

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 130

KON, EDWARD A. HENZ, JR., JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

9043

No. A 253156

vs.
LESLIE VAN HOUTEN,
Defendant.

REPORTERS* DAILY TRANSCRIPT

June 16, 1977

VOLUME 43

Pages 5890 to 5946, incl.

APPEARANCES:

(See Volume 1)

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25
26
27
28

INDEX FOR VOLUME 43

PAGES 5890 to 5946

<u>DAY</u>	<u>DATE</u>	<u>PAGE</u>
Thursday	June 16, 1977	A.M. 5890

CHRONOLOGICAL INDEX

REBUTTAL WITNESSES DIRECT CROSS REDETECT REDEROSS FIRE

VOIR

WAGNER, Robert Austin 5892 5914

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INDEXED

DATE 11/17/87

1 LOS ANGELES, CALIFORNIA, THURSDAY, JUNE 16, 1977, 10:40 A.M.

2 DEPARTMENT NO. 130

HON. EDWARD A. HINZ, JR., JUDGE

3
4 (Appearances as heretofore noted.)

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

7 All right. In People versus Van Houten, let the
8 record show the defendant is present, represented by counsel,
9 the People are represented by counsel, the jurors are in
10 their assigned places.

11 The case is with the People on rebuttal.

12 You may call your first witness.
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1 MR. KAY: Thank you, Your Honor.

2
3 R E B U T T A L

4
5 MR. KAY: The People will call Mr. Robert Mackie.

6
7 ROBERT AUSTIN MACKIE,
8 called as a witness for the People in rebuttal, was sworn and
9 testified as follows:

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

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

16 THE WITNESS: I do.

17 THE CLERK: Please take the stand and be seated, please,
18 sir.

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

22 THE WITNESS: My name is Bob Mackie; Robert Austin
23 Mackie.

24 THE CLERK: Would you spell your last name, please.

25 THE WITNESS: M-a-c-k-i-e.

26 --

27 --

28 --

DIRECT EXAMINATION

1

BY MR. KAY:

2

3

Q Bob, how old are you?

4

A Twenty-seven.

5

Q What is your occupation?

6

A I'm a teacher.

7

Q Where do you teach?

8

A At Braille Institute for the Blind.

9

Q And what do you teach at the Braille Institute?

10

A I teach art.

11

Q And what is the Braille Institute?

12

A It is a community for the blind within Los Angeles
community.

14

Q And how many students do you teach there?

15

A I have about a hundred students that I teach.

16

Q What subjects do you teach there?

17

A I teach ceramics, sculpture, mosaics and leather.

18

Q And do you have a Master's Degree in fine arts?

19

A Yes, I do.

20

Q How long do you have to go to college to get a

21

Master's Degree in fine arts?

22

A Two years post grad.

23

Q After regular college?

24

A So six years all together.

25

Q Do you know Leslie Van Houten?

26

A I certainly do.

27

Q And how old were you when you met Leslie?

28

A About fourteen.

1 Q And where did you first meet Leslie?

2 A At Monrovia High School.

3 Q Were you a freshman at Monrovia High School at
4 the time?

5 A Yes, I was.

6 Q And would you please relate to the jury --

7 Well, let me ask you this: Before you came to
8 Monrovia High School as a freshman, where had you been going
9 to school?

10 A I was at Saint Anthony's Seminary in Santa
11 Barbara.

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1 Q And would you please relate to the jury how you
2 met Leslie.

3 A Well, I was just standing with a group of friends
4 around a stairwell, and at the top of the staircase Leslie
5 was standing.

6 And she walked down the stairs and walked up to
7 me and asked me what my name was.

8 Q Now, when you started at Monrovia High School
9 after coming out of Saint Anthony's Seminary, how would you
10 describe yourself at that period of time?

11 A I was just a regular kid, 14, I would say.

12 Q After you met Leslie, after she came up and
13 introduced -- asked you what your name was, did you actively
14 pursue her, after first meeting her?

15 A No, I did not.

16 Q Did Leslie come up to you at a later time than
17 the first meeting and invite you over to her house?

18 A Well, she invited me over to her house later
19 some time.

20 Q All right,

21 And when you were 14 did you have any sexual
22 contact with Leslie?

23 A A kiss.

24 Q And would you relate the circumstances of how
25 that happened?

26 A Well, I'd been down at her house, and I was
27 leaving, and I walked up the street about half a block.

28 And I turned around; and she was running up the

Assertive

3-2
1 street after me.

2 And then she kissed me in the mouth.

3 Q Did you and Leslie eventually become romantically
4 involved?

5 A We did eventually, yeah.

6 Q And before you became romantically involved with
7 Leslie did you move from the City of Monrovia?

8 A Yes, I did; we moved to Pasadena.

9 Q All right.

10 And that was you and your mother?

11 A My mother, and my sister and I.

12 Q You didn't have a father?

13 A No; my father was a policeman; he was killed in
14 1949.

15 Q How old were you when he was killed?

16 A I was a month old.

17 Q Your mother never remarried?

18 A No, she did not.

19 Q While you were moving from Monrovia --
20 By the way, you were moving from Monrovia to
21 where?

22 A To Pasadena.

23 Q All right.

24 And while you were moving, in the process of
25 moving, did something unusual happen?

26 A Well, Leslie called me and asked if she could
27 help me move.

28 Q All right.

3-3
1 Had you and Leslie been going together at that
2 time?

