IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff-Respondent,
vs.
CHARLES WATSON,
Defendant-Appellant.

7009

APPEAL FROM THE SUPERIOR COURT OF LOS ANGELES COUNTY

HONORABLE ADOLPH ALEXANDER, JUDGE PRESIDING

REPORTERS' TRANSCRIPTS ON APPEAL

APPEARANCES:

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LOS ANGELES, CALIFORNIA, FRIDAY, AUGUST 20, 1971; 9:45 A.M.

- - -

THE COURT: Good morning.

MR. BUGLIOSI: Good morning, Judge.

MR. KAY: Good morning, your Honor.

MR. BURRICK: Good morning.

THE COURT: People against Watson.

Let the record show all jurors are present, all counsel and defendant are present.

What happened to Mr. Granado?

MR. BUGLIOSI: He is on his way in, your Honor.

M. JOSEPH GRANADO,

resumed the stand and testified further as follows:

THE CLERK: You have been previously sworn.

Would you restate your name for the record?

THE WITNESS: M. Joseph Granado, G-r-a-n-a-d-o.

DIRECT EXAMINATION (CONTINUED)

BY MR. BUGLIOSI:

Q Mr. Granado, now that you are a member of the FBI, do they call you officer or agent?

A Agent, I guess.

THE COURT: Erskine is called a special agent?

THE WITNESS: That's correct.

THE COURT: You haven't advanced to that stage; is that right?

THE WITNESS: I don't know. At work we are called special agents, but "agent" is sufficient.

Q BY MR. BUGLIOSI: For short, I will call you "Agent"; okay, Joe?

A All right.

Q Agent Granado, showing you here -- this is the wrong one -- a black pair of pants marked people's 55 for identification, have you ever seen these pair of pants before?

A Yes.

Q Where did you see them for the first time?

A In the laboratory of the Los Angeles Police Department.

Q What date?

A No. G56 denotes my initial and the 56th item that I marked; and these pair of black denims I received on 12-16-69 from detective Calkins.

#2

Q Did you analyze these pants for blood?

A Yes, I did.

Q Human blood?

A Yes, I did.

Q Did you find any human blood on them?

A No. I did not get a reaction on these pair of pants.

Q You did not get what type of reaction? Benzidine?

A I did not get a blood reaction and no reaction at all.

Q Of any kind?

A That is correct.

THE COURT: What is the waistline on that? Do you know?

THE WITNESS: The waistline on those is approximately 29. So I have here 30 inches waist and approximately 29 inches inseam, 30-inch waist and 29-inch inseam.

Q BY MR. BUGLIOSI: So you found no blood on those pants right there; is that correct?

A That is correct.

Q I show you people's 56.

Have you ever seen those pants before?

A People's 56 have my number 655 and they are blue jeans Diamond W brand, and those were also negative, no reaction.

THE COURT: What is the waistline of that? Do you know?

MR. BUGLIOSI: Your Honor, may we approach the bench?

THE COURT: Yes.

3 fls.

(Discussion at the bench unreported.)

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(The following proceedings were had in open court:)

THE COURT: You were talking about Exhibit 56.

MR. BUGLIOSI: Yes, your Honor.

I have here another exhibit, People's 51.

Q Have you ever seen those pair of pants before?

THE COURT: May I see them? I have my own way of keeping track here.

Okay, thank you.

THE WITNESS: I can't find my marking.

Q BY MR. BUGLIOSI: What are these circles here; by whom were they made?

A I remember making those. Those are areas that I took samples from.

Q So, then, you have seen those pants before?

A Yes.

Q Did you find any blood on them?

A I found a positive reaction for blood and obtained a test which indicated a possible O type, blood type.

Q You found a positive benzidine reaction?

A That's right.

Q What is benzidine?

A Benzidine is an organ chemical which couples with blood, if blood is present; then if there should be blood present an enzyme in blood will react with the second step of the benzidine, which is a hydrogen peroxide, and you have a blue-green reaction, indicating the presence of blood.

#4

Q So if you applied benzidine to human blood you get what type of color?

A Bluish green.

THE COURT: Do you recall how many parts of blood you need, to the other substance, before benzidine will show up? About one in 10,000?

THE WITNESS: Yes, one in 10,000, about one drop in a 5-gallon container of water.

THE COURT: That will react to benzidine.

Q BY MR. BUGLIOSI: When you apply benzidine to the blood, the blood turns bluish green?

A The benzidine turns bluish green. The dyeing color comes through.

Q Are you aware of any other substance other than blood that reacts that way to benzidine?

A Not with benzidine, using the two-step method, because, let's say, for instance, we do not add the hydrogen peroxide for a short while after we add the benzidine base.

So if there be anything to react with the benzidine when you initially, let's say you swab the area, you put the benzidine on and if there is a reaction, that nullifies the test. Something else reacted.

Now, when you take the sample with the benzidine and there is no reaction, then you place the hydrogen peroxide on this benzidine sample and you do get a reaction, then that is blood because there is an enzyme in blood that transfers the oxygen from the hydrogen peroxide onto the colored dye and forms a coupling or molecule, a dye molecule.

Q I understand part of what you are saying, Joe.

Let me ask you the question this way: You say that when you apply benzidine to blood, that benzidine turns bluish green; is that correct?

A Not immediately; only when you perform the second step of the benzidine test.

Q I am talking about the whole test.

A Yes.

Q Now, do you know of any other substance other than blood that causes benzidine to change to the bluish green color?

A Not performed in the manner I mentioned. There might be something that I haven't tested, but I have tested a lot of materials.

Q You have done a lot of reading in this area?

A Yes.

Q You have read literature in blood analysis?

A Yes.

Q Have you read anything indicating that any other substance causes benzidine to turn bluish green?

A No, I have not.

Q You had a positive benzidine reaction on these pair of pants; is that correct?

A Yes.

Q On various places on the pants?

A Yes.

Q And you have circled these places with a circle?

A I have.

Q And you also determined that there was a possible O type blood on these pants?

A Possible O, yes.

Q Any sub blood type?

A No.

Q This is a black velour, I guess that is the way you pronounce it, pullover sweater, people's 50.

Have you ever seen that before?

A Yes.

Q And did you get this on December the 16th, 1969?

A That is correct.

Q Along with all of these other items of clothing?

A That is correct.

Q You got seven articles of clothing on December the 16th?

A Yes, I did.

Q Did you find any blood on that?

A On this article on which I have my marking Q-50 I found a positive for human blood.

Q In other words, there was a benzidine reaction?

A Benzidine, also Ouchterlony, O-u-c-h-t-e-r-l-o-n-c-y.

Q Is there a c in it?

A n-y.

Q O-u-c-h-t-e-r-l-o-n-y; is that correct?

A That is correct. And I found it to contain also possible O type blood.

Q You circled the areas on the article of clothing?

A Yes. That is the area here which I circled in

1 white felt pen.

2 Q Okay. Showing you --

3 A And here was another area on the sleeve which I

4 encircled in white felt pen and I took samples.

5 Q Showing you people's 52 for identification, a

6 black T-shirt.

7 Did you get that T-shirt on December the 16th,

8 1969?

9 A Yes. This is G52, black T-shirt, small 34-36

10 size, and on this one here I found possible O on human.

11 Q Possible O on human blood?

12 A Yes; possible O on human and benzidine was

13 positive.

14

15 Q Benzidine doesn't tell you the type of blood that

16 it is?

17 A No. Benzidine indicates it is blood.

18 Q Not necessarily human or animal?

19 A That is correct.

20 Q And certainly not the blood type?

21 A Yes.

22 Q You have to conduct an Ouchterlony test?

23 A For the human. Then you go on to typing.

24 Q Where did this name Ouchterlony come from?

25 A That is the guy that --

26 Q I figured that.

27 A -- did the data work on it.

28 Q Showing you people's 54 for identification, a dark

purple pullover.

Have you ever seen that before?

A It is a Towncraft shirt which I have indicated here size small,34-36. This one here is negative. I did not find any blood on this.

5R-1

MR. KEITH: What exhibit number is that?

THE COURT: 54.

Q BY MR. BUGLIOSI: You didn't get a positive benzidine on this?

A That's correct.

Q Showing you a white T-shirt, People's 53, did you get that on December 16, 1969?

A I did.

Q Did you analyze that?

A That's correct.

Q What did you find?

A I found numerous areas which appeared to me to be bloodstains and which were confirmed by tests to be human blood, Type B.

Q And you encircled those areas?

A That's correct.

Q Looking at your G51 again, the blue denim pants, "Sears Roebuck," what was your analysis on G51, again?

A That was possible O type blood on that, and positive benzidine.

Q And the black T-shirt, G52?

A Positive benzidine, indicating blood and possible O type blood.

Q What happens to blood when it is exposed to the elements, as these articles of clothing probably were?

A Well, it starts to break down due to the sun and water, rain, dilution of the blood; many things can happen.

Q The components of the blood start to break down?

A. Yes, there is portions, like, for instance, your sub-grouping will start to break down after two weeks; some instances after two weeks you won't find any sub-grouping.

Q. Because of rain and sunshine?

A. That's correct.

Q. So it is possible there could be blood on an article of clothing and because it is exposed to the elements, you would not get a positive benzidine?

A. That could be so, yes. That depends on many things. Usually this is due to dilution more than anything else.

Q. Dilution of the components --

A. Through rain.

Q. --of the blood?

A. Left outside in the elements, rain falls on it and the water carries with it the components in the blood into the soil and then it is washed away.

Q. Assuming that these articles of clothing were deposited over the side of the hill outdoors on August the 9th, 1969, and they were recovered on December the 15th, 1969, several months later, is the likelihood great that the component parts of the blood would be so diluted that you would not be able to get positive benzidine on them?

A. This would depend on the rain, you know, frequency of rain, how much rain fell on it; numerable of variables.

Q. But it is certainly very possible?

A. It is possible, sure.

Q. Agent Granado, did you ever go to the La Bianca residence at 3301 Waverly Drive?

A. Yes.

Q. What date did you go there?

A. That was on August the 11th, 1969, at approximately 3:00 a.m., I believe it was.

Q. What was your purpose for going there?

A. I had received a phone call that there were two bodies at this address and for me to go down to investigate the crime scene, the collect the physical evidence.

Q. And when you arrived at the residence, you entered it, I take it?

A. I did.

Q. When you arrived on the premises of the La Bianca residence did you discover what appeared to be blood on the premises?

A. Yes, I did.

Q. And did you take samples of the blood?

A. I did.

Q. For the purpose of determining whether it was human blood and also the blood types; is that correct?

A. That's correct.

Q. And had you also received samples of Leno and Rosemary La Bianca's blood from the Los Angeles County Coroner's office?

A. Yes, at a later date, after.

Q. Okay, on what date?

A. I got that blood on 8-13-69.

Q. And did you determine what blood types Mr. and Mrs. La Bianca had?

A Yes; Leno La Bianca had B type blood and Rosemary La Bianca had A type blood.

Q Did you get sub-blood types on Leno and Rosemary?

A No, they were different main groups, so there would be no question as to the blood types there.

Q Now, you testified at the last trial with respect to where blood was found inside the La Bianca residence; is that correct?

A Yes.

MR. BUGLIOSI: Your HOnor, I have here a diagram, previously marked People's 242.

May it be remarked People's 242?

THE COURT: It may be so marked.

Q BY MR. BUGLIOSI: Would you step down off the witness stand and point out on this diagram the location where you found blood inside the La Bianca residence and the blood type you found the blood to be?

A Over the front door of the residence I found the word "Rise" written in blood; and I found the blood type to be B type blood.

On the, I believe it was, the northern wall of the living room of the residence I found the words "Death to Pigs," and that was written in blood, B type blood.

In the refrigerator door in the kitchen, I found the words "Helter-Skelter" written in human blood, Blood Type B.

In the back rest room or bath area of the home adjacent to the service porch, I found a small quarter inch

spot of human blood on the floor, which was Blood Type A.

In the kitchen, underneath the cupboard area there was a roll of towel paper on a rack and the towel had human blood on it, Blood Type B.

The dining room, the northernmost window facing eastward, I found some human blood, Type B.

A stuffed chair, I believe it was in the den, I found human blood, Type B.

Then I found some spots in the living room which were B type human blood; and then I found some spots in the front bedroom, which were human blood, Type A.

Saf.

5AR-1

Q Did you find the words "Death to Pigs" written anywhere?

A Yes, it was written on the northernmost wall of the living room.

Q In blood?

A In blood.

Q What type blood?

A Type B, I believe it was.

Q Did you find the words "Helter-Skelter" printed anywhere?

A Yes, that was on the refrigerator.

Q What type blood was that?

A That was B.

Q Did you find any blood on the premises with a different blood type than those of Leno and Rosemary La Bianca; in other words, any blood type other than A and B?

A No.

MR. BUGLIOSI: Thank you. No further questions.

CROSS-EXAMINATION

BY MR. BUBRICK:

Q Mr. Granado, can you give us any idea of the number of people that have Type O blood, if you know?

A Yes.

Q Percentagewise, perhaps?

A I would say 45 to 50 percent of the general public.

Q And how about Type B?

A B would be about 10 to 12 percent.

Q. Now, I think you said you found Type B and sub-group MM on the inside of the left grip of a revolver; is that correct?

A. Yes.

Q. Now, that could have been blood from Frykowski, Parent or Folger; is that correct?

A. Yes.

Q. In other words, you can't attribute any particular blood or blood samplings to any particular individual, if they have the same type blood or sub-group?

A. Or sub-group, no.

Q. It could happen to anyone who has that same type?

A. Any one of those three, or anyone else.

Q. The only other thing I want to invite your attention to, and we need 196, that hand-drawn sketch --

While he is getting that, Mr. Granado, can I ask you whether the blood which you removed from the clothing that you have already testified to was blood that you had to take some time to look for?

A. The clothing?

Q. Yes.

A. Well, everything takes time, but --

Q. I mean, it wasn't saturated with blood, is what I am driving at.

A. Some articles were saturated.

Q. Like which?

A. Well, I'd have to look at them; the T-shirt was spotted, the white T-shirt, but not saturated.

The black turtleneck velvet-type shirt, which I marked G50, that one had a portion in the front that was saturated, and the elbow, which I circled, was saturated.

And a place there, either on the outside, inside, anyplace, you could get a reaction.

Q Incidentally, while you have your book open, can you give us the size, the waist size and the length size of No. 56, which was the blue jeans?

A People's 56 or --

Q I am sorry, I don't have your numbering on it.

A What was it? Describe it.

Q It was blue jeans.

A Blue jeans? Okay.

Maybe if I took a look at the article you are describing --

THE COURT: Blue jeans, Exhibits 56 and 51; you have the two sets of blue jeans.

THE WITNESS: Right.

THE COURT: Exhibit 56 and 51.

51 is the faded ones.

MR. BUGLIOSI: These are the two pair here.

THE WITNESS: Now, this pair here --

Q BY MR. BURRICK: Can you tell us the number on the tag, please?

A -- which is 56, Exhibit 56, has a 24 inch waist and a 29 inch inseam.

The other pair of blue jeans, which is People's 51, has a 30 inch waist and 29 inseam.

Q I want to invite your attention to this sketch which I think you said you made, People's 196 for identification.

I think it depicts the positions of Sebring and the Tate body inside the Tate residence, among other things; is that correct?

A That is correct.

Q Do I understand correctly you told us yesterday that there were a couple of strands or loops of rope around Mr. Sebring's neck; is that correct?

A Yes, it went around twice and then the rope tucked in underneath the loops and was like a knot.

#6

Q Pulled fairly tightly, was it?

A Yes.

Q Then that rope extended over to Sharon Tate's body; is that correct?

A That is correct.

Q And then I think you said it was also looped around her neck.

A Twice around and then the rope extended away from her neck.

Q Then the rope, if we can call this the loose strand, the loose strand lay parallel to the strand that tied the two?

A That is correct.

Q Then it went up and went over a rafter; is that correct?

A A beam, yes.

Q A beam. I am sorry.

Can you give us some idea, Mr. Granado, of the distance between Mrs. Tate's body and the place where the rope started to go vertical to go over the rafter beam?

A In fact, as I recall the scene, I would say approximately five -- I would say anywhere from five to six feet from her body, the head of her body to the head of Sebring and then directly in front of Sebring this rope went over the beam.

Q So fairly close to the 5-foot distance then between her head and where the rope started to go in a horizontal?

A Yes.

Q Can you give us any idea of the height of the beam

6-2

off the floor?

A I would say the beam was approximately 8 feet, I guess, 7 to 8 feet.

Q And the body is depicted as lying on its left side. Is that the way you found it?

A That is correct.

Q And her left cheek was on the rope, the top of the rope, as you remember?

A Yes.

Q Was her body up against the couch?

A I believe her back was against it, the couch.

Q How about her head, if you remember?

A I can't recall if she had her head against the couch or down on the floor in front of the couch.

Q So that if one tugged at one end of the rope, the only thing that would move would be some portion of Mrs. Tate's body; is that correct?

A Yes, if the tug was hard enough.

Q Hard enough, because Mr. Sebring was a weight that was not connected to the looped end of the rope any more?

A Not immediately. You would have to lift her body before.

MR. BUSRICK: Nothing further.

THE COURT: I have a couple of questions I would like to ask. Maybe I was mistaken in listening to your testimony.

You say on the pathway outside of the house you found some blood O with a sub type MN; is that correct? The early part of your testimony.

6-3

THE WITNESS: Walkway. Okay.

THE COURT: The walkway?

THE WITNESS: Yes.

THE COURT: Am I correct in that?

THE WITNESS: Yes; O MN.

THE COURT: O MN.

The only bodies outside of the house were those of Abigail Folger and Wojciech Frykowski; is that correct, sir?

THE WITNESS: That is correct.

THE COURT: Neither one of them had O with sub type MN; is that correct?

THE WITNESS: That is correct.

THE COURT: Can you account for the O MN blood type outside of the house when the only bodies outside of the house were Wojciech Frykowski and Folger and neither one of them had O sub type MN?

THE WITNESS: Unless one of the two O -- the O MN bodies had at one time been outside bleeding and brought back in.

THE COURT: Now, on the front lawn area, you also found blood type O MN; is that correct, sir? Right after your testimony concerning the pathway or the walkway.

MR. BUGLIOSI: I think his notes called it a porch.

THE COURT: No; front lawn area.

THE WITNESS: I would have to look at that diagram to see what we have.

THE COURT: You may do so. Is it up there yet, Mr. Bugliosi?

6-4

MR. BUGLIOSI: I think you have it.

THE CLERK: Which one?

MR. BUGLIOSI: People's 8.

THE WITNESS: Yes. There is blood spots and those blood spots there I don't have a blood type on those. It is the scarf that was lying on the front lawn which I marked G-16. There was a blue scarf and this had blood O MN.

THE COURT: A scarf?

THE WITNESS: Yes. There was a blue scarf, one of these things that you wear over your neck.

THE COURT: And not the lawn?

THE WITNESS: Not the lawn.

THE COURT: I see. There again the only one who had blood O MN was Sebring.

THE WITNESS: That is correct.

THE COURT: And his body was found inside.

THE WITNESS: Inside.

THE COURT: I did not get the testimony about the blue scarf. I'm sorry. All right. That is all I have.

REDIRECT EXAMINATION

BY MR. BUGLIOSI:

Q Just for clarification, again you found type B blood in the master bedroom?

A Yes.

Q On the rug?

A On the rug.

Q And on the door leading to the pool?

A Yes.

Q And also outside the back door?

A That is correct.

Q On the walkway?

A Yes.

Q So you found a trail of B type blood then?

A Yes, leading from living room backward.

Q Through the master bedroom out the back door to the pool area; is that correct?

A Yes.

MR. BUGLIOSI: No further questions.

THE COURT: Anything further from this gentleman?

RECROSS-EXAMINATION

BY MR. BURRICK:

Q Was it also O MN that you found on that button outside the electrically operated -- the button that operated the gate inside, I think you referred to it as inside?

A Yes. That was the inside button for the gate.

Q And that was also type O sub group MN?

A That is correct.

MR. BURRICK: I have nothing further, your Honor.

MR. BUGLIOSI: Nothing further.

THE COURT: You may go back to Denver, Mr. Granado.

THE WITNESS: Thank you.

THE COURT: You may be excused.

MR. BUGLIOSI: Call Officer Jerrome A. Bowen.

THE CLERK: Raise your right hand, please.

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

THE WITNESS: I do.

JERROME A. BOWEN,

called as a witness by the people, testified as follows:

THE CLERK: Thank you.

Take the stand and be seated. Will you state and spell your name, please.

THE WITNESS: Jerrome A. Bowen, J-e-r-r-o-m-e B-o-w-e-n.

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q What is your occupation and assignment, Officer?

A Police Officer for the city of Los Angeles assigned to the Scientific Investigation Division, latent fingerprint section.

Q What is your training and experience in the field of fingerprints?

A Prior to entering the fingerprint section, I completed a course at East Los Angeles Junior College in fingerprints.

I received in excess of 150 hours of individual instructions from an excess of 12 individually qualified fingerprint experts.

I attended an advance fingerprint school conducted

by the FBI.

Conducted in excess of 5,000 field investigation on fingerprints.

I have compared in excess of 100,000 prints. I have testified and qualified in Municipal, Superior, and Federal courts in excess of 100 times.

Q Qualifying as an expert?

A Yes.

Q In the field of fingerprints?

A Yes.

Q What is a latent fingerprint, Officer?

A The word latent refers to hidden. A print on the palms of the hand and soles of the feet, there are what we call friction ridges. When you touch something normally there is a secretion of fluid from these pores along the ridges and it mixes with foreign material that you pick up on your fingers when you touch an object.

Normally if it is smooth and nonporous it leaves a print. Normally the print is hidden and you have to develop it in order to see it and that is what latent means, it is hidden.

Q What does the term lift a latent fingerprint mean?

A This refers to when you develop a print, if you develop it with powder, once you develop it to a point where you can see it clearly, you take a clear adhesive type tape, pressing it over the print and it picks up the powder that is adhered to the moisture that the print has left.

Q That is called a latent fingerprint?

A Yes.

Q On the date August the 9th, 1969, did you proceed to the Roman Polanski residence located at 10050 Cielo Drive in the City of Los Angeles?

A Yes.

6A

6A--1

Q What time of day did you arrive there?

A. Shortly after noon.

Q. Did you go there for the purpose of attempting to secure or lift a latent fingerprint?

A. Yes, sir, I did.

Q. And did you in fact lift any latent fingerprints at the scene?

A. Yes, I did.

Q. Did you secure any latent fingerprints on the outside of the front door of the Tate residence?

A. Yes, sir.

Q. What did you do with the latent fingerprint?

A. After I lifted it, I marked on the back of the card the date, time, location where I obtained the print from, with my initials, took it into the fingerprint section where it was filed.

MR. BUGLIOSI: Your Honor, I have here an exhibit board previously marked People's 45-A through F. May it be remarked People's 245-A through F?

THE CLERK: The board is 245, your Honor.

THE COURT: 245?

THE CLERK: Yes. The photographs are A through F.

THE COURT: The board will be 245 and the photographs will be 245-A through F.

245 A-F id.

Q. BY MR. BUGLIOSI: Officer, did you assist in the preparation of this exhibit board?

A. Yes, I did.

Q. Directing your attention to the photograph in the

upper left-hand corner, this is a photograph of yourself?

A. Yes, sir.

Q. And you seem to be pointing to something. What are you pointing to? You might step down off the witness stand.

A. Yes. I am pointing to the area where I lifted the print off on the outside of the front door.

Q. Maybe you had better stand over there so the jury can see you.

A. Pointing to the area that I lifted the fingerprint off of the outside of the front door.

Q. How far is the print from the doorknob in terms of inches?

A. It is approximately 5, 6, 7 inches above the knob and right near the edge of the door.

Q. So on this photograph here, on People's 245-A, you are pointing to the location on the front door of the Tate residence from which you lifted a latent fingerprint?

A. Yes.

Q. And 245-B, the photograph below that, is just a close-up of 245-A?

A. Yes.

Q. Directing your attention to 245-C, a photograph in the center of the exhibit board at the top here, what is that?

A. That is a photograph of the original print that I lifted from that door.

Q. 245-C is not the original latent fingerprint?

A. No, it is not. It is a photograph.

Q You do have the original laten fingerprint, don't you?

A I don't personally but Sgt. Dolan has it.

Q Over at the Los Angeles Police Department?

A Yes.

Q It is available for inspection by the defense attorneys?

A Yes.

Q So 245-C then is a photograph of a latent fingerprint that you removed from the outside of the front door as shown in 245-A?

A Yes.

Q 245-D is what?

A 245-D is an enlargement of the negative of that photograph.

Q 245-D is an enlargement of 245-C; is that correct?

A Yes, sir.

Q All right. Were you successful in also lifting a fingerprint from the inside of the back door to the master bedroom at the Tate residence?

A Yes, I was.

MR. BUGLIOSI: Your Honor, I have here another exhibit board previously marked People's 246.

May it be remarked People's 246?

246
id

THE COURT: It will be 246. You have six photos on that?

MR. BUGLIOSI: Yes; 246 A, B, C, D, E, and F. May they be remarked accordingly?

abcdef

THE COURT: They will be so marked.

Q BY MR. BUGLIOSI: Directing your attention to People's 246-A, this again appears to be a photograph of you, Officer?

A Yes, sir.

Q Again, you are pointing to something?

A Yes, sir.

Q What are you pointing to?

A Pointing to the area in the master bedroom, where I lifted the print off of the louvered shutter of the left French door.

Q How far from the doorknob?

A I would say approximately 10 inches above the knob and it is on the opposite side of the door the knob is on.

Q So you lifted a latent fingerprint then from on the inside of the back door of the master bedroom?

A Yes, sir.

Q Where you are pointing right there?

A Yes.

Q And 246-B, is that just a close-up photograph of 246-A?

A Yes, it is.

Q 246-C. What is that?

A That is a photograph of the lift that I lifted from that location.

