11 THE COURT: Well, the trouble is, we have a new panel to  
12 go through.

13 MR. KANAREK: Oh, I see.

14 THE COURT: The Court has to start again.

15 MR. KANAREK: I'm sorry, your Honor.

16 THE COURT: Yes. We'll take a short recess, while they're  
17 filing in. Let me know when everyone's in.

18 Mr. Zamora, don't talk about this case, nor permit  
19 anyone to talk about it with you, until it's finally submitted  
20 to you, should you be chosen as an alternate juror.

21 MR. MANZELLA: Judge, could Mr. Kanarek and I see you for  
22 a few moments?

23 THE COURT: Sure.

24 (Whereupon, there was a midafternoon recess.)

25 THE COURT: Good afternoon, ladies and gentlemen,

26 THE JURORS AND PROSPECTIVE JURORS: Good afternoon.

27 THE COURT: In the case of People versus Manson, the  
28 record will show that the defendant is present with his counsel,

14-2

1 Mr. Kanarek. Mr. Manzella for the People. All of the 12  
2 jurors, sworn jurors, are in the box; and there are two  
3 prospective jurors in the box.

4 We are in the process of selecting prospective  
5 alternate jurors -- rather, we are in the process of selecting  
6 alternate jurors at this time in this case.

7 Would those of you who are here as prospective  
8 jurors please rise and raise your right hands, and face the  
9 clerk?

10 THE CLERK: You and each of you do solemnly swear that  
11 you will well and truly answer such questions as may be asked  
12 of you touching upon your qualifications to act as trial jurors  
13 in the cause now pending before this Court, so help you God?

14 PROSPECTIVE JURORS: I do.

15 THE CLERK: Please be seated.

16 DEFENDANT MANSON: You keep saying that word.

17 THE COURT: Is there any one of you who did not take that  
18 oath, and who would prefer to affirm?

19 I see no response.

20 You are called here as prospective jurors, ladies  
21 and gentlemen, in the case of the People of the State of  
22 California versus Charles Manson. Mr. Manson is the gentleman  
23 in the blue shirt and dungarees seated at the counsel table,  
24 to the Court's left.

25 He is represented by Mr. Irving Kanarek. Thank  
26 you, Mr. Kanarek.

27 The People in the case are represented by Deputy  
28 District Attorney Anthony Manzella. Thank you.

1 This is a case wherein the indictment before the  
2 Court charges three counts.

3 The first count charges a count of murder, in that  
4 it is alleged that on the 27th day of July, 1969, in the County  
5 of Los Angeles, Charles Manson did willfully, unlawfully,  
6 feloniously and with malice a forerthought murder Gary Alan  
7 Hinman, a human being.

8 Count II alleges the crime of conspiracy to commit  
9 murder and robbery, in that, between the 25th through the 28th  
10 days of July, 1969 at and in the County of Los Angeles, State of  
11 California, Mr. Manson, Susan Denise Atkins and Bruce McGregor  
12 Davis are alleged to have willfully, unlawfully and feloniously  
13 and knowingly conspired, combined, confederated and agreed  
14 together with other persons -- whose true identity is unknown --  
15 to commit the crime of murder, in violation of Section 187 of  
16 the Penal Code; and the crime of robbery, in violation of  
17 Section 211 Penal Code, State of California, a felony.

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
15. fls.

15-1

1 "And pursuant to and for the purpose of carrying  
2 out the objects and purposes of the aforesaid combination,  
3 agreement and conspiracy, the defendants committed the  
4 following overt acts at and in the County of Los Angeles:" --

5 The indictment in the second Count then goes on  
6 and alleges three overt acts.

7 The first overt act that is alleged, is that:

8 "On or about July 25, 1969, the said defendants,  
9 Bruce McGregor Davis, Susan Denise Atkins, and Robert  
10 Beausoleil, did travel to the vicinity of 964 Old  
11 Topanga Road, Malibu, County of Los Angeles;

12 "Overt act No. 2 alleges that on July 26, 1969,  
13 the defendants, Charles Manson, Susan Denise Atkins,  
14 and Bruce McGregor Davis, entered the residence at  
15 964 Old Topanga Road;

16 "Overt act No. 3 alleges that on or about  
17 July 26, 1969, Charles Manson, Bruce McGregor Davis,  
18 did drive away from 964 Old Topanga Canyon Road in  
19 a Fiat automobile owned by Gary Hinman."

20 Count III charges a Count of murder, in that it is  
21 alleged that:

22 "Charles Manson did, on or about the 16th day  
23 of August, through the first day of September, 1969,  
24 in the County of Los Angeles, commit a violation  
25 of Section 187 of the Penal Code, in that he did  
26 willfully, unlawfully and feloniously, and with  
27 malice aforethought, murder Donald Jerome "Shorty"  
28 Shea, a human being."

1 To those Counts in the indictment, Mr. Manson  
2 has entered pleas of not guilty, and this is the time set  
3 for trial.

4 It is expected that this case will take approxi-  
5 mately four to five months to try.

6 The Court would instruct each one of you that if  
7 you don't know now, you should find out in the next day or --  
8 in the next day, preferably at the next -- well, there won't  
9 be any recess at which you can find out that -- yes, at the  
10 next recess, when I excuse you tonight, it would be a good  
11 idea to find out whether your employer would pay you for the  
12 period of time that you would be involved as a juror, you  
13 would be sworn as a juror. You would be sworn as an  
14 alternate juror because the jury has been selected, and we're  
15 in the process of selecting four alternate jurors. Find out  
16 from your employer, from someone in authority who would know  
17 and could tell you whether or not you would be paid if you  
18 were to serve for four or five months.

19 The Court does not intend to sequester you.  
20 That is, put you in a hotel or keep you separate and apart  
21 from other persons during the course of the case. The  
22 Court will permit you to go home each night except during --  
23 except perhaps during the deliberations.

24 The Court may, however, sequester you, but it is  
25 not the intention of the Court to do so, and would do so  
26 only if circumstances in the Court's opinion warranted your  
27 being sequestered.

28 The Court will tell you all that the indictment

1 that I read is not evidence and should not be viewed as  
2 evidence. It is simply a means of bringing this charge before  
3 the court and jury and is not evidence, whatever, and does  
4 not, and should not, in any way, be taken to the prejudice  
5 of the defendant in that regard.

