

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

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

APPEAL FROM THE SUPERIOR COURT OF LOS ANGELES COUNTY  
HONORABLE ADOLPH ALEXANDER, JUDGE PRESIDING

REPORTERS' TRANSCRIPTS ON APPEAL

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#1

LOS ANGELES, CALIFORNIA, TUESDAY, OCTOBER 19, 1971; 9:50 A.M.

THE COURT: Good morning.

THE JURORS: Good morning.

THE COURT: I hope it remains good.

Gentlemen.

People against Watson.

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

Mr. Bugliosi, you may proceed.

MR. BUGLIOSI: Your Honor, defense counsel, Mr. Kay, ladies and gentlemen of the jury.

No one has ever accused me of being short-winded, but I don't have too many sheets here; I should be able to wipe it up in about a half hour, 25 minutes, and then Mr. Subrick will argue to you; then you can commence your deliberations.

I know during the guilt trial, if I recall correctly, it was the basic contention of the defense that Linda Kasabian was lying on the witness stand and that Tex Watson never did all of these things that she said that he did; but during Mr. Keith's argument yesterday the defense seemed to be conceding in a fashion that Mr. Watson did do these things, such as tell Linda to wipe the fingerprints off the knives -- these are just a few excerpts from Mr. Keith's argument: "I don't think you should say just because he," referring to Mr. Watson, "just because he did all these

1 things to avoid detection he must not be insane."

2 Then he went on to say, "A very reasonable  
3 explanation why Mr. Watson took steps to avoid detection,  
4 if he took these steps, was to prevent the scheme of helter  
5 skelter from being stopped. These things that Tex did and  
6 said were done to support helter skelter. Whatever Watson  
7 did to conceal his identify was not done because he was in  
8 fear of apprehension for himself, they were done to expedite  
9 helter skelter and make sure that the plan to go to the  
10 bottomless pit was not wrecked. What Watson said to Linda  
11 and Barbara Hoyt and Diane Lake did not show that he felt  
12 he had done something wrong."

#2



#2

1 So it appears that during the guilt trial the  
2 defense was saying that Tex didn't do all of these things and  
3 now there seems to be some type of a concession, based on  
4 what I just read to you, that Mr. Keith says, "Well, perhaps,  
5 Mr. Watson did do all of these things," and this contradictory  
6 position by the defense reminds me of a civil case, a civil  
7 case years ago.

8 The plaintiff said that he was walking on the  
9 sidewalk in front of the defendant's home and he was bit by  
10 the defendant's dog.

11 So the plaintiff filed a civil action against  
12 the defendant for injury sustained as a result of being bit  
13 by the dog and the defendant filed an answer to the complaint  
14 and in the answer he alleged three things:

15 He said, No. 1, my dog is connected to my house  
16 by a chain and the chain doesn't extend out onto the sidewalk,  
17 so there is no way that my dog could have bit the plaintiff.

18 No. 2. My dog is an old dog and he doesn't even  
19 have any teeth, so even if he did bite the plaintiff, there  
20 is no way in the world it could have hurt the plaintiff.

21 No. 3. I don't even own a dog.

22 Now, that is a far out analogy, but I kind of  
23 get the impression that this is what the defense is doing  
24 now: First Tex didn't do all of these things, but now maybe  
25 he did do them, but they are saying, "So what?"

26 With respect to the psychiatric testimony in this  
27 case during the sanity trial, there again was a split of  
28 opinion -- predictable -- between the prosecution and the

1 defense psychiatrists as to whether Mr. Watson was sane or  
2 insane at the time of these murders.

3 I have already told you what I think of the  
4 quality of the psychiatric testimony in this case. I discussed  
5 it I think for an entire afternoon during the final summation  
6 during the guilt trial. Suffice it to say I haven't changed  
7 my mind about them since then.

8 Good old Dr. Frank, without even blushing,  
9 without even blushing he admits on the witness stand that he,  
10 even if he felt Mr. Watson was sane at the time of these  
11 murders, he said he wouldn't testify to it.

12 I still haven't found any adjectives -- I looked  
13 it up in the dictionary a couple of days ago for some other  
14 adjectives, other than unbelievable or incredible to describe  
15 some of these psychiatrists, but that is the best I can do.

16 The testimony of the psychiatrists during the  
17 sanity trial is still fresh in your minds so I am not going  
18 to go over their testimony with you.

19 For instance, the ludicrous answers given by Dr.  
20 Frank during my cross-examination of him I think are probably  
21 still amusing you.

22 I just want to say that, as with the issue of  
23 guilt, so too with the issue of sanity or insanity. It is  
24 to be determined solely and exclusively by you folks on the  
25 jury, not by the psychiatrists, and the only way you can  
26 determine that issue is by utilizing your good old-fashioned  
27 common sense, which you are going to do, of course, and which  
28 you did during the first trial.

1 I want to bring one point to your attention at  
2 the very beginning. Although during the sanity trial only  
3 a few witnesses testified -- I think we just had psychiatric  
4 witnesses -- Judge Alexander recited a stipulation entered  
5 into by the prosecution and the defense that all of the  
6 testimony during the guilt trial was readmitted during the  
7 sanity trial.

8 So during your deliberations, you may take into  
9 consideration all of the testimony of the witnesses during  
10 the guilt trial in reaching your verdict.

11 I guess a good point to start out with would be  
12 the instruction on insanity that Judge Alexander is going to  
13 give you and I will give you excerpts from it. I will omit  
14 the first two paragraphs and get down to the heart of the  
15 instruction.

#3

1 "Legal insanity, as the words are  
2 used in these instructions, means a diseased or  
3 deranged condition of the mind which makes a  
4 person incapable of knowing or understanding the  
5 nature and quality of his act or makes a person  
6 incapable of knowing or understanding that his  
7 act was wrong. If you find that the defendant  
8 was capable of knowing and understanding the nature  
9 and quality of his acts and in addition was capable  
10 of knowing and understanding that his acts were  
11 wrong, you will find that he was legally sane.  
12 However, if you find that the defendant was not  
13 capable of knowing or understanding the nature  
14 and quality of his act, you will find that he was  
15 legally insane; or if you find that he was incapable  
16 of knowing or understanding that his act was wrong,  
17 you will find that he was legally insane. The  
18 defendant has the burden of proving his legal  
19 insanity by a preponderance of the evidence. By  
20 a preponderance of the evidence is meant such  
21 evidence as when weighed with that opposed to it  
22 has the more convincing force and the greater  
23 probability of truth."

24 Now, note that the very first requirement, the  
25 very first requirement of the legal insanity is that the  
26 defendant have a diseased mind or have some type of mental  
27 derangement.

28 In other words, the very first requirement of

1 legal insanity is that the defendant be what? Well, that  
2 he be mentally ill; and being weird, far-out beliefs does not  
3 necessarily make a person mentally ill.

4 We discussed during my final summation in the  
5 guilt trial that many religions have far-out, unusual beliefs,  
6 and the fact that the members of these religions subscribe to  
7 these far-out, unusual beliefs does not mean that they are  
8 mentally ill; and Mr. Keith conceded during his argument  
9 during the guilt trial that helter skelter, in a fashion, was  
10 a form of a religion.