7kf.

7R-1

Q Again, the original latent fingerprint is back at the Los Angeles Police Department --

A Yes, sir.

Q -- and it is available for inspection by the defense attorneys?

A Yes, sir.

Q 246-D, is just an enlargement of 246-C?

A Yes, sir.

MR. BUGLIOSI: You may resume te witness stand.

No further questions.

CROSS-EXAMINATION

BY MR. KEITH:

Q Officer, did you lift any other latent prints which were not that of the decedents?

A Yes, sir.

Q How many?

A Myself?

Q Excluding the decedents, you understand?

A Myself, personally, I would have to count them, in order to say for sure. There were several.

Q In the 20's?

A I don't know if there were that many, myself, that was unidentified; but I would have to count to be sure. There was several prints.

Q Several prints that you listed that never have been identified; is that correct?

A Yes, sir.

Q How long, generally, does a latent print last on a particular surface, or is that too much of a generalization for you to make?

A Actually it is almost impossible to say definitely, because each individual case is different; depends on so many different things.

Q I suppose it would depend on the elements, to some extent --

A Yes, sir.

Q -- if the prints were exposed to the sun and rain, and so forth?

A Yes, sir; and it would depend on the individual person, also.

Q If an individual's hand was sweaty, say, the print would last longer than if it was dry?

A This also would depend on how sweaty; sometimes the hand is so sweaty the print smears; sometimes there is not enough moisture to leave a print, and each time one individual may place their finger down three times and each one has a different amount of moisture, it may last a different amount of time.

Q What is the longest you would expect a latent print to last on a surface such as a wooden door or wooden table?

A Of course, this, again, would depend on the elements, which I would have no way of knowing what they would be; but I would say that under normal conditions, what I would consider normal, that on a hard surface, nonporous, outside door, I don't believe a print could last more than, oh, several weeks.

Q Did you find any other unidentified latent prints on the front door, in or about the front door of the Tate residence?

A As I recall, I think there was another print that was on the outside the door.

Q One other print that has never been identified?

A Yes, sir; as I recall, I believe there was.

Q Did you find any print of any of the decedents on the front door, or didn't you make any attempt to do so?

A I don't recall. I don't believe there was any on the front door that belonged to them.

MR. KEITH: I don't have anything further.

REDIRECT EXAMINATION

BY MR. BUGLIOSI:

Q Latent fingerprints may last inside a residence for several months; is that correct?

A Yes.

MR. BUGLIOSI: No further questions.

MR. KEITH: No questions.

THE COURT: Thank you, Officer, you may be excused.

MR. BUGLIOSI: May the witness be excused, your Honor?

THE COURT: Yes, I did excuse him.

MR. BUGLIOSI: May it be stipulated that Officer Frank Escalante be deemed to have been called by the People here in court, was duly sworn and testified that on April 23rd, 1969, he was assigned to the Valley Services Division in the Van Nuys Jail of the Los Angeles Police Department, and on that

date he rolled a fingerprint exemplar of defendant Charles Tex Watson; and this fingerprint exemplar is presently on Exhibit Board People's 245; the exemplar belonging to Mr. Watson is 245-E, the upper right-hand corner.

And that he would further testify that his signature, Escalante, is on the fingerprint exemplar card; that he rolled all ten fingers of Mr. Watson on that date?

MR. KEITH: What was the date, again, Mr. Bugliosi?

MR. BUGLIOSI: I believe it is April 19 --

THE COURT: April 23rd.

MR. BUGLIOSI: April 23rd; so stipulated?

MR. KEITH: Yes, so stipulated.

MR. BUBRICK: Yes, we will so stipulate.

MR. BUGLIOSI: There might be a question from a member of the jury?

A JUROR: What was that date he said?

MR. BUGLIOSI: April 23, 1969.

THE COURT: April 23rd, 1969.

MR. BUGLIOSI: So, the stipulation is that 245-E is a fingerprint exemplar belonging to defendant Charles Tex Watson; is that correct?

So stipulated?

MR. KEITH: Yes.

MR. BUGLIOSI: So stipulated?

MR. KEITH: Yes, so stipulated.

MR. BUBRICK: Yes, so stipulated.

MR. KEITH: I said, "Yes."

MR. BUGLIOSI: I'm having trouble with my hearing, I am

sorry.

May it be further stipulated that Officer Jack Swan of the Los Angeles County -- of the Los Angeles Police Department -- I take it back, Los Angeles County Sheriff's office, be deemed to have been called by the people in court, was duly sworn and testified that on February 21, 1970, at Sybil Brand Institute for Women in East Los Angeles, he rolled the fingerprints of one Patricia Krenwinkel, and that fingerprint exemplar card is presently 246-E; People's 246-E is a fringerprint exemplar card belonging to one Patricia Krenwinkel, showing all ten fingerprints of Patricia Krenwinkel.

So stipulated?

MR. KEITH: So stipulated.

MR. BUGLIOSI: Your HOnor, the next witness whom we are going to call is Sgt. Dolan.

Apparently, he is not outside right now; he is on his way over from Division 55.

THE COURT: It is time for our recess, anyway.

MR. BUGLIOSI: Thank you, your Honor.

THE COURT: Ladies and gentlemen of the jury, we will have our morning recess at this time.

Again, do not form or express any opinion in this case; do not discuss the money yourselves or with anybody else and please keep your minds open.

(Recess.)

SR-1

THE COURT: People against Watson.

Let the record show all jurors, counsel, and the defendant are present.

Mr. Bugliosi, you may call your next witness.

MR. BUGLIOSI: The People call Sgt. Harold Dolan.

THE CLERK: Please raise your right hand.

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

THE WITNESS: I do.

HAROLD J. DOLAN,

called as a witness by the People, testified as follows:

THE CLERK: Thank you. Take the stand and be seated.

Would you state and spell your name, please.

THE WITNESS: Harold J. Dolan, D-o-l-a-n.

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q What is your occupation and assignment, sir?

A I am a police officer for the City of Los Angeles, presently assigned to Newton detectives, homicide detail.

Q You were formerly with the Scientific Investigation Division of the Los Angeles Police Department?

A That is correct, sir.

Q The fingerprint section?

A That is right.

Q What is your training and experience in the field

of fingerprints?

A. Well, I was assigned to the laten fingerprint section of the Scientific Investigation Division for approximately seven years.

During that time, I was instructed and trained in the science of fingerprints by Officer Donal Sears, Officer Frank Perkins and Officer Bill Wamsley. These men have a total of 65 to 70 years' experience in fingerprints between them, or among them.

I have attended a course in fingerprints at the East Los Angeles College and have received training in fingerprints at the Los Angeles Police Academy.

I have also made approximately 8,000 investigations for latent fingerprint investigations, and I have made in excess of 500,000 comparisons between latent prints and known suspects'.

9f.

1 Q You have qualified in a court of law as an expert?
2 A I have testified in both the Municipal and Superior
3 Courts, approximately 260 times during that seven-year period.
4 Q You may continue.
5 A That would be about the basis of my experience.
6 Q The qualifications as a fingerprint expert included
7 being an expert in the field of comparison of fingerprints?
8 A That's right, sir.
9 Q Between the exemplar and the latent prints?
10 A That's right, sir.
11 Q Looking at People's 245, this exhibit board here,
12 are you familiar with this exhibit board?
13 A Yes, I am, sir.
14 Q Did you assist in the preparation of the board?
15 A I was responsible for its preparation.
16 Q Okay. You are familiar with this photograph here,
17 of Officer Jerome Boen, pointing to where he located a latent
18 fingerprint?
19 A Yes, sir.
20 Q And this is the blow-up here, 245-B is a blow-up
21 of 245--A?
22 A That's right, sir.
23 Q And 245-C is the latent fingerprint found on the
24 outside of the front door of the Tate residence; is that
25 correct?
26 A That's correct, sir.
27 Q 245-D, is the blow-up of 245-C?
28 A That's correct, sir.

Q Directing your attention to 245-E, a fingerprint exemplar card, and specifically directing your attention to Block No. 4, which is the right ring finger on 245-E, did you ever make a comparison between the fingerprint, the right ring finger fingerprint, Block No. 4, with 245-C, the latent fingerprint?

A Yes, sir, I did, sir.

Q When did you make the comparison?

A On the 30th of November, 1969.

Q Did you make a comparison subsequent to that date?

A Many times, sir.

Q To verify your findings?

A That's right, sir.

Q As a result of your comparison did you form any opinion?

A I did, sir.

Q What is that opinion?

A That the fingerprint appearing in People's 245-C is one and the same fingerprint as appears in the No. 4 Block on People's 245-E, the right ring finger.

Q And you were the one at the previous trial that encircled Block No. 4, the right ring finger block?

A That's right, sir.

Q What does the term "points of identity" mean in fingerprint terminology?

A Points of identity are those type of characteristics that appear in the particular fingerprint pattern. These prints, or these ridge characteristics, can be identified as

1 ridge endings, bifurcations, dots, islands and enclosures.
2 The relationship between these particular ridge
3 characteristics in the pattern area, their relationship to
4 one another is what determines the identification of an unknown
5 fingerprint to a known.
6 Q Now, how many points of identify does the Los
7 Angeles Police Department require, before representatives of
8 S.I.D. -- Scientific Investigation Division -- will give an
9 unqualified, positive opinion?
10 How many points of identity between the latent and
11 the exemplar?
12 A Usually, 10, sir.
13 Q Ten points of identity?
14 A That's right.
15 Q Before you will give a positive, unqualified
16 opinion?
17 A That's right, sir.
18 Q I believe the FBI requires what, 12 points of
19 identity?
20 A The FBI doesn't require, they suggest 12 as a
21 norm.
22 However, this particular number is purely arbitrary.
23 Q How many points of identity did you find between
24 the fingerprint in the Box No. 4, the right ring finger, and
25 245-C, the latent fingerprint?
26 A I believe we found 18 points.
27 Q 18 points of identity between the latent finger-
28 print and the fingerprint exemplar?

A. That's correct, sir.

May I examine the enlargement?

Q. Yes, step down off the stand here. I was going to ask you to do that, anyway.

Take a look at 245-D, the enlargement of the latent -- I notice that there are 12 lines, 12 red lines, 12 numbers.

In addition to that, I see six additional red dots. Would you explain to the judge and the jury what those lines and dots are?

A. Well, the lines, the 12 lines that were marked out for quick purposes for presentation here in court, represent the type of ridge characteristics or points of identity that were found in this particular latent print that corresponded to this particular rolled impression, 245-D and 245-F.

The additional six red dots that are marked out on this exemplar here are additional points of identity. However, they were not ruled out and lined, so that -- in order to avoid having the lines cross one another and confuse the particular exhibit.

10f.

10R-1

Q Why don't you step over here, so that the jury can see a little more clearly, Sergeant, and use this pointer.

245-F, is an enlargement of the right ring finger and 245-H?

A That is right.

Q Could you tell the jury how you made your comparison between the latent fingerprint and the fingerprint examplar, and how you reached your conclusion that the latent fingerprint and the right ring fingerprint belonged to one and the same person?

A Well, initially, the first thing that we were looking for, we identified this particular type of laten print as being what we call a central pocket loop. It is one of the type of fingerprint patterns, one of several fingerprint patterns.

So we were looking for a circular central pocket loop. What we did, as soon as we made the comparison between 245-C, which is the latent print, and the rolled exemplar to identify the pattern.

After we identified the pattern, we went more closely into the ridge characteristics.

The original latent print and the photograph of the original latent print were compared against each other to make sure they were the same.

Then the original latent print and the photograph were compared to the examplar and they were found to be identical.

The original latent print and the photograph of the

latent print were compared to the enlargement that was made, and the exemplar was compared to the enlargement of the exemplar and then, of course, finally, the one enlargement was compared against the other enlargement. They were all identical.

So the fingerprint appearing here on 245-C, the fingerprint appearing in No. 4 Block in 245-E, the fingerprint appearing in 245-D, and the fingerprint appearing in 245-F, are all the same finger.

After it was established that this was one and the same print, I went to work and I marked out the particular points of identity and I named them as to what they were.

Point 1 being a ridge ending; 2 and 3 also ridge ending; 4 bifurcation; 5 bifurcation and so on.

In order to make this identification, you take these particular ridge characteristics and you establish the relationship between themselves; in other words, the relationship between Point No. 1 and Point No. 2, and Point No. 2 to Point No. 3, and 3 to 4, and 4 to 5 and so on.

Also, it can be established the relationship between Point 11 and Point 2 or Point 1 and Point 7 -- any one of these points among themselves, this relationship can be established.

It can be established in this way: The particular Point No. 1 is a ridge ending. The Point No. 2 is also a ridge ending.

So you establish what we call a ridge count between them. In this case, the ridge cound is 1, 2, 3, 4.

If you look over here on the enlargement of the

exemplar, the ridge count between Point No. 1 and Point No. 2 was 1, 2, 3, 4.

THE COURT: Would you tell the jury what a ridge is?

THE WITNESS: A ridge?

THE COURT: Yes.

THE WITNESS: A ridge is that raised portion of the finger, where we call ridges and furrows. If you will examine your own fingers, you will be able to see these pretty easily.

It is the raised portion, the capillary edges of the fingers in which the pores are located and there is a secretion from these pores. The secretion from these pores in combination with the dirt, oil or anything else the hand might come in contact, is what leaves what we call latent prints or chance impression.

Q BY MR. RUGLIOSI: Chance, in other words, is an accidental print. It is not a rolled print?

A It is not a rolled print. This particular print here, you notice is not quite as distinct as the print appearing in People's 245-F.

This particular print was taken with India ink, a known medium, transferred to a card at the direction of an officer, and the print was as you see it here.

This particular latent print was left just by somebody touching something and it depended upon how much moisture he had on his hand or whatever foreign matter he had on his hand. That is the portion of the fingerprint that was left.

That is why you don't see this fingerprint in its

1 entirety as you do here.

2 Well, we could go through all the rest of the

3 points on this particular exhibit and you will find the same

4 relationship by counting the ridges, the intervening ridges,

5 the ridges between these points and the type of characteristics

6 they are.

7 This particular exhibit here, 245-D, is identical

8 in points of identity and ridge characteristics and 245-F.

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10AM-1

Q Is there any doubt in your mind, Sergeant, that the fingerprint appearing in Box No. 4 here, the fingerprint of the right ring finger, belongs to one and the same person as the latent fingerprint? Any doubt in your mind about that?

A No doubt at all.

Q You are positive about that?

A Positive.

Q To your knowledge, has there ever been a reported case of two separate people having the same fingerprints?

A No, sir.

Q It is one of the basic fundamental principles of fingerprint identification and comparison that no two parties are believed to have the same two identical fingerprints?

A That is right. In fact, to be a little more specific, no person has the same fingerprint on any one of his individual fingers.

Q Thank you, Sergeant. You may resume the witness stand.

Looking at People's 246 for identification, you also directed the preparation of this exhibit board?

A I did, sir.

Q And you are familiar with all of the photographs on this board?

A That is correct, sir.

Q You recognize People's 246-A as being a photograph of Jerome Boen?

A That is right, sir.

Q In August of '69 through December of '69, he was

in the same section as you were?

A. That is right, sir.

Q. And 246-B is a close-up of 246-A. You recognize that?

A. That is correct, sir.

Q. 246-C being a latent fingerprint; is that correct?

A. Yes, sir.

Q. 246-C being a latent blow-up of 246-C -- no, 246-D, being a close-up of 246-C?

A. Yes.

Q. And 246-E being a fingerprint exemplar card?

A. That is correct.

Q. And 246-F being a blow-up of 246-E?

A. Yes.

Q. Now, did you ever make a comparison between the fingerprint of the left little finger, Box No. 10 in this exemplar card with the latent fingerprint 246-C?

A. Yes, I did.

Q. And when did you make a comparison?

A. I believe, to the best of my recollection, it was on February the 22nd, 1970.

Q. And you checked your comparison thereafter on several occasions, I take it?

A. Not only did I, sir, but four other officers of the latent fingerprint section, fingerprint experts also did.

Q. As a result of the comparison, did you form an opinion?

A. Yes.

Q What is that opinion?

A That the fingerprint appearing in People's 246-C is one and the same as the fingerprint appearing in the No. 10 Box, left little finger, on People's 246-E.

Q Any doubt in your mind about that?

A No, sir.

Q Positive?

A Positive identification.

Q How many points of identity?

A 17, sir.

11f.

11R-1

Q Sergeant, did you ever proceed to the address 3301 Waverly Drive in the City of Los Angeles?

A Yes, sir, I did.

Q What time did you arrive there?

A Approximately 1:00 a.m., on the 11th of August --

Q 1969?

A Excuse me, 1969.

Q And the purpose of your going there was to what, lift latent fingerprints at the scene?

A Was to search for and secure latent fingerprints.

Q Were you successful in securing the latent fingerprints of either defendant Charles Watson or any of the other defendants in the Tate-La Bianca case?

A No, sir, I was not.

MR. BUGLIOSI: Your Honor, I have here a fork, previously marked People's 207.

May it be remarked People's 207 for identification?

THE COURT: It may be so marked.

Q BY MR. BUGLIOSI: I show you People's 207 for identification.

Have you ever seen that fork before, Sergeant?

A Yes, sir, I have.

Q Where and when did you see that fork for the first time?

A The first time I saw this particular fork it was protruding from the abdomen of Mr. La Bianca in the living room at 3301 Waverly Drive.

Q Did you, personally, remove that fork from Mr.

La Bianca's abdomen?

A. Yes, sir, I did.

Q. Did you attempt to secure any latent fingerprints from the handle of the fork, or any portion of the fork?

A. I did, from the handle; the area from the base of the handle down to the end of the fork was in Mr. La Bianca's abdomen, it was completely wet, so there was no chance of fingerprints.

Q. Some surfaces lend themselves to receiving latent fingerprints and others and other surfaces do not; is that correct?

A. That's correct, sir.

Q. Does the handle of this fork lend itself to receiving latent fingerprints?

A. Yes, sir.

Q. How do you know that?

A. I ran an experiment on this particular fork, myself; since, when I first attempted to secure prints from it, I noticed that there weren't any, there wasn't even a smudge or a trace, just not even a few ridge endings on it; so I took the particular fork and grabbed it by the handle and then dusted it for latent fingerprints and certain traces and smudges did appear on it.

Q. Go ahead.

A. Upon examining that fork, prior to my experiment, I felt that, looking at the fork, it had been wiped, and it looked like there were wipe marks on the fork.

Q. So the handle on this fork, then, does lend itself

to receiving latent fingerprints?

A. Definitely, sir.

Q. It is that type of a surface?

A. Yes, sir.

Q. And you proved that, yourself --

A. Yes.

Q. -- by grasping the handle?

A. That's right, sir.

Q. Tell me this, is the handle of this fork of such a nature that if someone were to grasp the fork, they would automatically leave at least a fragmentary fingerprint or a smudge or something?

A. They'd leave a smudge or a trace.

Q. And you found nothing on the handle of this fork?

A. Nothing except some wipe marks.

MR. KEITH: Nothing except what, sir?

THE COURT: "Wipe."

THE WITNESS: Wipe marks, as if something had been drawn across it, a streak.

Q. BY MR. BUGLIOSI: So if a person had grasped that handle of that fork and then thereafter wiped it with a rag or some other substance, would the handle of that fork have been in a condition similar to the condition in which you found it?

A. I would say, probably so.

MR. BUGLIOSI: Your Honor, I have here a knife previously marked People's 210.

May it be remarked People's 210?

THE COURT: It may be so remarked.

Q BY MR. BUGLIOSI: Have you ever seen that knife before, Sergeant?

A Yes, sir, I have.

Q When did you see that knife for the first time?

A I believe it was on the day after the occurrence; it would be probably about August 12, at Room 203 at the police building.

The knife was in a bloody condition; it was covered with blood, it was wet and the prints of fingerprints on it were negative.

Q So you did not receive any, or lift any latent fingerprints from that knife?

A That's right, sir.

MR. BUGLIOSI: Your Honor, I have here a photograph of a refrigerator door with the words "Helter-Skelter" on it, previously marked People's 206.

May it be remarked 206?

THE COURT: It may be so remarked.

Q BY MR. BUGLIOSI: When you went to the La Bianca residence, Sergeant, I take it you entered the kitchen?

A I did, sir.

Q Looking at People's 206, did you see a refrigerator -- did you see the refrigerator that is depicted in this photograph, inside the La Bianca residence?

A Yes, sir, I did.

Q Were the words "Helter-Skelter" printed apparently in blood on the refrigerator door?

A. They were.

Q. Did you attempt to secure any latent fingerprints from the handle of this refrigerator, or any part of the refrigerator?

A. I attempted to obtain prints from both the handle and the entire surface of the front.

Q. Were you successful?

A. No, I was not.

Q. Again, let's talk about the handle first: Does the handle of the refrigerator door at the La Bianca residence, did it lend itself to receiving latent fingerprints?

A. Yes, sir, it did.

Q. It was that type of a surface?

A. That's right, sir.

Q. What about the door, itself?

A. The door, itself, was sort of like an enamel-type, baked enamel-type paint; and very definitely would receive fingerprints.

Q. You found no latent fingerprints on either the handle or the door?

A. That's right, sir.

Q. What did you find?

A. I found that the entire front portion of the door, the enamel portion of the door, both doors had been wiped; there were streak marks up and down the entire width and length of the doors and the handle, where normally you would find smudge marks, traces, smears and superimposure type of prints, were clear of any type of marks.

Q Again, you formed the opinion, as a fingerprint expert, that the handle and the door had been wiped off?

A Yes, sir.

Q So, any fingerprint or fragmentary fingerprint or fingerprint smudge had been removed?

A That's right, sir.

Q I show you People's 65 for identification; have you ever seen that wallet before?

A Yes, sir.

Q When and where did you see it for the first time?

A I saw it out at the police building, Room 203, 150 North Los Angeles Street, several months after the August 11th dated, 1969; I don't remember offhand the exact date.

Q Did you attempt to secure any latent fingerprints from this wallet?

A I did.

Q Were you successful?

A No, sir.

Q Do you have an explanation as to why you were not successful?

A Well, the wallet, itself, is a grain leather type surface and this particular type surface doesn't lend itself to fingerprints, as it stands; however, the wallet on that particular day was extremely wet and the contents therein were wet, which made the chance of finding any latent fingerprint on this surface negative.

MR. BUGLIOSI: Thank you, Sergeant.

No further questions.

CROSS-EXAMINATION

BY MR. KEITH:

Q. Sergeant, what are streak marks?

A. Streak? That would be the type of marks that would be left if you took a cloth, a moist cloth, or if the surface, itself, was moist and you took it and you wiped the particular surface.

Q. Are these -- excuse me?

A. Without polishing it thereafter.

Q. Are these visible to the naked eye, or do you have to use some kind of device to enlarge the surface to see these streak marks?

A. Well, sometimes they are visible to the naked eye, but in this particular instance they weren't visible until I applied the particular powder, black powder and similar powder to the surfaces and, you could do this, this particular mark appears much the same as a glove mark, leather glove mark, things along those lines.

Q. What is the nature of the streak mark when you apply the powder to the surface?

A. The nature would be -- the streak mark, itself, would probably travel in the direction of the particular wipe.

If I took a cloth and wiped it in a circular motion, you'd have streaks that went in circles; if I took it and wiped it down, the entire face of the door or across, you'd find that the lines that were left were lateral or vertical.

Q. What causes this, or creates the streak marks, the dirt and grime and other foreign matter that isn't quite

1 wiped off when you apply the rag to the surface?

2 A. A number of things. It could be the moisture on

3 the surface itself, if there is any; the moisture that might

4 be on the cloth that is doing the wiping or, as you suggest,

5 the foreign matter that might be on the door is just dis-

6 arranged.

7 Q. And could you describe the streak marks on the

8 refrigerator at the La Biancas'?

9 A. They appear to be a moisture type of streak mark.

10 Q. In other words --

11 A. Something wet.

12 Q. -- as if a wet --

13 A. Was applied.

14 Q. -- wet cloth had been used?

15 A. That's right, sir.

16 Q. In what direction did they go or were they circular

17 or various directions?

18 A. They went pretty much up and down.

19 If I could have the photograph of the refrigerator

20 door -- on this side here, on the left side of the freezer

21 compartment side of the refrigerator, they went pretty much

22 up and down; the same thing went for the handles.

23 Across this area, with the word written, they were

24 all directions, sideways, up and down and around.

25 Q. You can't -- or, couldn't tell from your observa-

26 tions, I take it, when the damp cloth, assuming it was a damp

27 cloth, was applied to create the streak marks?

28 A. No, sir.

Q This could have been done by anybody 10 days before the time you saw it, assuming nobody touched the icebox since?

A That's correct, sir.

Q Did you observe streak marks underneath the words "Helter-Skelter" or, to put it another way, was "Helter-Skelter" superimposed upon the streak marks, if you know?

A I couldn't tell you that at this time, sir.

Q Now, with reference to the fork, did you say you noticed a few ridge endings when you examined the fork?

A No, sir; I didn't observe any ridge endings or smudges or traces of any sort.

Q Did you observe any streak marks on the handle of the fork, or is the surface too small?

A No, on the particular fork, there seemed to be dried droplets of some sort of moisture, as if something had -- the moisture had been there and dried.

Q I don't quite follow you.

A Well, it would be similar to a drop of water on a glass, and when the water dries on the glass, it leaves a little bit of a white residue to mark where the water evaporated.

Q That, I am familiar with.

A Those types of marks, sir.

12f.

12R-1

Q Do you deduce from that that the handle of the knife may have been emerged in water?

A No.

Q You don't mean that, do you?

A No, sir.

Q Do you mean some wet substance like a sponge, a wet sponge?

A Something along those lines, yes.

Q Would it have been a very wet substance like a very wet washcloth or something like that, that in your opinion was applied to the knife?

A I would say it was something wet. How wet it was, I couldn't tell you, sir.

Q I am sorry. I said knife. I meant --

A You are talking about fork?

