

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 130

HON. EDWARD A. HINE, JR., JUDGE

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9005

THE PEOPLE OF THE STATE OF CALIFORNIA,)

Plaintiff,)

vs.)

NO. A253156

LESLIE VAN HOUTEN,)

Defendant.)

REPORTERS' DAILY TRANSCRIPT

Monday, April 4, 1977

Volume 5

Pages 682 to 659, incl.

APPEARANCES:

(See Volume 1.)

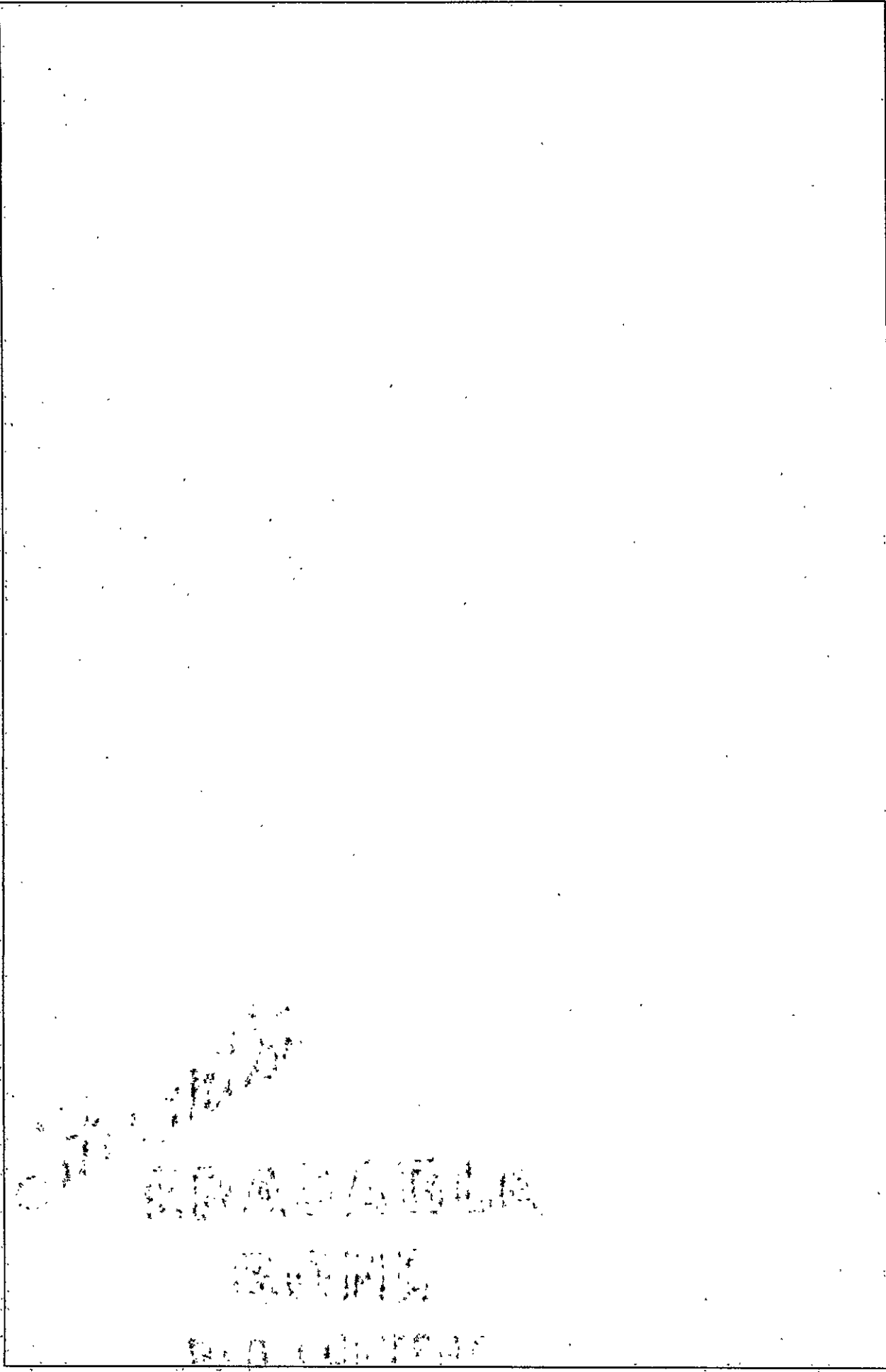
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1 LOS ANGELES, CALIFORNIA, MONDAY, APRIL 4, 1977. 10:10 A.M.

2 DEPARTMENT NO. 130

HON. EDWARD A. HINZ, JR., JUDGE

3 - - -

4 (Appearances as heretofore noted.)

5
6 THE COURT: Good morning, ladies and gentlemen.

7 People versus Van Houten.

8 Let the record show the defendant is present,
9 represented by counsel, the People are represented by counsel,
10 the 11 jurors are in their assigned places.

11 Mr. Keith, you may inquire as to publicity.

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1 MR. KEITH: Thank you, Your Honor.

2 Ladies and gentlemen, as His Honor indicated
3 earlier, he is going to permit Mr. Kay and myself to talk
4 to you hopefully fairly briefly to determine in a little more
5 detail your state of mind regarding publicity, the massive
6 publicity that has attended primarily the first trial and
7 then was resurrected, in a sense, by the book by the name of
8 "Helter Skelter," and then the two television motion pictures
9 bearing the same name.

10 I will start with Mrs. -- Richey, is it?

11 MRS. RICHEY: Richey.

12 MR. KEITH: Richey, I'm sorry. I can't read my own
13 writing. It looks like a K.

14 My notes indicated that you did not read the
15 book "Helter Skelter" and that you did not view the television
16 motion picture adapted from the same book; is that correct?

17 MRS. RICHEY: That is correct.

18 MR. KEITH: Did you ever talk to anybody about those
19 two presentations?

20 MRS. RICHEY: No, I did not.

21 MR. KEITH: In other words, have friends of yours
22 commented about the television motion picture or about the
23 book?

24 MRS. RICHEY: No.

25 MR. KEITH: Do you know who Vincent Bugliosi is?

26 MRS. RICHEY: No.

27 MR. KEITH: Never heard his name before?

28 MRS. RICHEY: What was the last name?

1 MR. KEITH: Bugliosi, B-u-g-l-i-o-s-i.

2 MRS. RICHEY: Oh, yes, I've heard of him, yes.

3 MR. KEITH: And in what context have you heard of him?

4 MRS. RICHEY: Just that he was associated with the case.

5 I do not know if he was even associated with the
6 case, but I have heard the name, and I know he was a state
7 official, or something. I don't know.

8 MR. KEITH: I rather take it from your remarks that you
9 have never heard him speak either in person or on television.

10 MRS. RICHEY: No.

11 MR. KEITH: Or if you have the memory it has faded away.

12 MRS. RICHEY: That's right.

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1 MR. KEITH: Did you --

2 Well, you have heard of Charlie Manson, I
3 presume.

4 MRS. RICHEY: Yes, I have. You'd have to be acquainted
5 with him and the case at that time, unless you were walking
6 around with your ears plugged up.

7 MR. KEITH: Well, that's happened.

8 MRS. RICHEY: Because people were talking.

9 I know I can't say that -- I didn't follow it in
10 the news that closely or on television, but I certainly heard
11 people talking about them.

12 MR. KEITH: Have you ever heard Leslie Van Houten's
13 name before you came into court a week ago?

14 MRS. RICHEY: Yes.

15 MR. KEITH: And have you ever heard of her before you
16 came into court a week ago, in connection with Mr. Manson's
17 name?

18 MRS. RICHEY: Yes.

19 MR. KEITH: Were you aware -- strike that.

20 You have told us you didn't follow the original
21 case in the newspapers but you were aware of its outcome, that
22 first case.

23 MRS. RICHEY: Well, not with all the people involved,
24 but of course Charlie Manson.

25 MR. KEITH: You were aware of what happened to him.

26 MRS. RICHEY: Um-hum.

27 MR. KEITH: And were you aware of what he was supposed
28 to have done?

3-2

1 MRS. RICHEY: Yes.

2 MR. KEITH: Were you --

3 Did you know or do you know whether or not
4 Miss Van Bonten participated in that first trial as a
5 defendant?

6 MRS. RICHEY: No, I don't.

7 MR. KEITH: You have no idea, I suppose, as to why she
8 is here today awaiting trial.

9 MRS. RICHEY: Well, the judge read the counts against
10 her.

11 MR. KEITH: You do know that she was indicted along with
12 Manson.

13 MRS. RICHEY: Yes.

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1 MR. KEITH: All right.

2 Do you feel, Mrs. Richey, that anything you may
3 have read or heard or seen or had people talk to you about this
4 case, if anybody ever has, would in some way contaminate the
5 presumption of innocence with which Miss Van Houten presently
6 stands clothed?

7 MRS. RICHEY: Well, to be perfectly honest, I abhor
8 violence, and I just -- I don't believe that I could honestly
9 sit in this jury, seated on a panel, and be that impartial.

10 MR. KEITH: Is there something that you have read or
11 heard about this case that indicates that violence is involved?

12 MRS. RICHEY: Well, yes, what I heard.

13 MR. KEITH: All right.

14 And do you think it's going to take evidence in
15 order to erase that -- well, I'm getting -- we may be getting
16 a little far afield.

17 Is there any publicity that you have read or heard
18 about this case or seen that makes you feel you couldn't be
19 fair to Miss Van Houten, bearing in mind she is entitled to a
20 fair trial, she is entitled to an open-minded jury -- our
21 law demands it -- and that she is entitled to the presumption
22 of innocence?

23 MRS. RICHEY: Well --

24 MR. KEITH: You have told us --

25 Nobody likes violence; you are not alone.

26 MRS. RICHEY: Oh, I know that, too, certainly.

27 MR. KEITH: Is that the only thing that makes you feel
28 that you might be a less than impartial juror; or is it the

1 publicity coupled with what you know about the case?

2 MRS. RICHEY: Well, it isn't --

3 MR. KEITH: Through the publicity.

4 MRS. RICHEY: Well, it's publicity -- or should I say
5 conversation or listening to people talking about it, and
6 convictions that they have had and conclusions that they have
7 arrived at that I'm afraid probably would influence my ability
8 to be impartial.

9 MR. KEITH: You are telling us that although you didn't
10 follow the case or read the book "Helter Skelter" or see the
11 television motion picture, friends and relatives, however,
12 have talked to you about the case.

13 MRS. RICHEY: The case more than the book. I know
14 nothing about the book.

15 MR. KEITH: I know that.

16 MRS. RICHEY: But it's the previous case, yes.

17 MR. KEITH: All right.

18 And their conversations about the case to you,
19 their comments, their observations about the case, have
20 caused you to form an opinion about it?

21 MRS. RICHEY: Yes.

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1 MR. KEITH: And can you lay aside that opinion and just
2 decide this case on the evidence alone, or do you think your
3 opinion is such that it couldn't be overcome or would have to
4 be overcome by evidence presented in court?

5 Do you understand what I'm saying?

6 MRS. RICHEY: I do.

7 MR. KEITH: The judge said the same thing.

8 MRS. RICHEY: Yes, right.

9 At this moment, I don't feel I could be that
10 impartial.

11 MR. KEITH: Do you feel you would have to listen to the
12 evidence and be convinced -- in order to dispel that lack of
13 impartiality?

14 MRS. RICHEY: Well, that's right.

15 MR. KEITH: Thank you. Could you pass the microphone
16 to --

17 Is it Miss or Mrs. Rohan?

18 MRS. ROHAN: Mrs. Rohan.

19 MR. KEITH: Mrs. Rohan.

20 Now, Mrs. Rohan, you didn't pay much attention to
21 the original case, according to my notes.

22 Is that a fair statement?

23 MRS. ROHAN: That's true.

24 MR. KEITH: And you didn't see the book or -- or read
25 the book, and you didn't see the television motion picture
26 purportedly adapted from the book.

27 That's right, isn't --

28 MRS. ROHAN: That's right.

1 MR. KEITH: And you have no opinion about the facts of
2 the case, I gather from your remarks to His Honor.

3 MRS. ROHAN: That's true.

4 MR. KEITH: And you don't feel that the publicity that
5 attended this case would tend to influence your judgment in
6 any way?

7 MRS. ROHAN: I don't believe it would in any way.

8 MR. KEITH: Have people made observations and comments
9 about the case to you, not since last Monday, of course, but
10 over the years, such as happened in the case of Mrs. Richey?

11 She didn't follow the case either, but people
12 talked to her about it until she reached the point where she
13 can't be impartial.

14 Are you in the same position?

15 MRS. ROHAN: No, I'm not.

16 MR. KEITH: Were you aware of Miss Van Houten's name and
17 identity before last Monday?

18 MRS. ROHAN: I heard that it was coming up for trial
19 again, but I had forgotten the original names, if I ever
20 remembered them, of the original trial.

21 MR. KEITH: Were you --

22 MRS. ROHAN: Except for Charles Manson, I didn't remember
23 the girls' names at all.

24 MR. KEITH: Were you aware of the outcome of the first
25 trial?

26 MRS. ROHAN: I knew that Charles Manson had gone to
27 prison. I did not know for sure what had happened to the rest
28 of them.

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MR. KEITH: Were you made aware through the news media as to why Miss Van Houten is here standing trial or awaiting trial?

MRS. ROHAN: No.

MR. KEITH: You don't know how that happened?

MRS. ROHAN: Well, yes, I believe the judge said something about her attorney disappeared during the former trial or something.

MR. KEITH: The judge said --?

MRS. ROHAN: I mean, didn't he say something about that?

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1 MR. KEITH: I rather think not.

2 MRS. ROHAN: Well, then, I heard it somewhere.

3 MR. KEITH: You heard it probably on the --

4 MRS. ROHAN: I can't recall where I heard it. I just
5 remember hearing something about it.

6 MR. KEITH: All right. But does that fact --

7 Inasmuch as you heard it undoubtedly through the
8 news media, although you have forgotten in what particular
9 context, would that fact tend to prejudice you against
10 Miss Van Houten?

11 MRS. ROHAN: No, it wouldn't.

12 MR. KEITH: Do you feel you are going to be able to have
13 an open mind in this case and set aside all the publicity
14 that has attended this case in the past and decide it solely
15 on the evidence?

16 MRS. ROHAN: I'm sure I would.

17 MR. KEITH: You don't have any reservations in that
18 regard, I take it?

19 MRS. ROHAN: None whatever.

20 MR. KEITH: Have you ever seen or heard Mr. Bugliosi
21 speak on television or in person or on the radio?

22 Maybe you do not even know who he is.

23 MRS. ROHAN: I know who he is. I think he was one of
24 the lawyers in the original trial and came up for -- what? --
25 district attorney, or something he was running for, a while
26 back or something.

27 MR. KEITH: You never heard him speak about the Manson
28 case?

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1 MRS. ROHAN: Now, back at the time it happened or shortly
2 after, I may have heard him in the news or on the news, but
3 I do not recall anything that was said.

4 I'm familiar with him, I mean who he is, but
5 that's about it.

6 MR. KEITH: All right. Why don't you pass the microphone
7 to Mr. Rudge.

8 Thank you, Mrs. Rohan.

9 Mr. Rudge, my scratchings indicate you didn't pay
10 too much attention to the case either.

11 MR. RUDGE: No, I didn't. I was in high school at the
12 time.

13 MR. KEITH: All right.

14 MR. RUDGE: So I wasn't into the news and all that.

15 MR. KEITH: And you didn't see the television movie about
16 the case or read the book called "Heiter Skelter"?

17 MR. RUDGE: No.

18 MR. KEITH: And had you ever heard of the name Leslie
19 Van Houten before you came into court a week ago today?

20 MR. RUDGE: Probably heard but I don't remember it.

21 I mean, with the case -- everyone has probably seen
22 something, but I don't really remember anything about it.

23 MR. KEITH: If you had seen anything or heard anything,
24 you have apparently -- or had erased it from your mind; it
25 made no impression because you weren't that interested.

26 Is that a fair statement?

27 MR. RUDGE: Right.

28 MR. KEITH: Now, having been a prospective juror for the

1 last week, has what you have seen or heard come back to you
2 in the form of a refreshed recollection, as lawyers like to
3 say?

4 MR. RUDGE: Not really.

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5 MR. KEITH: Now that you have had a chance to ponder
6 about the matter over the weekend, perhaps, is your position
7 the same now as it was Friday, that you have no opinion about
8 the facts of the case or about Leslie personally, and you
9 haven't been influenced by any of the publicity that attended
10 this case over the years, and that you will decide this case,
11 if you are selected as a juror, solely on the evidence and
12 from no other source?

13 MR. RUDGE: Right.

14 MR. KEITH: You can promise me you can do that?

15 MR. RUDGE: Yes.

16 MR. KEITH: Do you feel that Leslie's presumption of
17 innocence is somehow poisoned or contaminated or tainted because
18 of what you may have heard in the past about this case?

19 MR. RUDGE: No, I think everybody deserves a chance.

20 MR. KEITH: Including her?

21 MR. RUDGE: Yes.

22 MR. KEITH: You are sure about that?

23 MR. RUDGE: I'm sure.

24 MR. KEITH: All right. Would you pass the microphone
25 to Mr. Salley, please.

26 Mr. Salley, you apparently espouse the same
27 position as Mr. Rudge. You know very little about the case,
28 and you didn't see any television shows about it or read the

1 book "Helter Skelter," and you have no opinion, and you haven't
2 been influenced at all; is that right?

3 MR. SALLEY: That's correct.

4 At the time that this thing was going on, it was
5 kind of a hectic time in my life.

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1 MR. KEITH: I know you said --

2 MR. SALLEY: I was going to school nights.

3 MR. KEITH: -- you were working nights and going to
4 school at the same time.

5 MR. SALLEY: And I of course heard comments about the
6 case and had seen some of the headlines.

7 But as far as knowing -- besides Charles Manson --
8 the name came up a lot, but the rest of the people -- I
9 couldn't name anybody on the case right now except for
10 Miss Van Houten, at this point.

11 MR. KEITH: Well, you can name her because you have --

12 MR. SALLEY: Been here.

13 MR. KEITH: -- you have been in the court for the last
14 week as a prospective juror.

15 Does that refresh your recollection that there was
16 an association, or purported association between herself and
17 Mr. Manson back in 1969, or thereabouts?

18 MR. SALLEY: Yes, it does, because of what I have heard.

19 But I could not tell you the context.

20 MR. KEITH: Do you think having heard of that association,
21 that your mind now would be less than impartial towards her;
22 that you would be inclined not to give her what she is
23 entitled to, and that's the presumption of innocence and a
24 fair trial?

25 MR. SALLEY: No, I wouldn't.

26 MR. KEITH: You firmly believe in your own heart and
27 conscience that she can receive a fair trial from you despite
28 the massive publicity in the past, even though you didn't pay

1 that much attention to it or weren't that much interested in
2 it.

3 MR. SALLEY: Yes.

4 MR. KEITH: I take it that your answers would be the
5 same as the other prospective jurors', that you didn't hear
6 or see Mr. Bugliosi on television, radio or in person, even
7 though you may be aware of who he is.

8 MR. SALLEY: I knew who he was, and I saw him make
9 political note on one of the newscasts, but --

10 MR. KEITH: Did you -- Excuse me.

11 MR. SALLEY: -- but I haven't heard him make any
12 speeches, or anything.

13 I have seen him on the newscasts occasionally.

14 MR. KEITH: But not discussing this case.

15 MR. SALLEY: No, he was running for the District
16 Attorney at the time.

17 MR. KEITH: But while he was running I believe he may
18 have discussed the case. That was the reason for my question.

19 MR. SALLEY: Not when I saw him, no.

20 MR. KEITH: Thank you.

21 Would you pass the microphone to Mrs. Saunders,
22 please.

23 Mrs. Saunders, my notes indicated that you did not
24 see the television motion picture entitled Helter Skelter,
25 nor read the book by the same name.

26 MRS. SAUNDERS: No, I didn't.

27 MR. KEITH: Had you heard of the book or heard of the
28 television motion picture?

5-3

1 MRS. SAUNDERS: I heard of the television.

2 MR. KEITH: Did anybody discuss that television motion
3 picture Helter Skelter with you?

4 MRS. SAUNDERS: No, because I don't know of anyone that
5 saw it.

6 MR. KEITH: Or in your presence?

7 MRS. SAUNDERS: No.

8 MR. KEITH: You didn't follow the case at all; is that a
9 fair statement?

10 MRS. SAUNDERS: Yes, that's a fair statement, because I
11 was working swing --

12 MR. KEITH: All right.

13 MRS. SAUNDERS: -- and trying to get adjusted from being
14 on days for 20 years.

15 I wasn't home in the evening.

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1 MR. KEITH: This was back in '69 and '70 and --

2 MRS. SAUNDERS: Right.

3 MR. KEITH: -- '71.

4 MRS. SAUNDERS: Um-hum.

5 MR. KEITH: So you had heard of the case, but you hadn't
6 read anything about it; is that correct?

7 MRS. SAUNDERS: Oh, yes, I read something about it when
8 it first -- when it was first in the newspapers.

9 Yes, I did read about it.

10 MR. KEITH: You didn't follow that first trial, though,
11 did you?

12 MRS. SAUNDERS: No.

13 MR. KEITH: Have you ever heard people comment to you
14 about the so-called Manson case or any of the so-called
15 Manson followers?

16 MRS. SAUNDERS: No.

17 MR. KEITH: Over the years.

18 MRS. SAUNDERS: No.

19 MR. KEITH: Have you seen any publicity about this case
20 from any source in the last year or so?

21 MRS. SAUNDERS: No, I haven't.

22 MR. KEITH: Had you ever heard the name Leslie Van Houten
23 before?

24 MRS. SAUNDERS: I'm sure I had.

25 MR. KEITH: Before Monday.

26 MRS. SAUNDERS: I'm sure I had.

27 MR. KEITH: But you had forgotten it?

28 MRS. SAUNDERS: Yes.

1 MR. KEITH: Do you have any reason to know why she is
2 here now awaiting trial?

3 MRS. SAUNDERS: Yes, I do.

4 MR. KEITH: Did you read that, or is that what --

5 MRS. SAUNDERS: That's what I have heard.

6 MR. KEITH: But did you know that before you came to
7 court?

8 MRS. SAUNDERS: No, I didn't.

9 If I did, I had forgotten about it.

10 MR. KEITH: Do you feel what you have heard about the
11 case in the past, and particularly Charlie Manson, would make
12 it difficult for you to give Leslie a fair trial?