6 MR. KANAREK: Your Honor, before your Honor proceeds  
7 further, would it be appropriate to fill the two spots in  
8 the --

9 THE COURT: I'll do that very shortly.

10 MR. KANAREK: Thank you.

11 THE COURT: Now, that latter statement of the Court  
12 is true because a defendant in a criminal action is presumed  
13 to be innocent until the contrary is proved. That is, I have  
14 told you that you should not in any way view the indictment as  
15 evidence. It is not evidence because the defendant is presumed  
16 to be innocent until the contrary is proved, and in case of  
17 a reasonable doubt where guilt is not satisfactorily shown,  
18 he is entitled to an acquittal. This presumption places  
19 upon the State the burden of proving him guilty beyond a  
20 reasonable doubt.

21 Reasonable doubt is defined as follows:

22 It is not a mere possible doubt because every-  
23 thing relating to human affairs and depending on moral  
24 evidence is open to some possible or imaginary doubt. It is  
25 that state of the case which, after the entire comparison and  
26 consideration of all the evidence, leaves the minds of the  
27 jurors in that condition that they cannot say that they feel  
28 an abiding conviction, to a moral certainty to the truth of

1 the charge.

2 So call two names, would you, please? Call two  
3 names from the box.

4 THE CLERK: Bennie Berkovitz, B-e-n-n-i-e, last name  
5 B-e-r-k-o-v-i-t-z.

6 Valma R. Scott, V-a-l-m-a, last name S-c-o-t-t.

7 THE COURT: I'll be asking Mr. Scott -- Mrs. Scott,  
8 Mrs. Scott questions first, so pass that microphone back to  
9 her, would you, please?

16 fls.



16-1

## VOIR DIRE EXAMINATION OF

VELMA R. SCOTT.

BY THE COURT:

Q Mrs. Scott, hold that microphone to your face, and you'll hear it pick up.

Is it Mrs. Scott?

A Miss.

Q Miss. I will be asking her a number of questions of a general nature. If, later on, you are called to the box, I will be asking you whether you heard those questions, and whether your answers would be the same as Miss Scott's to the questions that I will be asking, now, in the next few minutes. before I get to the question of hardship, whether or not it would constitute a hardship to her.

I will be asking you later on whether your answers would be the same as the answers that she's given.

Miss Scott, have you ever worked for law enforcement in any way?

A No, sir.

Q Have you yourself or anyone close to you been the victim of an act of violence?

A No.

Q Have you ever been a witness in a prosecution, either for the People or for the defense?

A No.

Q Have you ever been charged with a criminal offense, or had a close friend or relative who has been charged with a criminal offense?



152x

16-2

1 A No.

2 Q Have you ever had any legal experience yourself,  
3 or ever attended a law school?

4 A No.

5 Q Will you follow the Court's instructions of law,  
6 as I shall give them to you, at the conclusion of the evidence  
7 in this case, regardless of what you believe the law is or  
8 believe the law should be?

9 A Would you repeat that, please?

10 Q Will you follow the Court's instructions of law,  
11 as I shall give them to you? It's the Court's function to  
12 instruct you concerning the law in this case, and at the  
13 conclusion of the evidence, I intend to instruct you concerning  
14 the law.

15 Will you follow those instructions as I give them  
16 to you, regardless of whether you believe they're correct,  
17 regardless of whether you believe they're the law, and as the  
18 law stands now, or regardless of what you feel the law should be?

19 A Yes.

20 Q I am going to instruct you briefly as to some of  
21 the terms that we will be using in the course of -- of asking  
22 you questions, as prospective jurors. And I'll ask Miss Scott  
23 and all of you to listen to the instructions as I give them to  
24 you in the next few minutes.

25 We will be talking about murder in the first degree.  
26 All murder perpetrated by willful, deliberate and premeditated  
27 killing with malice aforethought, or a murder committed by  
28 torture, or a killing committed in the course of a burglary or

1 a robbery, is murder of the first degree.

2 Conspiracy is an agreement between two or more  
3 persons to commit a public offense, and with the specific  
4 intent to commit such offense, followed by an overt act  
5 committed in this State by one or more of the parties, for  
6 the purpose of accomplishing the object of the agreement.

7 Conspiracy is a crime. In order to find a  
8 defendant guilty of conspiracy, in addition to proof of the  
9 unlawful agreement, there must be proof of the commission of  
10 at least one of the overt acts alleged in the indictment.

11 Each member of a criminal conspiracy is liable  
12 for each act and bound by each declaration of every other  
13 member of the conspiracy, if said act or said declaration is  
14 in furtherance of the object of the conspiracy.

15 Where a conspirator commits an act which is  
16 neither in furtherance of the objects of the conspiracy nor  
17 the natural and probable consequences of an attempt to  
18 attain that object, he alone is responsible and bound by that  
19 act, and no responsibility therefore attaches to any of his  
20 confederates.

21 A person aids and abets in the commission of a  
22 crime if he knowingly and with criminal intent aids, promotes,  
23 encourages or instigates by act or advice, or by act and  
24 advice, the commission of such crime.

25 All persons concerned in the commission of the  
26 crime who either directly or -- and actively commit the act  
27 constituting the offense, or who knowingly and with criminal  
28 intent aid and abet in its commission, or whether present or

15x1  
16-4

1 not, who advise and encourage its commission, are regarded by  
2 law as principals in the crime thus committed, and are  
3 equally guilty thereof.

4 The testimony of a witness, a writing, a material  
5 object, or anything presented to the senses offered to prove  
6 the existence or non-existence of a fact is either direct or  
7 circumstantial evidence.

16x fls.

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

16a-1

1 Direct evidence means evidence that directly  
2 proves a fact, without an inference, and which, in itself, if  
3 true, conclusively establishes that fact. Circumstantial  
4 evidence means evidence that proves a fact from which an  
5 inference of the existence of another fact may be drawn. An  
6 inference is simply a deduction of fact that may logically and  
7 reasonably be drawn from another fact or group of facts estab-  
8 lished by the evidence.

9 It is not necessary that facts be proved by direct  
10 evidence. It may be proved also by circumstantial evidence or  
11 by a combination of direct evidence and circumstantial evidence.  
12 Both direct evidence and circumstantial evidence are acceptable  
13 as means of proof. Neither is entitled to any greater weight  
14 than the other.