11 So, the fact that Mr. Watson believed in this  
12 far-out, unusual philosophy and religion of helter skelter  
13 certainly does not mean that he was mentally ill at the time  
14 of these murders; and the fact that he was a heavy user of  
15 drugs and committed these murders does not necessarily mean  
16 that he was mentally ill.

17 Dr. Felt -- I return to him -- certainly, I think,  
18 the most impressive of all the psychiatrists, didn't feel, as  
19 I recall, that Mr. Watson was mentally ill at the time of  
20 these murders; so, when you go back to the jury room to  
21 deliberate, ask yourselves, ask yourselves do you feel that  
22 Mr. Watson was mentally ill at the time of these murders.

23 His conduct on these two nights of murder, I  
24 think, strongly show that he was thinking very clearly and  
25 was in total command of his mental faculties.

26 Now, if you find that he was not mentally ill,  
27 no mental derangement, no diseased mind, if you find he was  
28 not mentally ill at the time of these murders, then you must

1 find -- you must find that he was not legally insane at the  
2 time of these murders, since the mental illness requirement  
3 has not been met.

4 In other words, if you find that he was not  
5 mentally ill at the time of these murders, you can stop your  
6 deliberations right there and you don't have to go on and  
7 try to answer the other questions, such as whether he knew  
8 that it was wrong to kill these people, because mental illness  
9 is the first requirement of legal insanity.

10 As I say, based on his conduct on these two nights  
11 of murder, it would appear that Mr. Watson was not mentally  
12 ill at the time of these murders, since he was thinking very  
13 clearly, he knew exactly what he was doing, and he had total  
14 and complete control of his mental faculties.

15 Going on with the requirements of legal insanity,  
16 assuming that you do conclude that he was mentally ill at the  
17 time of these murders -- in other words, assuming you conclude  
18 that he had a diseased mind and/or a mental derangement, the  
19 instructions go on to say that did this mental illness make  
20 the defendant incapable of, quote, "knowing or understanding  
21 the nature and quality of his act," unquote.

22 In other words, even if you conclude that Mr.  
23 Watson was mentally ill, this does not mean, of course, that  
24 he was legally insane. In fact, his Honor will give you this  
25 instruction:

26 "A person may be mentally ill or  
27 mentally abnormal and yet not be legally insane."

28 So, even assuming you find he was mentally ill at



1 the time of these murders, did this mental illness prevent  
2 him from knowing or understanding the nature and quality of  
3 his act?

4 What does the term "nature and quality" of one's  
5 act mean? What does understanding the nature and quality of  
6 a person's act mean?

7 Well, in simple words which, again, the legal  
8 profession certainly does not have a monopoly on, in simple  
9 words this means did the person know what he was doing -- not  
10 whether he knew whether it was wrong. We haven't got to that  
11 yet -- but, did he know what he was doing?

12 Now, just about everyone, ladies and gentlemen,  
13 just about everyone, even people who are extremely, extremely  
14 mentally ill, know the nature and quality of their acts. In  
15 other words, they know what they are doing, they know that  
16 when they stab a person it is going to cut the person and  
17 perhaps kill him; they know that if they pull the trigger on  
18 a gun a bullet is going to come out of the barrel and if it  
19 strikes the victim it could kill the victim. They know the  
20 nature and quality of their act.

21 Perhaps only a person with an extremely low I.Q.  
22 of 20 or 25 would not know the nature and quality of his act.  
23 This reminds me of an old common-law case where the defendant  
24 apparently did not know the nature and quality of his act.  
25 It seems that he decapitated a sleeping person and he was  
26 heard to remark shortly thereafter that it was going to be  
27 great fun seeing the person look for his head when he woke up.  
28

44  
1 That type of person -- and that is an extreme  
2 example -- did not know apparently the nature and quality of  
3 his act, but there is certainly no question that Tex Watson  
4 knew and understood the nature and quality of his act.

5 In other words, he knew that what he was doing  
6 was wrong. He knew that by stabbing and shooting these people  
7 it would result in their death.

8 The key phrase in the test for legal insanity  
9 is the so-called right-wrong rule of M'Naghten: Did the  
10 defendant know that his act was wrong -- in this case the act  
11 of killing a fellow human being.

12 Mr. Keith says that insanity, particularly referring  
13 to this right-wrong test, he says it is a complex issue.

14 Diminished mental capacity, ladies and gentlemen,  
15 is more complex than insanity.

16 Insanity is a very, very simple issue, very simple:  
17 Did the defendant know that what he was doing was wrong?

18 Right and wrong are terms that even children are  
19 familiar with, not only terms, but their concepts and feelings  
20 that children even understand.

21 So it is a very, very simple basic fundamental  
22 issue. It is not complex at all -- did the defendant know  
23 that it was wrong to kill these people.

24 It is not did the defendant know that if he  
25 killed these people, that was in violation of section 187 of  
26 the Penal Code. He doesn't have to be aware of the particular  
27 statute prohibiting murder -- did he know that it was wrong.

28 Now, this question of whether a particular



1 defendant knew that his act was wrong is not an abstract  
2 question. It is a specific concrete question.

3 The issue is not whether the defendant knows  
4 right from wrong with respect to all things in general. We  
5 are not concerned with a defendant's philosophic concept of  
6 good vis a vis evil in the abstract.

7 We are concerned with the specific question: Did  
8 he know that killing a fellow human being was wrong -- a very  
9 specific limited question.

10 Now, whose standard of right and wrong are we  
11 going to go by? Obviously, we are not going to go by the  
12 defendant's, ladies and gentlemen.

13 For instance, the mere fact -- if it be a fact, and  
14 I will get onto this later -- the mere fact that Mr. Watson  
15 may not himself considered it morally wrong to kill these  
16 people, does not qualify him as being legally insane.

17 If it did, then anyone could rob or rape or murder  
18 and if they really felt that it wasn't wrong to do these  
19 things, according to their own standards, they would be  
20 legally insane and, therefore, immune from criminal punish-  
21 ment.

22 If a man could set himself up as the standard of  
23 right and wrong, then every person would be a law unto himself  
24 and he could rob and rape and murder with immunity.

25 He would simply say, "I personally feel that it  
26 is all right to rob and rape and burn down buildings."

27 If that were the law, ladies and gentlemen, sanity  
28 or insanity would be determined solely by reference to a

1 defendant's own personal set of moral values, however warped  
2 and distorted they may be.

3 If that were the law, which is it is not -- if  
4 that were the law, our society would degenerate into the law  
5 of the jungle where every man would be a law unto himself.

6 Many criminals throughout history have personally  
7 felt that it was morally right for the crimes, for them to  
8 commit the particular crimes they committed.

9 I hate to go back to Adolph Hitler, but I think  
10 he honestly, I think the historians agree that Adolph Hitler  
11 thought he was serving some noble purpose by killing Jews.

12 Even the legendary English outlaw of the 12th  
13 Century, Robin Hood, according to legend thought it was  
14 perfectly proper, personally, to rob from the rich and give  
15 to the poor.