13 MRS. SAUNDERS: I'm sure it wouldn't.

14 MR. KEITH: Inasmuch as you have now realized that
15 Miss Van Houten was at sometime associated with Manson, do you
16 feel that would make it hard for you to give her a fair trial?

17 MRS. SAUNDERS: No, it would not.

18 MR. KEITH: Do you feel she has two strikes against her
19 now because of the -- what you had heard about the case and
20 perhaps read some headlines in the past about the case?

21 MRS. SAUNDERS: Well, I think everybody has a right to
22 a fair -- I mean to a fair trial until they are proven
23 guilty. I believe that.

24 MR. KEITH: All right, fine.

25 And nothing you have seen, heard or read about
26 this case is going to influence you in any way towards her?

27 MRS. SAUNDERS: Absolutely not.

28 MR. KEITH: You are sure of that.

1 MRS. SAUNDERS: I'm sure of that.

2 MR. KEITH: And if you are selected as a trial juror,
3 will you promise me, as you promised the judge, that you would
4 decide this case solely on the evidence presented from the
5 witness stand, and not from any other material?

6 MRS. SAUNDERS: Yes.

7 MR. KEITH: Thank you.

8 Would you pass the microphone to Mrs. Settle, please.

9 Mrs. Settle, you didn't follow the case either in
10 the newspapers or on television back in 1969 or '70; is that
11 correct?

12 MRS. SETTLE: That is correct.

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1 MR. KEITH: Were you aware of it at all?

2 MRS. SETTLE: Well, I heard things on my job, but I
3 didn't pay that much attention to it.

4 MR. KEITH: All right.

5 This was back some years ago you are talking
6 about.

7 MRS. SETTLE: Right.

8 MR. KEITH: Now, you did see part of the television
9 motion picture by the name of Helter Skelter, you told us.

10 MRS. SETTLE: That is true.

11 MR. KEITH: But you don't --

12 My notes indicated you don't remember anything
13 about it.

14 MRS. SETTLE: No. Certain things I just block out of
15 my mind when they are not pleasing to me; and this was one
16 of those things.

17 MR. KEITH: What you saw was something that disturbed
18 you?

19 MRS. SETTLE: Well, I just --

20 MR. KEITH: Or --

21 MRS. SETTLE: Just violence all the time; so I just
22 blocked it out of my mind.

23 MR. KEITH: Do you remember how long it was that you
24 saw this T.V. picture?

25 MRS. SETTLE: I honestly don't remember. I really don't.

26 MR. KEITH: Has anything that has been said in court
27 today or Friday (sic) or anything you may have thought about
28 over the weekend refreshed your recollection as to what you

1 saw?

2 MRS. SETTLE: No.

3 MR. KEITH: Well, you told us that it contained violence
4 all the time; so you must remember something about it.

5 MRS. SETTLE: Well, the way it came on, and just, say,
6 the showing of blood; and that just turned me off, the part
7 that I saw.

8 MR. KEITH: Were you aware that Miss Van Houten was
9 portrayed by an actress in that television motion picture?

10 MRS. SETTLE: No.

11 MR. KEITH: Assuming that to be the case -- I'm not
12 suggesting that anything you may have seen is factual, anything
13 you may have seen on television is factual.

14 MRS. SETTLE: Um-hum.

15 MR. KEITH: -- but assuming Miss Van Houten through a
16 television actress did have a part in that television motion
17 picture Helter Skelter. Just assume that for the sake of
18 argument.

19 Do you think that that would turn you off against
20 her?

21 MRS. SETTLE: No, because she is an individual, and in
22 this system of ours in the United States each individual
23 regardless is entitled to a fair trial.

24 MR. KEITH: Do you feel that -- I'm getting beyond --
25 I will strike that question because I think I will be getting
26 beyond the particular narrow inquiry.

27 But did you form --

28 Let's assume that Miss Van Houten was portrayed --

1 I'm not certainly suggesting that her character or role was
2 portrayed accurately -- but let's assume she was portrayed by
3 an actress in that motion picture.

4 Knowing that, does that give you or compel you
5 to have some opinion about her guilt or innocence as she sits
6 before you now?

7 MRS. SETTLE: No, I could not form an opinion.

8 MR. KEENE: And do you think anything you may have seen,
9 heard or read about the so-called Manson case has now given
10 you some opinion about her guilt or innocence?

11 MRS. SETTLE: No.

12 MR. KEENE: Do you feel that --

13 I believe it was just one segment of the movie that
14 you saw. Is that correct?

15 MRS. SETTLE: That is true.
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1 MR. KEITH: Do you feel having seen that, that this
2 would tend to influence your judgment in this case and make
3 it difficult for you to be impartial and decide this case
4 from the evidence alone?

5 MRS. SETTLE: No.

6 MR. KEITH: You are positive of that.

7 MRS. SETTLE: I'm absolutely positive.

8 MR. KEITH: Has anybody within the last year or so ever
9 made observations about Manson or the so-called Family to you?

10 I'm not talking about media now; I'm talking about
11 friends, relatives, fellow workers.

12 MRS. SETTLE: Oh, well, like I said before, it was
13 mentioned on the job, but I just didn't --

14 MR. KEITH: Yes; you told me that.

15 Now I'm talking about the last year or so.

16 MRS. SETTLE: The last year or so?

17 MR. KEITH: Yes.

18 MRS. SETTLE: It came up again from one of my co-workers,
19 but I didn't draw no conclusions whatsoever or make any
20 comments.

21 MR. KEITH: Did the remarks of your co-worker -- whatever
22 they may have been -- leave an impression upon you, so as
23 you sit here now --

24 MRS. SETTLE: No.

25 MR. KEITH: -- you would have a difficult time giving
26 Leslie the benefit of the presumption of innocence to which
27 she is entitled?

28 MRS. SETTLE: No.

1 MR. KEITH: Would you like to pass the microphone to
2 Mr. Shah, please.

3 Perhaps the bailiff could do that.

4 (Brief pause.)

5 MR. KEITH: Mr. Shah, were you living in Los Angeles
6 County in 1969 or 1970?

7 MR. SHAH: Yes, sir.

8 MR. KEITH: How long had you lived in this County before
9 then?

10 MR. SHAH: '65, August.

11 MR. KEITH: Did you come from India then, by any chance?

12 MR. SHAH: No, I came from Missouri.

13 (Laughter.)

14 MR. KEITH: Oh, boy. You'd never --

15 (Laughter.)

16 MR. KEITH: Oh, that's marvelous.

17 However, you weren't living in Missouri in 1969,
18 or '70 or '71; you were living in this County; right?

19 MR. SHAH: Yeah.

20 MR. KEITH: My notes indicated you know nothing about
21 this case. Is that correct?

22 MR. SHAH: Yes, sir.

23 MR. KEITH: You didn't follow it in the newspapers or
24 read about it in any magazines or hear about it on the radio
25 or see it on television news programs.

26 MR. SHAH: No, sir.

27 MR. KEITH: And you didn't read the book by the name of
28 "Halter Skalter."

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That means nothing to you, is that right?

MR. SEAH: Yes, sir.

1 MR. KEITH: And do you watch television at all?

2 MR. SHAH: Oh, yes.

3 MR. KEITH: But you never seen anything about this case
4 on television; is that right?

5 MR. SHAH: Yes, sir.

6 MR. KEITH: Had you ever heard the name Leslie Van Houten
7 before you came into court --

8 MR. SHAH: No, sir.

9 MR. KEITH: -- a week ago?

10 MR. SHAH: No.

11 MR. KEITH: Had you ever heard the name Manson before
12 you came into court a week ago?

13 MR. SHAH: No, sir.

14 MR. KEITH: Obviously, then, the heavy publicity that
15 has attended this case in the past and up to fairly recently
16 has not affected your mind in any way whatsoever, correct?

17 MR. SHAH: Yes.

18 MR. KEITH: Because you never realized that any of that
19 existed; is that correct?

20 MR. SHAH: Yes, sir.

21 MR. KEITH: Thank you. Would you pass the microphone
22 to Mr. Sinor.

23 MR. SINOR: Sinor, long "i."

24 MR. KEITH: Sinor. Excuse me, Mr. Sinor.

25 Now, as I recall, because of some things that
26 have happened to you or had happened to you personally in
27 the past, you didn't follow the so-called Manson case at all
28 in 1969 or '70 and, in fact, were not even aware of it; is

1 that correct?

2 MR. SINOR: No, sir. I did see the last part of the
3 production, the movie.

4 MR. KEITH: Oh, I'll get to that, I'll get to that.
5 I'm talking about in 1969 or '70.

6 MR. SINOR: '69-'70 I was working swing shift, and I
7 didn't follow the case in the newspaper.

8 MR. KEITH: When you saw the second part of the television
9 motion picture by the same name as the book "Helter Skelter,"
10 was that a brand new experience for you in the sense that you
11 never heard anything about Manson and his purported followers
12 before that time?

13 (No response.)

14 Do you understand my question?

15 MR. SINOR: Yes, yes.

16 Well, in the newspapers or radio, the name had
17 come up before I had seen the movie. I remember the names,
18 you know.

19 But I was told about the first part, so I watched
20 the last part of it.

21 But, really, the movie, just what went on at his
22 trial, Manson's trial, is about all I can really remember
23 about the movie.

24 MR. KEITH: You say you were told about the first part.

25 MR. SINOR: Yes. My wife and family saw the first part.

26 MR. KEITH: Now, has your wife made any comments to you
27 or any other members of your family, including opinions or
28 observations and so forth, about the so-called Manson case?

1 MR. SINOR: Well, yeah. I'm sure she has, but I really
2 can't speak for my wife, you know.

3 MR. KEITH: I know. But I'm trying to find out whether
4 she's influenced you in some manner --

5 MR. SINOR: Oh, no. No, no.

6 MR. KEITH: -- by reason of what she may have seen or
7 heard, so that you, in turn, would be influenced against
8 Miss Van Houten.

9 MR. SINOR: No, no, no.

10 MR. KEITH: Or has anybody else talked to you about the
11 so-called Hanson case that may have left an impression upon
12 you so that you would find it difficult to give Miss Van Houten
13 a fair trial, give her the benefit of the presumption of
14 innocence to which she is entitled?

15 MR. SINOR: She is entitled to a fair trial, and I do
16 not feel that it would sway my persuasion at all against --

17 MR. KEITH: Do you remember her name at all mentioned
18 in that television motion picture you saw?

19 MR. SINOR: Not really. I do not believe that I can
20 remember the movie even going into detail about her, as far
21 as I can remember.

22 MR. KEITH: Did your wife see the second half of the
23 television motion picture with you?

24 MR. SINOR: Oh, yes.

25 MR. KEITH: And did she make any comments to you about
26 it?

27 MR. SINOR: No, I made comments to her about it. It
28 shocked me that at the time when we saw it -- it kind of

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1 shocked me that the lawyer didn't get him off with insanity
2 or something like that.

3 MR. KEITH: You mean get Manson off?

4 MR. SINOR: Yeah, right, Manson, get him off with
5 insanity or something like that.

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1 MR. KEITH: That's because you believed at the time that
2 anything that was -- anybody who would conduct themselves in
3 such a manner might be mentally disturbed?

4 MR. SINOR: Most possible -- it's a possibility.

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5 MR. KEITH: Be that as it may, do you think you can give
6 Miss Van Houten a fair trial based on the evidence on the
7 witness stand only and not because of what may have shocked
8 you when you saw that television motion picture?

9 MR. SINOR: Well, it didn't go -- what I remember of the
10 movie, it didn't go into detail what she did. And if it did,
11 I cannot remember it, and, no, it wouldn't.

12 MR. KEITH: All right. Would you pass the microphone?

13 It's Raffaella Smith?

14 MRS. SMITH: Smith.

15 MR. KEITH: Is it Mrs. Smith?

16 MRS. SMITH: Mrs., yes.

17 MR. KEITH: Mrs. Smith, you didn't see the television
18 motion picture or any part of it that Mr. Sinor saw, did you?

19 MRS. SMITH: I read the review on both, and the subject
20 didn't interest me at the time, so I just passed it up.

21 MR. KEITH: You read critical reviews of both the book
22 and the television motion picture?

23 MRS. SMITH: Yes. I usually do to choose whatever I
24 want to see or read.

25 MR. KEITH: So you read a review of the book by the name
26 of "Helter Skelter" written by a critic in some newspaper?

27 MRS. SMITH: Yes. It was --

28 MR. KEITH: What -- Excuse me, go ahead. I didn't mean

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1 to interrupt you.

2 MRS. SMITH: It was in the Calendar, literary section,
3 and I glanced at it, because I heard of the case before. And
4 because I read them all.

5 MR. KEITH: Because what?

6 MRS. SMITH: I read all of the reviews to see what I
7 want to read.

8 MR. KEITH: I understand. In the Calendar section of
9 the Los Angeles Times.

10 MRS. SMITH: Yes.

11 MR. KEITH: And you read a review of a book entitled
12 "Helter Skelter"?

13 MRS. SMITH: That was a review of the book.

14 Now, on the movie, on the TV Guide, I usually look
15 through the preview. You know, they have a small thing.

16 And it didn't interest me.

17 MR. KEITH: So you read those reviews, and you decided
18 you didn't want to read the book nor see the television motion
19 picture, is that --

20 MRS. SMITH: No. I very seldom read nonfiction -- I mean,
21 fiction, unless it's very -- unless it's very interesting, you
22 know, the subject matter. And this wasn't.

23 MR. KEITH: So the subject matter of the book was not
24 interesting to you?

25 MRS. SMITH: Well, let me -- When this happened in '69,
26 I was doing graduate work at Long Beach State University. And
27 one of my seminars was on contemporary history, American
28 history. And this case was discussed widely in an objective

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1 way.

2 And so the review of the book and the television
3 told me that their interest was more on the popular level,
4 and I wasn't interested.

5 In other words, I wasn't going to watch for
6 enjoyment.

7 MR. KEITH: All right.

8 You did read the newspapers when this tragedy
9 happened and watched the news about it?

10 MRS. SMITH: Yes, I have, very carefully at the time,
11 because, as I say, I needed it for the course.

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1 MR. KEITH: You were taking a course in current history?

2 MRS. SMITH: Yes.

3 MR. KEITH: Contemporary history?

4 MRS. SMITH: Contemp -- it was current American history,
5 yes.

6 MR. KEITH: So you followed the case closely in the
7 newspapers and on television in 1969 and '70 --

8 MRS. SMITH: Yes.

9 MR. KEITH: -- and is that when you were taking the
10 course at Long Beach State on contemporary history?

11 MRS. SMITH: Yes.

12 MR. KEITH: And the case was discussed at a seminar or
13 seminars at Long Beach State?

14 MRS. SMITH: Yes, yes.

15 MR. KEITH: And was it discussed by a lecturer or a
16 professor or just amongst the class?

17 Was there somebody who moderated a discussion?

18 MRS. SMITH: Well, one of the students chose the case --
19 police paper, police discussion -- and discussed it in terms
20 of the trial itself, its meaning to society, and that sort of
21 thing. And the other --

22 MR. KEITH: That wasn't you?

23 MRS. SMITH: No, it wasn't, no; it was someone else.

24 MR. KEITH: So a student prepared a paper?

25 MRS. SMITH: Yes, his own view on it in general, not in
26 detail.

27 MR. KEITH: Did he read the paper to the class?

28 MRS. SMITH: Yes, he did.

1 MR. KEITH: And then after reading the paper, was there
2 a discussion about the case?

3 MRS. SMITH: Yes, there was.

4 MR. KEITH: And you also, although you didn't write a
5 thesis about the case, you did read about it in the papers
6 and see it on the news?

7 MRS. SMITH: Yes.

8 MR. KEITH: And having done all those things and heard
9 all those things, did that not leave you, then, with an
10 opinion as to the guilt or innocence of any of the defendants
11 in that case?

12 MRS. SMITH: Not really. That wasn't the thing in
13 question. In question was the trial itself and, you know,
14 it was not only an objective thing -- the guilt of the people
15 weren't discussed really.

16 MR. KEITH: Was the mental state of the people discussed?

17 MRS. SMITH: No. Just could they get a fair trial in
18 the society after the publicity and after their life style and
19 this sort of thing.

20 MR. KEITH: It was more of a seminar on free press versus
21 fair trial, which is --

22 MRS. SMITH: Well, among other things.

23 It wasn't my paper, it was someone else's paper.

24 MR. KEITH: I understand that, but was that the nature
25 of the seminar more than the facts of the case?

26 MRS. SMITH: Yes.

27 MR. KEITH: And after all this, you don't have any
28 opinion at all about Leslie's guilt or innocence?

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1 MRS. SMITH: I don't know. Well, all I know is that
2 she was convicted the first time.

3 MR. KEITH: Does that leave you with an opinion as to --

4 MRS. SMITH: I wasn't on that jury, so I don't really
5 know.

6 MR. KEITH: The fact that you knew she was convicted
7 the first time doesn't influence you in any way in deciding
8 her guilt or innocence at this trial?

9 MRS. SMITH: No.

10 MR. KEITH: You are sure of that?

11 MRS. SMITH: Positive.

12 MR. KEITH: You are positive of that?

13 MRS. SMITH: Yes.

14 MR. KEITH: And you think you can give her a fair trial
15 even though you discussed the case at a seminar?

16 MRS. SMITH: Yes, I can.

17 MR. KEITH: Have you seen, heard, or read anything about
18 this case in the last year or so, Mrs. Smith?

19 MRS. SMITH: Yes. I don't know, a few days -- let's
20 see, a couple of weeks ago, there was a small article that
21 she was getting a retrial.

22 MR. KEITH: Having followed the case closely and having
23 had it discussed at Long Beach State, did you become aware at
24 some time through the media that Miss Van Houten was granted
25 a new trial, or did it come as a surprise to you last Monday
26 when you came into court as a prospective juror and saw her
27 here?

28 MRS. SMITH: I don't understand. What do you mean "a
29 surpriss"?

1 MR. KEITH: All right.

2 Were you aware before you came into court that
3 she had been granted a new trial?

4 MRS. SMITH: Yes.

5 MR. KEITH: You had read that or heard about that?

6 MRS. SMITH: Yes; I read it in the Times.

7 MR. KEITH: And do you feel, having heard that in the
8 media, that that would prejudice you against her?

9 MRS. SMITH: No.

10 MR. KEITH: The fact that she was awarded a new trial.

11 MRS. SMITH: No; I was just curious.

12 MR. KEITH: Would you be kind enough to pass the
13 microphones to Mr. Swan, please.

14 Now, Mr. Swan, you are in about the same category
15 as a number of the prospective jurors sitting with you.

16 You didn't follow the case in the newspapers when
17 it originally happened; is that correct?

18 MR. SWAN: That is correct.

19 MR. KEITH: And you didn't read a book called
20 "Helter Skelter"; is that correct?

21 MR. SWAN: That's correct.

22 MR. KEITH: You didn't see a television motion picture
23 by the same name; correct?

24 MR. SWAN: Right.

25 MR. KEITH: And all you know is, you have seen headlines
26 with the name Manson in it.

27 MR. SWAN: That's all.

28 MR. KEITH: Has anybody ever talked to you about the

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1. CASE?

2 MR. SWAN: No, they haven't.

3 MR. KEITH: No friends, no relatives, no fellow workers.

4 MR. SWAN: No.

5 MR. KEITH: You are sure of that?

6 MR. SWAN: I'm positive of that.

7 MR. KEITH: Have you ever heard the name Leslie Van Houten
8 before you came to court a week ago?

9 MR. SWAN: No, I haven't.

10 MR. KEITH: You never knew anything about her until
11 we have been discussing the publicity aspect --

12 MR. SWAN: No.

13 MR. KEITH: -- of the case here this morning.

14 MR. SWAN: No, I haven't; that's all.

15 MR. KEITH: Well, having listened to this discussion
16 we have been having, and we have been having it Friday (sic)
17 and today, have you formed an opinion about Leslie's guilt
18 or innocence?

19 MR. SWAN: No, I haven't formed any opinion, not yet.

20 MR. KEITH: Has anything you have heard on Friday (sic)
21 and Monday influenced you in any way so that you would find it
22 difficult for you to give her a fair trial and to give her the
23 benefit of the presumption of innocence?

24 MR. SWAN: No, I haven't.

25 MR. KEITH: You can promise me that, right?

26 MR. SWAN: Yes, I can promise you that.

27 MR. KEITH: All right.

28 Will you pass the microphone to Mrs. Titus, please.

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Mrs. Titus, you heard about the Manson case;
right?

MRS. TITUS: Sure, yes.

MR. KEITH: And had you read about it or seen anything
about it on television years ago, when the case was so heavily
publicized?

MRS. TITUS: Yes.

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1 MR. KEITH: What?

2 MRS. TITUS: Yes, I read it.

3 MR. KEITH: Did you follow the matter closely, as

4 Mrs. Smith did?

5 MRS. TITUS: No, not really closely; but I did read it.

6 MR. KEITH: You read newspaper --

7 MRS. TITUS: Yes.

8 MR. KEITH: -- accounts of the case?

9 MRS. TITUS: Yes.

10 MR. KEITH: And since that case was over -- that was
11 back in 1971 -- have you heard, read or seen anything about
12 the case?

13 MRS. TITUS: I can't think --

14 MR. KEITH: That you remember.

15 MRS. TITUS: Yes. I don't remember since then.

16 MR. KEITH: All right.

17 MRS. TITUS: Until recently.

18 MR. KEITH: What happened recently?

19 MRS. TITUS: Last week, before we came -- before I came
20 to jury duty I did hear she was going to get a new trial.

21 MR. KEITH: All right.

22 And having heard that Leslie was going to get a
23 new trial, is that going to affect your judgment in some
24 manner, that you would be unfair to her?

25 MRS. TITUS: No.

26 MR. KEITH: You are sure of that.

27 MRS. TITUS: Right.

28 MR. KEITH: And the fact that you heard she was going

1 to get a new trial, does that influence you in some way
2 against her?

3 MRS. TITUS: Of course not.

4 MR. KEITH: Did anything you read, hear or see about the
5 case back in late '60s and very early '70s leave you with an
6 impression about Miss Van Houten that is going to take evidence
7 to overcome?

8 MRS. TITUS: Well, I tell you this: The fact that it
9 has been such a length of time lapse, I really can't honestly
10 remember the exact case, because of the length of time.

