SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

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

9046

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

vs.

LESLIE VAN HOUTEN,
Defendant.

No. A 253156

REPORTERS' DAILY TRANSCRIPT

Wednesday, June 22, 1977

VOLUME 46

Pages 6222 thru 6369

APPEARANCES:

(See Volume 1)

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LOS ANGELES, CALIFORNIA, WEDNESDAY, JUNE 22, 1977, 10:20 A.M.
DEPARTMENT NO. 130 HON. EDWARD A. HINZ, JR., JUDGE

- - -

(Appearances as heretofore noted.)

THE COURT: Good morning, ladies and gentlemen.

THE WITNESS: Good morning, Judge.

THE COURT: People versus Van Houton.

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

You may resume cross-examination, Mr. Keith.

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MR. KEITH: Thank you, may the court please.

JOEL FORT,

having previously been duly sworn, resumed the stand and further testified as follows:

CROSS-EXAMINATION (Resumed)

BY MR. KEITH:

Q Doctor, are you a member of any professional organizations at the present time?

A Not at the present time.

Q Have you ever been?

A Yes. Been a member of all of them in the past.

American Psychiatric Association, American Ortho-Psychiatric Association, American Medical Association, International Society for Criminology, American Association for the Advancement of Science, several others.

Q How long has it been since you've been a member of those various associations?

A Oh, a number of years.

Q Ten years?

A No, I'd say five with many of them; perhaps a little bit more with some of the others.

With most I simply let the membership lapse as I came to feel that going to meetings and organizational life in general didn't really -- was not a constructive use of my time in terms of helping people.

Q Are you a member of any hospital staffs at the

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1 present time?

2 A No, I don't do any hospital work.

3 Q Have you ever been a member of any hospital staff?

4 A Yes.

5 Q Was it the Mendocino State Hospital?

6 A I wasn't really a full-time member of the staff.

7 I was a consultant there.

8 Q When was that?

9 A That was probably about three or four years ago.

10 Q Is that the --

11 As a constultant, what would you do?

12 I take it you'd be asked to go up there and

13 consult about a particular patient?

14 A Yes.

15 You do different things, depending on the organization

16 or the institution you are consulting with.

17 At Mendocino, my duties included some staff

18 training of psychiatrists, psychologists, and social workers.

19 It included some involvement in their research

20 program, some assessment of their facility for dealing with the

21 criminal insane, that is, going over the records of the people

22 that were hospitalized there in relationship to criminal

23 actions, and part of it had to do with advising the superintendent

24 on possible more creative ways of conducting the organization.

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1 It attempted to be the most innovated of the state
2 hospitals in California.
3 Q How long were you connected with Vendocino on
4 a consultant basis?
5 A Until it was closed by Governor Reagan.
6 I think it was about two years.
7 Q You are saying that your consulting position
8 lasted some two years?
9 A Uh-huh.
10 Q Were you paid, or did you donate your time?
11 A I was paid.
12 Q And how often would you consult, generally
13 speaking, during that two-year period?
14 A I think it averaged about once every two weeks.
15 Q And have you held any other positions where you
16 were asked to consult?
17 A Yes.
18 Q That would be with the United Nations.
19 Would you consider that a consulting post, or --
20 A Well, there are many places and positions where
21 I have been asked to consult.
22 Currently the House of Representatives select
23 committee on narcotics and drug abuse, for example.
24 And that would involve periodic trips to
25 Washington to discuss with the Congressmen and the staff of the
26 committee possible legislation, ideas on rehabilitation of
27 drug users, public policy things.
28 Past consultations have included health departments

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in Minneapolis and San Diego, the Peace Corp., the Office of Economic Opportunity, the World Health Organization.

Q Are you also a consultant of the Glide Urban Center?

A Yes, I was.

Q What was that?

A Well, the Glide Urban Center is part of the Glide Church in San Francisco.

It's one of the -- at that time, and to some extent still, the most activist church in the city.

It's a Methodist church, basically. It has dedicated itself to developing a very strong interracial program, very strong involvement in community action and trying to meet the needs of the poor and the young.

By consultation with them dealt with San Francisco's social problems, some things that the church could -- the Urban Center as part of the church could do in setting up programs for young people and for the poor, particularly.

Q Did you consult with the San Diego Health Department --

A Yes.

Q -- and public school system?

A Well, the public schools through the health department. Not directly the public schools.

Q And did you consult with the Educational Services and Education Activities in New York?

A Yes. With them I made a series of tapes on the youth culture that were nationally distributed.

Q And did you consult with George Washington University about drinking?

A That -- not at George Washington University, but a project sponsored by them that was carried out in the Bay area called The Drinking Practice Study.

Yes, I did.

Q And did you have something to do with consulting at Johns Hopkins?

A Yes. The project I mentioned yesterday, of a national survey of student life style, attitudes and behavior.

A survey of 200 colleges, private and public, rural and urban, black and white, small and large all over the country.

I was on the advisory board for that.

Q And you have been a columnist?

A I have written columns for --

Q The "San Francisco Bay Guardian"?

A Yes.

Q Do you still do that?

A No.

Q What's the "San Francisco Bay Guardian"?

A It's a weekly newspaper.

Q Was that distributed to a particular group or class?

A Just Americans.

It's available to anybody who wants to buy it. It's sold on news racks.

It's a well accepted weekly newspaper up there.

Q Are you a member -- or were you a member of the Editorial Board of several national journals?

A Yes.

Q What were those?

A Well, they still are. "Contemporary Drug Problems" is the name of one.

The ones in the past that I was a member of the board of included "The Psychedelic Review" and "The Journal of Addiction," I think it was called.

Q Let's see; you have been a witness before the U.S. Senate and House of Representatives; right?

A That's correct.

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Q And Alaska Legislative Body?

A That's correct.

Q And you were connected with the Alameda County Court?

A I was court examiner there for a couple of years examining the allegedly mentally ill and advising the superior court judge as to whether they represented a danger to themselves or others and should be committed.

Q When was that?

A That would have been in the late '50s or early '60s.

Q And you have been a lecturer on a variety of college campuses and --

A Well, mainly at Berkeley, but additionally other colleges have asked me to teach also.

Q Now, you have never been a member of the faculty at any university or college, have you?

A Each one I mentioned I was a member not only of the faculty but of what's called the regular faculty as opposed to what, in medical schools is called the clinical faculty, where many people, including most psychiatrists, simply get honorary part-time positions and are not part of the full-time or of even part-time regular faculty.

All my teaching at Berkeley in criminology, social welfare, sociology, was on the regular faculty.

Q You are not a professor there, are you, though?

A At the time I was teaching, my title was lecturer.

When I began in '62 it was at the paid rank of instructor. And as the years advanced, the scale of compensation

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1 and the status of it increased to the rank of instructor.
2 My title was lecturer, as all part-time faculty
3 members, or most of them, are called.
4 Q What I'm asking you is, and I think you answered
5 it, you never held the title of professor, did you?
6 A The university title was lecturer.
7 Q All right.
8 Do you have, by the way, any degrees in sociology?
9 A No.
10 Q Do you have any degrees in criminology?
11 A No.
12 Q Do you have any degrees in psychology?
13 A No.
14 I completed all the course requirements for Ph.D.
15 at the University of Chicago in social and criminal psychology,
16 but I did not get the Ph.D. because I chose to go on to
17 medical school and did not feel that two advanced degrees were
18 necessary.
19 Q Do you have any degrees in any other subjects
20 beyond your MD?
21 A Yes. I have a Bachelor's in philosphy and English.
22 Q I should have also included, beyond your degree from
23 college you don't hold any degrees, do you?
24 A No.
25 Q Have you appeared on radio and television?
26 A I'm sorry, I missed the first part of your
27 question.
28 Q Have you appeared on radio and television?

A Yes, a number of times.

Q You appeared on television with Vincent Bugliosi in connection with the Manson case, didn't you?

A Yes.

Q How many times?

A Twice.

Q You also appeared with Paul Watkins, one of the former Family members, didn't you?

A Once. That was the same program.

Q When did you appear with Bugliosi?

MR. KAY: Oh, that appears to be irrelevant, Your Honor.

THE COURT: Well, that objection is overruled.

THE WITNESS: It was some years ago. I can't recall.

Q BY MR. KEITH: Let me try and --

A Maybe three or four years ago.

Q It was after the Tex Watson trial, I gather?

A Oh, yes, long after that.

Q Did you discuss the Manson case with Mr. Bugliosi?

A In a sense.

That is, we were both asked questions about it by the interviewers, one program here and one program in Philadelphia.

We didn't have any other discussions than what took place on camera between us and the interviewer.

Q Well, that's well taken. I didn't mean to imply other than on the television program.

But on the television program, you discussed the so-called Manson case?

A Yes, we did.

Q And you gave certain views, presumably?

A Yes, I did.

Q You told us, I believe, you sought to enter this case and determine Leslie's mental state with an open mind.

Isn't that right?

A I certainly did.

Q Did you have a debate with Bugliosi on television?

A I wouldn't call it a debate both because that was not the format of it, it was an interview program, and because there were only some areas of disagreement.

I did disagree with him on some of the things that came on those programs.

Q Just so the record is clear, Mr. Bugliosi was the prosecutor at the first Manson trial, was he not?

A Yes, he was.

Q And he was also the prosecutor along with Mr. Kay in the Charles Watson trial?

A Yes, he was there along with Mr. Kay.

Q And he wrote a book called "Helter Skelter," didn't he?

A Partially. He and an author named Curt Gentry wrote the book.

Q You read that book, did you not, in preparing for your testimony if you were called as a witness in this case?

A Yes.

MR. KAY: Oh, that's irrelevant, Your Honor.

THE COURT: Well, the objection is overruled. The answer

in.

You may ask your next question.

THE WITNESS: I did read the book.

Q BY MR. KEITH: Did you consider the contents of that book in connection with your evaluation of Miss Van Houten, or any of the contents?

A What do you mean by the word "consider"?

Q Did you take the Book, what you read in the book, into consideration when you --

A In that sense I'd have to say yes, as I did the many other books that I sought out on the subject.

Q In that book, Mr. Bugliosi talked about the Manson girls, the female defendants, as robots, and automatons, didn't he?

MR. KAY: Well, I'm going to object to that as drawing it out of context as to what Mr. Bugliosi --

THE COURT: All right. The objection is overruled.

THE WITNESS: I don't recall specifically his talking about that in the book, but I have heard him and recall the transcripts, some of the transcripts I've read, used expressions like that.

So I assume it's in the book also.

Q BY MR. KEITH: Now, of course, the title of the book "Helter Skelter " is derived from the name that Charlie Manson gave to the black-white revolution, the war?

A Yes.

And even beyond that, derived from one of the Beatles songs on the White album.

Q In connection with your testimony in the Charles "Tex"Watson case, I take it that Mr. Bugliosi called you in some manner or contacted you in some manner and asked if you would consider consulting with him in the preparation of that prosecution; is that right?

A No, I don't recall ever talking with Mr. Bugliosi in the Watson case or about the Watson case.

1-1

I believe I received a court appointment from Judge Alexander that first involved me in it, and I did have some conversations with the prosecutor, Mr. Ray, and with the defense attorney, Mr. Fabrick, I believe your colleague in that case.

Q Are you saying that you never talked to Mr. Lugliosi about that case?

A I think he, he was in the office of -- with Mr. Ray once when I was in Los Angeles in regard to that case, and probably there was some three-way conversation.

But I don't have a specific memory of talking with him about the case.

Q Your main colloquy was with Mr. Ray, then, I gather.

A And with Mr. Fabrick.

Q I gather from that testimony that you never had any conversations with Mr. Lugliosi other than the conversation, if you can call it that, on the two television shows that you participated in with him.

A No, that isn't correct.

I saw him on another occasion at a political meeting in San Francisco, where a number of attorneys and other people that had known him were invited to a gathering when he was running for Attorney General.

Q So that --

A I had no conversation with him about the case.

Q All right.

You told us yesterday, in response to a question I

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1 asked you, that you were involved at one time with a
2 public health service in San Francisco.
3 A That's right.
4 I created this new program to work with youth
5 problems and drug and sex and crime problems in 1965.
6 That was in the Department of Public Health.
7 Q You were the founder of that program.
8 A That's correct.
9 Q And that was funded by the City and the County of
10 San Francisco.
11 A That's correct.
12 Q And later you lost that job; is that right?
13 A Well, more specifically I was fired on the charge
14 of being too independent, after I refused to resign.
15 Q Well, you were going into that yesterday, and I
16 unnecessarily cut you off.
17 But if you would like to explain --
18 A No; I feel no need to explain it.
19 There are ample public records available,
20 depositions from all the participants, including statements
21 praising my professional and organizational achievements,
22 and saying that unfortunately my views were too independent
23 and opposing city officials' policy on what to do about
24 poverty and what to do about the hippies and what to do about
25 other things.
26 Q Who fired you; the Board of Supervisors?
27 MR. RAY: Well, that appears to be irrelevant, Your Honor.
28 MR. KEITH: It goes to his qualifications.

1 THE COURT: The objection is overruled.
2 THE WITNESS: The answer to your question is no.
3 The Board of Supervisors discussed it, and the
4 majority of the Board went on public records supporting me
5 and urging that I be continued in the job.
6 There were only two people involved in firing me.
7 One was the head of the Public Health Department,
8 who shortly thereafter was asked to leave town for reasons
9 that are irrelevant to this proceeding.
10 And the director of Community Mental Health.
11 The Board of Supervisors supported me, as did
12 the Mayor.
13 Q BY MR. HEITH: Is that when you went out on your
14 own, so to speak, and founded Fort Help?
15 A No. I would say going out on my own, so to speak,
16 has been a gradual evolution in my life, going back many
17 years, attempting to think for myself, attempting to correct
18 things that I think are wrong in professions or in
19 bureaucracies and --
20 Q I take it -- excuse me.
21 A -- and it was not a sudden thing.
22 Q Well, when did you start Fort Help?
23 A 1970.
24 Q What --
25 When were you fired from the Department of
26 Public Health?
27 A 1967, during the war on the hippie in San Francisco.
28 Q What did you do in that intervening years, those

1 three years before you started Fort Help?
2 A Well, I --
3 Q Did you practice medicine?
4 A What is the practice of medicine?
5 You mean did I make money?
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1 Q Well, did you have a medical practice?