3 A No, we had not.

4 Q Was Leslie, to your knowledge, going with someone
5 else at that time?

6 A Yes, she was seeing someone else.

7 Q And did that surprise you at all, that she called
8 you?

9 A Kind of.

10 Q Had you told her that you were moving?

11 A No; she had found out through a friend.

12 Q By the way, when you and Leslie became romantically
13 involved how old were you?

14 A Sixteen.

15 Q And is Leslie about the same age that you are?

16 A She is the same age that I am. We are a month
17 apart.

18 Q A month's difference?

19 A Yeah.

20 Q You are what, a month older?

21 A Yes.

22 Q Before you and Leslie became romantically
23 involved, to your knowledge what age boys did Leslie date?

24 A They were older; 18, 19.

25 Q Did you and Leslie eventually have sexual
26 intercourse together?

27 A Yes, we did.

28 Q And that was when you were how old?

1 A Sixteen.

2 Q And she was how old?

3 A Sixteen.

4 Q And this sexual relationship between the two of
5 you, over how long did that take place from the time it
6 started?

7 A About a year and a half.

8 Q And how many times would you estimate you two
9 had intercourse over that period?

10 A Probably between 150 and 300 times. Every time
11 we saw each other.

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1 Q Was that mutual on both of your parts?

2 A Very much so.

3 Q Did you fall in love with Leslie?

4 A I did.

5 Q Did Leslie indicate to you before you first had
6 sexual intercourse together if she had had intercourse before
7 having it with you?

8 A That she had.

9 Q And did she indicate on how many occasions?

10 A No, not on how many occasions; but I knew of two
11 guys she had gone with before.

12 Q And --

13 MR. KEITH: Well, may the court please, I'll move to
14 strike that as calling for a conclusion.

15 THE COURT: That's ordered stricken.

16 The jury is ordered to disregard it.

17 Q BY MR. KAY: Did Leslie tell you about two guys
18 she had intercourse with?

19 A Yes.

20 Q All right.

21 And that's before she had intercourse with you?

22 A Yes.

23 Q All right.

24 And did she tell you the name of one of them?

25 A Yeah. I knew one.

26

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1 His name was Nick.

2 Q Nick?

3 A Yes.

4 Q How old was he?

5 A Nineteen.

6 Q And did she tell you of another one besides Nick?

7 A Yeah.

8 Q And your --

9 A It was --

10 She told me it was a friend of her brother's.

11 Q Did she ever tell you about some guy at the beach?

12 A No.

13 Q This friend of her brother's that she told you
14 she had intercourse with before you, did she tell you anything
15 about this person and drugs?

16 A Yeah.

17 He was the one that turned her on to marijuana.

18 Q I take it that you and Leslie eventually smoked
19 marijuana together?

20 A Yes, we did.

21 Q And when did you first smoke marijuana?

22 A August or September of 1965.

23 Q And when did you and Leslie start smoking it
24 together?

25 A I think it was some time late in 1965.

26 Q And did Leslie indicate to you whether or not she
27 had already smoked marijuana before you two started it
28 together?

1 A Yes.

2 Q What did she indicate?

3 A That she had smoked it before.

4 Q All right.

5 Did she indicate before you two started smoking
6 it whether she liked it or not?

7 A Yes.

8 Q What did she indicate?

9 A She indicated she like it.

10 Q When you and Leslie smoked marijuana together,
11 did you smoke a lot of marijuana?

12 A Yes.

13 Q When would you usually smoke the marijuana?

14 A Well, since I was out of high school, after school,
15 on the weekends, whenever we could.

16 Q And where would you go to smoke the marijuana?

17 A Oh, just anywhere; you know, at home, wherever we
18 were.

19 Q Where would you get the marijuana?

20 A Well, we were hanging around with some older kids
21 from college, and they supplied the marijuana.

22 Q When you say "we," you mean you and Leslie?

23 A Yes.

24 Q Now, before you and Leslie started becoming
25 romantically involved, did you become a hippie, so to speak?

26 A Yes, I was.

27 Q And did you have a problem with the school
28 authorities about the length of your hair?

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A Yes, I did.

Q And how long was your hair when you had a problem with them about it?

A Probably about as long as it is now; maybe a little longer.

Q Did they have a dress code at Monrovia High School?

A Yes.

Q Did they ask you to cut your hair?

A Yes.

Q And you wouldn't do it?

A No, I wouldn't.

Q So you quit Monrovia High School?

A Yes.

Q Did you end up going to a continuation school and night school to get your high school diploma?

A Yeah, eventually.

Q Did you and Leslie --

You brought up the subject about you and Leslie hanging out with an older crowd.

How much older was this crowd that you two hung out with?

A Well, they were, you know, seniors in high school and freshmen, sophomore college level.

Q All right.

Were you and Leslie the youngest ones in the --

A Very much so, yes.

Q Did you and Leslie eventually take LSD together?

A Yeah, eventually.

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Q All right.

And when did you and Leslie start taking LSD together?

A Well, I took LSD for the first time around February of 1966. And then after that time sometime shortly thereafter.

Q How did you get started on LSD?

A Well, the people that we were hanging out with who had drugs said it was a great experience and that I should try it.

And I remember standing at the sink. And he said, "It's really great. Go ahead and try it."

And I said, "I don't know if I want to do it."

