SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 130 HON. EDWARD A. MINZ, JR., JUDGE

—oOo—

9015

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

NO. A253156

LESLIE VAN HOUTEN,

Defendant.

REPORTERS' DAILY TRANSCRIPT

Wednesday, April 20, 1977

Volume 15

Pages 2209 to 2332, incl.

APPEARANCES: (See Volume 1.)

EMANUEL J. SANZO, C.S.R. No. 1267
- and -
LOIS R. JOHNSON, C.S.R. No. 812
Official Reporters

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LOS ANGELES, CALIFORNIA, WEDNESDAY, APRIL 20, 1977, 10:45 A.M.

DEPARTMENT NO. 130 HON. EDWARD A. HINZ, JR., JUDGE

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(Appearances as heretofore noted.)

THE COURT: Good morning, ladies and gentlemen.

All right. This is People versus Van Houten.

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

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2-1

MR. KAY: Your Honor, I'd like to ask Sgt. Galindo a few more questions before Mr. Keith starts his cross-examination.

THE COURT: All right.

Would you please resume the stand, sir.

DANNY GALINDO,

called as a witness by the People, having been previously duly sworn, resumed the stand and testified further as follows:

THE COURT: Would you state your name, please, for the record.

THE WITNESS: Danny Galindo, G-a-l-i-n-d-o.

THE COURT: All right, Mr. Kay, you may proceed.

MR. KAY: Thank you.

DIRECT EXAMINATION (Resumed)

BY MR. KAY:

Q Sgt. Galindo, I asked you yesterday about making a search outside the LaBianca home for any possible weapons or weapons with blood on them.

Did you also look inside the residence for any weapons that might have had blood on them?

A Yes, sir; I did.

Q And other than the fork, which you identified yesterday, that was protruding from the abdomen of Mr. LaBianca, did you find any other weapons inside the house that appeared to have any blood on them?

A No, sir; I didn't.

Q All right.

Now, other than the clothes that Mr. and Mrs. LaBianca were wearing when you first saw them, the blue pajamas that Mr. LaBianca was wearing and the nightgown and bathrobe that Mrs. LaBianca was wearing, did you find any other bloody clothing inside the residence?

A No, sir; I didn't.

Q Now, when you found Mrs. LaBianca in the main bedroom of the residence, you told us yesterday about finding some hair.

First you described People's 20-A which you recovered near the right foot of Mrs. LaBianca.

How close -- Where in relationship to the right foot was that hair?

A It was underneath the big toe and next toe as she was lying down. Actually, it would be on the superior part of the two toes adjacent to the floor.

When she was turned over, they were sticking to her big toenail and her second toenail.

Q So, in other words, her bare foot was on the floor, and the hair was between her foot and the floor; and when she was turned over, the hair was on her foot?

A Yes.

Q Now, on 20-B, which was the hair you said you recovered from the right hand of Mrs. LaBianca, I believe you described yesterday that the right hand was about even with the head, and the fingers were spread apart palm down; is that right?

3-1

A Yes, that's true.

Q All right.

Now, where was the hair when you found it in the right hand?

A It was between the first finger, the index finger, and the middle finger, at the base.

And between the middle finger and the ring finger, also at the base of the -- where the juncture between the fingers and the hand occurs.

Q Her hand was not in a fist; is that right?

A That's true.

Q And her hand was lying on the carpet?

A Yes.

Q Item 22-C, which you said was the hair you recovered from the left hand and the left chest area of Mrs. LaBianca.

Could you describe first how her hand was when you saw it, her left hand; and then I will ask you another question.

A Her left hand was twisted so that the --

Q Maybe you could stand up.

Could you stand up. It might be hard for some of the jurors to see it while you are sitting down.

A (Witness complies.)

Her left hand was twisted so that the palm, the upper palm -- I'm sorry -- the upper part of her hand was against her skin just below her breast.

Q All right.

A And the hairs had been on the --

Q On the side with the little finger?

A On the base of the hand and towards the bottom of the hand.

Q When you say "the bottom" you mean where your little finger is?

A Yes.

Q That part of the hand?

A Yes.

Q All right.

And did you turn Mrs. LaBianca over?

A Yes.

Q And when you turned her over did her hand remain in the same place?

A Yes. It was rigid and the elbow was rigid.

And when we turned her over her hand was still touching her chest and one of her breasts.

And the hairs were -- had already been pulled off from the chest a little bit. Her hand had started to pull away a little bit.

And that's what -- I can only indicate this in where it came from, in this area (indicating).

MR. KAY: All right; from the top part of the hand, the little finger area.

May the record so reflect that that's what he indicated?

THE COURT: Yes, the record may so indicate.

Q BY MR. KAY: And then on the chest portion maybe about what, five inches above the belly button, or six inches?

What would you say, Sergeant?

A That's pretty close. That's good.

Q Six inches above the belly button.

Now, in this area were there very many hairs recovered?

Did you recover very many hairs?

A I don't remember. There were half a dozen or so.

Q All right.

And what about the area -- you can sit down if you want.

A (Witness complies.)

Q What about the area of the hairs by her foot; did you recover very many hairs?

A No; there were never more than a half dozen or so.

Q And then what about the right hand?

A The same thing.

Q All right.

In your opinion could those hairs have been on the floor when Mrs. LaBianca fell on the floor?

A Sure, yes.

Q In other words, she could have just fallen on the hairs that were there, already there?

A Yes.

MR. KAY: May I approach the witness, Your Honor, with People's 9?

THE COURT: Yes, you may.

Q BY MR. KAY: I will let you get your glasses on.

We had so many eye problems yesterday, I want you to have your glasses on.

Now, showing you People's 9 for identification, this is a photograph that you identified yesterday of the bedroom; and it shows a portion of Mrs. LaBianca's body.

Do you recognize this photograph?

A Yes, sir.

Q Now, by the bed there appears to be a pillow; is that right?

A Yes.

Q Did that pillow have a pillowcase on when you saw it?

A No, it didn't.

Q Is that an accurate photograph of the way you saw the scene in Mrs. LaBianca's bedroom on the early morning hours of Monday, August 11th, 1969?

A It is.

MR. KAY: Your Honor, I have another photograph.

May it be marked People's 22 for identification?

T4f THE COURT: It may be so marked.

4-1

1 MR. KAY: May I approach the witness, Your Honor?
2 THE COURT: Yes, you may.
3 Q BY MR. KAY: Sgt. Galindo, showing you People's 22
4 for identification, do you recognize what is depicted in that
5 photograph?
6 A Yes, sir.
7 Q And is that also a scene -- photograph of
8 Mrs. LaBianca's bedroom?
9 A Yes, it is.
10 Q And a photograph of the actual bed in the bedroom?
11 A Yes, sir.
12 Q Now, on the bed does there appear to be another
13 pillow?
14 A Yes, sir.
15 Q And is that different from the one that you just
16 described in People's 9 that was on the floor?
17 A Only that it -- in color; the one before, I think,
18 was full white, and this one was blue and white.
19 Q The one on the floor you said did not have a pillow
20 case on it; the one that is on the bed did have a pillow case
21 on it?
22 A It did not have a pillow case.
23 Q There were two pillows, one on top of the bed and
24 one on the side of the bed, and neither one had a pillow case;
25 is that right?
26 A That's right.
27 Q Did you make any determination if the pillow case
28 that was over Mr. LaBianca's head and the pillow case that was

over Mrs. LaBianca's head appeared to be matching pillow cases?

A Yes.

Q And what did you determine?

A Well, it was hard to determine. They were not identical, but they were nearly the same.

MR. KAY: I don't have any further questions of Sgt. Galindo at this time.

THE COURT: All right, Mr. Keith, you may cross-examine.

MR. KEITH: Thank you, Your Honor.

CROSS-EXAMINATION

BY MR. KEITH:

Q Sergeant, during your thirty years on the Los Angeles Police Department, you have investigated many, many homicides, I presume?

A Yes, sir, I have.

Q Probably up in the hundreds?

A Probably.

Q Have you ever investigated a homicide before this one where the word "War," or a similar word, was scratched on the body of a victim?

A No, sir; I've never seen that before.

Q You found that bizarre, did you not?

A Yes.

Q Incidentally, Sergeant, was there any bleeding from the scratches produced by the word "War"?

A No, I didn't see any.

Q You termed the flesh on direct examination as

4-3

1 angry; you mean it was red?

2 A Yes.

3 Q But not red with blood, red from the flesh wound?

4 A Yes.

5 Q And the fork which you found protruding from

6 Mr. LaBianca's stomach, did you see any great amount of

7 bleeding as a result of that wound?

8 A Of the wound caused by the fork being inserted?

9 Q Yes.

10 A Relatively -- no, not terribly much.

11 Q Incidentally, Sergeant, did you make an investi-

12 gation, either you or other officers under your supervision,

13 make an investigation of the houses on either side of the

14 LaBianca residence?

15 A Yes, sir.

16 Q Was anybody home at the Earl C. Anthony estate?

17 A Not when I went.

18 Q Was anybody living there at all at the time?

19 A Not officially.

20 Q What do you mean by "Not officially," if you can

21 explain?

22 A Well, subsequent investigation disclosed that some,

23 oh, trespassers had been within the premises at the Earl C.

24 Anthony estate and had actually slept within the premises.

25 I determined the morning of the 11th that a guard

26 had been assigned but had not been around the premises for a

27 day or two.

28 Q I see.

Nobody was officially then living at the Earl C. Anthony estate?

A That's a correct statement.

1 Q You did discover at some time later some trespassers
2 had invaded the premises?
3 A Yes.
4 Q And spent the night there?
5 A Several nights.
6 Q And when did you discover that fact in connection
7 with the date August 10th?
8 A Oh, it would be after I had been relieved from the
9 investigation.
10 Q Are you saying you didn't continue on with the
11 investigation after the day or so that you spent there?
12 A That's true.
13 Q And the investigation was turned over to another
14 team?
15 A Yes.
16 Q And you were at -- in or about the LaBianca
17 premises some 24 hours after your arrival?
18 A All of that; yes, sir.
19 Q Perhaps even more?
20 A Yes.
21 Q That was straight through?
22 A Yes.
23 Q Then another team took over?
24 A Yes.
25 Q And were they also LAPD officers?
26 A Of course; yes, sir.
27 Q Did you also go to the True residence on the other
28 side of the LaBianca residence?

A Yes, sir; I did.

Q That's a man named Harold True resided there; is that correct?

A And a lady and there was a young boy.

Q Now, was anybody at that residence?

A No, sir; not at the time I went.

5 f1

Exks-1

Q Did you determine whether anybody had been living at the True residence within the very recent past?

A Yes, sir.

Q And what had you determined in that regard?

A That the residence was populated.

Q Up to when?

A I don't remember, sir.

Q Did you determine whether anybody was at the True residence on the evening of August 9th or the early morning hours of August 10th?

A Yes, sir.

I don't remember the times, but I can recall they had been there -- somebody had been at the residence up past through the 9th and into the 10th.

I don't remember the times.

Q When you first examined Mrs. LaBianca's body did it appear to you, as a result of your long experience, that rigor mortis had set in?

A Oh, yes, sir.

Q And did the same apply to Mr. LaBianca?

A Yes, sir.

Q Now, the hair that you recovered underneath the parts of Mrs. LaBianca's body, her hand and her toe, both hands, was that black hair?

A (No response.)

Q Or don't you remember?

A I don't remember the color, counsel.

I would -- it was dark, it was darkish color.

Q Could it have been dog hair?

MR. KAY: Well, objection; calls for a conclusion.

We will have expert testimony on that.

THE COURT: Well, the objection is overruled.

The witness may answer if he knows.

Q BY MR. KEITH: My question was, could it have been dog hair?

A It was hair. It could have been dog hair or cat hair or human hair.

Q Did you --

Sergeant Cline was still there, was he not, when you first arrived on the scene?

A Yes, sir, he was.

Q And you got --

When did you arrive at the scene, again?

A It was in the neighborhood of 1:00 o'clock in the morning, give or take a minute.

Q And neither -- of course neither body had been removed by the ambulance attendants at that time?

A That's true.

Q And was Mr. LaBianca's body removed from the house before Mrs. LaBianca's body was even discovered?

A That isn't true.

Q Who first found, if you know, Mrs. LaBianca's body?

A I can tell you from vicarious knowledge that it was -- it is my belief that it was Ed Cline, Sergeant Cline.