16 The test, ladies and gentlemen, is not whether  
17 the defendant in his own private code of ethics and morality  
18 didn't think that it was morally wrong to rob or rape or  
19 murder, et cetera; the test is was he aware that the rest of  
20 society thought it was wrong. Was he aware that it was against  
21 the law to do these things and if he got caught he would be  
22 punished?

23 Even the inimical Dr. Frank, a defense psychiatrist  
24 admitted this. He testified on the witness stand that  
25 certainly if a person robs or rapes just because they then  
26 think it is all right doesn't make them legally insane.

27 Dr. Frank admitted that the test is whether the  
28 person knew that the rest of society thought it was wrong.

1 This is a defense psychiatrist.

2 So the test then, getting down to Mr. Watson, is  
3 not whether Tex Watson didn't think it was wrong to kill these  
4 seven victims; the test is when Mr. Watson killed these  
5 people, did he know that the rest of society considered it  
6 wrong. Did he know that if he got caught he would be  
7 punished.

8 Well, I certainly don't think there is any question  
9 whatsoever, ladies and gentlemen, that at the time Tex Watson  
10 murdered these seven victims, he knew very, very well that the  
11 rest of society thought it was wrong, that in the eyes of the  
12 law it was wrong.

13 How do we know this was his state of mind? By  
14 circumstantial evidence.

15 We look at his conduct. We look at his statements  
16 and from his conduct and from his statements we draw  
17 inferences as to what was on his mind at the time he engaged  
18 in the subject act.

19 In other words, we look at what he did and said.

20 Now, Mr. Keith argued that Tex did all of these  
21 things so as not to have the authorities catch him and the  
22 others and frustrate the grand scheme.

23 I would like to make just a few comments on this.  
24 No. 1. This is just speculation on Mr. Keith's part.

25 Why do I say it is speculation? Because even  
26 Mr. Keith's own client, Tex Watson, never said anything like  
27 that on the witness stand.

28 Tex Watson didn't say that the reason that he took

1 measures to avoid detection was to prevent the authorities  
2 from frustrating the grand scheme.

3 So Mr. Keith's position, in all deference to him,  
4 is just speculation. It is not based on any evidence that  
5 came from that witness stand. I want to underline that point  
6 in your mind.

7 No. 2. Mr. Keith's inference simply, ladies and  
8 gentlemen, is not reasonable. When Watson, for instance, told  
9 Linda to wipe the fingerprints off the knives and told Diane  
10 Lake or made Diane Lake promise not to tell anyone what he  
11 had told her -- to believe that the reason why he did these  
12 things had nothing to do with a personal desire on his part  
13 not to get caught and be punished, I think it is totally  
14 and absolutely absurd.

15 Even Dr. Hockman, a defense psychiatrist, admits  
16 that Tex did these things because he didn't want to get caught  
17 and be incarcerated and, therefore, be kept away from Manson  
18 and the family. Even a defense psychiatrist admits this.

19 No. 3, and perhaps most importantly, even if we  
20 assume that Mr. Keith is right -- and it is obvious, in  
21 deference to Mr. Keith, he is not right, because No. 1 his  
22 contention is not based on the evidence and No. 2, I don't  
23 think it is based on logic -- but even assuming that he is  
24 right, and that Watson took these steps to avoid detection  
25 to prevent the authorities from frustrating the grand scheme,  
26 even if we assume that to be true, this still shows that  
27 Watson knew that what he did was wrong.

28 Why do I say this? Because if Watson thought,

1 ladies and gentlemen, that helter skelter was right and that  
2 it wasn't wrong to kill these people, he would have also  
3 thought that there was nothing to conceal from the police.

4 In other words, if Watson truly believed that  
5 this grand scheme of helter skelter, that it was beneficial  
6 and right and it wasn't wrong to kill these people, he would  
7 have no reason to believe that if the police found out who  
8 the killers were they would try to frustrate this grand scheme.

9 These are Mr. Keith's words, quote. "Watson  
10 thought he was doing society a tremendous favor in committing  
11 these murders," unquote.

#5

1 Now, if Watson felt that this grand scheme of  
2 helter skelter was right and proper and it wasn't wrong to  
3 kill these people and he was doing society a tremendous favor  
4 by killing these people, he'd have no reason to believe that  
5 the police, who are members of society -- he'd have no reason  
6 to believe that they wouldn't go along with it. But he knew,  
7 of course, that the police certainly would not go along with  
8 it.

9 Why? Because Watson knew that the rest of  
10 society, ladies and gentlemen, certainly felt that it was  
11 wrong to kill these people; and if he got caught he would be  
12 punished; so, even if we buy Mr. Keith's argument, ladies and  
13 gentlemen, there is no question that Watson knew that what he  
14 did was wrong.

15 All of Watson's conduct and statements, all of  
16 it conclusively proves beyond all doubt that he knew that what  
17 he did was wrong.

18 I'm not going to go over his conduct and statements  
19 with you again; they have been gone over ad nauseum with you  
20 during the first trial, you are totally familiar and  
21 acquainted with the evidence, so I'm not going to go over all  
22 of the evidence with you again; but certainly his telling  
23 Linda -- Tex's telling Linda en route to the Tate residence to  
24 throw the knives and the revolver out of the car if they got  
25 stopped by the police, certainly shows that Watson knew that  
26 he was about to do something wrong that night. He didn't  
27 want to get caught.

28 His getting angry with Susan Atkins for losing her



1 knife inside the residence, his washing the blood off his body  
2 before driving back to Spahn Ranch, his lying to Rudolph  
3 Weber that he was just getting a drink of water and also  
4 telling Rudolph Weber that they were walking and that the car  
5 wasn't theirs, his telling Linda to wipe the fingerprints  
6 off the knives, his telling Linda to throw the knives out of  
7 the car and the clothing out of the car, his telling Barbara  
8 Hoyt not to say anything to anyone about Griffith Park, his  
9 making Diane Lake not to tell anyone what he had told her --  
10 that is, that he had stabbed Sharon Tate -- his running away  
11 to Hawaii and Mexico, all of the other things which he did  
12 and said, which I am not going to go over with you again,  
13 certainly all of these, unequivocally and clearly prove  
14 beyond all doubt that Watson knew before, during and after  
15 these murders that he had done something wrong, that it was  
16 wrong to kill these people.

17 Even Dr. Frank, I go back to him, a defense  
18 psychiatrist, testified that if Watson did all these things,  
19 which we know he did, Dr. Frank, a defense psychiatrist,  
20 said this would show that he knew that what he did was wrong.  
21 Mind you, this is an admission from a defense psychiatrist  
22 on the witness stand.