11 MR. KEITH: Other than undoubtedly the name Mr. Hanson --

12 MRS. TITUS: Yes, of course.

13 MR. KEITH: -- you don't remember anything about
14 Miss Van Houten.

15 MRS. TITUS: No, I don't remember different things.

16 MR. KEITH: Thank you.

17 I have nothing further, Your Honor.

18 THE COURT: All right, thank you.

19 Will counsel approach the bench.

20 (The following proceedings were held

21 at the bench:)

22 MR. KEITH: The defendant would challenge Mrs. Ethel Richey,
23 juror No. 1.

24 MR. KAY: I would like to ask her some questions first.

25 I don't think she was that definite. I would
26 just like the opportunity to ask her some questions.

27 THE COURT: Well, she made it clear it was going to take
28 evidence to overcome her opinion.

1 MR. KAY: Well, it's not clear what her opinion is;
2 that she really -- you know, she doesn't know that much about
3 the case.

4 And in her questioning on publicity, she said,
5 you know, she doesn't know that much about the case.

6 I'm going to ask her some questions, if she knows
7 specifically what -- well, I would just like to ask her some
8 questions.

9 THE COURT: I am going to grant the challenge as to
10 Mrs. Richey. I think that would just lead us into an area
11 that could cause us trouble.

12 It is clear she should be excused; she can't be
13 an impartial juror.

14 MR. KEITH: I have no other challenges.

15 THE COURT: All right; thank you.

16 MR. KAY: Thank you.
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1 (The following proceedings were held in
2 open court in the presence of the
3 prospective jurors.)

4 THE COURT: All right.

5 At this time, ladies and gentlemen, the following
6 juror is excused from further service upon this case:

7 That's Mrs. Ethel C. Richey.

8 Thank you for your attendance, ma'am.

9 THE BAILIFF: Walk right down this way.

10 THE COURT: You should report to the 5th floor jury
11 room. Thank you.

12 As soon as the microphone is set up, Mr. Kay,
13 you may proceed.

14 All right, Mr. Kay.

15 MR. KAY: Thank you.

16 Mr. Siner, I appreciate your being as candid as
17 you were with Mr. Keith.

18 I have it down here that you had a pretty strong
19 opinion about -- after seeing the movie -- that you thought --
20 you were kind of surprised that Mr. Manson's attorney didn't
21 get him off on an insanity plea.

22 I believe that's what you told Mr. Keith. Is that
23 right?

24 MR. SINOR: I did.

25 MR. KAY: I take it your opinion is, after seeing the
26 movie and whatever else you know about the case -- I guess
27 what you know about the case is mainly from the movie -- that
28 you pretty much feel that whoever participated in the

1 so-called late Tate-LaBianca murders must have been crazy or
2 mentally unbalanced.

3 Is that the way you feel?

4 MR. SINOR: I do.

5 MR. KAY: Now, I take it that in order for you to change
6 your opinion I'd have to produce some pretty powerful evidence
7 to convince you that that wasn't so.

8 Isn't that true?

9 MR. SINOR: I realize he was convicted, but it just
10 shocked me, after seeing the movie, that they hadn't tried to
11 get him off with that type of plea.

12 MR. KAY: Right; I understand that; I think you made
13 that clear.

14 My question to you is, wouldn't you require me to
15 produce some pretty powerful evidence on the witness stand to
16 change your opinion.

17 MR. SINOR: Change my opinion?

18 MR. KAY: Yes. I mean, you have an opinion about the
19 state of mind of these people who participated in the so-called
20 Tate-LaBianca murders.

21 MR. SINOR: Well, just in Manson's case.

22 MR. KAY: All right.

23 MR. SINOR: The other individuals -- it's kind of
24 skeptic (sic) there because the movie, as far as I can remember,
25 didn't deliberate on what she -- the defendant had done.

26 MR. KAY: Well --

27 MR. SINOR: As far as I remember.

28 MR. KAY: I might be wrong, but I thought you told me

1 just a minute ago that your opinion was whoever participated
2 in the Tate-LaBianca murders --

3 MR. SINOR: Not --

4 MR. KAY: -- must have been crazy or mentally
5 unbalanced.

6 MR. SINOR: Just in Manson's case.

7 MR. KAY: Just in Manson's case.

8 Well, do you think that because you have that
9 opinion of Manson, that whoever must have been with him must
10 have had kind of the same state of mind?

11 MR. SINOR: Not necessarily. I could say no to that.

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1 MR. KAY: You think that even though you have one
2 opinion of Manson you might have -- you don't have any opinion
3 about anybody else.

4 MR. SINOR: Anybody else, right.

5 MR. KAY: Could you conceive of Manson having some
6 mental problems but maybe other people who were involved with
7 him not having mental problems?

8 MR. SINOR: Yes.

9 MR. KAY: Now, Mr. Sinor, in this case the prosecution
10 has the legal burden not only of proving the guilt or
11 innocence of Miss Van Houten but proving the degree of her
12 guilt.

13 In other words, we have to prove beyond a
14 reasonable doubt that she had the mental capacity to commit
15 a willful, deliberate, premeditated murder of the first degree.
16 We have to prove that beyond a reasonable doubt.

17 Now, with your feeling about the case and your
18 feeling about Manson, do you think that you can give us a
19 fair trial?

20 MR. SINOR: Yes, I do.

21 MR. KAY: All right.

22 Do you have any opinion whatsoever about
23 Miss Van Houten's mental state, whether she might have been
24 mentally unbalanced on the date of the LaBianca murders?

25 MR. SINOR: I have no opinion.

26 MR. KAY: Do you know anything about Miss Van Houten at
27 all?

28 MR. SINOR: Not really, no.

1 MR. KAY: Have you read anything about her?

2 MR. SINOR: No.

3 MR. KAY: Do you feel that once the trial starts you
4 can lay aside your opinion of Mr. Manson that you formed from
5 watching the movies on T.V.?

6 MR. SINOR: (No response.)

7 MR. KAY: Do you think you can just forget about that,
8 and judge from the evidence in this courtroom whether or not
9 Mr. Manson had any problems?

10 MR. SINOR: I think, I think I have forgotten all about
11 that, until the Court started.

12 MR. KAY: Okay.

13 But in Mr. Keith's questioning of you you seemed
14 to come on pretty strong that you had a real strong opinion.

15 I mean, this just shocked you, this movie, and
16 the fact that you thought Manson was crazy, and why didn't his
17 attorney argue insanity.

18 Let me ask you this:

19 Do you know for a fact that his attorney didn't
20 argue insanity?

21 MR. SINOR: No, I -- no, I don't. Not for a fact, no.

22 MR. KAY: So you don't know what defense, if any,
23 Mr. Manson might have actually put on in his real trial.

24 MR. SINOR: Correct.

25 MR. KAY: Now, are you -- do you think that I'd have to
26 put on evidence in this trial to change your opinion about
27 Mr. Manson and his mental state at the time of the LaBianca
28 murders?

29 MR. SINOR: No, not really.

1 MR. KAY: Do you think you can go into this trial with
2 a completely open mind about anybody's mental state?

3 MR. SINOR: I sincerely hope so.

4 MR. KAY: Do you have any opinion of Miss Van Houten's
5 mental state at any time in her life?

6 MR. SINOR: No.

7 MR. KAY: Do you watch the news on TV?

8 MR. SINOR: Yeah.

9 MR. KAY: Which channel?

10 MR. SINOR: Mostly Channel 7.

11 MR. KAY: And have you ever seen Miss Van Houten on
12 Channel 7?

13 MR. SINOR: Not that I can recollect.

14 MR. KAY: Have you seen her on TV at all?

15 MR. SINOR: Just in the movie.

16 MR. KAY: Just in the movie?

17 MR. SINOR: Yes.

18 MR. KAY: Have you ever seen Mr. Keith on TV?

19 MR. SINOR: Keith?

20 MR. KAY: That's Mr. Keith there in the --

21 MR. SINOR: No.

22 MR. KAY: Sorry, Max.

23 MR. KEITH: Nobody knows me.

24 MR. SINOR: No, I do not remember seeing Mr. Keith at
25 all.

26 MR. KAY: You probably don't remember my name.

27 MR. SINOR: No.

28 MR. KAY: I'm Mr. Kay, Stephen Kay, and that's Maxwell

1 Keith over there.

2 We don't really expect you to remember our names.

3 MR. SINOR: No.

4 MR. KAY: All right.

5 Do you read the Los Angeles Magazine?

6 MR. SINOR: No, I don't.

7 MR. KAY: Do you read the Christian Science Monitor?

8 MR. SINOR: No, I do not.

9 MR. KAY: Do you read any of the local newspapers?

10 MR. SINOR: Just where I live at, but not very much.

11 MR. KAY: Well, what paper do you read?

12 MR. SINOR: South Gate Press.

13 MR. KAY: Have you read any articles about Miss Van Houten
14 in the South Gate Press?

15 MR. SINOR: No.

16 MR. KAY: All right.

17 Could you pass the microphone down to Mrs. Rohan,
18 right there in front.

19 I'm sorry that I didn't start with you, but I had
20 that question in my mind about Mr. Sinor, and I wanted to
21 start with him first. Don't feel slighted.

22 Now, what local newspaper do you read?

23 MRS. ROHAN: The Daily Breeze occasionally.

24 MR. KAY: You live in the South Bay area.

25 Have you read any articles about Miss Van Houten
26 in the Daily Breeze?

27 MRS. ROHAN: I haven't read anything about Miss Van Houten.

28 MR. KAY: You haven't read anything about her at all.

1 Do you read the Los Angeles Magazine?

2 MRS. ROHAN: No.

3 MR. KAY: Do you read Christian Science Monitor?

4 MRS. ROHAN: No.

5 MR. KAY: Have you seen Mr. Keith on TV or heard him on
6 radio or read about him in a newspaper, magazine, talking about
7 Miss Van Houten?

8 MRS. ROHAN: No.

9 MR. KAY: Now, realizing -- well, have you -- from what
10 you know about the case, have you formed any opinion about
11 Miss Van Houten's mental state at the time of the LaBianca
12 murders?

13 MRS. ROHAN: None whatever.

14 MR. KAY: And from what you know about the case, have
15 you formed an opinion that anyone who participated in the
16 so-called Tate-LaBianca murders must have been crazy or mentally
17 unbalanced at the time of their participation?

18 MRS. ROHAN: No, I haven't.

19 MR. KAY: And realizing, as I told Mr. Sinor, what the
20 prosecution's burden is, that we have to prove that Miss Van
21 Houten beyond a reasonable doubt had the mental capacity to
22 commit a willful, deliberate, first degree murder, premeditated
23 murder, do you feel that you can give us a fair trial?

24 MRS. ROHAN: Yes, I do.

25 MR. KAY: Okay. Could you pass the microphone down to
26 Mr. Rudge.

27 Mr. Rudge, what local newspapers do you read?

28 MR. RUDGE: I don't really -- I check out all of them,

1 you know. If I happen to see the Times, I go through it, or
2 Independent, or the Herald Examiner. There is no real
3 newspaper that I read all the time.

4 MR. KAY: Do you have one delivered to your home?

5 MR. RUDGE: No, I don't.

6 MR. KAY: So you just -- if a headline catches your eye,
7 or something, you buy that particular --

8 MR. RUDGE: No, I do not even buy them. I just -- you
9 know, if, like here, people have them, or if I go to my
10 parents' house, I check them out over there.

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1 MR. KAY: Now, have you ever read any articles about
2 Miss Van Houten in any newspaper?

3 MR. RUDGE: No, I haven't.

4 MR. KAY: Do you watch the news on TV?

5 MR. RUDGE: Occasionally.

6 MR. KAY: Have you ever seen Miss Van Houten on TV?

7 MR. RUDGE: No.

8 MR. KAY: Have you ever seen or heard or read about
9 Mr. Keith talking about Miss Van Houten?

10 MR. RUDGE: No.

11 MR. KAY: Have you formed any opinion, from what you
12 know about this case from whatever source, about Miss Van
13 Houten's mental state at the time of the LaBianca murders?

14 MR. RUDGE: No.

15 MR. KAY: Or have you formed an opinion about the mental
16 state of anyone who may have participated in the so-called
17 Tate-LaBianca murders?

18 MR. RUDGE: No.

19 MR. KAY: And do you feel that, realizing what I told
20 Mrs. Rohan and Mr. Sinor, what our burden is, that you can
21 give the prosecution a fair trial?

22 MR. RUDGE: Yes.

23 MR. KAY: Any doubt about that at all?

24 MR. RUDGE: No.

25 MR. KAY: Okay. Could you pass the microphone down
26 to Mr. Salley.

27 Mr. Salley, do you read any of the local newspapers?

28 MR. SALLEY: Yes, the Los Angeles Times.

1 MR. KAY: And did you read an article in the Los Angeles
2 Times that was on the front page in February that purported to
3 be an interview with Miss Van Houten?

4 MR. SALLEY: No, I did not.

5 MR. KAY: Have you ever read any articles about Miss Van
6 Houten in the Times?

7 MR. SALLEY: No; no, I have not.

8 MR. KAY: And when I say about Miss Van Houten, I mean
9 about Miss Van Houten or the fact that we are having this
10 trial here or anything about the trial.

11 MR. SALLEY: No. The first I knew of the trial is when
12 I walked in here. I wasn't aware that she is going to be
13 retried. I was not.

14 MR. KAY: Surprised?

15 MR. SALLEY: Yes.

16 MR. KAY: Have you seen Miss Van Houten on TV?

17 MR. SALLEY: No, I haven't.

18 MR. KAY: Have you seen or heard Mr. Keith on TV, radio,
19 or read about him anywhere talking about Miss Van Houten?

20 MR. SALLEY: No.

21 MR. KAY: Do you read the Christian Science Monitor?

22 MR. SALLEY: No.

23 MR. KAY: L. A. Magazine?

24 MR. SALLEY: Is that one of the inserts in the Times?
25 Because otherwise I'm not sure. I don't recall having read
26 it.

27 MR. KAY: I think the one in the Times is called The
28 Calendar section on Sunday, and I think on Tuesday they have a

1 magazine called You.

2 MR. SALLEY: No.

3 MR. KAY: It is not that magazine. L. A. Magazine is a
4 separate magazine usually pretty thick. Comes out once a
5 month.

6 MR. SALLEY: No, I have not.

7 MR. KAY: Have you formed any opinion about Miss Van
8 Houten's mental state, whether she might have been mentally
9 ill or unbalanced at the time of the LaBianca murders?

10 MR. SALLEY: No.

11 MR. KAY: Have you formed an opinion as to whether any
12 of the participants in the Tate-LaBianca murders might have
13 been mentally unbalanced or crazy at the time of their
14 participation in those murders?

15 MR. SALLEY: No, I don't know enough about it.

16 MR. KAY: Good.

17 Okay. So you feel you can keep an open mind in
18 this trial?

19 MR. SALLEY: Yes, I do.

20 MR. KAY: And realizing what the prosecution's burden is,
21 do you think you can give us a fair trial in this case?

22 MR. SALLEY: Yes.

23 MR. KAY: Okay, thank you.

24 Could you pass the microphone down to Mrs. Saunders.
25 Mrs. Saunders, do you read any of the local
26 newspapers?

27 MRS. SAUNDERS: Yes. My husband brings the Herald home
28 every night.

1 MR. KAY: And have you read anything about Miss Van
2 Houten in the Herald?

3 MRS. SAUNDERS: No, I haven't.

4 MR. KAY: Or anything about this trial or --

5 MRS. SAUNDERS: No.
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1 MR. KAY: Do you watch any of the news program on TV
2 at all?

3 MRS. SAUNDERS: Channel 7.

4 MR. KAY: Channel 7?

5 MRS. SAUNDERS: Yes.

6 MR. KAY: That seems to be the most popular channel
7 among the jurors. I ask what channel they watch, and
8 practically everybody says 7 who watches the news program.

9 They will be happy about that.

10 Have you ever seen Miss Van Houten on Channel 7
11 news?

12 MRS. SAUNDERS: No, I have not.

13 MR. KAY: Have you seen her or any other TV programs on
14 Channel 7, interview with Barbara Walters?

15 MRS. SAUNDERS: No, I haven't.

16 MR. KAY: Have you ever seen Mr. Keith on TV?

17 MRS. SAUNDERS: No, I haven't.

18 MR. KAY: Have you heard him anyplace or read about him
19 talking about Miss Van Houten?

20 MRS. SAUNDERS: No, I have not.

21 MR. KAY: And do you read the Christian Science Monitor?

22 MRS. SAUNDERS: No.

23 MR. KAY: Los Angeles Magazine?

24 MRS. SAUNDERS: No.

25 MR. KAY: And have you formed any opinion, from what you
26 know about this case, about Leslie Van Houten's mental state
27 at the time of the LaBianca murders?

28 MRS. SAUNDERS: I have not.

1 MR. KAY: Or do you have an opinion as to whether anyone
2 who participated in the Tate-LaBianca murders must have been
3 mentally ill or unbalanced or crazy at the time of their
4 participation?

5 MRS. SAUNDERS: No, I haven't formed any opinion as to
6 that.

7 MR. KAY: And realizing that we have the burden of
8 proving beyond a reasonable doubt that not only that Miss Van
9 Houten is guilty but that she had the mental capacity to
10 commit a first degree murder, do you think you can give us a
11 fair trial?

12 MRS. SAUNDERS: Yes, I do.

13 MR. KAY: Okay, thank you. Can you pass the microphone
14 down to Mrs. Settle.

15 Mrs. Settle, do you read any of the local news-
16 papers?

17 MRS. SETTLE: The Los Angeles Times and the Long Beach
18 newspaper.

19 MR. KAY: Long Beach Press Telegram?

20 MRS. SETTLE: Right.

21 MR. KAY: Okay.

22 And have you read any articles about Miss Van
23 Houten in either one of those papers?

24 MRS. SETTLE: Not recently, because within the past two
25 or three weeks I haven't been reading the paper.

26 MR. KAY: Okay.

27 Now, at any time this year have you read any
28 articles about Miss Van Houten in those newspapers?

1 MRS. SETTLE: No, not to my knowledge.

2 MR. KAY: You didn't read an article on the front page
3 of the Los Angeles Times purporting to be an interview with her?

4 MRS. SETTLE: No, I didn't remember any of that right
5 now.

6 MR. KAY: Okay.

7 Do you watch the news on TV?

8 MRS. SETTLE: If I can stay awake long enough, I do at
9 11 o'clock.

10 MR. KAY: And which channel do you watch?

11 MRS. SETTLE: 7 and 4.

12 MR. KAY: Have you seen Miss Van Houten on TV this year?

13 MRS. SETTLE: Let me see. It was some time ago, or
14 recently here, there was a flash on TV. I was half asleep.
15 And she was getting off the plane or something.

16 And that's all I can remember.

17 MR. KAY: Other than that, that's the only time you saw
18 her --

19 MRS. SETTLE: Right.

20 MR. KAY: -- on TV?

21 MRS. SETTLE: Right.

22 MR. KAY: Do you know or are you familiar with the name
23 Tex Watson? Have you heard that name before?

24 MRS. SETTLE: I think he was one of the members of the
25 Manson family.

26 MR. KAY: Okay.

27 Have you heard the name Squeaky Fromme? Are you
28 familiar with that name?

1 MRS. SETTLE: No.

2 MR. KAY: What about the name Linda Kasabian?

3 MRS. SETTLE: No.

4 MR. KAY: And you did say you saw part of the movie
5 Helter Skelter.

6 Are you familiar with the meaning that the Manson
7 family gave the term "helter-skelter"?

8 MRS. SETTLE: No, I really don't.

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1 MR. KAY: Have you formed any opinion about Miss Van
2 Houten's mental state at the time of the LaBianca murders,
3 whether she might have been mentally ill or unbalanced?

4 MRS. SETTLE: No, I didn't.

5 MR. KAY: Have you formed an opinion as to any of the
6 other participants in the so-called Tate-LaBianca murders?

7 MRS. SETTLE: No.

8 Like I told Mr. Keith before, I just turned the
9 whole thing off and out of my mind.

10 MR. KAY: He'll be happy you remembered his name.

11 You just forgot about it?

12 MRS. SETTLE: Forgot about the whole thing.

13 MR. KAY: Okay.

14 Well, do you think, knowing what our burden is in
15 this case about proving Miss Van Houten's mental state, that
16 she had the mental capacity to commit a first degree murder
17 at the time of the LaBianca murders, do you think you can give
18 us a fair trial?

19 MRS. SETTLE: Yes, I do.

20 MR. KAY: Any doubt about that at all in your mind?

21 MRS. SETTLE: Not at all.

22 MR. KAY: Okay. Why don't you pass the microphone back
23 to Mrs. Titus. That would be easier probably than passing it
24 down to the end again.

25 Now, Mrs. Titus, do you read any of the local
26 papers?

27 MRS. TITUS: Yes, I do.

28 MR. KAY: And which one or ones?

1 MRS. TITUS: Los Angeles Times.

2 MR. KAY: Okay.

3 Now, did you this year -- did you read the
4 article on the front page of the L. A. Times that purported
5 to be an interview with Miss Van Houten?

6 MRS. TITUS: No, I don't think so.

7 MR. KAY: You don't think you read that?

8 MRS. TITUS: No.

9 You say it was --

10 MR. KAY: It was in February.

11 MRS. TITUS: No.

12 MR. KAY: Have you read any articles at all in the
13 L. A. Times about Miss Van Houten this year?

14 MRS. TITUS: Yes, I have.

15 MR. KAY: And how long ago was that?

16 MRS. TITUS: Last week.

17 MR. KAY: And that was the one that told --

18 Was that the one in the Sunday paper that told
19 about the fact --

20 MRS. TITUS: I don't remember what date, but it did say
21 that she would get another trial.

22 MR. KAY: Okay. And other than that, have you read any
23 articles about her in the L. A. Times?

24 MRS. TITUS: Not recently, no.

25 MR. KAY: And from reading that article in the L. A. Times,
26 did you form any opinion about Miss Van Houten's mental state
27 at the time of the LaBianca murders?

28 MRS. TITUS: No, never gave it a thought.

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MR. KAY: Do you have any opinion about that?

MRS. TITUS: Mentally?

MR. KAY: Yes. About her state of mind, whether she was okay or mentally unbalanced or crazy at that time.

MRS. TITUS: No.

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9-1
1 MR. KAY: Do you have an opinion about anyone who might
2 have participated in the Tate or LaBianca murders, what
3 their state of mind was at the time of their participation?