2 A I divided my time between lecturing, consulting,
3 teaching and direct help, doing a lot of it by phone,
4 telephone crisis kind of help.

5 I lectured extensively around the country, did
6 a lot of writing, and began to plan this new organization
7 that would carry some of these ideas further in developing
8 a nonsickness approach to problems, providing help to people
9 whether or not they could pay, working with all age groups
10 and people of all races and religions and geographies.

11 And I evolved that program over these years, and
12 began its full functioning in 1970, providing direct services
13 and telephone services for all kinds of drug problems, sexual
14 problems, crime and violence problems and suicide.

15 Q Overweight problems?

16 A Yes, that's another problem area that we work
17 on there.

18 Sort of problems that have been inadequately or
19 poorly dealt with by medicine and psychiatry, and problems
20 that require a special approach.

21 Q Do you ever talk to "patients" at Fort Help?

22 A Regularly.

23 Q You don't charge anything?

24 A Do I personally receive money from it?

25 Q Yes.

26 A No, I --

27 Q Do you have a staff --

28 A Well, you didn't let me finish answering it.

Q Oh, I'm --

A People are asked to pay if they are able to, because one of our innovations is that we don't seek or accept government funding.

But everybody who is able to pay is asked to pay to help maintain the center.

But all the money from the people that I see goes directly into the center.

I do not receive even travel expenses from it.

Q Well, you don't talk to anybody personally that comes in there seeking help.

A Of course not.

Q You have a --

A I talk to only a minority of the people that come there.

Q Do you have a staff of doctors that assist you?

A They work with me.

It's not a hierarchical system.

There are a few doctors, some social workers, some psychologists, some nurses and some people without degrees, all blended together on an equal basis in one staff.

Q How do you make a living if you don't practice medicine?

A Well, I consider these things practicing medicine. I --

Q Well, you don't make any money from that. You are not interested in making any money?

A Well, if you will allow me an opportunity to finish answering your question.

I --

Q I'll always allow you to do that.

A -- support myself by intermittent writing, lecturing, teaching and consulting.

I do not have any regular salary, no guaranteed income; and I don't do any private practice, by choice.

But I do consider all the things I do in the best traditions of the medical profession. They are all part of medicine.

1 Q Do you consider yourself a sociologist?

2 A As I explained to you yesterday, I try not to

3 use labels about myself.

4 Lecture bureaus and reporters and others often

5 apply various labels.

6 I do -- I would correctly describe myself as

7 having taught sociology and knowing about sociology; but I

8 don't call myself a sociologist.

9 Q Do you consider yourself an educator?

10 A Yes.

11 Q Do you consider yourself a social reformer?

12 A I think that would be a fair statement.

13 Q Do you consider yourself a generalist?

14 A Yes, by which I mean that I have had a diversity

15 of interest in my life, a diversity of involvements, and

16 try to approach various problems from a multi-disciplinary

17 or interdisciplinary perspective.

18 That's what I mean by the word "generalist."

19 Q Do you consider yourself an individualist?

20 A Yes, I'd say so.

21 Q What do you mean by that?

22 A Somebody that tries to think for themselves and

23 not simply go along with the crowd or with something because

24 it will guarantee you financial or political success.

25 Q Do you consider yourself the world's leading

26 expert on mind-altering drug abuse and use?

27 A I have been called that, but I don't consider

28 myself that because I think words like "best" or "leading" or

"world's leading" are meaningless.

Many people do outstanding things that we never hear about; and I think, at least speaking for myself, I think the goal is to do as best you can, to strive for some individual excellence and high ethical standards, but not to compare yourself to other people.

Q Do you consider yourself as major spokesman for the sociological public health and humanistic approach to drug abuse and sexual deviants?

MR. KAY: That appears to be irrelevant, Your Honor.

THE COURT: Will counsel approach the bench.

Could we have the court reporter.

(The following proceedings were held at the bench:)

THE COURT: What's the objection?

MR. KAY: That it's irrelevant. It's irrelevant and argumentative.

THE COURT: Do you wish to be heard on that?

MR. HEITH: Well, he set himself up as a pretty outstanding individual, if I must say; and I want to find out about what a great person he is in these areas.

THE COURT: Well, he's saying on some of these things you ask him about, he says he's not. We could go on with this forever.

MR. HEITH: Well, I feel I have a right to, may the court please, to inquire into this man's expertise.

And he says people think he's the world's greatest and --

THE COURT: He says he doesn't consider himself that.

MR. LEITH: Well, he doesn't, but he says other people do.

MR. RAY: So what?

THE COURT: Wait a minute.

While I don't want to foreclose anybody from inquiring into legitimate areas, I would like to have an offer of proof as to how all this relates, and what this particular piece of paper has to do with it.

MR. SMITH: This piece of paper shows that he advertises himself as being an expert in all areas, if not the world's leading expert.

And I want to examine him to find out if he really is; and I want to get him talking about it, at least, as to all the expertise he's supposed to have.

6-1

1 MR. KAY: I think we've pretty thoroughly gone into his
2 qualifications and what he's done.
3 It seems that this is just a rehash.
4 THE COURT: Do you want to qualify him as an expert? Is
5 that it, Mr. Keith?
6 MR. KEITH: It doesn't take any imagination, Your Honor,
7 to see where I'm leading.
8 I want to get him talking to show the jury he's a
9 pompous ass, if you really wanted to --
10 MR. KAY: Well, I think that's irrelevant and argumentative.
11 MR. KEITH: I think we are entitled to do that.
12 MR. KAY: I'd ask under 352 that that line of questioning be --
13 MR. KEITH: It's perfectly proper.
14 MR. KAY: -- ceased.
15 THE COURT: What additional areas do you have to ask
16 about?
17 MR. KEITH: Not much.
18 THE COURT: I'll permit a limited --
19 Drag it out too much and I'll have to act under
20 352.
21 MR. KEITH: Very well. Thank you.
22 (The following proceedings were held in open
23 court in the presence of the jury:)
24 Q BY MR. KEITH: Doctor, on the subject --
25 I'll change the subject now for a change.
26 On the subject of thought control, you spoke of an
27 experiment by a psychologist or psychiatrist named Zimbardo?
28 A Yes. He's a prominent social psychologist; one of the

6-2

1 leading authorities on attitude change.

2 Q And you spoke to some extent of Dr. Zimbardo's

3 experiment at Stanford involving prisoners and guards that had

4 to be stopped after six days rather than this intended duration

5 of two weeks.

6 A That's correct.

7 Q And it had to be stopped, as I gather it, from

8 what you have learned, because the prisoners and the guards

9 were playing their roles too effectively?

10 A That's right.

11 They became personally and deeply involved in it

12 so that it was proving extremely stressful to both of them.

13 And they were haranguing each other, they were

14 having difficulty sleeping, fights broke out verbally, and

15 there was some physical violence.

16 And they had to break it off for that reason,

17 showing the conformity factor and the ability of otherwise

18 normal people, when they are given a role and given the license,

19 in a sense, the freedom, to carry out a particular role, for

20 them to take on behaviors that most people would have predicted

21 they couldn't or wouldn't do, and that they themselves wouldn't

22 conceive of themselves doing.

23 Q What you are saying is that prisoners began to

24 really live like prisoners and the guards really started

25 to live as if they were guards rather than playing just a

26 role?

27 A That's correct.

28 Q And you have told us that, according to Zimbardo's

6-3

report, I suppose you read a dissertation by him?

A I've read it and discussed it with him.

Q All right.

But that these were people, college students, who were presumably bright?

A Yes.

6-4

Q And normal?

A That's correct.

Q Suffering from no mental illness?

A That's correct.

Q Now, you have also told us about the shock experiment that took place in the east, I believe?

A That's correct.

Q That wasn't one of Zimbardo's experiments?

A That was Milgram, as I described.

Q And is he a well-known social psychologist?

A Very well known.

Q And in Milgram's experiment, the experimentees, as I gathered, lost control.

I'm being simplistic perhaps.

But that was the shock experiment, wasn't it?

A Well, they didn't specifically lose control. What they did was to continue to administer shocks to a person that they believed to be a coparticipant in the experiment, a person just like themselves, that was screaming out in pain with increasing pain and asking to stop it, have the thing turned off.

And a very large number of otherwise normal people who have volunteered for the experiment just kept pushing the buttons on up to what they believed to be administering a shock of 450 volts.

Q Now, these were normal, bright people?

A That's correct, of a wide range of ages from 20, I think, up to 50.

6-5

1 Q And they believed they were hurting --
2 A Yes, they did.
3 Q -- the people receiving the pseudoshocks?
4 A That's exactly correct.
5 Q In other words --
6 A They believed that they were administering a shock
7 and that the person was suffering.
8 Q Yet they continued to do it?
9 A That's correct.
10 Q And then you told us --
11 Have there been any other experiments of that
12 nature of which you are aware?
13 A Several other researchers have repeated and
14 confirmed Milgram's studies, and he himself has continued to
15 develop them and try out different variables.
16 I mentioned one yesterday where he moved it from
17 Yale University to the town of Bridgeport and removed the
18 trappings.
19 You know, a lot of people -- he thought that people
20 might assume that if you went to Harvard or Yale there was
21 something unusual about it and might have more prestige than
22 other places.
23 So he moved it to an ordinary community and repeated
24 the same findings.
25 He's also experimented with changing how close the
26 victim is, how much direct contact there is to the person
27 administering the shocks, and whether they are still willing to
28 keep administering it when the closeness increases.

6-6

Q Are the Zimbardo and Milgram experiments examples of peer group pressures?

A They are examples of that, they are examples of conformity, they are examples of obedience to authority, and they are an example of the range of behavior that is possible for normal people to engage in.

Q Were the prisoners and guards in the Zimbardo experiment questioned by Dr. Zimardo afterwards to find out, let's say, why the prisoners turned into rather brutal people?

A Yes.

He had lengthy talks with all the participants afterwards, as did Milgram in his obedience to authority experiment with shock -- administering electric shocks.

Q And did those experimentees say they didn't know why they reacted that way or --

A In essence, that's right. They had trouble believing that they would do such things.

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6a-1

Q Okay.

Would those two examples, in your opinion, be -- not examples, experiments -- would those two experiments be examples of -- they wouldn't be examples of thought control, would they, or would they?

A They are not specifically examples of what in China is called thought reform, or sometimes referred to by outsiders as control.

The word "control" tends to be used when you disapprove of the change in thought that occurred.

These would not be specific examples of the Chinese system of socialization of people or what they call thought reform, but they are certainly in the same ballpark in that they show how behavior, which involves thought that goes beyond thought into action -- how that can be effected simply by providing a situation where people think it is legitimate to carry out acts that do harm to other people and where they are with other people that tend to support this.

So it could be called thought control or an aspect of thought control.

Q Would thought reform or thought transformation be a better phrase to use, because I want to discuss the dynamics of that phenomenon, and I don't want to use a phrase that is misleading to anybody here in the courtroom.

A No. I think the best way to describe it would be just by what was done and what the reaction was without applying any label at all to it.

THE COURT: Would this be an appropriate time for the

6a-2

recess?

MR. KEITH: Fine.

THE COURT: All right.

Ladies and gentlemen of the jury, at this time we will recess for 10 minutes until 20 minutes past the hour.

Bear in mind during this recess 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 in this matter.

All right the court is in recess until 11:20.

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

Thank you.

(Recess taken.)

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7-1

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.

You may resume, Mr. Keith.

MR. KEITH: Thank you, Your Honor.

Q We started to talk about thought transformation.

A Yes.

Q There are certain dynamics I suppose that enter into an effective use of that phenomena.

A Yes. The dynamics would mainly be the person themself, which would be the most important factor, their present character, personality, attitudes, mood.

The rest of the dynamics would certainly include the social and physical environment. The social environment meaning particularly the peer group that one is around.

A third factor would be the conditions of the situation or the experiment, that is, specific techniques that might be used. As an example, the administration of shocks or the role playing of prisoners or guards.

Q Now, in talking to Dr. Zimbardo, did he tell you that the persons who had underwent that prisoner and guard experiment were selected because of their particular susceptibility to actually becoming a prisoner and a guard, even though they knew they were playing roles?

A No.

First of all, I did not talk to him about that. I had read his work on it.

7-2

Q Excuse me.

A I have talked to him; you were correct about that.

But I mean -- I don't want you to think I particularly questioned him about that point.

In his writings he makes very clear that the answer to your question is no.

They were randomly picked; and I described that yesterday.

So that you at random become either a guard or prisoner, and all of them from the same type of youthful, normal, healthy backgrounds.

Q And the same could be said of the persons who underwent the electric shock experiments?

A That they were not specially selected?

Q Yes.

A That is exactly correct.

Q Because of their susceptibility or because of their immaturity?

A That's exactly right.

In fact, their purpose was just the opposite: They wanted to use only normal people rather than people that one might presume, correctly or incorrectly, had unusual susceptibility.

Q Would it be fair to suggest that a person who is immature, who is susceptible, who is vulnerable, who is seeking something, would be more susceptible to thought transformation than a mature, stable, well-adjusted person?