23 Even Dr. Hockman, another defense psychiatrist,  
24 conceded in so many words that Watson knew that it was wrong  
25 to kill these people. This is page 17 of Dr. Hockman's  
26 report, and when he took that witness stand he did not with-  
27 draw these conclusions -- he did not withdraw them. Quote,  
28 Dr. Hockman's report, page 17: "He," referring to Mr. Watson,

1 "He knew right from wrong. No man doesn't in some degree  
2 unless he is suffering from" --

3 MR. BUBRICK: Your Honor, that report is not in  
4 evidence.

5 MR. KEITH: He shouldn't be reading from it.

6 THE COURT: Dr. Hockman read that particular portion  
7 of his report and so did Mr. Bugliosi.

8 Proceed, Mr. Bugliosi.

9 MR. BUGLIOSI: "He knew right from wrong. No man  
10 doesn't in some degree unless he is suffering from  
11 intellectual insufficiency or physiological-neurological  
12 incompetency. In Mr. Watson's case it appears clear that he  
13 was aware of the wrongness of his actions; indeed, he took  
14 precautions to prevent and was concerned with apprehension."

15 Now, Dr. Hockman's position simply is that Watson's  
16 consideration of right and wrong was suspended during these  
17 murders and his emotions controlled his intellect.

18 Well, of course they did; of course they did. But,  
19 as Dr. Hockman conceded on the witness stand, this is true of  
20 nearly every criminal at the time he commits a crime. Of  
21 course, it is.

22 When a person robs or rapes or burns down a  
23 building he is not thinking to himself, "It is wrong to do  
24 these things." It is so obvious that it is wrong that he  
25 doesn't even have to think about it.

26 He doesn't have time, nor is there any reason for  
27 him to be thinking that it is wrong. He shows, however --  
28 he shows that he knows it is wrong by his conduct: For



1 instance, running away; and so, too, with Watson.

2 The fact that he may not have said to himself while  
3 he was murdering these people that it is wrong to kill these  
4 people, that he doesn't know it was wrong -- it is so obvious  
5 it was wrong he didn't have to think about it.

6 Watson, like the robber or the rapist or the  
7 arsonist, showed by his conduct that he knew it was wrong.  
8 The simple fact remains, ladies and gentlemen, it is a very,  
9 very simple fact, that if Watson felt that what he did was  
10 right there would have been no need on his part to take all  
11 of these measures to avoid detection.

12 If he had only done one of these things -- now,  
13 I have enumerated about 10 or 12; Mr. Kay gave you an even  
14 greater, higher list, and I mentioned several other things,  
15 myself -- but I just mention 10 or 12 things right now.

16 Even if he had only done one of these things, just  
17 one -- let's say the only thing he did, in addition, was  
18 tell Linda to wipe the fingerprints off the knives and let's  
19 assume he didn't do any of these other things, if he felt that  
20 it was right to kill these people there wouldn't have been  
21 any reason under the stars to tell Linda to wipe the finger-  
22 prints off the knives.

23 That one fact, alone -- one fact alone -- shows  
24 that he knew very obviously that what he did was wrong.

25 His statements and his conduct before, during and  
26 after the murders can only be interpreted in one way -- not in  
27 two ways, just in one way -- that he knew that what he did  
28 was wrong.

1 Now, to say that when Tex Watson stabbed and  
2 shot these seven victims to death, to say that he felt that  
3 society thought it was right to do what he was doing, to say  
4 that he didn't know it was against the law, to say that,  
5 ladies and gentlemen, would be -- pardon the expression --  
6 an insane conclusion. I am using the word "insane" in a  
7 colloquial fashion.

8 Mr. Keith said if Watson was to accomplish his  
9 mission he had to avoid apprehension. Well, apprehension for  
10 what? If he didn't think that he had violated the law, why  
11 would he be in fear of apprehension?

12 I told you during the start of my final summation  
13 during the guilt trial, that I like to state the obvious,  
14 which people, human beings, including myself, don't like to  
15 concern themselves with. I am making some obvious statements  
16 here.

5A

1           You may say to yourselves, "Why is the prosecutor  
2 even bothering to make such a statement?"

3           I am making it because I am responding to Mr.  
4 Keith's contentions. Mr. Keith says if Watson was to  
5 accomplish his mission he had to avoid apprehension; and I  
6 asked the obvious question: Apprehension for what? If he  
7 didn't think he had violated the law, why would he be in  
8 fear of apprehension?

9           You ask yourselves back in the jury room -- let's  
10 take the first night -- if when Watson and the others arrived  
11 at the Tate residence, ladies and gentlemen, there were several  
12 police officers present, not necessarily waiting for Watson  
13 and the others, let's just say they were there for some other  
14 reason; ask yourselves whether Watson would have tried to  
15 enter the premises and whether he would have tried to kill these  
16 people.

17           Do you think he would have said to himself, "Well,  
18 these are only police officers, certainly they wouldn't mind if  
19 I go in and kill these people, they are only members of the law  
20 and certainly the law doesn't think it is wrong to kill"? Do  
21 you think he would have said that to himself?

22           I will suggest it would have been some type of  
23 a variation from the Rudolph Weber incident: "Officers, we are  
24 just out on a drive on a hot summer night and we just decided  
25 to stop in front of this home and rest for a while"; then he'd  
26 have hightailed it back to Spahn Ranch.

27           Even Dr. Tween, on cross-examination by Mr. Kay,  
28 admitted that if police were at the Tate residence Mr. Watson

1 wouldn't have tried to kill these people.

2 In everything that I have said thus far I have  
3 been concentrating on whether Mr. Watson knew that society  
4 felt it was wrong to kill these seven victims, not on whether  
5 he, himself, thought it was wrong according to his own standards.  
6 Actually, as I have indicated, even if he did think it was  
7 all right to kill these people, according to his own standards,  
8 he still would not be legally insane because he knew that  
9 the rest of society thought it was wrong.

10 I think that Watson, himself, obviously knew,  
11 even according to his own standards, that it was wrong to  
12 kill these people, ladies and gentlemen. It is just that he  
13 places, apparently, no value on human life and also, even  
14 though undoubtedly he knew it was wrong he felt it was the  
15 right thing for him to do.

16 Why? Because he wanted to please; he wanted to  
17 please his leader, Charles Manson. He didn't think it was  
18 morally right to kill these people, he didn't think it was  
19 morally right. He felt that it was right, all right; he  
20 thought it was right, but not in terms of morality. He  
21 thought it was the right thing for him to do. It was the  
22 right thing for him to do under the circumstances: He wanted  
23 to please his boss, Charles Manson.

24 I might add by way of footnote, that one of the  
25 principal things showing that Tex Watson knew it was wrong to  
26 kill these people, even according to his own standards, ladies  
27 and gentlemen, is the fact that Watson has been living on  
28 this earth for close to a quarter of a century and anyone

1 knows, even a small child knows, that it is wrong to hurt or  
2 kill a fellow human being. Life taught Mr. Watson that.

3 For a person to kill a fellow human being and not  
4 think it is wrong would require that the person virtually  
5 have no mind whatsoever; and he had a mind during these murders,  
6 ladies and gentlemen. He thought very, very clearly, and all  
7 of the evidence shows he was in total command of his mental  
8 faculties.

9 Now, to say that someone is sane, as Mr. Kay and  
10 I are saying that the evidence shows that Mr. Watson was,  
11 to say that someone is sane is to suggest the fact that  
12 someone could be insane. We determine whether a person is  
13 sane or insane, whether he knew right from wrong, by looking  
14 at the circumstantial evidence.