Q Yes, I misspoke. I said knife. It is fork.

When you tell us about a wet substance, do you mean a rag that was very wet or a sponge that was very wet as opposed to just a slightly damp cloth?

A I would have to say it was something wet enough to leave droplets, not just to leave a wipe mark.

Q You don't have any opinion as to how that was accomplished, in other words, how the droplets were left, other than a wet substance was applied to the fork handle?

A That is right, sir.

Q Would it be possible, in your opinion, Sergeant, for the wet marks, the droplets on the fork, to have been caused by somebody who held the fork, not with their bare hands,

but with a wet rag wrapped around their hand?

A. Yes, sir.

MR. KEITH: I have nothing further.

MR. BUGLIOSI: No further questions.

THE COURT: Thank you, Sergeant, you may be excused.

Ladies and gentlemen of the jury, we will recess at this time until Monday morning at 9:30.

During the recess, do not form or express an opinion in this case.

Do not discuss it among yourselves or let anybody else talk to you about this case, and please refrain from reading anything about it or listening to the radio.

Please keep an open mind. Have a nice weekend.

(An adjournment was taken at 12:00, Noon, until Monday, August 23, 1971, at 9:30 a.m.)

---oOo---

1R-1

LOS ANGELES, CALIFORNIA, MONDAY, AUGUST 23, 1971, 9:45 A.M.

---oOo---

THE COURT: Good morning.

THE JURY: Good morning, your Honor.

MR. BUBRICK: Good morning, your Honor.

MR. KAY: Good morning, your Honor.

MR. BUGLIOSI: Good morning, Judge.

THE COURT: People against Watson.

Let the record show all jurors are present, defendant and all counsel are present.

Gentlemen, as we recessed last Friday, one juror said he did not get the blood types of the various persons.

If it is agreeable with you, I can read off the blood types and if you don't agree with the testimony given by Mr. Granado, you tell me.

Is that agreeable?

MR. KAY: Yes, your Honor.

MR. BUGLIOSI: Yes, your Honor.

THE COURT: Mr. Joseph Granado testified that the blood types of the following people were as follows:

Steven Parent, Type B, with the sub-grouping of MN.

Wojciech Frykowski, Type B, Sub-grouping MN.

Abigail Folger, Type B, sub-grouping MN.

Jay Sebring, Type O, sub-grouping MN.

Sharon Tate Polanski, Type O, sub-grouping M.

Is that correct, Gentlemen?

MR. BUBRICK: Yes, your Honor.

1-a

MR. BUGLIOSI: Yes, your HOnor.

MR. KEITH: Yes, your Honor.

THE COURT: You may proceed.

2f.

2R-1

MR. BUGLIOSI: There is a stipulation first, if your Honor please. We are looking for the diagram right now.

May it be stipulated that Officer Jerome Boen, who has already testified on the stand, was recalled by the People, duly sworn and testified, that the direction of the fingerprint on the outside of the front door of the Tate residence was downward and away from the edge of the door; in other words, it was in that direction (indicating).

It was away from the edge of the door and in a downward direction.

MR. KEITH: About a 45-degree angle?

MR. BUGLIOSI: Yes. That would be the right ring finger. The right ring finger was in a downward direction away from the edge of the door.

So stipulated?

MR. KEITH: So stipulated.

MR. BURRICK: So stipulated.

MR. BUGLIOSI: The People call Deana Martin.

THE CLERK: Raise your right hand, please.

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

THE WITNESS: I do.

DEANA MARTIN GUERIN,

called as a witness by the People, testified as follows:

THE CLERK: Take the stand and be seated.

2-2

Would you state and spell your name, please?

THE WITNESS: Dena Martin Guerin, D-e-a-n-a; M-a-r-t-i-n; G-u-e-r-i-n.

THE COURT: That is Mrs. Guerin, I take it?

THE WITNESS: Yes.

THE COURT: Your maiden name was Deana Martin?

THE WITNESS: Yes.

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q. You are the daughter of Dean Martin, the singer?

A. Yes.

Q. And the actor?

A. Yes.

Q. Mrs. Guerin, do know an individual named Dennis Wilson?

A. Yes.

Q. And were you ever at Mr. Wilson's residence at 14400 Sunset Boulevard in West Los Angeles?

A. Yes.

Q. Near Will Rogers Park?

A. Yes.

Q. And did you ever attend a party at Mr. Wilson's residence in July of 1968?

A. I am not sure if it was July or October, but I was there at a party, yes.

Q. And who was at the party with you?

A. Terry Melcher, Allen Warrnick, Annie Marshal, Gwen

2-3

Wells, Peaches Marion Book, B-o-o-k -- did I say Gwen Wells?

THE COURT: Yes, you did.

THE WITNESS: And Dean Moorehouse and Greg Jacobson.

Q BY MR. BUGLIOSI: Did the party ever leave Dennis Wilson's residence and proceed to the address 10050 Cielo Drive?

A Yes, it did.

Q Was Terry Melcher living at that address at that time?

A Yes, he was.

Q And you are aware that this is the address where Sharon Tate and her husband, Roman, later lived?

A Yes.

Q What time of the day did it proceed to the Melcher residence, this party?

A When it started to get dark -- 7:30, 8:00.

3f.

Q Okay; and how long did the party continue on at the Melcher residence?

A I'm not sure; about four hours while I was there.

Q Okay.

A I don't know how long it went on after.

Q Directing your attention to defendant Charles Watson, have you ever seen this man before?

A I can't be sure.

Q Okay.

I show you people's 36 for identification, a photograph.

Do you know who is shown in that photograph?

A Looks more like -- looks more like him here, when I knew him.

Q You say it looks more like him; about whom are you referring when you say "him"?

A Charles Tex Watson.

Q So this photograph to you looks like a photograph of Charles Tex Watson; is that correct?

A Yes.

Q Now, this party in either July or October of 1968 that ended up at the Melcher residence, was Mr. Watson at that party?

A At what residence?

Q The Melcher residence.

It started out at Dennis Wilson's residence, then it proceeded up to Terry Melcher's at 10050 Cielo Drive.

Was the person shown in the photograph, Mr. Watson,

3-2

was he at that party?

A I can't be too sure. It seems like he was.

He wasn't at Dennis' on Sunset, but I think that he was at Terry Melcher's, I'm not that sure, though.

Q He resembled the way he looks in the photograph here?

A Yes.

Q In other words, he had long hair at the time?

A Yes.

Q He did not have short hair like he does now?

A No, much bigger.

Q This individual whom you saw at Mr. Melcher's residence, whom you think was Charles Watson, how tall was he?

A Six two.

Q Rather tall?

A Yes.

Q And did this person identify himself by name?

A No.

Q Did you know what his name was?

A I knew of two Charlies.

Q Who are these two Charlies?

A Charles Manson and the other one, I only knew as "Charlie."

I never spoke with him, though.

Q So this man whom you say looks like the man shown in the photograph here, people's 36, this man's name, as far as you know, was Charlie?

A To the best of my knowledge, yes.

3-3

Q But it definitely was not Charles Manson?

A No, it was not.

MR. BUGLIOSI: I have here another photograph, your Honor; may it be marked people's next in order?

I think it is people's 301 or 302.

THE COURT: The last we have is 301.

You want it marked 302?

MR. BUGLIOSI: Yes, your Honor.

302 id.

Q Showing you people's 302 for identification, does this also appear to be a photograph of Mr. Watson?

MR. BUBRICK: Your Honor, I am going to object to that as being leading and suggestive.

MR. BUGLIOSI: I will withdraw it.

THE COURT: Sustained.

3A

#38

Q BY MR. BUGLIOSI: Showing you people's 302 for identification, do you know who is shown in that photograph?

A It would look more like Charles Watson than the man seated over there.

Q And this looks like the gentleman who was at the Melcher residence at that party --

MR. KEITH: Object to the question --

Q BY MR. BUGLIOSI: -- in July or October of 1968?

A Yes, sir.

MR. BUGLIOSI: No further questions.

CROSS EXAMINATION

BY MR. KEITH:

XXXX

Q How well did you know Charles Manson?

A I met him two times.

Q Did you ever talk to him?

A Yes.

Q At length?

A Not really, no.

Q Do you remember the substance of any of the conversations you had with Manson?

A I remember him talking with a friend of mine, Allen Warrnick.

He and a few of his girlfriends were putting him down terribly, saying terrible things about him and I got very mad at him. I didn't say anything to him.

Q I am lost because you used "him," rather than a name.

3A-2

Q BY THE COURT: Who was being put down, Manson or Warrnick?

A Warrnick.

Q BY MR. KEITH: Warrnick was being put down by Manson?

A Yes, and his girlfriends. I didn't like this.

Q Warrnick's girlfriends or Manson's girlfriends were being put down?

A Manson's girlfriends.

Q Were also putting down Warrnick?

A Yes.

Q And where did this conversation take place?

A Pacific Coast Highway; Dennis Wilson's second house.

Q Was that the first occasion when you met Manson?

A Second.

Q Do you remember any of the conversation that you may have had with him on the first occasion?

A No, I was introduced.

Q No conversation, then, other than introductions, and some chit chat, perhaps?

A Right.

Q Was there any kind of an argument, getting back to the second conversation, again, between Warrnick and Manson?

A No, I just didn't like the things that Manson and hir girlfriends were saying to Allen, and so I told Allen that we should leave.

Q You were with Allen at the time?

3A-3

A Yes.

Q And Manson was making derogatory remarks about --

A Yes, he was.

Q -- Allen Warrnick?

Was, by any chance, Warrnick being referred to as a member of the establishment or a pig or words to that effect?

A No.

Q This party at Melcher's, did the party circulate throughout the house or was it confined to one particular room or rooms, if you recall?

A To the best of my knowledge, I think people were just roaming around.

Q Did you ever see the person whom you knew as Charlie -- not Charlie Manson -- but the other Charlie at Dennis Wilson's --

A No.

Q -- on any occasion?

A I never did.

Q Did you ever see or meet a man by the name of Dean Moorehouse at Dennis Wilson's?

A Yes, I did.

Q One occasion or more than one occasion?

A Two occasions.

Q Did you ever talk to Dean Moorehouse?

A Yes, I did.

Q And did he at that time, when you saw him, or those times, to be more accurate, appear to be living at Dennis Wilson's?

3A-4

#4

A Yes, at the one on Sunset; there was a log cabin, like, in the back, a guesthouse, where he lived.

4X-1

Q. Do you have any idea how long Dean Moorehouse may have lived in this log cabin?

A. No, I have no idea.

Q. Apparently, Dennis Wilson had two homes; is that correct?

A. He had the one first near Will Rogers State Park, whatever, and then the lease ran out and he had Greg Jacobson find him another one to rent, which was the one on the Pacific Coast Highway.

Q. Now, at which residence did Dean Moorehouse live? The first or the second?

A. The first.

Q. This conversation that you were present at where Manson made derogatory remarks about your escort, Mr. Warrnick, was that at the first or the second Wilson residence?

A. Second.

Q. Incidentally, Mrs. Guerin, was that the only occasion you were ever at the Melchers when this party continued from Dennis Wilson's home to the Melchers in either July or October, 1968?

A. No, I had been there many times.

Q. Was this all prior to the time Mrs. Polanski moved in there?

A. Yes.

Q. In other words, you were never there after Mrs. Polanski moved in?

A. No, never.

Q. When you say July or October, that is quite a

4-2

spread.

Where there parties on both those dates?

A. No.

Q. Those months?

A. I believe it was October, because I was on my way to South Africa to make a movie October 12th, '68, and the party was a week or two before that.

Q. Were you there in July also, if you remember? That is, July 1968?

A. In July I was in Tucson making a movie and I flew in for my sister's wedding and on that occasion, which was July 21, '68, I went down to Dennis Wilson's house once and then I went back to Tucson.

Q. All right. But my question was -- and I didn't put it with enough particularity apparently -- were you at the Melcher residence in July 1968 as well as in October 1968, if you recall?

A. Yes. I was there quite a bit. I have known Mr. Melcher for 11 years.

Q. But the only time you think Mr. Watson may have been there was on this October occasion? Is that what you are telling us?

A. That is right.

Q. And you are not sure that he was even there, are you?

A. That is right.

MR. KEITH: I have nothing further.

MR. BUGLIOSI: No further questions.

4-3

THE COURT: Thank you, Mrs. Guerin.

MR. BUGLIOSI: The People call Terry Melcher.

THE CLERK: Raise you right hand, please.

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

THE WITNESS: I do.

TERRENCE MELCHER,

called as a witness by the People, testified as follows:

THE CLERK: Take the stand and be seated. Would you spell your name?

THE WITNESS: Terrence Melcher, T-e-r-r-e-n-c-e; M-e-l-c-h-e-r.

THE CLERK: Thank you.

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q Mr. Melcher, what is your occupation?

A I am a producer of recordings and television programs.

Q You are actress Doris Day's son?

A That is correct.

Q Mr. Melcher, did you previously reside at the address 10050 Cielo Drive in the City of Los Angeles?

A Yes, sir.

Q During what period of time did you live there, the approximate.

A. About two and a half to three years, beginning summer of '66.

Q. Between the summer of 1968 and, let's say, early 1969?

A. Right.

Q. And you leased the residence?

A. Correct.

Q. From whom?

A. Mr. Altobelli.

Q. Is that Rudy Altobelli?

A. That is right.

Q. A-l-t-o-b-e-l-l-i?

A. Right.

Q. And when you moved out of the Cielo address, do you know who the next tenants were?

A. Mr. Altobelli leased the house to the Polanskis.

Q. That is Sharon Tate and Roman Polanski?

A. That is right.

Q. Do you know Charles Manson?

A. Yes, sir.

Q. When is the first time you met Charles Manson?

A. Sometime during the summer of 1968.

Q. Where did you meet him?

A. At the home of a friend of mine named Dennis Wilson.

Q. Was that at Dennis' address located at 14400 Sunset Boulevard?

A. It was.

Q. All right. Is Dennis Wilson a drummer for the

4-5

Beach Boys recording group?

A. He is.

Q. And he is a friend of yours?

A. He has been for a long, long time.

Q. Do you recall what Mr. Manson was doing inside Mr. Wilson's residence?

A. I believe he was living there and the day I met him he was playing the guitar and singing songs.

Q. I take it you eventually left the Wilson residence that day. Did someone take you home from the Wilson residence?

A. Yes.

Q. Who was that?

A. Dennis drove me home.

Q. Was anyone else in the car?

A. Manson was in the car, yes.

Q. Where was he located in the car?

A. In the back seat.

Q. So Dennis drove you home to the address 10050 Cielo Drive?

A. Yes.

Q. And Manson was in the back seat?

A. Correct.

Q. Did either Manson or Wilson get out of the car at your address?

A. No, sir.

Q. They dropped you off at the gate?

A. Yes.

Q. And then you entered and they turned around and left?

4-6

A Right -- well, it wasn't at the gate. It was inside the gate, in the parking area.

Q You entered the gate?

A Right.

Q YOu got out of the car and then they left?

A Right, that is correct.

Q When is the next time that you saw Mr. Manson, if at all?

A I think about a year later.

Q Do you know the approximate month?

A I did some while back -- in fact, I think that we ascertained it was about May of 1969.

Q May of 1969?

A Yes.

Q Was the next time that you saw Mr. Manson?

A Yes, sir.

Q And where did you see him at that time?

A That was at an old movie ranch, at the Spahn Ranch.

Q Spahn Ranch?

A Right.

Q Chatsworth, California?

A That is correct.

Q Do you know Greg Jacobson?

A Yes.

Q Would you briefly explain your acquaintanceship with Mr. Jacobson?

A Mr. Jacobson was in my employ as a talent scout and from time to time, although he wasn't in my employ at the time,

4-7

he took me to Spahn Ranch.

Previous to that, he had from time to time brought either composers and/or performers in to audition for me, to record, and that is how I happened to be at the Spahn Ranch that May of 1969.

Q You went out to the Spahn Ranch to audition someone?

A That is right.

Q Mr. Manson?

A That is right.

Q And was it at Mr. Jacobson's suggestion that you went out to Spahn Ranch to audition Charles Manson?

A That is right.

Q So Mr. Jacobson told you about Charles Manson, the fact that he was an artist or he played the guitar and sang?

A Right.

Q When you went out there in May of 1969 to the Spahn Ranch, were you with Mr. Jacobson?

A Uh-huh, yes, I was.

Q Anyone else?

A No.

Q Did Mr. Manson in fact perform for you?

A Yes, he did.

Q Played the guitar?

A Yes, he did.

Q Sang songs?

A Yes.

Q How long did this audition take place?

A Perhaps an hour.

5.f.

#5

Q Where did it take place?

A It's hard to pin down. The buildings weren't really inhabitable, they were mostly living outside and it was in a, I suppose you might call it, a gully.

Q Behind the buildings?

A Right.

Q After you listened to Mr. Manson sing and play his guitar, did you talk to Mr. Manson?

A Briefly.

Q What did he say to you?

A Not too much. He expressed a keen desire to record and I asked him a few basic questions; I gave him a few basic suggestions and found out that he wasn't in any union, like the AFL, which is a musician's union, or AFTRA, which is the vocalists' union; and therefore he couldn't really professionally record.

He told me that he didn't want to join those unions.

Q Did you give Mr. Manson any money?

A I did, yeah.

Q How much?

A I think it was $50.

Q Why did you give him the $50?

A Well, they all seemed to be hungry.

Q When you say "all," whom are you referring to?

A Well, there were maybe 30 people there.

Q Manson and several girls?

A Well, just Manson and a lot of people.

Q So you felt sorry for them and you gave Mr. Manson

5-2

$50?

A Well, sorry, or charit -- yeah, perhaps sorry.

Q When you heard Mr. Manson play the guitar and sing were you impressed with Mr. Manson as a singer and a guitarist?

A No, I wasn't.

Q Did you end up recording Mr. Manson?

A No, I didn't.

Q Is the reason you did not do so that you were just not impressed with him?

A That, and also the previous reasons that I gave, which were that --

THE COURT: He was not a union member?

THE WITNESS: Correct, sir.

Q BY MR. BUGLIOSI: Did you convey the fact that you were not interested in Mr. Manson, did you convey this fact to Mr. Jacobson?

A Yes, I did.

Q When is the next time, if at all, that you saw Mr. Manson?

A I told Mr. Jacobson that the only way I could see Manson being recorded would be if someone with a remote recording unit were to bring it to the ranch, itself, because he wouldn't be allowed into a professional studio without union status; so I went back there with a friend named Mike Dacy and Jacobson, maybe three or four or five days later, a week later, I'm not certain.

Q You went back to Spahn Ranch?

A Right; so that Mr. Dacy might have a chance to hear

5-3

him sing and play.

Q Did Mr. Manson then perform for Mr. Dacy?

A Right.

Q In your presence?

A Right.

Q And was Greg Jacobson also there?

A Yes, sir.

Q Directing your attention to defendant Charles Watson, whom I am pointing to right here, have you ever seen him before?

A Yes, sir.

Q When did you see Mr. Watson for the first time?

A Sometime in the summer of 1968.

Q Where at?

A At Dennis Wilson's house.

Q On Sunset Boulevard?

A Yes.

Q Have you ever seen Mr. Watson inside your former residence at 10050 Cielo Drive?

A Yes.

Q Approximately how many times?

A I can't be certain -- several. Watson was a friend of Wilson's and Jacobson's and was often tagging around with either or both of those men, so whenever they would drop by -- not "whenever," but often when they would drop by he would be with them.

Q Can you give us an approximate number of times that you saw Mr. Watson inside your former residence at 10050 Cielo

5-4

Drive?

A I would say approximately six. It's a very rough, rough guess.

Q Do you recall what part of your former residence Mr. Watson was in on any of these occasions?

A He could have been in one room or he could have been in all the rooms; I really don't know. I wasn't keeping track.

Q During what period of time was Mr. Watson at your residence? You said six times -- encompassing, let's say, what period?

A I guess it would all be -- I'm sorry, let me retract that; All six times would have fallen somewhere in the summer of 1968.

Q To your knowledge did Mr. Watson ever stay overnight at your residence?

A No.

Mr. Jacobson took care of my house for me for about four months while I was in Europe doing some recording.

Q When was that?

A That was in, I believe I left in the fall of 1968 and Watson may have stayed there then.

Q You don't know?

A I'm not certain; it's possible.

Q Did you have a Jaguar car around this period of time?

A Yes, I did.

Q Did you ever loan Dean Moorehouse that car?

5-5

A I did.

Q Do you know the approximate date?

A No, I don't, but I am sure that --

Q In the summer of '68, again?

A -- in your records -- yes.

Q To your knowledge did you loan the car to Mr. Moorehouse and Mr. Watson?

A I loaned it to Mr. Moorehouse.

Q Was Mr. Watson present when you did this?

A I believe that Mr. Watson went along with Mr. Moorehouse on the trip, yeah.

Q During the summer of 1968 did Mr. Watson look the way he does right now?

A Well, he wasn't wearing a tie.

Q What about his hair?

A It was a little longer.

Q What about his weight?

Would you care to have him stand up?

A Well, he is thinner.

Q He is thinner now?

A Yeah.

THE COURT: Did he have a beard?

THE WITNESS: Not that I recall, sir.

Q BY MR. BUGLIOSI: These six times that you met Mr. Watson, did you notice anything at all unusual about him?

A Nothing at all, except that he was very pleasant, friendly.

THE COURT: What was the last thing you said, sir?

THE WITNESS: I said --

THE COURT: You said that he was pleasant and --

THE WITNESS: Very pleasant and friendly.

MR. BUGLIOSI: Thank you.

No further questions.

CROSS-EXAMINATION

XXXXX BY MR. KEITH:

Q Mr. Melchor, were there about 30 people present in this gully the first time that you listened to Manson perform?

A Yes, sir.

Q And had you ever met Manson before that date at Dennis Wilson's, or any other place, when you actually went to the Spahn Ranch?

A Could you rephrase that?

Q Yes.

You went to the Spahn Ranch --

A Right.

Q -- in May or so of 1969; correct?

A Correct.

Q And your purpose in going there was to listen to Manson audition for you; correct?

A Correct.

Q Now, had you ever met or seen Manson before that time?

A Yes, as I testified I met him at Dennis Wilson's house the previous summer.

Q Had you seen him at Dennis Wilson's once or more

5-7

than once?

A I'm not -- I'm not really certain. I don't mean to appear vague, but if I ever went to Dennis Wilson's it wasn't to see Manson.

Q I gather that; Dennis Wilson was a friend of yours?

A Right, and so was Jacobson and Jacobson was also living there at the time, so --

Q And I suppose you also had business dealings with those two people, Wilson and Jacobson?

A Not really.

Q But, in any event, you do remember seeing Manson at Wilson's house?

A Correct; once, I do.

Q You only have an outstanding recollection of seeing him once there?

A Yes, the reason for that is because he sang some of his songs that particular day.

6

6R-1

Did you ever have a discussion with Mr. Manson at Dennis Wilson's? Any kind of an extended conversation beyond introductions?

A. Not that I recall, no, sir,

Q. And were any of Manson's so-called girls with him at the time you saw Manson and heard him play at Dennis Wilson's?

A. There were quite a few girls there. I don't know if I could classify them as Manson's girls, or whose girls they were, really.

Q. Now, directing your attention back to the Spahn Ranch, were there a number of people in this gulley at the time you heard Manson play?

A. Yes.

Q. And were they both young girls and young boys or largely young girls?

A. It was probably maybe a three to one ratio of women to men.

Q. And did Manson do all the singing or did the girls and other people there join in?

A. From time to time they all joined in.

Q. Did Manson appear to be the leader of this songfest?

A. Most definitely.

Q. And why do you say most definitely. We are talking about the first occasion now.

A. Well, he sat on a rock, a large rock, surrounded by the rest of the people and he played the guitar and none of the others played any instruments except for, I believe, there were maybe several tambourines and he sang songs and they

6-2

occasionally joined in and it was his party. There was no question about that.

Q Was there some difficulty in getting down to this gully, Mr. Melcher? In other words, was the access to it difficult?

A There was a very narrow -- I am not sure what I would call it -- it was a pathway along the side of a cliff with a rope that went down to the gully.

Q Did you have to use the rope in order to aid your descent?

A Well, unless you were terribly agile. It was safer to use the rope, yes, I would say that.

Q Did Manson lead the way down to the bottom of the gully, if you know?

A I don't really recall.

Q Did you see Mr. Watson at the Spahn Ranch on this first occasion that you went there and auditioned Manson?

A I don't recall that either, sir.

Q Was Greg Jacobson with you on this first occasion?

A Yes, sir, he was.

Q And did he go in the gully with you?

A Yes, he did.

Q Did Manson appear to react in any particular way when you told him that he couldn't record, unless he was a union member? In other words, did he appear disappointed or mad or upset or did he appear --

A No.

Q -- unmoved?

A The latter.

Q Did you tell him at that time that you weren't impressed with his singing and guitar playing? By "him," I refer to Manson?

A Well --

Q Just yes or no.

A I am not really certain of that either. If one is in the business of recording people, auditioning them, both vocally and as a composer, you learn to adapt a certain amount of --

THE COURT: Reserve?

THE WITNESS: That is a good way of putting it.

Q BY MR. KEITH: Diplomacy would be another good word to use?

A Yes. I think if I said anything at all, it was probably to the effect that I would --

Q "Don't you call me, I'll call you"?

A I would be in touch with him through Mr. Jacobson.

Q All right. Now, you did go back a few days later?

A Right.

Q And did you again go down to the gully?

A Right.

Q And again did it appear to be Manson's show?

A Oh, yes.

Q Did it appear to you, Mr. Melcher, to be sort of staged, the whole performance?

A The first time it didn't, but the second time it did.

Q And am I using the correct word, "staged"?

A Staged?

Q Use your own word.

A That will do -- staged or rehearsed or whatever you would like.

Q Again, Manson appeared to you to be the leader?

A Oh, yes.

Q And did you see Mr. Watson on this second occasion?

A I don't recall that either.