15 You are not permitted to find a defendant guilty of  
16 any crime charged against him, based on circumstantial  
17 evidence, unless the proved circumstances are not only  
18 consistent with the theory that the defendant is guilty of the  
19 crime, but cannot be reconciled with any other rational  
20 conclusion, and each fact which is essential to complete a  
21 set of circumstances necessary to establish the defendant's  
22 guilt has been proved beyond a reasonable doubt.

23 And you will remember, of course, that I have  
24 defined reasonable doubt for you.

25 Also, if the evidence as to any particular count  
26 is susceptible of two reasonable interpretations, one of which  
27 points to the defendant's guilt and the other to his innocence,  
28 it's your duty to adopt that interpretation which points to

16a-2

1 the defendant's innocence and reject the other which points to  
2 his guilt.

3 There is a charge in the indictment, wherein the  
4 law states that upon a conviction -- that is, upon a  
5 conviction of murder of the first degree -- the jury will be  
6 presented with two alternatives, life or death, as punishment.

7 The law imposes neither death nor life imprison-  
8 ment upon a conviction of murder of the first degree, but  
9 presents the two alternatives to the absolute discretion of  
10 the jury. The legislature has formulated no rules to control  
11 the exercise of the jury's discretion, so it's in the absolute  
12 discretion of the jury as to whether or not life imprisonment  
13 or death will be imposed.

14 The Court is going to ask you concerning your views  
15 about the death penalty, in cases in which the offense charged  
16 is punishable by death, and the Court -- the Court is required  
17 to ascertain if any prospective juror entertains such  
18 conscientious opinions as would preclude his finding a  
19 defendant guilty, if the evidence should justify such a  
20 finding; or, if the juror would under no circumstances vote  
21 for the death penalty; if the juror would automatically refuse  
22 to impose the death penalty, or -- regardless of the evidence,  
23 that is,

24 (Continuing)-- or if the juror, upon a conviction  
25 of murder in the first degree, would automatically impose the  
26 death penalty, regardless of the evidence.

27 Now, the Court is not inferring to you that you  
28 will ever be called upon to enter into the second phase; that

16a-3

1 is, the penalty phase -- of this case. Because whether you do  
2 or not enter the penalty phase, and consider life imprisonment  
3 or the death penalty, that would depend upon whether there's a  
4 conviction of murder in the first degree.

5 If there is no conviction of murder of the first  
6 degree, if the defendant is acquitted or is found guilty of some  
7 lesser offense, then a penalty phase never arises.

8 But if you do -- if the jury should find the  
9 defendant guilty of murder first, an offense punishable by life  
10 imprisonment or death, then the jury shall fix the penalty of  
11 death or life imprisonment.

12 Therefore, the Court will inquire of you, and the  
13 Court will be asking you about your state of mind. So, you  
14 should be thinking about it, while you are sitting there,  
15 whether you have such opinions concerning the death penalty  
16 that would preclude you from finding a defendant guilty if the  
17 evidence should justify such a finding, whether your views are  
18 such that you could not be fair and impartial in determining the  
19 issue of guilt or innocence on the first phase; whether your views  
20 are such that you would automatically refuse to impose the  
21 death penalty, regardless of the evidence, or automatically  
22 impose it upon a conviction of murder in the first degree.

23 Now, Mrs. Scott, have you heard everything that  
24 I've stated in the last few minutes?

25 A Yes.

26 Q And would you follow those instructions of the Court,  
27 as well as any others that I might give you, regardless of what  
28 you believe the law to be?

16a-4

1

A Yes.

2

Q All right. Then, I'll ask you whether or not it would constitute any hardship to you to serve as a juror in this case?

3

4

5

A It might, if it would last four or five months, yes.

6

7

Q Tell me about it. How would it constitute a hardship?

8

9

A Well, I'm not sure my employer pays for that length of time. I would have to find out.

10

11

Q Who is your employer?

12

A Bullocks.

13

Q I'm sorry?

14

A Bullocks.

15

Q All right. Will you inquire of your employer, then, and determine whether or not your employer does pay for that period of time?

16

17

A Yes.

18

Q What type of work do you do for Bullocks?

19

A An assistant buyer.

20

Q For how long have you been employed by Bullocks?

21

A Three years.

22

Q And what do you buy?

23

A Lingerie.

24

Q And you say it was -- you said it was Miss Scott?

25

A Well, yes -- almost.

26

Q I'm not quite sure I understand that.

27

(Laughter.)

28

16a-5

17 fls.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Q Possibly you could explain.

Has there ever been a Mr. Scott?

A Yes.

Q What type of work did he do?

A He's an electrician.

Q I see. For whom?

A For the Department of Water and Power.



17-1

1 Q Are you related to or a friend of any law  
2 enforcement officer?

3 By law enforcement officers, ladies and gentlemen,  
4 I mean anybody who is a Deputy District Attorney, deputy  
5 prosecutor, or prosecutor of any type, California Highway  
6 Patrolman, policeman, deputy sheriff?

7 A No.

8 Q Policeman?

9 A No.

10 Q Have you ever sat on a criminal jury before?

11 A No.

12 Q In what area, general area do you reside?

13 A Burbank.

14 Q In regard to your views concerning the death  
15 penalty, do you have such views concerning it that you could  
16 not be fair and impartial in determining the question of guilt  
17 or innocence?

18 A I don't think I could do it.

19 Q By that, you don't believe that you could be  
20 fair and impartial in determining guilt or innocence?

21 See, this is in the first phase of the case that  
22 we're talking about, wherein you will be called upon to  
23 determine whether the defendant is guilty or not guilty.

24 Would your views concerning the death penalty  
25 enter your judgment in that first phase of the case?

26 A No.

27 Q All right.

28 Now, concerning the penalty phase, do you have such

17-2

1 views concerning the penalty, the death penalty, that you  
2 would automatically refuse to impose it, regardless of the  
3 evidence in the case?

4 A Well, no, not exactly. I couldn't -- if the  
5 circumstance -- if it were --

6 Q Go ahead.

7 A It is difficult to explain.

8 If it were beyond a reasonable doubt.

9 Q Yes.

10 Well, of course, a defendant should not be  
11 convicted unless, as I have instructed you, his guilt is  
12 proven beyond a reasonable doubt and every essential element  
13 of the People's case must be established beyond a reasonable  
14 doubt before a defendant can be found guilty.