Q You weren't on the scene --

1 Let me put it this way: Had you arrived by the time
2 Mrs. LaBianca's body was discovered?
3 A When I arrived at the scene Sergeant Cline already
4 knew there were two bodies.
5 Q All right.
6 And neither Mr. -- and Mr. LaBianca had not been
7 removed by the ambulance attendants at that time.
8 A Had not.
9 Q And had not been touched at all.
10 A I don't know if it had been touched. I don't
11 believe it had been touched.
12 But the body was still there, both bodies were
13 still there when I arrived.
14 Q Did you observe the writing on the walls?
15 A Yes, sir, I did.
16 Q And you saw "death to pigs"?
17 A Yes, sir.
18 Q And you saw the word "rise"?
19 A Yes.
20 Q And you saw the word "healter" -- with "helter"
21 misspelled -- "skelter" on the refrigerator door?
22 A Yes.
23 Q And they appeared to you to have been written in
24 blood?
25 A Yes.
26 Q And it was large lettering, was it not?
27 A Some of it was and others were medium. Relatively
28 large, yes, sir.

Q Had you ever seen anything like that before in your experience as a homicide detective?

A Not lettering, no, sir.

Q I take it, Sergeant, you deduced, as a result of your investigation, that robbery was not the object of the homicides.

A That was my deduction at the time, yes, sir.

Q And that deduction was based on the valuables that you found in the house that were easily accessible yet were still there.

A Among other reasons, yes, sir.

Q Incidentally, were the two guns you found loaded?

A No, sir.

Q Did you find any shells that could have fit either gun, the shotgun and the rifle?

A Yes.

Q Were they in the same general area where you found the shotgun and rifle?

A No, sir.

Q You did find shells, however?

A Yes, I did.

Q That fit both guns, the shotgun and the rifle?

A No; I'm sorry.

I found shells that fit -- I found 30.06 ammunition and some short .22s, and I can't remember the others.

But I can't remember finding any ammunition for the shotgun.

Q Incidentally, you advised us that you found some mint nickels in the trunk of an automobile at or near the premises.

A Yes, sir.

Q Which --

There were two automobiles there, were there not?

A There were.

Q That appeared to belong to the LaBiancas.

A They were registered -- the one was registered to Mrs. LaBianca, and I can't remember to whom the car in front of the premises was registered to.

But we determined that it belonged to Leno LaBianca.

Q Where did you find the bags of mint nickels?

A In the vehicle parked in the street that had the boat attached to it, by the trailer hitch.

Q And how many bags did you find, if you recall?

A My best impression, there was one bag.

I don't know why I think in terms of two, but my best recollection, there was one bag.

Q How big were the bags or bag, as the case may be?

A All right. About the size of your head.

Q That's not big enough.

MR. KAY: Should we put it in evidence?

(Laughter.)

Q BY MR. KEITH: When you say "mint nickels," for our edification what do you mean by "mint"?

A Uncirculated.

Q Brand new, would that be --

A Yes.

Q When you say you had other reasons for deducing that robbery was not the object of the homicides, would another reason be the lack of ransacking?

T6f A Yes.

6-1

Q Would these be the two main primary reasons?

A Yes.

Q You told us that your investigation of the homicides ended after some 24 hours of straight investigation on your part, right?

A Yes, sir.

Q Did you ever —

A Oh, excuse me, at the scene; yes, sir.

Q All right.

Did you ever again resume your investigation of the case?

A Not as the assigned investigator.

Q What do you mean by that?

A Well, I handled the preliminary investigation, and then after making my reports it was assigned to a total team, which was a crew of several investigators.

Q I understand.

A All right.

Q My question was, did you join with these other investigators that were assigned later in handling the case?

A Only on occasions.

Q Did your team talk to neighbors of the LaBiancas?

Now, you have told us that there was nobody home at the Earl C. Anthony place but a security guard, who wasn't there, and you told us there was nobody home at the True house.

Right?

A Yes.

Q And then did you talk to any other neighbors —

6-2

A Yes.

Q -- you or those under your supervision?

And I take it you received no useful information from anybody else in the immediate vicinity?

A I couldn't say that.

We received considerable useful information. The people across the street where the daughter had gone to attempt to make a phone call; and people along the street who found items that they thought might be of evidentiary value.

Q I see.

In other words, people were cooperative?

A Oh, yes.

Q But nothing turned up of lasting significance during your investigation of the vicinity?

A That's a correct statement.

MR. KEITH: I have nothing further, Your Honor.

THE COURT: All right, thank you.

Any redirect, Mr. Kay?

MR. KAY: Yes.

REDIRECT EXAMINATION

BY MR. KAY:

Q Sgt. Galindo, did any of the rooms in the LaBianca home appear to be ransacked to you?

A No, sir.

Q Now, Mr. Keith asked you if you had ever seen on any of your murder investigations any other murders where there was writing in blood on the wall, walls, or on doors, and you

6-3

1 answered no.

2 Are there any in your experience that you have

3 heard about, other than this one, where there have been

4 writing on the walls in blood, in the victim's blood, or on

5 the doors?

6 A Well, in a topical sense, there had been one just

7 two days previously. The Sharon Tate murder. And in that

8 particular case, there was also writing on the door.

9 Q Did you go to the Tate home?

10 A Yes.

11 Q What was written on the front door?

12 A "Pigs," also written in blood, and I don't remember

13 the rest of it.

14 Q All right.

15 And other than the LaBianca murder and the Tate

16 murder, had you heard of any other murders where there was

17 writing on the wall in the victim's blood even though you

18 yourself might not have handled that?

19 A Yes.

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

21 THE COURT: Anything further?

22 MR. KEITH: I have nothing further.

23 THE COURT: May this witness be excused? Any objection?

24 MR. KAY: No objection.

25 MR. KEITH: No, I don't have any objection.

26 THE COURT: All right, sir, you may step down. You are

27 excused.

28 Thank you.

6-4

MR. RAY: People will next call Sgt. Gary Broda.

GARY L. BRODA,

called as a witness by the People, was sworn and testified as follows:

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

You do solemnly swear the testimony you may give in the cause now pending before this court shall be the truth, the whole truth, and nothing but the truth, so help you God.

THE WITNESS: I do.

6-5

THE CLERK: Just take the stand and be seated, please, sir.

Would you pull the microphone over, please, directly under your chin, up as close as you possibly can, and would you give your name for the record, please.

THE WITNESS: Gary L. Broda, B-r-o-d-a.

THE CLERK: Thank you.

DIRECT EXAMINATION

BY MR. KAY:

Q Sgt. Broda, what is your occupation and current assignment?

A Sergeant of police for the City of Los Angeles, presently assigned to robbery-homicide division.

Q How long have you been a police officer?

A Approximately 17 years.

Q And how long have you been assigned to the homicide division?

A Approximately eight years.

Q Directing your attention to August the 11th, 1969, were you assigned to the homicide division?

A Yes.

MR. KAY: May I approach the witness with People's 19, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: On August the 11th, at about 10 o'clock in the morning, or sometime in the morning, did you have occasion to be at the Los Angeles County Morgue?

A Yes.

Q And I show you People's 19 for identification.

Did you see the gentleman pictured in People's 19, which has been identified as Mr. LaBianca?

Did you see him at the morgue?

A Yes.

Q All right.

Did you also see Dr. Katsuyama?

Do you know Dr. Katsuyama?

A Yes, I do.

Q Did you see him at the morgue?

A Yes.

Q When you first saw Mr. LaBianca, did he have the pillow case over his head as exhibited in People's 19?

A Yes.

Q Did you see someone remove the pillow case from his head?

A Yes.

Q And who did that?

A Dr. Katsuyama.

Q And when Dr. Katsuyama removed the pillow case from Mr. -- from over Mr. LaBianca's head, what, if anything, did you see in the throat area of Mr. LaBianca?

A I noticed a knife handle protruding from a wound in the neck, front center portion.

MR. KAY: Your Honor, I have another photograph.

May it be marked as People's 23 for identification?

THE COURT: It may be so marked.

id.

1 MR. KAY: May I approach the witness, Your Honor?
2 THE COURT: Yes, you may.
3 Q BY MR. KAY: Sgt. Broda, showing you People's 23
4 for identification, do you recognize what is depicted in that
5 photograph?
6 A Yes, I do.
7 Q And would you please describe to the ladies and
8 gentlemen what is depicted in that photograph?
9 A There is a knife handle protruding from the neck
10 area, front center portion, of the remains of Mr. LaBianca.
11 Q And were you present when that photograph was
12 taken?
13 A Yes.
14 Q And is that an accurate photograph of what you
15 observed in the morgue when you were there on August the 11th,
16 1969?
17 A Yes.
18 Q Now, did you see someone remove that knife from
19 Mr. LaBianca's neck?
20 A Yes, Dr. Katsuyama.
21 Q All right.
22 How did Dr. Katsuyama remove that knife?
23 A He used a pair of tongs to remove the knife handle.
24 Q And then what happened after he removed it with
25 the tongs?
26 A I noticed the blade, of course, was attached to
27 the handle. And I took the knife and put it into a cardboard
28 container.

Q Were you careful not to touch the handle of the knife?

A Yes.

Q And did Dr. Katsuyama also appear to be careful not to touch the handle of the knife?

A Yes. That was the reason he used the tongs.

7 f1

7-1

MR. KAY: All right.

May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Showing you --

Wait just a minute.

(Brief pause.)

Q Showing you People's 17 for identification.

Do you recognize People's 17 as being the same knife as being depicted in People's 23 for identification?

A Yes.

Q All right.

When you took the knife -- where did you take it?

A I took it to the Los Angeles Police Department Crime Lab at Parker Center.

Q For the purpose of somebody trying to see if there were fingerprints on it?

A Yes.

Q When you first saw the knife in Mr. LaBianca's neck -- you told us about the handle -- could you see any portion of the blade at all?

A No.

MR. KAY: I don't have any further questions of this witness.

MR. KEITH: I have no questions.

THE COURT: May this witness be excused?

MR. KAY: Yes.

MR. KEITH: No objection.

THE COURT: All right, sir, you are excused. Thank you.

7-2

THE WITNESS: Thank you.

MR. KAY: The People call Dr. David Katsuyama as our next witness.

THE CLERK: Just go right around there, please, sir.

DAVID MASAHICHI KATSUYAMA,

called as a witness by the People, was sworn and testified as follows:

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

You do solemnly swear that the testimony you may give in the cause now pending before this court shall be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: I do.

THE CLERK: Just take the stand and be seated, please, sir.

THE WITNESS: Thank you.

THE CLERK: Would you pull the microphone over, please, directly under your chin, up as close as you possibly can.

And would you give your name for the record, please.

THE WITNESS: My full name is David Masamichi Katsuyama.

M-a-s-a-m-i-c-h-i; last name is spelled K-a-t-s-u-y-a-m-a.

THE CLERK: Thank you, sir.

-3

DIRECT EXAMINATION

BY MR. HAY:

Q Dr. Katsuyama, what is your occupation, sir?

A I'm a physician licensed to practice medicine in the State of California.

More specifically I am a forensic pathologist, presently assigned as a pathologist for the Coroner for the County of San Diego.

Q What's a forensic pathologist?

A A forensic pathologist is a specialist in the field of laboratory medicine, dealing with the specifics in regard to causes of death, evidences of injury, disease processes and how they bear upon the cause of death.

More specifically or more extensively, it deals with the examinations of remains that come under the jurisdiction of a coroner or medical examiner.

Q Are you the former Chief Deputy Medical Examiner for the County of Los Angeles?

A Yes.

At one time -- it would be approximately between 1970 and 1973 -- prior to going to the County of San Diego I was with the Los Angeles County, at the Coroner's Medical Examiner Department, as the Chief Deputy Medical Examiner.

Q All right. That's the number two position in the office to Dr. Noguchi, who is the Coroner.

A At that particular time it was the number two position in the field of -- in the medical portion.

Q Now, you say you are down in San Diego now.

The Coroner in San Diego, is he a medical doctor?

A No; the Coroner is a layman there.

Q But that's an appointed position.

A It is an appointed position.

Q Now, you work for the Coroner who is not a doctor.

Are there any other doctors that work for the Coroner there?

A Yes; there is one other that is extensively full-time, and one other that's part-time.

Q So there are in essence three forensic pathologists for the County of San Diego?