But I made the decision, and I did

5-1

1 Q And you liked it once you took it?

2 A Very much, yes.

3 Q Now, before you and Leslie took it together,
4 did Leslie indicate that she had any prior knowledge of
5 LSD?

6 A She knew about it. She said she did.

7 Q How many times would you estimate in your lifetime
8 you have taken LSD?

9 A Well, I can remember about a dozen times, but
10 I know it must be about 25.

11 Q And how hard --

12 How easy was LSD to get during the period of time
13 when you and Leslie were taking it?

14 A It wasn't easy at all; it was very difficult to
15 get.

16 Q What form did it come in?

17 A Capsule or liquid.

18 Q And how many times did Leslie take LSD with you?

19 A I remember about five or six times.

20 Q And where did those five or six times happen --
21 I mean, where were you?

22 A Well, there was a cabin in the Angeles Crest
23 Forest that we used to go to quite a bit.

24 And Eaton Canyon in Eastern Altadena.

25 And a house in Highland Park, and a house in
26 Altadena.

27 Q When you and Leslie took LSD together, were you
28 ever just by yourselves, just the two of you?

5-2

- 1 A No.
- 2 Q How many other people would be present, generally,
3 when you took the LSD?
- 4 A Generally between six and eight.
- 5 Q How would Leslie describe her LSD experiences to
6 you?
- 7 A She enjoyed it.
- 8 Q Do you remember any ---
- 9 A Yeah.
- 10 Q --- words?
- 11 A "Beautiful." "Groovy." "Far out." "Out of
12 sight."
- 13 Q Did Leslie appear to have any problems with LSD?
- 14 A No.
- 15 Q Did you ever see her act in a bizarre manner
16 during an LSD trip?
- 17 A Never did.
- 18 Q Did you ever see her act in a bizarre manner
19 when she wasn't on an LSD trip?
- 20 A Never.
- 21 Q Where would the LSD come from, to your knowledge,
22 that you and Leslie would take?
- 23 A It came from the people we were hanging around
24 with, people from Cal State.
- 25 Q From Cal State?
- 26 A Yes.
- 27 Q How did Leslie ---
28 When you were going together, how did Leslie appear

1 to react to marijuana?

2 A She enjoyed it; she liked it.

3 Q How did she appear to react to LSD?

4 A Fine.

5 Q Did you ever force Leslie to take marijuana?

6 A No.

7 Q Did you ever force her to take LSD?

8 A No.

9 Q Did you ever see anybody put any pressure on
10 Leslie to take either marijuana or LSD?

11 A No.

12 Q The period during which you took LSD was --

13 You told us about starting, I believe, the early
14 part of 1966?

15 A Yes.

16 Q And then how long did it last?

17 A Till about February of '67.

18 Q In February of '67 did you and Leslie have a talk
19 about talking drugs?

20 A Well, I decided to stop, and we talked about it.

21 And it seemed okay with her; so we both stopped,
22 and we started meditating together.

23 Q Did --

24 As a result of your romantic relationship with
25 Leslie, did Leslie become pregnant?

26 A Yes, she did.

27 Q And were you and she planning on getting married?

28 A Yes, we were.

5-4

1 Q Had you had a talk with her father about that?

2 A We talked with all our parents. It was decided
3 that's what would be best to do.

4 Q Did Leslie eventually have an abortion?

5 A Yes, she did.
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1 Q Did you know that she was going to have an
2 abortion before she had it?

3 A No, I did not.

4 Q What did she tell you about that?

5 A She told me that her mother told her to tell me
6 that she had had a miscarriage.

7 Q But she told you that in fact she had an
8 abortion?

9 A Yes, she did.

10 Q When --

11 In February of 1967, when you and Leslie had
12 this talk about not taking drugs and you started meditating,
13 did you and she both break away from the old crowd?

14 A Yes; we were ostracized,

15 Q After that --

16 Some time after that period, when you started
17 meditating, did you and Leslie read a book called
18 "The Autobiography of a Yogi"?

19 A Yes,

20 Q And did you become interested in a group?

21 A Yes; we both joined the Self-Realization
22 Fellowship.

23 Q And about when was that, that you both joined?

24 A May of 1967.

25 Q How did Leslie appear to react to Self-Realization
26 Fellowship when she first joined?

27 A Very well. She liked it very much.

28 We both liked to meditate.

1 Q Did Leslie graduate from high school that June?

2 A Yeah.

3 Q That would have been June of '67?

4 A '67.

5 Q All right.

6 And some time after that did she move to the
7 beach?

8 A Yes; she moved -- was living with her father.

9 Q Now, did you --

10 After she moved to the beach did you see much
11 of Leslie?

12 A Well, it was infrequent, you know, when we did
13 see each other.

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1 Q When you would see each other, mainly where would
2 you be?

3 A We'd go to services at Self-Realization Fellowship
4 Church or we'd, you know, go to my house, or wherever we
5 felt like going.

6 We'd go to Lake Shrine.

7 Q What would you say the main doctrine of this
8 Self-Realization Fellowship would be?

9 A It stresses the unity between all religions.
10 It's a nonsectarian, nonprofit organization
11 founded by Paramahansa Yogananda.

12 Q And it encourages what meditation?

13 A It teaches techniques of meditation and techniques
14 of commuting with the soul.

15 Q At the end of 1967 did you call Leslie?

16 A Near the end of probably around November or
17 December of '67 I called Leslie and --

18 Q First, before you tell us about the conversation,
19 where was Leslie when you called her?

20 A She was at the beach.

21 Q At her father's place?

22 A Yeah.

23 Q All right.

24 And did you have a conversation with Leslie?

25 A Yeah.

26 Q And what did you say to Leslie, and what did Leslie
27 say to you?

28 A Well, I told her that I wanted to get back together

6-2
1 more, for us to start seeing each other again, because I didn't
2 want to become a monastic or a monk after all.

3 And she told me that she had plans to become a
4 nun; that she had had a meeting with the president of SRF,
5 and that she was going to go to Sawyer's Secretarial School
6 so she could be a clerical worker at The Self-Realization
7 Fellowship, and that she didn't want to get back with me.

8 Q Now, while you and Leslie were close to each
9 other during the period of time that you described, how
10 would you describe her personality?

11 A She was a beautiful human being, outgoing, really
12 great self image, socially active.

13 ✓ She was aggressive.

14 ✓ She knew what she wanted, and she got it.

15 ✓ She had very solid opinions and beliefs on how
16 she felt, and she was a vivacious, outgoing human being.

17 Q Did she appear to be indecisive at all?

18 A No.

19 MR. KEITH: I'm sorry, I missed the question.

20 MR. KAY: Indecisive.

21 THE WITNESS: No.

22 Q BY MR. KAY: Did she appear to have any problem
23 making up her mind?

24 A No.

25 Q In your relationship together, who would make
26 most of the decisions, you or Leslie?

27 MR. KEITH: Well, that's assuming facts not in evidence
28 that there were any decisions made.

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MR. KAY: Well --

THE COURT: All right. You may state the question.