A Well, remember, as we concluded before the recess,

I said I didn't feel thought transformation was the correct term for it.

But to respond to your question in terms of these two experiments, I think it would be correct to assume that some people -- the more immature you were, depending on how we define that -- and that's a very difficult concept to define --

But the more immature you were, theoretically the more susceptible you would be to those particular experiments.

Q How about thought control or transformation in general, not related specifically to the two experiments?

But would somebody who is susceptible and vulnerable and immature be more susceptible to having their thoughts transformed, their attitudes changed, in other words, than a mature, stable person?

A Well, answering it in terms of attitude change -- which I do think is the best concept; it's the one that scientists use in talking about this phenomena --

Q All right.

A -- the evidence is mixed on that.

I mean, as I described yesterday, in the studies of religious conversion it's more that you -- whether highly mature or average maturity, or whatever, you are in a state of tension, some degree of dissatisfaction or frustration in your life at that time.

And we certainly could not say that everyone who is dissatisfied or frustrated or not finding life meaningful is by definition more susceptible or more immature.

But it's tension, something lacking in your life.

It's secondly an orientation that you already have towards some religious explanation or mystical explanation.

And then the chance encounter with some individual or group that seems to provide the answer to you and fit your own needs.

And finally the continuing satisfaction that you

gain from your participation in the group and your interaction with the others.

Q Don't you find that Leslie pretty well fits that description?

A She fits the description I have just given, yes.

I do feel that that was an important part of her conversion, when we particularly consider the changes in her attitudes that went on from 13 on through the various time frames I described;

The hippie period, the Self-Realization, Beauscleil, Manson, and et cetera.

Q Is it important, in terms of attitude change, that there be a leader or guru or guide there to change one's attitude?

A Not necessarily.

In the religious conversion, and to some extent the political conversion, studies that I have made or others have made and written about, it most commonly simply occurs by a chance meeting with somebody more like yourself.

S-1

You come across somebody who you identify with because they seem to be like you in sex, in age, and background, et cetera, and they have a sense of enthusiasm, of committment, of excitement. They seem to know what's happening.

They seem to be enjoying life more. And you are attracted to that.

And then, secondarily, as for example in the Unification Church, which many people have heard about, so I think we can use it as an example, it's only secondarily that you learn anything at all about Reverand Moon or come to be influenced by his principles.

It is not that leader in that sense.

The same thing can be said about the Children of God or Hare Krishna or the SLA and moving into radical or terrorist groups.

It's not one leader that attracts or influences initially, it's your chance contact with a member, an already committed person, who seems to share some of your background and values.

Q You are not suggesting, are you, that Manson wasn't the leader of the so-called Manson Family?

A No, I'm not suggesting that at all. I'm just saying that he played an important role, but that the other factors also, including what the person was like when they went there and what the other people like her were like that she interacted with, that these things are very important to understand what happened, too.

But Manson was certainly the leader of that group.

8-2

Q I noticed in your testimony yesterday you considered that Watson, Krenwinkel, and Manson influenced Leslie, in that order.

Do you recall that testimony?

A I don't believe I stated in that order of influence.

What I specifically said was that it was very important that the two people who went into the house with her to commit the LaBianca murders were the people she was closest to in the peer group situation at the Manson -- at the ranch where they were staying.

But certainly Manson's influence in the days before they went and in the time immediately before they went to the house played an important role also.

Q Are you suggesting that Manson's influence was not predominant but coequal with Watson and Krenwinkel with respect to Leslie's state of mind?

A I can't answer that yes or no.

I'd say Manson's influence was more dominant, when you consider the overall activities that went on at the ranch.

I would say that once Manson had left the LaBianca area, the area outside the house, the most important influence was herself, and, secondarily, Tex Watson and Patricia Krenwinkel.

Q But you are not suggesting that Manson wasn't the predominant influence over the entire Family?

A No, I'm not suggesting that.

I agree that he was the predominant influence in

8-3

the Family.

Q Is it your opinion that Manson developed the concept of Helter Skelter?

A The concept as we now know it, yes.

I think he was kind of a borrower and plagiarizer, in a sense, and synthesizer; that is, taking ideas and concepts from here and there, including the Beatles, and other experiences that he had had, and ideas of other people, certainly including some of the things in the Bible and Revelations, and turning that -- combining that with his hatred of society, with his racist views, and with the other things in order to come out with Helter Skelter, which I believe even in his own mind and, as he expressed it, wasn't as clearly articulated or as comprehensive a philosophy as we tend to talk about it.

8-4

1 That is, that he seemed to change his mind about
2 various things as described that way.
3 Watkins has indicated that some things changed in
4 the thinking or were added hereor there.
5 And there were certainly inconsistencies in it
6 anyway. For example, the view of Helter Skelter and the
7 citation of Revelations 9, as the basis for it, is simply
8 inconsistent with what the Bible says.
9 In Revelations 9 it talks about locusts coming
10 out of a hole in the desert. Does not talk about killing at
11 all.
12 Talks about five months, as I recall, of misery or
13 harm to society, but not a lethal effect.
14 So I think he took ideas from here or there, and
15 insofar as people looked at what the Bible actually said about
16 that, it would be inconsistent with the idea that there was
17 one unified consistently expressed philosophy.
18 Q Do you have an opinion as to whether Manson himself
19 believed that Helter Skelter was coming down?
20 A Yes, I have an opinion about it.
21 Q Do you believe he believed it, or do you believe
22 that he was simply manipulating or he was simply seeing how
23 much power he could acquire over others?
24 A I think it was some of both.
25 I believe that he did believe some of it, but a
26 very strong element, and I think it's impossible to say which
27 predominated, but a very strong element of conning people,
28 of using the concept to attract a greater following, or to

make himself seem more important, I think that entered into it, too.

1 Q Incidentally, in forming your opinion about
2 Leslie's state of mind, I take it you did consider your
3 interview with Manson at Vacaville?
4 A Yes, I considered my interview with him.
5 Q All right.
6 Now, did you learn in the course of your preparation
7 as a consultant to the prosecution in this case that Manson and
8 his Family actually were vigorously, you might say, preparing
9 for war at the Spahn Ranch and in the desert.
10 MR. KAY: Well, that's ambiguous. If he means by war,
11 Helter Skelter --
12 THE WITNESS: I'm not sure what you mean by the word
13 "vigorously."
14 THE COURT: Objection to the form of the question is
15 sustained.
16 You may rephrase it.
17 Q BY MR. KEITH: In the course of your consultantship
18 with the prosecution, did you acquire -- did you acquire any
19 knowledge that Manson and his Family actually did certain
20 things to prepare for the coming of Helter Skelter?
21 A Well, I acquired that more from my consultation
22 with you in 1971. You were the first one to discuss that with
23 me. And we talked in your office about it, as I recall.
24 And that certainly has been -- the information I had
25 available was added to by my talking with Mr. Kay, but more
26 importantly with all the materials I've studied and the members
27 of the Family that I've interviewed.
28 Certainly there were preparations being taken,

but the pictures that are presented of that are quite variable depending on different people that are interviewed.

Say, Catherine Share, Ruth Moorehouse, Leslie Van Houten, Charles Manson, Tex Watson.

So I'm not sure that I could say that vigorous preparations or systematic preparations were being engaged in.

8a

There was certainly increasing talk about Helter Skelter that is consistent in the different accounts.

Some indicate that talk about it began as early as 1968, but there seems to be a consensus that it built up in the few months before the murders were carried out and that some preparations were made for it.

Like the dune buggies are particularly mentioned as an example by several people of preparations being made to move further out into the desert.

Q Did you ever hear or read about the Family starting to make a road from Devil's Canyon to the desert, their own road?

A Is that the road where the bus was driven over?

Q No, that's Golar Wash, I believe.

A I don't know the roads by name, I'm sorry.

I heard -- I did read about a road being made, but I don't recall it's geographical location.

Q Did you read or hear about the Family's acquisition of geological and survey maps of the Death Valley area?

A Yes.

Q Did you read or hear about the Family's acquisition, in addition to dune buggies, of weapons primarily guns and knives?

A Yes.

But it was my understanding, from several accounts, including Watkins and Watson, that knives had been prevalent and present for a much longer period of time, not just for this period.

Q Did you read or hear about the acquisition of more knives in preparation for the coming of Helter Skelter?

A I don't remember that specifically.

Q Did you read or hear about the acquisition of firearms?

A Yes.

Q And did you hear or read about the acquisition of provisions to be stored in the desert or to be stored along this road leading to the desert?

A Yes.

Q And, of course, you've already told us that you knew about the dune buggies?

A Yes.

Q Did you ever read or hear about a dugout, a camouflaged dugout, being built near Barker Ranch for the purpose of surveying the approaches to the Barker Ranch?

A If it's the same one I'm thinking of, I recall reading about it in terms of the group hiding out there after the murders; that there was a place where they were hiding out because they thought the police might come.

9-1

1 Q Was it your information that was the sole purpose
2 of the dugout, to hide out from the police?
3 A No; I did not mean to imply that, that I knew
4 what the sole purpose of it was.
5 I believe that that was the same place you were
6 asking about, but I'm not sure.
7 Q Did you read or hear about the Family's search
8 for the hole leading to the bottomless pit?
9 A Yes.
10 From the accounts that had been given to me
11 directly, from what I have read about, I didn't get any
12 picture of a really systematic search for it.
13 And as I said, the Bible account of it is kind
14 of the opposite:
15 That locusts come out of the bottomless pit rather
16 than people went into the bottomless pit.
17 Q You are of course aware of certain of the
18 ramifications of the concept of Helter Skelter, to wit, the
19 Family was going to descend into the bottomless pit along
20 with young children for the purpose of avoiding the holocaust.
21 A Yes; that's one version I have read about.
22 There is another version: That 144,000 people
23 would descend into it.
24 Q You spoke of certain inconsistencies between
25 persons that you either interviewed or whose testimony you
26 read.
27 Do you recall any of those inconsistencies?
28 A About the concept of Helter Skelter?

?loci

Q Yes.

A The main inconsistency I was thinking about is the disagreement about how much it was talked about, how intensively it was talked about, how much time was spent between them talking about it, say, between the other members of the group on the one hand then between members of the group and Manson on the other hand.

I think there is a lot of variation in that.

But there is a consensus that attention about it or interest or discussion about it was building up in July and perhaps June preceding the murders.

Q There was tension within the Family?

A Well, that's my impression, yes; that there was much more talk about it than there had been previously.

But it still remained, in my judgment, a partially undefined, partially undefined concept, somewhat vague, and was -- still remained only a part of what went on each day there.

People continued to do a variety of things: Ranch duties and the magical mystery tours, involvement with bikers and listening to music and having sex and using LSD, and other things.

So even while talk about was increasing, it seems to me it remained -- it did not come to be an all embracing thing.

Q How did you reach that conclusion, that Helter Skelter wasn't all embracing towards the end of the so-called Manson family, in other words, before they were all arrested?

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MR. KAY: Wait a minute.

What period of time are we talking about? October or --

MR. KEITH: October, yes.

9-4

Q October, 1969.

A I'm sorry; I have been answering your questions in terms of the period preceding the murders.

Q All right; we'll limit it to that period, then.

A Okay.

Q Let me ask you this, though, preliminarily:

In your research about this case did you come across any information indicating that Helter Skelter was still discussed within the Family subsequent to the homicides?

A Yes.

Q That's when the Family went to the desert?

A Yes.

Q And it was a topic of conversation there.

A Yes.

Q All right.

Now, I think I was going to ask you what the source of your information was that Helter Skelter wasn't an all embracing topic, let's say from spring of 1969 to August 1969, when the homicides occurred.

A Well, no account that I know of says that it was all embracing.

And Miss Van Houten's description of what went on during those months from May to the murders does not indicate that that's all that was talked about or that everything was devoted to preparing for it.

Paul Watkins' account of it does not. He indicates certainly an awareness and great -- more than awareness; considerable knowledge of the concept of Helter

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Skelton and his own decision to leave because it might involve people dying.

And that was the end of May, as I recall.

But his account of the activities at the ranch doesn't indicate that was the only thing going on.

The Ruth Moorehouse testimony, the Catherin Share testimony, they do not indicate that's all that was happening.

They talk about many other things going on, including those what we call ganus or magical mystery tours or imitations and playing roles.

Q The Ruth Ann Moorehouse testimony was testimony she gave back in 1971.

A That's correct.

Q And the same with Catherine Share.

A That's correct.

Q Catherine Share didn't even appear in this proceeding.

A No. I used information --

Q You are aware of that.

A -- as it was available from both trials.

Q Didn't Ruth Moorehouse and Catherine Share exculpate Manson when they testified at the 1971 trial?

A I don't know.

Q You read their testimony, didn't you?

A I did not read the parts that talked about Manson.

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Q They didn't talk about Manson at all, did they?

9-6

A Well, I just said I didn't read the part -- any talk about Manson in their testimony.

Q All they talked about was garbage runs and taking care of babies and sewing, and that kind of occupation.

A Oh, I see. Your question was the fact that they didn't talk about it, does that mean they were trying to exculpate Manson.

Q Well, that's --

A I'd have to agree that that's implied by that.

But I was simply saying I didn't read anything that said about Manson; and you have confirmed they didn't say anything about him.

Q They didn't --

You didn't read anything at all on that prior testimony of Quich, Ruth Ann Moorehouse, and Catherine Share about Helter Skelter, did you?

A No.

They described various activities going on at the ranch during that time frame you're asking me about, and did not indicate that Helter Skelter was part of that.

Q Now, there's nothing in your interview with Leslie or any other person connected with this case, or any of your readings in preparation for consulting with the County, the District Attorney's Office, indicating that Leslie Van Houten espoused any concept of a race war prior to joining the Manson family; isn't that correct?