Q Did you ever go back again to the Spahn Ranch?

A No, I didn't.

Q Did you ever see Manson after that?

A No, I didn't. My reason or reasons, rather, for going there on both occasions was as a favor to Mr. Jacobson, not that I was really, you know, looking --

Q I understand.

A -- for a new singer.

Q Now, on these occasions that you recall Mr. Watson being at your home, were you giving parties on these occasions or did he just happen to drop by with Mr. Wilson or Mr. Jacobson or both? Do you understand the question?

A Yes.

Q Tell me if you don't understand and I will rephrase it.

A Yes, I do. Was I giving parties? Others who were present at my house one evening when I had, I suppose you would call it, a buffet dinner for Dennis Wilson and Greg and all the people who were living at Dennis' house say that Watson was

-5

there, but I am not sure of that either and the rest of the times, they weren't -- I don't believe they were parties at all. They were merely dropping by in the afternoon, sort of visits.

Q Is there any doubt in your mind that Mr. Watson was there at all at your house on any occasion?

A I am sure he was there on several occasions.

Q And he appeared to you to be tagging along with either Wilson or Jacobson; is that right?

A Yes, sir.

Q And I take it he didn't have much to say? Mr. Watson, that is?

A Well, I never got to know him, really.

Q You wouldn't describe him as a scintillating personality, would you, when you saw him at your home, I take it?

A The visits were, as I recall, brief and he was along with a friend. He was a friend or -- well, let's say a friend of a friend.

Q And your reaction to Mr. Watson was limited to believing that he was a friendly, pleasant fellow, right?

A Uh-huh, that is correct.

Q You had no philosophical discussion with him, did you?

A Not that I recall, no.

Q Now, when did you leave the Cielo Drive residence for the last time? I mean, what was the approximate date?

A Sometime in -- sometime around, well, it was just after the New Year of 1969.

6-6

Q And was this buffet dinner that you gave, at which you think Mr. Watson was present, the last time you saw him, to your knowledge, until court today? If you don't remember, say so.

A No, as I said previously, I am not certain whether or not Mr. Watson was present at that buffet dinner.

I recall that testimony and that buffet was maybe a year and a half prior to my leaving the Cielo residence.

Q Could you describe to us how Mr. Watson appeared to you physically when you observed him at your residence on these half a dozen or so occasions when he was with Wilson or Jacobson or both? Maybe I could make some suggestions.

A All right.

Q He didn't appear as thin as he does now, for one thing; is that right?

A Well, I am not really sure. I have been told that he has lost a lot of weight and I have read that.

Q Don't tell us what you read or heard from other people. We have to elicit your testimony from your own personal knowledge and not what other people told you or not what you may have read. You understand that, don't you?

A Yes, sure, okay.

Q Do you remember anything about his physical appearance in 1968, when you saw him on these occasions? Did he appear neat or did he appear dirty or was he smelly or was he well groomed? Did he wear old clothes? Did he wear modish clothes? Do you remember anything?

Did he look like a hippie or did he look straight,

I-7

A. Well, if I had to choose between his having appeared as a hippie or as a straight, as you put it, I would say a hippie.

E.

#7

Q Now, what led you to that belief?

His hair was about as long as yours is, was it?

A I think so.

Q And he didn't have the beard, though, is that correct, to the best of your recollection?

A Not that I recall, no, sir.

Q And did he wear blue jeans?

A I presume so. That's what most young people wear.

Q But you don't recall independently --

A No, I didn't.

Q -- whether he wore --

A I didn't take snaps.

Q Did he wear love beads and leather thongs and things like that?

A I don't recall that, either.

Q You don't recall whether or not his clothes were even dirty or disheveled, do you?

A All I know is that he didn't have on a tie or tails or --

Q All right, he didn't wear a business suit, obviously.

A That's correct.

Q But you wouldn't classify him as a hippie, would you, just because he didn't wear a coat and tie?

A I don't classify anybody as a hippie, sir.

Q Therefore, you wouldn't classify Mr. Watson as a hippie when you saw him?

A Well, I did for your purposes, when you asked me

7-2

whether he was a hippie or a straight.

THE COURT: You were limited to two choices, so you took the one?

THE WITNESS: That's right.

Q BY MR. KEITH: What you are telling me is I used some inadequate language in posing the question in the first place?

A Not --

Q Because you don't feel that anybody is a hippie --

A Well --

Q -- or you feel that it is a bad description of anybody?

A I wouldn't say inadequate; I would say -- well, I'm not certain what I would say about that.

Do you classify yourself as a straight, perhaps, or how do you --

MR. KEITH: I have to; I wear a coat and tie.

I don't have any further questions.

THE WITNESS: I don't know how to classify --

REDIRECT EXAMINATION

XXXXX BY MR. BUGLIOSI:

Q During the summer of 1968, though, you haven't seen Mr. Watson except, of course, in the newspapers?

A He may have been at the Spahn Ranch on either or both of my two visits there, but not that I recall.

MR. BUGLIOSI: Thank you.

No further questions.

7-3

THE COURT: Thank you, sir; you may be excused, Mr. Melcher.

MR. BUGLIOSI: People call Dean Moorehouse.

THE CLERK: Raise your right hand, please.

THE WITNESS: I am not going to be sworn; I have already talked to the D.A. about that. I was going to make a statement.

THE COURT: Do you affirm? Do you affirm?

THE WITNESS: I will tell the truth because I am truthful with myself; therefore, I will be truthful here.

THE COURT: Then you will affirm; is that correct, sir?

THE WITNESS: All right.

THE CLERK: Will you raise your right hand?

THE COURT: You are not going to swear, you are going to affirm.

THE WITNESS: Isn't my statement satisfactory, Judge.

THE COURT: I'm afraid not. All testimony must be -- you either affirm or swear to tell the truth; we cannot accept a statement, Mr. Moorehouse.

THE WITNESS: This isn't what the D.A. told me.

MR. BUGLIOSI: I'm not aware of any conversation with you, Mr. Moorehouse, about that.

THE WITNESS: Maybe Mr. Sartuche, I told him I wouldn't be sworn in.

THE COURT: Who is Sartuche?

THE WITNESS: He said that I can make a statement that I will tell the truth.

THE COURT: Then you just affirm that you will tell the

7-4

truth, sir, but you must raise your right hand to affirm.

THE WITNESS: All right.

THE CLERK: You do solemnly affirm that the testimony you may give in the cause now pending before this court shall be the truth, the whole truth and nothing but the truth, this you do under the pain and penalty of perjury?

THE WITNESS: I do.

THE CLERK: Thank you.

Now, would you take the stand and be seated, please; and would you state and spell your name?

THE WITNESS: Dean Moorehouse.

THE CLERK: And the first and last names?

THE WITNESS: D-e-a-n; M-o-o-r-e-h-o-u-s-e.

THE CLERK: Thank you.

DEAN MOOREHOUSE,

called as a witness by the people, testified as follows:

DIRECT EXAMINATION

BY MR. BUGLIOSI:

XXXX

Q Do you have an occupation, sir?

A Yes, I have an occupation?

Q What is that occupation?

A I go around turning people onto the truth.

Q Are you somehow associated with a religion?

A No, I have no religion.

Q What truth are you talking about?

A There is only one truth.

7-5

Q What truth is that?

A There would be no way for me to communicate this to you.

7A

7A

Q Have you ever been convicted of a felony?

A Yes.

Q What felony is that?

A I was convicted of selling LSD.

Q Do you know Dennis Wilson, Mr. Moorehouse?

A Yes, I do.

Q And you knew him as a drummer for the Beach Boys recording group?

A Yes.

Q Did you ever live with Mr. Wilson at his residence located at 14400 Sunset Boulevard in West Los Angeles?

A Yes, I lived there for a time.

Q During what period of time did you live there?

A June 1968 till almost September 1968.

Q Do you know the defendant, Charles Tex Watson, seated at the counsel table in front of you?

A Yes, I do.

Q When did you meet Mr. Watson for the first time?

A Sometime after I was at Dennis'; I couldn't say exactly how long.

Q Where did you meet Mr. Watson for the first time?

A At Dennis Wilson's place.

Q Did you ever live at Wilson's residence?

A You already asked me that, but I would say again, "Yes."

Q I knew you had been there; you have lived there?

A Yes.

Q Did you ever live there with Mr. Watson?

7A-2

A Charles stayed there for a time, yes.

Q What period of time did Mr. Watson live at the Wilson residence with you?

A I would say roughly around the last two months that I was there, something like that, six weeks or two months.

Q This is the summer of 1968?

A That's correct.

Q Do you know Charles Manson?

A Yes, I do.

Q And when and where did you meet Mr. Manson for the first time?

A I met him in San Jose in 1968.

Q Did Mr. Watson introduce you to him?

A No.

Q I take it you know Terry Melcher.

A Excuse me, I'm sorry I made an error, not deliberately; but I met Charlie in '67, June of 1967, instead of 1968.

Q You met Charles Manson in June of 1967 in San Jose?

A Mm-hmm.

Q Did you ever see Mr. Manson down here in Los Angeles?

A Yes, I did.

Q At Spahn Ranch?

A I saw him at Spahn Ranch.

Q You have a daughter named Ruth?

A That is correct.

Q And did Ruth live with Mr. Manson and the other

7A-3

1 people at Spahn Ranch for a period of time?

2 A She was there, yes.

3 Q How old is Ruth?

4 A She is 18 or 19; I think she's 19.

5 Q Now, do you know Terry Melcher?

6 A Yes, I do.

7 Q Did you ever go to Mr. Melcher's home or residence

8 at 10050 Cielo Drive?

9 A Yes.

10 Q And when did you go there for the first time?

11 A Sometime in the summer of 1968.

12 Q What was the occasion for your going to Mr.

13 Melcher's residence?

14 A He invited me to come.

15 Q How many times would you say you have been to Mr.

16 Melcher's residence?

17 A Oh, it's hard to say exactly, but I suppose six or

18 eight times.

19 Q During what period of time?

20 A In the summer of 1968 from probably July to the end

21 of August.

22 Q Did you ever go to Mr. Melcher's former residence

23 at 10050 Cielo Drive with Mr. Watson?

24 A One time.

25 Q Just the one occasion?

26 A That I can remember, yes.

27 Q When was that?

28 A It would be sometime right toward the end of August.

7A-4

at Dennis Wilson's residence?

A Well, I don't know about attending a party. I was staying there at that time and they had parties at different times going on there.

Q Was there a party there in July of 1968 where Greg Jacobson was present?

A He was staying there, also, so he was there, I'm sure.

SR-1

Q What about Deana Martin?

A She came to one party there, yes.

Q And Ellen Warrnick?

A I don't know. I don't recognize the name.

Q Let me ask you --

A Allen.

Q Ellen Warrnick?

A No. I know an Allen. I don't know his last name, but there was a young fellow by the name of Allen there.

Q To your knowledge, was there ever a party at Dennis Wilson's that ended up at Terry Melcher's?

A Yes.

Q There was?

A Yes, there was.

Q And what is the date of that party?

A I suppose sometime around July sometime, I think.

Q 1968?

A Yes.

Q Was Mr. Watson at that party?

A Yes. He was staying, I think, at Dennis' at that time, I believe.

Q And then Mr. Watson accompanied the group to Mr. Melcher's former residence?

A I don't believe he did.

Q Do you know a sergeant from the Los Angeles Police Department named Sgt. Gutierrez?

A Yes, I do

Q He has interviewed you with respect to this case?

8-2

A. Yes.

Q. Do you recall telling him that Mr. Watson and you stayed overnight at the Cielo address on the date of this party?

A. I don't think so. I can't recall telling him that. I don't believe that Tex came to that party.

Q. So the only time that you definitely remember seeing Mr. Watson at the Cielo address was the time you borrowed the car from Terry Melcher?

A. That is correct.

Q. When was the first time that you saw Mr. Watson in the company of Mr. Manson?

A. The only time that I can recall would be at the Spahn Ranch.

Q. Approximately what date?

A. That would have been the first part of September.

Q. What year?

A. 1968.

Q. Prior to September 1968, did you ever see Mr. Watson ingest LSD or any other type of drug?

MR. KEITH: May I have that question read.

THE COURT: Yes.

(Record read by the reporter.)

THE WITNESS: When you put the question that way, no, not prior to 1968.

Q. BY MR. BUGLIOSI: Well, when you first met Mr. Watson at Dennis Wilson's residence, during that period of time was Mr. Watson using drugs?

B-3

A We took some trips together.

Q Some LSD trips?

A Yes. I believe we tried -- we took some acid together.

Q How many times, approximately?

A Several times.

Q Would you just give me some idea what you mean by several? Three, four, twenty, twenty-five?

A I suppose something like three or four or five.

Q Any other type of drugs, other than LSD?

A Some grass.

Q Marijuana?

A Some hash.

Q You say grass, g-r-a-s-s?

A All psychedelics.

Q You say grass, you mean marijuana?

A Yes.

Q When you say hash, you also mean hashish?

A Hashish.

Q You mean a type of marijuana?

A Approximately, yes.

THE COURT: Would you give us the time when you had these trips, Mr. Moorehouse, please?

THE WITNESS: The time?

THE COURT: Yes, approximately when was it?

THE WITNESS: Sometime between -- I think that Tex came there sometime in July and I say he was there until the end of August, when we left for my trial and during that period of

2-4

time, I suppose it would be stretched or spread over that period of time at different times, but I don't say precisely.

THE COURT: 1968?

THE WITNESS: 1968 in July and August.

Q BY MR. BUGLIOSI: Other than the LSD, the marijuana, and the concentrated marijuana called hashish, did you see Mr. Watson use any other type of drug?

A We at one time had some THC.

Q THC?

A Yes. That is the synthetic derived marijuana.

Q When did you take THC?

A Sometime in that period of time. I couldn't say.

Q Summer of 1968?

A Yes, that is correct.

Q Any other type of drug?

A Nothing but psychedelics and I think this encompasses all the psychedelics that we used.

Q To your knowledge, during this period when you and Mr. Watson would use these drugs, to your knowledge, did Mr. Watson know Mr. Manson?

A Probably he had met him by then, because Charlie would come and visit Dennis.

THE COURT: We have got two Charlies. Which Charlie do you mean?

THE WITNESS: Charlie Manson. You asked me if he knew Manson during that period of time.

Q BY MR. BUGLIOSI: During the period that you and Mr. Watson were using these drugs, to your knowledge, did

8-5

Mr. Watson know Mr. Manson?

A. I believe that he met Charlie when Charlie would come there. I imagine that he met him. I am pretty sure he would have.

Q. During the time that Mr. Watson was using these drugs, was he living at Dennis Wilson's with you?

A. That is correct.

Q. Mr. Watson was not living out at the Spahn ranch with Mr. Manson?

A. That is correct.

Q. That occurred later?

A. Yes.

MR. BUGLIOSI: No further questions.

CROSS-EXAMINATION

BY MR. KEITH:

Q. Is it Mr. Moorehouse, is that the proper way to --

A. Dean is fine.

Q. All right. Did you see Mr. Manson often, Dean, after you first met him in San Jose in 1967?

A. Quite often during the period of time from June until, I think about -- well, for a month I saw him quite frequently. Then I saw him very infrequently for, until sometime in September, I think was the last I saw him; for about a month, I saw him quite regularly, then just a few times after that.

Q. This was in '67 you are telling us about?

A. '67.

S-6

Q Then did you begin to see him more often in 1968?

A I went down to L. A. in 1968 and then I did see him more frequently, yes.

Q And you were attracted to Mr. Manson, weren't you?

A Yes.

Q There was something about him that drew you to him; isn't that correct?

A Yes.

Q And was Manson the one that turned you on to acid?

A That is correct.

Q You hadn't taken it before you met Manson; right?

A No, but I determined to take it long before that.

Q And can we say that acid to you was a new and sort of beautiful experience?

A I thank God every moment for LSD, yes.

Q Tell us why you thank God for LSD.

A Because I found out who I am and what I am.

Q And is this when you were on a trip there was some new awakening or realization that befell you?

A That is correct.

Q And perhaps you could tell us what this awakening was?

A I found out who I was and what I am.

Q And who are you?

A I am a son of God.

Q All right. Did you discuss this new sort of -- I don't want to use the word religious awakening because you don't believe in any particular religion -- but did you discuss

8-7

this new self-realization with Charlie Manson?

A To a degree, not as much with him as with other people that came to me.

Q In other words, you sort of took up the banner for LSD, did you?

A No, I wouldn't categorize it that or categorize it that way. I simply became a Pilgrim, a link between two worlds and those who are ready to receive the truth, they would find me and I would share what I had with them.

LSD doesn't do it. LSD is a catalyst that clears the minds so you can have two choices.

You can either choose the lie that everybody is living in this dimension or you can choose the truth that elevates you and lifts you into the next dimension.

Q And you found trugh through the use of LSD?

A It was a catalyst that opened my mind, yes.

Q And did you tell Mr. Watson about this truth you found through the use of LSD as a catalyst?

A He was a searcher. Yes, I did share with him.

Q And as a result, Mr. Watson ingested LSD?

A Not because of my telling him to ingest it, no.

Q So far as you know, he hadn't tried it before you?

A Oh, I think that he had.

Q But at any rate, Mr. Watson appeared to react -- how shall I put it -- react favorably?

A Totally favorably, yes. He became more --

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

A He became a more beautiful person all the time.

1-8

THE COURT: Was there complete empathy then between you and him?

THE WITNESS: It was very close to that. There was something, a vestige of ego within him was still there and some still within me, but otherwise, it was a closer and closer thing all the time, yes.

Q BY MR. KEITH: In your experience, does acid help to destroy one's ego or to suppress it?

A It does.

MR. BUGLIOSI: That calls for a conclusion of the witness and is ambiguous.

THE COURT: What did it do to you?

THE WITNESS: It helped me to -- in fact, it opened the way for me to experience the ego death, yes.

Q BY MR. KEITH: Did it do that with Mr. Watson, if you know?

A I would say, yes. I would describe it that way.

MR. BUGLIOSI: I move to strike that as a conclusion.

THE COURT: We will let it stand.

Q BY MR. KEITH: Now, during 1968 when you were living with Mr. Watson, you found him to be a beautiful person; is that correct?

A Yes, I did.

Q Was he pleasant?

A Yes.

Q Was he friendly?

A Yes.

Baf.

8A

Q Did you see him engage in any violent sort of conduct?

A Nothing but love.

Q You never saw him strike anybody?

A Never.

Q Or threaten to hit anybody?

A That is correct.

Q Or threaten to hurt anybody?

A He just gave away his possessions.

Q That is the next subject I was getting to. You see what is going on in my mind.

Was this something you discussed with Mr. Watson, the giving away of one's possessions?

A He saw the example of what happens when you let the truth prevail.

Q When you found the truth, was it your belief that owning property was sort of a bad concept?

A May I make a little statement to clarify that, to answer the question?

THE COURT: If it answers the question you may.

THE WITNESS: I discovered that you cannot own anything at all, nothing at all, and I don't say that ownership is bad because everyone has to go through this whole thing of trying to own things before they can be freed from it. I believe that would answer your question.

Q BY MR. KEITH: You don't own anything now?

A Nothing. Anyone could have anything that I have, including myself.

SA-2

Q And did you convey this belief to Mr. Watson when you were living with him at either Dennis Wilson's or Spahn Ranch?

A I shared this with him, yes.

Q And at that time, at the time that you shared this concept of nonownership of property and of sharing possessions, did Mr. Watson own certain personal property?

A Yes, he did.

Q He had a car, didn't he?

A Yes, sir.

Q And he also had some camera equipment?

A Yes.

Q That appeared to you to be expensive?

A Yes, that is correct.

Q He gave his truck away, didn't he?

A Yes, he did.

Q He gave that to your daughter, Ruth?

A Yes, that is right.

Q And he gave all his camera equipment away?

A Yes.

Q Didn't he?

A Yes.

Q Did you go with him to the Spahn Ranch in September of 1968?

A Yes.

Q Or thereabouts.

8A-3

And when you went to the Spahn Ranch neither of you had a thing?

A That is correct.

Q Did you, beyond the clothes on your back?

A That is right.

Q So Mr. Watson had given away everything he owned?

A That is correct.

Q And did he believe to your knowledge, with you, that one should share one's possessions with everybody else?

A Yes, he did.

Q And did he also believe to your knowledge that the best way to live was not to be hampered by material things?

A That is correct.

#9

#9

Q You and Mr. Watson continued to take LSD while you were at the Spahn Ranch, didn't you?

A I believe we had a couple of trips there, that would be the extent of it.

Q Did you live in a tent at the Spahn Ranch?

A Yes, that's correct.

Q And was this by a stream or --

A A dry creek bed, yes.

Q A dry creek bed; and did you go down by the dry creek bed and take a few tabs of acid now and again with Mr. Watson?

A I don't know if we went together on any trips there. I can't remember for sure. But I know that I did on about two or three times, probably took a trip, and whether Tex was at the same time, I'm not sure. I can't remember for sure.

Q The more acid Tex took, would it be fair to say, the more beautiful sort of person he became?

A When I knew him, yes; it was always nothing but getting free of more and more of his hangups.

Q And did you and Mr. Watson discuss your mutual hangups together?

A I don't know if we talked about our hangups; I imagine we did.

Q You didn't have any at that time, because of your experience with LSD as a catalyst; and my question is assuming facts not in evidence, but did you discuss with Mr. Watson or have talks with him about how to live and how to get --

A Yes.

9-2

Q -- the most out of life?

A Yes, we did that.

Q Did you discuss the subject of love with him occasionally?

A Certainly.

Q What did you and he talk about on that subject, in substance or effect?

Of course, we can't get the exact words.

A Just like the Beatles said, "All you need is love."

Q Did you listen to the Beatles' songs?

A Yes, all of the psychedelic music; I dig it.

Q And did you listen to the Beatles' songs at the Spahn Ranch?

A I don't think we had a radio when we were there. We just --

Q How long did you stay at the Spahn Ranch, if you remember?

A I was there about 10 days or two weeks.

Q That's all?

A That's all I was there.

Q Is that when you went north to Ukiah?

A No, I came there after I returned from Ukiah.

Q And where did you go after you left the Spahn Ranch?

A Well, as I say, I was living as a pilgrim so I just went out on the road and I couldn't tell you -- whatever place it led me.

Q Did you leave Mr. Watson at the Spahn Ranch --

9-3

A Yes, he stayed there.

Q -- when you left?

A That's correct.

Q Was Charlie Manson at the Spahn Ranch when you left after this two-week pilgrimage?

A Yes, he was there.

Q Incidentally, were you at the Spahn Ranch for the purpose of this pilgrimage?

A I was just there because Charlie said, "There's a tent down there and if you want to stay there for a while, you are welcome."

Q The Charlie you are mentioning was Charlie Manson, not Charlie Watson?

A Yes, Charlie Manson.

Q When you were at the Spahn Ranch did you see Manson from time to time?

A From time to time, yes.

Q Were there young girls at the Spahn Ranch at the time?

A There were some there, yes.

Q Were there some --

A And some young --

Q Were there some young men, too?

A Yes.

Q Did the young girls appear to you to outnumber the young men at the time that you were at the Spahn Ranch?

A Seemed like it was fairly well balanced at that time, I don't know.

9-4

Q Were they living there at the Spahn Ranch?

A Yes.

Q By "they," I am referring to the young girls and young men.

A There were a certain number of young girls and young men living there, yes.

Q Did they appear to you to be drawn in some way to Manson?

A Oh, yes.

MR. KEITH: Would this be a convenient place?

THE COURT: If you want to.

MR. KEITH: I want to go over some notes.

THE COURT: Very well.

Ladies and gentlemen of the jury, we will have our morning recess at this time.

So once more, do not form or express any opinion in this case; do not discuss it among yourselves or with anybody else and please keep an open mind.

We will have a short recess.

(Recess.)

#10

THE COURT: People against Watson.

Let the record show all jurors, counsel, and the defendant are present.

Mr. Moorehouse, will you state your name, please.

THE WITNESS: Dean Moorehouse.

THE COURT: Thank you, sir.

Q BY MR. KEITH: Mr. Moorehouse, Dean, what is your age now, sir?

A 31.

Q On these occasions when you were with Charles Manson, did you ever discuss the subject of the establishment with him?

A Of course.

Q And what were the substance of those conversations or discussions concerning the establishment, if you can recall?

A Well, anybody who knows where it is at, knows where the establishment is at, and we just simply -- it would be the same with anybody you would talk with about the establishment.

Q What do you mean when you use the term "the establishment"?

A Everybody until they find the one true living God are idolaters and they worship the dollar and we know that this infamous vicious system is going to come down.

Q Did you discuss that subject that you have been telling us about with Mr. Manson?

A I am sure we did.

ll fls.

11R-1

Q On one occasion or more than one occasion?

A It is something that, whenever heads get together, you will maybe say you have discussed something about what the establishment is doing right at that moment, some of their various depredations and vicious crimes and so on.

We might discuss it, yes, I mean, the rape of Mother Earth and all the other things.

Q What you are telling us now is the substance of the discussions you have had with Mr. Manson on the subject of the establishment?

A It would be the same with anyone.

Q But we have got to stick with the question.

A Well, I would have gone over these things with Charles Manson, yes. We would have discussed them at different times.

Q And did you ever discuss the subject of psychedelic drugs with Mr. Manson?

A Certainly.

Q And what was the substance of those discussions, just the substance or effect, now, not verbatim conversations.

A Well, the conversation on psychedelics would be simply that these are the things that are turning on millions of people.

Q Were both you and he generally in favor of the use of psychidelics?

A Well, we certainly were entirely in favor of using them ourselves; now, as far as me advising other people to use them, no, I don't do that now and I didn't then.

1-2

Q But it was Mr. Manson who first persuaded you --

A No, he didn't.

Q -- to take LSD?

A I was ready for a year and I was more than willing to take it, because I informed him of the fact that I wanted to take acid.

Q So you were philosophically and emotionally on the threshold, so to speak, to take LSD?