A That work -- that are working for the Coroner of the County of San Diego, yes, three.

Q Would you basically relate your background and training in the field of medicine and pathology.

A I went to the College of Medical Evangelists, graduating in 1959 with a degree of doctor of medicine.

Q Is that in Loma Linda?

A Yes, the main campus is in Loma Linda.

Following graduation I interned at the Los Angeles County General Hospital.

And following internship I took a residency in pathology at the Glendale Sanitarium and Hospital, completing the residency in 1964.

I was certified by the American Board of Pathology in the field of clinical pathology in 1965, in the field of anatomical pathology in 1966 and in the field of forensic pathology in 1970.

Following completing my residency in general pathology at Glendale I went to the County of Orange, to the General Hospital there as one of their pathologists.

And early in 1965 I became also an autopsy surgeon for the Coroner of the County of Orange.

In 1969 I came to Los Angeles, joining the staff of the Chief Medical Examiner Coroner of the County of Los Angeles, and was here until 1973, when I went down to San Diego County.

Over the period of years I examined numerous deceased persons that fall into the jurisdiction of the coroner or medical examiner for the purposes of determining causes of death.

I would presently estimate that I have performed examinations personally on well over 7,000 deceased persons.

Q All right.

A I have also during this time period testified numerous times in both Municipal and Superior Courts of the Counties of Los Angeles, Orange and San Diego.

Q What's an autopsy, Doctor?

A An autopsy is the terminology given to the examination of a deceased person, including the exterior examination and internal examination, to determine evidences as to the disease processes, evidences of injuries, and such.

Q Now, directing your attention to August 11th, 1969.

Were you employed by the Coroner of the County of Los Angeles?

A Yes. At that time I was a member of the staff of the Coroner-Medical Examination -- Medical Examiner of the County of Los Angeles.

7mf

7a

Q Directing your attention to 1:30 in the afternoon of August 11, 1969.

Did you perform an autopsy on Leno LaBianca?

A Yes; on the afternoon of August 11th, 1969, at about 1:30 in the afternoon I performed an examination on the remains of a person identified to me as Leno LaBianca.

Q And did you reduce your findings from that autopsy to a report?

A Yes.

MR. KAY: All right.

Counsel, is there any objection if Dr. Katsuyama refers to that report?

MR. KEITH: No, if he needs it to refresh his recollection.

MR. KAY: All right.

Q Doctor, after performing the autopsy on Mr. LaBianca did you determine the cause of death?

A Yes.

I attributed, after examination, the cause of death in the case of Mr. LaBianca as due to multiple stab wounds to the neck and abdomen, causing massive hemorrhage.

MR. KAY: I have a photograph, Your Honor.

May this be marked as People's 24?

THE COURT: Yes, it may.

(Brief pause.)

MR. KAY: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 24 for identification, do you recognize what's depicted in that

photograph?

A Yes, I do.

Q And was that photograph taken under your direction? at the County Morgue?

A Yes, this photograph, as I recall, was taken in my presence at the facility of the Chief Medical Examiner-Coroner at the Hall of Justice across the street.

Q And what does that photograph show?

A The photograph shows the lower portion of the head, the neck and upper portion of the chest of Mr. LaBianca, with the pillowcase partially over the head, a knife protruding from a wound in the neck and the chest clothed in what appeared to be in a pajama top.

Q Showing you People's 17 for identification, Dr. Katsuyama, does that appear to you to be the same knife that you observed in Mr. LaBianca's neck that's depicted in People's 24 for identification?

A Yes, it appears to be the same knife.

Q And did you remove that knife?

A Yes, I removed the knife during the course of removal of the material on the outer surface of the body of Mr. LaBianca.

MR. KAY: Your Honor, I have another photograph here.

May it be marked People's 25 for identification?

THE COURT: Yes, it may be so marked.

(Brief pause.)

MR. KAY: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

8-1

Q BY MR. KAY: Showing you People's 25 for identification, was that photograph taken under your direction also?

A Yes, it was.

Q And what does that show?

A It is a photograph of the back of Mr. LaBianca after the clothing had been removed and the body was rinsed of the stains, and it shows a stab wound in about the mid portion of his back.

Q Now, it appears that the lower portion of the back of Mr. LaBianca -- that there is some disruption in the skin.

What caused that?

A Portions of Mr. LaBianca's body, including the portion depicted here, shown in this particular photograph showing the area above the left hip -- I'm sorry, in the right hip, right flank area -- shows the early decompositional changes occurring in the body as is shown by the slippage or sloughing off of the skin in the area.

Q What, if anything, does that indicate to you?

A This indicates that a substantial time period had elapsed since the time of his death. And it also indicates that in that particular area there possibly could have been some moisture in the clothing or where he was laying.

Q When you say Mr. LaBianca's body was washed, what was washed off of it?

A After the clothing and the other material of evidence had been collected, and all evidence or matter disposed of that were on the external surface, the body was washed to remove the blood on the surface so that the evidences

8-2

of injury could be more accurately photographed.

MR. KAY: Your Honor, I have another photograph here.

May it be marked as People's 26 for identification?

id THE COURT: It may be so marked.

MR. KAY: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 26 for identification, was that photograph also taken under your direction?

A Yes, it was.

This photograph was taken under my direction showing Mr. LaBianca's right side of his head and neck and portion of the upper portion of his chest.

Q Does that show any wounds in the photograph?

A Yes, this particular photograph shows two wounds; the one in the upper portion of the shoulder, lower portion of the neck, on the right, is actually an exit wound where the tip of this particular knife was protruding.

Q In other words, the knife went in the front and came out on the side?

A Yes, it did.

It also shows another disruption or stab wound in the upper portion of his chest at just about pretty close to the mid-line.

MR. KAY: Your Honor, I have another photograph here showing what appear to be a man's hands.

May this be marked as People's 27?

id. THE COURT: Yes, it may be so marked.

8-3

MR. KAY: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 27 for identification, was that photograph also taken under your direction?

A Yes, this photograph was taken under my direction.

The photograph shows the hands of Mr. LaBianca with leather strips that have been used to bind his hands together.

There also are tags and pieces of string attached to tags that were utilized to try to preserve the relationship of the bindings after they were removed from the wrists of Mr. LaBianca.

Q Now, those leather thongs that you found around Mr. LaBianca's wrist, could you make any determination that they were tied loosely or tightly?

A They were tied relatively tightly. They were -- relatively tightly. They were -- relatively tightly -- so tight that the hand could not be slipped out from the loops, and that is why the tags and the twine were attached, to try to locate -- to preserve the relationship as best as possible when the ligature was cut to remove it from the hands.

Q In other words, the only way you could get the thongs off of the wrist was by cutting them?

A Either that or untying the knots.

MR. KAY: Your Honor, I have an envelope here that appears to contain some leather thongs.

May these leather thongs be marked as People's 28

8-4

id.

for identification?

THE COURT: Yes, they may be so marked.

MR. KAY: Mr. Clerk, there are a number of tags on here. I'll put the People's 28 on one of the tags.

1-5

THE COURT: Will you approach the bench with the thongs. Could we have the clerk and and Mr. Keith here.

(The following proceedings were held at the bench:)

THE COURT: Okay. Now, what is the situation?

MR. KAY: Well, I just wanted to find a place to put "People's 28" so he could find it. That's all.

THE CLERK: On the white tag is fine.

THE COURT: All right. That will go on --

MR. KAY: People's No. 28.

Okay. You know where it is.

THE COURT: And you put tags on them later, don't you?

THE CLERK: Oh, yes.

THE COURT: Okay, thank you.

(The following proceedings were held in open court in the presence of the jury:)

THE COURT: All right. That may be marked People's 28 for identification.

MR. KAY: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 28 for identification, do you recognize those leather thongs?

A Yes, I do.

Q And do those appear to be the same leather thongs that were around Mr. LaBlanca's wrist as depicted in People's 27 for identification?

A Yes. They appear to be the same leather thong ligatures that were around the wrists of Mr. LaBlanca.

8-6

Q And did you cut them yourself?

A I believe so.

Q Now, you notice that there is some white string on there.

Did you put the white string on?

A This larger of the white twine that is here was an attempt to show a relationship of one particular ligature that was tied around one wrist to show that the ends more or less -- the cut ends that were in actual continuity.

MR. KAY: Your Honor, I have another photograph here; appears to be a coroner's photograph.

May it be marked People's 29 for identification?

d. THE COURT: Yes, it may be so marked.

MR. KAY: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 29 for identification, was that photograph also taken under your direction?

A Yes, this photograph was taken under my direction.

It --

Q What does it show?

A It shows the upper portion of Mr. LaBianca's chest and the neck and the head with the towel -- I'm sorry -- the pillow case that had been placed over his head and an electrical -- an extension cord, or something similar, wrapped around his head and with a knot tied within it.

Q Is that how Mr. LaBianca looked when you first saw him?

8-7

A In essence, yes.

At the time that I first saw the remains it was wrapped -- the head was wrapped in the pillow case; the electrical cord was still in place; the lower portion of the pillow case had been -- was still over the lower portion of the neck, covering the knife, which was subsequently encountered upon removing the pillow case.

Q Did you make any determination as to whether the electrical cord that was around Mr. LaBianca's head -- whether that was tied loosely or tightly?

A As I recall, this particular cord was moderately tight around his head, not as loose as another ligature that had been found on the decedent -- on another decedent in the case.

Q Mrs. LaBianca?

A Yes.

Q In other words, you are saying you found an electrical cord also around Mrs. LaBianca's head?

A Yes.

Q But the one on Mr. LaBianca's head was tied more tightly than the one around Mrs. LaBianca's head?

A Yes.

MR. KAY: Your Honor, I have an envelope that appears to contain electrical cord.

May this be marked as People's 30 for identification?

THE COURT: Yes, it may be so marked.

MR. KAY: May I approach the witness?

8-8

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you this exhibit, People's No. 30 for identification, does this appear to be the same electrical cord that you found tied around Mr. LaBianca's head when you first saw him?

A Yes. This appears to be the same electrical cord that had been tied around -- over the pillow case around Mr. LaBianca's head.

9 f1

9-1

Q Now, I notice there is also some white string on this.

Did you also, as you did with the leather thongs, attach it to keep the relationship between the ends of the cord, where you cut it?

A Yes, the heavier twine was placed in an attempt to preserve the general relationship of the cord, as best as possible, prior to cutting the cord to remove it from over his head.

Q By the way, if you could describe, using yourself as an example, where on Mr. LaBianca's head the cord was wrapped around.

A As I recall -- and as it appears in that photograph -- the cord had been wrapped around the upper portion of the back of his neck and going across the lower portion of his face. Not down over his neck.

Q Now, by "the lower portion of his face" you mean just below the nose?

A Approximately below the nose.

Q Below the nose and above the upper lip?

A I don't definitely recall whether it was above -- (pause).

I don't definitely recall whether it was above the lip or not, but it appears that way in the photographs.

Q Now, with the cord in People's 30 there appears to be a knot in the cord.

Was that knot there when you first saw the cord, before you cut it off?

A Yes, the knot was present.

And for the purposes of trying to preserve the presence of the knot the cord was cut at a different location.

Q All right.

Getting back for a moment to People's 28 for identification, the leather thongs that you described were around Mr. LaBianca's wrists, it appears that there are some knots in that.

Were those knots present before you cut the thongs?

A Yes, these knots were present in the thongs -- as in the occasion as with the thongs binding the wrists; and in order to preserve the knots and the loops in as close a relationship to the -- as possible, the thongs were cut at different locations rather than through the areas of knotting.

MR. KAY: Your Honor, I have an envelope here which appears to contain a plug -- or an electrical plug.

May this be marked as People's 31?

THE COURT: It may be so marked.

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 31 for identification.

Does this appear to have been originally a portion of People's 30 -- excuse me; I have got so many numbers here -- People's 30 for identification, the longer electrical cord?

A Yes, this particular end of the electrical cord, with the plug, originally had been a part of the earlier exhibit, People's No. 30, at the time that I removed it from the

head area.

And during the intervening time apparently it slipped through the knotting, becoming separated from the main portion.

It is also well shown in the photograph, People's No. 29.

MR. KAY: I have another coroner's photograph here, Your Honor.

May it be marked as People's 32 for identification?

THE COURT: Yes, it may be so marked.

(Brief pause.)

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 32 for identification, was that taken under your direction?