15 All of the circumstantial evidence in this case  
16 shows that Watson knew that what he was doing was wrong, but  
17 circumstantial evidence could be indicative of insanity.

18 Just for illustration purposes, let's take this  
19 hypothetical example -- for illustration purposes -- a person  
20 with a diseased mind, you have to start out with that and I  
21 remind you when you go back to that jury room if you find no  
22 mental illness on Watson's part, stop your deliberations right  
23 there -- let's take a person with a diseased mind who feels  
24 he has some type of a mystical communion with God and one day  
25 God tells him to go out and murder someone.



1           Let's call the person X -- and God assures the  
2 defendant that society will applaud him for murdering X.

3           So he goes out and murders X and as he is walking  
4 home, he meets a neighbor and the neighbor says, "Where have  
5 you been?"

6           And he says, "I just murdered X," kind of proudly  
7 announcing it, expecting some type of praise.

8           Now, these facts that I just gave you, and the  
9 defendant's conduct, would be circumstantial evidence that  
10 perhaps that defendant did not know that it was wrong to  
11 murder X.

12          Another example: Take another man, also with a  
13 diseased mind, madly ill, kills his wife in the living  
14 room.

15          Shortly thereafter he invites friends over to  
16 have dinner. They come over. They see the wife lying dead  
17 on the couch.

18          They scream. They say, "What is going on here?"

19          And he laughs and says, "I just murdered my wife  
20 but that certainly shouldn't stop you from enjoying your  
21 dinner."

22          Again these facts, these circumstances, would  
23 indicate that perhaps that person did not know that it was  
24 wrong to kill his wife.

25          Now, contrast that with the killer who after he  
26 kills the victim wipes off fingerprints or runs away.

27          If he didn't think it was wrong to kill the victim,  
28 why did he wipe off fingerprints and why did he run away? This

1 is so obvious.

2 As I said insanity is a very simple thing. It is  
3 not complex at all.

4 So too with Watson. If he didn't think it was  
5 wrong to kill these people, why did he take every conceivable  
6 measure to avoid detection?

7 You know that many of the things he did, ladies  
8 and gentlemen, couldn't possibly have been the result of  
9 instructions from Mr. Manson, like lying to Mr. Weber about  
10 the fact that he was getting a drink of water, and lying to  
11 Weber and saying that the car down the street from Weber's  
12 home was not theirs, and that they were just walking and then  
13 racing off in the car.

14 This had nothing to do with any instructions that  
15 Manson gave to Watson.

16 You might say to yourself gee, the mystical  
17 communion example that I just have given, and the man killing  
18 his wife example, these are pretty far out examples. Does a  
19 person have to be that goofy, that nuts and crazy to be  
20 legally insane?

21 The answer is, to be legally insane you do have  
22 to be that far out. Why? I'll tell you why. Because legal  
23 insanity, ladies and gentlemen, is a complete defense to  
24 murder.

25 Now, diminished mental capacity, the issue we  
26 were dealing with during the first trial, is a partial defense  
27 to murder.

28 In other words, it can lower murder from first down

1 to second degree, or even voluntary manslaughter or involuntary  
2 manslaughter, but it is not a complete defense.

3 Legal insanity is a complete defense and the law,  
4 in effect, is saying to the killer, "Now, wait a while. A  
5 human life is the most precious thing that there is. If you  
6 kill someone, to get by with it, as it were, you are going  
7 to have to show that you were so completely far gone, so  
8 completely nuts and crazy and goofy that it would be an  
9 injustice to hold you responsible for that murder."

10 The legal test for insanity is a very strict  
11 narrow test and for one to qualify, for all intents and  
12 purposes, he has got to be completely out of his mind.

13 Legal insanity is not the type of situation where  
14 two men are standing on the street corner watching the girls  
15 go by and one of them buys a paper and reads that a gruesome  
16 murder has been committed and they blurt out, "Well, the killer  
17 must have been insane."

18 That is layman insanity. That is not legal insanity.

19 There is as much difference between layman insanity  
20 and legal insanity as there is between day and night. They are  
21 as far apart as the poles -- two completely different types  
22 of animals.

23 To be legally insane, it must be shown that at  
24 the time of the murder, the defendant did not know that it was  
25 wrong to kill the victim. That is a strict rigid test and  
26 for a killer to be legally insane, he must qualify under that  
27 strict test. Tex Watson under the evidence obviously does not  
28 qualify.



1           Let me make just a few more observations and then  
2 I will close. During the guilt trial, ladies and gentlemen,  
3 the prosecution had the burden of proving Mr. Watson's guilt  
4 beyond a reasonable doubt.

5           Now, during this sanity trial, Mr. Watson has the  
6 burden of proving by a preponderance of the evidence that he  
7 was insane at the time of these murders.

8           Remember now, now the prosecution does not have  
9 the burden of proving that Mr. Watson was sane at the time of  
10 these murders. He has got the burden of proving that he was  
11 insane.

12           I repeat. The prosecution does not have any  
13 burden at all to prove that he was sane at the time of these  
14 murders. He has got the burden of proving that he was insane.

15           Now, although the burden of preponderance of  
16 evidence is not as great as the burden of beyond a reasonable  
17 doubt, Mr. Watson still has the burden of proof and it is a  
18 very significant burden of proof.

19           By preponderance of the evidence it is not meant  
20 a preponderance of the witnesses or a preponderance of the  
21 testimony in terms of pages of transcript.

22           Let's look again at the instruction that Judge  
23 Alexander will give you as to what preponderance of the evidence  
24 means.

25           "The defendant has the burden of proving  
26 his legal insanity by a preponderance of the evidence.  
27 By a preponderance of evidence is meant such evidence  
28 as when weighed with that opposed to it has more

1           convincing force and the greater probability of  
2           truth."

3           Now, in our case here, ladies and gentlemen, not  
4           only isn't there a preponderance of evidence showing that Tex  
5           Watson is insane, all of the credible evidence shows that he  
6           was not insane.

7           When I say all of the credible evidence, I am  
8           referring to the evidence during the guilt trial which you can  
9           use once again in determining whether Mr. Watson was sane or  
10          insane at the time of these murders.

11          Linda Kasabian's testimony, Rudolph Weber's  
12          testimony, Barbara Hoyt's testimony, Diane Lake's testimony,  
13          Deputy Cox's testimony, and the testimony of several other  
14          witnesses prove that Watson knew that what he did was wrong.  
15          Proves that he was sane at the time of these murders.

16          Now, when I said that Mr. Watson's burden of proof  
17          was a significant burden, here is what I meant when I said it  
18          is a significant burden: Assuming you are back in that jury  
19          room -- which you are going to be very shortly -- and your  
20          state of mind is that there is evidence showing that Mr. Watson  
21          was sane. There is evidence showing that he was insane. The  
22          evidence appears to be equal. You can't make up your mind.  
23          Let's just assume that.

24          If you had that state of mind, ladies and gentlemen,  
25          if you had that state of mind under the law Mr. Watson would  
26          not have met his burden of proof and you would be duty bound  
27          to come back into this courtroom with a verdict that he was  
28          sane at the time of these murders.