4 MRS. TITUS: No.

5 MR. KAY: Do you watch the news on T.V. at all?

6 MRS. TITUS: Yes, I do.

7 MR. KAY: Which channel?

8 MRS. TITUS: 2 and 7.

9 MR. KAY: 2 and 7; there we go.

10 Have you seen Ming Van Houten on T.V. before
11 this year?

12 MRS. TITUS: No, I really haven't.

13 MR. KAY: Have you seen Mr. Keith on T.V. or heard him
14 on the radio or read about him anywhere talking about
15 Ming Van Houten?

16 MRS. TITUS: No, I haven't.

17 MR. KAY: Do you read the Christian Science Monitor?

18 MRS. TITUS: No.

19 MR. KAY: Do you read L.A. Magazine?

20 MRS. TITUS: No.

21 MR. KAY: And realizing what our burden is in this
22 case, do you think you can give us a fair trial?

23 MRS. TITUS: I would hope so.

24 MR. KAY: Okay; thank you.

25 Now --

26 THE COURT: At this time -- excuse me, Mr. Kay -- I
27 think we will take a short recess.

28 Ladies and gentlemen, bear in mind during this

9-2

1 recess you are not to discuss this case amongst yourselves or
2 with anyone else, you are not to form any opinion concerning
3 this matter or express any opinion concerning this matter
4 until the case is finally given to you.

5 In addition, you must not allow yourselves to read,
6 see or hear any accounts of this matter in the news media.

7 The Court will be in recess for 10 minutes, until
8 11:30.

9 All jurors, the defendant and counsel are ordered
10 to return at that time.

11 The Court is in recess.

12 (Recess.)
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1 THE COURT: People versus Van Houten.

2 Let the record show the defendant is present,
3 represented by counsel, the People are represented by counsel,
4 the same prospective jurors are in their assigned places.

5 You may resume, Mr. Kay.

6 MR. KAY: Thank you, Your Honor.

7 Mr. Swan, do you have the -- Yes, you do, good.

8 Mr. Swan, do you read any of the local newspapers?

9 MR. SWAN: Occasionally.

10 MR. KAY: And which one or ones do you read?

11 MR. SWAN: Well, any one I can find.

12 MR. KAY: Let me -- do you read the L.A. Times?

13 MR. SWAN: Sometimes.

14 MR. KAY: And the Herald?

15 MR. SWAN: Sometimes.

16 MR. KAY: Is there a local paper that comes out in the
17 area that you live in that you read?

18 MR. SWAN: Sometimes I do, right.

19 MR. KAY: And which one is that?

20 MR. SWAN: The Lynnwood News.

21 MR. KAY: Now, this year have you read any articles
22 about Miss Van Houten in one of those newspapers?

23 MR. SWAN: No, I haven't.

24 MR. KAY: Do you watch the news on T.V. at night at all?

25 MR. SWAN: Sometimes when I come home I might watch it,
26 and again I may not.

27 MR. KAY: And which channel do you usually watch?

28 MR. SWAN: I usually mostly watch channels 9 and 5.

1 MR. KAY: 9 and 5; we didn't have a 7 this time.

2 Now, have you seen Miss Van Houten on T.V. at all
3 this year?

4 MR. SWAN: No, I haven't.

5 MR. KAY: Have you ever seen her on T.V.?

6 MR. SWAN: No, I haven't.

7 MR. KAY: Have you seen Mr. Keith on T.V. or heard him
8 on the radio or read about him in any newspaper talking about
9 Miss Van Houten?

10 MR. SWAN: No, I haven't.

11 MR. KAY: And do you read either the L.A. Magazine or
12 Christian Science Monitor?

13 MR. SWAN: No, I don't.

14 MR. KAY: Have you formed any opinion from what you
15 know about this case, from whatever source, that Miss Van Houten
16 might have been mentally ill at the time of the LaBianca
17 murders?

18 MR. SWAN: No, I haven't.

19 MR. KAY: Have you formed an opinion about -- that anyone
20 who participated in the so-called Tate-LaBianca murders must
21 have been crazy or mentally unbalanced at the time of their
22 participation?

23 MR. SWAN: No, I have not.

24 MR. KAY: And realizing what our burden is, of proving
25 Miss Van Houten's mental capacity, that she had the capacity
26 to commit a first degree murder at the time of the LaBianca
27 murders, do you think you can give us a fair trial?

28 MR. SWAN: I believe I can.

9-5
1 MR. KAY: Do you think you can keep an open mind on
2 that subject?

3 MR. STAN: Yes, I can.

4 MR. KAY: Okay; thank you.

5 Could you pass the microphone to Mrs. Smith.
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1 Mrs. Smith, what newspapers do you read?

2 MRS. SMITH: The Los Angeles Times.

3 MR. KAY: And did you --

4 Let's see; you told Mr. Keith, I believe, that
5 you read a small article in the Times that Miss Van Houten
6 was getting a retrial.

7 Do you remember how long ago that was that you read
8 that article?

9 MRS. SMITH: About -- I can't be sure. About two weeks
10 ago.

11 It was a very small article.

12 MR. KAY: And from reading that article did you form any
13 opinion as to Miss Van Houten's mental state at the time of the
14 Labianca murders?

15 MRS. SMITH: No.

16 MR. KAY: From reading that article did you form any
17 opinion about Miss Van Houten's mental state at the present
18 time?

19 MRS. SMITH: No.

20 MR. KAY: Now, did you read in February an article in
21 the L.A. Times that purported to be an interview with
22 Miss Van Houten?

23 MRS. SMITH: No.

24 MR. KAY: Other than that small article that you read a
25 couple of weeks ago about the fact that she was going to get
26 a retrial, have you read any other articles about Miss Van Houten
27 in any newspapers this year?

28 MRS. SMITH: No.

1 MR. KAY: Do you watch the T.V. news at night?

2 MRS. SMITH: Yes.

3 MR. KAY: Which channel?

4 MRS. SMITH: Channel 2.

5 MR. KAY: And have you seen Miss Van Houten on the
6 Channel 2 News this year?

7 MRS. SMITH: No.

X 8 MR. KAY: Have you seen Mr. Keith on the news or heard
9 him on radio or read about him in any newspapers talking about
10 Miss Van Houten?

11 MRS. SMITH: No.

12 MR. KAY: Now, when you had this class out at Long Beach
13 State, the current history class, did you form any opinion,
14 from what you have learned in that case, as to the mental state
15 of the people who might have participated in the Tate-LaBianca
16 murders, if they might have been crazy or mentally unbalanced
17 at the time of their participation?

18 MRS. SMITH: No. The seminar wasn't about the people
19 involved in the case.

20 MR. KAY: Just about the publicity, and whether --

21 MRS. SMITH: Yes.

22 MR. KAY: -- whoever was involved could get a fair
23 trial after all the publicity.

24 MRS. SMITH: Exactly.

25 MR. KAY: From what you know about the case, from whatever
26 sources, have you formed any opinion that Miss Van Houten might
27 have been mentally ill at the time of the LaBianca murders?

28 MRS. SMITH: No.

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1 MR. KAY: Or that any of the other participants -- well,
2 that anyone who might have participated in the Tate-LaBianca
3 murders must have been crazy or mentally unbalanced at the
4 time of their participation?

5 MRS. SMITH: No.

6 MR. KAY: And realizing that we have the burden of
7 proving that Miss Van Houten had the mental capacity to commit
8 a willful, deliberate, premeditated first degree murder at the
9 time of the LaBianca murders, do you think you can give us
10 a fair trial?

11 MRS. SMITH: Yes.

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1 MR. KAY: Any doubt at all about that in your mind?

2 MRS. SMITH: No.

3 MR. KAY: Could you pass it down to Mr. Shah.

4 I have already talked to Mr. Sinor.

5 I won't put you through it again, Mr. Sinor.

6 Mr. Shah, I take it since you don't know anything
7 about this case you haven't formed any opinion as to anybody's
8 mental state at the time of August 10th, 1969, which was the
9 time of the LaBianca murders. Is that right?

10 MR. SHAH: Yes.

11 MR. KAY: You don't have any opinions on that at all?

12 MR. SHAH: No, sir.

13 MR. KAY: I don't have any further questions.

14 THE COURT: All right.

15 Any challenges?

16 MR. KHITH: No, Your Honor.

17 MR. KAY: No.

18 THE COURT: All right.

19 At this time, ladies and gentlemen, you will be
20 returned to Department 106 to await further developments.

21 Bear in mind the same admonition I previously
22 have given you in this matter:

23 That is you are not to discuss this case amongst
24 yourselves or with anyone else, you are not to form any opinion
25 or express any opinion concerning this matter until the case is
26 finally given to you.

27 Furthermore, it would be inappropriate for
28 you to read, see or hear any news media accounts concerning

1 this letter.

2 All right. The bailiff will please escort the
3 jurors back to 106.

4 Thank you.

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1 (The remaining prospective jurors exited
2 the courtroom, and a new group of
3 prospective jurors was escorted in.)

4 THE COURT: All right, ladies and gentlemen. Let the
5 record show that the next group of jurors are before the court.

6 At this time I want to read off the names so that
7 we are sure that we have the appropriate people in the correct
8 seats.

9 I'd like to start first at the right, my right.

10 Are you Mrs. Madelina D. Tosland?

11 MRS. TOSLAND: Yes, sir.

12 THE COURT: Then Gustavo R. Trevino?

13 MR. TREVINO: Yes, sir.

14 THE COURT: And Mrs. Angela -- is it Vicent?

15 MRS. VICENT: Vicent, right.

16 THE COURT: All right, thank you.

17 Ezel B. Waters?

18 MR. WATERS: Yes.

19 THE COURT: William A. Williams?

20 MR. WILLIAMS: Yes.

21 THE COURT: And then Norbert J. Wolfe?

22 MR. WOLFE: Correct.

23 THE COURT: All right, thank you.

24 Ladies and gentlemen, the indictment returned in
25 this matter is in several counts, only three counts of which
26 concern the case before the court and only three counts of
27 which, of course, concern the defendant Leslie Van Houten.

28 I'm going to read portions of the indictment to

1 you.

2 The first count that we are concerned with is
3 Count VI of the indictment. That count states, in part, that

4 Charles Manson, Charles Watson,
5 Patricia Krenwinkel, Linda Kasabian, Susan
6 Atkins, and the defendant before this court,
7 are accused by the Grand Jury of the County of
8 Los Angeles, State of California, by this
9 indictment of the crime of murder, in violation
10 of section 187, Penal Code of California, a
11 felony, committed prior to the finding of this
12 indictment and as follows:

13 That on or about the 10th day of
14 August, 1969, at and in the County of Los
15 Angeles, State of California, Charles Manson,
16 Charles Watson, Patricia Krenwinkel, Linda
17 Kasabian, Susan Atkins, and the defendant before
18 this court, did willfully, unlawfully, feloniously,
19 and with malice aforethought, murder Leno A.
20 LaBianca, a human being.

21 Count VII states, in part, that
22 Charles Manson, Charles Watson,
23 Patricia Krenwinkel, Linda Kasabian, Susan
24 Atkins, and the defendant before this court,
25 are accused by the Grand Jury of the County of
26 Los Angeles, State of California, by this
27 indictment of the crime of murder, in violation
28 of section 187, Penal Code of California, a

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1 felony, committed prior to the finding of this
2 indictment and as follows:

3 That on or about the 10th day of
4 August, 1969, at and in the County of Los
5 Angeles, State of California, Charles Manson,
6 Charles Watson, Patricia Krenwinkel, Linda
7 Kasabian, Susan Atkins, and the defendant
8 before this court, did willfully, unlawfully,
9 feloniously, and with malice aforethought,
10 murder Rosemary LaBianca, a human being.

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Count VIII states that

Charles Manson, Charles Watson,
Patricia Krenwinkel, Susan Atkins, Linda
Kasabian, and the defendant before this court,
are accused by the Grand Jury of the County
of Los Angeles, State of California, by this
indictment of the crime of conspiracy to commit
murder in violation of section 182.1 and 187,
Penal Code of California, a felony, committed
prior to the finding of this indictment and as
follows:

That on or about the 8th through
the 10th day of August, 1969, at and in the
County of Los Angeles, State of California,
Charles Manson, Charles Watson, Patricia
Krenwinkel, Susan Atkins, Linda Kasabian, and
the defendant before this court, did willfully,
unlawfully, feloniously, and knowingly, conspire,
combine, confederate, and agree together and
with other persons whose true identity is unknown,
to commit the crime of murder, a violation of
section 187, Penal Code of California, a felony;

That pursuant to and for the purpose
of carrying out the objects and purposes of the
aforesaid combination, agreement, and conspiracy,
they committed the following overt acts at and
in the County of Los Angeles:

Overt Act No. I:

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1 That on or about August 8th, 1969,
2 Charles Watson, Patricia Krenwinkel, Susan
3 Atkins, and Linda Kasabian did travel to the
4 vicinity of 10050 Cielo Drive in the City and
5 County of Los Angeles;

6 Overt Act No. II:

7 That on or about August 8th, 1969,
8 Charles Watson, Patricia Krenwinkel, and
9 Susan Atkins, did enter the residence at 10050
10 Cielo Drive, City and County of Los Angeles;

11 Overt Act No. III:

12 That on or about August 10th,
13 1969, Charles Manson, Charles Watson, Patricia
14 Krenwinkel, Susan Atkins, Linda Kasabian, and
15 the defendant before this court, did travel to
16 the vicinity of 3301 Waverly Drive, City and
17 County of Los Angeles.

18 Overt Act No. IV:

19 That on or about August 10th,
20 1969, Charles Manson, Charles Watson, Patricia
21 Krenwinkel, and the defendant before this court,
22 did enter the residence at 3301 Waverly Drive,
23 City and County of Los Angeles.

24 To each of these three counts the defendant has
25 entered a plea of not guilty.

26 At this time, ladies and gentlemen, we are going
27 to inquire into the issue concerning publicity. The court
28 first will ask each of you questions concerning that subject

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1 matter, and after that Mr. Keith will inquire on behalf of the
2 defendant, then Mr. Kay on behalf of the People.

3 All right. I'd like to start with Mrs. Tosland.

4 Ma'am, have you heard or do you know anything
5 about this case or about defendant's past actions, conduct,
6 beliefs or associations, including anything you have read in
7 the newspapers, magazines, or books, or seen on television or
8 heard on the radio?

9 MRS. TOSLAND: No, sir.

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1 THE COURT: You have not seen the movie or read the
2 book called "Helter Skelter," I take it?

3 MRS. TOSLAND: No, I have not.

4 THE COURT: Now, in 1969 and the early '70s, did you
5 read any of the newspaper accounts or see any of the television
6 news reports concerning this matter?

7 MRS. TOSLAND: No, I didn't.

8 THE COURT: All right. Did you live in Los Angeles
9 County in 1969?

10 MRS. TOSLAND: Yes.

11 THE COURT: All right.

12 So I take it, then, that you have not heard
13 anything in the news media about this matter?

14 MRS. TOSLAND: No. I was going to night school, and I
15 haven't watched television or read too much.

16 THE COURT: All right.

17 Have you seen any news in any form of the news
18 media in the last few weeks regarding this matter?

19 MRS. TOSLAND: No.

20 THE COURT: I take it you could put to one side whatever
21 you might have read, seen, or heard about this case and judge
22 the defendant's guilt or innocence solely on the evidence to
23 be presented in this courtroom?

24 MRS. TOSLAND: Yes, I would.

25 THE COURT: As a result of anything you might have read,
26 seen, or heard about this case or about the defendant, have
27 you formed any opinion as to the guilt or innocence of the
28 defendant?

1 MRS. TOSLAND: No, I couldn't.

2 THE COURT: All right.

3 Would you allow yourself to be influenced by any
4 publicity you might have read, seen, or heard about this case
5 or about the defendant?

6 MRS. TOSLAND: No.

7 THE COURT: And if you are chosen as a trial juror in
8 this matter, can you assure the court that you will decide
9 this matter solely on the evidence to be presented in this
10 courtroom?

11 MRS. TOSLAND: I will.

12 THE COURT: All right. Thank you, ma'am.

13 Would you pass the microphone, please.

14 Mr. Trevino, have you heard or do you know anything
15 about this case or about defendant's past actions, conduct,
16 beliefs or associations, including anything you have read in
17 newspapers, magazines, or books, seen on television or heard
18 on the radio?

19 MR. TREVINO: I heard it on the radio, sir, and I read
20 it in the paper.

21 THE COURT: All right.

22 And when you say that, are you referring to 1969
23 and the early '70s?

24 MR. TREVINO: 1969, yes.

25 THE COURT: Have you seen anything in the news media
26 recently about this matter?

27 MR. TREVINO: No.

28 THE COURT: Did you read the book or see the TV movie

1 called Helter Skelter?

2 MR. TREVINO: No, sir.

3 THE COURT: All right.

4 Now, can you put to one side whatever you might
5 have read, seen, or heard about this case or about the
6 defendant and judge the defendant's guilt or innocence solely
7 on the evidence to be presented in this courtroom?

8 MR. TREVINO: I believe so.

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1 THE COURT: All right.

2 Do you have some doubt in your mind about that?

3 MR. TREVINO: Yes.

4 I don't know, sir. I mean -- I could not answer,
5 you know, specifically, if I would try to get it out of my
6 mind, you know, what I read before.

7 THE COURT: Well, I'm sure you understand how important
8 it is that each juror who serves in this case decide the case
9 solely on the evidence to be presented in this courtroom.

10 You understand that?

11 MR. TREVINO: Yes.

12 THE COURT: And do you understand that the jurors who
13 sit on this case must not allow anything they hear or have
14 heard outside the courtroom to influence their decision or
15 judgment?

16 Do you understand that?

17 MR. TREVINO: Yes, sir.

18 THE COURT: All right.

19 Now, as a result of anything you have read, seen,
20 or heard concerning this matter or the defendant, have you
21 formed any opinion as to her guilt or innocence?

22 MR. TREVINO: No, sir.

23 THE COURT: All right.

24 And would you allow yourself to be influenced by
25 any publicity you have already read, seen, or heard about
26 this matter?

27 MR. TREVINO: No, sir.

28 THE COURT: If you are chosen as a trial juror, can you

1 assure the court that you would decide this matter solely on
2 the evidence to be presented in this courtroom?

3 MR. TREVINO: Yes, sir.

4 THE COURT: All right, thank you.

5 Mrs. Vicent, have you heard or do you know anything
6 about this case or about defendant's past actions, conduct,
7 beliefs or associations --

8 MRS. VICENT: No, I don't.

9 THE COURT: Let me finish here, please.

10 MRS. VICENT: Oh.

11 THE COURT: -- including anything you have read in the
12 newspapers, magazines, or books, seen on television or heard
13 on the radio?

14 MRS. VICENT: No.

15 THE COURT: All right.

16 Now, I take it you have not read or seen the book
17 or movie called Helter Skelter?

18 MRS. VICENT: No, I haven't.

19 THE COURT: Were you living in Los Angeles County in
20 1969 and thereafter?

21 MRS. VICENT: Yes, I was.

22 THE COURT: Were you aware that there was a Manson trial?

23 MRS. VICENT: Yes.

24 THE COURT: And did you learn that through the newspapers
25 and TV reports?

26 MRS. VICENT: Through both.

27 THE COURT: All right. So then I take it you did read
28 some newspaper accounts of this matter.

1 MRS. VICENT: Back in '69.

2 THE COURT: You haven't seen anything recently in the
3 past on the news media about this case, have you?

4 MRS. VICENT: No.

5 THE COURT: Now, as a result of what you have read,
6 seen, or heard about this case, would you be able to put that
7 completely to one side, whatever you might have read, seen, or
8 heard about this case, and judge the defendant's guilt or
9 innocence solely on the evidence to be presented in this
10 courtroom?

11 MRS. VICENT: Yes.

12 THE COURT: Based on anything you have read, seen, or
13 heard about this case, have you formed any opinion concerning
14 the defendant's guilt or innocence?

15 MRS. VICENT: No.

16 THE COURT: Would you allow yourself to be influenced
17 by any publicity you might have read, seen, or heard concerning
18 this case or the defendant?

19 MRS. VICENT: No.

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1 THE COURT: And if you are chosen as a trial juror,
2 can you assure the Court that you would decide this matter
3 solely on the evidence to be presented in this courtroom?

4 MRS. VINCENT: Yes.

5 THE COURT: All right; thank you.

6 Mr. Waters, have you heard or do you know
7 anything about this case or about the defendant's past actions,
8 conduct, beliefs or associations, including anything you have
9 read in the newspapers, magazines or books, seen on television
10 or heard on the radio?

11 MR. WATERS: Well, Your Honor, I might have seen a
12 preview of the picture on television, if I have seen that.

13 I may have heard some of the incidents in '69 to
14 '70. That's about all.

15 THE COURT: I take it you did not see the T.V. movie
16 *Helter Skelter*. Is that correct?

17 MR. WATERS: No, I didn't see it.

18 THE COURT: You didn't see it; but you think you might
19 have seen some previews of it?

20 MR. WATERS: I might have, if they was showing previews
21 on television.

22 THE COURT: Do you have any recollection of when that
23 might have happened; within the last two or three months, or
24 was it over a year ago?

25 MR. WATERS: It probably was over a year ago, or something.

26 THE COURT: Did you read the book called "*Helter Skelter*"?

27 MR. WATERS: No, I didn't.

28 THE COURT: Can you put to one side whatever you might

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1 have read, seen or heard about this case, and judge the
2 defendant's guilt or innocence solely on the evidence to be
3 presented in this courtroom?

4 MR. WATERS: Yes, I can.

5 THE COURT: And as a result of anything you have read,
6 seen or heard about this case or about the defendant, have you
7 formed any opinion as to her guilt or innocence?

8 MR. WATERS: No, I haven't.

9 THE COURT: And would you allow yourself to be influenced
10 by any publicity you might have read, seen or heard about this
11 case or about the defendant?

12 MR. WATERS: No.

13 THE COURT: And if you are chosen as a trial juror in
14 this case, can you assure the court that you would decide this
15 matter solely on the evidence to be received in this trial?

16 MR. WATERS: Yes.

17 THE COURT: All right; thank you.

18 Mr. Williams, have you heard or do you know
19 anything about this case or about the defendant's past actions,
20 conduct, beliefs or associations, including anything you have
21 seen in newspapers, magazines or books, seen on television or
22 heard on the radio?