A Yes, this photograph was also taken under my direction.

It shows another view of Mr. LaBianca's head and neck and upper chest area, with the pillowcase partially removed, showing the handle of the knife, still with the knife in the neck of the decedent.

MR. KAY: I have another coroner's photograph here.

May it be marked as People's 33, Your Honor?

THE COURT: It may be so marked.

(Brief pause.)

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Showing you People's 33 for

identification, was that also taken under your direction?

A Yes, People's photograph No. 33 was also taken in my presence under my direction.

Actually, it's a photograph of the wrist of Mr. LaBianca prior to placing the tags that were -- which are displayed on People's photograph Exhibit No. 27.

T9af

9a-1

Q Is that how the wrist looked, with the thongs around it, when you first saw it?

A Yes, this is an appearance depicting the wrist area as I first saw the remains.

Q Now, it appears that something is happening in the hand area of Mr. LaBianca.

What's that?

A The left hand, especially the thumb portion of the left hand, shows the effect of early decomposition, of actually appearing like the skin of that thumb is swelling and beginning to slip.

This is as a result of -- that particular area, it being in a somewhat moist situation.

MR. KAY: Your Honor, I have another coroner's photograph.

May it be marked as People's 34 for identification?

id. THE COURT: Yes, it may be so marked.

(Brief pause.)

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 34 for identification.

Was that taken under your direction?

A Yes, this photograph was taken under my direction.

This is a photograph of the body of Mr. LaBianca. Actually --

Q That shows the entire body?

A Yes, sir, the entire front portion of the body in

9a-2

position, showing the pillow case over his neck, over the head and neck, the electrical cord in place, the pajama top in place, with the upper portion of the abdomen bared, and showing certain evidences of injury.

Q Did you find a word on Mr. LaBianca's abdomen?

A Yes; scratched on the upper portion of the abdomen of Mr. LaBianca was the word "War."

MR. KAY: I have another coroner's photograph.

May this be marked as People's 35 for identification?

id. THE COURT: Yes, it may be so marked.

MR. KAY: And I have another coroner's photograph.

May this be marked as People's 36 for identification?

id. THE COURT: Yes, it may be so marked.

(Brief pause.)

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Showing you first People's 35 for identification.

Was that taken under your direction?

A Yes, this photograph of Mr. LaBianca was taken under my direction.

It shows the face, the head, neck and upper portion of his chest after the pillow case and electrical cord and the pajama top and clothing had been taken off and the blood on the surface washed off.

Q Does it show a number of wounds in the upper chest

9a-3

and neck area?

A Yes, it shows several wounds, the wounds that were present on the neck and upper chest of the decedent.

Q Showing you People's 36 for identification.

Was that taken under your direction?

A Yes, photograph No. 36 was taken under my direction.

And it shows the abdomen of the decedent, with the word "War" scratched on the upper portion and with the four large, gaping stab wounds that were present on the upper portion of the abdomen.

Q Dr. Katsuyama, from performing the autopsy, I take that you looked closely at the word "War" carved on Mr. LaBianca's abdomen.

A Yes, I did.

Q And did you form any opinion as to the type of weapon used to carve the letters W-a-r on Mr. LaBianca's abdomen?

A The appearance of it was that of scratch marks that could have been caused by a number of instruments, including the tip of the knife that was found on his neck.

And it could have also been caused by the tip of the electrical cord rubbed against the abdomen, on its surface.

And it also could have been caused by the tip of the two-tined fork that had been found with its tip partially embedded in his abdomen.

Q Showing you --

May I approach the witness, Your Honor?

THE COURT: Yes, you may.

9a-4

Q BY MR. KAY: Showing you People's 15 for identification.

In your opinion could this fork have caused those scratch marks, the letters W-a-r on Mr. LaBianca's abdomen?

A Yes, the tip of that particular fork could have caused scratch marks on his abdomen.

That is one of the several materials that could have caused those marks there.

10 f1

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Q And in your opinion, People's 31, the electrical plug, could also have caused it, the tips of the plug?

A Yes, the metallic tips of the plug could have caused those injuries.

Q In your opinion, could a knife have caused that?

A Not the sharp edge of the knife. However, the tip of the knife going in -- the unsharp edge being drawn across the surface could possibly have caused it.

Q From the results of your autopsy, Dr. Katsuyama, did you determine how many stab wounds Mr. LaBianca had received?

THE COURT: Would this be a convenient time to recess?

MR. KAY: Yes.

THE COURT: All right.

Ladies and gentlemen of the jury, at this time we are going to recess until 1:30 as to this case.

Bear in mind during this period of recess, as at all recesses, that you are not to discuss this case amongst yourselves or with anyone else; you are not to form any opinion concerning this matter or express any opinion concerning this matter until the case is finally given to you.

Furthermore, you must not allow yourselves to read, see, or hear any news media accounts of this matter.

All jurors, defendant, counsel, and the witness are ordered to return at 1:30.

Court is in recess. Thank you.

(At 11:58 a.m. a recess was taken until 1:30 p.m. of the same day.)

11 f1

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LOS ANGELES, CALIFORNIA, WEDNESDAY, APRIL 20, 1977, 1:55 P.M.

DEPARTMENT NO. 130 HON. EDWARD A. HINZ, JR., JUDGE

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(Appearances as heretofore noted.)

THE COURT: People versus Van Houten.

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

T12f

You may resume, Mr. Kay.

12-1

MR. KAY: Thank you.

DAVID MASAMICHI KATSUYAMA,

resumed the stand and testified further as follows:

DIRECT EXAMINATION (Resumed)

BY MR. KAY:

Q Dr. Katsuyama, I believe we left off at the point I was just asking you did you determine through your autopsy of Mr. LaBianca how many stab wounds he had -- knife stab wounds.

A He had a total of 12 stab wounds on his body, and one of them -- the one in the neck extended in through the neck and out on the back side of the neck, so that would make a total of 13, if you count that as a separate wound.

Q All right.

Now, did you find any puncture wounds, fork-type wounds, on his body?

A Yes.

On the anterior portion of the abdomen, in the area where the inscription "War" had been scratched, there were seven pairs of perforations or defects in the skin that were consistent with those from a double-tined fork.

MR. KAY: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Doctor, showing you People's 15 for identification, the fork that was removed from Mr. LaBianca's abdomen, in your opinion, could this fork have caused all of

the puncture wounds that you found in Mr. LaBlanca's abdomen area?

A Yes.

The seven pair or the 14 separate puncture wounds on the abdomen could have been caused by the tips of this particular fork.

Q Did you measure the distance between the two tines of the fork and compare them with the wounds?

A I did not have access to this particular fork at any time except during the trial. I believe I did measure the distance between the perforations.

There were approximately one-half-inch distance between the marks, and the tips of this particular fork is just a little over one-half inch between the tips.

12 f1

13-1

Q Okay.

Doctor, I wonder if you would step down from the stand. I have a microphone here, if you want to hold that.

Your Honor, I have here some diagrams of Leno LaBianca.

I wonder if they could collectively be marked 37, People's 37 for identification?

THE COURT: All right. How many do you have?

MR. KAY: Well, there is basically a back and a front, and there is one in the middle, but we won't be using that.

We will be using the back one, which is on top, and the cardboard one, which is on the bottom.

THE COURT: I take it that the entire unit, then, would be marked 37 for identification.

MR. KAY: Yes.

THE COURT: All right, it may be so marked.

Q BY MR. KAY: Doctor, could you step over this way. I want to make sure that everybody can see that.

And I will bring it over this way (indicating).

Is there anybody who can't see that?

(No answer.)

THE COURT: I have got my hand in the air.

(Laughter.)

THE COURT: Can we put that up on that board?

MR. KAY: Well, I'm afraid the bottom part -- some of the jurors probably couldn't see that from their vantage point.

THE COURT: If you put the bottom of the board on the trough.

13-2

MR. KAY: Let's see.

(Mr. Kay placing Exhibit on board.)

MR. KAY: It's not very -- oh, I have a volunteer.

THE BAILIFF: No way.

(Laughter.)

THE BAILIFF: I can't help you with that.

MR. KAY: You just did.

THE BAILIFF: Oh, no. No, I can't stand here and hold this.

Q BY MR. KAY: Dr. Katsuyama, directing your attention --

THE BAILIFF: Wait a minute.

THE COURT: Hold it.

Will counsel approach the bench, and the bailiff. Let's set that down on the ground so the doctor won't have to hold it.

THE BAILIFF: I can probably arrange for a table to have it sit on.

THE COURT: All right; let's do that.

MR. KAY: Okay.

THE COURT: He will get a table, then.

Thank you.

Q BY MR. KAY: While we are getting a table, Dr. Katsuyama, did you prepare these charts that are People's 37 for identification?

A These charts or diagrams that depict the front and the back of Leno LaBianca were prepared under my direction.

MR. KAY: I guess we are really going to have to wait.

1 THE BAILIFF: Yes; why don't you wait about three or
2 four minutes.
141 3 (Brief pause.)
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(Brief pause.)

MR. KAY: Can everybody see that now?

Okay.

Q Dr. Katsuyama, I wonder if you could indicate -- Well, the patient we are looking at now, that's the back portion of Mr. LaBianca?

A Yes. This particular diagram is a diagram of the back of Mr. LaBianca showing the two areas of injury that were evident on his back.

Up at the base of the neck and the upper portion of the right shoulder the exit disruption of the knife that had gone through his neck.

Back at about this point, at about the mid-back level, was a deep stab wound disruption that extended deeply into the connective tissue of the back. However, as I recall, it did not penetrate into the abdominal cavity. I believe also -- Yes, it did not penetrate into the abdominal space.

Q Doctor, I wonder --

The part we are looking at now is the front portion of Mr. LaBianca?

A Yes. This particular diagram is a diagram of the front portion of the body of Mr. LaBianca showing the areas of stab wounds and the fork marks and the scratches and the word "War" that had been scratched on his upper abdomen.

Q Doctor, I wonder if you would, for the ladies and gentlemen of the jury, point out the locations of the wounds that you found on the front of Mr. LaBianca's body, and tell the jury the direction of the thrust of the wound, the organ

or the part of the body that the wound penetrated, and when you come to a fatal wound indicate that to the jury and indicate why it was fatal.

A The wound that is marked as wound No. 1 is the one in the upper portion of the neck. That is the location where the knife entered into the neck of Mr. LaBianca.

It was going in a downward direction and toward his back in about that direction (demonstrating), slightly downward from the front to the back, from Mr. LaBianca's left side toward his right back.

This I considered as a fatal wound because, in the course of its travel through the neck, it had cut across the right carotid artery which resulted in rather extensive hemorrhage from the rather large artery that feeds the blood from the heart to the head.

Just above this opening was another stab wound that was in a slightly different direction. This one was slightly to the left of mid-line and was pointed in a downward direction toward his left, and was penetrated rather deeply.

In the course of its travel, it had cut across the trachea, which is the windpipe.

Originally I felt that it may not have been a fatal type of wound; however, in reconsidering, because of the extent of injury and the transectional or the laceration or the cutting across of the windpipe, if the decedent had lived long enough he could very easily have died as a result of that particular wound alone.

15-1

There were four additional deep wounds in the abdomen that were in these locations (indicating), two close to the midline and two that were somewhat farther to the left.

Q Have you numbered those, Doctor, on the diagram?

A Yes; these are numbered 3, 4, 5 and 6.

These were rather large, gaping wounds, ranging from about one and an eighth to perhaps a little bit larger than one and one-fourth inch, maximum dimension.

Their direction of travel was in a downward direction, from the decedent's left to the right, and from the front toward the back.

All four of these wounds entered into the abdominal space of the decedent, cutting across the loops of bowel and the mesentary.

And because of these areas of destruction in the bowel and in the mesentary, I considered all four of these wounds in an inevitable fatal type of situation.

Q Doctor, I take it that your numbering — just because you numbered wound No. 1, 2, 3, and 4, you don't have any idea that they were done in that order, do you?

A No.

The numbering system is just to utilize to assist in indexing the injuries, not in any order of importance or in occurrence.

Q Now, did you measure the depth of the stab wounds?

A As best I could.

The four wounds in the abdomen appeared to penetrate into the abdomen for at least four and a half, five inches, and

in some areas there is some indication that it could have been five inches, five and a half inches or even further.

Q And did you determine the maximum width of any of the wounds?