15 Do you understand that?

16 A Yes.

17 Q Now, let's assume for the purpose of asking this  
18 question, and that's the only reason that I am assuming it,  
19 I don't want anyone to infer that the Court is implying that  
20 it will be necessary for you to enter into a second phase or  
21 a penalty phase of the case, because that is only entered upon  
22 in the event the jury finds the defendant guilty beyond a  
23 reasonable doubt of murder of the first degree.

24 Do you follow me?

25 A Yes.

26 Q Assuming that you've gone that far, and that as  
27 a juror you have found murder of the first degree, then you  
28 would be called upon to enter into the penalty phase.

17-3

1           What would be your views? Would you automatically  
2 refuse to impose the death penalty regardless of the evidence?

3           A     No.

4           Q     Would you listen to the evidence and in your  
5 sole judgment and sole discretion determine whether you  
6 should vote for life imprisonment or death?

7           A     Yes.

8           Q     Would you, automatically, on the other hand,  
9 now, impose the death penalty, that is, vote for the death  
10 penalty, regardless of the evidence, upon a conviction of  
11 murder of the first degree?

12          A     No.

13          Q     All right.

14                The next question, series of questions that I  
15 wish to ask you, I'll ask you outside of the presence of the  
16 other jurors. And they concern your knowledge of news media  
17 releases, your knowledge of prior publicity, and whether you  
18 can set aside any opinions that you might have formed concern-  
19 ing this case or any other case in which Mr. Manson might  
20 have been involved, and whether you will set aside such  
21 opinions that you might have formed and whether you can be  
22 fair and impartial in determining any issue that you might  
23 be called upon to determine in this case; do you understand?

24          A     Yes.

25          Q     Before we do that, however, I'll go ahead and  
26 talk to Mr. Berkevitz.

27  
28                   VOIR DIRE EXAMINATION

17-4

1 BY THE COURT:

2 Q Mr. Berkovitz, you heard the questions that I  
3 put to Miss Scott, did you not?

4 A Yes.

5 Q Would your answers be any different than here  
6 were to the questions of a general nature before I asked her  
7 about hardship?

8 A No.

9 Q All right.

10 Would it be any hardship to you to serve in this  
11 case?

12 A No.

13 Q Neither financial nor personal?

14 A No, I don't think so.

15 Q All right, what type of work do you do?

16 A I am retired.

17 Q From what?

18 A Well, I used to be a truck driver.

19 Q You used to be a truck driver?

20 A Yes.

21 Q For whom?

22 A Uh, Colker Veteran Farm.

23 Q Here in Los Angeles?

24 A Yes.

25 Q And is there a Mrs. Berkovitz?

26 A No.

17a fls.

17a-1

1 MR. KANAREK: Your Honor, I didn't hear his answer.

2 THE COURT: He said "No."

3 MR. KANAREK: I mean, the name of the company that he  
4 worked for.

5 THE COURT: Would you state the name of the company  
6 that you worked for, again, for Mr. Kanarek?

7 PROSPECTIVE ALTERNATE JUROR BERKOVITZ: Colker, C-o-l-  
8 k-e-r, Veteran Farm. That's an egg business. They're out  
9 of business now. Used to be an egg business.

10 BY THE COURT:

11 Q Incidentally, there are some more questions which  
12 I did not ask Miss Scott, which would be the questions that  
13 should have been included in my questions of a general nature.

14 Would you hand her the microphone again?

15 With the exception of anything that you might  
16 have heard, seen or read in the newspaper, television or  
17 radio, do you know anything about this indictment or the  
18 alleged indictments that I have read to you?

19 A (Prospective alternate juror Scott) No.

20 Q Do you know either of the attorneys who I've  
21 introduced to you?

22 A No.

23 Q Have you been represented by either of the  
24 attorneys or any firm that they have been partnered with or  
25 associated with?

26 A No.

27 Q Do you know Mr. Manson personally or any person  
28 who knows him well?

1 A No.

2 Q Do you know of any reason why you could not be  
3 fair and impartial in the case as a juror?

4 A No.

5 Q All right.

6 Hand it back to Mr. Berkovitz.

7 Now, would your answers to those general ques-  
8 tions still be the same, Mr. Berkovitz?

9 A (Prospective alternate juror Berkovitz) Yes.

10 Q Are you related to or a friend of any law  
11 enforcement officer?

12 A No.

13 Q Have you sat as a juror in a criminal case before?

14 A No.

15 Q In what area do you reside?

16 A I live in McArthur Park, Alvarado Street.

17 Q Can you think of any reason why you couldn't be  
18 fair and impartial?

19 A No.

20 Q Regarding the death penalty, do you have such views  
21 concerning it that you would be unable to be fair and impartial  
22 in determining the first phase of the case, the phase involv-  
23 ing guilt or innocence?

24 A No.

25 Q Would your views be such that you would  
26 automatically refuse to impose it regardless of the evidence  
27 that might be introduced?

28 Would you automatically vote against the death

1 penalty, regardless of the evidence?

2 A No.

3 Q Would you automatically vote for the death  
4 penalty, regardless of the evidence, upon a conviction of  
5 murder of the first degree?

6 A No.

7 Q All right. I wish to ask you about anything  
8 you may have heard, seen or read before you came into this  
9 courtroom in the publicity media, or in conversations  
10 with your friends, relatives concerning Mr. Manson, this  
11 case or any other case.

12 However, we'll ask you that after I've talked to  
13 Miss Scott about that subject.

14 May we excuse -- may we excuse all of the  
15 prospective jurors except for -- let's take two more from  
16 this panel and excuse the balance.