1 But, ladies and gentlemen of the jury, I can't  
2 envision how you would have the problem of even having to go  
3 through that mental process that I just mentioned for the simple  
4 reason that not only hasn't Mr. Watson proved by a preponderance  
5 of the evidence that he is insane, the prosecution, although  
6 it has no burden at all, proved that he was not insane beyond  
7 all doubt.

8 If he has not met his burden of proof under the  
9 law, you certainly should come back with a verdict that he was  
10 sane.

11 Let me finally point out two reasons why a verdict  
12 of insanity by definition would be totally inconsistent with  
13 a verdict, with the verdict of guilt that you folks have  
14 already reached:

15 No. 1. Legal insanity is certainly the most  
16 severe type of mental derangement. A person could be mentally  
17 ill and not legally insane.

18 A person could be psychotic and not be legally  
19 insane.

20 Diminished mental capacity certainly is not the  
21 equivalent of legal insanity. A person could have diminished  
22 mental capacity and not be legally insane, but this is the  
23 important point: If one were insane, by definition, he would  
24 have to also be suffering from diminished mental capacity. In  
25 other words, legal insanity includes diminished mental capacity,  
26 not vice versa.

27 Dr. Bailey testified that a person could be mentally  
28 ill and not legally insane, that he could be psychotic and not

1      legally insane, that he could be suffering from diminished  
2      mental capacity and not legally insane.

3              Dr. Bailey added that certainly if a person were  
4      legally insane, he would, by definition, have to also be  
5      suffering from diminished/capacity and the good doctor testi-  
6      fied that legal insanity -- this is Dr. Bailey's testimony --  
7      is certainly the most severe type of mental illness.

8              But even without Dr. Bailey's testimony, we  
9      wouldn't need Dr. Bailey's testimony on this point because  
10     it is obvious, as I indicated, Judge Alexander will instruct  
11     you:

12             "A person may be mentally ill or mentally  
13     abnormal and yet not be legally insane."

14             It is obvious that legal insanity, if a person  
15     doesn't know what he was doing was wrong, obviously that is  
16     the most severe acute type of mental illness. Common sense  
17     will tell you that.

18             In fact, a person can be suffering from diminished  
19     mental capacity and still be guilty of second degree murder,  
20     but if he is legally insane, he is not guilty of the murders  
21     because of his insanity.

22             Now, you folks have already concluded -- you have  
23     already concluded that Charles Tex Watson wasn't even suffering  
24     from diminished mental capacity.

25             How could Mr. Keith and Mr. Rubrick expect you to  
26     find now that he was insane?

27             If he is not even suffering from diminished mental  
28     capacity, how in the world can he be insane? Insanity is a

1 much greater derangement and illness than diminished mental  
2 capacity.

3 If you haven't found the lesser, if you haven't  
4 found the lesser, how can Mr. Keith and Mr. Bubrick expect  
5 you to find the greater?

6 In effect Mr. Bubrick and Mr. Keith are saying to  
7 you, "You didn't find that Mr. Watson was suffering from  
8 diminished capacity, but won't you please find that he is  
9 insane?"

10 They are telling you, "You haven't given us one  
11 dollar because we don't deserve it, but won't you please give  
12 us \$10?" In effect that is what they are saying.

13 The greater includes the smaller, not vice versa.  
14 The defense is asking you to conclude that the smaller includes  
15 the greater.

16 In fact, you folks didn't even conclude that the  
17 smaller existed. You didn't even conclude that he was  
18 suffering from mental capacity.

19 So a verdict of insanity would be totally incon-  
20 sistent with your previous finding that Mr. Watson was not  
21 suffering from diminished mental capacity and was guilty of  
22 first degree murder.

23 The final reason why a verdict of insanity would  
24 be totally inconsistent, ladies and gentlemen, with your  
25 previous verdict of guilty is this -- let me go to the board  
26 briefly -- your previous verdict was guilty.

27 Guilty of what? Guilty of what? Of course, guilty  
28 of these murders.

1           That is what he is guilty of. That is your  
2 previous verdict.

3           Now, if you conclude during the sanity trial that  
4 Mr. Watson was insane at the time of these murders, the legal  
5 effect, the legal effect of that verdict would be what? That  
6 he is not guilty.

7           MR. BUBRICK: Your Honor, I will object to that as improper  
8 argument.

9           MR. KEITH: They had no opportunity to consider insanity  
10 at the previous trial.

11          THE COURT:-- You may answer that during your argument,  
12 Mr. Bubrick.

13          MR. BUGLIOSI: The legal effect of your verdict would  
14 be that he is not guilty of what? Again of these murders.

15               Why? Well, by reason of his insanity.

16               If you find that he was insane, the legal effect  
17 of insanity is that Mr. Watson is not guilty of these murders.

18               That is the legal effect of it. No question about  
19 it. Not guilty, that is his plea. His plea in this case is  
20 that he is not guilty of these murders because of insanity.

21               So if you find him to be insane, the legal effect  
22 is that he is not guilty of these murders because of his  
23 insanity, which in effect, in legal effect, for all intents  
24 and purposes constitutes a nullification of that previous  
25 verdict.

26               Now, that previous verdict will still be on the  
27 record. It will still be on the books. No one is going to  
28 come around and scratch it off or erase it, but the legal



1 effect of it is that you are saying he is not guilty of these  
2 murders.

3 Why? Because you are saying he was insane. I am  
4 sure you folks didn't sit in this courtroom for over two  
5 months and deliberate for four days and conclude that he was  
6 guilty of these murders, to turn around a few days later and  
7 say, "Well, he is guilty of these murders, but he is not guilty  
8 of them because of his insanity." I am sure that certainly  
9 is not your state of mind.

10 A verdict that Mr. Watson was sane at the time of  
11 these murders is a proper verdict because No. 1 the evidence  
12 conclusively shows that he knew what he did was wrong.

13 No. 2, he did not meet his burden of proof, ladies  
14 and gentlemen, and since he did not meet his burden of proof,  
15 if you find that he did not meet his burden of proof, you are  
16 duty bound to come back into this courtroom with a verdict of  
17 insanity.

18 No. 3. If you never even found diminished capacity,  
19 how in the world could you now come back with a verdict of  
20 insanity.

21 No. 4. As I have indicated, a verdict of insanity  
22 in effect is a verdict of not guilty of these murders, which  
23 would be inconsistent with your previous verdict.

24 So based on the evidence, based on the law, certainly  
25 based on logic, the only proper verdict for you folks to reach  
26 is that at the time of these murders Mr. Watson was sane and  
27 Mr. Kay and I therefore respectfully ask that you so find.