A These wounds were a gaping type of wound that appeared to have been caused by a rather thick type of a knife or weapon.

Q I take it, Doctor, that you personally examined all of the stab wounds to Mr. LaBianca's body.

A Yes, all the stab wounds, and also all the other wounds that I encountered on his remains.

Q From examining those wounds did you form an opinion as to the dimensions of the weapon or weapons that was used to stab him?

I'm not talking about the fork puncture wounds; I'm talking about the stab wounds now.

A With the knife that was found in the neck and the dimensions, with that information the other wounds were examined in respect to whether some of those wounds could have been caused by that particular wound -- I'm sorry -- by that particular knife that was found in his neck or by some other weapon.

It is my opinion that at least one other weapon or knife-type of an instrument was used to cause at least the wounds in his abdomen.

Q All right.

Now, from your examination did you determine what the other type of weapon was like, the other one other than the

one in his neck?

A From the appearance of the openings and the depth, it appeared to be significantly larger than the knife that was found in the neck.

It also in some areas of the openings appeared to have a double edge.

In other words, the ends of these openings appeared to be sharp rather than caused by one sharp edge and a somewhat rectangular end, as was shown in the knife that was recovered from his neck.

Q Showing you People's 17, the knife that was removed from his neck.

That is not what you would consider a double-edged knife, is it, Doctor?

A No. A double-edged knife would be one that has two sharp edges, like a dagger or some similar instrument.

Q From your examination of the wounds did you form an opinion as to the possible dimensions of this second knife?

A Only in generalities: That the second weapon was probably slightly over an inch, perhaps as wide as one and an eighth, one and a quarter inch in width, and in thickness perhaps up to three-sixteenths, one fourth of an inch.

Perhaps slightly larger -- rather, slightly thicker.

Q What about the length of the blade?

A From some of the penetration extensions into the abdomen, I would estimate that the blade was at least five inches in length, and probably longer.

Q And what's the length of the blade that was found in Mr. LaBianca's neck?

A I believe that is slightly shorter than five inches.

Q Do you have a measuring device with you there?

A I did bring a measuring device, a ruler.

From where the handle ends to the tip it is approximately four and seven-eighths inches.

Q So in your opinion the wounds on the abdomen were made with this other weapon?

A It is my opinion that whatever weapon was used to cause those large openings in the abdomen was a weapon separate and distinct from the knife that was found in his neck.

Q In your opinion were all of Mr. LaBianca's wounds --

First let me ask you this: What is the agonal stage?

A The agonal state or stage is a medical terminology to describe the situation where a person is dying.

There may be a slight heartbeat still remaining, but is not technically completely dead.

Q In your opinion were any of the wounds to Mr. LaBianca inflicted during the agonal stage in Mr. LaBianca's life?

A The fork marks and the word "war" definitely appears to be in at least the agonal stage.

Perhaps it might even be beyond that, in the post-mortem time period.

There was no definite, obvious evidence of hemorrhage in those areas to indicate that life still existed for a slight period after those wounds were sustained.

Q By "post-mortem" you mean after death?

A Yes, after all heartbeat had ceased.

MR. KAY: May I have just a moment, Your Honor?

THE COURT: Yes.

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16-1

Q BY MR. KAY: You gave us the length of the blade that was in Mr. LaBianca's throat, and you gave us your estimate of the length, width, and thickness of the second knife.

I wonder if you could measure the knife in front of you and give us the width and the thickness of the blade of the knife that was found in Mr. LaBianca's neck.

A The maximum width of this knife appears to be slightly over three-quarters of an inch, approximately 13/16ths of an inch, and the thickness is approximately 1/16th at its thickest point.

Q So, in other words, in your opinion, the knife in front of you that was found in Mr. LaBianca's throat was much smaller than the other, the second knife?

A Yes.

Q Now, what's a defense wound, Dr. Katsuyama?

A A defense wound is the type of wound that is sustained by a person who is attempting to ward off injuries by an assailant.

In other words, if in this situation where knives were used -- if the person was in a situation where he could ward the blows, thrusts, of a knife, there may be cuts on his hands and arms and wrists if an attempt was made to ward off these blows.

Q Did you find any defense wounds on Mr. LaBianca's body?

A No, I did not.

Q And because of the absence of any defense wound,

16-2

did you form an opinion as to whether or not his hands were tied behind him when he was murdered?

MR. KEITH: Oh, well, object to the question --

THE COURT: Well, objection to the form of the question is sustained.

You may rephrase the question.

MR. KAY: All right.

Q Dr. Katsuyama, due to the absence of defense wounds, did you form any opinion as to the location of his hands at the time that he was killed?

A At the time that Mr. LaBianca sustained these wounds it appears that his hands were probably tied in back of his body exposing his abdomen to the thrust and in a situation where he was not able to possibly fend off, ward off, the blows.

Q All right, Doctor, could you resume the stand?

(Brief pause.)

Dr. Katsuyama, on August 11, 1969, at about 11:30 in the morning, did you perform an autopsy on Rosemary LaBianca?

A Yes, I did.

Q And did you reduce your findings to an autopsy report after performing the autopsy on Mrs. LaBianca?

A Yes, I did.

Q And what did you determine the cause of death to be as to Mrs. LaBianca?

A I attributed the cause of death to the result of the multiple stab wounds to the neck and trunk causing massive hemorrhage.

16-3

MR. KAY: Your Honor, I have --

MR. KEITH: May we approach the bench?

THE COURT: Yes, will counsel approach the bench.

(The following proceedings were held at the bench:)

MR. KEITH: I would request that while Dr. Katsuyama is testifying to other matters, probably identifying photographs, that that diagram not be sitting there in plain sight with all those stab wounds in the back.

I think it's prejudicial.

When he's referring to it, fine, but this --

THE COURT: Well, I think as a matter of convenience that chart can be put down until after it's been identified and you have gone through the other matters. Then we can bring it up above.

You are talking about the one that hasn't been marked for identification?

MR. KEITH: Yes.

THE COURT: All right.

MR. KEITH: Thank you.

MR. KAY: You mean you just want me to put it down?

THE COURT: Just put it down and turn it around until it's been marked and you have gone through these other matters, or until you've gotten to the point where he's going to identify it and refer to it.

MR. KAY: Okay.

THE COURT: Okay?

MR. KAY: All right.

16-4

THE COURT: All right.

(The following proceedings were held in open court in the presence of the jury:)

THE COURT: All right. You may resume, Mr. Kay.

MR. KAY: Your Honor, I have a photograph of a female.

May this be marked as People's No. 38 for identification?

THE COURT: It may be so marked.

MR. KAY: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 38 for identification, do you recognize that photograph?

A Yes, I do.

Q And was that taken under your direction?

A I believe so.

Q And what does it show?

A It shows the face of Rosemary LaBianca and the neck and the upper portion of the chest.

It also shows at the lower margin of the right jaw in about this location an area of disruption, a somewhat glancing type of a stab wound.

MR. KAY: I have another photograph here, Your Honor, of a female.

May this be marked as People's 39 for identification?

THE COURT: It may be so marked.

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Showing you People's 39 for identification, do you recognize that photograph?

Was it taken under your direction?

A Yes, I recognize the photograph. It is of Rosemary

16-6

LaBianca. And it shows the same wound that I described a moment ago in a little better view.

It is a photo of the right side of the face and neck and the upper portion of her chest.

Q The photos that you testified to earlier today of Leno LaBianca, are those all accurate photographs of the way that you saw him when you performed the autopsy on August 11th, 1969?

A Essentially, yes.

Q And the photographs that I've shown you so far of Rosemary LaBianca, do those appear to be accurate photographs of the way that she appeared to you on August 11th, 1969?

A Yes, they do.

MR. KAY: I have another photograph of the back of a female.

May this be marked as People's No. 40?

THE COURT: It may be so marked.

MR. KAY: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 40 for identification, was that photograph taken under your direction?

A Yes. I believe this photograph was taken under my direction.

It is a photograph of the back of the body of Mrs. LaBianca, Mrs. Rosemary LaBianca, practically all the back.

It shows the left side of the back, a portion of

the right side of the back, and a portion of the upper portion of the buttock area.

Q Does it show a number of stab wounds?

A Yes, it shows quite a number of stab wounds on her back.

MR. KAY: I have another photograph here, Your Honor. May it be marked as People's 41?

It appears to be of the chest area.

THE COURT: It may be so marked.

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 41 for identification, was that photograph taken under your direction?

A Yes, it was.

Q And what is shown in the photograph?

A This is a photograph of the left side of the chest and abdomen, the neck and the lower portion of the left side of the face of Mrs. LaBianca.

Q Does it show any stab wounds?

A It shows three stab wounds; one just above and to the -- adjacent to the left nipple, another in the lower portion of the abdomen -- I'm sorry -- in the lower portion of the chest; and another one slightly behind.

MR. KAY: I have another photograph here, Your Honor.

May this be marked as People's 42?

THE COURT: It may be so marked.

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Showing you People's 42 for identification, do you recognize that?

A Yes, I do.

Q And what is shown in that photograph?

A This is a photograph of the remains of Rosemary LaBianca prior to the removal of a number of things, including the pillow case that was found over her head, a knotted electrical cord around the pillow case, and her upper portion of the body partially clothed.

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17-1

Q Is that the way the upper portion of the body looked when you first saw her?

A As best as I can recall, yes.

Q Did you remove the electrical cord from around Mrs. LaBianca's neck?

A Yes. My usual attempt to preserve the knots were taken, and the cord was cut, removed from the neck area.

Q You told us earlier this morning that the cord around Mrs. LaBianca's neck was not as tightly tied as the cord around Mr. LaBianca's head.

A Yes, that particular cord had not been tied as tightly.

MR. KAY: Your Honor, I have what appears to be an electrical cord.

May this be marked as People's 43 for identification?

THE COURT: It may be so marked.

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 43 for identification.

Does this appear to be the cord that you first saw around Mrs. Rosemary LaBianca's neck?

A Yes, this appears to be the electrical cord that was wrapped and tied around Mrs. LaBianca's neck over the pillowcase.

Q And did you cut it?

A Yes, I did.

17-2

Q And these white strings, what's the purpose of the white strings?

A The strings are an attempt to preserve the pieces as close in relationship to the way they were found upon the body.

Q Now, there is a knot that appears to be in the cord, by the plug.

Was that in the cord when you first saw it around Mrs. LaBianca's neck?

A Yes, that knot near the plug was in that position at the time that I saw it.

And it's also shown in the photograph 42.

MR. KAY: I have another photograph here.

May this be marked as People's No. 44?

THE COURT: It may be so marked.

MR. KAY: And I have another photograph.

May it be marked as People's 45?

THE COURT: Yes.

(Brief pause.)

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, first showing you People's 44 for identification.

Do you recognize what's depicted in that photograph?

A Yes, I do.

Q And what is that?

A It is the photograph depicting the entire front of the body of Mrs. LaBianca while still clothed and the pillowcase

17-3

over her neck and head, and the electrical cord around the neck portion.

Q And that was taken under your direction as a coroner's photograph?

A Yes, it is.

Q Showing you People's 45 for identification.

Do you recognize that photograph?

A Yes, I do.

Q And what's shown in that photograph?

A This is a photograph of the front of her chest and the upper portion of her abdomen and the left arm.

Q Does it show any wounds in there?

A It shows on the other side of the left nipple the area of disruption.

In the center of the photograph it shows the large wound that was in the upper abdomen-chest portion of her remains, just to the right of midline.

And another small disruption is visible near the elbow area of -- near where the elbow is in the photograph, actually on the left mid portion of the trunk.

MR. KAY: Your Honor, I have another photograph here.

May it be marked as People's 46?

THE COURT: Yes.

(Brief pause.)

MR. KAY: May I approach the witness?

THE COURT: Yes, you may.

Q BY MR. KAY: Dr. Katsuyama, showing you People's 46 for identification.

Do you recognize that photograph?

A Yes, I recognize this particular photograph.

Q And what's shown in that photograph?

A This particular photograph shows the back of Mrs. LaBianca, more of the back than in the earlier photograph.

And it shows numerous stab wounds in the back and on the buttock area.

Many of the ones in the buttock area have the appearance of post-mortem type of stab wounds.