23 MR. WILLIAMS: No, I don't, Your Honor.

24 THE COURT: Were you aware in the late '60s and early
25 '70s that there was a trial?

26 MR. WILLIAMS: Yes, I was.

27 THE COURT: And I take it you did read some accounts at
28 that time.

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1 MR. WILLIAMS: Very, very little.

2 THE COURT: All right.

3 Now, have you seen the T.V. movie or read the
4 book called "Helter Skelter"?

5 MR. WILLIAMS: No, I haven't.

6 THE COURT: Have you seen anything in terms of the
7 media in the last few months about this case?

8 MR. WILLIAMS: No, sir.

9 THE COURT: Could you put to one side whatever you might
10 have read, seen or heard about this case, and judge the
11 defendant's guilt or innocence solely on the evidence to be
12 introduced in this trial?

13 MR. WILLIAMS: Yes.

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1 THE COURT: And as a result of anything you might have
2 read, seen or heard about this case, have you formed any
3 opinion as to the defendant's guilt or innocence?

4 MR. WILLIAMS: No.

5 THE COURT: Would you allow yourself to be influenced
6 by any publicity you have read, seen or heard about this case
7 or about the defendant?

8 MR. WILLIAMS: No.

9 THE COURT: And if you are chosen as a trial juror in
10 this matter, can you assure the court that you will decide
11 this matter solely on the evidence to be presented in this
12 courtroom?

13 MR. WILLIAMS: Yes.

14 THE COURT: All right; thank you.

15 Mr. Wolfe, have you heard or do you know anything
16 about this case or about the defendant's past actions, conduct,
17 beliefs or associations, including anything you have read in
18 the newspapers, magazines or books, seen on television or
19 heard on the radio?

20 MR. WOLFE: Only the account in the papers of why the
21 defendant is being granted another trial, a new trial.

22 THE COURT: You just read that within the last few
23 months, I take it.

24 MR. WOLFE: Correct.

25 THE COURT: Have you read the book or seen the T.V.
26 movie called Heiter Skelter?

27 MR. WOLFE: No, I have not.

28 THE COURT: Did you read newspaper accounts or hear

1 the media reports concerning this matter in the late '60s
2 and early '70s?

3 MR. WOLFE: Yes, I did.

4 THE COURT: And did you follow that matter closely?

5 MR. WOLFE: Quite closely.

6 THE COURT: Now, could you put to one side whatever you
7 might have read, seen or heard about this case, and judge the
8 defendant's guilt or innocence solely on the evidence to be
9 introduced in this trial?

10 MR. WOLFE: I believe I can do that.

11 THE COURT: All right.

12 As a result of anything you might have read, seen
13 or heard concerning this matter, have you formed any opinion
14 as to the defendant's guilt or innocence?

15 MR. WOLFE: No.

16 THE COURT: All right.

17 Would you allow yourself to be influenced by any
18 publicity you might have read, seen or heard about this matter?

19 MR. WOLFE: No.

20 THE COURT: And if you are chosen as a trial juror in
21 this case, will you decide this case solely on the evidence
22 presented in this courtroom?

23 MR. WOLFE: Yes, I will.

24 THE COURT: All right; thank you.

25 Mr. Keith, you may inquire on the issue of
26 publicity --

27 Well, wait a minute. It's five minutes to 12:00;
28 we will take the recess.

1 MR. KEITH: There will be no challenges.

2 THE COURT: You have no questions?

3 MR. KEITH: I have questions, but no challenges.

4 THE COURT: All right.

5 I take it you have no challenges.

6 MR. KAY: No.

7 THE COURT: All right.

8 At this time, ladies and gentlemen, we are going
9 to recess until 1:30.

10 Bear in mind during this recess you are not to
11 discuss this case amongst yourselves or with anyone else, you
12 are not to form any opinion concerning this matter or express
13 any opinion concerning this matter until the case is finally
14 given to you.

15 Furthermore, you must not allow yourselves to read,
16 see or hear any newspaper accounts concerning this case.

17 The Court will be in recess until 1:30.

18 All jurors, the defendant and counsel are ordered
19 to return at that time.

20 Thank you.

21 (At 11:55 a.m. a recess was taken until
22 1:30 p.m. of the same day.)

1 LOS ANGELES, CALIFORNIA, MONDAY, APRIL 4, 1977, 1:40 P.M.

2 DEPARTMENT NO. 130

HON. EDWARD A. HINZ, JR., JUDGE

3
4 (Appearances as heretofore noted.)

5
6 THE COURT: People versus Van Houtan.

7 Let the record show the defendant is present and
8 represented by counsel; the People are represented by counsel;
9 the six prospective jurors are in the jury box.

10 You may inquire, Mr. Keith, as to publicity.

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1 MR. KEITH: Thank you, Your Honor.

2 Ladies and gentlemen, my name is Maxwell Keith,
3 and I represent Miss Van Houten, as I'm sure you are aware.

4 The judge has been kind enough to permit Mr. Kay,
5 the prosecutor, and myself to inquire of you further as to
6 any possible bias or prejudice for or against both sides based
7 on the massive publicity that attended this case some years
8 ago.

9 And in the intervening years, now, there has still
10 been through a book and a television show a rather unfortunate
11 amount of notoriety.

12 So, this is the reason we are talking to you at
13 more length than you may feel is warranted.

14 I will start with -- Is it "Mrs. Tosland"?

15 MRS. TOSLAND: "Tosland."

16 MR. KEITH: I knew I'd mess it up, but I had a 50-percent
17 chance.

18 Apparently, Mrs. Tosland, you virtually know
19 nothing about the matter by reason of any previous --

20 MRS. TOSLAND: Not really.

21 MR. KEITH: -- notoriety.

22 MRS. TOSLAND: No.

23 MR. KEITH: You of course heard the name of Charles Manson.
24 Or haven't you even heard his name before.

25 MRS. TOSLAND: No. I have heard more from our judge
26 mentioning the names.

27 MR. KEITH: Than you have heard in your lifetime.

28 MRS. TOSLAND: That's right.

1 MR. KEITH: From the news media.

2 And you have lived in this County.

3 MRS. TOSLAND: That's right.

4 MR. KEITH: Do you read any newspapers at all,

5 Mrs. Tosland?

6 MRS. TOSLAND: I have, but --

7 MR. KEITH: Do you read the front page of the newspapers
8 when you do read a newspaper?

9 MRS. TOSLAND: Generally.

10 MR. KEITH: But --

11 would it be fair to say you may in the past,
12 because of the publicity, have read something about Mr. Manson --

13 MRS. TOSLAND: No.

14 MR. KEITH: -- but --

15 MRS. TOSLAND: No.

16 MR. KEITH: I was going to say, you may have, but your
17 memory is not such that you would --

18 MRS. TOSLAND: I was out of town, evidently.

19 I lost my mother, you know, the last of '68, and
20 there was a lot of business, and we were traveling, and I must
21 have been gone.

22 MR. KEITH: All right.

23 You have not heard or seen anything about
24 Leslie Van Houten or Charles Manson or anybody that may have
25 allegedly been associated with them --

26 MRS. TOSLAND: No.

27 MR. KEITH: -- since 1971.

28 MRS. TOSLAND: I really haven't.

1 MR. KEITH: All right.

2 And you never heard her name before ---

3 MRS. TOSLAND: No.

4 MR. KEITH: --- Miss Van Houten, that is, until Monday.

5 MRS. TOSLAND: Until I came here.

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1 MR. KEITH: A week ago Monday, I should say.

2 I take it, then, Mrs. Tosland, that there is no
3 reason in the world why you couldn't give Miss Van Houten a
4 fair trial by reason of any publicity you may have been exposed
5 to because you haven't been exposed to any publicity.

6 MRS. TOSLAND: True.

7 MR. KEITH: And have anybody ever talked to you --

8 MRS. TOSLAND: No.

9 MR. KEITH: -- about Manson, any friends, relatives --

10 MRS. TOSLAND: No.

11 MR. KEITH: -- fellow employees?

12 MRS. TOSLAND: No.

13 MR. KEITH: Have you ever heard the name Vicent Bugliosi
14 before?

15 MRS. TOSLAND: No.

16 MR. KEITH: You don't know who he is?

17 MRS. TOSLAND: No.

18 MR. KEITH: Or may have been?

19 MRS. TOSLAND: No.

20 MR. KEITH: Obviously, then, you have never heard him
21 speak or talk?

22 MRS. TOSLAND: No.

23 MR. KEITH: "Speak or talk." That's redundant. Speak --

24 MRS. TOSLAND: No.

25 MR. KEITH: -- speak on the television or speak in person?

26 MRS. TOSLAND: No.

27 MR. KEITH: All right, thank you very much.

28 Could you pass the microphone to Mr. Trevino.

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1 Mr. Trevino, you did read and hear about the case,
2 the so-called Manson case, back in 1969 and 1970.

3 Is that a fair statement?

4 MR. TREVINO: Yes, sir.

5 MR. KEITH: And at that time, back then, did you form
6 any opinions about the guilt or innocence of any of the
7 purported or alleged parties in the --

8 MR. TREVINO: I might have, sir.

9 MR. KEITH: Do you have any opinion now about any of
10 them?

11 MR. TREVINO: No, sir.

12 I mean, it was off my mind. Only at the time,
13 you know, when that happened.

14 MR. KEITH: Has this hearing -- let's call it a hearing --
15 this hearing refreshed your recollection as to opinions you
16 may have held in the past?

17 MR. TREVINO: Yes, sir.

18 MR. KEITH: So can you remember now the opinion you held
19 then, if you did hold an opinion, about the guilt or innocence?

20 MR. TREVINO: I can remember, yes.

21 MR. KEITH: Pardon me?

22 MR. TREVINO: I can remember, yes.

23 MR. KEITH: And does your opinion or did the opinion you
24 once held include Miss Van Houten, or don't you recall her
25 name?

26 MR. TREVINO: No, not her name; Mr. Manson, yes.

27 MR. KEITH: All right.

28 Now, let's assume that, for the sake of this

1 discussion, Miss Van Houten was at one time associated with
2 Mr. Hanson in some way.

3 MR. TREVINO: Well, the way --

4 MR. KEITH: Would that, assuming that for the sake of
5 argument, would that compel you to have an opinion about her
6 guilt or innocence or whether she's more likely guilty than
7 innocent?

8 MR. TREVINO: Well, I couldn't say, because, I mean, I
9 haven't heard her testimony or anything.

10 I mean, how can a person say she is guilty when I
11 haven't heard anything?

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1 MR. KEITH: All right. Well, that's fair enough. And I
2 appreciate that. That's very true.

3 But what I'm getting at is, you didn't quite speak
4 to my question.

5 My point was, let's assume for the sake of argument
6 that there was an association between Manson and Miss Van
7 Houten.

8 Now, you had an opinion about Manson. Does that
9 compel you also to have an opinion about her, assuming what
10 I've told you for the sake of argument that she was associated
11 with him?

12 MR. TREVINO: Yes. I mean, it could be. I mean, that
13 she would have the same blame because she was with him.

14 MR. KEITH: That she would what? Have the same blame?

15 MR. TREVINO: Yeah. I mean, the same guilt. If the
16 man was guilty, she was guilty, too, then.

17 MR. KEITH: Are you suggesting that because he may have
18 been guilty it is your opinion that she is guilty?

19 MR. TREVINO: Well, my opinion is nothing compared -- I
20 mean, only what I read, sir.

21 MR. KEITH: All right.

22 Right now, if you have an opinion -- if you had an
23 opinion -- you are telling us that you don't have one now; is
24 that right?

25 MR. TREVINO: Right, sir.

26 MR. KEITH: And are you telling us -- more than telling
27 us, are you promising us that you would not be influenced, if
28 you are selected as a trial juror, by what you may have read

1 or heard before about Mr. Manson?

2 MR. TREVINO: Sir, it is tough question, the way you put
3 it, because my English is not --

4 MR. KEITH: No, your English is just fine. Don't worry
5 about that.

6 MR. TREVINO: Some of them I understand; some I don't
7 understand you. Let's put it that way.

8 I did not go to -- only to the eighth grade, sir.
9 And the way you are trying to put the word -- to use the words,
10 I do not understand.

11 MR. KEITH: All right. I'll try to be as clear as I
12 can without using words that may confuse you in some way.

13 MR. TREVINO: All right.

14 MR. KEITH: Do you know what the word "influence" means?

15 MR. TREVINO: Yes.

16 MR. KEITH: All right.

17 Now, you understand that if you are selected as a
18 juror in this case --

19 MR. TREVINO: Yes.

20 MR. KEITH: -- you have to have an open mind.

21 MR. TREVINO: Right.

22 MR. KEITH: That means a mind free from any --

23 MR. TREVINO: Free from everything.

24 MR. KEITH: Do you know what "prejudice" means?

25 MR. TREVINO: Yes.

26 MR. KEITH: Free from any prejudice against anybody;
27 against the prosecution's side, against Leslie.

28 Do you understand that?

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MR. TREVINO: Yes.

MR. KEITH: Do you know what the word "bias" means?

MR. TREVINO: No, sir.

MR. KEITH: All right.

Do you know what the word --

Let me put it, do you know what -- You certainly know what "dislike" means?

MR. TREVINO: Yes.

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1 MR. KEITH: Do you think you'd be inclined because of
2 what you read and heard about Manson in the past and because
3 of the opinion you once had about Manson, that you'd dislike
4 Leslie if the evidence showed she was associated with him?

5 MR. TREVINO: No. I would have no dislike for her.

6 MR. KEITH: Do you think you'd be influenced by your
7 opinion of Manson, the person once held --

8 Remember, you told me you understood --

9 MR. TREVINO: Yes.

10 MR. KEITH: -- what "influence" meant.

11 MR. TREVINO: I don't think so.

12 MR. KEITH: Influenced so that she wouldn't get a fair
13 trial.

14 MR. TREVINO: No, I don't think so.

15 MR. KEITH: All right.

16 Do you think you'd be prejudiced in some manner
17 simply because of what you have read and heard about Manson,
18 if the evidence did show that she had had an association with
19 him at one time.

20 MR. TREVINO: Well, sir, I've been trying to answer that
21 question for myself, and I haven't come up with nothing, if I
22 would be prejudiced or not.

23 I still can't answer myself that, either.

24 MR. KEITH: Do you think you could --

25 Well, you told the judge you could lay aside --

26 MR. TREVINO: Yes.

27 MR. KEITH: -- forget about any opinion or prejudice you
28 may have held against Mr. Manson.

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1 MR. TREVINO: Right.

2 MR. KEITH: If you were on this jury.

3 MR. TREVINO: Right.

4 MR. KEITH: And do you still feel that way?

5 MR. TREVINO: I still feel that way.

6 MR. KEITH: Do you understand that Miss Van Houtan is
7 entitled to the benefit of a presumption of innocence right
8 now?

9 MR. TREVINO: Right.

10 MR. KEITH: Have you heard of that expression before?

11 MR. TREVINO: No.

12 MR. KEITH: You never heard of --

13 MR. TREVINO: I mean, I have heard about other
14 expressions, but not about her.

15 MR. KEITH: No, no, no.

16 Everybody that's charged with --

17 MR. TREVINO: Yes.

18 MR. KEITH: -- with a public offense, right down the
19 line to a traffic ticket --

20 MR. TREVINO: Right.

21 MR. KEITH: -- is presumed to be innocent until the
22 contrary is proven beyond a reasonable doubt and to a moral
23 moral certainty by the prosecution.

24 Have you ever heard of that before?

25 MR. TREVINO: Yes.

26 MR. KEITH: Do you feel --

27 That happens to be a very fundamental principle
28 of law. Were you aware of that --

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1 MR. TREVINO: Yes.

2 MR. KEITH: -- the presumption of innocence?

3 Now, do you feel that because of the opinion you
4 once held about Manson, bearing in mind that she may have been
5 associated with him at one time, that as she sits before you
6 now she doesn't have the presumption of innocence?

7 MR. TREVINO: I don't know.

8 MR. KEITH: Do you feel she is presumed to be innocent --

9 MR. TREVINO: I don't know.

10 MR. KEITH: -- despite what --

11 MR. TREVINO: Despite what I said? I really don't know,
12 sir.

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1 MR. KEITH: All right. We will get into that later.
2 We are getting a little far afield.

3 I don't have any further questions of you now,
4 Mr. Trevino.

5 Is it "Mrs. Vicent"?

6 MRS. VICENT: "Vicent."

7 MR. KEITH: I got that right.

8 Now, Mrs. Vicent, you had an awareness that
9 Charles Manson had gone through a trial some years ago; is that
10 correct?

11 MRS. VICENT: Yes.

12 MR. KEITH: But you read or heard or saw very little,
13 if anything, about that trial; is that correct?

14 MRS. VICENT: I don't remember anything about the trial.

15 All I remember is that he was guilty.

16 MR. KEITH: All right.

17 And have you ever heard the name Lealia Van Houten
18 before you came to court?

19 MRS. VICENT: No.

20 MR. KEITH: Having come to court and having heard her
21 name a number of times, does that refresh your recollection at
22 all about her identity?

23 MRS. VICENT: No.

24 MR. KEITH: Do you think because you had heard at one
25 time that Charles Manson was guilty, that in your mind that
26 would make Lealia guilty, too?

27 MRS. VICENT: No.

28 MR. KEITH: You don't feel that way at the present time?

1 MRS. VICENTE: Uh-uh.

2 MR. KEITH: Can you promise me that?

3 MRS. VICENTE: Yeah.

4 MR. KEITH: All right.

5 It's serious. I'm not --

6 MRS. VICENTE: No, I'm serious, too.

7 MR. KEITH: I'm sure you are.

8 You haven't heard anything about Miss Van Houten's
9 case or about why she is here now for trial in the newspapers
10 or news media in recent months?

11 MRS. VICENTE: All I know is just the retrial; that's
12 all.

13 MR. KEITH: And did you read that somewhere?

14 MRS. VICENTE: No -- Yeah, right there (pointing).

15 MR. KEITH: Right where?

16 MRS. VICENTE: On the desk -- on the table right there
17 (pointing), "Van Houten Retrial," I guess.

18 MR. KEITH: Is that the only exposure --

19 Does that bother you, the fact that it says
20 "Van Houten Retrial" on the binder there?

21 MRS. VICENTE: No. You told me -- you asked me if I --

22 MR. KEITH: Oh, yes.

23 MRS. VICENTE: That's the only place I have seen it.

24 MR. KEITH: You haven't read or heard about it other
25 than what's printed on the binder.

26 MRS. VICENTE: No.

27 MR. KEITH: Does that make you feel that Miss Van Houten
28 has two strikes against her, because it says "Van Houten Retrial"

1 on the binder?

2 MRS. VICENT: No.

3 MR. KEITH: Does it bother you at all --

4 In other words, does it make you feel that it
5 would be difficult for you to give her a fair trial because
6 of anything you may have heard about Manson --

7 MRS. VICENT: No.

8 MR. KEITH: -- and because of what it says on the binder?

9 MRS. VICENT: No.

10 MR. KEITH: If you hadn't read that binder you wouldn't
11 have known this was a retrial.

12 MRS. VICENT: No.

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1 MR. KEITH: DO you have any idea what happened in the
2 first trial regarding Miss Van Houten, since you must assume
3 there had been a previous trial?

4 MRS. VICENT: No, I don't.

5 MR. KEITH: Did you follow the first trial in the
6 newspapers very much, or did you just happen to glance at it,
7 the newspaper accounts?

8 MRS. VICENT: I just glanced through the newspaper.
9 I was interested in the View section.

10 MR. KEITH: Did you follow the first trial at all in the
11 television media?

12 MRS. VICENT: No.

13 MR. KEITH: Did you follow the first trial at all in
14 any books, papers, magazines, motion pictures?

15 MRS. VICENT: No.

16 MR. KEITH: And have you ever heard the book
17 "Helter Skelter" before?

18 MRS. VICENT: I read it -- no; I heard there was going
19 to be a movie Helter Skelter, but I was working p.m., so I
20 never got the chance to see it.

21 MR. KEITH: What does "p.m." mean, if I may show my
22 ignorance?

23 MRS. VICENT: Evening shift.

24 MR. KEITH: That sort of figures.

25 Did anybody talk to you about the television
26 motion picture called Helter Skelter?

27 MRS. VICENT: No.

28 MR. KEITH: Did anybody -- co-workers, friends or

1 relatives make comments or observations to you about that
2 television motion picture?

3 MRS. VICENTE: No, only that we missed it; that's all.

4 MR. KEITH: Of course you didn't read the book.

5 MRS. VICENTE: No.

6 MR. KEITH: And did you know there was a book by that
7 name?

8 MRS. VICENTE: No.

9 MR. KEITH: Do you know what "halter skelter" means
10 as Manson used it?

11 MRS. VICENTE: Uh-uh.

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1 MR. KEITH: Can you promise me that you won't be
2 influenced, if you are selected as a trial juror in this case,
3 by anything you may have read about the first case?

4 MRS. VICENT: I promise.

5 MR. KEITH: And that you will decide the case solely
6 from what you hear on the witness stand, and from no other
7 source of information?

8 MRS. VICENT: I will.

9 MR. KEITH: Thank you.

10 Would you pass the microphone to Mr. Waters.

11 Mr. Waters, were you living in this County in
12 1969 and 1970?

13 MR. WATERS: Yes, I was. I'm still there.

14 MR. KEITH: Pardon me?

15 MR. WATERS: Yes, I was. I'm still there now.

16 MR. KEITH: I can tell that, but I'm asking about a
17 few years ago.

18 Had you read anything about the case back in 1969
19 or '70?

20 MR. WATERS: Not in depth. I might have read headlines
21 on the Manson trial.

22 MR. KEITH: Perhaps you saw some television news
23 programs about the trial.

24 MR. WATERS: I might have.

25 MR. KEITH: But it didn't leave any impression on you,
26 I gather.

27 MR. WATERS: No.

28 MR. KEITH: Had you ever heard the name Leslie Van Houten

1 before you came into court as a prospective juror?

2 MR. WATERS: No.

3 I have searched my mind, I have searched my mind
4 about it; I never -- I don't think, you know -- paid close
5 attention to it; I don't think I have.

6 MR. KEITH: Did you form any opinion about Manson
7 and the other defendants after the first trial?

8 MR. WATERS: Like I said, I never paid that close
9 attention to it. I didn't bother --

10 MR. KEITH: All right.

11 So you can assure me, as you have assured His Honor,
12 that you wouldn't be influenced by anything you have read, seen
13 or heard.