17 May we do that for the evening, and let them get  
18 on the freeway early?

19 MR. MANZELLA: Yes, your Honor.

20 THE COURT: Let's do that, take two more. Stir the  
21 names up.

22 THE CLERK: Earnest W. Tanner, E-a-r-n-e-s-t, last name  
23 T-a-n-n-e-r.

24 MR. TANNER: Here.

25 THE CLERK: Tanner?

26 MR. TANNER: Here.

27 THE COURT: Mr. Tanner, you will wait, then, please.

28 THE CLERK: Mrs. Mary Montano, M-a-r-y, M-o-n-t-a-n-o.



1 THE COURT: Mrs. Montano, would you wait.

2 MRS. MONTANO: Yes.

3 THE COURT: Then, we'll ask Mr. Berkovitz to wait, Mr.  
4 Edwards, and Mr. Zamora, and we'll ask you to wait, and Miss  
5 Scott, as well. And those two names that Mrs. Holt has just  
17a fls. 6 called, we'll ask you to wait.  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



17b-1

1 The rest of you, I'll see you tomorrow morning at  
2 9:30. You are excused until then.

3 May I, however, tell you this, that during this  
4 recess and during any subsequent recess, I advise you that  
5 you are not to allow anyone to speak to you about this matter.  
6 Don't confer with anyone about it. Don't talk to anyone  
7 about it.

8 Don't let anyone talk to you.

9 You are not to read, hear or see any matter  
10 concerning Mr. Manson, this case or any other case in which  
11 the name is mentioned. And that means that if you see a  
12 headline, you are not to pursue the news story. You are not to  
13 go in any more deeply than that, than just having viewed that  
14 headline. If you can avoid seeing the headline, you should do  
15 that. But if you can't avoid it, don't pursue it after having  
16 seen it. If you can't avoid hearing or seeing something on  
17 television, if you can't avoid seeing or hearing -- or if  
18 someone should say something to you, do your best to avoid any  
19 further contact that will give you any further information  
20 from the news media in connection with it or give you any  
21 further information from a friend.

22 In other words, it is your positive obligation to  
23 avoid any publicity about this case of any type and you must  
24 make it your affirmative duty while jurors --

25 Don't form or express any opinion on the matter,  
26 don't form or express any opinion on it until it has finally  
27 been submitted to you, should you be chosen.

28 Good night. I'll see you back here at 9:30,

1 except those names of those people who have been called.

2 (Whereupon, the jury and prospective jury panel  
3 retired from the courtroom, and the following proceed-  
4 ings were had:)

5 THE COURT: Would the two whose names were called wait  
6 outside, and Miss Scott, we'll talk to you, first.

7  
8 VOIR DIRE EXAMINATION

9 BY THE COURT:

10 Q Miss Scott, what did you say your husband does?  
11 Works for the Department of Water and Power?

12 A Water and Power, yes.

13 Q Before you came to this courtroom, had you heard,  
14 seen or read the name Charles Manson before?

15 A Yes, I've heard it.

16 Q And in connection with this case or the Tate-  
17 La Bianca case or some other case?

18 A I think it was Tate-La Bianca.

19 Q Perhaps it was both cases? Had you heard, seen or  
20 read anything in connection with this case?

21 A Very little.

22 Q Do you remember anything whatever that you read  
23 from this case, read, heard or seen?

24 A No, I hadn't followed it very closely.

25 Q In the Tate-La Bianca case, did you follow that  
26 very closely?

27 A No.

28 Q Did you read the newspapers occasionally, see

1 television, hear a radio report occasionally?

2 A At the very start.

3 Q Do you know what Mr. Manson was charged with in  
4 that case?

5 A Yes, I think.

6 Q What's your best thought on it?

7 A He was charged with murder, five, I believe.

8 Q And do you know whether he was convicted or  
9 whether he was acquitted?

10 A No, he was convicted.

11 Q And do you remember whether the jury came back  
12 with a verdict in the penalty phase?

13 A I believe it did.

14 Q What's your best remembrance of that?

15 A I just believe he was convicted and he was given  
16 the death penalty. I don't -- as I say, I didn't follow it  
17 closely.  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

17c fls.

17c-1

1 Q It is not to your discredit that you may not know  
2 what has occurred. We simply want to find out what you do  
3 know, understand?

4 A I understand. When it first broke in the head-  
5 lines, I read the paper for, oh, maybe a week. And --

6 Q After that, you just followed it haphazardly?

7 A Not any more than I had to. I don't like to follow  
8 things like that.

9 Q So your best knowledge is he was convicted of  
10 five counts of murder and that he was sentenced to death?

11 A Yes.

12 Q All right. Do you know the name Susan Atkins?

13 A Yes.

14 Q Do you know in -- what connection Susan Atkins  
15 had with the case?

16 A I think she was the first one to tell the story.

17 Q You mean by that that she made a confession of  
18 some type?

19 A Yes.

20 Q Did you read that confession when it appeared in  
21 the papers?

22 A Part of it.

23 Q Do you recall anything about it at all?

24 A No, very little.

25 Q Have you read anything about this case in the  
26 last three weeks?

27 A No.

28 Q Do you know the name Gary Hirman? Had you heard

1 it before I read it?

2 A Yes.

3 Q What did you know about that name?

4 A Well, as I said, I think he was the first one  
5 supposedly that was supposed to have been murdered.

6 Q And do you know the name Shorty Shea?

7 A Yes, I've heard that.

8 Q What do you know about that name?

9 A Wasn't he a ranch hand?

10 Q That's your best remembrance?

11 A Yes.

12 Q And what more do you know about him?

13 A Just that supposedly his body was never found.

14 Q All right. Do you know the name Bobby Beausoleil?

15 A No.

16 Q Or Robert Beausoleil?

17 A (No response.)

18 Q Or Mary Brunner?

19 A I've heard the name Robert Beausoleil.

20 The Mary Brunner name, no.

21 Q Did you read anything whatever about the prosecu-  
22 tion of Robert Beausoleil?

23 A Uh-huh. Probably the headlines. When you pick  
24 up a paper, you automatically see headlines, and I skim over  
25 it, and if it looks readable, I do. But, usually, something  
26 like that, I just pass over it.

27 Q Do you recall anything at this moment?

28 A No.

1 Q Now, if I were to instruct you, Miss Scott, that  
2 it would be your obligation, if you were a juror in this case,  
3 that you were to set aside anything you may have heard, seen  
4 or read in connection with Mr. Manson, the Tate-La Bianca  
5 case, this case, set aside anything that you may remember  
6 that you don't now recall concerning those cases of Mr. Manson  
7 for the purpose of making an independent judgment based on the  
8 evidence in the case, in this case, could you do that?