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1 THE WITNESS: I'll --

2 THE COURT: Just a minute.

3 Put your next question, foundational question.

4 MR. KAY: Yes.

5 Q In the relationship during the time that you
6 and Leslie were going together, whenever a decision had to be
7 made, who made most of the decisions?

8 A Well, I'll say that the relationship was very
9 mutual. But she was more intelligent than I was at the time,
10 it seems to me, and she was able to deal with things much
11 better than I was.

12 So I would say she made most of the decisions as
13 far as doing things.

14 Q Did Leslie appear to be shy at all to you?

15 A No, never..

16 Q What about manipulative?

17 MR. KEITH: I'm sorry. Again, Mr. Kay, I couldn't hear.

18 MR. KAY: Manipulative.

19 MR. KEITH: Oh, thank you.

20 THE WITNESS: Was she manipulative?

21 MR. KAY: Yes.

22 THE WITNESS: Well, she knew how to get what she wanted.

23 If her mother didn't want her to see me, she'd
24 get around it and see me.

25 Q BY MR. KAY: Would you say that she was unpredictable?

26 A At times she was unpredictable. She was high
27 spirited.

28 Q Did LSD, during the period you knew her, appear

1 to affect any of these personality traits of hers that you have
2 just described?

3 A No.

4 Q Did LSD appear to disorient her at all?

5 A No.

6 Q Did the marijuana appear to have any effect on the
7 personality traits that you described when you knew her?

8 A No.

9 Q Did the marijuana appear to disorient her?

10 A No.

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

12 THE COURT: Yes.

13 (Brief pause.)

14 Q BY MR. KAY: By the way, when you and Leslie had
15 your romantic relationship, would you go over to her house
16 most of the time or would she come to yours or what?

17 A It was mostly at my house. She'd come over.

18 Q Did she have a car at the time?

19 A Yes.

20 Q Did you?

21 A No.

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

2 THE COURT: All right.

3 Mr. Keith, you may cross-examine.

4
5 CROSS-EXAMINATION

6 BY MR. KEITH:

7 Q When is the last time you saw Leslie, Hobby?

8 A (No response.)

9 Q Other than in the court today, obviously.

10 A The last time I saw her was when she was at
11 Sybil Brand,

12 Q During the first trial?

13 A I don't know if it was the first trial.

14 Q Do you remember what year it was?

15 A Around 1970.

16 Q After Leslie disappeared you looked for her,
17 didn't you?

18 A After she disappeared --

19 Q Uh-hum.

20 A -- I looked for her?

21 I looked for her for a period of time around
22 1969, yeah.

23 Q Where did you look?

24 A I don't know. I just looked around the
25 Southern California area.

26 At friends. I called her mother's house, her
27 father's house.

28 Q Had you realized she had dropped out when you

7-2
1 were looking for her?

2 A What do you mean "dropped out"?

3 Q Had you realized that her mother didn't know where
4 she was?

5 A Not until I contacted her mother.

6 Q And then her mother told you --

7 A Well, it was not her mother; it was her
8 stepmother, Jean.

9 Q All right.

10 Her stepmother told you --

11 A Yes.

12 Q -- that she disappeared.

13 A Yes.

14 Q And then you started looking for her. Or had you
15 been before then?

16 A No, it was at that time.

17 I was interested in finding out where she was
18 and what happened to her.

19 Q And what did you do to look for her?

20 A There wasn't that much I could do. I just called
21 around.

22 Q You were still very fond of her then, I gather.

23 A Yes.

24 Q And when you saw her in the county jail you were
25 still fond of her, weren't you?

26 A Fond of her. Not in a romantic sense.

27 Q You had fond memories, didn't you?

28 A Oh, very much so. Very much so.

7-3
1 Q And you still felt you were a friend of hers,
2 at any rate, didn't you --

3 A Yes,

4 Q -- despite what she was supposed to have done?

5 A Yes,

6 Q When you visited her in the county jail, I gather
7 you probably knew or were made aware that she was charged
8 with murder.

9 A Yes,

10 Q And did you visit her in the company of a lawyer?
11 Or did you have to visit her through that window
12 that separates --

13 A The window that --

14 Q -- a defendant --

15 MR. RAY: Excuse me; I'm going to object to this line
16 of questioning.

17 It seems to be outside the scope of direct.

18 THE COURT: Well, the objection is overruled.

19 THE WITNESS: It was the window.

20 Q BY MR. KEITH: Were the two occasions that you
21 visited her close apart?

22 A Yeah, I believe so.

23 I think they were maybe a couple of weeks to a
24 month.

25 Q And did you have a pleasant conversation with
26 her?

27 A No.

28 Q A disturbing conversation.

7-4

1 A Yes.

2 Q You noticed a change in Louie, I take it.

3 A Very much so.

4 Q And the change probably frightened you a little

5 bit.

6 A I was concerned.

7 Q Louie you called a beautiful person I believe on

8 your direct examination.

9 A Yes.

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1 Q Vivacious?

2 A Yes.

3 Q Pretty?

4 A Yes.

5 Q Loving?

6 A Yes.

7 Q You also termed that she was aggressive.

8 Do you mean by that that you --

9 You don't mean by that in a violent sort of way --

10 A Never --

11 Q -- do you?

12 A Never, no.

13 Q You meant by that, I take it, that she wasn't

14 afraid to express her opinion on a subject.

15 A Exactly. She was very open.

16 Q Do you used the term aggressiveness in the sense

17 of openness and candor, I gather.

18 A Sure, exactly.

19 Q Now, when you say you and Leslie took LSD about

20 six times, I gather that's -- oh, not a guess, but you're

21 certainly not sure of that number.

22 A Those are the ones that I can remember.

23 Q But there may have been others you don't remember.

24 A Yeah.

25 Q Other trips or other --

26 A Perhaps.

27 Q -- experiences.

28 A That's a possibility, yes.

7-G
1 Q And when you say that you have taken LSD about
2 25 times, again you may be in error because of the passage
3 of time.