A That's correct.

Q And there is --

0-7

There are many indications, are there not, that Leslie believed in Helter Skelter, are there not?

A Yes.

Q And wouldn't you term that change in --

Wouldn't you term that transformation a change in attitude?

A Yes, I would.

9-8

Q That's an attitude change, isn't it?

A Yes, it is.

Q And didn't you find, as a result of your investigation of this case, all facets of it, that Leslie believed very profoundly in Helter Skelter?

She believed in it.

A Yes, she believed in it.

Q And didn't you find that that was a very fixed belief at that time?

A No. If I --

Q There was nothing fixed about it?

A Well, may I explain my answer, and then it may be that it's more in agreement with your position than it seems to be.

Q Please do.

A By "fixed" I mean --

When I say I don't think it was fixed, as a belief, I think she believed in it as, to some or a great extent, a number of the other people there did.

She indicated, in talking with me, that about half at that time could be counted upon, of the people that were living there.

But talking about her specifically, if she actually believed in it, if it were what I mean by "fixed belief," there would have been no reason to think about whether or not she wanted to go, and it would have been just considered a natural act to do so, that is, to go on the killings.

There would have been no reason to not want to

think about it during the car trip and to try to sleep and whether or not to be aware of what was going to happen.

In fact, I would anticipate if the belief were all pervasive you would be looking forward to it with complete joy and without any questions.

And if it were a totally fixed belief, there would be no reason to wipe off fingerprints or to get rid of clothing or to hide from anybody because in general you would assume that what you were doing was entirely right and proper and the revolution and the destruction were inevitable and everything was going to go smoothly and you were going to live happily ever after as part of the chosen group.

10-1

Q Thank you.

A So that's why I don't think it was fixed.

Q Thank you very much.

I asked you if you -- We haven't even got to the killing part yet.

I'm asking you whether she had a fixed belief in the concept of Helter Skelter?

A Well, I think the only possible way of answering that question honestly is to look at the behavior and compare that with the express belief or the alleged belief, and that's how you find out whether a person's beliefs are fixed or not.

Q Well, she doesn't --

Do you feel she doesn't believe in it now?

A I do not think she believes in it now.

Q Do you feel she's free, generally, from Manson's influence now, as a result of your interview?

A Yes, I do.

Q You are telling us that in your belief she had a certain trepidation about actually engaging in homicide?

A Yes.

And some uncertainty, therefore, about the validity about the concept of Helter Skelter.

Q Well, the basic concept of Helter Skelter was that there was going to be a revolution that would wipe the world out except for Manson and his group; isn't that right?

A Well, except for them, plus a certain --

Q One hundred forty-four thousand, or whatever?

A -- number of other people, yes.

No, and I believe there was another exception, that the theory, as I understand it, allowed --

Q I'm sure --

A No.

-- allowed for a certain number of black survivors, too, that would be left to be servants for the group later.

Q Well, excuse me, of course. I didn't mean to suggest that -- I was just trying to shortcut it.

She believed in that concept, that there was going to be a war?

A Yes.

Q And that was a firm, strong belief, don't you agree?

A It was a strong belief.

Q That's -- forget about the --

A But not all pervasive.

Q Let's forget about the homicides for the moment.

A All right.

MR. KAY: Well, that's why we are here.

MR. KEITH: Oh, come on.

THE COURT: All right. Put your next question.

Q BY MR. KEITH: I just want to find out if, in your opinion, she believed in the philosophy or the concept?

A To a large extent, yes, she believed in it.

I would say not completely but most of it.

Q What evidence do you have that she didn't believe in the imminence of a black-white revolution at that time in August, early August, of 1969, before she was asked to go out

on -- just before she was asked to go out and kill.

What evidence do you have that she only believed in that concept to a great extent rather than wholeheartedly?

A I don't have any evidence that I can think of now that she didn't believe the black-white revolution was imminent.

There is no evidence one way or the other of what "imminent" would be; that is, whether it be in the next days or weeks.

But I think she shared in the concept that it was going to happen sometime soon.

MR. KEITH: Would this be an appropriate --

THE COURT: Yes.

All right, ladies and gentlemen, at this time we will recess in this matter until 1:30.

Bear in mind during this recess that 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.

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

All right. The court will be in recess until 1:30.

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

Court's in recess. Thank you.

(At 12:00 o'clock noon, a recess was taken until 1:30 of the same day.)

11

11-1

LOS ANGELES, CALIFORNIA, WEDNESDAY, JUNE 22, 1977, 1:42 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.

Could we have it quiet, please.

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.

Mr. Keith, you may resume.

MR. KEITH: Thank you, Your Honor.

JOEL FORT,

having been previously duly sworn, resumed the stand and testified further as follows:

CROSS-EXAMINATION (Resumed)

BY MR. KEITH:

Q Dr. Fort, at the noon recess I believe we were discussing the depth, if I can use that expression, of Leslie's belief --

A Yes.

Q -- in Helter Skelter?

A Yes.

Q And you had indicated you felt she believed in Helter Skelter --

A Yes.

Q -- but evidenced some concern about killing people as an adjunct to that philosophy?

A That she wasn't completely sure of the belief or of all aspects of the belief.

Q Now, in the early phases of Charlie's exposition of Helter Skelter, was it your understanding that he did not espouse killing himself, actually starting a war himself; that that didn't come until --

A You mean it would happen without him or the group being involved?

Q It would happen -- yes.

A Yes, that is my understanding.

Q And talk about him actually starting Helter Skelter did not occur until, oh, the early summer of perhaps of 1969, a month or two before the actual homicides, something like that?

A Well, I got the impression from Paul Watkin's statements that it might have been back in May.

Q All right.

A But perhaps not.

Q Fair enough.

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12-1

Doctor, do you remember, as you sit there on the witness stand, any of Charlie Manson's sayings, so to speak, other than his discourse on Helter Skelter?

Do you understand the question?

A Yes, I do.

Q For instance, you recalled I believe in your testimony yesterday that Charlie had something to say about death.

A Yes.

Q And you didn't recall that Charlie had anything to say about ego, I believe.

Do you remember anything else that you learned through your study of this case that Charlie said?

A Well, I --

Q We have already discussed --

A I do remember things about ego.

What I didn't remember was the specific term "ego death," which I now recall that Linda Kasabian did use.

But certainly there was much talk about ego; and one of the things that it's my belief he talked about sometimes was losing yourself in other people.

That is, everyone become -- should strive to become one and lose their ego in that sense.

And that's probably what was meant by the words "ego death."

Certainly there was a lot of talk about the Beatles' songs and what they supposedly meant, particularly the ones on "Piggies" and "Helter Skelter" and "Blackbird"

13-2

and "Revelation."

Q Is there anything else you can remember that Charlie said, either in his songs that he composed or in his philosophical -- I will put that in quotes -- discussions that he held in the evening when the Family used to assemble around him?

A Yes, there are a couple of things.

One aspect of his philosophy that he communicated was of the -- those aren't his exact words, but I think it's a fair summary of it -- the sickness of American society and the corruption, greed, the pollution of the environment.

The things that fitted into what I have already discussed; that a predominant belief among the group at the ranch was that white middle class society was bad, and that the people in it were robots and were somewhat less than ideal human beings.

Q Did he --

A Let me think for a moment about others, other things.

Q All right.

A (Pause.)

Well, one other thing was about parents.

And in talking about things that parents usually communicate to their children, and sort of a role playing, as I understand it, to get all of the people present to rethink things that should be taught by their parents.

But if I may say one more thing. I also --

Q I didn't mean to interrupt you.

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1 A No, no.

2 About several of the people that have commented

3 on what he did and what he said; that often it was not

14f 4 understandable.

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And that was either described as the listener's believing that he was talking in kinds of parables or simply that they couldn't understand the words that he would speak or the words that he would sing.

So at least part of the time it was my conclusion that maybe people thought that he was saying something profound but often didn't realize what he was saying, and that was mixed together with these specific things that you are asking about.

Q If impressionable people found that he was saying something profound, even though they couldn't understand it, would that, in your opinion, tend to increase the Family's awe of Charlie?

A Yes.

Q Can you remember any other of his concepts or philosophies?

A Have fun, the magical mystery tour concept, play games, enjoy yourself, live for the day, be sexually free.

Q Now, do you agree that what Charlie had to say to his group, his followers, was for the purpose of changing their attitudes to his way of believing?

A In a sense.

In the sense that probably for most of the things he said he personally felt committed to the ideas, as I spoke about, I think, in the first day of my testimony.

I mentioned today that I thought that I think in some senses he also was a conman and may not have believed everything he himself was saying.

But I think in the sense that anybody who is looked to as the leader of the community or a community and believes in the rightness of what they are saying, he wanted to influence the others there.

But I do not have the picture that everything he said or did, or the way all time was organized, was designed to simply to get people to come to some unanimity, some exact consensus on everything.

So, yes, he did want to influence them, but I do not believe it is a picture of a specific and all-pervasive plan that he sought day after day to carry out to convert them to a particular philosophy.

Q Nonetheless, he did manage to convert many of his followers to his philosophy, including Helter Skelter?

A As far as I can tell, there was nobody in the group we are talking about that previously believed in Helter Skelter.

In terms of the broader aspect of your question, of his general philosophy, I think almost everybody who stayed on at the ranch already testified in -- believed in and accepted most of the other things, such as live for the day, no rules, do what you want, come and go, open sexuality, intermittent use of LSD, and that type of thing.

And those are all properly described as part of his philosophy also.

But I think they went there, or certainly stayed on -- Those who did stay on already had that philosophy.

The Helter Skelter part of it that you are asking about I believe they learned there.

Q All right.

And Charlie, of course, was instrumental in teaching them about Helter Skelter and inculcating that belief in those people?

A Yes.

Q And the truth of Helter Skelter?

A Yes.

Q Do you believe, Doctor, that the concept of the bottomless pit, as described by Charlie, with its ramifications and without going into the details, was a delusion, a false belief?

A I'm skeptical that he really believed that.

Q All right.

Now, let's assume for the sake of discussion that certain of his followers believed that there was a bottomless pit?

A Yes.

Q And again its ramifications.

Would you call that a delusion?

A No, I wouldn't.

When a group arrives at a particular religious or political philosophy, including the concept of Helter Skelter and the bottomless pit, while by my personal values or other people's values I might not agree with it and find it bizarre, I do not think it is an appropriate use of the word "delusion."

Q Delusion is a false belief, isn't it?

A That's correct.

But it's ordinarily applied insofar as it has any meaning to a particular individual who, by themselves has a delusion of grandeur or delusion of persecution, and where it is a component of a psychotic process and the other symptoms of psychosis, the other signs of it, are present in that individual and have been present in the past and continue to be present.

So the word "delusion" seems to me to be misapplied here, if it were used, because it would not be part of a total psychotic process that had been existing in these people, and it would seem to be the same as applying the word "delusion"

to other unusual religious beliefs such as the belief that satan was thrown out of heaven in 1914 that one religious group has, or the belief that all illness is itself a delusion.

15-1

1 Those are unusual beliefs, not commonly accepted,
2 but they are held by large numbers of people, large numbers
3 of people.
4 And I think it would be inappropriate and
5 mistaken to simply call all of them delusional.
6 Q I wasn't suggesting the Christian Science
7 religion was delusional.
8 A No; I understand.
9 Q I'm talking about a small group of people
10 believing in survival in the bottomless pit and living there
11 with Montezuma and his other Aztecs.
12 A That part of it I haven't heard about.
13 Q Oh, you haven't heard about Montezuma?
14 A No, but --
15 Q Didn't you read that transcript of Leslie's
16 tape?
17 A The Part transcript?
18 Q Yes.
19 A Certainly.
20 MR. KAY: I don't think she says anything about
21 Montezuma.
22 THE WITNESS: I don't recall anything about Montezuma
23 in there.
24 MR. KAY: That was in her testimony in --
25 THE COURT: Well, put your next question.
26 THE WITNESS: But I plead guilty to not having a
27 perfect memory if it is in there.
28 MR. KAY: I don't remember it.

15-2

Q BY MR. KEITH: Well, we are talking about a small group of people.

A Yes.

Q Who shared a belief in Helter Skelter.

A Yes.

Q And we will just use the term "Helter Skelter" to apply to the entire concept that was discussed at the Spahn Ranch.

A Right.

Q Are you telling us that there can be no such thing as a shared delusional belief system?

A I'm saying that one could call almost any belief that we ourselves don't hold or seems unusual to us a delusion.

But that adds no -- adds nothing to what's going on. It's simply applying a label.

And the word "delusion" as commonly used in psychiatry means something very different, where it's part of a psychotic process where there are many other symptoms of psychosis and where there are particularly delusions and hallucinations of either grandeur or persecution held by the particular individual.

This would be more properly called a shared belief system and a behavior system.

But to use the word "delusion" would carry the connotation that every single individual who believed in it, even though it was a small group of 10 or 15, or whatever it was, had a paranoid psychosis.

15-3

And that would imply, if you used that term, that they had all these other things that I described:

A history of psychosis, a continuing of psychosis, delusions, hallucinations; and the other things that I have talked about.

15-4

Q You have been talking about a psychotic process that accompanies someone in a delusional state.

What do you mean by "psychotic process"?

A Well, the word "delusion" when it's used in mental health, mental illness language refers to an individual's false belief.

Q All right.

A And it is -- and that false belief exists within the framework of a total process that has incapacitated them to a large extent, where they are out of touch with reality in their various areas of life functioning, including caring for themselves, food, clothing, shelter, carrying out any kind of work responsibilities or social interactions with other people.

One would expect all of those things to be interfered with in a psychotic process.

One would expect signs of this to have existed over the years.