9 A I believe so, yes.

10 Q Could you effectively disregard -- not forget,  
11 because it would be too difficult to forget everything that  
12 you may have learned -- but could you effectively set aside  
13 or disregard such matters for the purpose of making an  
14 objective judgment based solely on what you hear, see or read  
15 concerning the evidence in this case?

16 A I think so.

17 Q Are you expressing any doubt about your ability?  
18 And would you say, "I think so" --

19 A Yes, I've never been on a jury of any type and I  
20 really -- I don't know. As I told you, I don't think I could  
21 -- if I came to the death penalty, I don't think I could do  
22 it.

18 fls.

19-1

1

Q You don't think you could impose it?

2

A I do not, no.

3

Q You've never been called upon to make that decision?

5

A No.

6

Q Now --

7

A Regardless of -- although I've often said I thought I could, when it comes right down to it, that's another thing.

9

Q But you are of a mind at this time that, so far as the death penalty is concerned, you would not automatically refuse to impose it?

12

A No. I -- I guess I wouldn't.

13

Q Is that your state of mind, that you would not automatically refuse to impose it?

15

A I would try not to.

16

Q All right. Well, let's get back to this other question now. Aside from the death penalty, now, what we are concerned about is your ability, your assessment of your ability, your capability of being objective and setting aside anything that you may have heard, seen or read, and making a decision based solely on what is produced here in this courtroom.

22

You understand it would be very unfair to Mr. Manson for you to use anything that you had heard, seen or read via the publicity --

25

A Yes.

26

Q -- in determining any issue that you might be called upon to determine in this case? Do you understand that?

28



18-2

1 A Yes.

2 Q And you wouldn't want to do that, if the Court  
3 instructed you that that is incorrect, as I will instruct you?

4 A No, I understand.

5 Q All right. Now, what we are all trying to find out  
6 is your capability, or mental agility, I suppose, and your  
7 emotional stability in setting aside what you may have heard,  
8 seen or read, and deciding the case based on the evidence, and  
9 independently of any such matter.

10 A Oh, I think I could do that.

11 Q Are you expressing any reservation in saying, "I  
12 think"?

13 A No. All right. I'm sorry. I -- I'm sure I could.

14 Q You are sure you could?

15 A Yes.

16 Q You probably do this in your work occasionally,  
17 don't you?

18 A Yes.

19 Q Set aside rumors or things that you may have heard,  
20 and decide things objectively, based upon what you know that  
21 you must use in making a decision?

22 A Yes, that's correct.

23 Q Well, will you do that?

24 A Yes.

25 Q And can you be fair and impartial in spite of  
26 any opinions you might have formed, anything that you may have  
27 heard, seen or read in the news media?

28 A Yes.



18-3

1 THE COURT: All right. Mr. Kanarek?

2 MR. KANAREK: Thank you, your Honor.

3  
4 VOIR DIRE EXAMINATION

5 BY MR. KANAREK:

6 Q Is the correct way to call you Mrs. Scott?

7 A Well, I'm in the process of a divorce. So, I  
8 don't know what. Again, are you Miss or Mrs. under those  
9 circumstances?

10 Q Is your husband's name Scott?

11 A Yes.

12 Q Then I guess -- may we call you Mrs. Scott?

13 A Surely.

14 Q Now, at what Bullocks, if I may, do you work?

15 A Wilshire.

16 Q Bullocks Wilshire?

17 A Yes.

18 Q That's near Wilshire and Vermont?

19 A Yes, sir.

20 Q And is that the only Bullocks that you've worked  
21 at?

22 A Yes.

23 Q Now, what does the name Sharon Tate mean to you,  
24 in the context of Mr. Manson?

25 A It just brings to mind --

26 Q Pardon?

27 A It just brings to mind a horrible murder.

28 Q I see. And you say in the first week you did follow

18-4

1 this; is that right?

2 A Yes,

3 Q And would you tell us, as best you can, what you  
4 read in the newspapers or saw on the television, the first  
5 week? That is, concerning those matters?

6 A Mainly that they had found the bodies, and they  
7 were searching for the -- for the one that had performed the  
8 act.

9 And then, it described it, somewhat -- a little  
10 vividly.

11 Q Pardon?

12 A It described it. There was a lot of conversation,  
13 you know, between friends; everybody was talking about it.

14 Q And Mrs. Scott, I'm sure you recognize that our  
15 purpose here is not -- is merely to get information to give  
16 Judge Choate to make decisions here, and you are not on the  
17 defensive.

18 A No, I know,

19 Q You recognize that?

20 A I just don't remember everything I read.

21

22

23

24

25

26

27

28

18a file.

10a-1

1 Q Right. And however large or however small it may  
2 be, that's all we want to know, is what you do remember.

3 Now, when you say "the details," would you tell us  
4 as best you can remember now what the details are that you read?

5 For instance, did you read how these people allegedly  
6 passed away?

7 A Yes. They were stabbed, and they were shot.

8 Q And when you use the words "horrible" -- you used  
9 that word "horrible" -- you mean you are referring to the  
10 publicity that you read and heard in connection with those  
11 matters?

12 A Yes. Murder is horrible, any way you look at it --  
13 especially when it involves more than one person.

14 Q Now, the name La Bianca, does that mean anything  
15 to you?

16 A Yes.

17 Q And do you -- from the publicity, do you know  
18 where the La Bianca residence was?

19 A In the Los Felix area.

20 Q And you live in Burbank?

21 A Yes.

22 Q Do you presently live in Burbank?

23 A Yes.

24 Q Near what big intersection?

25 A Pass and Riverside.

26 Q Pass and Riverside Drive. And so, on your way to  
27 work, you do go past or through the Los Felix area?

28 A It's near the store.

18a-2

1 Q Pardon?

2 A It's near the store.

3 Q Near where you work. Now, directing your

4 attention to the names La Bianca, would you tell us, what does

5 that bring back to your mind? Or what do you think of when you

6 think of those names?

7 A Of a couple that met with a very -- not a very nice

8 way to die.

9 Q And -- now, when you say you read what Susan

10 Atkins -- you say you read her confession?

11 A Part of it, yes.

12 Q When you say "part of it," would you give us a

13 little insight as to what you mean by that?

14 A Well, it was quite a lengthy article, if I recall,

15 and I only read about half of it.