4 A Well, I said I remember 12 times.

5 Q I know you said you remembered 12 times, and then
6 you said --

7 A But the top figure --

8 Q -- you could have well taken it 25 times.

9 A The top figure, 25 times.

10 Q How often would you have taken LSD --

11 First let me ask you this: Over what period of
12 time did you take LSD?

13 When did you stop, when you joined SRF?

14 A No, before. I stopped in February 1967.

15 Q And never took it again?

16 A Never.

17 Q And you stopped being a hippie, then, when you
18 joined the SRF movement.

19 A Yeah, you could say that.

20 Q During your -- after --

21 How long did you stay in SRF?

22 A I'm still a member of the Self-Realization
23 Fellowship.

24 Q Are you still an active member, or are you just
25 saying you still believe in its principles?

26 A No; I'm saying --

27 I'm not a member in the same capacity; that is,
28 I'm not seeking to become a monastic.

1 But I'm still a member, an active member. I
2 still meditate, I still study.

3 Q Did you believe that Leslie was more --
4 Well, you suggested she was more intelligent than
5 you.

6 By that do you mean you felt she had more
7 awareness?

8 A No. She was better in school; she was very good ✓
9 at school.

10 And I just meant in purely incidental things she
11 could take everything very easily.

12 She had the car, she could provide the car,
13 things like that.

14 Q You and she went to San Francisco on one occasion.

15 A Yes, we did.

16 Q Sort of run-away, didn't you?

17 A We did, after she got pregnant.

18 Q Did you know she was pregnant when you went to
19 San Francisco?

20 A Yes.

21 Q She told you, I presume.

22 A Yes.

23 Q It wasn't her mother or your mother or some
24 third person; she told you.

25 A She told me.

26 Q Did you go to San Francisco for the purpose of
27 getting married --

28 A No.

1 Q -- or for the purpose of terminating the pregnancy?

2 A No. It was --

3 We just wanted to run away. It was --

4 Q Did you intend to remain away? Or were you really
5 just going to San Francisco to get away and think things
6 out for awhile?

7 A Well, I guess you could say that. I really
8 don't remember --

9 Q All right.

10 A -- the purpose.

11 It just seems to me like a young person's
12 inability to really make any real decisive action or to have
13 any control over the situation, and just go, you know.

14 We just ran away. It was just agreed.

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1 Q That was a mutual decision --

2 A Yes.

3 Q -- to run away?

4 A It was a spontaneous decision.

5 Some friends were driving up north, and we decided
6 we'd go with them.

7 Q What decisions do you remember that she made that
8 you followed?

9 A I remember she made the decision to come back
10 from San Francisco, and she went and borrowed the money and
11 got the tickets.

12 Q Did you concur in that decision?

13 A Sure.

14 Q You felt that it wasn't in either of your best
15 interests to remain in San Francisco footloose, I presume?

16 A Yeah. We were broke.

17 Q Was it a mutual decision, Bobby, to join SRF?

18 A My decision was mine; hers was hers, yes.

19 Q In which you both concurred?

20 A Yeah.

21 I became a member first, I think; but she became
22 a member shortly after.

23 Q So with respect to her becoming a member of
24 SRF, although she decided to do it, you were already a member?

25 A Yeah, I was already a member, probably.

26 Q And in that particular decision, would it be
27 fair to say that she made it to join SRF in order to be with
28 you and do what you felt was appropriate?

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1 A Maybe at first, maybe at first, yeah.

2 Q Then she got into it and liked it?

3 A Very much so.

4 Q Would you say that during the time you knew her,
5 even before you joined SRF, she was interested in spiritual
6 things when you were on LSD, let's say?

7 A Yeah.

8 Q Isn't LSD the kind of drug that makes more intense
9 or advances one's spiritual needs and spiritual beliefs and
10 feelings?

11 A I really can't say. It's different for each
12 individual.

13 Psychological studies have been endlessly done,
14 and for every individual it's different.

15 But it was --

16 Q What you are saying is the effect of the drug is
17 unpredictable --

18 A Exactly.

19 Q -- as a result of your reading --

20 A Exactly.

21 Q -- and as a result of your own experience,
22 presumably?

23 A Exactly.

24 Q But when you and Leslie took the drug, you took it
25 together, I presume, often?

26 A No, we took it together with --

27 Q But not often?

28 A -- with other people.

1 And about, you know, five or six times that I
2 can remember.

3 Q And did she appear to enjoy it?

4 A Very much so.

5 Q And, of course, you did?

6 A Yes, I did.

7 Q And what did it do for you that made you enjoy it?

8 A It provided an escape.

9 Q What kind of an escape?

10 A Escape

11 Q An escape from reality?

12 A For sure.

13 Q Do you know of your own knowledge whether or not
14 Leslie had taken LSD before she took it with you?

15 A I do not know.

16 Q Do you remember the occasion when you and she
17 first took LSD together?

18 A No, I don't.

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1 Q Would the neighborhood of a church refresh your
2 recollection?

3 A Neighborhood of a church?

4 Q Yes, in the vicinity of a church?

5 A No.

6 Q Had you and she read any what you might term
7 philosophical books, pamphlets, or studies, or essays before
8 reading the "Autobiography of a Yogi," or whatever?

9 A Yogi.

10 Q Yogi, excuse me.

11 A That's okay.

12 Yeah. We read "In Search of the Miraculous,"
13 by P.D. Ouspenski.

14 Q You had better spell that, if you can, for the
15 court reporter's sake.

16 A O-u-s-p-e-n-s-k-i.

17 Q And the first name?

18 A P.D. I think it's Paderewski, but, you know,
19 P.D. Ouspenski.

20 Q All right. We will dispense with the full name.
21 Any other books, pamphlets, or studies on
22 philosophical or --

23 A Herman Hesse.

24 Q Is he --

25 A "Saddhartha," "Journey to the East," "Steppen
26 Wolfe," "Damian."

27 Q And these are books that you and Leslie read
28 together during your relationship before you joined SRF?

1 A Yeah. They were books that were recommended,
2 you know, from the group.

3 Everybody was reading them, and somebody would
4 read it and give it to somebody else, and they'd read it.

5 Q What was the subject matter of these books,
6 in general, without going into a recitation of the contents?

7 A I think it was just basically philosophical,
8 looking -- kind of glimpses into truth and trying to find
9 an answer.