1 Q At a prior proceeding did you circle some wounds
2 in this photograph that you in your opinion considered
3 post-mortem wounds?
4 A Yes, at a prior proceeding I circled in black ink
5 the disruptions, the stab wounds in the lower portion of the
6 back and on the buttock portion that appeared to me as being
7 post-mortem in nature.
8 In other words sustained after the person had
9 died.
10 Q And how many post-mortem wounds did you determine
11 that Mrs. LaBianca had suffered in that area?
12 A I believe there were approximately 14 post-mortem
13 wounds.
17af
14 Q And what did you base your opinion on that these
15 were post-mortem wounds?
16 A From the appearance of these wounds, the immediate
17 area of the connective tissue underlying the skin did not show
18 any evidence of hemorrhage, as do many of the other wounds.
19 And this is pretty clearly shown on this particular
20 photograph.
21 Many of the other wounds have a much darker,
22 discolored appearance, which at the time of examination appeared
23 to be definitely hemorrhagic.
24 Q Did you determine how many total stab wounds
25 Mrs. LaBianca suffered?
26 A In the course of examination and in counting up
27 subsequent to the examination, a total of 41 different stab
28 wounds that actually penetrated into the connective tissue were

1 identified.

2 There were several other areas of abrasions, in

3 other words, bruises, breaks in the skin that did not extend

4 into the connective tissue that are not included in the total.

5 Q And how many of those 41 wounds did you determine

6 would have been fatal in and of themselves?

7 A I believe a total of eight of the wounds were

8 considered to be fatal, and were indexed as such.

9 MR. KAY: Your Honor, I have a diagram of Mrs. LaBianca.

10 May this be marked as People's 47?

11 THE COURT: All right, it may be so marked.

12 (Mr. Kay placing diagram on board.)

13 Q BY MR. KAY: Dr. Katsuyama, was People's 47

14 prepared under your direction?

15 A Yes, People's Exhibit No. 41 (sic) was prepared under

16 my direction.

17 Q I believe it's 47.

18 A I'm sorry; I should have said 47.

19 Q Doctor, I wonder if you would step down from the

20 stand and with your pointer there, if you could indicate to the

21 ladies and gentlemen of the jury on the front portion of

22 Mrs. LaBianca -- or the back portion that we are looking at

23 now -- could you point out the wounds and describe them and

24 describe the direction of thrust of the stab wounds and what

25 portion of the critical portions of the body they penetrated.

26 And when you get to a fatal wound, indicate it is

27 fatal and why in your opinion it was fatal.

28 A On Mrs. LaBianca's back, the highest wound was in

1 the upper portion of the neck, slightly to the left of midline.
2 It was a wound that was entering the body in a
3 downward direction, toward the front and toward the right of the
4 decedent.
5 It had gone into the backbone and had actually
6 entered into the enclosed spinal cord area.
7 During the course of examination the spinal cord
8 was removed, and approximately -- and a disruption, a cutting,
9 a partial transaction of the spinal cord was found.
10 At that particular point the cutting through was
11 about two-thirds of the area, at that particular location.
12 Q What would that have done to Mrs. LaBianca from
13 suffering that wound?
14 A Because of that injury I would have expected her
15 to have lost the ability or a measurable ability to locomotion
16 or moving.
17 In other words it is high enough so that most of
18 her ability to use her arms and legs would be gone.
19 In addition, it is also high enough of a level so
20 that the nerves that innervate the chest may also be disrupted.
21 And so because of this particular extent of injury
22 I considered that particular wound fatal.
23 Q So, in other words, it would have basically
24 paralyzed her from the point of the wound down.
25 A Yes, practically so.
26 Q All right.
27 Could you continue, Doctor.
28 A Just below this, at about the same general direction

and about this location (indicating), in the extreme upper portion of the chest, the lower portion of the neck, again slightly to the left of midline, pointing in a downward direction from the decedent's left toward her right and toward the front of her body was a wound, a stab wound that actually entered into the left chest space and penetrated deeply into the lung.

Because of the disruption of the lung tissue itself and the vessels that were in the area, and there was some hemorrhaging into the area also upon the examination, I considered this wound as also one of those that would have proven fatal.

Q I take it, Doctor, that the wound you just talked about is what you have labeled wound No. 2.

A Yes, that is wound No. 2.

Q And the first wound that you told us about in the neck area is labeled on your diagram, People's 47, as wound No. 1.

A Yes.

Wound No. 1 is the one that entered into the spinal canal, partially severing the spinal cord.

Q I wonder if, as you describe the wounds, for the clarification of the record, if you will say what number you have given it on your diagram.

A On the diagram wound No. 3 was in the back portion of the left chest, at about this location (indicating).

It was pointed into the left chest space, in a downward direction, toward the front of the body and toward the right front of the body.

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18-1

This had entered into the left lung and also penetrated into the tissue and disrupted the vessels, and because of this injury I attributed it as a fatal wound.

Just below this, at about this location --

Q That's wound No. 4 you are talking about now?

A Wound No. 4.

Traveling a relatively similar course in a downward direction from the left back toward the right front into the left chest space penetrating into the left lung.

And because of the disruptions of the lung and resulting hemorrhage, I attributed it to be a fatal wound.

Wound No. 5 is in the lower portion of the chest, upper portion of the back of the abdomen and essentially in the left flank area, generally going into the same direction, entering the body slightly more laterally or farther from the mid-line than wounds 3 and 4.

This went into the left chest space, disrupted a portion of the left lung. It had gone through the diaphragm into the abdominal space and had penetrated into the stomach resulting in spillage of a portion of the contents of the stomach into the chest and the abdomen. And it also struck the spleen.

And because of the disruptions in the lung and the spleen and the spillage of the stomach contents, I would consider this a fatal type of wound.

That is wound No. 5.

Wound No. 6 is in the upper portion of the back of the right chest.

18-2

Again, this wound was also going in a general similar direction as the other wounds in the back that I have been describing, going in a downward direction from -- in this instance closer toward the mid-line, away from the mid-line toward the right in a forward direction and a downward direction.

This had entered into the chest space, had gone into the lung, causing disruptions of the lung substance and the vessels, and because of the bleeding and the disruption in the lung I attribute it as a fatal type of wound.

Below this --

That was wound No. 6.

Just below wound No. 6 was wound No. -- what I attribute as wound No. 7 at about this location somewhat lower than wound No. 6.

In general, the wound is extending into the chest in the same general direction downward toward the front and toward the right from the decedent's left back.

This injury penetrated into the chest space, penetrated into the lung, causing disruptions of the substance and hemorrhage.

And because of these injuries, I attribute it as a fatal wound.

Q Doctor, I notice that by the wound numbers in your diagram, People's 47, to the right of the numbers you have arrows.

Are those arrows -- does that show the direction of the thrust of the wound?

A Yes. The arrows are in general an attempt to show the direction of the course of the stab wound.

Q Okay.

(Brief pause.)

All right, Doctor, is this a diagram of the front portion of Rosemary LaBianca?

A This diagram is a diagram of the front portion of the body of Rosemary LaBianca, with the areas of injury indicated in red, and the one definite deep injury that I considered fatal, wound No. 8, in this particular location.

18-4

Q And that was right above the nipple of her left breast?

A Yes. That was located on the upper outer portion of the nipple just next to the nipple of the left breast.

It had penetrated deeply into the substance into the chest space and penetrated into the lung.

And because of the penetration into the lung and the disruptions that it had caused, I attribute it as a fatal-type wound.

Q And besides the wounds you described as fatal, I take it you found a number of other stab wounds?

A Yes. A number of other stab wounds, as indicated here, another wound at the angle -- near the angle of her left jaw that appeared to be going in a somewhat glancing fashion into the connective tissue for about an inch, inch and a half, two inches.

Q By the way, Doctor, did you have an opinion as to how Mrs. LaBianca suffered that wound in the chin area?

A It is difficult to say.

It is possible that she was trying to avoid a thrust of a weapon at that particular time. The wound itself is somewhat of a glancing type and might indicate that she was attempting to avoid a thrust.

Q She turned her head, do you think?

A Yes, such a turning of the head might have resulted in that type of wound.

Q Now, did you find any linear scratches on the body of Mrs. LaBianca?

18-5

A Yes. There were a number of scratches on the back of Mrs. LaBianca. One of them was definitely associated with a deep disruption into the muscular and subcutaneous tissue of the back, and then there were others that --

Q Let's see. Wait a minute.

Well, let's see here. Is there also an abrasion on the front before we finish --

A There were two small disruptions of the skin in these areas, and just above this eruption was an abrasion or a scratch like an edge of an instrument had been -- had grazed across the surface.

Q Did you form any opinion as to whether or not a similar --

Well, what opinion did you form as to the type of weapon that could have been used to make that scratch in the front of Mrs. LaBianca's body?

A It is possible that the tip of the weapon that caused that particular stab wound here might have been drawn across the skin surface in that particular location.

Q Now, showing you again the back portion of the diagram of People's 47, do any of the linear scratches that you found in Mrs. LaBianca's back show up on that diagram?

A At the lower margin of this deep stab wound there is an area of superficial disruption, scratching, abrasion, indicating that the weapon that caused that particular disruption was sort of drawn across the surface here either on the way in or on the way out.

There is also at this particular location adjacent

18-6

to another large stab wound an area of abrasion.

There is another linear abrasion that was in about this location, and I believe that there are several other areas of abrasion in those areas where the numerous post-mortem marks were found.

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Q Did you form any opinion as to whether or not there was any similarity between the weapon that caused those linear scratches to the back of Mrs. LaBianca and the weapon that caused the writing of the word "War" on Mr. LaBianca's abdomen?

A From the appearance of those scratches, it is possible that a similar instrument was used to cause both types of abrasions, scratches, that were encountered.

Q Did you find any other abrasions or rub marks on her body?

A I don't recall.

I think that I mentioned these wounds here, abrasions, and I don't recall any others at the present time.

Q All right.

Doctor, did you personally examine all 41 wounds?

A All of the wounds were examined, all 41 of these, and the other abrasions, in the course of examination.

Q All right. Examined by you?

A Yes.

Q And based on your examination of the wounds, did you form an opinion as to the type of knife or knives that caused the wound? I should say wounds.

A Based upon the examination of the wounds, the larger, deeper stab wounds that she sustained, that I attribute as fatal wounds, appear to be caused by an instrument different than the weapon, the knife, the thin, long-bladed knife that was found in Mr. LaBianca's neck.

Q In other words, your opinion is that the knife in Mr. LaBianca's neck could not have caused all of the wounds to

Mrs. LaBianca?

A Yes. I believe that a separate weapon was used.

Q All right.

Did you form an opinion as to the general dimensions of the weapon used to kill Rosemary LaBianca?

A In some portions the wounds appeared to be one inch in width; in other words, the blade of the wound -- of the weapon would have been at least one inch.

And I believe some of these were approximately one and an eighth to one and a quarter inch in maximum width.

The depth of the penetration on several of these were at least five to five and a half inches.

And because of that, I do not feel that these -- some of these wounds were caused by this particular knife.

Q Now, did you form any opinion as to the type of knife that was involved here?

A Many of the wounds -- in fact, most of the larger wounds have the appearance of a double-edged weapon.

Q Did it appear that the blade of the knife was strong or weak?

A The blade appeared to be relatively thick, perhaps as thick as a three-sixteenth, quarter of an inch, perhaps even more.

Q Did the knife appear to be a sharp-pointed knife or a dull knife?

A Let's see. That was a sharp-edged -- relatively sharp-edged knife.

The disruptions -- the post-mortem disruptions on

19 E1

her buttock areas appeared to be a relatively sharp knife. However, these appeared -- these wounds appeared to be sustained definitely after death.

19-1

Q Now, the wounds on the buttock, in the buttock area, in your opinion could those have been caused by the knife or knives that caused the wounds on the upper portion of the neck?

A It is possible that because of the rather minimal depth of penetration into the connective tissue, that they could have been caused by the tips of the weapon that caused the deeper disruption.

However, I cannot definitely say that it was either the same knife or a separate weapon.

Q I take it, Doctor, you don't know the number of knives used to kill Mrs. LaBianca; is that right?

A No. The best that I could say is that it appears that most of the injuries appear to have been caused by a weapon different than the one that was recovered from Mr. LaBianca's neck.

Q But other than that, you can't say the actual number of weapons used to stab Mrs. LaBianca; is that right?

A No.

Q No, it isn't right, or no, it is right?

A No, I cannot say the number of weapons used.

MR. KAY: May I have just a moment, Your Honor?