16 Q In the Los Angeles Times, on a Sunday?

17 A Yes.

18 Q December 14, 1969?

19 A Oh, I don't remember the date. But it was in the

20 Times, yes.

21 Q And did you read it at the very top? Was it at the

22 very top of the page, on the first page?

23 A I don't even remember.

24 Q But it was Sunday; do you remember that?

25 A No, not the date.

26 Q And would you tell us what you remember of the part

27 that you read, what it stated? Just give us in capsule form

28 what you remember --

18a-3

1 A She was just telling of her story, her life with  
2 the Manson group, how they lived; and -- and then, the nights --  
3 the two nights that they went out that you are questioning about.

4 Q And -- uh -- in these -- and in this half that you  
5 remember reading, there was a mention about -- about these  
6 people that died; is that right?

7 A Yes.

8 Q Could you tell us, from the publicity, how many  
9 people you heard or read had died?

10 A Oh, five at the Tate; and I think two at La Bianca.

11 Q Now, having in mind the -- you used the word  
12 "horrible." You would certainly intend to follow the Court's  
13 order and not consider these matters, in deciding this case, --

14 A Yes.

15 Q -- is that correct?

16 A Right.

17 Q And -- but, like you have told us, you have never  
18 experienced having to do this before?

19 A That's right.

20 Q And like some day, you might intend to, say, go  
21 to Palm Springs on a Saturday morning, for the weekend, but for  
22 one reason or another, you might not make it; you know what I  
23 mean?

24 A Um-hum.

25 Q You might intend not to consider these matters,  
26 but is there some probability that you might not be able not to  
27 consider these matters?

28 A Not to my knowledge.

18a-4

1

Q Pardon?

2

A Not to my knowledge.

3

Q Well, if these same events were portrayed in this courtroom, the same events were brought before you, would there be some difficulty in -- in trying to remember that which you had read in Susan Atkins' purported confession, and that which you heard in court?

8

A No, I don't feel it would be difficult.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

x  
18b file.

18b-1

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Q Pardon?

A It wouldn't be difficult. As I said, I don't remember what I read.

Q Of Susan Atkins'?

A Um-hum.

Q Now, do you have any friends that are in any type of law enforcement work, public or private, anywhere in the world?

A No.

Q Like District Attorneys or --

A No.

Q -- United States Marshals or anything like that?

A No.

Q Now, you tell us that -- that right now -- well, would you please tell us what you have heard concerning Mr. Shea, heard or read, in the publicity concerning Mr. Shea?

A Just that he was a ranch hand that -- that disappeared; and they assumed he was dead.

Q Pardon?

A That they assumed he was dead.

Q When you say "they," who do you mean by "they"?

A Again, I don't think I've read the paper in maybe six months about this.

Q Well, again, you are not on the defensive here.

A No, I know. It's just --

Q Well, what we are trying to determine --

A I haven't followed this case that closely.

Q Right. But whatever large the amount, however great

1 the amount may be, or however small, that's all we are  
2 interested in. That's the way the legislature set it up.

3 A Well, when you say "they," I read a newspaper.  
4 Whether it was the columnist or stated in court, I'm not sure.

5 Q In other words, you don't know whether it came from  
6 a court proceeding --

7 A No.

8 Q -- or from a columnist?

9 A No.

10 Q And I think you told Judge Choate that the ranch  
11 hand -- the ranch hand's body had never been found; that you  
12 had -- this is the information that you had heard or seen in  
13 the publicity; is that correct?

14 A Yes, I believe so.

15 Q So that right now, you -- from the publicity, you  
16 -- your state of mind -- or, you believe that the ranch hand  
17 has been murdered?

18 A I didn't say that.

19 Q Well, do you --

20 A I said I read a paper that assumed him to be  
21 dead; that they have never found his body.

22 Q Well, see, what I am saying is, a lot of informa-  
23 tion we get is from newspapers and publicity. For instance,  
24 the laws of congress, and what the city council does, what  
25 Governor Reagan does in Sacramento; there are lots of things  
26 that we read and learn of in the publicity.

27 And it's no reflection whatsoever upon you, to --  
28 to read the newspapers and watch television. And that's all



1 we are trying to get here, is just whatever information you  
2 say have.

3 A Very little.

4 Q But -- that's what we are interested in, the  
5 "very little" that you may have.

6 Now, you stated that the ranch hand's body was  
7 never found. So, as you sit there presently in the jury box,  
8 you believe, from the publicity, that the man has been  
9 murdered?

10 A That he's disappeared.

11 Q Well, like when you say his body has never been  
12 found, this is a --

13 A No, I -- you asked me what I read. I'm telling  
14 you. It said his body was never found.

15 Q Right.

16 A So --

17 Q Mrs. Scott, the question is just what you heard  
18 from the publicity.

19 There's no -- there's no imputation that you know  
20 anything about this, one way or the other, except from the  
21 publicity. And that's all we want to know.

22 A Right.

23 Q Now, like from the publicity, you believe that  
24 Senator Kennedy, Robert Kennedy, was murdered, no doubt?

25 A Well, I think that was -- they had a body.

26 Q Pardon?

27 A I would say he was murdered, yes.

28 Q All right. Now, from the publicity concerning

1 Mr. Shea, do you believe that Mr. Shea has been murdered?

2 A I don't know.

3 Q Well, then, when you say his body has never been  
4 found, do you mean by that -- what do you mean by that?

5 THE COURT: I think she has explained that, Mr. Kanarek.

6 PROSPECTIVE JUROR SCOTT: I think that's what this trial  
7 is to prove, whether he's dead or alive.

8 BY MR. KANAREK:

9 Q And you feel --

10 A Because I don't have any idea.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

18c fls.

18c-1

Q Well, directing your attention then to the publicity, do you believe what you've read in the publicity?

A Part of it, probably. I can't be truthful, without saying I believe part of it, yes.

Q That's all we want.

What part do you believe is true?

A I don't even know that. I would have -- it would have to come up -- it's hard to explain, the way I feel.

Q Well, go ahead. Try to. We are all -- we are all very sympathetic.

A Well, if you'll give me an example, something to compare it with? How can I say what I believe is true, without --

Q I see.

Well, whatever you may have read or seen concerning Mr. Shea, what do you believe to be true? That you've read so far?

A Well, he isn't around; so he's -- I don't know, truthfully.

Q I see. And you -- so your present state of mind is that he's not around?