28 Thank you very much.

1 MR. DUBRICK: Do you want me to proceed or take the  
2 morning break?

3 THE COURT: I think you can proceed, Mr. Dubrick, unless  
4 you prefer to have a break at this point.

5 MR. DUBRICK: It is perfectly all right to go ahead. I  
6 was thinking that the jury might want to have a break.

7 THE COURT: We didn't start until 10 of.

8 MR. DUBRICK: Your Honor, colleagues, ladies and  
9 gentlemen:

10 Let me respond to the last issue that has been  
11 raised by Mr. Bugliosi with the diagram on the board.

12 This is typical of what has gone on during the  
13 course of these proceedings.

14 Mr. Bugliosi has no feeling about psychiatrists and  
15 he has not minced any words to tell you how he feels about them,  
16 except if somebody says something that appeals to him, then  
17 he asks you to give some consideration to the psychiatric  
18 testimony, just as he illustrated on the board to you ladies  
19 and gentlemen. You never had the issue of determining insanity  
20 in the other proceedings.

21 Nobody knows what you talked about. Nobody knows  
22 why and how you reached whatever decision you did, but you did,  
23 and the fact that this matter is now proceeding, the fact that  
24 you will be given this matter for determination indicates that  
25 it is not an illegal procedure. It is not an improper  
26 procedure, but it is one that is in accordance with the law.

27 We have to assume that somebody who has something  
28 to do with criminal procedure knows what they are doing and if



1 this procedure is approved and is recognized and is part of  
2 our procedure, there must be some reason for it and there is  
3 nothing inconsistent -- there is nothing illegal, nothing  
4 improper about any determination you make as a result of this  
5 proceeding, compared to what you made originally.

6 This issue was not before you then. It is before  
7 you now and this is a separate and distinct proceeding.

8 It has nothing to do with your determination on  
9 the guilt or innocence phase. You will make your decision on  
10 whether or not you think this man was sane or insane based on  
11 what you heard in this proceeding and forget about what you  
12 did in the other one, because it is separate and distinct,  
13 and it is provided for in the law.

14 If a decision on the guilt or innocence phase  
15 could preclude you -- I don't want to interrupt you, Mr.  
16 Bugliosi, but I will be glad to stop if I am bothering you.

17 MR. BUGLIOSI: I think you objected out loud, Mr. Burbick.  
18 I am just talking to my partner. You objected out loud.

19 THE COURT: Gentlemen, I heard you up here. Please, if  
20 you have to, just whisper to each other.

21 MR. BURBICK: You see, if you couldn't do this, the  
22 law would have provided for it. If the law said you can't  
23 make a decision, which on its surface might appear to be  
24 inconsistent, they would have put a stop to it, but the law  
25 doesn't do that.

26 <sup>law</sup>  
The/provides for this proceeding. I would submit  
27 in its wisdom it knows why it is doing it and I would suggest  
28 that because it is provided for, that you not become concerned

1 about what you did before or what the reaction might be  
2 because of what you might consider to be an inconsistent  
3 verdict.

4 You will make your decision, as I am sure you will,  
5 based on how you feel about the sanity or insanity of this  
6 individual based on this particular proceeding, on the evidence  
7 you have heard, irrespective of what you may have done in the  
8 other proceeding.

9 Now, I don't think Mr. Keith for one moment  
10 suggested that Linda is a paragon of virtue, that everything  
11 she said happened happened.

12 I am satisfied that he, for argument's sake,  
13 permitted you to make an assumption without conceding that  
14 that assumption was in fact a fact.

15 In other words, assuming, without conceding, that  
16 Linda said so and so, and those are the things that happened,  
17 he then proceeded to give you his argument and it is done all  
18 the time and I intend to do it, because if you want to  
19 consider that those facts -- they are the greatest of the  
20 facts that you can consider -- and considering them, if you  
21 will, for the sake of the argument, I will ask you to draw some  
22 other conclusions, but that doesn't mean for one instance that  
23 we admit that Linda's testimony is the truth and that there is  
24 no other version to be accepted.

47  
1 I'd also ask you to listen very carefully to the  
2 jury instructions, because I don't think you are going to hear  
3 anything in any of the instructions about the standards for  
4 sanity or insanity being that of society's. I think you are  
5 going to find that you are going to have to make a determina-  
6 tion that if you find the defendant was incapable of knowing  
7 that his act was wrong -- not society's acts, but his acts,  
8 his world, his understanding, his appreciation, his sanity or  
9 his insanity, not the community's -- and I don't think you  
10 will hear a single word in any of the instructions about the  
11 community or anything else of that nature, or society's.

12 You have heard all the evidence and I am not going  
13 to tell you that I understood some of the evidence to be  
14 different than Mr. Bugliosi outlined it. Whatever interpreta-  
15 tion you put on that evidence, you will put on that evidence.  
16 Whether you think Dr. Tweed said Mr. Watson would have killed  
17 with police officers present or not, I don't know. That wasn't  
18 the interpretation I put on it. It wasn't the way I understood  
19 the question or answer. If you understood it that way, of  
20 course, that is your privilege, because you are the exclusive  
21 judges of the facts. You will find the facts to be as you say  
22 they are, based on what you heard from the witness stand, and  
23 that is true of all the psychiatric testimony. You can  
24 disregard it all, you can be bound by it, you can do with that  
25 what you will.

26 But, I would ask you to remember one thing: There  
27 wasn't a person who got on the stand except the great Dr. Fort  
28 who didn't say that Watson was psychotic, and that's all the

1 disease or derangement of the mind that you need to proceed  
2 further with an analysis of whether or not you think he is sane  
3 or insane.

4 It was Dr. Fort who made that two-hour examination  
5 and said he was sane; yet, said, "The human mind is so complex  
6 I can't tell you why he did the killings"; and so he reached  
7 the conclusion and then tried to justify it in the most abstract  
8 terms.

9 But, I want to proceed to give you what I was  
10 going to give you in the few minutes that I want to talk to  
11 you on why I think that there is a serious question as to  
12 whether or not Mr. Watson was sane.

13 The prosecution and its theory has been that Mr.  
14 Watson was very concerned about what he was doing with respect  
15 to wrapping the weapons in rags or cloth, wiping fingerprints  
16 off, the decision to throw weapons away, not confessing to Mr.  
17 Weber; this is supposed to indicate the fact that Mr. Watson  
18 was afraid of being arrested and because he was afraid of  
19 being arrested he must have known that what he was going to do  
20 was wrong.

21 Well, you can draw another conclusion from that.  
22 We have a right to assume that everybody knows the law. You  
23 have a right to assume that Mr. Watson knew if he was in this  
24 perfectly clear, lucid frame of mind that the punishment for  
25 what he was about to do was either murder -- was either life  
26 imprisonment or the death penalty, those are the only two  
27 alternatives for first degree, premeditated, willful murder,  
28 and you have a right to assume that he knew that.

1           Now, does your logic tell you that you are going  
2 out and commit a crime, knowing what the punishment is, if  
3 you believe that what you are about to do is wrong?

4           Do you do things because you believe that what  
5 you are going to do is wrong, taking that risk? Of course  
6 not.

7           If you are going to take the risk of being killed  
8 for what you do, you do it because you believe what you are  
9 going to do is right and not wrong, because that's the only  
10 thing that is logically about taking a risk of this nature.

11           Risk possible death because you think what you  
12 are going to do is wrong? No, that is preposterous. You  
13 don't even think in those terms.

14           If you are thinking at all, you are thinking that  
15 what you are doing is right and you feel it so deeply and so  
16 sincerely that you are willing to die for it, and that is the  
17 position that Watson found himself in.