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1 Q I take it that both you and Leslie were interested.
2 This was part of the mutuality of your relationship,
3 interested in searching for the truth and trying to find the
4 answer?

5 A Yes.

6 Q And you weren't unique among young people at that
7 time, were you?

8 A No. We were early, but we were not unique.

9 Q Did you provide Leslie with the LSD that
10 constituted her first experience, as far as you knew?

11 A Would you rephrase that, please?

12 Q Yes. It's difficult to --

13 A Repeat just the --

14 Q -- rephrase it, but I'll do it.

15 A Can I make a --

16 Q I'll do it. I'll break it down.

17 You may --

18 A If it would be easier --

19 Q You don't remember your first mutual LSD experience?

20 A No, I don't.

21 Q But what I'm trying to find out is who gave the
22 drug to whom --

23 A I understand.

24 Q -- or did someone give the drug to both of you
25 at the same time?

26 A I understand.

27 Q That's what I am getting at.

28 A The people we hung out with provided the drug.

1 Q Did you ever hear of a Mr. Tweedy?

2 A Don Tweedy, yeah.

3 Q Don, yes.

4 And did you ever hear of a Skeeter?

5 A Yes.

6 Q Were those two of the people you saw from time to
7 time back then in Pasadena or that area?

8 A Occasionally, yes.

9 Q Have you ever heard of a John Winterbottom?

10 A Oh, yeah.

11 Q Did you stay with him from time to time?

12 A I saw him on occasion, yeah.

13 Q Did you ever, you and Leslie, ever take any dope
14 in his house or his commune, or wherever he was hanging out?

15 MR. KAY: Well, that's a compound question. I'll --

16 MR. KEITH: All right, I'll --

17 MR. KAY: I don't know where he was hanging out from
18 that question.

19 MR. KEITH: Neither do I. That's why I'm asking the
20 question.

21 Q Did Mr. Winterbottom have a place of residence?

22 A Yes. He had a house, and we visited him quite
23 often.

24 Q And did you and Leslie take drugs there?

25 A We smoked some marijuana there for sure.

26 Q Where was this house, do you remember?

27 A Pasadena.

28 Q Not the street address, but what city?

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A Pasadena.

Q All right.

And Mr. Skeeter, where did he live?

A I don't know where Skeeter lived.

Q Did ^{you} he ever go to where he purported to live --

A I don't remember.

1 Q -- to take any drug?

2 A I don't remember.

3 Q How about Mr. Twaedy?

4 A Yeah. Went to Don's house a couple of times.

5 Q Did you take drugs there?

6 A Oh, I'm -- the reason I'm not sure, I know that
7 everywhere we went we smoked marijuana, you know.

8 So, yeah, we smoked marijuana there.

9 Q Did you also --

10 You also took LSD usually in a group, is that
11 correct, when you were with Leslie?

12 A Yeah. There were group endeavors, yeah.

13 Q Now, you told us that Leslie introduced herself
14 to you when you were both about fourteen at Monrovia High
15 School?

16 A Yeah.

17 Q And you told us that on one occasion she offered
18 to help you move from Monrovia to Pasadena?

19 A Yeah.

20 Q And did she help you move?

21 A Yes, she did.

22 Q And then there was a period of time when you
23 didn't see her very much?

24 A No, no.

25 After we moved to Pasadena late in 1965, after
26 she helped me move, is around the time we got romantically
27 involved.

28 She started coming over to see me as often as she

1 could.

2 Q You weren't unrecceptive, I gather?

3 A Oh, no. I was in love with her.

4 Q During your SRF experience with Leslie, did
5 both of you become celibate?

6 A Yes.

7 Q And this occasion when she --

8 MR. KAY: Well, wait a minute now.

9 Are you asking with each other or what?

10 THE COURT: Well, you can clarify that on cross-
11 examination.

12 MR. KAY: All right.

13 THE COURT: Put your next question, Mr. Keith.

14 Q BY MR. KEITH: And you stopped taking dope?

15 A Yes.

16 Q How long did that last?

17 How long did you and she not make love together
18 and not take dope?

19 MR. KAY: Well, that I'm going to object to as calling
20 for a conclusion.

21 THE COURT: Well, the form of the question is objectionable.

22 MR. KEITH: Well, it's a compound question, I'll grant
23 you that.

24 THE COURT: All right. Take them one at a time.

25 MR. KEITH: But I think he understands it.

26 THE WITNESS: Would you repeat the question, please?

27 THE COURT: He's going to rephrase the question.

28 THE WITNESS: Oh, thanks.

1 Q BY MR. KEITH: Did you and Leslie, once you
2 joined SRF, decide not to use drugs?

3 A Yes.

4 Q And for a period of time you abided by that
5 decision?

6 A Forever. After that, that was it. No more drugs.

7 Q All right.

8 But that was a mutual decision between the two
9 of you?

10 A Yes.

11 Q Initially?

12 A Yeah. We talked about that.

13 Q Now, did you also decide, while you were members
14 of SRF, not to make love together?

15 A Eventually the romantic relationship dwindled.
16 And when I wanted to become a monk, the requirement was
17 celibacy.

18 So I became celibate.

19 Q Did Leslie object to your becoming celibate?

20 A Not at all. She --

21 Q And as far as you two together were concerned,
22 you didn't make love together for a period of time, or was
23 that the last time, once you decided you wanted to become a
24 monk --

25 A Exactly.

26 Q -- that you slept together.

27 A Exactly.

28 Q Now, at some time did you decide that you didn't

1 want to be a monk any longer?