A Yes.

Q And so it would -- someone would have to bring forth some evidence to convince you that he is around?

A Well, yes.

Q Is that a fair statement?

A I think it is.

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

18c-1

THE COURT: No, you may not.

BY THE COURT:

Q Would you use the fact that you believe that he's not around in any way, in -- in order to help the prosecution establish its case against --

A I'm sorry. I didn't hear the start of the question.

Q Would you use your belief, now, that Mr. Shea is not around --

A Yes.

19-1

1 Q -- would you use it at all in order to help the  
2 prosecution establish its case against Mr. Manson in which  
3 he's accused of the death of Mr. Shaw or would you rely  
4 solely upon the evidence?

5 A It would have to be the evidence.

6 Q Now, if the evidence -- if the evidence doesn't  
7 convince you beyond a reasonable doubt that there was a  
8 death of Mr. Shaw, would you find Mr. Manson guilty or not  
9 guilty?

10 A If they couldn't prove it?

11 Q Beyond a reasonable doubt.

12 A I -- regardless of what you think, you couldn't  
13 convict him.

14 Q Well, what Mr. Kanarek and Mr. Manzella and the  
15 Court are driving at, would you allow anything that you had  
16 heard, seen or read, any belief that you might have formed,  
17 to fill in any of the gaps?

18 A No.

19 THE COURT: You may approach, if you wish.

20 MR. KANAREK: Yes, your Honor.

21 (Whereupon, the following proceedings were had  
22 at the bench among Court and counsel, outside the  
23 hearing of the prospective alternate juror:)

24 MR. KANAREK: Well, your Honor --

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

28 THE COURT: You responded to one of Mr. Kanarek's

19-2

1 questions to the effect that some proof would have to be  
2 brought forth to show that Mr. Shea was around.

3 If I were to instruct you that that would be  
4 incorrect, that you are not to allow anything of that nature,  
5 any opinion that you might have formed to enter into your  
6 judgment, could you follow that instruction?

7 PROSPECTIVE ALTERNATE JUROR SCOTT: Yes.

8 THE COURT: You understand that that would be incorrect  
9 to adopt that attitude which you have spoken to Mr. Kanarek  
10 of?

11 PROSPECTIVE ALTERNATE JUROR SCOTT: Uh-huh, yes.

12 THE COURT: And you understand it is the burden of the  
13 People to establish Mr. Manson's guilt beyond a reasonable  
14 doubt as to all the elements, of which, in murder, death is  
15 one, death by an illegal means?

16 PROSPECTIVE ALTERNATE JUROR SCOTT: Yes.

17 THE COURT: All right.

18 (Whereupon, the following proceedings were had  
19 at the bench among Court and counsel, outside the  
20 hearing of the prospective alternate juror.)

21 MR. KANAREK: Your Honor, it is now 4:30.

22 THE COURT: Yes, we can stop.

23 MR. KANAREK: And continue tomorrow.

24 But I think this woman, her use of the word  
25 "horrible" and so forth, no matter how much we exhort her,  
26 she is not going to be a fair and impartial juror.  
27  
28

19a file.

19a-1

1 THE COURT: I think she's intelligent, and I think she'll  
2 be able to accept the Court's instructions, and she will  
3 disregard anything she may have heard, seen or read, and she'll  
4 do so, and she is capable of doing so, and can be fair and  
5 impartial. She seems to me unusual in that respect.

6 MR. KANAREK: Well, I must challenge her under Section  
7 1073, Subsection 2. She read the Susan Atkins confession.  
8 This is a conspiracy count. There is a conspiracy count in  
9 there. And the cases make it clear confession is the end of  
10 the road. That is the trial, when you read a confession.  
11 She read the confession. She read half of it. She knows of  
12 Mr. Manson's purported involvement and Susan Atkins'. And  
13 Susan Atkins is going to be -- it is going to be argued,  
14 is one of the conspirators, and it is impossible for Mr. Manson  
15 to get a fair trial from this juror.

16 THE COURT: The People's position?

17 MR. MANZELLA: We have no opposition to the challenge.

18 THE COURT: Well, let's hear from her tomorrow as to  
19 whether or not she can -- whether she will be paid by Bullock's.  
20 She appears to me to be fully capable of making a distinction  
21 between the evidence and what she has seen, heard or read.

22 MR. KANAREK: Well, your Honor, I think we're on the  
23 most unreliable -- let's put it this way, when someone is asked  
24 whether they are prejudiced, and they say no, that is probably  
25 the most unreliable answer you can get.

26 THE COURT: The Court knows that. It is a matter of  
27 judgment as to whether the person can or cannot do this.  
28 And I think she can. And that she can be completely independent



1 in making the decision independent of anything she may have  
2 heard, seen or read.

3 All right, we'll continue this until tomorrow.

4 (Whereupon, the following proceedings were had in  
5 open court within the presence and hearing of the  
6 prospective alternate jurors.)

7 THE COURT: Miss Scott, remember to inquire of your  
8 supervisors before you arrive tomorrow morning, if you can  
9 do so -- and you can use the telephone here, if it is a  
10 matter of urgency in contacting someone before 5:00 o'clock,  
11 use the Court's telephone about whether or not you will be  
12 paid.

13 We'll be in recess until tomorrow morning at  
14 9:30.

15 PROSPECTIVE ALTERNATE JUROR SCOTT: Thank you.

16 MR. KANAREK: Thank you. Thank you, Mrs. Scott.

17 PROSPECTIVE ALTERNATE JUROR SCOTT: Thank you.

18 THE COURT: Remember, don't converse amongst yourselves,  
19 don't converse amongst your fellow prospective jurors or  
20 anyone in connection with this case.

21 Would you bring the prospective jurors in.

22 (Whereupon, the remaining prospective alternate  
23 jurors were brought into the courtroom, and the follow-  
24 ing proceedings were had.)

25 THE COURT: You can just stand there, ladies and  
26 gentlemen.

27 Would you return tomorrow morning at 9:30. You  
28 are excused until then. Don't converse with anyone or allow



1 anyone to converse with you about this case.

2 Good night.

3 (Whereupon at 4:35 o'clock p.m. an adjournment  
4 was taken until the following day, Tuesday, July 27,  
5 1971, at 9:30 o'clock a.m.)  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28