A For a year before that, yes.

Q Did you discuss the subject of sharing possessions --

A Certainly.

Q -- with Mr. Manson?

A Absolutely. In fact --

Q Did he believe, as you believed, that the best sort of life one can lead was to share everything with everyone else?

A He is a man of faith, as I am; and, yes, he certainly inculcated through his example and through the discussions we had, I learned to give up this idea that we can own something.

Q Did you ever see Mr. Watson together -- Tex, that is, as you call him -- with Mr. Manson?

A Oh, yes, on different occasions they were together.

Q Did Mr. Watson, to you, appear to be drawn to Mr. Manson as the others were?

MR. BUGLIOSI: This calls for a conclusion.

THE COURT: Sustained.

Q BY MR. KETTH: Did you ever discuss with Mr. Manson

1103

the subject of ego destruction, as you have put it?

A. Yes.

Q. And what were the substance of those conversations or -- if there were more than one?

A. The substance would be that you got to die to live; and the ego has got to die, the personality has got to die.

Q. Did you ever discuss the subject of -- strike that.

Did you, in fact, or were you able to or have you been able to submerge your ego?

A. Yes, Dean Moorehouse died.

12f.

12

12R-1

Q When you say that, do you mean you have lost your identity?

A Yes.

Q And I believe you did tell us you discussed this same subject with Mr. Watson, the loss of ego?

A Yes.

Q And did you ever discuss with Mr. Manson the subject of death?

A Oh, of course.

Q And what did you and he talk, say, about that subject?

A Same again as those who are turned onto the truth know that there is no --

Q I am speaking of when one actually dies and gets buried in the ground.

A There is no death.

Q And perhaps you could expatiate a little bit on your conversation with Manson that there is no death?

A It is said in all the sacred scriptures and this is the same --

Q You've got to confine yourself to what you and Mr. Manson talked about.

A We would also interject the sacred scriptures and that would be included in the Bhagavicagita and it is in the Bible where Jesus said it and these are the things that I particularly talked about, because I have studied the Bible for many, many years, "Whosoever loses his life shall find it. Whosoever shall saveth his life, shall lose it."

12-2

That is what Jesus said. That is why I am saying, the same thing.

Q Did Mr. Manson believe that, to your knowledge?

A Yes.

Q Did you ever heard or participate in any conversation between Manson and Watson on these same subjects that I have been covering with you?

A I can't recall any particular time the three of us sat down and talked about the metaphysical things, not really, not any time.

At different times, I talked to both of them, but so far as the three of us sitting down and discussing it, I can't recall any particular time.

Q Did you ever hear anyone refer to Mr. Manson as Jesus Christ or the Messiah or the Second Coming of Christ or any deify Mr. Manson?

A Yes. I have heard discussions about J.C., concerning Charlie Manson.

MR. BUGLIOSI: J.C. meaning Jesus Christ, for the record?

THE WITNESS: Yes, but the world doesn't know who J.C. is, you know.

Q BY MR. KEITH: Did I ask you if you ever discussed the subject of your views about the establishment with Mr. Watson?

A I can't recall any specific thing that we discussed, but I say when any two people who are aware of the truth get together -- I mean we certainly would take at least a passing glance at whatever the establishment is doing.

12-3

Q Did Mr. Watson, when you knew him, appear to have been able to successfully lose his ego identity?

MR. BUGLIOSI: Calls for a conclusion, vague and ambiguous.

THE COURT: May I have that, please.

(Record read.)

THE COURT: I will allow that.

THE WITNESS: Everything that Charles Watson was going through was indicative of the fact that he was letting the ego die.

The fact that you give away everything that you have, you cannot do that very readily and do it with joy and without any regrets and not be losing the ego.

And also the love that he was expressing toward me and others is also indicative.

MR. KEITH: Nothing further.

REDIRECT EXAMINATION

BY MR. BUGLIOSI:

Q I have a few more questions, your Honor.

How many times have you taken LSD, approximately?

A 150 or 200 times. I don't know.

Q Could you explain an LSD trip for the jury?

A LSD is a catalyst is the best way to describe it and when the fullness of time has come, then the infinite gave us a little pill. In the era of the pill, here is a pill that blows peoples' minds. It simply clears away all the conditioning, at least for a time, while the trip is on, so that people

12-4

can see the truth and they can see the lie. This is what you experience.

Q How long is a trip?

A It could vary all the way from 8 to 16 hours, depending on which psychedelics you use.

13f.

#13

Q During a trip are colors normally brighter?

A Yes, they are. I mean, for the first time you see the colors and you see things as they truly are.

Q Are sounds a little louder?

A Everything is accentuated because it raises the level of your awareness.

Q So it makes you more aware of everything?

A It does, yes.

Q Would you classify an LSD experience as an enjoyable experience, pleasureable?

A Not every part of it, no; if you keep walking into your head you are going to open doorways that scare you, because you are going to see all the things that you have been and all the things that you have done.

Q But, by and large, would you consider it a pleasurable experience?

A It is such a hard question to answer.

Q Would you say you have taken it 150 or 200 times, so apparently you are getting something out of it or you wouldn't have taken it; right?

A I am finding myself, but to find yourself one must not only experience the beauties that your accentuated awareness gives you, but one must also face one's self and see what one has done and one has been, and you open the doors to veritable hell, door after door to hell.

I walked through hell to be freed from all of this.

Q You know what the word "introspective" means?

A Of course.

13-2

Q Looking within; okay?

A Yes.

Q Would you say that an LSD trip normally, or in every occasion, causes you to look within yourself?

A Yes and no. I mean, the person who is not ready -- you see, we are all in the process of evolution, mentally, spiritually and physically.

When a person is not evolved to the point where he is not ready to confront the truth, then he will simply -- he may have some pleasurable trips, just digging the colors and the increased awareness; but when he finally steps into the presence of the truth, then he may be frightened terribly and he may, what you call, have a bad trip.

Now, it happens that my evolution was to such a place that I was ready for the truth, the confrontation; and though I was terrified, I was able to face it and recognize it and to embrace it and then to become it.

Q During an LSD trip did you ever see an object that wasn't, in fact, there?

A There is no such thing. Whatever you see is there.

Q In other words, you don't see anything under LSD that doesn't exist; you don't, for example, see a bus or a tree that really isn't there; is that correct?

A Yourmind is creating what is there; whatever you see is there.

Q So you don't see any object that doesn't in fact, exist in front of you; is that correct?

A No.

13-3

Q It is not correct, what I am saying?

A No, it is correct, excuse me.

Q That's what I'm saying.

And you are aware of everything that is going on during a trip?

A Well, if you want to close your eyes and dwell on that, the inner thing completely, then you could very well detach yourself from the physical activity outside and just keep watching and walking inside your head; but if your eyes are open and you are looking out of your eyes, then you are aware of everything that happens in a very, very enhanced way, yes.

Q Later on, after you have come down off the trip, can you look back and remember what took place during the trip?

A Eventually, I believe that you recall everything; you may not recall it immediately, but you will eventually know whatever -- but you wouldn't do anything physical that you wouldn't remember, in a physical plane.

Q So everything --

A At least, I wouldn't.

Q So everything you do during an LSD trip, physically, could you remember later on?

A I do. Now, I can only speak for myself.

Q What would you normally do during an LSD trip? Just give the judge and the jury an example, what you do for eight hours.

A It might be anything. I might sit with my eyes closed, listening to music or just meditate out in nature; or

13-4

I might go out and simply enjoy everything that is happening and just go out and love everything and everybody, just walk around and dig it.

Q So you'd meditate or you'd go out and you'd kind of soak up the atmosphere?

A Well, I don't know if you would call it soaking it up; you would just go out and enjoy it. You would just, for the first time, realize how beautiful everything was.

I was dead until I took LSD.

Q I thought you said that Dean Moorehouse had already died?

A I was dead until I took LSD, and then found --

Q -- now you are alive again?

A That vivified me, yes.

When Dean Moorehouse died after nine months of this psychedelic experience, then the real me was born and began to become what it will ultimately be.

Q Does the "real me" referring to yourself, have a name?

A The truth.

Q So your name is the truth now?

A You could call me that. Jesus Christ is the truth; he's the truth incarnate.

Q But you still respond to the name Dean Moorehouse?

A This is good enough for now, until I lay down this old bag of bones and go home; this name is all right for me, it doesn't make any difference.

13A

13A

Q Now, you were in Mr. Watson's presence on many, many occasions; right?

A Yes.

Q And you had many, many discussions with him; right?

A I would -- yes, I would say so.

Q And many of these discussions involved philosophy, beliefs, attitude, things like that?

A Well, I took, you know, this philosophy thing, it's just --

Q I'm just using words now; we have to communicate with each other by words.

A It goes beyond philosophy. I don't have much time for foolosophy.

Q All right, tell the judge and the jury some of the philosophical discussions you had with Mr. Watson.

A Well, we talked about most of the things that have already been elaborated upon here, the death of the ego.

Q All right, let's stop there and then we'll go on later.

What did Mr. Watson say about the death of the ego?

A He knew that this was necessary. We talked about the fact that the ego had to die.

Q When did he tell you this?

A Sometime in those two months that we were together.

Q This was before Mr. Watson went up to Spahn Ranch?

A Yes, we spent the time at Dennis Wilson's.

Q To your knowledge when you were living with Mr. Watson at Dennis Wilson's place, Mr. Watson had not yet lived

13A-2

with Mr. Manson; is that correct?

A That's correct.

Q Mr. Watson later moved out to Spahn Ranch and lived with Mr. Manson.

A He stayed there after we went to the ranch at that time, when I came back from my trial.

Now, to the best of my knowledge, he didn't live there at the ranch prior to that.

Q So when you were having these discussions with Mr. Watson about ego death or, taking these LSD trips with him, he was not yet living with Mr. Manson?

A That is correct.

Q And Mr. Watson told you at Dennis Wilson's place in the summer of 1968 that he believed that the ego should die?

A This would have been part of our discussion, yes.

He knew that, and the ego, if you understand -- would you care to have -- to know what I define the ego as?

Q Yes, go ahead.

A That's the personality, the being; in other words, your name is written on a birth certificate in the society and then when you get old enough you start writing your name, yourself, and pretty soon you believe that you are Joe Doaks or whatever; but that's not really you, this is just a sum of experiences in one lifetime, and you are walking around thinking you are a lawyer or a cop or whatever, and you begin to think that that's what you are, and you are not that at all.

Q Do you believe that you have lived many lives before this one?

A Well, yes, and yet there is only one life. It is a continuum of existence and we separate it into compartments so that we can operate in a seeming free-will atmosphere.

Q But you have lived centuries ago, yourself?

A I have lived for eons of time.

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14R-1

Q What other discussion did you have with Mr. Watson in addition to ego death?

A It would cover the whole gamut of the turned on experience, of all the things that have to happen to you before you can be free of this dimension of existence.

Q What did Mr. Watson say?

A He was listening to me or I wouldn't have been talking to him.

Q Was he saying anything?

A He was agreeing. I don't lay a trip on anybody, only those that are ready that are seeking, that come to me. Those are the only ones that I share what I have, because I am not trying to convince anybody of anything. Love can only draw.

Q Did Mr. Watson say anything about the establishment?

A Just the same as what I would say about it. We talked about it.

Q What did he say?

A The establishment is just doing its thing too. I am not putting the establishment down.

Q I am just talking about Mr. Watson now. You can understand my questions, I am sure.

What did Mr. Watson say about the establishment?

A I can't recall anything specifically he would have said.

Q The essence of what he said was what?

A That the establishment is just simply doing the earth in.

14-2

Q Watson told you this?

A We would have discussed this but I can't say any particular time he said exactly these words.

Q I don't mean the exact words, but the substance of what Mr. Watson told you was that the establishment was doing the earth in; is that correct?

A Any heads would -- this is what we would have to discuss at different times. I can't just say any time that those are the words that Tex said, but he would be in agreement when we talked about the establishment that this is what is happening.

Q Would it be a fair statement to say that you are antiestablishment?

A No, it wouldn't.

Q You are not against the establishment?

A Except spiritually.

Q So spiritually you are against the establishment?

A Spiritually I am for life and so therefore all that lives in death and puts out death, naturally, that would be antagonistic to the truth. In essence, it is not being antagonistic to anything. It is that force being antagonistic to the truth.

Q You feel that the establishment is harmful; is that correct?

A The establishment has to be.

Q Okay.

A It has to be.

Q So you are against the establishment, because it

14-3

is harmful; is that correct?

A. I wouldn't say that. I know it has to be, so I cannot really say I am against it.

I will point out errors and its defects, but I will never say take it away, change it, do away with it, because I know that it has to happen.

It is only in this kind of a ying and yang -- positive and negative sort of thing that my soul can grow. If I hadn't been part of the establishment and gone through that trip, I couldn't evolve and be free. I had to learn in that school. This is the school where we learn.

Q. You don't like what the establishment is doing, let's say, to Mother Earth; is that correct?

THE COURT: Aren't you straying rather far afield?

MR. BUGLIOSI: I think that is a determination, your Honor, for the prosecution who knows this case fairly well unless --

THE COURT: That is a determination by the Court, too.

MR. BUGLIOSI: I mean as to whether we are or not.

THE COURT: Whether you are going far afield is a determination by the Court, not the prosecution.

MR. BUGLIOSI: May we approach the bench?

THE COURT: Yes.

(Whereupon, the following proceedings took place at the bench, outside the hearing of the jury:)

MR. BUGLIOSI: I apologize. What I am trying to do with this witness is prove that Mr. Watson was against the

14-4

establishment before he ever met Mr. Manson, which is extremely relevant.

THE COURT: He says, how do you prove that by what this guy says?

MR. BUGLIOSI: Because he had conversations with Watson. If he is against the establishment, and it turns out that Mr. Watson was in agreement with him, it took place before he met Manson.

THE COURT: But he is telling he is not against the establishment, that you have got to live through the establishment.

MR. BUGLIOSI: I am asking questions. He is playing with words. He doesn't want to pin himself down by words, but I think it is very relevant what Mr. Watson's state of mind was before he met Mr. Manson.

THE COURT: No. I think we are going too far afield on this thing.

MR. KAY: You see what the problem is on this is that this witness refused to talk to the prosecution.

THE COURT: So you are going to penalize him now?

MR. KAY: No, but he did call up Mr. Keith and talk to him on the telephone, so this is the first chance we have had to talk to him.

We have some important questions to ask him and he has been very evasive.

MR. BUGLIOSI: But the point is, your Honor, the main thrust of the defense, as I understand it, is that Manson is the one who completely changed Watson's mind on everything.

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They are going to argue this. I think in the opening statement, it is obvious that this is their thrust.

We are trying to show through this witness that Watson had these antiestablishment ideas before he even met Manson or before he even started to live with Manson. I think it is very relevant.

MR. BUBRICK: The other problem is as to what each considers to be the establishment --

THE COURT: Well, this guy's only personal beliefs I don't think mean a thing to me. His ideas of death and life, I don't see how that is going to enlighten us at all about what happened on the night of the 9th or the 10th of August.

MR. BUGLIOSI: But is is their position that Manson is the one that chose this guy. We are trying to show that this guy had these ideas before he even met Manson.

THE COURT: You are doing this as part of your case in chief?

MR. BUGLIOSI: In the first place, they brought it up on cross-examination, your Honor, the defense did.

Secondly, this guy is from Minnesota. We had to bring him back here. We would hate to bring him back on rebuttal, as long as he is on the stand now. The fact that Watson took LSD before he met Manson, I think again is relevant.

THE COURT: All right. You brought that out.

MR. BUGLIOSI: What I am trying to bring out is the fact that Watson had these antiestablishment views before he even met Manson.

THE COURT: Ask him what Watson said and not what he

14-6

1 believes.

2 MR. BUGLIOSI: That is what I am doing.

3 THE COURT: Go ahead and do that.

4 (The following proceedings were had in open

5 court, in the presence of the jury:)

6 Q BY MR. BUGLIOSI: Directing your attention back

7 to this summer of 1968 -- this is now before Mr. Watson went

8 out to Spahn Ranch and lived with Mr. Manson -- how would you

9 summarize or categorize Mr. Watson's belief with respect to

10 the establishment, his attitude with respect to the establish-

11 ment?

12 MR. RUBRICK: Object to that, your Honor. I think it

13 calls for the conclusion of the witness. Let him tell us.

14 THE COURT: Sustained.

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Q BY MR. BUGLIOSI: What did Mr. Watson say about the establishment?

A I couldn't specifically recall anything that he said about the establishment.

Q I don't mean his exact words verbatim; I mean the substance of what he said about the establishment.

A This I couldn't even recall.

Q But he would be agreeing with you; is that correct?

A Yes. And I would be very happy to say what I feel about it.

Q So when you and he spoke about the establishment, it was your feeling that he was agreeing with you; is that correct?

A I would say that, yes.

Q And your feeling about the establishment is that they are very harmful to many things; is that correct?

A The establishment is certainly on a trip that is destructive of, yes, the earth that gave us life.

Q And you felt that Mr. Watson was in agreement with you on that?

A I would say that he was at that time.

Q I show you people's 302 for identification, this photograph. Do you know the man who is depicted in that photograph?

A Well, it could be Charlie Watson, but it is such a poor likeness, it could be somebody else. That looks a lot like him. It isn't that good of a picture.

Q Does this photograph resemble -- is this a

14A-2

photograph that looks like a person in this photograph is Charles Watson to you, but it is not a good photograph; is that correct?

A It could be him.

MR. BUGLIOSI: No further questions.

RECROSS-EXAMINATION

BY MR. KEITH:

Q Mr. Moorehouse, or Dean, Mr. Watson knew Mr. Manson, did he not, before Mr. Watson and you went to the Spahn Ranch?

A Yes.

Q He had to your knowledge, hadn't Mr. Watson seen and talked to Mr. Manson?

A Yes.

Q At Dennis Wilson's house?

A Yes.

Q Before he went to the Spahn Ranch?

A Yes.

Q And isn't it a fact, Dean, that when you had these discussions about the establishment and about ego, et cetera, et cetera, with Mr. Watson, that you did most of the talking and he did the listening?

A That is true. I thought that I made that very clear.

MR. KEITH: I have nothing further.

14A-3

REDIRECT EXAMINATION

BY MR. BUGLIOSI:

Q Did you have any discussions with Mr. Watson about the establishment and things like that before Manson came to Dennis Wilson's residence?

A I couldn't say.

MR. BUGLIOSI: No further questions.

THE COURT: Thank you, sir. You may be excused.

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#15

MR. BUGLIOSI: People call Sgt. Varney.

THE CLERK: Raise your right hand, please.

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

THE WITNESS: I do.

DUDLEY D. VARNEY,

called as a witness on behalf of the people, testified as follows:

THE CLERK: Thank you.

Take the stand and be seated; will you state and spell your name?

THE WITNESS: Dudley D. Varney, V-a-r-n-e-y.

DIRECT EXAMINATION

BY MR. BUGLIOSI:

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Q What is your occupation, sir?

A I am a police officer, Los Angeles Police Department, assigned to robbery-homicide division.

Q On the date August the 9th, 1969, did you proceed to the address 10050 Cielo Drive?

A Yes.

Q About what time did you arrive there?

A Approximately 1:00 o'clock in the afternoon, sir.

Q What was your purpose for going to that address on that date and time?

A I was sent there to assist in an investigation,

15-2

sir.

Q When you arrived on the premises did you see a white Rambler?

A I did.

Q And this was Steven Parent's car?

A To the best of my knowledge, yes.

Q I show you people's 250 for identification --

MR. BUGLIOSI: Has this been remarked, your Honor?

THE COURT: No.

MR. BUGLIOSI: It has not? Okay.

I have here, your Honor, a manila envelope with a piece of bullet slug contained therein, previously marked people's 250.

May this be remarked people's 250?

THE COURT: It may be so marked.

250 id.

Q BY MR. BUGLIOSI: I am removing a bullet slug, sir, or a portion of a bullet slug from the envelope.

Have you ever seen that --

A Yes, I have.

Q -- fragment of a bullet before?

A Yes, sir.

Q When did you see it for the first time?

A . . . It was lying on the rear seat of the white Rambler in the driveway on Cielo Drive.

MR. BUGLIOSI: May it be stipulated that the white Rambler about what he is talking is Steven Parent's car?

So stipulated?

MR. BURRICK: So stipulated.

15-3

Q BY MR. BUGLIOSI: What did you do with this fragment of a bullet after you found it?

A I placed it in that envelope, initialed the envelope and booked it at property division, Los Angeles Police Department, as evidence.

Q Do you see your initials anywhere on this envelope?

A Yes, I do.

Q Is that --

A DDV on the upper --

Q DDV; that's Dudley --

A D. Varney.

MR. BUGLIOSI: All right.

Your Honor, I have here another manila envelope; contained therein is a cellophane wrapper and contained within the cellophane wrapper are what appear to be four fragments of a bullet.

May the four fragments be collectively remarked people's -- the last exhibit, your Honor, I think was people's 250?

THE COURT: 250, yes.

MR. BUGLIOSI: May these be collectively remarked people's 251 for identification?

THE COURT: They may be so marked.

251 id.

Q BY MR. BUGLIOSI: I am removing four fragments of a bullet, sir, from this cellophane wrapper.

Have you ever seen these fragments of a bullet before?

A Yes, I have.

15-4

Q Where did you see them for the first time?

A They were lying in the base or the bottom portion of the right-hand door of the white Rambler parked in the driveway on Cielo.

Q On August the 9th, 1969?

A That's correct, sir.

Q And what did you do with these four fragments after you found them?

A I received those -- they were actually retrieved by Sgt. Lee.

Q In your presence?

A In my presence; they were placed in that bag and he marked it and then I transported them to the property division and booked them as evidence.

MR. BUGLIOSI: Thank you.

No further questions.

MR. KEITH: No questions.

THE COURT: Thank you, sir; you may step down.

MR. BUGLIOSI: Call Sgt. Lee.

THE CLERK: Raise your right hand, please.

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

THE WITNESS: I do.

WILLIAM J. LEE,

called as a witness on behalf of the people, testified as follows:

THE CLERK: Thank you.

Take the stand and be seated. Would you state and spell your name, please.

THE WITNESS: William J. Lee, L-e-e.

THE CLERK: Thank you.

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q What is your occupation and assignment, Sergeant?

A Police officer for the City of Los Angeles, assigned to the Scientific Investigation Division, firearms and explosives unit.

Q What is your training and experience in the field of firearms identification?

A I was an infantry rifleman and automatic rifleman during the service, World War II.

At that time I received training in the operation and nomenclature of hand and shoulder and automatic weapons.

After going to the police academy I again learned the nomenclature and operation of hand weapons and shoulder weapons.

I studied at the major weapons manufacturers of the United States, including Colt, Smith & Wesson, Hi-Standard, Remington and Winchester.

I studied the firearms identification at the FBI, Washington, D.C. for a short period of time.

I have studied the manufacturing of ammunition at Du Pont and Remington.

I have been assigned in the firearms identification section for a total of approximately eight and a half years, during which time I have run and conducted many tests involving the firing of ammunition through weapons.

I have studied under such experts in the field as Irwin Uhde, U-h-d-e and DeWayne Wolfer.

I'm an instructor of police science at El Camino College, where I have been for 13 years. Part of my curriculum is firearms identification.

I have read many books on the subject and I have taken known test bullets and made comparisons of them, as well as shell casings from known weapons; and I have studied these under the microscope.

I have testified in Municipal and Superior court in the State of California as an expert witness.

Q Is that the extent of your background, sir?

A Basically.

Q I show you people's 40 for identification, a revolver.

Have you ever seen that revolver before?

A Yes, sir, I have.

SR-1

Q When did you see the revolver for the first time?

A I first observed this revolver on December the 16, 1969.

Q At the Los Angeles Police Department?

A Yes, sir, that is correct.

Q What type of a revolver is this?

A This is a double-action revolver. It is called a double-nine and sometimes this is referred to as a Buntline Special, due to the length of the barrel. It is a frontier or cowboy type weapon.

Q You say double-action. What do you mean by that?

A In order to fire this particular weapon, it may be fired one or two ways. The double-action refers to the pulling of the trigger alone.

THE COURT: Have you checked that?

THE WITNESS: I don't intend to fire it, your Honor.

THE COURT: You check it now, Sergeant.

THE WITNESS: The cylinder is open and I observe nine empty cylinders.

THE COURT: Very well.

THE WITNESS: The operation of this particular weapon involves the term double-action, which requires only that I pull the trigger to cock the hammer and fire the weapon.

A single-action revolver, such as this, gives the appearance of being, is one which if you pull the trigger nothing would happen until after you cocked the weapon. This would be single-action, where I cock the weapon and pull the trigger to fire. The double-action is simply firing it by

16-2

pulling the trigger.

Q That weapon fires what? Nine rounds?

A Yes, that is correct.

Q There is a place for nine cartridges in the cylinders?

A That is correct.

MR. BUGLIOSI: Your Honor, would this be a convenient time?

THE COURT: Yes.

Ladies and gentlemen of the jury we will recess at this time until 1:30. Please heed the usual admonition.

The spectators will remain seated until the jurors leave.

(Noon recess.)

17f.

17R-1

LOS ANGELES, CALIFORNIA, MONDAY, AUGUST 23, 1971, 1:45 P.M.

--oOo--

THE COURT: People against Watson.

Let the record show all jurors, defendant and all counsel are present.

You are still under oath, so restate your name for the record, Sergeant.

THE WITNESS: William J. Lee, L-e-e.

THE COURT: You may proceed.

WILLIAM J. LEE,

resumed the stand and testified further as follows:

DIRECT EXAMINATION (Resumed)

BY MR. BUGLIOSI:

Q What is a hair trigger, do you know; have you ever heard of that term, hair trigger?

A Yes, the term hair trigger usually refers to the fact that where the sear of the trigger and the hammer notch, that point at which the trigger hangs up on the hammer, a hair trigger would be one that simply used a very, very slight weight to cause the hammer to fall forward, rather than a normal or heavy weight of the weapon.