Most people with psychoses have shown signs of it before the more blatant symptoms develop. In other words, they don't come out of nowhere. It's a part of a continuum.

And therefore I'm saying that these other things were not present in these individuals.

And while the belief system that they came to share and accept is unusual, is bizarre, turned out to be certainly anti-social, it's not within the framework of what's usually called a psychotic process or paranoid

15-5

psychosis within that.

Q Is what you are telling us -- and please correct me if I paraphrase it erroneously -- that someone who has a delusion, suffering from a false, fixed false belief, also evidences other areas of mental illness that may incapacitate them entirely?

A Not necessarily entirely but --

Q Substantially.

A -- you expect more than an isolated delusion.

For example, very relevant to this area you are inquiring into, there's a study by a man named Rosenhan where eight people went into mental hospitals around the country and simply said, "I'm hearing a thump, hearing a sound," in other words communicating that they were having an auditory hallucination.

On the basis of that one symptom, each of these various hospitals categorized them as schizophrenic, hospitalized them and then, the study shows, began to interpret every single thing they did as a sign of psychosis, including the fact that they would take notes because they were sent there to investigate what happens on a psychiatric ward.

The point being that when either a psychiatrist, psychologist, social worker or lay person simply looks at an isolated statement -- or even an isolated hallucination -- and then makes a complete diagnosis on the basis of that, they ordinarily will be entirely wrong in that.

Q Are you suggesting, then, that a diagnosis of paranoid state with respect to Leslie is wrong?

A For the reasons I mentioned, yes.

That is, that it is a diagnosis in the textbooks and manuals as a subcategory of psychosis, and that is severe mental illness.

And psychosis are characterized by the history of symptoms, a continuation of symptoms, and at a given time a variety of delusions, hallucinations and incapacitations.

It's not all pervasive, but you expect much more than one isolated belief.

And it is not a concept that is recommended or accepted as being applied to a shared belief system of religious or political groups.

Q Do you describe the Manson family as a religious and political group?

A I would describe it as a mixture of a hippie commune, terrorist, in that sense of political group; and mystical, in that sense religious group.

I certainly do not mean to imply by "religious" ethical concerns for the rest of humanity; that kind of thing.

I mean no more and no less that there was a mystical and religious element to it, including some discussion of the Bible and angels and Christ, and things like that.

So I see it as a mixture of religious, political and hippie philosophies and life styles.

Q And you are telling us, then, that even though

Manson's followers shared the false belief system, that that isn't -- that you wouldn't diagnose that as delusional.

A If I used the word "diagnosis," I would say I would consider it very bizarre. Certainly it turned out to be very antisocial.

But I do not think it would be proper to call it delusional in the sense that is usually used in psychiatry.

If, however, you are saying anything that turns out to be a false belief or cannot be confirmed by a variety of objective evidence should be called a delusion, certainly with that definition, if we agree on it and we are all saying the same thing, then, we could call this a delusion by that standard.

But that's not the way the word "delusion" is ordinarily used.

16-1

Q Doctor, do you find in your experience that psychiatrists tend to confuse the present mental state of a person they are examining in connection with the commission of a crime with the mental state that extisted -- a preexisting mental state?

A Yes.

Q Do you understand my question?

A Yes, I do.

I'd say that's a very --

Q Is that a common failing among phsychiatrists, in your opinion?

A Yes, I think it's very common that when you see somebody, let's say, months or years after the commission of a given crime, and you assess them, sometimes just on the basis of that interview but hopefully also an interview along with a lot of other outside data, then you draw your conclusion about their mental state, it is very common then to assume that their mental state now, say years later, is the same as it was at the time of the crime.

Q And you attempt not to fall into that trap?

A Yes, I do not believe I have.

I don't feel that her mental state now is the same or was the same at the time of the crime.

Q Are you suggesting she's changed --

A Yes.

Q -- in all probability?

A Yes. As you asked me this morning, I think she has.

16-2

Q Do you also believe, Doctor, that psychiatrists of the Freudian discipline often misdiagnose their patients or others they are asked to examine?

MR. KAY: Well, that appears to be irrelevant, Your Honor.

THE COURT: Objection is overruled. The witness may answer.

THE WITNESS: Well, from the studies that are available in many books and articles studying the validity, which means whether there's objective proof of something or not, studying the validity of Freudian concepts, and from my own personal experience over the years, I do feel that it's often erroneous in its end, certainly very incomplete in explaining human behavior.

Q BY MR. KEITH: And what is the basis of that opinion?

A Well, there is --

Q If you can do so briefly without --

A Yes.

Q I mean, it may be --

A Well, first of all, I'll give you two major references that summarize many of the studies -- most of the major studies that have been done on psychiatry and the falacies in it.

One is called "Coping with Psychiatric Testimony," a book by a psychologist lawyer whose name is Ziskin, Z-i-s-k-i-n, and the other one is called "Psychiatry in the Courtroom; Flipping Coins and the Justice Process," or some name like that

by Bruce Ennis, I believe an attorney, that appeared in a California Law Review in 1974.

Now, each of these reviews detailed studies such as that when diagnoses are made by one phsychiatrist, and then another psychiatrist is asked to independently make a diagnosis, there is only a 60 percent agreement.

When three psychiatrists are asked to make diagnoses, there is about a 45 percent agreement.

They also go into a whole range of studies about the effectiveness or ineffectiveness of various kinds of Freudian and other types of psychotherapy.

It is not my point that you can gain no insights from Freudian theory or Jungian theory or Frommian theory, or many of the other people who have given us some original thoughts about human behavior, but rather that each one by itself is very incomplete and far more important to understand are the social forces and social factors that interrelate with whatever psychological factors there are.

Q Are you suggesting that most psychiatrists are unable to comprehend or -- I'll start over again.

Are you suggesting that most psychiatrists pay scant attention to social forces and are more interested in the individual and, therefore, reach an erroneous conclusion often about the criminal behavior?

A Well, not -- Yes and no.

I think certainly psychiatrists and other physicians and other people should be very interested in the individual.

The point is to only look at one aspect of that individual while ignoring other parts.

I couldn't say that most do that.

What we were talking about is what happens in the courtroom -- in the interaction of law and psychiatry in the courtroom.

Q Well, all right. That --

Excuse me.

A Yes.

Q Let's limit ourselves to that aspect of psychiatry, forensic psychiatry.

MR. KAY: Well, wait a minute. I don't know if the doctor had finished his answer.

THE WITNESS: Yes, that's fine.

MR. KEITH: I certainly didn't mean to interrupt. Thought he had.

THE WITNESS: Yes, that's fine.

16a

16a

Q BY MR. KEITH: You are saying the psychiatrists who appear in court and testify in criminal cases concerning the mental state of a defendant or a witness often don't pay sufficient attention to external forces shaping the events that gave rise to the criminal offense?

A Yes, that's often true, whether they are called upon by the defense or by the prosecution.

Q And you apparently take considerable stock in the two studies you read, one in the California Law Review and one elsewhere?

A They, per se, are mostly what you'd call review or summary or encyclopedia-type articles or books almost. One is a book and the other one is almost a book-length article.

They are not -- I'm not saying that these two authors studied each of these things themselves. I'm saying they summarized hundreds of studies that have been done over many years that get at the question you asked about, the reliability and validity of a Freudian approach to understanding complex human behavior.

Q And one study, that's the study by the lawyer, concluded that --

What was that again? 60 percent of the --

A No, he did not do the study himself.

What he's doing is bringing together in one volume all the different studies that have been made of this, and he cites and gives all the references for the various studies that show the lack of agreement in diagnoses and in other areas of psychiatric work.

Q And he said two psychiatrists are likely to disagree 60 percent of the time?

A No.

Q I don't think that's right, that's why --

A There would be a 60 percent correspondence when two psychiatrists make independent diagnoses; when three are brought in, I think the figure is 45 percent.

That's where they all operate independently and have no contact with each other.

When there is an interaction between them in advance, that's a different situation.

Q How about five psychiatrists; did he reach any conclusion on that figure?

A I don't recall any figures beyond two. Or the three, rather; two others.

Q Now, Doctor, at the time Leslie was living at the Spahn Ranch and in the desert --

A Yes.

Q -- after she joined the Family, did you find or make any finding to the effect that she suffered from impaired judgment?

A By my standards?

Yes, I would say that she and the others there were not exercising good judgment in that sense; impaired judgement.

Q And did you also find that Leslie at that time suffered from an impaired ability to analyze a situation

critically?

A Could you spell out what you mean by critical analysis?

Q Well, it has to do with judgment, of course. Perhaps it's almost the equivalent there of the first question.

But I'm wondering if in your opinion whether you believe that her critical faculties were impaired at all?

A Yes.

Q Her ability to, oh, I don't know quite how to put it.

A I think I understand what you're getting at. Perhaps I can try and respond.

Q Thank you.

A That to the extent that she accepted and shared in various group beliefs, about how their life should be lived and what other people's lives were like, to the extent that they began to engage in shared decision-making, and to the exclusion of most outside influences, I would say that her critical faculties were not operating.

Q Doctor --

A Or were less than they otherwise would be.

Q Excuse me, I didn't mean to interrupt you.

A Yes.

Q Doctor, in your opinion, can a person be mentally ill in one area of their mind, and I'm certainly speaking like a layman, yet be intact in many other areas of functioning?

In other words, "functioning," that's a good word.

Could somebody be mentally impaired in one function of their mind, yet be intact in other functions?

A Yes, that's possible.

Q Have you ever seen anybody that -- you might meet people or see on the street, and he or she would appear perfectly well-oriented, yet still in one area thought to be crazy as a bedbug?

A Well, you see, that's where we get into the problem where we decide whether to call somebody else's different belief, quote, crazy as a bedbug, unquote, bizarre, nuts, mad, crazy, or whatever.

17

17-1

1 Most of us, certainly including myself, at times
2 run across people who have ideas we agree with or disapprove
3 of.
4 And most of the time these other ideas are not
5 fairly described as psychosis or severe mental illness. They
6 are best described as an idea that you or I think is wrong
7 or that we disagree with or may even be weird, but is not
8 necessarily a mental illness.
9 Q Well, have you ever run into anybody in the
10 course of your experience, say, that had a really far out
11 persecution complex about one class of society or one group,
12 like the police, for instance, yet be --
13 In other words, think the police were after
14 them; yet be totally intact in other areas of functioning.
15 Have you ever seen anybody like that?
16 A Yes.
17 Q Have you ever seen anybody who insisted that
18 their ex-wife or ex-husband was bugging their house and
19 harrassing them and doing all sorts of weird things, when
20 in fact that wasn't happening at all; yet in all other areas
21 of functioning they were totally normal?
22 A Well, to that extent the answer is yes, but that
23 would be extremely unusual.
24 Most often when you see such a person they would
25 have many other things, many other symptoms that would
26 therefore fit together, that you could properly apply the
27 term "mental illness" to.
28 The most common thing would be, in the situation

17-2

you are asking about where there had been some acrimony between husband and wife, there had been arguing, and as part of a divorce proceeding they each would be trying to get as much as they could from the other, and expressing their anger.

And therefore they would legitimately feel that the other was out to get them, and that wasn't -- that would not really be part of a mental illness.

But the person who for weeks or months or years thought they were being bugged, their telephone was bugged by their ex-partner, would almost always have a range of other symptoms.

But I would grant you that possibly it could occur in isolation.

Q What's a psychopath, Doctor?

A That's a character disorder that is now called in psychiatry sociopath.

It's very poorly defined. It's usually applied to criminals or to people whose career has been -- does not show any evidence of human concern, loyalty to others.

Almost always it's been a wastebasket term for people who commit antisocial acts.

And then more broadly it's used like name calling is in general. You could call anybody whose views you disagree with a psychopath.

Q That isn't a very professional term, then, I take it.

A I don't think so.

17-3

Even in psychiatry it's not used very often.

Over the years it's been -- just what I said; it's come to be thought of as more of a wastebasket term.

And it's one -- That is, when you don't know how to specifically classify somebody and you are devoted to diagnosing them, then if you can't fit them into the psychosis category or neuroses category, then you put them into what's called a personality disorder category, which is the sociopath category.

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17a-1

Q Did I ask you what the schizophrenic was?

I think I may have; but I will ask you again.

A You haven't asked that specifically.

It's one of the forms of psychoses, the most common form.

It's characterized by feelings of unreality, depersonalization, meaning a loss of sense of identity, unreality about your body.

Delusions and hallucinations are the two most prominent characteristics of it, and some degree of incapacitation in carrying out your ordinary function.

Now, that's with the overt schizophrenia.

There is also the concept that you asked me about earlier in my testimony.

Q The latent schizophrenic.

A That's correct, the latent or ambulatory.

Q Tell us about that.

A Well, that simply means somebody that is believed at one time to have shown overt schizophrenia, that is, delusions, hallucinations or some of those other things, but at the given moment, when the term "latent" or "ambulatory" is applied, is free of symptoms, free of overt schizophrenic symptoms.

Q But it's someone who has in the past exhibited overt symptoms such as you have described.

A When the diagnosis is properly used.

It's not simply a name calling -- or a vague label that would be exactly true; that at some time in the past

17a-2

they should have shown evidence sufficient to justify a professional and carefully thought through diagnosis of schizophrenia.

Q And schizophrenia is characterized by delusions?

A Delusions and hallucinations and inability -- or a great difficulty in functioning.

That is, carrying out work or interacting with other people socially. A combination of those things, usually.

Q Isn't there a number of different varieties of schizophrenia?

A Yes.

Paranoid schizophrenia, hebephrenic, which means child-like behavior; catatonic, where somebody is totally, in a sense, for an extended period of time, totally unresponsive to any stimuli.

And then mixed pictures, which is the most common of all. That is, where you don't clearly fit into any of the subcategories.