14 MR. WATERS: Yes, I can.

15 MR. KEITH: In the past about this case.

16 MR. WATERS: Yes.

17 MR. KEITH: And my notes show you hadn't seen the
18 television movie or the book that we have been talking about.

19 MR. WATERS: No, I haven't.

20 MR. KEITH: Has anybody, like fellow workers, friends,
21 relatives, ever talked to you about the book called "Ealter
22 Skelter" or the television movie by the same name?

23 MR. WATERS: I heard somebody say, "Maybe you should see
24 it," but I didn't see it.

25 MR. KEITH: All right.

26 Is there anything you can think of by way of
27 publicity about this case that makes you feel that it would be
28 difficult for you to give Miss Van Houten a fair trial?

1 MR. WATERS: No.

2 MR. KEITH: You are sure of that.

3 MR. WATERS: Positive.

4 MR. KEITH: Could you pass the microphone to
5 Mr. Williams.

6 Now, Mr. Williams ---

7 MR. WILLIAMS: Yes.

8 MR. KEITH: -- would your position be substantially the
9 same as Mr. Waters', who is seated next to you?

10 My notes indicate that you were aware of the first
11 trial but read very little about it, and you hadn't seen or
12 read any books about it or magazines or seen the television
13 show about it.

14 Is that right?

15 MR. WILLIAMS: That's correct.

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1 MR. KEITH: And you were aware that there had been a
2 first trial?

3 MR. WILLIAMS: Yes.

4 MR. KEITH: And, of course, you heard the name Manson
5 before?

6 MR. WILLIAMS: Yes.

7 MR. KEITH: Had you heard the name Leslie Van Houten
8 before you came into court as a prospective juror in this case?

9 MR. WILLIAMS: Best of my knowledge, if I heard it, it
10 wasn't a name that stuck with me or something as much maybe
11 as Manson would.

12 MR. KEITH: All right.

13 As you walked into court a week ago today and were
14 told that Miss Van Houten was going to be on trial, did that
15 ring any bell with you regarding any past recollection of what
16 she had done or was supposed to have done or who she's supposed
17 to have associated with or what she was supposed to have
18 believed?

19 MR. WILLIAMS: No, not really.

20 MR. KEITH: Have you read anything about Miss Van Houten
21 in the last year or so?

22 MR. WILLIAMS: No.

23 MR. KEITH: Or seen any television programs discussing
24 her?

25 MR. WILLIAMS: No.

26 MR. KEITH: Incidentally, did you live in Los Angeles
27 County in 1969 and '70?

28 MR. WILLIAMS: Yes, I did.

1 MR. KEITH: Okay. So you do not have any opinion about
2 whether or not Leslie is more likely guilty than innocent
3 because of any previous publicity about the case?

4 MR. WILLIAMS: No.

5 MR. KEITH: And you wouldn't be influenced by any
6 previous publicity about the case, would you?

7 MR. WILLIAMS: No.

8 MR. KEITH: Would you be influenced by the fact that
9 there had been a previous trial?

10 MR. WILLIAMS: No.

11 MR. KEITH: You are sure of that?

12 MR. WILLIAMS: Positive.

13 MR. KEITH: You would try this case solely from the
14 evidence that comes from the witness stand and not from anyplace
15 else?

16 MR. WILLIAMS: Yes.

17 MR. KEITH: Would you be kind enough to pass the
18 microphone to Mr. Wolfe, please.

19 Let's see now, Mr. Wolfe, apparently you followed
20 this Manson case, as it was called, rather closely in the
21 newspapers or in the media some years ago.

22 MR. WOLFE: Well, I'm in the habit of at least a couple
23 of times a week reading the papers quite thoroughly and
24 watching the news quite regularly.

25 MR. KEITH: Did you make any special effort back then
26 to follow the Manson trial, as it was called?

27 MR. WOLFE: Well, I don't know if I would say a special
28 effort, but I'm sure that I had a normal interest in a very

1 large thing that was going on at the time.

2 MR. KEITH: Naturally you were aware of the outcome of
3 that first case?

4 MR. WOLFE: Yes.

5 MR. KEITH: And you were aware of the name Leslie Van
6 Houten before you came into court a week ago today?

7 MR. WOLFE: Yes.

8 MR. KEITH: And did you associate her as being a defendant
9 in that other case?

10 MR. WOLFE: Yes.

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1 MR. KEITH: And so without telling me what you know, you
2 were aware of what happened to her in that case?

3 MR. WOLFE: Yes.

4 MR. KEITH: And you were also aware, by reason of more
5 recent publicity, that she was granted a new trial?

6 MR. WOLFE: Correct.

7 MR. KEITH: Incidentally, you didn't read the book
8 called "Helter Skelter," did you?

9 MR. WOLFE: No, I did not.

10 MR. KEITH: And you didn't see the television show, did
11 you?

12 MR. WOLFE: No.

13 MR. KEITH: Did anybody talk to you about the book or
14 television?

15 MR. WOLFE: No, not really, other than someone mentioned
16 they had gone to see it.

17 MR. KEITH: You did not have any extensive discussions
18 with anybody on the subject of the book or the television show?

19 MR. WOLFE: No.

20 MR. KEITH: What makes you think you can put aside what
21 you have read and heard about the case back in 1969 and '70,
22 bearing in mind you did follow it, you did know the outcome?

23 MR. WOLFE: Well, since I've been here now listening to
24 the questioning, I'm giving myself a thorough examination about
25 that. And I'd like to think of myself as a fair person --
26 okay? -- but I wonder now if maybe it is impossible for me to
27 do that completely.

28 MR. KEITH: Well, you probably had an opinion back in,

14-5
1 oh, 1970, '71, when that first case ended about Miss Van
2 Houten's guilt or innocence.

3 MR. WOLFE: Yes, I guess I did, right.

4 MR. KEITH: All right.

5 Now, the question is, do you still have that
6 opinion now?

7 MR. WOLFE: Well, I'm finding that I have some doubt
8 about that; that I do, in fact, have a little nagging there
9 somewhere that --

10 MR. KEITH: Well, that's fair enough. That's certainly
11 honest enough. I appreciate it.

12 The point that we -- That's not the end of the
13 story, though.

14 The point we have to determine in all our minds
15 is whether you can set aside this nagging doubt you have and
16 forget about it, forget about that opinion -- "opinion" maybe
17 isn't the right word; it's a partially formed opinion, perhaps --
18 forget about that opinion and try this case solely on the facts
19 you listen to here, or is that opinion going to continue to
20 nag you so that it might militate against your giving her a
21 fair trial?

22 MR. WOLFE: Well, I tend to believe that I could base a
23 judgment completely on the evidence that would be presented at
24 this time, since I do not really know any facts other than --

25 Everything I read in the newspaper I do not
26 consider to be fact; therefore, this would mean something
27 different than a newspaper account, as far as I'm concerned,
28 and I feel I would very likely be able to do that.

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That's to be as honest as I can.

MR. KEITH: I got the impression that your opinion, if you can call it that, was based upon your knowledge of the outcome of the first trial, which was, of course, reported in the press and other forms of news media. And I'm wondering if in order to dispel that opinion, for you to dispel that opinion, you are going to have to listen and hear evidence from the witness stand that does dispel it.

MR. WOLFE: Maybe so.

14-7
1 MR. KEITH: Let me go further.

2 You have heard us talk about the presumption of
3 innocence, have you not, since you have been sitting here?

4 MR. WOLFE: Yes.

5 MR. KEITH: And you realize that Miss Van Houten at the
6 present time is presumed to be innocent.

7 And you don't find fault with that principle of
8 law, do you?

9 MR. WOLFE: No.

10 MR. KEITH: I would ask if that presumption of innocence
11 has been poisoned in some manner because of your knowledge of
12 what had gone on before.

13 MR. WOLFE: No, I wouldn't go that far. I would just
14 try and be honest.

15 As I say, I feel there are perhaps some little
16 doubts there, but I really think that I could base a judgment
17 on evidence that was presented.

18 MR. KEITH: You don't think it would take some evidence
19 for you to be able to get rid of the nagging doubt that you
20 now have?

21 Do you understand that question?

22 MR. WOLFE: Yes, I do; but it is a very difficult
23 question to answer.

24 MR. KEITH: I know it's a difficult question to answer,
25 but you are sitting there. I'm not going to answer it for
26 you.

27 MR. WOLFE: I can't be sure about that. I don't think
28 so, that it would require evidence, as you say, to refute the

1 opinion or idea that I already had.

2 MR. KEITH: But you are not sure?

3 MR. WOLFE: I couldn't say that positively. I doubt if
4 anyone could, honestly.

5 MR. KEITH: All right. I'm not going to belabor the
6 point any further. You think about it. If you come up with a
7 different answer, please let us know. You are under oath to
8 do so.

9 MR. WOLFE: Yes.

10 MR. KEITH: Thank you. I have no challenges.

11 THE COURT: All right, thank you.

12 Mr. Kay?

13 MR. KAY: Mrs. Tosland, you told Mr. Keith that you left
14 the last part of 1968 because your mother died; is that right?

15 MRS. TOSLAND: I lost my mother.

16 MR. KAY: And how long were you out of the County of Los
17 Angeles?

18 MRS. TOSLAND: Not long. I went to Nebraska and then
19 Chicago and then I came back. And then I had to go back again.

20 MR. KAY: Now, before you came into this courtroom last
21 Monday, had you ever heard the name Charles Manson?

22 MRS. TOSLAND: No, not really. If I did, it was just
23 oblivious to me.

24 MR. KAY: Do you read a daily newspaper here in Los
25 Angeles?

26 MRS. TOSLAND: Sometimes at work, but not regularly. I
27 go to school, and I read what I want to read. And sometimes
28 I get the paper, the View and the ads and, you know.

14-9

1 MR. KAY: I take it when you get a newspaper if there
2 is any publicity about criminal trials or stuff like that, you
3 do not read that, or do you?

4 MRS. TOSLAND: If I wanted to, I would, but if I'm in a
5 hurry, I'm looking for a specific part, I just -- doesn't
6 matter. I mean, I might or I might not.

7 But I --

8 MR. KAY: Had you ever heard the name Tex Watson before
9 you came into this courtroom?

10 MRS. TOSLAND: No.

11 MR. KAY: Had you ever heard the name Linda Kasabian?

12 MRS. TOSLAND: No.

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1 MR. KAY: Had you ever heard of the term "helter-skelter"?

2 MRS. TOSLAND: No.

3 MR. KAY: Had you ever heard the name Squeaky Fromme?

4 MRS. TOSLAND: No.

5 MR. KAY: Do you watch the news on TV at all?

6 MRS. TOSLAND: Sometimes.

7 MR. KAY: I take it you don't work during the night?

8 MRS. TOSLAND: No, I do not.

9 MR. KAY: And you told Mr. Keith that you hadn't heard

10 the name of Leslie Van Houten until you came into court here

11 last Monday?

12 MRS. TOSLAND: That's right.

13 MR. KAY: So I take it you don't have any opinion about

14 Miss Van Houten's mental state at any time in her life --

15 MRS. TOSLAND: Not at all.

16 MR. KAY: -- since you never heard of them; is that right?

17 MRS. TOSLAND: That is right.

18 MR. KAY: Okay. Could you pass the microphone down to

19 Mr. Trevino.

20 Mr. Trevino, have you ever seen Miss Van Houten

21 on TV?

22 MR. TREVINO: Maybe I seen her, but I don't remember.

23 MR. KAY: Have you ever seen Mr. Keith on TV talking

24 about Miss Van Houten?

25 MR. TREVINO: No.

26 MR. KAY: Do you watch a nightly news program?

27 MR. TREVINO: When I have a chance. When my kids let me.

28 MR. KAY: What channel do you usually watch when you watch

1 the nightly news?

2 MR. TREVINO: Usually Channel 5.

3 MR. KAY: And have you seen anything about Miss Van Houten
4 on the Channel 5 news this year?

5 MR. TREVINO: No, sir.

6 MR. KAY: Do you read any daily newspapers?

7 MR. TREVINO: Only the race form.

8 MR. KAY: I take it you haven't read about Miss Van Houten
9 in the race form.

10 MR. TREVINO: No.

11 MR. KAY: What about the L. A. Times; do you ever read
12 that?

13 MR. TREVINO: No.

14 MR. KAY: Do you read anything besides the race form,
15 like the Herald, any local newspaper in the area you live in?

16 MR. TREVINO: No.

17 MR. KAY: And from what you know about this case, from
18 whatever source you know it from, have you formed any opinion
19 as to Miss Van Houten's mental state at the time of the
20 LaBianca murders?

21 MR. TREVINO: No, I don't remember anything at that time,
22 you know, right now. I don't remember it.

23 MR. KAY: Okay.

24 Well, I'm asking you now do you have an opinion?

25 MR. TREVINO: No, I don't have any opinion.

26 MR. KAY: Do you have an opinion as to the mental state
27 of anyone who participated in the so-called Tate-LaBianca
28 murders, what their state of mind was, whether they were

1 mentally ill or mentally unbalanced or crazy at the time of
2 their participation in those crimes.

3 Do you have any opinion as to that?

4 MR. TREVINO: No.

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1 MR. KAY: Okay.

2 Could you pass the microphone down to Mrs. Vicent.

3 Mrs. Vicent, do you read a local newspaper?

4 MRS. VICENT: Once in awhile.

5 MR. KAY: What paper is that?

6 MRS. VICENT: The Herald.

7 MR. KAY: Okay.

8 Have you read any articles about Miss Van Houten
9 in the Herald this year?

10 MRS. VICENT: No.

11 MR. KAY: Have you read any articles about her in any
12 other newspaper or magazine?

13 MRS. VICENT: No.

14 MR. KAY: Do you read Los Angeles Magazine?

15 MRS. VICENT: Los Angeles -- a magazine?

16 MR. KAY: Yes. I take it you haven't even heard of it.

17 MRS. VICENT: No.

18 MR. KAY: Do you read the Christian Science Monitor?

19 MRS. VICENT: No.

20 MR. KAY: Have you ever seen Mr. Keith on T.V. or
21 heard him on radio or read about him anywhere talking about
22 Miss Van Houten?

23 MRS. VICENT: No.

24 MR. KAY: Have you, from what you know about this case,
25 have you formed any opinion as to whether or not Miss Van Houten
26 might have been mentally ill or mentally unbalanced at the
27 time of the Labianca murders?
28

1 MRS. VICENT: No.

2 MR. KAY: Have you formed any opinion as to whether
3 anybody who participated in the so-called Tate-LaBianca
4 murders must have been crazy or mentally ill during the time
5 of their participation?

6 MRS. VICENT: No.

7 MR. KAY: Now, in this case the prosecution has the
8 burden not only of proving Miss Van Houten's guilt but we have
9 to prove the degree of her guilt.

10 In other words, we have the burden of proving
11 beyond a reasonable doubt that she had the mental capacity to
12 commit a willful, deliberate, premeditated murder in the first
13 degree.

14 Now, realizing that we have this burden, do you
15 think you can give us a fair trial in this case?

16 MRS. VICENT: Yes.

17 MR. KAY: Okay.

18 Can you pass the microphone down to Mr. Waters.

19 Mr. Waters, do you know who Linda Kasabian is?

20 MR. WATERS: No, I don't.

21 MR. KAY: Have you ever heard the name Tex Watson?

22 MR. WATERS: I don't think so.

23 MR. KAY: All right.

24 Have you heard the name Squeaky Fromme?

25 MR. WATERS: I have heard that name before.

26 MR. KAY: All right.

27 MR. WATERS: That kind of sticks with you.

28 MR. KAY: Yes; "Squeaky" is kind of an unusual first

1 name.

2 Do you know the meaning that the Manson family
3 gave to the term "halter skelter"?

4 MR. WATERS: No, I never -- no; I didn't think about it.

5 MR. KAY: Do you read a local paper in L.A.?

6 MR. WATERS: The headlines, maybe.

7 MR. KAY: You don't take one at home, though?

8 MR. WATERS: We used to take the Daily News, that's
9 about it.

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1 MR. KAY: But you don't take the Daily News any more?

2 MR. WATERS: No.

3 MR. KAY: What happened; you moved out of the area, or
4 you just didn't like the paper?

5 MR. WATERS: I didn't like the paper.

6 MR. KAY: Have you read any articles about Miss Van Houten
7 in any newspaper this year?

8 MR. WATERS: No, I haven't.

9 MR. KAY: Have you seen her on T.V. this year?

10 MR. WATERS: No.

11 MR. KAY: Do you watch a nightly news program on T.V.?

12 MR. WATERS: I usually try to catch the 6:00 o'clock news,
13 if possible.

14 MR. KAY: And what channel is that?

15 MR. WATERS: Channel 7.

16 MR. KAY: And you don't remember seeing Miss Van Houten
17 on the Channel 7 News at all this year?

18 MR. WATERS: No, I never seen her.

19 MR. KAY: Now, realizing that the burden that I just
20 told Miss Vicent that we have, of establishing beyond a
21 reasonable doubt that Miss Van Houten had the mental capacity
22 to commit a willful, deliberate, premeditated murder in the
23 first degree, do you think you can give the prosecution a
24 fair trial?

25 MR. WATERS: Yes, I can.

26 I never even thought about it. Since you brought
27 it up that way and put it in that manner, yes, I think I can.

28 MR. KAY: Do you have any opinion as to Miss Van Houten's

1 mental state at any time in her life?

2 MR. WATERS: No, I don't.

3 Like I said, I never heard of her.

4 MR. KAY: All right. That's a good reason for not
5 having an opinion.

6 All right. Could you pass the microphone down
7 to Mr. Williams.

8 Mr. Williams, do you read a local newspaper here
9 in L.A.?

10 MR. WILLIAMS: No, not really, per se.

11 MR. KAY: Not on a regular basis?

12 MR. WILLIAMS: No.

13 MR. KAY: Well, even if you read one on an irregular
14 basis, have you read anything about Miss Van Houten in any
15 newspaper this year?

16 MR. WILLIAMS: No, not really, because when I look at
17 that section of the paper I want something more joyful in the
18 paper; so I figure it's the same thing over and over.

19 MR. KAY: You want to get to the Dodgers?

20 MR. WILLIAMS: Yeah, the good things.

21 MR. KAY: I don't blame you.

22 Do you watch any nightly news programs on T.V.?

23 MR. WILLIAMS: No.

24 MR. KAY: Do you listen to the news on the radio at all?

25 MR. WILLIAMS: No news.

26 MR. KAY: Have you seen Miss Van Houten on T.V. at all
27 this year?

28 MR. WILLIAMS: Not to my knowledge, no.

1 MR. KAY: Have you seen Mr. Keith on T.V. or heard him
2 on the radio or read about him talking about Miss Van Houten
3 this year?

4 MR. WILLIAMS: No, not this year.

5 MR. KAY: And realizing the burden that we have, that I
6 told Mrs. Vicent and Mr. Waters about, do you think that you
7 can give the prosecution a fair trial in this case?

8 MR. WILLIAMS: Yes, I can.

9 MR. KAY: Do you have any opinion as to Miss Van Houten's
10 mental state at any time in her life?

11 MR. WILLIAMS: No.

12 MR. KAY: Okay, thank you.

13 Can you pass the microphone to Mr. Wolfe.

14 All right. Mr. Wolfe, I know you read the
15 papers, but I don't know which ones.

16 MR. WOLFE: The Times, primarily.
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1 MR. KAY: Okay.

2 Now, did you read an article about Miss Van Houten
3 in the month of February that purported to be an interview
4 with Miss Van Houten on the front page of the Times?

5 MR. WOLFE: I don't remember exactly when it was or
6 what it was, other than some information about the fact that
7 she had a retrial, and the reason for that.

8 MR. KAY: Now, was that one article that you read all
9 of it, or was there more than one?

10 MR. WOLFE: No, that was just one article in the Times.

11 That's all I see. I mean, lately, you know.

12 MR. KAY: Have you seen her on T.V. at all this year?

13 MR. WOLFE: No, I haven't.

14 MR. KAY: Now, have you formed any opinion about what
15 Miss Van Houten's state of mind was at the time of the
16 Labianca murders?

17 MR. WOLFE: Well, I'm sure I did at the time.

18 And again we have to go into how much of it have
19 I retained and how much of it have I --

20 MR. KAY: Yes.

21 MR. WOLFE: I believe that I could be --

22 MR. KAY: Well, let me put it this way:

23 As you are sitting there right now, April 4,
24 1977, do you have an opinion right now, today, about what
25 Miss Van Houten's mental state was at the time of the
26 Labianca murders?

27 MR. WOLFE: Yes, I guess I do. At the time, at that
28 time.

1 MR. KAY: And do you have an opinion that whoever
2 participated in the so-called Tate-Labianca murders must have
3 been crazy or mentally unbalanced at the time of their
4 participation in those crimes?

5 MR. WOLFE: I guess that would be a fair appraisal of
6 how I would have to feel about it, yes.

7 MR. KAY: Now, because of the opinion that you have
8 about Miss Van Houten and anyone who would participate in the
9 Tate-Labianca murders, do you really think, realizing what
10 our burden is -- you know, I have to establish to whatever
11 jury sits in that jury box that Miss Van Houten had the
12 mental capacity to commit a willful, deliberate, premeditated
13 murder of the first degree -- do you really believe that you
14 can be fair to the prosecution in this case?

15 MR. WOLFE: Yes, I really do.

16 I believe that -- Well, for one thing, it's been
17 a long time ago and people's attitudes can change.

18 MR. KAY: But --

19 MR. WOLFE: I see what you are saying.

20 MR. KAY: I'm asking you if you have an opinion now,
21 and you told me you did have an opinion right now.

22 MR. WOLFE: Yes.

23 MR. KAY: Do you think that I would have to put on some
24 evidence, up on the witness stand to change your opinion since
25 you do have an opinion now?

26 Do you think you'd want to see somebody testifying
27 to the fact that maybe she didn't have any mental problems
28 at the time, and that might change your opinion.

1 Would you want to see that type of evidence on
2 the stand before your opinion would change?

3 MR. WOLFE: Well, I don't really know how to answer
4 these questions. I was trying to be fair and still --

5 MR. RAY: Well, that's what both of us want.

6 You see, we are both entitled to a fair trial.

7 Miss Van Houten is entitled to a fair trial, and
8 the prosecution is entitled to a fair --

9 MR. WOLFE: Well, you are asking me sort of a
10 hypothetical question.

11 I don't have any idea what kind of evidence might
12 be presented. Right?

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1 MR. KAY: Right. But --

2 MR. WOLFE: All I'm telling you is I do in fact have
3 some feelings about this incident and probably the mental
4 state that anyone -- anyone would probably have to be in.