Q So with a hair trigger you don't have to apply much pressure to the trigger at all to fire the gun?

A That's correct.

Q Is this a hair trigger revolver?

A No, it is not, no.

17-2

Q. Do you have to apply a certain amount of pressure to fire this revolver?

A. Yes.

Q. On August 10, 1969, Sergeant, did you receive three bullets from one Dr. Gaston Herrera, a deputy medical examiner for the Los Angeles County Coroner's office?

A. I did.

1sf.

18R-1

Q I show you People's 177 and I am removing a bullet slug from People's 177. The bullet slug is also People's 177. Have you ever seen that bullet slug before?

A Yes, I have.

Q Where and when did you see it for the first time?

A I first observed this on August the 10th, 1969, at the coroner's office.

Q All right. YOu see that on the front portion of this manila envelope it says, "Wojciech Frykowski, August 10, 1969, 12:45 p.m., Dr. Herrera." Is that correct?

A Yes.

Q On the reverse side of this envelope you see your signature?

A I do.

Q What does it say?

A "Received from Dr. Herrera 8-10-69, 12:45 p.m."

Q Then your name "Lee" L-e-e?

A That is correct.

Q So you received this bullet slug then from Dr. Herrera on August the 10th, 1969, 12:45 p.m.?

A Yes.

Q Showing you People's 195 for identification. On the outside of an envelope it says, "Steven Parent, August 10, 1969, 2:00 p.m., Dr. Herrera." On the reverse side do you see your handwriting?

A I do.

Q What does this say?

A "Received from Dr. Herrera 8-10-69, 6:15 p.m., Lee."

18-2

Q Did you receive the bullet that I am removing now from this envelope? Did you receive that bullet slug on August the 10th, 1969, from Dr. Herrera?

A I did.

Q I show you People's 186 for identification. On the cover of the envelope it says "Steven Parent," again and it says "August 10, 1969, 2:00 p.m., Dr. Herrera."

Removing a bullet slug from inside the envelope, have you ever seen that bullet slug before?

A Yes, I have.

Q When did you see it for the first time?

A First observed this also at 6:15 p.m., on August the 10th, 1969, when I received it from Dr. Herrera.

THE COURT: May I have that number again, please?

MR. BUGLIOSI: 186.

MR. BUBRICK: Your Honor, do your records show it as having been entered before?

THE COURT: Yes.

MR. BUGLIOSI: With Dr. Noguchi, I believe.

THE COURT: Yes.

MR. BUBRICK: 185.

THE COURT: And 186, yes, except Dr. Noguchi did not testify that 185, a slug -- he said came from Parent.

MR. BUGLIOSI: Yes, he did.

THE COURT: Oh, I thought you said Frykowski.

MR. BUGLIOSI: The first one, 177 is for Frykowski. People's 185 is for Parent.

THE COURT: Okay. Go ahead.

18-3

Q BY MR. BUGLIOSI: From 186, People's 186, I am removing a bullet slug from the envelope. You say you have seen that bullet slug before?

A I have.

Q And did you receive this from Dr. Herrera on August the 10th, 1969, at 6:15 p.m.?

A I did.

Q And do you see that writing by you on the reverse side of the envelope?

A I do.

Q It says, "Received from Dr. Herrera 8-10-69, 6:15 p.m., Lee." Is that correct?

A Yes.

19f.

#19

Q On the following day, August the 11th, 1969, did you receive another bullet from Dr. Noguchi?

A I did.

Q I show you people's 166 for identification, an envelope, and I am removing from the envelope a bullet slug, which is also marked people's 166.

Have you ever seen that bullet slug before?

A I have.

Q Is this the bullet that you received from Dr. Noguchi on August 11, 1969?

A It is.

Q And on the reverse side of this envelope it says -- or, on the front side, it says, "This bullet was recovered between Mr. Parent's shirt and back, found loosely during fluoroscopic examination"-- I'm sorry, Jay Sebring, "This bullet was recovered between his shirt and back, found loosely during fluoroscopic examination at 10:15 August 10, 1969."

On the reverse side, what does it say?

A "Received from Dr. Noguchi 8-11-69, 9:45 a, Lee."

Q "A" stands for a.m.?

A It does.

Q What did you do with these four bullets after you received them from Drs. Herrera and Noguchi?

A I took them to the crime laboratory, to my office, where I locked them in a file after examining them.

Q So you booked them into evidence, then, at the Los Angeles Police Department?

A Not specifically as a matter of property; but

19-2

specifically keeping them in my own custody as property for the Los Angeles Police Department.

Q What caliber bullets are all of these slugs?

A .22 long rifle.

Q By long rifle, what do you mean by that?

A The .22 caliber rimfire cartridges are in three different categories: The .22 short, the .22 long and the .22 long rifle.

Now, the .22 short, which is the shortest of the three, has a very short shell casing in conjunction with a 29-grain bullet, which is a short bullet.

The .22 long uses the same bullet that is used in the .22 short; namely, the 29-grain bullet, but it uses a longer shell casing.

The .22 long rifle is a 40-grain bullet, approximately 40 grain weight, and the longest shell casing, the same that is used with the long; so the .22 long rifle is a 40-grain bullet, in this particular case, without the rest of the cartridge.

Q Let me ask you this: Besides the caliber of a bullet, are all bullets the same or are they made up of different materials, different coating, et cetera?

A They are made up of different materials and coatings.

Q And coatings?

A Yes.

Q What about these four bullets that I have just shown you, people's 166, 185 -- 166, 177, 185 and 186; what type of bullets are these?

A Those are lead bullets which have been coated with

19-3

a copper or brass wash, similar to a term known as Lubaloy, which is a trade name for another particular cartridge.

It is a coating which is applied to the lead, ostensibly to reduce friction in the gun barrel and the bore.

Q Are you saying, then, that apart from their present damaged condition, all four of these bullets were the same type of bullet?

A I believe so, yes.

Q What are lands and grooves in a firearm?

A The gun barrel, in order to project a bullet or projectile must impart to an elongated projectile a twist or spin so that it will fly through the air with gyrostatic stability, or in its normal course, so that it does not tumble and yaw and pitch.

The lands and grooves are actually the inner surface of the gun barrel and the lands and the grooves are formed at the time of manufacturing of the rifling, as such.

A common method for this to occur is that the bar stock, or the solid round stock, is first drilled to the approximate caliber that the finished product will be. That hole is then reamed or polished to the caliber that is desired; in this particular instance, approximately .22 caliber.

Now, this will be a smooth bore. In order to give the bullet a twist or rotation, a series of helical grooves are cut in this particular surface by the use of an object called a broach or hook cutter.

The broach is placed in the gun barrel and actually removes or displaces a part of the metal so that the part that

19-4

is cut away or moved away would then be called the grooves, while that portion remaining and that has not been cut away, is called the lands.

Now, these lands, then, are the raised portion in the gun barrel and they have a twist to them, entirely --

Q The grooves, then, would be the indentations inside the rifle, or the revolver barrel?

A That is correct.

Q And the lands, then, would be the ridges?

A Yes.

Q That area between the grooves?

A Right.

Q And I take it that people's 40, the revolver in front of you, also has lands and grooves; is that correct?

A It does?

Q How many lands and how many grooves?

A Six lands and six grooves.

Q Not all firearms have the same number of lands and grooves; is that correct?

A That's correct.

Q Some would have what?

A Four, two, six, five, seven, ten; different numbers.

Q Do barrels of firearms have what is called imperfections?

A Yes, they do.

Q This is in addition to the lands and grooves?

A Yes.

Q What are these imperfections and what causes them?

A Well, imperfections on the surfaces of the lands and the grooves are those created during the manufacture of the firearm by chips in the gun bore, abrasives in the gun or as the broach is drawn through, which will impart different rough spots to the inner bore of the weapon; and these may also get additional imperfections from improper storing conditions and firing of different types of ammunition.

Q Have you ever seen the barrel of any firearm that did not have imperfections on it?

A No, I did not.

Q They all have imperfections?

A Yes.

Q When the bullet passes through the barrel of a firearm do the lands and the grooves and the imperfections cut into the side of the bullet as it passes through the barrel?

A Well, the lands of the gun do cut into the bullet and the bullet actually swedges out or expands to five in the area called the grooves; and at this time the imperfections of the gun barrel do come in contact with the surface of the bullet.

20R-1

Q Do these lands and grooves and imperfections leave some type of an identifying imprint on the bullet?

A Generally.

Q This identifying imprint is called what?

A Stria.

Q S-t-r-i-a?

A Yes.

Q Does the imprint or do the imprints and stria form some type of a pattern on the bullet the same as the lands and grooves and imperfections?

A Generally, yes.

Q Only probably in reverse?

A That is correct.

Q In other words, a obtrusion, imperfection inside the barrel, would cause an indentation on the bullet?

A Yes, a gouge mark; that is correct.

Q And vice-versa?

A Yes.

Q Taking a look at these four bullet slugs again, People's 176 -- let's keep the bullet slugs on the envelope so we don't get any confusion here -- People's 166, People's 177 People's 185 and People's 186, four bullet slugs; is that correct, sir?

A Yes.

Q And looking at this revolver here, People's 40, did you ever conduct any type of an examination between these four bullets and this revolver to determine whether or not these four bullets came from this revolver?

20-2

A. I did.

Q. And when did you conduct that examination?

A. As I recall, it was December the 22nd, 1969.

Q. At the Los Angeles Police Department?

A. Yes, sir.

Q. Will you please explain in detail to the jury what examination or test you conducted with respect to those four bullets and that revolver?

A. Yes. I obtained the revolver and a stock of ammunition similar to the ones that I obtained from the coroner's office, except the ones I obtained were brand new for my test shots.

I then did fire this revolver into a water recovery tank which is located in the police department premises.

Q. Why did you use a water recovery tank?

A. Water does not have a tendency to wide the sides of the smaller bullet like the .22 and shine them and cause friction and remove the stria.

Q. So that you fired new cartridges then, new bullets fromthat revolver?

A. Yes.

Q. At the Los Angeles Police Department?

A. I did.

Q. You may continue.

A. I then recovered my test shots from the water recovery tank and I took them, my test shots, to a comparison microscope also located in my office, along with these particular items before me, People's 166, 177, 185 and 186.

0-3

Now, the comparison microscope is essentially two microscopes side by side. These are connected by a prism bridge.

So that by looking through my binocular ocular eyepieces I am able to see the stages of the two individual microscopes and that evidence which is on the stages of the microscopes, the bullet holders.

By observing through the oculars I am able to look at the bullet on one side, my test shot on the other side, one at a time, the bullets I received from the coroner's office, and I was able to rotate these bullets and make an evaluation at this time.

Q So the purpose of your comparison then was to determine whether those four bullets in front of you right now and the test fired bullets came from one and the same gun?

A Yes, that is correct.

Q That is the whole purpose of your comparison?

A Yes, sir.

Q As a result of your examination, your test, your comparison, did you form an opinion as to each one of those four bullets?

A I did.

Q Let's take the Frykowski bullet first. I believe that is 177.

What opinion did you form with respect to that bullet concerning that revolver, People's 40?

A I formed the opinion that although I was unable to make a positive comparison, and that I would be unable to state

0-4

that this bullet came specifically from People's 40, the revolver, however, it did have the same specifications, the same number of lands and grooves, the same direction of twist, and same width of lands and grooves.

So it was my opinion that the Frykowski bullet could have come from the revolver, but unable to state positively that, due to the lack of striae on the bullet.

Q The Frykowski bullet in front of you now, People's 177, had six lands and six grooves on it?

A It does.

Q And did you determine from the test fired bullet, that the test fired bullet also had six lands and six grooves on it?

A Yes, it did.

Q And what about the land and groove width? You say they were the same?

A Yes.

Q What is the measurement on those widths?

A The gun land was approximately 55 thousandths of an inch width and the gun groove approximately 60 thousandths of an inch width.

Q And the land and groove width on People's 177, the Frykowski bullet, is identical to the land and groove width on the test fired bullet?

A Yes, it was, approximately.

Q Now, you mentioned that People's 177 has the same twist as the test fire bullet?

A Yes, that is correct.

20-5

Q When a bullet leaves the muzzle of a firearm and proceeds towards its target, it twists, you say in a certain direction?

A Yes.

Q And the twist of all bullets coming from People's 40 is what? Left or right?

A They would be right twist.

Q In other words, the bullet as it proceeded toward the target, would turn in a clockwise direction, would spin clockwise as it proceeded toward the target?

A Yes, sir.

Q And People's 177 was fired from a gun with a right twist; is that correct?

A Yes.

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20Af.

20A

Q But you could not make a positive identification?

A That is right.

Q Because of insufficient striae?

A That is true.

Q Insufficient markings on the bullet?

A Yes, sir.

Q Would you say that everytime a bullet is fired and it passes through the barrel of a firearm, say, into a human body, that there is always striae left on the bullet?

A Not necessarily, no.

Q Why not?

A Well, many factors. It might be due to the type of bore of the weapon, the coating of the bullet. The striae may be wiped as it enters the body.

It may be wiped by any surface that it contacts prior to coming to rest, for instance, clothing and skin, bones, things of this nature.

Q And with respect to that Frykowski bullet, people's 177, did it appear that much of the striae had been removed?

A Yes. There was not much striae present on the Frykowski bullet.

Q And you then theorized that the striae could have been removed when the bullet passed through Mr. Frykowski's body?

A That is possible.

Q Those bullets are coated bullets? They are not noncoated?

A That is correct. They are coated.

20A-2

Q Do coated bullets lend themselves more readily to receiving striae than noncoated or what?

A No. The coating has a tendency to prevent striae from becoming on the surface of the bullet more than the lead.

Q So noncoated bullets lend themselves more readily to receiving striae than coated bullets?

A Yes.

Q And these four bullets are coated bullets?

A They are.

Q Were there any markings or characteristics on the Frykowski bullet which would rule out the possibility that it was fired from people's 40?

A No, not in my opinion.

Q So people's 177 could have been fired from people's 40?

A It could have, yes.

Q Let's look at the Sebring --

THE COURT: 166.

Q BY MR. BUGLIOSI: Take a look at the Sebring bullet next, people's 166.

Did you form any opinion as to whether or not that bullet was fired from people's 40, the revolver?

A I did.

Q And what is that opinion?

A It is my opinion that this bullet, people's 166, was fired from this revolver, people's 40.

Q Is that a positive conclusion on your part?

A Yes, it is.

20A-3

Q Is there any doubt in your mind whatsoever that people's 166, that bullet, was fired from people's 40, that revolver?

A No, sir.

Q You are positive about that?

A Yes.

Q What about the parent bullets? There are two of them: People's 185 abd 186.

Let's take 185 first.

Did you form any opinion with respect to that bullet slug?

A Yes. This bullet was quite distorted. I was able to form the opinion that it had six lands and groves with the right-hand twist but unable to make a positive comparison between this Parent bullet and my test shots due to its condition.

Q Insufficient striae?

A Yes.

Q And very damaged?

A Yes.

Q Were there any markingson that bullet, people's 185, any markings or any characteristics which would rule out the possibility that it was fired from people's 40?

A No.

Q As to people's 185, could it also have been fired from people's 40, the revolver?

A Yes.

Q What about people's 186, the next bullet slug?

20A-4

A People's 186, the Parent bullet, did have six lands and grooves with a right-hand twist, the same land and groove width. I was unable to positively compare this to people's 40, the gun, again due to lack of striae.

Q No characteristics on 186 that would rule out the possibility that it was fired from this revolver?

A No.

Q So it could have been?

A Yes.

THE COURT: In the days of Lee Jones and Ray Finkert we used the term striations. Any difference between striations and striae?

THE WITNESS: One is a plural, your Honor.

THE COURT: Striation is singular and striae plural?

THE WITNESS: Yes, sir.

MR. BUGLIOSI: Things are becoming more mad, your Honor.

THE COURT: I guess so.

Q BY MR. BUGLIOSI: Showing you people's 250 for identification, which is a fragment of a bullet, have you ever seen that fragment before?

A Yes, I have.

Q Where did you see it for the first time?

A I believe I first observed this fragment on April the 7th, 1970.

Q April the 7th, 1970 for the first time?

A Yes, I believe that is correct.

Q Who gave it to you at that time?

A I received that from the property section of the

Los Angeles Police Department.

Q All right.

What is people's 250? Does it appear to be a part of a bullet?

A Yes, it did to me.

Q What caliber?

A I was unable to state what caliber.

Q Too small?

A Too small, yes.

Q Did you ever try to make or try to conduct any test to determine whether people's 250, that fragment of a bullet, came from people's 40?

A No, I did not.

Q Why not?

A Too small.

Q Looking at people's 251 for identification, four fragments of a bullet, have you ever seen those four fragments before?

A Yes, I have.

Q Where did you see them for the first time?

A Inside the paneling of the right passenger door of an Ambassador vehicle license MPK --

Q Steven Parent's car?

A To the best of my knowledge, yes.

Q What date was that?

A August the 9th, 1969.

Q In the driveway of the Tate premises?

A Yes.

Q And did you book these four fragments of bullets into evidence?

A No. I believe they were booked by Officer Varney.

Q V-a-r-n-e-y?

A Yes.

Q From the Los Angeles Police Department?

A Yes.

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1R-1

Q Did you ever make an effort to conduct an examination to determine whether these four segments came from any bullet fired from People's 40, the revolver?

A No, it wasn't --

Q Why not?

A There was not sufficient material to do that.

Q Did you form any opinion whether People's 250, the one piece of fragment, and People's 251, the four pieces, came from the same bullet?

A I formed the opinion they did not.

Q Why did you form that opinion?

A The hole in the upholstery that was made by the four fragments was such a nature that I believed that the bullet that entered that was not deterred in its flight path; and if the portion 250 would have been removed from that during flight, I believe the bullet would have been upset and not entered the uphostery or the door or been damaged to the degree that it was.

Q So you believe, then, that People's 250, the one piece of fragment, came from a different bullet than the four fragments, People's 251?

A I believe so, yes.

Q Sergeant, what is a shell casing?

A A shell casing is one part of a complete cartridge. Normally, there are four parts to a cartridge, the projectile or bullet: the shell casing, the primer or primer cup and the powder load in front of the weapon; and the .22 caliber rim fires, we actually have a priming compound, but it is not a

21-2

separate part so that the priming compound is actually out into the rim of the shell casing and we do have the metallic cup, I guess you would call it, as the casing.

The cartridge casing is a metallic cup which contains the bullet, the priming compound and the powder.

Q When a revolver is fired, do the shell casings remain in the cylinder?

A Yes, they do.

Q They are not ejected onto the ground?

A No, they are not.

Q The shell casing, then, has to be manually removed from the cylinder by the person operating the firearm --

A Yes.

Q -- or some other person?

A That's correct, yes.

Q And with firearms other than revolvers, such as automatics or semi-automatics, the shell casings are ejected onto the ground; is that correct?

A Yes, semi-automatics or automatics are ejected.

Q When the round is fired?

A Yes.

Q On the date, November 19, 1969, did you proceed to Spahn Ranch in Chatsworth, California, for the purpose of recovering shell casings?

A I did.

Q Did you, in fact, recover any shell casings from the premises of Spahn Ranch?

A I did.

21-3

Q How many?

A As I recall, I recovered 22 expended shell casings at that time.

Q What caliber were they?

A .22 long rifle.

Q .22 caliber; right?

A Yes, sir, rim fire.

MR. BUGLIOSI: I have here a photograph depicting an area of brown and also contains a picture of Sgt. Lee.

May it be marked People's -- I'm sorry, it was previously marked People's 253.

May it be remarked People's 253?

THE COURT: It may be so marked.

Q BY MR. BUGLIOSI: I show you People's 253 for identification.

Do you know what is shown in that photograph, Sergeant?

A Yes, sir, I do.

Q What is shown in that photograph?

A This is an area of the Spahn Ranch, approximately 200 feet, the direction I believe to be east of the residence at that location.

Q There are several buildings at Spahn Ranch; right?

A Yes, there are.

Q Right off Santa Susana Road?

A Yes.

Q This area depicted in this photograph is behind the buildings?

A It is.

Q Is this the area from which you recovered the 22 .22 caliber shell casings?

A The general area.

Q There were 22 of them, you say?

A Yes, sir.

Q There were 22 .22 shell casings?

A Yes, sir.

Q What did you do with those shell casings?

A I took them to the Los Angeles Police Department where I made comparisons between those shell casings and test shots that I fired through People's No. 40, the revolver.

Q Okay. On the date April the 15th, 1970, did you again go out to Spahn Ranch to recover additional shell casings?

A I did, yes.

Q And did you, in fact, recover any shell casings on that date?

A I did.

Q How many?

A 23.

Q From the same place, same area?

A The same general area, yes, sir.

Q When a revolver is fired, are any marks left on the firing pin?

A Yes.

Q What type of marks are these?

A It is called the firing pin impression and may consist of actual indentations or compression marks in

21-5

21af.

conjunction with stria many times.

Q Does each firing pin leave an identifying mark on the shell casing that it strikes?

A Generally it does.

21A

Q And can you identify the firearm from which a shell casing came by examining the firing pin marks on the shell casing?

A Yes.

Q Now, you have testified earlier that you test fired that .22 caliber revolver there, people's 40; is that correct?

A Yes.

Q And I take it you manufally ejected the shell casings after you fired them; is that correct?

A That is correct.

Q Did you ever compare the firing pin marks on the test fire shell casings with the firing pin marks on the shell casings found at Spahn Ranch?

A I did.

Q Did you form any opinion as a result of your comparison?

A Yes, sir.

Q What is that opinion?

A It is my opinion that of the total cartridge casings which I recovered at the Spahn Ranch -- I believe the total to be 45 -- of that amount 15 were fired from People's No. 40, this revolver.

Q So you found 15 .22 caliber shell casings at Spahn Ranch which you have formed the positive opinion that they were fired from that revolver, people's 40?

A Yes, sir.

Q And you did that by a comparison of the firing pin

21A-2

marks on the shell casing?

A I did.

Q Those 15, then, had the same firing marks on the shell casings as the test firing shell casings had?

A Yes.

Q I show you people's 249 for identification, a manila envelope containing two live cartridges and seven shell casings.

Have you ever seen those two live cartridges and seven shell casings before?

A Yes, I have.

Q Where did you see them for the first time?

A I first observed these December the 19th -- no, excuse me, December 16, 1969, at the Los Angeles Police Department.

They were in a package, as I recall, with people's No. 40, the revolver.

Q Now, I notice that these seven shell casings here do seem to have some marks on the rim of the shell casing; is that correct?

A Yes.

Q And these are caused by the firing pin hitting the rim?

A Yes, sir.

Q Did you form any opinion as to whether or not these seven shell casings here were fired from this revolver, people's 40?

A I did.

21A-3

Q What is that opinion?

A It is my opinion that the seven shell casings were fired in people's 40, the revolver.

Q Is that a positive opinion?

A Yes, sir.

Q Any doubt in your mind about it?

A None whatsoever.

Q How did you form that opinion?

A This is, again, done by the use of the comparison microscope where I can observe the two marks in juxta-position, or next to each other; and observed them at that point.

MR. BUGLIOSI: Thank you, Sergeant.

No further questions.

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

MR. BURRICK: No questions.

THE COURT: You may be excused, Sergeant.

MR. BUGLIOSI: We will call Frank Struthers.

THE CLERK: Raise your right hand, please.

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

THE WITNESS: I do.

FRANK STRUTHERS,

called as a witness on behalf of the people, testified as follows:

THE CLERK: Thank you.

21A-4

Take the stand and be seated; and would you state and spell your name, please?

THE WITNESS: Frank Struthers, S-t-r-u-t-h-e-r-s.

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q How old are you, Frank?

A 17.

Q Was Rosemary La Bianca your mother?

A Yes.

Q Did your mother have a business?

A Yes.

Q What type of business?

A Dress shop.

Q Where was that located?

A On Figueroa.

Q In Los Angeles?

A In Los Angeles.

Q And Leno La Bianca was your step-father?

A Yes.

Q Was Mr. La Bianca the president and chief stockholder of Gateway Markets in Los Angeles?

A Yes.

MR. BUGLIOSI: Your Honor, I have here a photograph of a female Caucasian.

May it be marked people's next in order?

THE COURT: It has no previous marking?

MR. BUGLIOSI: No, your Honor.

21A-5

THE COURT: 303.

MR. BUGLIOSI: I have here a photograph of a male Caucasian.

May it be marked people's next in order, 304?

THE COURT: 304.

Q BY MR. BUGLIOSI: Frank, I show you people's 303; is that a photograph of your mother?

A Yes.

Q And people's 304, is that a photograph of your step-father, Lane?

A Yes.

Q Did you live with your mother, Frank, with your mother and step-father at 3301 Waverly Drive in Los Angeles?

A Yes.

Q Did anyone else live with you there?

A No.

Q How long had you and your mother and Lane lived at that address?

A About a year.

Q Do you have a sister?

A Yes.

Q What is her name?

A Susan Ray.

Q Susan -- what's the last name?

A Ray.

Q Ray?

Is she married now?

A No.

Q Was her name ever Susan Struthers?

A Susan Struthers.

Q She did not live with you and your mother and Leno?

A No.

Q Directing your attention, Frank, to the first week of August, 1969, did you go to Lake Isabella?

A Yes.

Q And do you know what day you went up there?

A A Friday or Saturday, I believe.

Q The first week of August?

A Yes.

Q The 7th or 8th?

A Yeah.

Q And whom did you go there with?

A With some friends of my parents and their son, the Saffies.

Q After you arrived at Lake Isabella did Rosemary and Leno come up there later?

A They came up and brought their boat up; and they came up the next week and took the boat back, on a Friday.

21B-1

Q Now, let's go back just a couple steps here, now -- excuse me.

-- do you know what day in August that you went to Lake Isabella?

A Friday; Friday or Saturday.

Q Do you know what date?

A No, I don't.

Q But you say a week after you arrived there Rosemary and Leno came up?