Q Is there a difference between paranoia and a paranoid state?

A Well, in the textbooks and manuals a distinction is made.

In fact there are several different diagnoses that use the word "paranoid."

One is paranoid schizophrenia. So that would be in a severe mental illness category.

Then under the category of personality disorders --

17a-3

that's the same category I was talking about earlier with the word "sociopath" -- is something called paranoid state or paranoia or paranoid personality.

And then there's, again under the major mental illnesses, under psychoses, there is a paranoid state that is separate from -- or attention in the manual -- to be distinguished from paranoid schizophrenia.

American Association for the Advancement of Science.

It's been widely quoted.

It's very influential in getting people to think anew about whether diagnoses have been properly applied and whether people haven't too lightly called other people schizophrenic.

Q Are you telling us that you yourself, then, are very chary about ever making a diagnosis of mental illness --

A No.

Q -- when interviewing an individual?

A No, I'm not saying that specifically.

I'm chary of using labels in general. That would be a fair statement.

And I'm chary or cautious about -- within mental illnesses, when you do find it, saying that this person is only in this one subcategory or has no signs or symptoms of this other category.

Most commonly I think people, to the extent you can apply a concept of mental illness, have a mixture.

That is, a person can have some aspects of neuroses, meaning things like anxiety or compulsiveness, they can have some aspects of personality disorder, and they can have some aspects of psychoses.

That people just don't fall into neat categories.

I certainly see many people and have seen over the years many criminal cases and outside of criminal cases that can properly be called by my standards and other people's standards mentally ill.

17a-4

I think they often overlap; and it's very difficult to separate them.

Q What often overlaps?

A Paranoid schizophrenia and the paranoid psychosis.

Both of them are under psychoses, and the clear-cut diagnostic picture that's described is not too often seen.

That is, people don't always appear in the precise way that these categories would indicate or seem to indicate.

And more importantly, as I have already mentioned, diagnoses are very vague and unscientific anyway in psychiatry and psychology.

Q You don't like to diagnose; is that what you are saying?

A No; I'm saying more than that.

I'm saying there are a great number of studies, the major ones of which I have referred to, that show that these are not scientific categories.

There's great imprecision in the way they are applied.

And even a person, a totally normal person going into a hospital or clinic and saying they hear a sound when there is no objective verification for this sound can be labeled as a schizophrenic, even if they have nothing else to corroborate that.

And that's Rosenhan's study; and it has had a great impact in psychiatry.

It was printed in "Science," the journal of the

Two problems then follow on that, or there are two more matters that are very important.

One is whether you can precisely say they are only in this one subcategory of mental illness, as opposed to being a mixture.

And then the extent to which the mental illness, if it does exist, relates to the legal definitions of criminal responsibility.

Q Are you saying that diagnosing mental illness in a person is not an easy thing to do, to be correct at it?

A That's correct.

And also, it has harmful implications for the person so diagnosed.

Q It takes a great amount of training, no doubt.

A Not necessarily.

As I have just pointed out, very well-trained and very superficially, at least, accept that accepted people cannot agree on diagnoses.

So the training is not particularly related to it.

I'm saying that with or without training, when we use diagnoses, we should be very scrupulous about it and recognize the deficiencies in the concepts, recognize that it's not an exact science, by any means.

18-1

Q Do you or have you, since you stopped practicing psychiatry, attempted to diagnose a mental illness in anybody?

A Well, it's a matter of opinion whether I've stopped practicing it.

To the extent that you mean by psychiatry involving myself in helping people with problems, certainly I am involved in that; but I see it in a different way.

And it would be also correct to say that I don't make a point of diagnosing people but rather attempt to provide them help without utilizing labels that could be harmful and proven to be often inaccurate.

But, on the other hand, I'm also called upon in many situations to decide on what the most appropriate diagnosis would be for somebody.

And when you enter a situation where the ground rules are that some diagnosis has to be made and/or some legal determination has to be made, I think you have an obligation to follow those ground rules as best you can.

So there have been many occasions where I have had to arrive at a diagnosis. When I have, I have explained, in the same manner I have here, the inadequacies of diagnosis whether done by me or by somebody else.

And I've explained all the ramifications of a diagnosis.

Q You say you are more interested in helping someone than actually attaching a label to them?

A That's right.

In medicine, in general, you see, a diagnosis is

18-2

1 tied together with help.

2 That is, if you diagnose somebody as having heart

3 disease, it immediately leads you -- or should lead you -- to

4 knowing exactly what to do, to treat the heart disease.

5 In psychiatry you have a totally different

6 situation where a diagnosis is so imprecise in general, and

7 where treatment methods are in their infancy for most conditions,

8 so that you don't have the implications or you do not have the

9 meaning from the diagnosis that you have in medicine in general.

10 Q Well, what I'm getting at is you see lots of

11 people who have abused drugs, I dare say.

12 A That's correct.

13 Q And when someone comes to you, or sees you, who

14 has obviously abused drugs, you try to help them, right?

15 A That's correct.

16 Q And some people that you have seen who have abused

17 drugs are really sick, isn't that right?

18 A Yes.

19 Q And do you hospitalize them?

20 A Usually not. Usually --

21 Q Do you send them to a mental hospital?

22 A Not usually.

23 Most people with the condition you are asking about,

24 or with other social and psychological problems, can be

25 treated, and actually best and at much lower expense, as out-

26 patients.

27 So hospital -- I do not use hospitals except where

28 absolutely necessary.

18-3

But certainly sometimes I do refer people at the first level, wherever possible, to the General Hospital, and on rare occasions to a mental hospital.

Q Now, a person who has ingested LSD can become acutely poisoned by it, isn't that right?

A Well, poison might overdo it.

They can have an acute panic reaction.

They are not poisoned in the sense that there is no lethal dose of LSD, but they can have a reaction where they have a kind of panic or occasionally an acute psychotic reaction, as I've described.

But even there, that person can ordinarily be treated as an outpatient.

And most of the ones I've seen I have treated as outpatients where you can bring them down from a trip, re-direct the trip simply by talking to them in a comfortable and trusting environment; whereas, a hospital situation has been found, particularly with those LSD experiences, to often make it worse. That is, where it becomes more frightening and the things that go on in the hospital that seem fine when we have some kind of physical illness can feed into the bad trip and make a person be more disturbed than they were when they came in.

And they are usually limited to a matter of hours, which is another reason why hospitalization would usually be unwise and unnecessarily expensive.

Usually it would be over, that is, the acute bad trip, within maybe six hours.

18-4

Q You have read Dianne Lake's testimony, haven't you in this case?

A I read her testimony --

Q Or was it the --

A I think it was from 1971.

Q All right.

And were you aware as a result of reading that testimony that she was admitted for some seven months to Patton State Hospital as a result of her excessive LSD use?

A I --

Q Do you remember that?

A I have a vague memory that she was admitted to the hospital.

I have never seen the hospital records as to what the factors were for admission.

Q All right.

You didn't read her testimony at this trial, then?

A No.

Q Did you read the testimony of any of the witnesses at this trial?

A Yes, Miss Van Houten and Miss Kasabian, Mr. Watkins.

Q Did you read Barbara Hoyt's testimony at this trial?

A No.

Q You read Linda's?

A Mm-hm.

Q You read -- you did not read -- you read Paul Watkins'?

A Mm-hm.

Q And --

A Oh, and Mr. Mackie's also.

Q All right.

And in connection with Mr. Watkins' testimony -- I'm getting off the subject -- did you consider what he had to say about certain things Manson did in connection with his interrelationship with the Family, such as dancing and motion games and sexual -- unusual sexual practices, taking material possessions away from them?

A Yes, I've considered that.

And other people who know about the Family practices have commented on those same things.

Q All right.

A And I took that into account.

18a

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Q Would those practices be conducive to inducing an attitude change?

A Not specifically.

As I understand the dancing, from a couple of accounts of it, it was mostly freeform or rock and roll dancing, which was very widespread, very popular, and would be generally just described as something people do because they enjoy it or to help them feel good.

Q And the group singing, you --

A That, I think -- I see differently to the extent that the group singing centered around certain concepts or songs of Manson's, and to the extent people understood the words or what he was saying, I certainly think that had a more specific -- did have a specific effect on their attitudes in contrast to the dancing, to the extent --

Q Well --

A I'd like to add -- to the extent that the music involved the Beatles.

And it is my understanding also that many other kinds of records were played, particularly the Moody Blues, Donovan. It was not restricted just to the Beatles.

But to the extent that that other music was played, some of it, particularly the White album, I think would tie in with what we know about attempts to influence people.

But the other Beatles songs, the other rock songs, would be more in the entertainment category than in the terms of attitude change.

Q All right.

But the things that you were just talking about aren't counterproductive to producing an attitude change, I gather?

A Well --

Q It's all part of the --

A The dancing may or may not have any relationship to it.

Basically I don't see that it had a direct relationship.

The other songs that I've mentioned, depending on which songs they played of the groups I've mentioned, and how frequently they were played, certainly could play a role, too.

Because a common theme in a lot of the rock music of the '60s was an antiestablishment theme and a criticism of white, middle-class morality.

So it is possible, as you are suggesting, that some of that tied into it also.

Q Did you ever read Linda Kasabian's or remember reading Linda Kasabian's comment that nobody ever said no to Charlie?

A Yes, I think I remember her saying that.

But I also remember her saying that she said no to him on the way to the LaBianca house and changed places with him in driving.

So I kind of took that with a grain of salt.

Q You are suggesting that Linda did something that was in direct opposition to Charlie's instructions, or are you suggesting that she simply asked Charlie to change places with her because she did not know where she was going?

A Well, you asked me about saying no to him.

And I'm suggesting that she -- that in essence, she told him to quit badgering her about where to drive and go ahead and drive yourself.

Which seems to me to be a fair example of saying no to somebody.

And there were also a lot of other indications from Miss Van Houten and others that people did not necessarily do everything that he wanted; that he himself changed his mind about things.

Q What did he change his mind about? Give me an example.

Q They didn't give specific examples. They just said that --

She said, Miss Van Houten, that he would change his mind about things. And others indicated that they could come

1 and go, work on their own schedules, just as long as collectively
2 as a group they carried out the chores on the ranch, kept
3 things going.
4 They spent a good deal of their time just having
5 fun, doing a variety of things.
6 Q Well, it certainly wasn't a concentration camp
7 there, was it?
8 A No, it wasn't. But --
9 Q But that isn't necessary to -- you don't have to
10 have a concentration camp setting in order to produce an
11 attitude change, as you have described that term, do you?
12 A That's correct.
13 It's a very big difference between coercion and
14 conversion.
15 Q We are not talking about coercion at all, have we
16 been?
17 A No, that's correct.
18 Q We are talking about conversion?
19 A That's right.
20 Q We are talking about conversion to the belief in
21 Helter Skelter?
22 A And other concepts that Charlie espoused. That's
23 correct.
24 Q And you indicated that Charlie wasn't a powerful
25 enough person, I believe, to convert anybody to his way of
26 thinking?
27 A That's almost what I said.
28 I said that by himself he wasn't a powerful enough

person.

I've also brought out spontaneously, in my early testimony, he has a strong personality as compared to the average person.

19

19-1

But what I was stressing -- and putting those two concepts together today -- is that it depends mainly on what you already are, where you are at in life, what attitudes you already have, what you are looking for.

And to the extent that you convert to somebody else's views, it involves mainly your desire to do that.

The fact that their views meet your needs to serve as a way of expressing some of the things you have been feeling.

Just as I described in the religious conversion process, where the person is in a state of frustration, seeking something, comes across by chance some individual or group that provides them with some kind of meaning and support and excitement and happiness.

The interaction meshes between what they are and what the group is; and then as they continue they are happier than they were before, and they become more deeply a part of that group.

So the point is, it's not just one person in isolation, even when they are powerful.

Q Charlie was powerful enough to convert the youngsters that he was dealing with, wasn't he?

He might not have been able to convert you or me -- although I don't know about me -- but he could handle the kids pretty easily, couldn't he?

A I don't think it was easy, and I don't think that it was systematically or consistently thought through or applied.

10-2

I do think he was powerful. I do think he was an effective con man.

I'm taking into account also his small stature, which would move in the other direction.

That is, certainly someone of overwhelming physical presence, that is, over six foot tall and strong and powerful in general would be far more effective as a charismatic figure when you would combine that with being good at conning people and a true-believer mentality, which I described to you.

That is, a commitment of the belief in one's ideas to such an extent, which we see in what we call superb salesmen or saleswomen also, where their belief in their product is such that they can often sell things to people that don't want them.

I think in that --

There are things that show he was powerful; but some aspects of him, his physical stature particularly, and I'd say his limited vocabulary, and sometimes his garbled language that operated in the other direction.

But it wasn't that he -- no matter how powerful -- all by himself converted them.

There were strong group pressures, the peer interaction, and particularly important was where these people were at when they went there, why they voluntarily decided to come, why it met their needs and why they continued to stay, as compared to the many other people who came and went.

19-3

It does not explain it simply to say he was a powerful person.

THE COURT: Would this be an appropriate time for the recess?

MR. KEITH: Yes.

Could I ask him one --

THE COURT: Oh, certainly.

MR. KEITH: -- more question?

Q You are suggesting that his small stature detracted from his power.

A Yes, I am.

Q Have you heard of Napoleon?

A Yes, I have heard of him; but we don't know that that added to his power, the fact that he was small.

We know that he tried to overcompensate for it.

MR. KEITH: Fine. Thank you.

THE COURT: All right.

At this time, ladies and gentlemen, we are going to recess in this matter for 15 minutes, until 3:00 o'clock.

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.

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

The court is in recess until 3:00 o'clock.

All jurors, the defendant and counsel are ordered

10-4

20rf

to return at that time.