5 MR. KAY: Okay.

6 What I am saying is, because you have this
7 opinion at this time about what the mental state might have
8 been on the participants in these crimes, would you require
9 us to put on evidence to change that opinion?

10 MR. WOLFE: Well, there is no question but what some
11 evidence could change my opinion.

12 MR. KAY: Right. Evidence --

13 You feel that if we put on evidence, that could
14 change your opinion.

15 MR. WOLFE: It could.

16 MR. KAY: But if we didn't put on evidence, you
17 probably would have the same opinion.

18 MR. WOLFE: I'd probably feel the same way, yes.

19 MR. KAY: And in view of that, do you feel that you
20 could really give the prosecution a fair trial in this case?

21 MR. WOLFE: Well, I still believe that I could judge
22 on the evidence that is presented at the time.

23 MR. KAY: Yes; but what if no evidence was presented
24 to change your opinion.

25 MR. WOLFE: There would have to be some evidence.

26 MR. KAY: But what if there wasn't?

27 MR. WOLFE: Okay.

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

1 MR. KAY: All right.

2 THE COURT: Do you have any further questions?

3 MR. KAY: No; I think it's clear. I don't have any
4 more.

5 THE COURT: Is there any need to approach the bench?
6 All right; you are through questioning the
7 juror.

8 Will counsel approach the bench.

9 MR. KEITH: I didn't mean to interrupt you.

10 MR. KAY: No, that's all right.

11 (The following proceedings were held
12 at the bench:)

13 THE COURT: All right. What did you have in mind?

14 MR. KEITH: Well, I was going to object to some of his --
15 to his last questions on the ground that --

16 THE COURT: Well, since he didn't ask any more questions,
17 where are we now?

18 MR. KAY: I will still challenge Mr. Wolfe. He said
19 he would require evidence.

20 MR. KEITH: I think he's equivocal. I will object to
21 the challenge.

22 THE COURT: All right. I will note it for the record.
23 I am going to ask him a couple of questions and
24 then I will rule on it.

25 MR. KAY: Okay.

26 MR. KEITH: Thank you.

27 THE COURT: There are no other challenges, I take it.

28 MR. KAY: No.

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MR. KETTER: No, Your Honor.

THE COURT: All right.

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1 (The following proceedings were held in
2 open court:)

3 THE COURT: All right, Mr. Wolfe, you understand that
4 it is important that each juror have an open mind concerning
5 this case, don't you?

6 MR. WOLFE: Yes, I do.

7 THE COURT: And you understand that it would be inap-
8 propriate for someone to sit on a case if, because of publicity,
9 they had an opinion one way or the other.

10 You understand that?

11 MR. WOLFE: I think I do.

12 THE COURT: And particularly so where the opinion was
13 such that one side or the other would have to put on some
14 evidence in order to get that opinion out of your mind and
15 start from ground zero.

16 Do you understand what I'm saying?

17 MR. WOLFE: Yes, I think I do.

18 THE COURT: In other words, if a juror has an open mind
19 about it, then the mind is open and the evidence comes in and
20 you weigh the evidence. And it would be inappropriate to have
21 a juror on the jury who already has such a state of mind that
22 it would require one side or the other to put on evidence in
23 order to get this open mind insured.

24 Do you understand?

25 MR. WOLFE: Yes.

26 THE COURT: I know it is very difficult for you to
27 answer the question, and we have had some problem in even
28 asking you the question, but what I'm trying to get at is, are

1 you in the category of someone who has an open mind and would
2 weigh the evidence without regard to any publicity you have
3 heard, or do you fit into the category of the person who,
4 because of pretrial publicity, already tends to go one way or
5 the other requiring the other side to put on some evidence to
6 get you to this ground zero position?

7 MR. WOLFE: Well, Your Honor, the only thing I can say
8 is I believe -- I consider myself to be an open-minded person,
9 and I believe that I would judge whatever evidence is presented
10 at this time and make a decision on that basis without regard
11 to anything else I have heard.

12 THE COURT: In other words, you would put completely out
13 of your mind any pretrial publicity you heard in this case;
14 you would listen to the evidence; and then you would decide
15 the case.

16 Is that what you're saying?

17 MR. WOLFE: I believe I would do that, sir.

18 THE COURT: All right, thank you.

19 All right, the challenge is disallowed.

20 Would the clerk or the bailiff --

21 THE CLERK: Okay, just go ahead.

22 THE COURT: All right. Ladies and gentlemen, you are
23 excused at this time. Bear in mind the admonition you received
24 a number of times, and I won't repeat it right now, but they
25 will take you back to Department 106 to await further develop-
26 ments. Thank you.

27 (The remaining jurors left the courtroom.)

28 THE COURT: All right. This would be an appropriate time

1 to take a recess.

2 We have an additional panel of 50 jurors coming
3 into the courtroom as soon as they can be brought up. So
4 until they are here, we will be in recess.

5 Defendant and counsel are ordered to remain in
6 attendance on the court so when they are here we are ready to
7 go.

8 All right, would counsel approach the bench just
9 one second, please. This will be off the record.

10 (Discussion held at the bench, not reported.)

11 (Recess taken.)

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1 THE COURT: Good afternoon, ladies and gentlemen. Welcome
2 to Department 130 of the Superior Court.

3 This is the case of People of the State of
4 California versus Leslie Van Houten.

5 The matter is before the court concerning the
6 selection of a jury at this time. Both sides have announced
7 ready.

8 Would the clerk please swear the panel.

9 THE CLERK: Would the prospective jurors please rise.

10 Would you raise your right hand, please.

11 You and each of you do solemnly swear that you will
12 well and truly answer such questions as may be asked of you
13 touching upon your qualifications to act as a trial juror in
14 the cause now pending before this court, so help you God.

15 PROSPECTIVE JURORS: I do.

16 THE CLERK: Just be seated, please.

17 Thank you.

18 THE COURT: All right, ladies and gentlemen, this matter
19 is before the court on an indictment which is in several counts,
20 three counts of which concern the present defendant and the
21 case before the court.

22 The first count is Count VI of the indictment. It
23 states that

24 Charles Manson, Charles Watson,
25 Patricia Krenwinkel, Linda Kasabian, Susan
26 Atkins, and the defendant before this court,
27 are accused by the Grand Jury of the County
28 of Los Angeles, State of California, by this

1 indictment of the crime of murder, in violation
2 of section 187, Penal Code of California, a
3 felony, committed prior to the finding of this
4 indictment and as follows:

5 That on or about the 10th day of
6 August, 1969, at and in the County of Los
7 Angeles, State of California, Charles Manson,
8 Charles Watson, Patricia Krenwinkel, Linda
9 Kasabian, Susan Atkins, and the defendant
10 before this court, did willfully, unlawfully,
11 feloniously, and with malice aforethought
12 murder Leno A. LaBianca, a human being.

13 The second count we are concerned with is Count VII
14 of the indictment. It states in part,

15 Charles Manson, Charles Watson,
16 Patricia Krenwinkel, Linda Kasabian, Susan
17 Atkins, and the defendant before this court,
18 are accused by the Grand Jury of the County of
19 Los Angeles, State of California, by this
20 indictment of the crime of murder, in violation
21 of section 187, Penal Code of California, a
22 felony, committed prior to the finding of this
23 indictment and as follows:

24 That on or about the 10th day of
25 August, 1969, at and in the County of Los Angeles,
26 State of California, Charles Manson, Charles Watson,
27 Patricia Krenwinkel, Linda Kasabian, Susan Atkins,
28 and defendant before this court, did willfully,

1 unlawfully, feloniously, and with malice afore-
2 thought murder Rosemary LaBianca, a human being.

3 The third and final count we are concerned with is
4 Count VIII of the indictment. It states in part,

5 Charles Manson, Charles Watson,
6 Patricia Krenwinkel, Susan Atkins, Linda
7 Kasabian, and the defendant before this court,
8 is accused by the Grand Jury of the County of
9 Los Angeles, State of California, by this
10 indictment of the crime of conspiracy to commit
11 murder, in violation of section 182.1 and 187,
12 Penal Code of California, a felony, committed
13 prior to the finding of this indictment and as
14 follows:

15 That on or about the 8th through
16 the 10th day of August, 1969, at and in the
17 County of Los Angeles, State of California,
18 Charles Manson, Charles Watson, Patricia
19 Krenwinkel, Susan Atkins, Linda Kasabian, and
20 the defendant before this court, did willfully,
21 unlawfully, feloniously, and knowingly conspire,
22 combine, confederate, and agree together, and
23 with persons whose true identity is unknown, to
24 commit the crime of murder, a violation of
25 section 187, Penal Code of California, a felony.

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1 That pursuant to and for the purpose
2 of carrying out the objects and purposes of the
3 aforesaid combination, agreement and conspiracy,
4 they committed the following Overt Acts at and in
5 the County of Los Angeles:

6 Overt Act No. I:

7 That on or about August 8, 1969,
8 Charles Watson, Patricia Krenwinkel, Susan Atkins
9 and Linda Kasabian did travel to the vicinity of
10 10050 Cielo Drive in the City and County of
11 Los Angeles.

12 Overt Act No. II:

13 That on or about August 8, 1969,
14 Charles Watson, Patricia Krenwinkel and
15 Susan Atkins did enter the residence at 10050 Cielo
16 Drive, City and County of Los Angeles.

17 Overt Act No. III:

18 That on or about August 10, 1969,
19 Charles Manson, Charles Watson, Patricia Krenwinkel,
20 Susan Atkins, Linda Kasabian, and the defendant
21 before this court did travel to the vicinity of
22 3301 Waverly Drive, City and County of Los Angeles.

23 Overt Act No. IV:

24 That on or about August 10, 1969,
25 Charles Manson, Charles Watson, Patricia Krenwinkel
26 and the defendant before this court did enter the
27 residence at 3301 Waverly Drive, City and County of
28 Los Angeles.

1 To each of these three counts before the court
2 the defendant has entered a plea of not guilty.

3 The defendant in this case is Leslie Van Houten.

4 Would you please stand and face the panel.

5 (Defendant complies.)

6 THE COURT: Thank you.

7 Miss Van Houten is represented by Mr. Maxwell Keith.

8 (Mr. Keith faces panel.)

9 THE COURT: Thank you.

10 The People in this case are represented by
11 Stephen Kay, Deputy District Attorney.

12 (Mr. Kay faces panel.)

13 THE COURT: Now, in the selection of the jury in this
14 case the court first wants to inquire of this panel as to
15 only one issue, and that issue we are going to discuss with
16 you now is the issue of hardship.

17 The court wants to point out several things:

18 One, it is estimated that this case will take
19 approximately three months to try.

20 The second factor is this: The court does not
21 anticipate sequestering the jury up until the time that the
22 evidence is all in.

23 By "sequestering" -- if the court were to order
24 the jurors sequestered, that means that you would be kept
25 under the supervision of the bailiffs; you would eat meals
26 under their supervision; you would be housed in a hotel, and
27 you would not have the opportunity of going home each day.
28 In fact, you would not go home.

1 The court does not anticipate ordering
2 sequestration in this case up until the time that, in essence,
3 the jury would retire to deliberate in the case.

4 Once you retire to deliberate the court is of
5 a mind to order sequestration for the period of deliberations.

6 So the question that I want to ask the group of
7 jurors before the court at this time is this:

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1 Will any of you find it difficult or impossible
2 to participate in a trial that would take approximately three
3 months to try?

4 Or would this somehow affect your ability to
5 be a fair and impartial juror in this case?

6 So the point I want -- the only question I want
7 to ask you at this time is this one question -- the jurors
8 will be examined as to other questions at other times.

9 The sole question is: Would you find it
10 difficult or impossible to participate in a trial that may
11 take three months to complete?

12 Now, I would like to first direct that question
13 to anyone who is seated in the first row. If you think you
14 fall into that category, would you please stand.

15 All right. I would like to start, ma'am, with
16 you with the microphone.

17 Would you state your name, please.

18 MS. JOHNSON: I'm Starrie Johnson, and I'm under
19 medication right now at Kaiser Hospital.

20 THE COURT: Does that require that you be at the hospital
21 at particular times?

22 MS. JOHNSON: Certain days, yes.

23 THE COURT: I beg your pardon?

24 MS. JOHNSON: Certain days. I am supposed to be there
25 for a physical.

26 THE COURT: Well, how often do you have to be there
27 for medical treatment?

28 MS. JOHNSON: Well, I really don't know now because I

1 told them that I would be here and I would be here for a
2 month.

3 THE COURT: Yes.

4 MS. JOHNSON: And so I was excused -- I went there
5 last week.

6 So I don't know what they would say now.

7 THE COURT: Well, is what you are telling me, you
8 could be a juror for 30 days but any time beyond that would
9 cause you a medical problem?

10 MS. JOHNSON: It could.

11 THE COURT: All right; you may be seated. Thank you.

12 All right, sir, could we have your name, please.

13 MR. McLOUGHLIN: My name is Maurice McLoughlin.

14 THE COURT: Yes, sir. What is the nature of your
15 hardship, please?

16 MR. McLOUGHLIN: I'd almost not like to answer questions
17 on that, Your Honor.

18 I'm an engineering supervisor at a large oil
19 company, and I don't know but what I would be just a little
20 nervous after two or three months away from that position.

21 That is or is not a hardship, depending on how you
22 would like to ask the questions.

23 THE COURT: Well, let me ask you this: If you were to
24 be on a case that would take up to three months, would your
25 salary continue while you were on this case?

26 Sometimes a number of employers will pay the
27 salary through the entire period, even if it goes beyond a
28 month. Some will not.

1 Will you fall in that category where you would
2 suffer a financial hardship if you were to stay on the case?

3 MR. McLOUGHLIN: I do not have any history to report on
4 that.

5 I haven't known any of my fellows or my peers
6 that have spent such an amount of time on a jury, sir.

7 THE COURT: Well, what would cause the nervousness to
8 you now? I don't understand that.

9 MR. McLOUGHLIN: I'd just have to say that I would be --
10 as a result of the fact that I felt myself to be under -- and
11 my company to be under some strain to come for a month.

12 I'm one third of a total department. I just
13 believe that under the circumstances I would be -- I'd be
14 put under quite a little bit of mental strain over the
15 expectations of me, in all.

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1 THE COURT: Well, let me ask you this: If you were to
2 sit on a case that would take three months, would you be
3 concerned to the extent that you would not be able to concen-
4 trate on the case?

5 MR. MC LOUGHLIN: I think I'd have to say I would be,
6 Your Honor, yes.

7 THE COURT: All right, thank you. You may be seated.

8 Ma'am, could we have your name, please.

9 MS. HAYES: My name is Kathleen Hayes, and my employer
10 would only pay for one month.

11 THE COURT: And by whom are you employed?

12 MS. HAYES: Security Pacific Bank.

13 THE COURT: All right, ma'am. You may be seated. Thank
14 you.

15 MS. REAGAN: I'm Elizabeth Reagan, and I work for a
16 company where two or three days a month we sell food stamps
17 and cash county checks, and there is no one to replace me,
18 and it would make a hardship.

19 I could manage maybe for this month, it would be
20 only one day that I would have to miss, but I do not know how
21 they could manage with three months.

22 THE COURT: All right, thank you. You may be seated.

23 Ma'am, could we have your name, please.

24 MS. WICKS: My name is Roberta Wicks, and I work for a
25 large engineering corporation. And the people that are
26 covering my desk while I am gone are going to be stretching
27 it. There is an awful lot of work.

28 And for a period of three months, I may not have a

1 job to go back to.

2 THE COURT: You mean if you were off here for three
3 months, you might lose your employment?

4 MS. WICKS: Well, I might have to go back to another
5 position rather than the one I left.

6 THE COURT: All right, thank you.

7 Sir, could we have your name, please.

8 MR. BURTON: Yes. My name is James Burton. I'm a field
9 sales engineer for Beckman Instruments. I'm responsible for
10 a fairly large area.

11 I don't think the company would go broke if I were
12 off for three months, but it might affect somewhat of their
13 sales in the area.

14 Also, I am fairly active with the Naval Reserve.
15 I'm a captain in the Navy Reserve. I'm also an officer in
16 the Naval Reserve Association and Association of Naval
17 Aviation. And there are some scheduled activities coming up,
18 well, this month and also the next two months following that,
19 which I will have quite a bit of responsibility for.

20 THE COURT: Are those activities during the week?

21 MR. BURTON: They are during the week and weekends both.

22 THE COURT: And during the day or in the evening?

23 MR. BURTON: Yes, sir, during the day. Two of them are
24 all day -- all-day luncheons, really.

25 THE COURT: And that's during the week you are talking
26 about?

27 MR. BURTON: Yes, sir, during the week.

28 THE COURT: All right, thank you. You may be seated.

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Sir, could we have your name, please.

MR. TUMA: Yes. My name is Garth Tuma.

THE CLERK: What was your last name, sir?

MR. TUMA: Tuma, T-u-m-a.

THE CLERK: Thank you.

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1 MR. TUMA: I work for the Los Angeles Times. And my
2 hardship is primarily, although policy dictates that jury duty
3 is fine and they pay for it, they were not excited about me
4 coming in in the first place. Because I've got a project to
5 get done, which I'm trying to get done in the jury room right
6 now.

7 A supervisor can also inflict hardship on you when
8 you get back despite the fact that you are being paid.

9 THE COURT: What kind of work do you do?

10 MR. TUMA: I'm a computer programmer.

11 THE COURT: Well, are you telling me you think you may
12 be harassed as a result of staying in court for three months?

13 MR. TUMA: Yes. There was one other case that it
14 happened.

15 THE COURT: Would your salary continue?

16 MR. TUMA: Yes, sir.

17 THE COURT: All right, thank you.

18 MR. TUMA: I think it will. I'm pretty sure it will.

19 THE COURT: All right, thank you.

20 Yes, sir. Could we have your name, please.

21 MR. TWITCHELL: Tom Twitchell.

22 THE CLERK: What was the last name again?

23 MR. TWITCHELL: Twitchell.

24 THE COURT: Twitchell.

25 MR. TWITCHELL: T-w --

26 I'm currently a manager of Information Systems at
27 Northrup.

28 So far as I know, I think they will pay. I'm not

20-5
1 sure. I know they will for the first month.

2 We are in the process of reorganizing our
3 organization.

4 Also, I'm a father of four, one of which was hit
5 in a crosswalk in November, and he's in the process of
6 recovering.

7 THE COURT: All right.

8 Now, let me say to you, as well as to anybody else,
9 that you will have an opportunity to call your employer if
10 there is any question in your mind about whether or not your
11 pay will continue. And then you could let us know either --
12 well, probably tomorrow.

13 So that if anyone has that doubt in their mind,
14 you can always call your employer today or tomorrow and let us
15 know tomorrow morning if you have any questions about that.

16 All right. Thank you, sir.

20a
17 All right. Now, I'd like to direct the same
18 question about hardship to any of those seated in the second
19 row.

20 Would you stand, please.

21 All right, ma'am, could we have your name, please.

22 MS. YOUNG: My name is Louise Young, and I work for
23 an insurance company.

24 I'm not sure if they will pay me for three months,
25 but I will be leaving for England on June 12th.

26 THE COURT: Is that a vacation?

27 MS. YOUNG: Yes.

28 THE COURT: Have you already made plans for that?

20-6
1 MS. YOUNG: Yes.

2 THE COURT: All right, thank you.

3 MS. NAVARETTE: My name is Frances Navarette, and I'm
4 not sure about the three months, but I rely on overtime for --
5 I'm the only one supporting the home. And I depend on overtime.

6 So that's the only thing I'm worried about.

7 THE COURT: Where are you employed?

8 MS. NAVARETTE: Ansley Electronics in Pasadena.
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1 THE COURT: What you are saying is that if you were on
2 jury for three months, they'd pay your base salary, but you
3 would not get the overtime.

4 MS. NAVARETTE: I'm sure the one month, but I'm not sure
5 of the three; but I depend on overtime to make my bills. So I
6 won't be getting overtime for this month. I could make it.
7 But three months, I'm not sure.

8 I'm not sure -- I know. I need that extra.

9 THE COURT: All right, thank you.

10 Ma'am, could we have your name, please.

11 MS. ANDREWS: Yes. My name is Barbara Andrews.

12 I have three minor children, and I'm in the process
13 of a divorce. And it would be a hardship.

14 THE COURT: Is there anyone to care for the children?

15 MS. ANDREWS: No, sir.

16 THE COURT: All right, thank you.

17 Yes, sir.

18 MR. HICKS: My name is Leroy Hicks, and the company will
19 only pay for 30 days.

20 THE COURT: What company is that?

21 MR. HICKS: Hughes Aircraft.

22 THE COURT: All right, thank you.

23 Sir, could we have your name, please.

24 MR. ACOSTA: My name is Nello Acosta. I am security
25 agent for the Unified School District.

26 THE COURT: Excuse me, it is Nello Acosta?

27 MR. ACOSTA: Yes, sir.

28 THE COURT: All right, thank you.

20-8
1 MR. ACOSTA: I'm a security agent for the Unified School
2 District. And I wouldn't know if they would pay me for the
3 three months, and I wouldn't know if they would let me go this
4 long. I would have to find out.

5 THE COURT: You can check and let us know tomorrow, can't
6 you?

7 MR. ACOSTA: Yes, sir.

8 THE COURT: All right, thank you.

9 All right, now, the third row back, is there anyone
10 who feels they'd suffer a hardship?

11 All right, sir, could we have your name, please.

12 MR. DOUBT: Leon Doubt.

13 THE COURT: Yes, what is the nature of the hardship?

14 MR. DOUBT: I don't have a hardship, but I'm free to serve
15 until July 1, which is adequate time.

16 But I have a problem from June 1 to June 10th, a
17 prior commitment.

18 THE COURT: What is the nature of that commitment?

19 MR. DOUBT: It's a matter of my son and wife coming here
20 for the ten days.

21 THE COURT: So you have a vacation planned?

22 MR. DOUBT: He's from out of state.

23 THE COURT: You have a vacation planned for that ten-day
24 period?

25 MR. DOUBT: To be with them for that period, yes.

26 THE COURT: All right.

27 MR. DOUBT: Other than that I'm free to serve and I'd
28 like to serve, except for that one week, if there is some way

1 it would be possible for me to be excused for that one week.