THE COURT: Yes.

(Brief pause.)

Q BY MR. KAY: I don't remember if I asked you this, but the length -- the depth of the wounds, what's the deepest that any of her wounds went in length?

A The depth of penetration into the body and into

the -- two of the wounds in the back were at least five to five and a half inches in depth, which is slightly longer than the blade length of the knife found in Mr. LaBianca's neck.

Q Doctor, did you take blood samples of Leno and Rosemary LaBianca?

A I believe blood samples were taken.

I can't definitely say that I personally took them. I would have to have other corroborative evidence to definitely state.

But I do know that specimens of blood were taken in both of these cases for further studies.

MR. KAY: All right.

I don't have any further questions.

THE COURT: All right; thank you.

You may cross-examine.

CROSS-EXAMINATION

BY MR. KEITH:

Q Doctor, assuming the post-mortem wounds in the back and buttocks of Mrs. LaBianca were made prior to her death, would any of those have been fatal, in your opinion?

A You mean the small superficial ones on the buttock, the lower portion of the back?

Q Yes.

A There will be some bleeding from those wounds.

However, they would be relatively easy to control, unless she was in a position where she would not be able to

19-3

1 get medical assistance.

2 Q Your best opinion is, then, that the wounds, the
3 post-mortem wounds on the lower back and buttocks would not
4 have been fatal unless they would have been neglected for a
5 long period of time.

6 A For one reason or another neglected, yes.
7 They would not really be fatal immediately.

8 Q How deep were they, if you measured them?

9 A They were up to about one and a half inches in
10 depth.

11 Q And you can't tell, can you, Doctor, whether those
12 post-mortem wounds were caused by the same knife that caused
13 the gaping wounds in Mrs. LaBianca's back?

14 A No. It's quite possible that a third instrument --
15 I'm sorry; a fourth instrument could have caused that.
16 Utilizing the knife as one instrument, the fork
17 as a second instrument, the larger, gaping wound as a third
18 instrument; and it is possible that the disruptions in the
19 lower back might have been caused by a fourth instrument.

20 Q All right.
21 Now, the large, gaping wounds, as you have
22 described them, were caused by a heavy-bladed double-edged
23 instrument.
24 Is that your opinion?

25 A It appears that it is a heavy-bladed double-edged
26 relatively sharp-edged weapon, considerably, in my opinion
27 considerably heavier in characteristics than the knife that was
28 found in his neck.

It could possibly be considerably longer than the depth of penetrations that I mentioned.

Q Now, would it have taken, in your opinion, considerable strength to inflict the fatal wounds on Mrs. LaBianca?

A The only one that would have taken significant stress, in my opinion, is fatal wound No. 1, which actually entered into the soft, or less bony, portions of the backbone, in the back portion.

19-5

Q Could that wound have been caused by the same knife that caused the wounds No. 2, 3, 4, 5, 6 and 7?

A Yes, all of those fatal wounds on Mrs. LaBianca appeared, at least on her back, appeared to be caused by the same or similar heavy instrument.

19af

Q Now, if that heavy, double-edged instrument had caused the wounds to the buttocks, the post-mortem wounds, these you would consider to have been made in a rather light blow.

Do you understand the question?

A Yes, I do.

Q In other words, if this heavy instrument had made the post-mortem wounds it would have required very little strength to go in an inch or an inch and a half, at the most.

A I think it would be more probably referred as the force utilized appears to be much less and the penetration much less than the larger, deeper wounds on the upper portion of the back.

Q Now, we are assuming, for the sake of argument, it was the same heavy, double-edged instrument that made the post-mortem wounds as made the gaping wounds in the back, that you have enumerated were fatal.

A If we assume the same weapon caused both of these, then, my opinion that a lighter force, less thrust was utilized in causing the disruptions on her buttock area.

Q However, there is nothing -- you found no evidence that a fourth or fifth instrument could have been used to cause the post-mortem wounds on Mrs. LaBianca's buttocks

and her back.

A Not definitely.

Q What you are telling us is, there is no reason that you can relate to that makes you feel that it couldn't have been a different instrument to cause the post-mortem wounds in the buttocks.

Do you understand that question?

A I believe I do.

And if I may rephrase my answer, the small disruptions, the wounds on her buttock, the post-mortem wounds could have been caused by the instrument, by the same instrument that caused the deeper wounds, only in causing the disruptions in the buttock area the thrust at that particular point was not as heavy or as deeply as the wounds that penetrated into the chest.

Q Or those wounds in the buttocks could have been caused by a different instrument.

A It is very possible that a separate fourth instrument could have caused those wounds.

Q Incidentally, Doctor, were both Mr. and Mrs. LaBianca in rigor mortis when you first examined their bodies?

A I don't believe I have that information.

I believe that there is information of the coroner's investigator at the scene indicating considerable amount of rigor at the time that he made his first investigation.

Q And you did, no doubt, because of the palms of Mr. LaBianca's hands.

A The photograph of his hands with the electrical cord

in place definitely shows some definite mottling of livor and the extensive early post-mortem skin slippage that I described earlier.

Q Now, there wasn't an electrical cord around his wrists, was there?

A I'm sorry.

Q It was thongs.

A I'm sorry; I mean the thongs that were found around his neck.

Q You --

A I'm sorry; I mean the thongs that were found around his wrists.

Q All right.

Now, the palms of Mr. LaBianca's hands, according to those colored pictures that you viewed, were discolored; they were bluish.

A The only photos I have here today are black and whites.

Q All right.

Do you remember that the palms were bluish?

A No, I don't.

T20f (Off the record discussion between counsel.)

20-1

MR. KEITH: May I approach the witness, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KEITH: Showing you People's 18 for identification, that's been identified as Mr. LaBianca's hands tied with the thongs after death, right? And that's the way it's been identified.

Now, I'm pointing to the discoloration of his hands.

What causes that, in your opinion?

A The purplish reddish color is a result of a phenomenon of livor or livor mortis, which is the settling of blood in the more dependent portions of the body after death, because the heart has ceased to beat and stopped and the circulation has stopped.

The red cells that compose part of the blood have a certain weight and it is affected by gravity.

And after a person is dead, and there is no heart-beat, the red cells will have a tendency to settle in the lowermost portions of the body.

And I believe that these changes indicate that particular phenomena.

The places where it appears to be blanched or less colored by this phenomena are places where there is pressure so that the effect of gravity upon the red cells is not taking place as well.

Q The livor mortis, as you call it, has nothing to do, does it, with whether or not those thongs were tied tightly or loosely?

A One possibly may interpret the deeper color as being the effect of cyanosis. However, I don't -- I can't definitely say in this particular instance, viewing that particular photograph, that such cyanosis because of a tightness had actually occurred.

Q The most reasonable explanation for that discoloration is, as you have described, livor mortis?

A Livor or livor mortis.

Q How do you spell that?

A L-i-v-o-r.

Q That's a phenomenon that occurs after death?

A After death as a result of the red cells settling to the more dependent portions of the body.

MR. KEITH: I don't have any more questions.

MR. KAY: I just have one question.

REDIRECT EXAMINATION

BY MR. KAY:

Q You used the term "rigor mortis," Doctor.

Could you explain that.

A Rigor mortis or rigor mortis, spelled r-i-g-o-r, is the phenomenon that occurs after the death of an individual where the musculature has a tendency to stiffen up, harden up, in a certain time period. It comes on in a certain general fashion and it disappears in a certain fashion after death.

After death it is present for perhaps anywhere from beginning approximately six to eight hours after death to perhaps the full rigor between 24 to 36 hours, and perhaps

at about 36 hours or so it might be completely gone.

It will not form -- I'm sorry -- if it is present, and the extremities or the muscles can be manipulated to, quotes, break, end quotes, the rigor, it will not reappear in that area.

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

THE COURT: Anything further?

MR. KEITH: No, Your Honor.

THE COURT: May this witness be excused? Any objection?

MR. KAY: No.

MR. KEITH: No.

THE COURT: All right, sir, thank you. You may step down. You are excused.

THE WITNESS: Thank you.

THE COURT: All right.

At this time we will take the afternoon recess.

Ladies and gentlemen of the jury, bear in mind during this recess, as at all recesses, that you must not discuss this case amongst yourselves or with anyone else, and you must not form any opinion concerning this matter or express any opinion concerning this matter until the case is finally given to you.

Furthermore, you must not allow yourselves to read, see, or hear any news media accounts in this matter.

The court will be in recess for 15 minutes until 25 minutes past the hour.

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

21 f1

Court is in recess. Thank you.

(Recess taken.)

21-1

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 jurors are in their assigned places.

T22f 5 You may call your next witness.

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MR. KAY: Yes. The People will call Harold True.

HAROLD TRUE,

called as a witness by the People, was sworn and testified as follows:

THE CLERK: Raise your right hand, please.

You do solemnly swear the testimony you may give in the cause now pending before this court shall be the truth, the whole truth, and nothing but the truth, so help you God.

THE WITNESS: Yes.

THE CLERK: Just take the stand and be seated, please.

Pull the microphone over, please, directly under your chin, up as close as you possibly can, and would you give your name for the record, please.

THE WITNESS: Harold True.

THE CLERK: Would you spell your last name.

THE WITNESS: T-r-u-e.

THE CLERK: Thank you.

DIRECT EXAMINATION

BY MR. KAY:

Q Mr. True, what is your occupation?

A Cable splicer's helper for the Department of Water and Power.

Q That's for the City of Los Angeles?

A Yes.

Q Directing your attention to September of 1967,

did you move into the residence located at 3267 Waverly Drive in the Los Feliz area of Los Angeles?

A Yes.

Q And did you rent that residence along with some other fellows?

A Yes.

Q And how many other people besides yourself rented that residence?

A Three.

Q And what were their names?

A Allen Sverdloff, Ernest Baltzell, and Harry Yost.

Q And do you remember how much rent you paid at the time?

A $265.

Q Did you split that four ways?

A Yes.

MR. KAY: May I approach the witness with People's 14, Your Honor?

THE COURT: Yes, you may.

Q BY MR. KAY: Mr. True, showing you an aerial photograph, which has been marked as People's 14, do you see the house that you rented in that photograph?

A Yes.

23 f1

23-1

Q And would you indicate where it is?

A It's -- as I am facing it, it's on my right.

Q There is some writing on it that says "Mr. True's former residence"?

A Yes.

Q All right.

The house next door, which has a big red circle around it and says "LaBianca residence."

When you moved into the residence next door back in September of '67 was there anybody living in the LaBianca residence?

A Not that I knew of.

Q All right.

How long did you live in the residence next door to the one that's circled "LaBianca residence"?

A One year.

Q And what month did you move out?

A September 1968.

Q Now, between the time that you moved in and the time that you moved out did anybody ever live in the residence that's circled as the LaBianca residence?

A No.

Q Did you ever in your whole life meet Mr. and Mrs. LaBianca?

A No.

Q Did you meet Charles Manson?

A Yes.

Q When did you meet Mr. Manson?

23-2

A March 1968.

Q Where did you meet him?

A In Topanga Canyon.

Q Was he living in Topanga Canyon at the time?

A Yes.

Q Did he have anybody that appeared to be living with him?

A Yes.

Q A couple of weeks after you met Mr. Manson did you help Mr. Manson do anything?

A I helped him move into another residence.

Q All right.

And the time period when you helped him move, did he come over and spend the night at your residence?

A I don't understand the question.

Q Well, during the period when you were helping him move did he come over -- did you allow him to spend the night at your residence on Waverly Drive?

A Yeah, the night we moved him, he stayed that night.

Q And this was in March of '68?

A March of '68, yes, sir.

Q Now, other than Mr. Manson, did anybody else who appeared to be associated with Mr. Manson spend the night during this period when you were helping Mr. Manson move?

A Yes.

Q All right.

Do you remember the names of any of these people?

A Mary Brunner, Lyn Fromme.

23-3

Q That's "Squeaky"?

A Yeah. Patricia Krenwinkel and Nancy Pitman.

And there were some other people.

Q Susan Atkins?

A Yes.

Q And how long did Manson and these girls stay at your house?

A Just that night.

Q All right.

Did Manson ever come back to your house after that?

A Yes.

Q On about how many occasions?

A Four or five times.

Q And on any of the occasions that he came to your residence did he ever spend the night again, other than that first night?

A Once.

Q So by the time you moved out in September of '68 Mr. Manson had spent the night on two different occasions; is that right?