Could I see counsel at the bench just a minute.

(Recess.)

THE COURT: People vs. Van Houten.

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

You may resume, Mr. Keith.

MR. KEITH: Thank you, Doctor.

"Doctor." Your Honor.

(Laughter.)

MR. KEITH: Well, you've got a new profession.

THE COURT: You notice I didn't object.

Q BY MR. KEITH: Dr. Fort, do you have an opinion as to whether Leslie's chronic use of LSD affected her in any way or changed her personality or character?

A Yes.

Q And what is that opinion?

A That it did affect her.

It did affect her personality and character over the years.

I do not believe it --

Q Do you feel that it adversely affected her character and personality?

A Overall, no.

Q In the penalty phase of the first trial, were these questions asked and did you give these answers --

MR. KAY: Well, wait. I'm going to object, because the doctor was testifying from a hypothetical question there.

So it would be improper impeachment.

THE COURT: Well, I'm not sure that the question relates

to the hypothetical question.

MR. KAY: Well, he testified at the penalty phase solely from a hypothetical question.

THE COURT: I don't know that this question does.

MR. KEITH: Well, it does.

I can read the hypothetical question. I'd be happy to do so.

I was trying to avoid it. That's all.

THE COURT: Well, I think in order for the record to be complete, if we are going to have any opinions offered based on the hypothetical question, that it should be part of the record in this case.

MR. KEITH: Well, first --

All right. I'll do that.

Q But first let me ask you, what is the basis of your opinion that Leslie's chronic use of LSD didn't adversely affect her character or personality?

A Firstly, that the chronic use was intermittent use for several years as opposed, say, to daily use; that it was use of what appears to be average or moderate doses as opposed to heavy doses.

Very importantly, that is, more importantly than the first two things, that she describes, and others describe, that she only had good trips, only had pleasurable experiences, did not have any adverse effects, psychologically or otherwise, from those experiences.

I also take into account, along with the other knowledge that I've acquired about it in the past six years,

that for a lengthy period of time, in fact two lengthy periods of time, there was no use of LSD, one being a period of involvement in the Self-Realization Fellowship, and the other being the several months traveling around in a van with Mr. Beausoleil and two other women.

Q Simply because she did not report to you nor did you make any -- or find any other evidence indicating that she experienced a bad trip or bad trips, you concluded that the use of LSD, along with all the other factors, did not adversely affect her character or personality?

A No. You now seem to be asking me a different question.

Are you asking whether LSD, when it is considered along with the peer group pressures, the Manson influence, the physical and social isolation, and those things, did it in combination have an effect?

Is that what you're now asking me?

Q Yes, that's what I'm now asking you.

A Yes.

I think in that context it played some role, yes, for the reasons I've just summarized.

I don't think it played the major role that I thought it played in response to a hypothetical question six years ago where all the things I just summarized were not part of the hypothetical question.

Q What wasn't part of the hypothetical question that you summarized?

A The detailed knowledge that I've acquired from

her and from the other evidence or the other information, the uniformity.

Q You mean about --

A No. More specifically of the uniform good experiences and the nature of those experiences, details of her relationship with Mr. Mackie, and the situations under which they took it together.

I was not aware of the lengthy period with Beausoleil, as well as with the Self-Realization Fellowship, that she did not use it at all.

Q You are not suggesting that LSD had the -- the use of it -- extended use of it -- had no adverse effect whatsoever on her, bearing in mind all the other factors we've been discussing?

A I would put it that in combination with these other factors, that part of her LSD use that occurred with the Manson group, and in direct association with the peer group influences, particularly the interactions with Watson, Krenwinkel, Watson, Manson, and the general philosophy and environment and all the other things going on there, I'm saying it could, indeed, have had some effect.

I would not say that in and of itself it could be properly said that the LSD had an adverse effect on her.

Because of the way she used it, because of her familiarity with it, because of the uniformed good trips, that weighs against the other things that I have talked about here and talked about six years ago, where the more youthful the person is, the more unknown the dose is, the more unpure it is, in general, one would predict, without specific knowledge, that it would have more adverse effects.

But I am now taking into account the specific pieces of information that I have just recited.

Q Are you saying the use of LSD was beneficial to her?

A No, I do not believe it could be said it was beneficial to her.

Q Are you saying the result of the LSD use, Leslie's LSD use, was neutral?

A That would I think be an inaccurate summary.

I'm saying that some of it, from her standpoint at the time it occurred, that is, she felt it pleasurable and she felt it beneficial.

She enjoyed the relationship with Mr. Mackie. She enjoyed the experience she was having with the LSD at that time.

If we include the element of what she was looking for in her desires at the time and her own interpretations of what was pleasurable, that element one could say was beneficial from her standpoint.

1 Overall, from my knowledge of LSD and from my
2 knowledge of the total picture, I would not call it
3 beneficial.
4 I wouldn't call it beneficial because I think
5 it helped to acclimate her, helped to get her to accept
6 illegal actions, which was an important part of the use,
7 fitted in with a lot of other things that went on during her
8 teens that I think made her less concerned about ordinary
9 social and legal restrictions.
10 In some senses her earlier use of LSD also made
11 her more accepting of the patterns of use of LSD at the
12 ranch.
13 So I wouldn't call those things beneficial.
14 But I wouldn't summarize the whole thing as
15 neutral. I would say those things were adverse.
16 But in terms of just saying, did LSD by its
17 direct effects produce her attitude change, I don't think
18 it's proper to describe that as a specific adverse effect
19 that occurred from the use of LSD.
20 Q It was a contributing factor, isn't that a fair
21 statement?
22 A It probably --
23 Q To producing the attitude change.
24 A It probably was a contributing factor.
25 Q Why do you say "probably"?
26 A Well, because there are different reports on
27 that, too.
28 Mr. Watkins says that the LSD was mainly used in

1 group settings as part of the group sex experience.

2 Miss Van Houten and others described it

3 differently: that it was mainly part of the philosophical

4 discussions.

5 I also have in mind that it was not used

6 constantly, that is, was used --

7 Q Once a week?

8 A Varying from different accounts, sometimes more

9 than that. By other counts, once or twice a week.

10 Q Well, once or twice a week, bearing in mind

11 you're on a trip for eight to fourteen hours, is about all

12 one can take, isn't it?

13 A If one is having a bad trip, I'd say it's far

14 more than what one can or should take.

15 If, on the other hand, a person is taking it

16 and by their standards having a good experience and enjoying

17 it and not interfering with their functioning, then out of

18 hand one couldn't say it was bad.

19 It is my belief it would have been better for her not

20 to do that, and for the others not to do it, too.

21 Q Are you saying that you think it might have been

22 better for none of them to ever have laid eyes on the stuff?

23 A Yes.

24 Q Therefore, you must conclude that when you take

25 it with regularity -- and we are talking about once or twice

26 a week, at the most -- that there must have been something

27 wrong with taking it.

28 A Yes.

And I have described the main things that I thought was wrong with it.

It helped to encourage the climate of illegality, the acceptance of violence of the law.

And secondly, it helped to contribute to their -- it was part of their group way of life, of concentrating entirely on a life without restrictions, a life without judgments, a life where you lived by the day.

But I'm not saying that the specific dose on a given occasion caused them acute psychological harm because there is no evidence of that.

Q You are saying it didn't cause Leslie acute psychological harm?

A Not by her descriptions, no, or any other people's descriptions.

Q Is it your opinion that Manson's influence was the most significant factor in producing the anti-social conduct that Miss Van Houten is now charged with participating in?

A I'd say of the many factors I have discussed, it was the single most factor, yes.

But it, too, did not exist in isolation, and has to be understood in terms of its relation to the group pressures, the personal relationships with other people there, particularly Watson, Krenwinkel.

And again most importantly, what she was in her own values and attitudes when she went there and as she decided to stay there voluntarily.

Q Is it one of the bases of that opinion, that Manson was the most significant factor in producing anti-social conduct, was his importance as a guide?

A Yes, to the extent that --

Again, I mentioned that we have different accounts of how the LSD was used in the group setting.

To the extent that much of the time or frequently the group took LSD and Manson, let's say, for at least several hours each time they did it or many of the times they did it, guided the experience and tried to influence the thinking during that time, I would say that should be taken

into account as an important thing.

If that was irregular or if it was just a participation of the thing or if it didn't happen at all, that is, his using -- guiding the experience for Miss Van Houten, then, it wouldn't be relevant.

Q Do you believe the guide, who was Manson, created a totally neutral system, and that in effect -- that the system was used in effect to brainwash or produce a new form of thinking, a new pattern of behavior for the girls living in the group with Mr. Manson?

A In terms of the hypothetical question you asked me in 1971, I thought that was a real possibility.

And at this point, with the much greater knowledge I have of what happened, I still think he was involved as a guide, as I have just said, and systematically did this and conveyed a coherent, well thought through philosophy, as part of the experience, then, it certainly would have been very important.

Q Well, did you say this in 1971 --

MR. KAY: Well, again I'm going to object, since the doctor was testifying from a hypothetical question, it being improper impeachment.

THE COURT: Well, will counsel approach the bench.

Could we have the court reporter,

(The following proceedings were held at the bench outside the hearing of the jury:)

THE COURT: I'm not sure whether this question relates to the hypothetical question or not.

1 MR. KEITH: Well, it is.

2 It really starts up here (indicating), 25,490:

3 "Now, based again on just the

4 assumptions in the hypothetical question,

5 Doctor, do you have an opinion as to whether

6 the influence of Mr. Manson was any causative

7 factor?"

8 And then:

9 "* * * And the guide, depending

10 on who they are, their orientation, their

11 value system, can use that, as I said earlier,

12 for good or for evil, and I believe in this

13 instance it was used to create a totally neutral

14 system, it was used, in effect, to brainwash

15 or produce" --

16 MR. KAY: Well, that's what you have already asked

17 him.

18 MR. KEITH: He didn't say --

19 THE COURT: I think we are going to come to the point

20 where we are going to have to read that question.

21 MR. KEITH: All right; I will read the question.

22 THE COURT: All right.

23 (The following proceedings were held in

24 open court:)

25 Q BY MR. KEITH: Let me ask you this -- it looks

26 like I'm going to read that long question.

27 A I'm sorry to hear that.

28 Q So am I; but let me ask you this:

Do you believe that Manson was able to brainwash and produce a new form of thinking, a new pattern of behavior for the girls living in that group with him?

A No.

Q And that's based on your present information about this case?

A No; it's based on all the things I have talked about of the phenomena of attitude change and all the factors that go into it, and the detailed information we have of Manson and of the other people there at the ranch.

And particularly the detailed understanding we now have of Miss Van Houten and what she was like and what she evolved into at the time she was there, at the time she decided to stay on.

It's also based on my belief -- which I have discussed in both direct and cross-examination -- that in reality there is no such thing as a simple brainwashing of somebody; that it's a misnomer.

Whether I would have used the term in the past or you have or others, it's a gross over-simplification.

Q Why did you use the term in 1971?

You said "to brainwash or produce a new form of thinking."

A. I'm not sure.

I assume that I used it because it was being used in the context of the trial, the questions were framed in terms of that concept.

22

22a

Q Did I ever ask you a question including the word "brainwash" back in 1971?

A I'm not sure. I haven't read that for a long time.

But I believe you or other attorneys involved would periodically use the word.

But I'm saying without qualification that to the extent I used it, without explaining what it meant and what its deficiencies were, I was in error.

Q Is this your opinion now, Doctor, that Leslie's heavy use of LSD and mescaline, combined with the influence of Manson and with the peer group isolation and this new subculture, led to a totally neutral system which saw death or killing in a completely different way than a normal person sees it, and which, as a part of that revised concept of death, dying, and killing, got rid of the concepts of social concern, compassion, moral values that we have as a part of our heritage and seek to emulate as best we can?

Is that your opinion now?

A I think I've so stated that.

I didn't put it certainly in the same words, but the opinion you have just read includes the concept of peer group interaction, includes Manson's role, includes what she was like as a person, includes the social and physical aspects of the environment.

So that, indeed, I do see all those things as being involved in her voluntary conversion to what we could call Mansonism.

Q What do you mean by a totally neutral system?

Maybe you mean something different then than you mean now by that phrase.

A I'm not sure what I meant at that time.

Q I'll read it again.

A No, I remember the statement.

I think what I meant was that previously held beliefs about moral values, about American society through interaction of Manson, the peer group, her own personality, the other factors, were discarded, which is a long-winded way of saying she underwent an attitude change or a conversion through this combination of factors.

I think that's what I meant by it or would mean by it now.

Q That's what you call a totally neutral system.

It sounds to me like a medical phrase, and I was wondering if it had --

A I can't think of it, really. I don't know of it as a medical, psychiatric, or psychological phrase.

I think that what I must have been referring to is in a way that, in retrospect, I do not think was as precise as it might have been, or was simply a change in value, or a change in attitude.

Q Let me ask you some further questions about LSD.

We may have avoided reading that question, by the way.

MR. KAY: Oh, I was all ready.

THE WITNESS: Okay.

1 MR. KEITH: It's not -- I don't want to be any more
2 boring than I --
3 Q Doctor, when we are talking about LSD, we have
4 to distinguish between acute effects when one is actually on
5 a so-called trip, --
6 A Yes.
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Q -- and what we might term nondrug -- nontrip effects?

A Subsequent to the trip.

Q Subsequent to the trip?

A Yes.

Q Or between trips?

A Okay.

Q There is a distinction, isn't there? You are not on a plateau or on a trip all the time?

A Ordinarily, particularly if you had a good trip, once the 6-to-12-hour period is over, you would just be like you usually are and just like the average other person.

It does not usually have lingering effects.