A Almost a week; about five days.

Q So you didn't go up there, then, on August the 8th to Lake Isabella?

A Yes.

Q You are aware that your mother and Leno passed away on August the 10th, 1969; you are aware of that?

A Yes.

Q So it was a week earlier, then, that you went up to Lake Isabella?

A Uh-huh.

Q 1st or 2nd or 3rd of August; is that correct?

A Yeah, I guess. I can't remember the dates, I'm sorry.

Q Then how long after you were at Lake Isabella, how many days later did Leno and Rosemary come up to Lake Isabella?

A About five days.

Q Okay. Did they come up there on a Saturday?

A Yes.

Q And how long did they stay up there?

218-2

A. A day.

Q. And then they came back to Los Angeles?

A. Mm-hmm.

Q. Did you go back with them?

A. No.

Q. Did anyone go back with them?

A. My sister.

Q. Susan?

A. Yes.

Q. Did they return to Los Angeles on Saturday, August the 9th?

A. Yes.

Q. And when did you leave Lake Isabella?

A. The next day.

Q. So you left Lake Isabella August 10, then, 1969?

A. Yes.

Q. A Sunday?

A. Yes.

Q. And with whom did you return to Los Angeles?

A. With the people I went up there with, the Saffies.

Q. Saffies, S-a-f-f-e?

A. i-e-s.

Q. S-a-f-f-i-e-s?

A. Yes.

Q. And when did you arrive here in Los Angeles?

A. Sunday night about 8:00 p.m.

THE COURT: A.M.?

THE WITNESS: P.M.

1B-3

Q BY MR. BUGLIOSI: So you arrived here in Los Angeles on Sunday, August the 10th, 1969, at about 8:00 p.m.; is that correct?

A Yes.

Q And what did you do after -- well, let me withdraw that.

Did the Saffies drop you off at your residence, 3301 Waverly Drive?

A Yes.

Q What did you do after you arrived at the residence?

A I had my baggage with me, came up the driveway, put part of the baggage away in the garage; and all the doors were locked and I couldn't get in the house, so I came back down the driveway and called the house; nobody was home. I called the house --

Q Where did you call the house from?

A From a phone booth nearby.

Q Nobody answered, of course?

A And then called my sister to come over and pick me up, and we went back to the house.

Q What time did you go back to the house?

A It was around 9:00 o'clock to 9:30.

Q At night?

A Uh-huh.

Q Was your sister accompanied by a person named Joe Dorgan?

A Yes.

Q What happened after you and your sister, Susan,

21B-4

1 and Joe Dorgan returned to the house at around 9:30 p.m.?

2 A. We went inside.

3 Q. How did you get in?

4 A. With the key.

5 Q. Where did you get the key?

6 A. From the car.

7 Q. Whose car?

8 A. My mother's car that was in the driveway.

9 Q. A Thunderbird?

10 A. Yes.

11 Q. And you went in through the back door?

12 A. Yes.

13 Q. What happened after you entered the back door of

14 the residence?

15 A. We came in through the back door, leads to the

16 kitchen -- and on to the dining room; and Susan stayed out of

17 the house, more or less, she was in the kitchen, stayed in the

18 kitchen; and Mr. Dorgan and I went into the living room where

19 we found Leno La Bianca in the living room.

20 Q. Was he lying on his back?

21 A. Yes.

22 Q. And he appeared to be dead?

23 A. Yes.

24 Q. And you and Mr. Dorgan then did what?

25 A. Left the house, and some neighbors called the

26 police.

27 Q. You had several dogs, did you not, that lived on

28 the premises there?

21B-5

A. Two.

Q. What type of dogs were they?

A. A Labrador retriever and a poodle.

Q. Where were those dogs when you and Dorgan arrived on the premises?

A. Inside the house.

Q. Inside the house?

A. Mm-hmm.

Q. When you entered the residence, were the lights on or off?

A. Off most everywhere with the exception of one room or two rooms.

Q. What about the shades on the windows?

A. They were drawn.

Q. They were drawn?

A. (Nods head.)

Q. You have to answer out loud.

Q. They were drawn.

Q. Were they normally drawn?

A. No.

Q. How long after you called the police did the police arrive?

A. A couple of minutes.

Q. And did you then reenter the house with them or did you stay outside?

A. I stayed outside; Mr. Dorgan reentered the house with them.

Q. When is the next time, Frank, that you entered the

residence?

A. About a week later.

#22

Q Did you discover anything missing?

A Mrs. La Bianca's wallet.

Q Pardon?

A Mrs. La Bianca's wallet.

Q Your mother's wallet?

A Yes.

Q That was missing?

A Right.

Q That is the only thing that you discovered missing; is that correct?

A I think so.

Q How about your mother's watch? Was that missing too?

A I think that was missing also.

MR. BUGLIOSI: May I have just a moment, your Honor?

THE COURT: Yes.

Q BY MR. BUGLIOSI: Frank, I show you people's 65 for identification. Have you ever seen that wallet before?

A Yes.

Q Whose wallet is that, Frank?

A My mother's wallet.

Q Rosemary's?

A Yes.

Q Removing a photograph, Frank, from inside the wallet, you recognize what that is a photograph of?

A Yes.

Q What is that?

A Of my graduation.

22-2

Q Where did you graduate from?

A Junior High School.

Q And your mother was at the graduation?

A Yes.

MR. BUGLIOSI: No further questions, your Honor. Thank you Frank.

THE COURT: Just a moment. Any questions?

MR. BUGLIOSI: They might have a question.

CROSS-EXAMINATION

BY MR. BURRICK:

XXXXX

Q Frank, when did you first realize that your mother's wallet was missing?

A The next week when I went through the house.

Q Were you just taken back to the house with the officers and told to go through and see if there was anything you could determine was missing?

A Yes.

Q And when had you last seen the wallet?

A Up at Lake Isabella.

Q Is that one that your mother always carried?

A Yes.

Q Were you looking particularly for the wallet when you discovered it wasn't in the house?

A Well, it was in her purse all the time.

Q Just part of a big purse; is that right?

A Yes.

Q Were there other items of value in the house that

22-3

were there?

A Yes.

Q Mr. La Bianca had a coin collection; is that correct?

A Yes.

Q Was that in the house?

A No.

Q Was that gone?

A Yes. Nobody knew where that was until a little while later found out it was in a safe deposit box.

Q I see. Was there other jewelry around the house?

A Yes.

Q And that was untouched, I take it?

A Yes.

Q And the only thing you discovered missing was the wallet; is that correct?

A Uh-huh.

MR. BUSRICK: I have nothing further.

MR. BUGLIOSI: No further questions.

THE COURT: Thank you. You may be excused.

MR. BUGLIOSI: Thank you very much.

People call Ruth Sivick.

THE CLERK: Raise your right hand, please.

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

THE WITNESS: I do.

22-A

RUTH SIVICK,

called as a witness by the people, testified as follows:

THE CLERK: Thank you.

Take the stand and be seated.

Will you state and spell your name, please.

THE WITNESS: Ruth Sivick, S-i-v-i-c-k.

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q Mrs. -- is it Mrs. or Miss?

A Mrs.

Q Mrs. Sivick, what is your occupation, ma'am?

A I manage a dress shop.

Q What is the name of the dress shop?

A Sporty Knit.

Q Directing your attention to August of 1969, did you know a woman by the name of Rosemary La Bianca?

A Yes, I did.

Q Would you briefly explain your acquaintanceship with her?

A She was my dearest friend and business partner.

Q She was a partner with you in the business?

A Yes.

Q That you now own or --

A No, previously.

Q What was the name of that one?

A Boutique Carriage.

Q On Figueroa?

22-5

A That is correct.

Q And you of course knew her husband Leno La Bianca?

A Yes.

Q When was the last time that you saw Mrs. La Bianca alive?

A Friday, August the 8th.

Q 1969?

A Right.

Q About what time of day?

A About 4:30.

Q In the afternoon?

A Yes.

Q Where were you and she at that time?

A Well, we had just come back from a buying trip from town.

Q And were you at your business or at her house?

A No, at the place of business.

Q Now, after 4:30 p.m. on August the 8th, 1969 did you ever speak to her, let's say, over the telephone?

A Saturday morning, August the 9th.

Q Did she call you or did you call her?

A No, she called me.

Q And what was the conversation at that time?

A Well, she had told me she was going up to Lake Isabella and wouldn't be back until 3:00 or 4:00 o'clock the next morning and if I would feed her animals while she was gone.

Q Her two dogs?

A Three dogs.

1 Q And did you in fact go to Mr. and Mrs. La Bianca's
2 residence to take care of the dogs?
3 A Yes, I did.
4 Q And when did you go there?
5 A I guess I arrived between 6:00 and 6:15.
6 Q P.M.?
7 A Yes.
8 Q On what date?
9 A August the 9th.
10 Q The same day you spoke to her?
11 A Yes.
12 Q Incidentally, you never spoke to her after that?
13 A No, I did not.
14 Q And had you been to that residence on many prior
15 occasions?
16 A Yes.
17 Q At 3301 Waverly Drive?
18 A Yes.
19 Q And how did you enter the home on this particular
20 Saturday, August the 9th, 1961 at about 6:00 p.m. or there-
21 abouts?
22 A Well, I parked my car on the street and walked up
23 the driveway, took the key from underneath the mat and walked
24 in the front door.
25 Q You opened the front door with a key?
26 A Yes.
27 Q And what did you do after you entered?
28 A Greeted the dogs and went to the refrigerator, took

22-7

1 the food and fed the animals and then left the Labrador
2 retriever out in the back yard for a little romp.
3 Q Did the retriever come back into the house before
4 you left?
5 A Oh, yes.
6 Q How long did you stay inside the residence?
7 A I would say about 30 minutes.
8 Q Now, you say you got some food out of the refrigerator.
9 A That is right.
10 Q I show you people's 206 for identification.
11 Directing your attention to the refrigerator
12 depicted therein, is this the refrigerator in the La Bianca
13 residence, in the kitchen?
14 A Yes, it is.
15 Q You notice that the words "Helter skelter" are
16 printed on that refrigerator door. Were those words on the
17 door when you were inside the residence at 5:00 p.m. on
18 August the 9th?
19 A No.
20 Q When you got the food out of the refrigerator did
21 you grasp the handle of the refrigerator door?
22 A Oh, yes.
23 Q I take it that would be the only way for you to
24 open it; is that correct?
25 A I believe so.
26 Q Did you enter the living room of the residence?
27 A No, I don't think so. I think I went just to the
28 family room.

Q How long did you stay inside the residence?

A About 30 minutes.

Q When you left did everything appear to be in order inside the residence?

A Yes.

Q Were all the doors locked when you left?

A Yes.

Q Were the windows open or closed?

A I didn't check the windows.

Q Did you notice whether they were open or closed?

A No, I didn't.

MR. BUGLIOSI: Thank you. No further questions.

THE COURT: Just a moment.

MR. BURRICK: No questions.

THE COURT: Thank you. You may be excused.

MR. BUGLIOSI: No further questions, your Honor.

Is there any objection to receiving pictures 303 and 304 into evidence at this time to show to the jury?

THE COURT: Any objection?

MR. KEITH: No.

THE COURT: They may be received.

MR. BUGLIOSI: I will pass them among the jury.

The people call as their next witness Mr. John Vakiamos.

THE CLERK: Raise your right hand, please.

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

JOHN FOKIANOS,

called as a witness by the people, testified as follows:

THE CLERK: Thank you.

Take the stand and be seated.

Would you state and spell your name, please.

THE WITNESS: John Fokianos, F-o-k-i-a-n-o-s.

DIRECT EXAMINATION

BY MR. KAY:

Q What is your occupation?

A News vendor?

Q Whereabouts is your stand located?

A Corner of Hillhurst and Franklin in the Los Feliz area.

Q How long have you had a news stand there?

A Since 1945, going on 26 years.

Q Did you know Leno and Rosemary La Bianca when they were alive?

A Yes, as customers.

Q How long had they been customers of yours?

A Oh, I would say at least two years and probably longer. I don't know exactly but at least that long.

Q Directing your attention to the early morning hours of Sunday, August the 10th, in between 1:00 and 2:00 o'clock in the morning.

Did you have occasion to see Mr. and Mrs. La Bianca?

A Yes, I did. I would say it was probably closer

to 2:00.

Q Where were they when you saw them?

A They were traveling in their car.

Q Were you at your news stand?

A Yes.

Q And did they stop and buy a paper from you?

A Yes, they did.

Q And did you have any conversation with them?

A Yes, we did.

Q Without telling us the exact conversation, what was the general subject matter of the conversation?

A It was about the Tate mishap.

Q The Tate murders?

A Yes.

Q Now, what kind of car were they in?

A I forget their car now. They had a boat attached to it.

Q They had a boat on a trailer attached to the car?

A Yes, right.

Q Do you recall whether or not the car was a Thunderbird?

A Well, they have a Thunderbird and they have another car too but I don't remember exactly what the car was now. This is about two years ago.

Q But you do remember that they were towing a boat at the time?

A Yes. And it was about, like I say, about 2:00 o'clock in the morning. I did remember but right now I forget

it.

Q Did you sell them any newspaper?

A Yes, I did.

Q What did you sell them?

A I sold them a daily Hearld and I believe it was a Sunday Examiner. I gave them an insert from the Times because that had the Tate incident in it whereas the other didn't have it yet.

Q Did they ask for that or did you give it to them?

A Well, like I say we were talking about two or three minutes there in the morning and they had just come back from their trip over there at Lake Isabella and I just told them about it and this was something that was really new to them. They hadn't heard about it before.

She was in extreme shock when she heard about it, you know. She just couldn't hardly believe it but he, of course, controlled himself a little bit better. It was something that was new to her and she took it quite badly. She was shaken up over it.

Q Did they appear, other than talking about the Tate murders, did they appear to be in general good spirits at the time you saw them?

A I would say so. They were a little bit tired because they had just come from a trip but I would say so.

MR. KAY: I have no further questions.

MR. BUBRICK: No questions.

THE COURT: Thank you, sir, you may be excused.

23R-1

MR. KAY: People call Officer Rodriguez.

THE CLERK: Raise your right hand, please.

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

THE WITNESS: I do.

WILLIAM RODRIGUEZ,

called as a witness by the people, testified as follows:

THE CLERK: Thank you. Take the stand and be seated.

Will you state and spell your name, please?

THE WITNESS: William Rodriguez, R-o-d-r-g-u-e-z.

THE CLERK: Thank you.

DIRECT EXAMINATION

BY MR. KAY:

Q Officer Rodriguez, what is your current occupation and assignment?

A I'm a police officer for the City of Los Angeles, presently assigned to Southwest Division Patrol.

Q Where is that located, Southwest?

A Southwest section of Los Angeles.

Q Now, directing your attention to August of 1969, where were you assigned at that time?

A I was assigned to Hollywood Division Patrol.

Q How long had you been a police officer at that time?

23-2

A. Approximately 14 months.

Q. Now, on Sunday night, August the 10th, 1969, did you have occasion to go to 3301 Waverly Drive in the City of Los Angeles?

A. Yes, sir.

Q. Why did you go there?

A. I received a radio call to that location.

Q. Were you on patrol at that time?

A. Yes, sir.

Q. Now, approximately what time did you arrive at 3301 Waverly?

A. Approximately 10:35 p.m.

Q. Now, without telling -- well, did you see any people outside?

A. Yes, there was a group of approximately three people outside.

Q. Was one of them Mr. Struthers?

A. Yes, sir.

Q. All right. Now, without telling us what was said, did you have a conversation with these three people?

A. Yes, sir.

Q. And did you then approach the house?

A. Yes. Yes, sir, I did.

Q. Now, you'll see to your right there appears to be a diagram, which is 201 -- I believe it has already been marked, your Honor -- does this appear to you to be a diagram of the La Bianca residence at 3301 Waverly?

A. Yes, it does.

22-3

Q Now, when you first went up to --

THE COURT: 201 has not yet been marked.

MR. KAY: Excuse me; I believe Officer Granado testified from it, your Honor, but I will ask that it be remarked 201.

Olid.

Q Now, Officer Rodriquez, when you approached the residence did you enter?

A Yes, I did.

Q Where did you enter?

A I entered through the front door, which was right here.

MR. KAY: Now, your Honor, I have a photograph marked Exhibit 91.

May this be remarked Exhibit 91?

91 id.

THE COURT: It may be so remarked.

MR. KAY: You could resume the stand for a moment.

Q Officer Rodriquez, I show you Exhibit 91; do you recognize what is depicted in that photograph?

A Yes, I do.

Q What is depicted in that photograph?

A That was the crime scene at my arrival at 3301 Waverly Drive.

Q In other words, it shows two red sofas and a picture of a male in blue pajamas?

A Yes, sir.

Q Is this an accurate representation of the scene that you saw when you -- after you entered the front door of the residence at 3301 Waverly?

3-4

A. Yes, sir.

Q. Now, did you approach the body of the male in the blue pajamas?

A. Yes, I did.

Q. Did you notice anything protruding from his stomach?

A. I observed a large fork; it appeared to be a barbecue fork or large carving fork of some kind.

Q. Whereabouts was that in his stomach?

A. It was in the mid-section of the body.

Q. Did you see anything apparently written on his stomach?

A. I observed the middle portion of his body to be carved up. At that time, I didn't recognize the writing.

Q. Now, you notice that there appears in this photograph to be a white pillow on the male's head about the area of his head; did you notice that?

A. Yes, sir.

Q. And what ype of pillow is that?

A. It was a type of pillow you'd put on your couch.

Q. A sofa pillow, throw pillow?

A. Yes.

Q. Now, when you first went up to the front door did you notice whether there appeared to be any damage to it?

A. There didn't appear to be any damage to the front door.

Q. And was your partner with you just before you entered the house -- did you have a partner with you?

13-5

A. Yes, sir.

Q. What was his name?

A. Officer Tony.

Q. And when you went into the house, where did Officer Tony go?

A. Officer Tony was at the back door, or at the rear of the house.

Q. Now, when you entered the house, were there any lights on in the house?

A. Yes, sir.

Q. Do you remember where the lights were on?

A. I don't recall which lights were on, but the lights were on inside the house.

Q. If you could step down from the stand a minute, Officer Rodriguez, when you entered the front door -- you will notice that there are two sofas drawn here in the living room -- where in relation to these sofas on Exhibit 201 was the body of the male in the blue pajamas?

A. The body was laying right up against the sofa.

Q. In other words, on 201 there are two sofas, one seems to be drafted and one that somebody has drawn in in ink, and there is a spot there and it says on the drawing "Spot."

Is that where you saw the body of the male?

A. Yes, sir.

THE COURT: Excuse me; will you straighten something out for me, please?

We have one diagram identified by Mr. Granado as Exhibit 242 as the diagram of the La Bianca residence.

23-6

Is this the same as 201 that you have here?

MR. BUGLIOSI: No, the one you have just named --

THE COURT: 242.

MR. BUGLIOSI: -- that's the one with the bloodspots on the premises and Mr. Granado pointed out where the various blood-spots were found and the type.

THE COURT: This one does not have it?

MR. KAY: That is right; I am sorry, your Honor.

THE COURT: All right.

Q BY MR. KAY: Now, the body of the male in the blue pajamas, was the male flat on his back?

A Yes, sir.

Q Now, when you first entered the living room, besides observing the body of the male in the blue pajamas, what else did you observe?

A I observed blood on the wall, what appeared to be written in blood, "Death to Pigs."

I observed the picture was taken off where this was written and I observed a dog running around the house, the inside of the house.

Q How many dogs do you remember seeing in the living room area?

A I remember one dog; and later another dog appeared from one of the rooms.

24f.

24R-1

Q Now, after you saw the male in the blue pajamas on the living room floor, what, if anything, did you do?

A I went back to the radio car and requested an ambulance, a supervisor, and a back-up unit.

Q How long did it take for the back-up unit and the supervisor to get there?

A Approximately five minutes, three to five minutes.

Q From your training, Officer, did you know enough not to touch anything at the scene?

A Yes, sir.

Q Did you ever go into any other room besides the living room?

A No, sir.

Q Now, was the supervisor that arrived Sgt. Cline?

A Yes, sir.

Q And did he take over the investigation, once he arrived?

A Yes, sir.

Q Did you check to see whether there were ny doors in the house that were open?

A I didn't check the entire house, but I observed the door on the east side of the house open. I believe that was leading into the living room.

MR. KAY: Your Honor, I have a photograph marked 209 here, Exhibit 209. May it be remarked Exhibit 209?

THE COURT: It may be so marked.

Q BY MR. KAY: Thank you.

209id. Officer Rodriguez, I show you Exhibit 209. Do you

24-2

recognize what is depicted in the Photograph 209?

A. Yes. This is the door on the east side of the house that I observed to be open.

Q. And was it wide open or just ajar?

A. It was ajar.

Q. Approximately how long did you remain at the La Bianca residence?

A. Approximately three hours.

Q. Did you move or touch anything inside the residence?

A. No, sir.

MR. KAY: I have no further questions.

CROSS-EXAMINATION

BY MR. KEITH:

Q. Officer, did you ever discover the body of Mrs. La Bianca?

A. I didn't.

Q. Who did, if you know?

A. Sgt. Cline.

Q. How long was that after Sgt. Cline arrived that he found Mrs. La Bianca?

A. Approximately a minute after he arrived.

Q. You didn't look around the house, I take it, when you first were there to see if anybody else may have been hurt of injured?

A. No, sir.

Q. How many doors did you locate about the La Bianca premises?

4-3

A. I didn't go around checking the doors.

Q. Didn't you check the one that you found open?

A. I could see it from the front door, looking into the living room and into the dining room. I observed the door open.

Q. Where is the dining room on that diagram?

A. This is the front door I entered and I observed the door right over here. It says "Den."

Q. It says "Den"?

A. Yes.

Q. It is a door leading from the den then and not the dining room?

A. From the porch into the den. I was able to observe it from the front door and from the living room without going into that room.

Q. Had anybody gone out of that door while you were there?

A. No, sir.

Q. Where is Waverly Drive on that diagram, Officer? Is that on the far right-hand corner?

A. Yes, far right-hand corner.

Q. Is that the driveway leading off from Waverly Drive?

A. Yes. This would be the driveway right here.

Q. Where is north on that map?

A. I believe north would be up here. This would be east.

Q. Did you make what you might call an intensive

4-4

search of the house while you were on the premises?

A. No, I didn't.

Q. You just protected the premises? Was that your main function?

A. Yes, sir.

Q. And what have you?

A. Yes.

Q. When you first arrived at the house did the young Struthers boy say anything to you about his mother?

A. He was pretty upset and pretty hysterical.

Q. I understand but did he say anything about his mother?

A. I don't believe he did.

Q. One further thing: I couldn't quite understand your testimony about, it sounded as if you found a picture off the wall, and underneath the picture was some writing in blood. I didn't quite catch that.

A. As I entered the house, I observed where a picture had been taken off the wall.

I observed the picture lying on the floor. This was on the north wall of the living room as you enter the doorway and where the picture had been, written in what appeared to be blood was "Death to Pigs."

Q. Did you have any conversation with the Struthers boy about how he got in the house?

A. I believe I did.

Q. What did he tell you?

A. I believe he entered through the rear door, the

24-5

1 kitchen door.

2 Q By the use of a key?

3 A I don't recall.

4 Q Did he tell you whether or not he circled the

5 house to ascertain whether any doors may have been left open,

6 such as that door on the east side of the house that you found

7 open?

8 A I don't recall.

9 Q Did you find a place on the wall where that picture

10 that you saw lying on the floor may have been hung?

11 A Yes. Had it been hung, it would have covered that

12 "Death to Pigs."

13 MR. KEITH: I have nothing further.

14 MR. KAY: Nothing further, your Honor.

15 THE COURT: Thank you, sir. You may be excused.

16 We will have our afternoon recess at this time.

17 Ladies and gentlemen, once more, please heed the

18 usual admonition.

19 (Afternoon recess.)

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THE COURT: People against Watson.

Let the record show all jurors, counsel and defendant present.

MR. KAY: People call as their next witness, Sgt. Edward L. Cline.

THE CLERK: Raise your right hand, please.

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

THE WITNESS: I do.

EDWARD L. CLINE,

called as a witness by the people, testified as follows:

THE CLERK: Thank you?

Take the stand and be seated.

Would you state and spell your name, please.

THE WITNESS: Edward L. Cline, C-l-i-n-e.

DIRECT EXAMINATION

BY MR. KAY:

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

A Police officer for the city of Los Angeles, attached to burgerly-auto theft division.

Q How long have you been a police officer for the city of Los Angeles?

A 17 years.

25-2

Q And were you assigned to the homicide division for any period of that time?

A Approximately six years, yes.

Q Now, directing your attention to August 10, 1969, where were you assigned?

A To Hollywood Division patrol.

Q Now, further directing your attention to about 10:45 p.m., did you have occasion to go to the address of 3301 Waverly in the city of Los Angeles on August the 10th, 1969?

A Yes, I did.

Q And so you arrived there about 10:45?

A That's correct.

Q Did you see people out in front of the house when you arrived?

A Yes, I did.

Q Did you enter the residence?

A I did.

Q I show you exhibit 91, which has been remarked, Sgt. Cline.

Do you recognize what is depicted in that photograph?

A Yes, i do.

Q And what is depicted?

A That of a male body, two couches, a table or coffee table, a fork protruding from the abdominal area of the male victim; and pieces of furniture.

Q Now, is that an accurate photograph of the scene at

25-3

3301 Waverly as you saw it when you entered the residence on August the 10th, 1969?

A Yes, sir, it is.

Q Did you have occasion after you entered the residence -- and I take it this is the living room area; is that correct?

A That's correct.

Q Did you have an occasion to go to the main bedroom area?

A Yes, I did.

26

#26

Q What, if anything, did you find when you went to the main bedroom area?

A I found the body of a female laying face down on the floor.

Q First before I show you a photograph, if you can leave the stand a minute and show the jurors on exhibit 201 exactly where the bedroom is where you found the body of the female.