2 A Yes.

3 Q When was that?

4 A Late 1967.

5 Q Now, at some time Leslie advised you that she
6 wanted to become a nun?

7 A When I called her.
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1 Q Had you already decided that you wanted to become
2 a monk when you called her?

3 A When I called her is when I decided I didn't want
4 to become a monk.

5 Q All right.

6 And she told you she wanted to be a nun.

7 A Yes.

8 Q This was, to the best of your recollection, in
9 December of 19 --

10 A Late sometime in '67.

11 Q All right.

12 And what was your reaction to what she told you?

13 A I was hurt.

14 Q What was her reaction to your telling her that
15 you didn't want to be a monk any longer, if any?

16 A Well, her reaction was that she wasn't interested
17 in getting back together with me.

18 Like I said, she had had a meeting with the
19 president of SNF, and she wanted to become a nun.

20 Q You didn't anticipate that response?

21 A No.

22 Q What was her reaction when you told her initially
23 that you wanted to be a monk?

24 A She said the same thought had crossed her mind.

25 Q That she wanted to be --

26 A That she wanted to be a nun. She'd only thought,
27 thought -- a thought crossed her mind.

28 You know, she didn't make a decision; I hadn't

9-2
1 made a decision. We were kind of talking about it.

2 Q Nonetheless, your involvement in SIF for a period
3 of time with Leslie was intense, wouldn't you say, and
4 sincere and serious?

5 A Yeah, I would say.

6 Q All right.

7 Then, why was it that you decided you didn't want
8 to be a monk when you called her late in 1967?

9 A Well, it just seemed kind of an extreme measure,
10 you know, monasticism and celibacy,

11 And I wanted to get back together with her.

12 Q Now, at that period time you hadn't been making love
13 together.

14 A No.

15 Q And you wanted to resume that relationship, I
16 presume.

17 A Yes.

18 Q And she told you, in effect, no, because she wanted
19 to continue with the SIF program as a nun.

20 A Yes.

21 Q Did you see her any more after that telephone
22 conversation?

23 A No.

24 Q Obviously you didn't see her when you were talking
25 to her on the phone, but --

26 A Yeah.

27 Q -- did you see or talk to her again after that
28 phone conversation, until you saw her in the county jail

1 sometime in --

2 A I talked to her once more early in 1963.

3 I called her up and invited her to an art show
4 that I was exhibiting at the Arboretus in Arcadia. And I
5 wanted her to come, you know.

6 Q Was she at the beach at that time, living with her
7 father?

8 A Yeah.

9 And she said that she had quit SRF, and that she
10 probably wouldn't come to the exhibit.

11 MR. RAY: Excuse me; I didn't hear that.

12 THE WITNESS: She said she'd quit SRF, and that she
13 wouldn't come to the exhibit; she'd be somewhere else.

14 Q BY MR. SMITH: So was that the last contact you
15 had with her before seeing her in the county jail, the
16 phone call about --

17 A Yeah.

18 Q After that telephone contact did you make any
19 effort to call her and talk to her?

20 A No.

21 After that I went to Hollywood and made plans
22 for entering the monastic order again.

23 Q And did you do so?

24 A No, I didn't; I went back to school.

25 Q At the Otis Art Institute?

26 A Well, first I went to PCC,

27 Q That's Pasadena City College?

28 A Yeah; and then on to Otis.

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Q And you left pouch with Lebbie.

A Yeah.

Q You thought of her from time to time, no doubt.

A Yeah.

Q Did you call her mother or stepmother from time to time to find out where she was or what she was doing?

A Yeah.

1 Q And how she was?

2 A Well, once I called -- I think it was 1968, on
3 my birthday.

4 I thought I'd call her to see how she's doing
5 and --

6 MR. KAY: Well, I will object to anything going into
7 any conversation, as hearsay.

8 THE COURT: The objection is overruled.

9 THE WITNESS: Would you repeat the question; I'm sorry.

10 Q BY MR. LEITH: Yes,

11 I'm trying to ascertain if you tried, made
12 efforts to talk to her or find her --

13 A Well, I called her on my birthday because I
14 thought it would be nice to speak with her.

15 Q When is your birthday?

16 A July; and it was about 1968.

17 And her stepmother, Joan, said they didn't know
18 where she was; she was --

19 They said, "She was here yesterday, but she's
20 gone now; we don't know where she is."

21 Q And in 1969 you looked for her.

22 A Yeah.

23 Q Or at least made inquiries about her.

24 A Yeah, I did, when I left Hollywood.

25 Q When you say you left Hollywood, does that mean
26 you were --

27 A I was living in Hollywood at the time, near the
28 SRF Center on Sunset.

- 1 Q Were you active in SNF during 1969?
- 2 A Was I active in SNF?
- 3 Q Yes.
- 4 A Yeah, I was for a period in 1969.
- 5 Q You indicated you were interested in joining the
6 monastic order of the fellowship.
- 7 A Yes.
- 8 Q Did you actually do so? That's what I'm not --
- 9 A Okay.
- 10 What happened is, I was accepted. They said I
11 could enter at any time.
- 12 And then I made the decision, "I think I want to
13 go back to school, I want to study art, I want to study
14 music."
- 15 And that's what I did.
- 16 Q Did you and she mutually talk about getting
17 married when you learned of her pregnancy?
- 18 A Well, after we learned of the pregnancy all the
19 parents got together at some point and talked about it.
- 20 I talked with her father at length, and her
21 stepmother and her mother; and my mother talked to her parents,
22 too.
- 23 Q Were you interested in marrying her?
- 24 A (No response.)
- 25 Q Or did you feel you were too young?
- 26 A Well --
- 27 Q Or didn't have a job, or whatever.
- 28 A Well, I felt I was pretty inexperienced; but we

1 were both pretty frightened, but we decided we'd do it.

2 Q You decided you'd do what, get married?

3 A Get married.

4 Q Was that a mutual decision?

5 A Yeah. We loved each other.

6 I was under the assumption we did.

7 Q Well, did the fact that she terminated the
8 pregnancy indicate to you that she didn't love you as much
9 as you thought she did?