Q Is it your opinion that long-term LSD use, and I'm not talking about being on an actual trip now --

A I understand.

Q -- but --

A Intermittent use of it over a longer period of time?

Q Yes.

-- create, along with other factors, the rejection of previously-held moral beliefs?

A I would have to say it can.

It certainly would not be correct to say it does.

In fact, the book that I've mentioned a couple of times, "Varieties of Psychedelic Experience," and the work of Dr. Pahnke at the Maryland State Psychiatric Research Center, was entirely in the other direction; that is, to use

LSD intermittently over a period of years to help bring about deep-rooted positive religious and mystical experiences to help a person feel more fulfilled, more socially involved, and the work of Abramson on LSD and psychotherapy is still a different positive use where the long-term intermittent use of moderate doses was felt by him and by others who have studied it to be of use in helping people overcome some of their emotional problems.

22nr

22a-1

That, nevertheless, with some people I think it can move in the negative direction.

But it would be incorrect in terms of scientific knowledge to accept that as the common or the necessary effect of it.

Q The impairment of judgment and responsibility depends, does it not, by reason of extended use of LSD; intermittent use of LSD depends on the influences of the environment, of the guru, or leader, and on the underlying personality.

That's a fair statement?

A That's entirely correct. I agree with what I said.

Q And the rejection of moral beliefs is not limited to just on a -- while one is on a trip.

It can carry over into the nondrug state, can it not?

A Exactly.

In fact --

Q That's what I --

A If I may bring up a point that Miss Van Houten made, which I think is entirely accurate when she was talking with me, she said, "When I'm talking about the effects of LSD, I mean the LSD as it was involved in the group interaction, the whole thing."

And I think that's a very accurate summary of the way the LSD would be involved in the sense you are asking about it.

22a-2

Q Did you find Miss Van Houten to be an accurate reporter of LSD effects in her conversations with you?

A I think so.

She described what trips were like and the circumstances under which she took it, and there is certainly consistency in different times she talked about it and, in general, between her account of her LSD use and others.

There were some differences in terms with her time with Bobby Mackie as to how frequently she used it.

But if you are asking about her descriptions of individual experiences and how it affected her, it sounded very authentic to me.

Q And also the long-term effects?

A Well --

22a-3

Q The nondrug state effects?

A Her description of the long-term effects would be a combination of these few things. I'll summarize.

One she described to me, and I believe has testified, that it changed her values, so that's an important aspect of what she communicates about.

The second important thing, however, is that she expressed the idea that the media, and sometimes people in general, seek a simple explanation, and it's easy to latch on to LSD as that explanation.

And then the third thing I recall, and the most important one that I quoted a few minutes ago, is the statement that -- to the extent that she talks about LSD as having affected her values.

She really means the whole interaction, the whole group, the mutual reinforcement of values and attitudes that was going on between and among the members of the Manson group, particularly the ones that rather than coming and going stayed on together.

So I don't think she really sees, and I think this is quite correct, that the LSD worked in isolation, but it was a combination of things.

Q I haven't meant to suggest that it did.

I wanted to ask you and have asked you how she reported on the subject --

A Yes.

Q -- of LSD.

A Exactly.

Q And I believe you told us in your opinion her observations on the effects and interactions --

A Yes.

Q -- of the drug are accurate --

A Yes.

Q -- indicating she has an understanding now of what she went through and what forces were operating on her in 1969, at least some insight?

A I think she does.

Q And you have indicated that these various forces are complex, right?

A Yes.

Q And they are subtle in some respects, right?

A In some respects, yes.

Q And there is nothing -- there is no way one can approach this case simplistically, no easy answer like, well, LSD caused it all?

A That's right. I certainly concur with that.

Q One thing you do find that she told you was erroneous in the hypothetical question that was asked in 1971, that she didn't believe she was actually on a trip at the time of the homicides?

A Yes.

She now says, and said repeatedly, that she did not take LSD the day of the and the night of the LaBianca murders, whereas in the hypothetical it does assume that, that she did take it.

23-1

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

THE COURT: Yes.

MR. KEITH: 25,561. Do you have that?

MR. RAY: Let's see.

(Off the record discussion between counsel.)

Q BY MR. KEITH: Doctor, excuse the colloquy between counsel -- and may the court please.

Doctor, it appears in your previous testimony in 1971 you used the phrase "neutral structure" more than once.

A Yes, neutral state or neutral structure.

Q You still can't figure out what you meant by that term.

A Well, I have given an explanation of what I think I meant by it.

Q Do you consider the creation of a neutral structure, in a sense brainwashing, or creating a new idea or thought pattern?

A Well, I have to answer the same way I did a few minutes ago when you asked me that.

That I don't think such a thing as brainwashing, per se, does occur.

To the extent I used the word "brainwashing" without a detailed description of it, it was a gross oversimplification.

Q Do you think there is a creation, however, within the Manson family and its members of a new thought pattern, when we speak of Helter Skelter?

A Yes. That's what I have been talking about in terms

23-2

of the conversion or attitude change.

That could be fairly described as a new thought pattern.

Q And --

A And I think that's what I in fact meant by a neutral state, although again I say I don't think that's a very adequate word to use for it.

Q And is it your belief that's how a value system that we -- meaning you and I, and most of us -- would consider antisocial and destructive, came to be accepted?

A Yes.

Q Do you think that occurred?

A Yes.

Q Have you, in your broad experience, found it unusual that destructive but accepted thought patterns that are new, such as you have described, occur in young women, Leslie's age then?

Is that an unusual thing to happen?

A That destructive thought patterns occur?

Q Yes; that acceptable destructive thought patterns occur.

A I don't understand you.

Q All right.

You indicated that in your opinion a conversion, a thought conversion occurred.

A Yes.

Q And that thought conversion involved a destructive value system.

23-3

A Yes; it led to destructive antisocial behavior.

Q That was accepted, however, as right and proper by certain members of the Hanson family.

A Yes.

23-4

Q And Manson himself, very possibly.

A Yes.

Q All right.

Now, is that, in your experience, an unusual phenomena to happen?

A I'd have to say it certainly is unusual, but it's certainly not unique.

It's a kind of phenomena that's seen in radical terrorist groups of the right and of the left.

And they most frequently involve young adults, and that includes a high percentage of women.

That would be such groups as the Weather People, the New World Liberation Front, the Symbionese Liberation Army, the American Nazi Party, various racists and terrorists, activists or radical groups. But still unusual.

Q All right.

That was all I asked, whether it was unusual.

A Yes.

Q Would it be fair to say that when someone becomes involved, becomes converted to that kind of a thought system, that there exists in that person a certain departure from reality?

A Not necessarily.

Certainly the departure from accepted social standards of behavior, from accepted standards of morality; and in that sense one could say from reality.

Q And accepted legal standards.

23a

A From accepted legal standards, certainly, yes.

23a-1

Q And many of these groups you have studied really firmly believe in the rightness of their position; is that correct?

A The groups I was talking about, they are certain of the rightness of their position, as are an even larger number of people committed to certain particular religious movements, large and small.

That part of that conversion or attitude change in these religious and political contexts, including the ones that practice anticocial behavior, violence, et cetera, involves a deep belief in the rightness of what they're doing, also an attempt to justify it, to rationalize it by such things as saying -- as did the Hanson group:

"That we live in a climate of violence; that the United States is a violent society; that the Vietnam war is spreading violence."

And also to rationalize or justify your actions by putting down the group of people that you're committing violent acts against.

In other words, to excuse it by saying, "They were robots" or "they were pigs," or to use other disparaging concepts like that.

So these things are common with this kind of activity, in its various manifestations, these various groups.

Q Who in the Hanson family rationalized by blaming the Vietnam war and violence in America?

A That's mentioned in Dr. Coburn's report on "Miss Van Houten" in 1971.

29a-2

Q You mean "Dies Van Houten"?

A Yes, in Frontera.

That she talked about these things as part of the reason for engaging in these activities.

And I think there is an allusion to it, some reference to it in the interview with Mr. Part, the attorney.

23A-3

Q Talking about the Manson family in particular, you believed that Leslie believed, did you not, that everything that is contemplated by Helter Skelter coming down was perfect?

A Was perfect?

Q Yes; and right.

A I don't know about the "perfect"; I think she thought it was right.

Q Doctor, let me ask you this:

She thought it was right to the exclusion of other values that she had been brought up to espouse?

A Not to the exclusion of other values because she showed an awareness that one could be punished for it; that society disapproved of it.

So she remained aware of the values of conventional society.

Q But those values were subjugated, were they not, in her mind?

A Well, I think that would be a fair summary.

To the extent that she went ahead and carried out these acts, the values of society were subjugated.

Q Assuming she had an awareness; let's just assume that.

A I understand.

Q We don't necessarily have to agree with each other; but let's just assume that.

A Yes.

Q At the very least they were submerged, subjugated.

23a-4

A That's correct.

Q And that previously held value system was not something that was uppermost in her mind during the Helter Skelter phase.

A That's correct.

Q Doctor, Leslie -- if Leslie had walked into your Fort Help office, say, back in early August 1969 and said, "Hey, Doctor, there is a guy living down in Chatsworth who thinks he's Jesus Christ and I believe him and a lot of others believe him and we are going to start this revolution, black-white revolution that's called Helter Skelter, after the Beatles' album, and we are going to go to the bottomless pit and we are going to live there and we are going to take over the world after the blacks had killed all the whites," and on and on and on and on in that vein, if she had consulted you back then, I suppose you would have said, "Well, you'd make a good outpatient."

24f

24-1

MR. KAY: Well, I'll object to that as argumentative, Your Honor.

MR. KEITH: Okay.

THE COURT: Well --

MR. KEITH: I'll ask him this:

Q And also if she'd told you she'd used LSD for a number of years, what would you have done?

A Sure. I'll tell you exactly what I would have done.

I saw a number of people that came in with very bizarre, unusual ideas.

First thing I would have done would be to talk to her at length to find out more about what she meant, why did she believe that somebody was Jesus Christ, did she really believe that in a mystical or spiritual sense or was it because the person was older, because he seemed to know more, was it because of the gentleness and consideration which, for example, she has described to me about Mr. Manson.

I'd want to know what had been going on in her life and would spend considerable time with her in talking about that; who her peer group was, what people she was associating with, what kinds of influences they were having.

I'd certainly explore with her her past life, what she had going for her in terms of family and friends, where she had been living.

I mean the details of the physical environment.

I'd try to offer her some alternatives, make known to her some options, some places or things she could do.

24-2

Certainly offer the possibility of any continuing help that we could provide her at our center.

And I'd make an assessment as to whether she was, by her actions that day, the day before, and the week before, able to function in the community despite having certain ideas that were unusual.

And, remember, this is in the context of a youth movement that in the '60s was increasingly embracing astrology, mysticism, Hinduism, Buddhism, various exotic religious and political and most broadly of all that of embracing a hippie lifestyle kind of philosophy.

So that in that context I would try to understand what she would have told me in that framework.

I'd also try to bring her in touch with people that might have a healthier influence on her in San Francisco, people that might come from similar backgrounds, have some appreciation for her interest in mysticism or new religious approaches and for her lifestyle, but would offer her a contrast with the kind of situation you described.

I would not necessarily put her in a hospital. I would only make -- only think of that as a possibility if the person, in this instance her, was unable to care for herself or seemed to represent a danger to herself at the moment or to other people.

24-3

Q In short, you would have tried to have helped her, wouldn't you?

A Yes, I would have.

Q You would have been concerned, wouldn't you?

A Yes.

Q First, you'd have wanted to check and find out if what she told you was something that she really believed?

A And how pervasive it was in her life and what seemed to be the implications of it, what future actions she had planned.

Q In other words, you would want to find out if she was doing more than just putting you on?

A Certainly.

And I'd want to find out what some of the causes of it seemed to be.

24a

24a-1

Q All right.

But assuming that you determined that she was telling you the truth about her beliefs and about Manson and about Helter Skelter, you would have treated her in the best way you know how, wouldn't you?

A That's right.

Q You would not necessarily have hospitalized her, I gather; is that right?

A I probably would not have.

Q But you would have put her in touch with people that would --

Well, you tell me.

MR. KAY: Well, Your Honor, this appears to be an irrelevant line of questioning.

THE COURT: The objection is overruled.

You can put your question, Mr. Keith.

THE WITNESS: Yes.

As I said a few minutes ago, I would, among other things, try to bring her in contact with the many different kinds of positive resources that existed in the community at that time.

For example, there was something called the Haight-Ashbury switchboard that was a very constructive project that included social services, residential facilities, all kinds of referrals, places that understood young people, would be accepting of them, provide some kind of resource.

There was available at that time all kinds of recreational outlets, artistic endeavors of various kinds.

24a-2

So depending on what particular interests or capacities that she described to me or became clear in our discussion, I would have tried to involve her or hook her up with some of these things in the community in addition to covering her continuing help by talking with me or with other staff members that she might be able to relate to and have some trust in.

MR. KEITH: I'm just about through, but I'd like to go over my notes.

Would this be a convenient stopping place?

THE COURT: Yes.

Ladies and gentlemen, at this time we will recess until tomorrow morning.

Bear in mind during this recess 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.

Now, tomorrow morning, since I have a very small morning calendar, we will commence at 9:30, and we will not be in session this Friday as previously indicated.

However, it is anticipated that starting July 1 we will probably be in a different phase of this case other than taking testimony, and we will expect to be in session on Fridays starting July 1.

So tomorrow morning it is 9:30.

24s3

All jurors, the defendant, and counsel and the witness, are ordered to return tomorrow morning at 9:30.

Have a good evening.

Thank you.

THE WITNESS: Thank you, Judge.

(At 4:00 p.m. an adjournment was taken until Thursday, June 23, 1977 at 9:30 a.m.)