A It was in this area here.

THE COURT: Now is that room marked on that diagram?

MR. KAY: That is marked "Bedroom" and it has the word "Spots" on it and it has two apparent spots. It is in the lower left-hand corner of the house portion of the exhibit.

THE COURT: The southwest corner of the building, is that correct, officer, the southwest room?

THE WITNESS: It would be the southwest room, yes, that is right.

MR. KAY: Your Honor, I have a photograph here. It is exhibit 93.

May it be remarked exhibit 93 for the purpose of this trial?

THE COURT: It may be so marked.

93 id.

Q BY MR. KAY: Sergeant, I show you exhibit 93.

Do you recognize what is depicted in that photograph?

A Yes, I do.

Q What is depicted?

A That of a female body with clothing pulled over

26-2

the head, some puncture wounds in the area of the buttocks and, of course, the rug and a small settee, whatever they call it.

Q What is the woman wearing in that photograph?

A It appeared to me to be a negligee type nightgown.

Q And also does it appear that she has a robe on besides the nightgown?

A I don't know if that was a robe or not. I did not move it. It was in that position when I saw it.

MR. KAY: Your Honor, I have here two other photographs, one is numbered 212. May that be remarked 212 for the purpose of this trial?

THE COURT: Yes. It may be so marked.

MR. KAY: And 213.

May this photograph be remarked 213 for the purpose of this trial?

THE COURT: It may be so marked.

Q BY MR. KAY: Now, first, I show you what you have in your hand now, exhibit 212.

Do you recognize what is depicted in that photograph?

A Yes, I do.

Q And is that showing a photograph of the same body that is in exhibit 93?

A Yes, it is.

Q That is just a different view of it?

A Just the lower extremity, yes.

Q And showing you another portion of the room that is not depicted in exhibit 93?

A That is correct.

Q And does that appear to you to be an accurate photograph of the scene as you saw it?

A Yes, it is.

Q I show you exhibit 213.

Do you recognize what is depicted in that photograph?

A Yes, I do.

Q And does that photograph show the body of the female that is depicted in exhibit 93 and exhibit 212, but a view of the front portion of the body and of the portion of the bedroom that is in front of the front portion of the body?

A Yes, that is correct.

Q And does that appear to be an accurate photograph of the way the scene looked to you when you discovered the body on August 10, 1969?

A Yes, it is.

THE COURT: May I see those three, officer, please?

Thank you.

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27R-1

Q BY MR. KAY: Now, after you found the body of the female that is depicted in Exhibit 93 and 212 and 213, what, if anything, did you do?

A I then went out and called the ambulance drivers back to the scene, as they were leaving.

Q Had they already pronounced the male dead?

A Yes, they had.

Q And then did they come and examine the female?

A They did.

Q And did they pronounce her dead?

A Yes.

Q Did you make sure that nobody touched the bodies of the male and the female until the homicide unit arrived?

A Yes.

Q Now, Sergeant, going through the house did you notice any unusual writings to be on the walls of the house?

A Yes, I did.

Q First, in the living room area did you notice any unusual writings?

A Yes.

Q What did you notice?

A On the -- it would be the north wall as you enter the front door there was "Death to Pigs" written on the wall.

MR. KAY: Your Honor, I have Exhibit 204 here; I'm not sure whether or not it has been remarked.

THE CLERK: No, it hasn't.

MR. KAY: May it be remarked for the purpose of this trial,

27-2

204
@)# ID

THE COURT: It may be so marked.

Q BY MR. KAY: Sergeant, I show you Exhibit 204. Do you recognize what is depicted in that photograph?

A Yes, I do.

Q What is depicted?

A The writing, "Death to Pigs"; several pictures hung on the wall.

Q Did you determine what that appeared to be written in; that is, "Death to Pigs"?

A It appeared to be blood, to me, at the time.

Q Now, you see that there is a picture -- well, there are several pictures on the wall below the writing "Pigs" and there also appears to be a picture leaning against the wall, that is not hung on the wall.

Did you notice that to be in the position it is in that photograph?

A Yes, I did.

Q And approximately how wide an area did this writing, "Death to Pigs" cover?

A If I recall correctly, four and a half to five feet, possibly.

Q So the letters were pretty big?

A Yes, they were.

Q Now, approximately how high off the floor was "Death to Pigs" written?

A Six and a half to seven feet, possibly.

Q So, in other words -- how tall are you?

A I'm six feet.

17-3

Q So if you were to have done that writing, would you have to reach up with your arm to do it?

A Yes.

Q Now, what other writings did you observe besides "Death to Pigs" in the living room?

A On the next to the entry, the door, the front door, I believe, on the left-hand side near the upper jam, was the word "Rise."

Q Did that also appear to be written in blood?

A Yes, it did.

MR. KAY: Your Honor, I have here Exhibit 205. May it be remarked 205 for the purpose of this trial?

THE COURT: It may be so marked.

Q BY MR. KAY: Sergeant Cline, I show you Exhibit 205. Do you recognize what is depicted in that photograph?

A Yes, I do.

Q And does it show the word "Rise" written on the upper left -- well, the portion just to the left of the front door?

A Yes, that's correct.

Q Now, approximately how high off the ground was that word written?

A It is approximately the same, six and a half to seven -- may not seven feet, six and a half feet, I would say -- maybe seven feet, yes.

Q And this was right to the left of the front door?

A To the left of the jam, yes.

Q Now, did you go to any other portions of the

27-4

house?

A. Yes, I went to the dining area and the kitchen.

Q. Now, once you were in the kitchen did you notice any unusual writings?

A. I noticed some writing on the door of the icebox.

Q. What did you observe to be written on the door of the icebox?

A. "Helter-Skelter."

Q. And did this also appear to be written in blood?

A. Yes, it did.

MR. KAY: Your Honor, I have here Exhibit 206.

May it be remarked Exhibit 206 for the purposes of his trial?

THE COURT: That has already been marked.

MR. KAY: Has it? Thank you.

Q. Sergeant Cline, I show you Exhibit 206. Do you recognize what is depicted in that photograph?

A. Yes, I do.

Q. Does that show "Helter-Skelter" on the refrigerator door?

A. Yes.

Q. Is that an accurate photograph?

A. Yes.

Q. In other words, "Helter-Skelter," "Rise," and "Death to Pigs," the three photographs all appear to you to be accurate photographs of how the scene looked when you saw it on the night of August the 10th?

A. That's correct.

27-5

Q Where was the writing, "Death to Pigs," and "Rise" in relation to the bodies of Leno and Rosemary La Bianca, if you could step to the Exhibit 201 and point out for the jury exactly where they were?

A The wall is in the area here -- this is where the "Death to Pigs" was written on this wall.

Q Now, let's see if we can describe that; That would be --

THE COURT: The north wall of the living room.

Q BY MR. KAY: -- of the living room?

A And the body of Mr. La Bianca, was in this area here.

Q Where it says "Spot"?

A Right.

Q Between the two sofas?

A Right; and from this area the body of Mrs. La Bianca was in this location here, in relation to that "Death to Pigs."

Q Now, what about "Rise"?

A "Rise" was right over this door here; and, of course, the same relation: the male body was here and the female body was here.

THE COURT: Is that the southeast room of that building?

THE WITNESS: Southwest, your Honor.

THE COURT: Not where you found "Rise"?

THE WITNESS: No, that's correct, yes.

THE COURT: Southeast?

THE WITNESS: Southeast; it would be here, the body; the male body here and the female body here.

#28

Q BY MR. KAY: I notice in the living room here it says "Front door" and then just to the right of that there is a "R"; is that correct?

A Yes.

Q That is about the general location where you found the word "Rise"?

A That is correct.

Q Now, you see on the diagram that there is a kitchen here. Where was the refrigerator located?

A At the very -- at this right here, at this location here.

Q It is marked "R-e-f-r-i-g."

A Yes.

Q And that refers to the refrigerator that you found the word "Helter skelter" to be written on?

A That is correct.

THE COURT: You have been referring to exhibit 201.

MR. KAY: That is correct, your Honor. Thank you.

Q Sergeant, did you preserve the scene until the fingerprint man and the photographic unit arrived?

A Yes, I did.

Q Did you tell everyone else to get out of the house besides yourself?

A There was no one in the house but myself.

I entered the house and had my uniformed personnel seal the area and I was the only one that entered at that time.

Q Now, did you notice anything to be wrong with any of the windows in the house?

28-2

A Only one window and that was in the living room.

Q What type of a window was that?

A Those were louvre-type windows.

Q What did you notice to be wrong with the louvred window in the living room?

A One louvre had been taken out and stood on end and leaned against the wall.

Q Approximately how large was this louvred window?

A Oh, four, four and a half inches wide, about two and a half feet long, maybe two feet.

Q In other words then just by removing that louvred window a person couldn't get into the house that way, could they?

A No. The screen was still intact on the outside.

Q Was the screen damaged in any way?

A No, it was not.

Q Approximately how long were you at the scene?

A Two and a half hours, approximately.

Q And did detective Sgt. Galindo arrive while you were there?

A Yes.

Q And did you remove any item of evidence at all from the scene?

A None.

MR. KAY: Your Honor, do you have the other photographs there?

THE COURT: Yes.

MR. KAY: Thank you.

28-3

Counsel, may it be stipulated that the female depicted in exhibit 93, 212, and 213 is Rosemary La Bianca?

MR. KEITH: Yes.

MR. KAY: And may it be stipulated that the male depicted in exhibit 91 is Leno La Bianca?

MR. KEITH: So stipulated.

MR. BERRICK: Yes.

MR. KAY: Thank you.

Nothing further.

CROSS-EXAMINATION

BY MR. KEITH:

XXXXXX

Q Did the inscriptions on the walls appear to you to have been written by the same person, and on the refrigerator door also?

MR. KAY: That calls for a conclusion, your Honor.

THE COURT: Did the letters appear similar?

THE WITNESS: It appeared similar, yes.

Q BY MR. KEITH: Did any handwriting expert arrive at the scene while you were there preserving it?

A I have no idea, counselor. I left before some of them got there.

Q Were there any chairs in the living room?

A Yes.

Q Addressing your attention to exhibit 204 for identification, showing the inscription "Death to the pigs," directly below appears some kind of a picture.

Do you see that? It is a brown painting of some

28-4

kind.

A Yes.

Q And was that brown painting resting on the floor when you first arrived at the scene in the condition that it is now?

A Yes. That is a burlap type material with a painting on it and it is, as you see it there, it is resting on the floor standing on end.

Q And what is it resting against?

A It is leaning against I believe it was a small table, I am not sure, or possibly it could have been a chair. I am not sure but I think there was a service table there, a small table where you leave -- I think this lamp was standing on that table.

Q Just to identify the burlap painting further, you see a red "X" -- not a "X," a check mark.

A Yes.

Q Somebody has placed on the photograph itself.

A Yes.

Q And there is also a rectangle drawn in red above the inscription to which you have referred. That was something that was placed on this photograph for whatever purpose we don't know, but at any rate that wasn't on the wall at the time?

A No, it was not, no.

Q And the same with the red check mark?

A That is correct.

Q That is something that has been placed on the photograph, obviously?

A Yes.

Q Did you observe any picture hanger on the wall by this inscription which we have been talking about?

A There was a nail in the wall.

Q Is that visible in this photograph?

A I am not sure if it is or not.

It seems to me it was up in this area some place.

Q By "this area," you are referring to within the area outlined by this red ink?

A Yes, that is correct.

Q Was the ambulance leaving with Mr. La Bianca in it when you called it back?

A No. He had just given us a copy of the ambulance slip, which is the pink slip and then, of course, they don't remove the body until -- they don't. The Coroner removes the body.

Q Referring again to 204, were there any chairs or tables or sofas or couches below this inscription "Death to pigs" that doesn't show up in the photograph?

A There was -- I think there was a small table that this lamp was resting on, a short table, but I don't recall any chair being in this vicinity, or high table, so to speak.

Q You weren't one of the investigating officers assigned to the La Bianca case, I take it?

A No, I was not.

Q Did you actually measure the height of these inscriptions "Death to pigs" and "Rise"?

A No, I did not.

Q So your six and a half feet to seven feet is an approximation?

A Just an estimate, yes.

Q Was anything at all disturbed in the master bedroom where you discovered Mrs. La Bianca while you were there?

A Yes.

29 fls.

9R-1

Q What was that?

A The end table on the left side of the bed, two of the drawers were open and there was some papers on the floor, two $1 bills. The lamp was turned over and lying on the floor.

Q You say that there were two $1 bills lying on the floor?

A Yes.

Q And the photographs which you identified, were they taken while you were there?

These are the photographs of the master bedroom, showing --

A Some of them were taken when I was there, but the majority of them, I was on the exterior of the home.

Q Those photographs, then, show how the place looked, that bedroom, for instance --

A Yes.

Q -- looked when you first saw it; is that a fair statement?

A The portions of it that are portrayed in those photos, yes.

Q Do the photographs show the dollar bills lying on the floor?

A The photo that I was shown here by the district attorney did not depict that.

Q They do depict the lamp that was turned over, do they not?

A Yes.

29-2

Q At least, one of them does?

A One of them does.

Q The things that you observed that were disturbed were the lamp and a table and this drawer that had been pulled out?

A Well, the drawer and the little end table are all the same unit; the drawer was in that end table.

Q I see.

A It hadn't been moved, the drawer had just been pulled out and the papers were on the floor.

Q When you speak of an end table, I'm going to show you Exhibit 212 and ask you if that is the end table to which y ou are referring, which is shown in the upper part of the photograph by the lamp?

A No, this is the right side of the bed. The end table is on the left side, over here as you enter.

Q So there is no photograph of this end table that you were shown, at any rate, at this proceeding?

A Not at this proceeding, no.

Q Is that something that is turned over by the lamp, which is obviously on the floor?

A Well, that was the stand for the lamp; that is turned over.

Q At least, appeared to you that that table that is on its side supported the lamp?

A Yes.

Q Now, was the end table that you spoke of turned over, also ---

29-3

A. No.

Q. -- on its side?

A. It was upright.

Q. There was just a drawer that was pulled out?

A. Partially open, yes.

Q. And the drawer wasn't on the floor, it was still inside the table, but it was just partially open; is that correct?

A. Yes, that's correct.

MR. KEITH: I have nothing further.

MR. KAY: Just a few questions, your Honor.

REDIRECT EXAMINATION

BY MR. KAY:

Q. Sgt. Cline, on this photograph that Mr. Keith showed you, Exhibit 204, with the writing "Death to Pigs," did it appear to you that this painting, which I believe you said was burlap --

A. Yes.

Q. Did it appear to you that the painting once was hung on the wall where the writing "Death to Pigs" is in this photograph?

A. Yes, I assumed that it was.

Q. In other words, the painting was approximately the same size as the words "Death to Pigs"?

A. Approximately, yes.

Q. A long painting?

A. Yes, it is an oblong.

29-4

MR. KAY: Your Honor, I have here a large photograph marked Exhibit 200.

May it be remarked Exhibit 200 for the purposes of this trial?

THE COURT: It may be so marked.

Q BY MR. KAY: Sgt. Cline, I show you Exhibit 200, which is an aerial photograph, and I show you the house in the middle of the photograph, do you recognize that to be the La Bianca home?

A It appears to be the home, yes.

Q In other words, there is a long driveway in front of it?

A Yes, and a large wall next door -- or, bordering the drive.

THE COURT: Is the La Bianca home marked on there?

MR. KAY: Yes.

THE COURT: How is it marked?

MR. KAY: Well, there is an open door and it looks like blue or purple, and then there is something in red which probably says, "La Bianca residence," but it's faint.

MR. BUGLIOSI: "La Bianca residence."

MR. KAY: It is faint, but it says, "La Bianca residence."

THE COURT: Can you circle that with red now, the La Bianca residence?

MR. KAY: I will circle it with a red grease pencil.

THE COURT: Fine.

MR. KAY: No further questions.

THE COURT: Thank you, Sergeant, you may be excused.

19-5

MR. KAY: People call as their next witness, Detective Danny Galindo.

THE CLERK: Raise your right hand, please.

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

THE WITNESS: I do.

DANNY GALINDO,

called as a witness by the people, testified as follows:

THE CLERK: Thank you. Be seated and would you state and spell your name, please.

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

THE CLERK: Thank you.

29af.

29AR-1

DIRECT EXAMINATION

BY MR. KAY:

Q Sgt. Galindo, what is your occupation and assignment?

A I am a police officer for the City of Los Angeles, assigned to Robbery-Homicide Division.

Q And how long have you been a police officer in the City of Los Angeles?

A 25 years, one month and two weeks.

Q When are you going to retire?

A Right after this case is over.

Q Sgt. Galindo, now directing your attention to August the 10th and 11th, 1969, what was your assignment?

A I was working on Robbery-Homicide Division.

Q And did you have occasion on those dates to go to the address at 3301 Waverly Drive, and more specifically on August the 11th, 1969, did you go there?

A Yes, I did.

Q And approximately what time did you arrive there?

A Approximately 1300 hours -- I am sorry -- about 1:00 o'clock in the morning.

Q You are not in the army now.

A 1:00 o'clock in the morning.

Q What, if anything, did you do when you first arrived there?

A I talked to Inspector McCauley and other policemen who had been at the scene ahead of me.

Q Now, during the daylight hours of August the 11th,

29-2

1969, did you direct certain aerial photographs to be taken of the La Bianca residence?

A. Yes.

Q. Sgt. Galindo, I show you Exhibit 200, and directing your attention to the residence that is encircled in red with a red grease pencil, in the middle, do you recognize that to be the La Bianca residence?

A. Yes, sir, I do.

Q. Is this one of the aerial photographs that you directed to be taken?

A. Yes, sir.

Q. Now, also during the daylight hours of August the 11th, do you perform a search of the grounds at 3301 Waverly and the grounds adjacent to the residence?

A. I directed a search to be made.

Q. What were you looking for?

A. Weapons, clothing, anything of evidentiary value that could be determined was associated to the tragedy at that location.

Q. Did you find any weapons, either knives, guns or anything else?

A. Not without the premises; I did within the premises.

Q. Did you find anything at all outside the residence as far as bloody clothing or knives or any type of weapons?

A. No, we cleaned up the yard fairly well, improved the ecology somewhat, but nothing that was found.

Q. Well, I take it that none of the other officers, then, found anything, either?

9-3

A. No, sir, they didn't.

Q. Well, were any other clothes, any other bloody clothes found other than the clothes that Mr. and Mrs. La Bianca were wearing at the time they were murdered?

A. Not to my knowledge, no, sir.

Q. So when you say you found clothing inside, you are referring to the clothes that Mr. and Mrs. La Bianca were wearing?

A. Weapons and clothes within the premises, yes.

30f.

#30

Q Sgt. Galindo, I show you exhibit 91. Do you recognize what is depicted in that photograph?

A Yes, sir, I do.

Q Is that a photograph of Mr. La Bianca?

A Yes, it is.

Q And did he look that way when you arrived at the scene?

A Yes, sir.

Q Did you notice that there is something protruding from Mr. La Bianca's abdomen?

A Yes.

Q Did you determine what that was?

A Yes.

Q What was it?

A It was a carving fork from a carving set.

MR. KAY: I have here, your Honor, exhibit 207. May it be remarked 207?

THE COURT: It has already been marked.

Q BY MR. KAY: Sgt. Galindo, I show you exhibit 207. Do you recognize that?

A Yes, I do.

Q All right.

Was that the fork that was protruding from Mr. La Bianca's abdomen?

A Yes, sir.

Q And about how far was this fork, if we turned it in this manner, about how far was this fork stuck into Mr. La Bianca's abdomen?

30-2

A It was pushed in all the way to the bifurcation of the two times.

Q In other words, to this point right here, the bifurcation of the two times?

A Yes.

Q Did you ever make a search of the La Bianca home to determine whether or not there were any other kitchen utensils that appeared to be similar to the fork that you found protruding from Mr. La Bianca's abdomen?

A Yes, sir, I did.

Q Did you find any?

A Yes, sir.

MR. KAY: Your Honor, I have here a brown manila envelope marked exhibit 214.

May it be remarked exhibit 214 for the purpose of this trial?

THE COURT: It may be so marked.

MR. KAY: I am going to take this back to the desk here so we don't get it mixed up.

Q Sgt. Galindo, I remove from this envelope four kitchen utensils. Do you recognize these?

A Yes, I do.

Q And did you find these in the La Bianca home?

A Yes. I found them in the top drawer just to the right of the stove in the kitchen in the La Bianca home.

Q And do they have exactly the same design and handles as the fork that you found protruding from Mr. La Bianca's abdomen?

30-3

A Yes. They are all a set.

THE COURT: Zecla product; is that correct?

THE WITNESS: I think so.

MR. KAY: It says Flint.

Q Did you find any newspapers lying on the coffee table in front of Mr. La Bianca's body?

A Yes. There was a major portion of the Sunday Times laying on the coffee table and a piece of the paper was also on the floor.

Q In other words, these had the date August the 10th on them?

A Yes, sir, they did.

Q Did you notice anything to be wrapped around Mr. La Bianca's neck?

A Yes, I did.

Q What was that?

A That was the lamp cord, rather whitish lamp cord, about 14 gauge wire, and it reached from, the male end of the plug reached from his neck, and the other end, it was still connected to a rather massive lamp that was sitting on top of a round coffee table or end table.

Q Is that the white lamp that is depicted in this photograph, exhibit 91?

A Yes, it is.

Q And there appears to be a white cord that goes in this photograph underneath a white sofa pillow?

A Yes, sir.

Q So, in other words, one end was still connected

30-4

to this white lamp and the other end was wrapped around Leno La Bianca's neck?

A That is right.

Q Did you notice Mr. La Bianca's head to be in anything?

A Later when I removed the pillow, I noticed that it was, that there was a pillow slip covering his entire head.

Q In other words, had the entire pillowslip been pulled over his head?

A It was completely enveloping his head and part of his neck.

Q Was the cord tied around the pillow case, around the neck portion?

A I don't remember.

The neck area was rather bloody and difficult to determine exactly how the wire -- you could see that the wire was wrapped around his neck.

MR. KAY: Your Honor, I have exhibit 210 here. May it be remarked 210 for identification for the purpose of this trial. It is a knife.

THE CLERK: Previously marked.

THE COURT: It has already been marked.

Q BY MR. KAY: Sgt. Galindo, I show you exhibit 210. Where did you see that, if anywhere, before for the first time?

A The first time I saw that knife was at the morgue at the Coroner's office in the hands of Dr. Katsuyama.

Q Did you notice whether in the La Bianca residence there were any other knives that looked like that?

30-5

A Yes, sir.

Q And were there?

A Yes, there were. There was a whole set of them.

Q I take it that you never did see this knife actually at the La Bianca residence; is that true?

A That is true.

Q You didn't see it until Mr. La Bianca's body was taken to the Coroner's office?

A That is true.

Q Did you observe a Coroner to come out to the La Bianca house while Mr. La Bianca's body was still there?

A Yes.

Q Did you notice the Coroner turn Mr. La Bianca's body over so that he would be lying on his stomach?

A Yes, I did.

Q That was after the fork had been removed, I take it?

A Yes.

MR. KAY: Your Honor, I have here a photograph, exhibit 90.

May it be remarked exhibit 90 for the purpose of this trial?

THE COURT: It may be so marked.

90 id.

Q BY MR. KAY: Sgt. Galindo, I show you people's exhibit No. 90. Do you recognize what is depicted in that photograph?

A Yes, sir.

Q What is depicted?

30-6

A It shows the back of Lance La Bianca and some leather thongs wrapped around his wrist and appears to be wearing a gold or gold colored wrist band of some kind and bloody clothing and his blue pajamas.

Q In other words, his wrists were tied together behind his back?

A Yes, they were.

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#31

Q With what appeared to be leather thongs?

A Yes, sir; they looked like leather shoe laces, from boots.

MR. KAY: Your Honor, I have here exhibit 92.

May it be remarked exhibit 92 for the purposes of this trial?

THE COURT: It may be so marked.

92 id.

Q BY MR. KAY: Now, Sgt. Galindo, after you removed the white little throw pillow, the sofa pillow from the head area of Leno La Bianca, I show you exhibit 92.

Is this what you observed?

A Yes, sir.

Q So, in that photograph it does appear that the cord is wrapped around the pillow case which is around Mr. La Bianca's head?

A It appears to be going that way. However, I got a better glimpse of it when the body was turned over, and there was no question then that the cord was wrapped around his neck.

The cord seems to get lost into the pillow slip in this photograph.

Q Now, did you notice whether or not there was anything written on the stomach of Leno La Bianca?

A Yes, sir.

Q And is that depicted in this photograph, exhibit 92?

A Partially; almost all of the lettering appears.

Q And what is the word that is written there?

A W-a-x.

Q War?

Did you determine what it appeared to be written with?

A No; however, it appeared as though it had been done with some very sharp instrument because it left a rather large, angry welt along the lines of the markings.

THE COURT: In other words, that was not painted on, that was carved into the stomach, is that it, those letters?

THE WITNESS: It was more -- it appeared to be more superficial, but a little deeper than superficial, your Honor.

THE COURT: But not painted on; those letters were not painted on?

THE WITNESS: Oh, no, they were scratched in there, scratched right into the flesh.

Q BY MR. KAY: Did it appear to you that something like one of the times of this fork could have done that?

A It is quite possible, yes.

Q Were those scars where the word "war" was, were they dry at the time you observed the body or were they still moist?

A No, they were dry, bloody dry.

THE COURT: Are you going to another topic now?

MR. KAY: This would be a good point, your Honor.

THE COURT: Ladies and gentlemen, we will recess at this time until 9:30 tomorrow morning.

Once again, do not form or express any opinion in this case; do not discuss it among yourselves or with anybody else; please keep an open mind.

Sergeant, you are directed to return at 9:30

tomorrow morning.

(At 4:00 o'clock p.m. a recess was taken until Tuesday, August 24, 1971 at 9:30 a.m.)