A Yes.

Q Did you ever meet Linda Kasabian?

A Yes.

Q When did you meet Linda Kasabian?

A In the summer of 1968.

Q And did you meet her when you were at your residence there on Waverly Drive?

A Yes.

23-4

Q All right.

Was she in the company of anyone?

A She was with her husband and some other people from New Mexico.

Q Did you and her husband have a mutual friend?

A Yes.

Q When you met Linda Kasabian at your residence was she in the company of anyone else, Mr. Hanson or any other member of the Family?

A No.

MR. KAY: May I have just a moment, Your Honor?

THE COURT: Yes.

(Brief pause.)

Q BY MR. KAY: When you rented the house on Waverly Drive what was your occupation at that time?

A I was a graduate student at UCLA.

Q In what subject were you a graduate student?

A Medieval History.

Q The first six months of 1969, were you in the United States?

A No.

Q Where were you?

A I was in Ethiopia with the Peace Corp.

Q Were you a member of the Peace Corp?

A Yes.

Q In August of 1969 where were you living?

A I was living with my fiancee down off of Olympic and Normandy, in that area of Los Angeles.

Q Is your fiancee presently your wife?

A Yes.

MR. KAY: May I have just a moment, Your Honor?

THE COURT: Yes.

(Brief pause.)

Q BY MR. KAY: When you moved out in September of '68 did your three roommates move out also?

A Yes.

Q Besides Manson, did any of the girls that you named that spent the night the first time when you were helping Manson move, did any of those girls ever spend the night again at your house?

A No.

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

THE COURT: You may cross-examine.

CROSS-EXAMINATION

BY MR. KEITH:

Q Mr. True, when you first met Mr. Manson what were the circumstances?

A We had a mutual friend. They had met at Terminal Island Prison.

And I went up to meet him, Phillip Kauffman, and he was staying with Manson at the time.

T24

24-1

Q Phillip Kauffman used to be an inmate at Terminal Island?

A Yes.

Q And he was a friend of yours?

A Yes.

Q And he was also apparently a friend of Manson's?

A Yes.

Q And you went to Topanga Canyon to say hello to Mr. Kauffman?

A Yes.

Q And was it happenstance that Manson was there?

What I mean is, did you know he was going to be there?

A Oh, I knew somebody was there; I didn't know who.

Q What kind of a place was it in Topanga Canyon where you met Mr. Kauffman?

A One of the derelict houses throughout the Topanga Canyon area.

Q Were there any girls there in one of these derelict houses where you met Manson?

A Yes, yes.

Q Was it the same group of girls whose names you have just recited?

A Yes.

Q Mary Brunner, Krenwinkel, Nancy Pitman, and Susan Atkins?

A Yes.

Q And they were there in this derelict place?

A Yes.

Q And how did you get to know Mr. Kauffman?

MR. KAY: Well, I'll object to that. That appears to be irrelevant.

THE COURT: Well, the objection is sustained in the absence of an offer of proof.

Q BY MR. KEITH: Well, have you ever been convicted of a felony?

A Yes.

Q What is the name of the felony?

A Possession of marijuana.

Q When?

A 1972.

Q You didn't meet Kauffman as an inmate yourself at Terminal Island, did you?

A No.

Q Now, did you invite Mr. Hanson back to your residence on Waverly Drive the four or five times that you returned after his initial visit in March of '68?

A No. But I didn't say that he couldn't come back.

Q Well, did he just show up on your doorstep?

A Yes.

Q Was he alone or with others?

A Sometimes he would be alone; sometimes there would be people with him.

Q When you say "people with him," did those people appear to be followers of his, such as the girls were?

A No; people that picked him up while he was

1 hitchhiking.

2 Q And it appeared to you that he directed whoever

3 picked him up to let him off at your place?

4 A I have no knowledge of that.

5 Q All right.

6 At any rate, on four or five occasions, between

7 March of 1968 and September of 1968, he would appear at your

8 doorstep?

9 A Yes.

10 Q And you would let him in?

11 A Yes.

12 Q And you would chat with him?

13 A Yes.

14 Q And on one of those four or five occasions, after

15 March of 1968, he spent the night?

16 A Yes.

17 Q Did you smoke pot with him --

18 A I --

19 Q -- on these occasions?

20 A I don't remember.

21 Q Pardon?

22 A I really don't know.

23 Q Did you drop acid with him?

24 A I don't know.

25 Q Did you ever return to the Topanga Canyon area

26 and see Manson again other than the time --

27 I'm talking about other than the times he appeared

28 on your doorstep.

A Yes.

Q And when is the last time you ever saw Manson?

A Last time I appeared at the trial -- for his murder trial as a witness at his trial.

Q No, I don't mean the trial, I mean outside.

A Sometime right before I moved in 1968.

Q You were a graduate student at that time?

A Yes.

24-5

Q And when you moved in 1968, did you sublease the house to someone else?

A No.

Q You and your three friends just moved out?

A Yes.

Q You had a month-to-month tenancy, I presume?

A Yes.

Q How many times did you see the girls that you have mentioned?

A (No response.)

Q One time we know of when they all spent the night at your house, right?

And then another time, a second time, was when you first met Manson in March of '68 in Topanga Canyon, right?

A Yes.

Q Did you ever see those girls or any of them at any other time other than maybe in court?

A The times that I had gone to Spahn Ranch or in Topanga Canyon.

Q How many times did you visit the Spahn Ranch?

A Once or twice.

Q When was this?

A Right around September of '68, September, October, 1968.

Q When was it that you helped Manson move, was that that March date when you first met him?

A Yes.

Q And you moved him from where to where?

1 A From Topanga Canyon he moved into Hollywood.
2 Q A residence in Hollywood?
3 A Yes.
4 Q Or an apartment or what?
5 A House.
6 Q A house in Hollywood?
7 A Yes.
8 Q Whereabouts in Hollywood, if you remember?
9 A On Stanley Drive right off Sunset Boulevard.
10 Q Had you visited him at that house in Hollywood?
11 A No.
12 Q How long did he stay there?
13 A Just a matter of days.
14 Q How do you know that?
15 A Well, my friend Phil Kauffman was with him. Through
16 word of mouth.
17 Q And do you know where Manson went from the house
18 in Hollywood?
19 A Back out to Topanga Canyon.
20 Q Did you see him there?
21 A Yes.
22 Q How many times did you see him there?
23 A Just a couple.
24 Q What was your purpose in visiting him at Topanga
25 Canyon after that initial March meeting where you went to
26 see Phil Kauffman?
27 A He was an interesting person.
28 Q Did you discuss his philosophy with him?

24-7

24a

A No, he had no philosophy at that time.

Q Did you ever hear the term "helter-skelter" other than in court or in reading the book?

A It's a song written by the Beatles.

Q All right.

Did you ever hear Manson discuss the term "helter-skelter"?

A No.

Q When did you go out to the Spahn Ranch, in September or October?

A September, October, 19 --

Q Of '63?

A -- '68; yes, sir.

Q And was that just before you joined the Peace Corps?

A Yes.

Q And did you see any of those girls out there at the Spahn Ranch?

A Some of them. I can't -- There was Lynn Fromme and Susan Atkins I know for sure.

I don't remember anyone else.

Q You never saw Leslie except in court, did you?

A No.

Q And you never met her at the Spahn Ranch?

A No.

Q Now, was October of 1968 approximately the last time you ever saw Manson except in court?

A Yes.

Q And how many people did you see at the Spahn Ranch on the two occasions you went there?

A Each time, or total or just --

I don't know.

Q Approximately.

A Anywhere 10 to 15. I don't know. I never counted them.

Q Were most of them girls?

A No, it would vary. You know, I really didn't pay any attention.

I went out there to talk to Charles Manson, not to see anyone else.

24-9

Q You went there to talk to him; well, he didn't have any philosophy then, did he, according to --

A Well, I can talk to a person. I don't have to talk philosophy.

Q Well, all right.

Did you just pass the time of day with him?

A Yes.

Q Did you smoke pot with him at the Spahn Ranch?

A No.

MR. KAY: Well, objection, irrelevant.

Well, he's answered.

Q BY MR. KEITH: Did you drop acid with him at the Spahn Ranch?

A No.

Q Did you talk to any of the other people at the Spahn Ranch besides Manson?

A Other than introductions, no.

Q You were attracted apparently to Manson's unusual personality?

A That, and he owed me $200.

(Laughter.)

Q Did you get your $200 back?

A No. He gave me a vehicle instead.

Q What kind of vehicle?

A 1934 Dodge pickup truck.

Q When did Manson borrow the $200 from you?

A They needed it when they were arrested in Ventura County.

Q Did you post bail for him?

A No, I got their vehicles out of impound.

Q When you say "they were arrested in Ventura County," you mean Manson and some of the girls?

A Yes.

Q Did you go up to Ventura?

A No.

Q How did you find out about the arrest in Ventura County?

A Came to my house and asked for $200.

Q In order to release his vehicles from impound?

A Yes.

Q And that was one of the four or five visits?

A Yes.

Q Did you feel that Manson tried to impose on you to some extent?

A No.

Q You were happy to lend him the $200?

A Well, I loaned it to him.

Q Where did you meet Linda Kasabian, in Topanga Canyon also?

A No, at the Waverly residence.

Q And this was sometime in 1968?

A Yes.

Q And she was with Mr. Kasabian?

A Yes.

Q And some others?

A Yes.

1 Q And they all had come in from New Mexico?
2 A Yes.
3 Q And how did it happen that she came to your
4 house? Had you known Mrs. Kasabian or any of her friends
5 before that time?
6 A A friend of mine had gone to New Mexico, met
7 these people, and they came back to Los Angeles, and they
8 came to this residence.
9 Q And did Linda and her husband stay there at your
10 house for any length of time?
11 A No.
12 Q Just came in and --
13 A Just spent three or four hours there and then left.
14 Q And was that the only time you ever saw Linda
15 Kasabian except perhaps in court?
16 A No, I saw her in Topanga Canyon.
17 Q How many times did you see Linda in Topanga Canyon?
18 A I have no idea. Just on and off. I don't know.
19 Once, twice, three times.
20 I didn't count them.
21 Q Did you sort of hang out in Topanga Canyon?
22 A No, I just knew a lot of people that lived in
23 Topanga Canyon.
24 Q And did you run across Linda in Topanga Canyon by
25 happenstance?
26 A No. Mutual friend. They were all staying in
27 Topanga Canyon, and I went out to see the friend and their --
28 Q And there was Linda?

24-12

A Yes. It was the time of the communes.

Q Did I hear you to say that this was the era of the commune?

A Yeah. A lot of communes in the '60s.

If you knew one of the people in the communes, you wound up knowing a lot of people.

Q Would it be fair to say that that is what Charlie appeared to be running, a commune, at the time --

A Yeah, at the time, yeah.

Q -- when you knew him?

A At the time, I would say that, yes.

25 f1

25-1

Q Did you make a special trip to Spahn Ranch on a couple of occasions to see Charlie because he intrigued you?

A No.

Q Did you go to the Spahn Ranch just to get away from the hussle and bussle of the city, or what?

A To get $200.

Q You only went out there to get your $200?

A I'm a student; $200 was a lot of money, and I was getting ready to go to Africa.

Yes.

MR. KEITH: I don't have anything further.

THE COURT: Anything further?

REDIRECT EXAMINATION

BY MR. KAY:

Q Mr. True, that conviction for marijuana, you didn't go to prison for that, did you?

A No.

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

THE COURT: Anything further?

MR. KEITH: No.

THE COURT: May this witness be excused? Any objection?

MR. KAY: No objection.

MR. KEITH: No.

THE COURT: All right, sir, you are excused. Thank you for your attendance upon the court.

MR. KAY: I think, Your Honor, my next witness will be here in the morning.

25-2

THE COURT: Yes. It's time to stop, anyway. Excellent timing.

All right. Ladies and gentlemen of the jury, bear in mind during this recess you are not to discuss this case amongst yourselves or with anyone else and you are not to form any opinion concerning this matter or express any opinion concerning this matter until the case is finally given to you.

Further, you must not allow yourselves to see, read or hear any news media accounts about this matter.

The Court will be in recess as to this case until tomorrow morning at 10:00 a.m.

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

Thank you.

(At 3:55 p.m. an adjournment was taken until Thursday, April 21, 1977 at 10:00 a.m.)