2 THE COURT: All right, thank you, sir. You may be
3 seated.

4 Ma'am, could we have your name, please.

5 MS. MURRAY: My name is Maureen Murray, and I work for
6 the chief economist of a large oil company. And he goes out
7 of town to Washington on frequent trips, and there is no one
8 else to --

9 It's the confidential nature of the work that won't
10 allow anyone else to do it.

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1 THE COURT: And what is the name of your employer?

2 MS. MURRAY: Atlantic Richfield.

3 THE COURT: All right, thank you.

4 Sir, could we have your name, please.

5 MR. CLIFFORD: My name is Lawrence Clifford, and I work
6 for Universal Star Market as a retail clerk.

7 My employer asked me previously that if it came that
8 I would have a trial longer than a month that I ask to be
9 excused in that it would cause some hardship in the store in
10 that we have very few personnel.

11 THE COURT: How many clerks do you have?

12 MR. CLIFFORD: In the grocery department there is
13 approximately eight for the whole store.

14 THE COURT: All right.

15 MR. CLIFFORD: That's including the manager.

16 THE COURT: How many hours are you open a day?

17 MR. CLIFFORD: We are open from 9:00 to 9:00.

18 THE COURT: That is seven days?

19 MR. CLIFFORD: Yes.

20 THE COURT: All right, thank you.

21 Sir, could we have your name, please.

22 MR. ROGERS: Yes, sir. My name is Jack Rogers and I
23 work for J. T. Jenkins.

24 I could work for this month, but next month
25 vacations are starting. And I got one more fellow that is
26 under me, and I have to take his job while he goes on vacation
27 for a month.

28 THE COURT: All right, thank you, sir. You may be

1 seated.

2 Could we have your name, please.

3 MR. GAIN: Yes, Your Honor, my name is Anthony Gain, and
4 I'm with the City of Los Angeles. I am senior engineer in
5 charge of the city's electronics division.

6 I can serve for 30 days, but beyond that we are
7 in the middle of major communication projects for the police
8 department and the fire department. And consequently decisions
9 have to be made that are -- some of which are peculiar within
10 my own ability, and my assistant will be gone in June of this
11 year.

12 So I am covering the administrative matters in
13 the morning and after jury duty, but I think three months would
14 be extending it quite a bit, Your Honor.

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1 THE COURT: Thank you, sir.

2 Could we have your name, please.

3 MR. LOZANO: My name is Robert Lozano. I'm an Aerospace
4 design engineer for Rockwell International.

5 And three months' absence from work would create
6 a financial hardship for me because the company will only pay
7 me 30 days.

8 THE COURT: Thank you. You may be seated.

9 All right. Is there anyone in the next row back
10 that has a hardship problem?

11 Could we have your name, please.

12 MS. SMITH: My name is Ida Smith, and I have two minor
13 children.

14 One has a head injury and heart condition, and I
15 can't leave them.

16 THE COURT: All right; thank you.

17 Ma'am, could we have your name, please.

18 MS. MARBIA: My name is Rebecca Marbra. I'm not sure
19 if my job would pay.

20 I know they will pay for 30 days, but I don't
21 think they will for three months.

22 THE COURT: By whom are you employed?

23 MS. MARBIA: J. J. Newbarrys.

24 THE COURT: You will check on that for us?

25 MS. MARBIA: Yes.

26 THE COURT: All right; thank you.

27 Yes, ma'am.

28 MS. DAY: My name is June Day, and I work for the

21-2

1 L.A. Board of Education.

2 My boss knows I'm going to be gone for 30 days,
3 but I didn't get permission to be gone any longer, and I
4 have to check on that.

5 THE COURT: All right. Would you check on that, please.

6 MS. DAY: Thank you.

7 THE COURT: All right, thank you.

8 MS. HALBERG: My name is Carol Halberg, and I have a
9 minor child at home with no other supervision.

10 THE COURT: How old is your child?

11 MS. HALBERG: She is 13.

12 THE COURT: Do you have someone who will watch her for
13 this month you are on jury duty?

14 MS. HALBERG: Yes, I do.

15 THE COURT: But you would have a problem if you had to
16 go an additional 60 days, is that what you are telling me?

17 MS. HALBERG: Right.

18 THE COURT: All right, thank you.

19 Sir, could we have your name.

20 MR. SEALOCK: I'm Carl Sealock. I'm a radio
21 maintenance engineer for Pacific Telephone.

22 I'd rather be excused. I have a rather extensive
23 vacation starting June 12th with my entire family for the
24 first time in five years.

25 THE COURT: How long a vacation is that?

26 MR. SEALOCK: Four weeks.

27 THE COURT: All right, thank you, sir.

28 Yes, sir.

21-3

1 MR. KALISH: My name is Stefan Kalish. I work for
2 Bell and Howell Machinists.

3 And I don't know if the company will pay me for
4 90 days. I know they pay for 30 days.

5 THE COURT: Would you check with them and let us know.

6 MR. KALISH: Yes, I will.

7 THE COURT: All right, thank you.

8 Yes, sir.

9 MR. DUGGAN: Norris Duggan, Mechanical Department,
10 Los Angeles County.

11 I don't know whether they will go 90 days. I
12 don't know what the exact policy is with the County.

13 I know 30 days.
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1 THE COURT: We have had a number of jurors who have
2 checked, and they have assured us that the County will
3 continue paying it; but why don't you call them and --

4 MR. DOGGAN: Well, also --

5 THE COURT: -- and let us know.

6 MR. DOGGAN: Excuse me.

7 Also, I do have a problem at home. My wife is
8 an invalid, and my son is undergoing chemotherapy for
9 Hodgson's disease.

10 My mother-in-law is staying with me, and she is
11 also having to be treated for a skin eruption.

12 THE COURT: All right; thank you, sir.

13 Yes, sir.

14 MR. KLUTE: My name is Andreas Klute, and I work for
15 Hughes Aircraft.

16 THE COURT: Excuse me; how do you spell your last name.

17 MR. KLUTE: K-l-u-t-e.

18 THE COURT: All right. I have it now.

19 MR. KLUTE: And my company will only pay 30 days. It
20 will be a financial hardship.

21 THE COURT: What company is that?

22 MR. KLUTE: Hughes Aircraft.

23 THE COURT: All right; thank you, sir.

24 Yes, sir.

25 MR. HARDT: My name is Allen Hardt, and I'm an instructor
26 at L.A. Trade Technical College, the Los Angeles Community
27 College District.

28 Now, I am not certain as to whether or not they

1 will pay longer than 30 days.

2 However, Your Honor, you may rest assured I will
3 find out.

4 THE COURT: All right; thank you.

5 Yes, sir.

6 MR. JOHNSON: My name is Eddie Johnson. I work for
7 Thriftmart Warehouse, and I'm not sure that they will pay
8 for over 20 days.

9 So I will have to check and find out.

10 THE COURT: All right. Thank you, sir.

11 Yes, sir.

12 MR. HILLYER: My name is Nat Hillyer. I'm with
13 Pacific Telephone.

14 I have a key position as a manager, and I want
15 to let my boss know and see if it will create a hardship by
16 not being there.

17 And the next three months I know are going to be
18 problem areas.

19 I want to make sure that I know what he has to say
20 about this; and I will check.

21 THE COURT: You will check and let us know?

22 MR. HILLYER: Yes.
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1 THE COURT: Thank you.

2 Yes, sir.

3 MR. CHEREMETEFF: My name is Alexander Cheremeteff.

4 I work as a mail clerk at an advertising agency.

5 And if I stay so long, there will be a great
6 hardship for the work in my section.

7 THE COURT: All right. How do you spell your last name?

8 THE CLERK: It is C-h, Your Honor.

9 MR. CHEREMETEFF: C-h-e-r-e-m-e-t-e-f-f.

10 THE COURT: Thank you.

11 How would that cause a hardship?

12 MR. CHEREMETEFF: Because I'm in charge of the
13 distribution and processing of all incoming and outgoing
14 mail, sir, you know.

15 And besides that, the one who's doing my job, he's
16 also in the print shop, and that will be a great hardship for
17 him, to do both jobs so long a time.

18 THE COURT: All right; thank you.

19 You may be seated.

20 Is there anyone I have overlooked? Not that I
21 am encouraging anyone else to stand up, but I don't want
22 anybody to say tomorrow that I didn't give them a chance to
23 stand up today.

24 All right. Will counsel approach the bench,
25 please.

26 (The following proceedings were held
27 at the bench.)

28 THE COURT: Let me say this right now: We have got

1 59 jurors already downstairs that have been through the
2 process, so we are seeking additional ones over and above
3 that, with the idea that we can -- we can't get too big a
4 crowd in this courtroom.

5 MR. KAY: I understand that.

6 THE COURT: So if you look at it that we end up with
7 -- a little over -- what was it, 59 out of 150, and out of
8 this other one we ought to end up with what, 20? That's
9 after publicity.

10 MR. KAY: We have got 19 -- I mean, if everybody --
11 Of course everybody is not going to be here.

12 THE COURT: Well, we ended up after hardship before
13 with 90 out of 150, which meant we lost -- we saved 30 out of
14 each 50, or lost 20.

15 All right. Let's go down the list.

16 Do you have them in alphabetical order?

17 MR. KEITH: Yes. Acosta was going to check.

18 THE COURT: Yes; we will skip him.

19 Andrews I think ought to go. She has got the
20 children.

21 MR. KAY: I don't have any objection to that.

22 THE CLERK: I have a problem, unless you know which
23 row she is in, unless you want to wait a minute.

24 MR. KAY: She is in the second row.

25 THE CLERK: Why don't you wait a second. Here she is.

26 THE COURT: Okay. Now, this Navy reserve captain, he's
27 got a problem.

28 MR. KEITH: I have no objection.

1 MR. KAY: I object to him. I think he has a hardship,
2 but the employer -- now, those Naval Reserve things --
3 I mean, I know those aren't any big deal, and he
4 can get --

5 You know, you didn't tell the jurors we weren't
6 going to be in session on Fridays. These things might be
7 on on a Friday, these luncheons he has.

8 And I don't think that's any big hardship on him,
9 for him to miss a Naval Reserve luncheon.

10 I mean, I was in the Army Reserve, and I know
11 people in the Navy Reserve, and it's no big deal to miss a
12 meeting or two.

13 THE COURT: You will agree he may be stipulated to be
14 excused, but I will inquire if he can do it on Fridays.

15 MR. KEITH: I have -- I'm pretty neutral about
16 Mr. Burton. Your Honor indicated we ought to relax a little
17 bit because --

18 THE COURT: Yes, we will just lose them on publicity.

19 MR. KEITH: But I have no objection to further
20 questioning.

21 MR. KAY: Okay.

22 THE COURT: All right. Then we have got Cheresateff.

23 MR. KAY: No objection.

24 MR. KEITH: No.

25 THE COURT: I will assume there is no objection unless
26 I hear otherwise.

27 As to Mr. Clifford, any objection?

28 MR. KEITH: I have no objection.

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June Day was going --

THE COURT: Yes, she is going to check.

MR. KAY: Yes.

1 THE COURT: Then we get to Leon Doubt, who has a
2 vacation for 10 days.

3 MR. KEITH: He wanted to be excused for a week.

4 THE COURT: Well, we can't do that.

5 MR. KAY: But he's not going anywhere. It's just that
6 people are coming here; and of course we are not in session
7 on Fridays.

8 I don't think that's a hardship. He hasn't put
9 any money down to go anywhere.

10 I don't think he should be excused.

11 THE COURT: I will check further with him.

12 MR. KAY: Okay.

13 THE COURT: Now, as to Duggan, he's not --

14 MR. KEITH: Oh, he's got everything wrong with him.

15 THE CLERK: How do you spell that?

16 MR. COURT: D-u-g-g-a-n. There it is.

17 And I think Mr. Gain, who has an electronics
18 major project, that to put that off for three months is a
19 problem.

20 MR. KEITH: I will stipulate to him.

21 MR. KAY: Okay.

22 Halberg has the minor child.

23 THE COURT: Yes.

24 THE CLERK: Who is that?

25 THE COURT: Halberg.

26 And Kathleen Hayes only has one month. She works
27 for Security Pacific.

28 MR. KEITH: We will stipulate.

1 MR. KAY: Okay.

2 MR. KEITH: The bank we went through with before.

3 THE COURT: And Hicks is the next one. He has 30 days
4 only.

5 MR. KEITH: Yes.

6 THE CLERK: Hicks?

7 THE COURT: Yes, Laroy Hicks.

8 MR. KEITH: Hat Hillyer was going to check.

9 MR. KAY: Right.

10 THE CLERK: Wait a minute. I'm not past Hicks yet.

11 MR. KEITH: Excuse me; I didn't realize I could ever
12 talk too fast.

13 THE COURT: All right. The next one is -- Well,
14 Hillyer was going to check.

15 Jackson was going to check.

16 MR. KEITH: Yes.

17 THE COURT: Then we have got Starria L. Johnson.

18 MR. KAY: Yes.

19 MR. KEITH: He's got medical problems.

20 MR. KAY: It's a "she."

21 MR. KEITH: She; excuse me. She's got all kinds of
22 problems.

23 MR. KAY: Well -- All right.

24 THE COURT: Kalish is going to check.

25 Klute has a 30-day problem with Hughes.

26 MR. KAY: Okay.

27 THE COURT: And Lozano --

28 MR. KAY: Has a 30-day problem.

1 THE CLERK: How do you spell that?

2 MR. KAY: L-o-z-a-n-o.

3 THE CLERK: Okay.

4 THE COURT: What about McLoughlin?

5 MR. KAY: He looked like he was going to have a
6 heart attack.

7 MR. KEITH: Yes; I think you better excuse him. He was
8 just having problems just --

9 THE COURT: Yes; okay.

10 What about our secretary for Arco and the
11 confidential report?

12 MR. KEITH: I would object to that strenuously.

13 MR. KAY: Yes; I would object, too.

14 MR. KEITH: I would like to tell you what Leslie said
15 what her confidential work might be.

16 THE COURT: The same thought occurred to me.

17 MR. KAY: Yes; it's a hardship for the employer.

18 THE COURT: Navaratto, she is going to lose overtime.

19 MR. KEITH: Oh, yes.

20 MR. KAY: Yes, all right.

21 THE COURT: Elizabeth Reagan.

22 MR. KAY: That's a hardship, too, on the employer, not
23 to her. So I don't want her to be excused.

24 THE CLERK: You don't?

25 MR. KAY: No. She doesn't have a hardship; the
26 employer might.

27 And Rogers is the same thing. It's not a hardship
28 to him; it's a hardship -- he thinks it might be a hardship
to his employer.

22-1

1 THE COURT: All right, then, we are down to Carl M.
2 Sealock.

3 MR. KEITH: He's going on an extended vacation.

4 THE COURT: He's going on vacation.

5 THE CLERK: Is he off?

6 THE COURT: Yes.

7 Ida Smith, two minor children.

8 MR. KEITH: Two sick children.

9 THE CLERK: Are you going to let her go?

10 THE COURT: Yes.

11 THE CLERK: That's a Miss.

12 THE COURT: Garth H. Tuma, L. A. Times.

13 MR. KAY: He's afraid of retaliation.

14 MR. KEITH: I would object to his being -- because his
15 salary would continue. He's worried about --

16 MR. KAY: Retaliation.

17 MR. KEITH: Or possible harassment. I don't think that's
18 enough at least at this juncture.

19 MR. KAY: I'm neutral on that.

20 THE COURT: Then Mr. Twitchell, whose son was hit in a
21 crosswalk. He's with Northrup. He's got a problem,
22 Mr. Twitchell.

23 MR. KEITH: Reluctantly I'll agree.

24 THE COURT: All right.

25 And Roberta L. Wicks.

26 MR. KAY: That was a hardship to her employer, not to
27 her.

28 MR. KEITH: She may not have a job to go back to.

1 THE COURT: She's afraid of losing her job. She is the
2 one who thought she would lose her job.

3 MR. KEITH: She would have a job but not the one she
4 left.

5 THE COURT: Youmans is going to England.

6 THE CLERK: Youmans?

7 THE COURT: You are all agreed as to the ones I've got
8 here?

9 MR. KAY: Andrews, Cheremeteff, Clifford, Duggan, Gain,
10 Halberg, Hayes, Hicks, Johnson, Klute, Lozano, McLoughlin,
11 Navarette, Sealock, Smith, Twitchell, Wicks, and Youmans.

12 THE COURT: Yes. And I'm going to inquire as to Burton
13 and Doubt.

14 Burton is the one who is a captain in the Naval
15 Reserve, and Doubt, I'm going to inquire as to him.

16 MR. KAY: Okay. Explain to him we are not going to be
17 in session on Friday.

18 THE CLERK: Is that 18, Your Honor?

19 THE COURT: Eighteen. Okay.

20 (The following proceedings were held in
21 open court:)

22 THE COURT: All right. The following jurors are excused
23 from further service upon this case. Each of you, as you are
24 excused, will get the ticket back, the juror ticket, from the
25 bailiff and should report to the fifth floor jury room as you
26 are excused.

27 The court wants to thank you for your attendance
28 upon the court.

22-3

1 The following are excused:

2 Barbara J. Andrews, Alexander Cheremeteff.

3 THE CLERK: Your Honor, excuse me, I wonder if the last
4 person will take the tickets down.

5 THE COURT: All right. The rest of you go down to the
6 fifth floor, and I'll ask Louise A. Youmans to remain to pick
7 up the tickets. The rest of you just go on down to the fifth
8 floor and Louise A. Youmans will be the last one excused, if
9 she would take all the tickets down.

10 All right. Lawrence W. Clifford is excused; Morris
11 Duggan is excused; Anthony J. Gain is excused; Carl A. Halberg
12 is excused; Kathleen C. Hayes is excused; Leroy M. Hicks,
13 Starrie L. Johnson, Andreas Klute or Klute --

14 MR. KLUTE: Klute.

15 THE COURT: I'm sorry.

16 MR. KLUTE: That's close enough.

17 THE COURT: All right, thank you.

18 As long as you are going out, huh?

19 (Laughter.)

20 THE COURT: Do you think he was anxious to leave?

21 (Laughter.)

22 Robert U. Lozano, Maurice McLoughlin, Frances M.
23 Navarette, Carl M. Sealock, Ida Smith, Thomas F. Twitchell,
24 Roberta L. Wicks, and Louise A. Youmans.

25 All right. I'd like to inquire further concerning
26 Mr. James D. Burton.

27 Would you stand, please.

28 MR. BURTON: Sure.

22-4

1 THE COURT: The court does not anticipate that it will
2 be in session on Fridays. We will be in session on this case
3 Monday through Thursday. The court has another calendar it is
4 going to take care of on Friday.

5 I'm interested to know whether or not your Naval
6 Reserve matters can be taken up on Friday as opposed to mid-
7 week.

8 MR. BURTON: Generally if I can get one Thursday off,
9 next week, it is okay.

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22-5
1 THE COURT: So you have gotten it down to the point where
2 all you want is a Thursday?

3 MR. BURTON: Well, not really that, but --

4 THE COURT: Would you check further and then tomorrow
5 let us know what we can do.

6 MR. BURTON: Sure.

7 THE COURT: All right, thank you.

8 All right, Mr. Leon S. Doubt.

9 You mentioned this vacation. Is that something that
10 you could handle?

11 I take it you are still going to be in town, or
12 are you going to leave town?

13 MR. DOUBT: No, I'm not going to leave town. That's why
14 I said personally I have no defense, if you will pardon the
15 expression.

16 (Laughter.)

17 MR. DOUBT: And I'm not screaming hardship on the other
18 hand. It is the only vacation, this week off is the only week
19 my son will have had in three years.

20 THE COURT: But you are going to be in town, and you
21 would just be in the courtroom from 10:00 until 4 o'clock or
22 so.

23 Would that be a hardship for you?

24 MR. DOUBT: No, that would be no hardship.

25 THE COURT: All right, thank you.

26 Everyone gets a better sense of humor at 3:30 than
27 they do at 9:30.

28 All right. The court has gone over this list, and

22-6

1 it appears that there are a number of people who are going to
2 check with their employers. So since it is almost 3:30, we
3 are going to recess at this time until tomorrow morning and
4 give you an opportunity to check with your employers so that
5 we can take this up tomorrow at 10 o'clock.

6 Then those of you that are still on the panel after
7 tomorrow morning, we'll begin to question you in groups of 12
8 concerning the matter of publicity.

9 All right. The jurors at this time will go down
10 to Department 106, and you will be admonished there before you
11 leave.

12 So if the jurors can be taken down to Department
13 106 and remain until further call of the court.

14 All right. Defendant and counsel are ordered to
15 be present tomorrow morning at 10 a.m.

16 MR. KAY: Thank you, Your Honor.

17 THE COURT: Thank you.

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23-1

1 (The following proceedings were held in
2 Department 106 in the absence of the
3 defendant and both counsel:)

4 THE COURT: Good afternoon, ladies and gentlemen.

5 At this time we are going to recess until tomorrow
6 morning at 9:45.

7 Each of you should report directly to this court-
8 room, and not the courtroom upstairs, but this one. Be here
9 at 9:45. This is Department 106 on the ninth floor.

10 Bear in mind during this recess you are not to
11 discuss this case amongst yourselves or with anyone else and
12 you are not to form any opinion concerning this matter or
13 express any opinion concerning this matter until the case is
14 finally given to you, if you are chosen on the jury.

15 Furthermore, I particularly want to emphasize this
16 with the new jurors:

17 You are not to allow yourselves to read, see, or
18 hear any news media accounts of this matter.

19 If you are in a room and the TV starts to talk
20 about this case -- and this is at any time while you are on
21 the jury -- you either should get out of the room or turn the
22 TV set off.

23 The same thing with newspapers. Don't read any
24 newspaper articles about this matter.

25 The same goes for the radio.

26 Now, at this time there is very little publicity
27 about this case, but as things develop and witnesses come
28 before the court there will be much more coverage of the matter.

23-2

1 And you just must not read, consider, hear or in
2 any way see any of the news media accounts of this matter
3 because your decision has to be based solely on the evidence
4 in the courtroom.

5 So all of you have a good evening.

6 Those new jurors who are going to check with their
7 employers, we will give you an opportunity the first thing
8 tomorrow morning to come into court, if after you have talked
9 with your employer you have a problem concerning pay or those
10 kinds of matters.

11 Have a good evening. We will see you all here
12 tomorrow morning at 9:45.

13 Thank you.

14 (At 3:35 p.m. an adjournment was taken until
15 Tuesday, April 5, 1977, at 10 a.m.)

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