10 A I was surprised when she got the abortion, yes.

11 Q Did you want the child?

12 A I think we were both relieved -- it seemed that
13 way -- that the pregnancy was out of the way.

14 Q What did that have to do with your just assuming
15 she loved you?

16 Or did you mispoken?

17 A I mispoke, yeah.

18 Q There is no question in your mind, is there, that
19 she loved you --

20 A Well, I assumed --

21 Q -- at that time?

22 A Yeah, I assumed she was in love with me, you
23 know.

24 MR. KEITH: May I -- Could I possibly have five minutes,
25 or so?

26 I'm almost through.

27 Could I have a recess for five minutes. I will be
28 through by noon, in any event.

1 THE COURT: All right.

2 At this time, ladies and gentlemen, we will
3 recess this matter for five minutes, until a quarter to
4 12:00.

5 Bear in mind during this recess you are not to
6 discuss this case amongst yourselves or with anyone else,
7 you are not to form any opinion concerning this matter or
8 express any opinion concerning this matter until the case is
9 finally given to you.

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

12 The court will be in recess until a quarter to
13 12:00.

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

16 The court is in recess.

17 (Recess.)

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1 THE COURT: All right. In People versus Van Houten,
2 let the record show the defendant is present and represented
3 by counsel, the People are represented by counsel, the
4 jurors are in their assigned places.

5 You may resume, Mr. Keith.

6 Q BY MR. ABIZI: Mr. Mackie, you told me that when
7 you saw Leslie in the county jail, Cybil Brand Institute,
8 she appeared changed to you; changed to the point where it
9 made you concerned.

10 Would you tell us what changes you observed?

11 A Well, for the rather brief period I was there,
12 it just seemed that she was a different individual.

13 Q Did she appear spaced out to you?

14 A Yeah.

15 Q Did she talk about Hanson?

16 A Yeah.

17 Q You didn't want to hear about Hanson?

18 A No.

19 Q Did she talk constantly about Hanson to the
20 neglect of any other subject?

21 A No, we didn't talk that much. There wasn't much
22 said.

23 You know, after she started talking about Hanson,
24 I --

25 Q You couldn't get a word in edgewise?

26 A No. After she started talking about Hanson, I
27 just --

28 I didn't want to continue talking.

1 Q Did you just turn around and leave?

2 A Well, I --

3 Yeah, I left eventually.

4 I mean, I didn't get up abruptly and leave,
5 but I eventually left.

6 Q You told us you saw her on two occasions in the
7 county jail?

8 A Yes.

9 Q And the two occasions were, to the best of your
10 recollection, some two weeks apart?

11 A Yes.

12 Q And did you observe the same differences on
13 both occasions?

14 A Yeah. She was consistent in that.

15 Q Did she talk about Hanson on both occasions, if
16 you can remember?

17 A I really don't remember.

18 Q But it sticks out in your mind very clearly that
19 she was interested in Mr. Hanson?

20 A Yeah.

21 Q Did she tell you what a magnificent individual
22 he was, or words to that effect?

23 A Something like that, yeah.

24 MR. KLITH: I have nothing further.

25 THE COURT: Mr. Kay?

26 MR. KAY: No further questions.

27 THE COURT: All right.

28 Any objection to excusing this witness?

1 MR. KEITH: No, Your Honor.

2 MR. LAY: No.

3 THE COURT: All right. You are excused. Thank you.

4 MR. LAY: May we approach the bench?

5 THE COURT: Will counsel approach the bench, and may
6 we have the court reporter, please.

7 (The following proceedings were held
8 at the bench:)

9 MR. LAY: My next witness won't be here until Monday
10 morning. Dr. Fort.

11 So I guess it's a rainy day session.

12 THE COURT: All right.

13 So you will be ready to go at 10:00 o'clock
14 Monday morning?

15 MR. LAY: Yes.

16 MR. KEITH: May I ask, while we are on the record, do
17 you or anybody acting in your behalf have a report from
18 Dr. Fort at this time?

19 MR. LAY: I don't have one, but he said he was
20 mailing one in.

21 MR. KEITH: To the court or to you personally?

22 MR. LAY: To the court.

23 THE COURT: Stu, have we received a written report
24 or any other communication from Dr. Fort in the last two or
25 three weeks?

26 THE CLERK: I haven't received anything from anybody.

27 MR. LAY: Okay.

28 I talked to him last Friday, and he indicated

1 that at that time he was typing the report and would mail
2 it into the court this week.

3 Do you might check with the court tomorrow,
4 because all I can say is what he told me.

5 And I have not received the report.

6 THE CLERK: My mail does not come in -- it comes in about
7 10:30, so it could be that there is something down there
8 right now.

9 But I don't --

10 MR. KEITH: Your Honor also indicated you would make the
11 letters he wrote to the court available to counsel.

12 THE COURT: Yes. They are in the file. And they are
13 available whenever you want to look at them.

14 I'll have those at any time.

15 MR. KAY: Okay.

16 MR. KEITH: Now is a good time.

17 MR. KAY: Sure. I'll look at them, too.

18 THE COURT: We will go over until Monday, and I'll meet
19 with you in chambers as soon as I excuse the jury.

20 MR. KAY: Okay.

21 (The following proceedings were held in
22 open court in the presence of the jury.)

23 THE COURT: All right, ladies and gentlemen, at this
24 time we are going to recess in this matter. The next witness
25 will not be here until Monday morning instead of this
26 afternoon.

27 Such being the case, the court will recess as to
28 this case until Monday morning, June 20th, 10:00 a.m.

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

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

8 All right. The court will be in recess as to
9 this case until June 20th, 1977, 10:00 a.m.

10 All jurors, the defendant, and counsel are
11 ordered to be present at that time.

12 I'll meet with counsel in chambers at this time.

13 Thank you.

14 (At 11:55 a.m. an adjournment was taken until
15 Monday, June 20, 1977 at 10:00 a.m.)
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