18           That's what Dr. Hockman told you, that he felt so  
19 compelled by the rightness of what he was doing that he never  
20 gave any thought to the wrongness of it, that was suspended;  
21 and even Dr. Bailey said the same thing. Dr. Bailey said  
22 Watson didn't know why he killed, it was an unconscious thing  
23 on his part. Only Dr. Bailey said -- do you remember what Dr.  
24 Bailey said twice: "He doesn't know why he killed them, but  
25 I do"; because he said the reasons for the killing was buried  
26 in Watson's subconscious or unconscious, he wasn't even  
27 conscious of it.

28           Well, my God, if you are not even conscious of what

1 you are doing, how can you say that you are aware of the fact  
2 that what you are doing is wrong? It is the same thing that  
3 Dr. Hockman told us, on an intellectual level, talking in a  
4 vacuum, out of context, somewhere in Watson's life he knew  
5 that killing was wrong, but after being subjected to the  
6 Manson family, after living there as long as he did, after  
7 taking drugs as he did, after listening to the helter skelter  
8 philosophy which has as its root the killing -- remember,  
9 death was a continuum of life, there is nothing wrong with  
10 killing, there is no wrong, everything is right, everything  
11 is perfect.

12 After being subjected to that sort of positive  
13 philosophy in a negative sort of way, if you understand what  
14 I mean, there is really nothing positive, nothing gainful  
15 about killing people, but apparently that is the approach  
16 they took, that killing was right, nothing was wrong, all of  
17 death was right, nothing was wrong -- in that nature, I am  
18 talking about it as being a positive movement.

19 Well, if all he ever heard was the positiveness  
20 of killing, and he had been subjected to that for over a year,  
21 why do you want to assume that at this critical stage he  
22 suddenly thought it was wrong? If he was thinking at all, he  
23 was thinking that it was right, because that's the kind of  
24 motivation he had the entire time he lived with the Manson  
25 family.

26 It is the kind of thing that even Dr. Bailey talked  
27 about, the kind of thing that Dr. Hockman talked about. The  
28 wrongness of it was suspended somewhere in the subconscious or



1 the unconscious; the rightness of it greatly outweighed the  
2 wrongness, if he gave any thought to that at all.

3 That's really all you have to find: If he was  
4 incapable of knowing or understanding that his act was wrong,  
5 you will notice that all of these jury instructions, or most  
6 of these instructions are in the disjunctive, they are not  
7 "so and so and so and so," they are "so and so or so and so,"  
8 particularly as far as it affects insanity.

9 It is "knowing and appreciating," "capable of  
10 knowing or understanding the nature or quality of his act,  
11 he is legally insane"; or, "incapable of knowing or under-  
12 standing that his act was wrong."

13 That is the test for insanity. You don't have  
14 to find them both, either one will suffice; and I submit,  
15 as Dr. Hockman suggested, that he never even thought about  
16 the wrongness of what he was doing because everything at Spahn  
17 Ranch, everything with the Manson family was a matter of  
18 being right; and people commit terrible acts, they do things  
19 we don't understand because they are consumed with the right-  
20 ness of what they are doing, not with the wrongness of it.

21 As I indicated before, perhaps on some detached  
22 intellectual level he may have known that, but that was so far  
23 removed from his thinking at the time these acts were committed,  
24 he was so motivated by Manson and the Manson philosophy that he  
25 never gave any thought to anything else other than to the  
26 absolute perfectness of what he was about to do.

27 You remember he even told Dr. Fort, as I recall,  
28 that he thought all of what he was about to do was perfect,

1 there was no right, there was no wrong, he never gave any  
2 thought to it; he was told to do something, he went out and  
3 did it, much the same explanation that Dr. Hockmen gave us,  
4 that he was concerned with, if anything at all, with the  
5 matter of perfecting the grand scheme, the halter skelter  
6 idea. He was like a soldier sent out on a mission. He  
7 did what he thought he had to do to complete the mission and  
8 the one thing he didn't want to do was get arrested. If he  
9 got arrested it would blow the mission.

10 You know, when he talked to Diane Lake or to  
11 Barbara Hoyt he never told them -- he talked to Barbara Hoyt  
12 first for a second, and he never said, "We were at a love in"  
13 or something like that, "Don't tell anybody else because you  
14 know we really killed somebody and I don't want anybody else  
15 to know."

16 He never said that; that's an assumption Mr.  
17 Bugliosi wants you to make; just as with the conversation with  
18 Diane Lake he said something about he killed Sharon Tate,  
19 "But don't tell anybody." He didn't tell her to just go ahead  
20 and repeat it to the world; that's an assumption that Mr.  
21 Bugliosi wants you to make, he wants you to assume that he  
22 didn't tell her to go ahead and expound on it, that he  
23 therefore knew that what he did was wrong. That's a conclusion  
24 he wants you to draw.

25 We are asking you to draw the other conclusion,  
26 because it is just as logical conclusion to draw from the  
27 evidence that you heard here: Mainly, that what he had in  
28 mind was not getting arrested during the commission of this

1 crime because it meant that Manson might have been arrested;  
2 if Manson had been arrested that would have been the end of  
3 the helter skelter deal.

4 Think for a moment, if you will, about Linda's  
5 version of what happened when they first went out: They leave  
6 Spahn Ranch and Watson is supposed to tell her, "Wrap the  
7 gun and the knife in the cloth so that if we are stopped by  
8 the police you will throw them away."

9 Now, what was he worried about at that time? Was  
10 he really worried about being punished?

11 Assume, if you will, as you must, that he was  
12 going <sup>out</sup> on these nights of murder -- on this night of murder --  
13 and you must assume that he knew what he was about to do; yet,  
14 when he leaves the ranch, the very first thing he is concerned  
15 about are the weapons being discovered in the car by a  
16 policeman.

17 I don't know what the punishment is for carrying  
18 a gun or knife in a car, but certainly it doesn't begin to  
19 compare with the life imprisonment or death penalty; so he  
20 certainly had nothing to fear by way of punishment at that  
21 time; but he was concerned, as I suggest, with being arrested  
22 because an arrest at that time would have meant the end of  
23 Manson and helter skelter and everything else that he believed  
24 was so right and everything else that he thought he wanted to  
25 participate in.

26 You notice that almost every other doctor who  
27 testified testified about the delusional world in which Mr.  
28 Watson lived, and that's the world, that's the standard, I

1 suggest, that you are going to judge his conduct by, not by  
2 the rest of the lucid society's standards, because if that were  
3 true than nobody could ever be insane because society  
4 disapproves of everything; but if this man, in his own mind,  
5 deranged and diseased and sick so it thinks that what he is  
6 doing is right or that it is not wrong, that is the standard  
7 you will judge by.

8 Well, the one thought I wanted to leave you with  
9 was the fact that I think if Mr. Watson engaged in any thinking  
10 at all he engaged in the thinking that was positive about the  
11 rightness of what he was about to do, and not -- and gave no  
12 thought at all to the wrongness, because he wasn't capable of  
13 thinking in these terms.

14 He had only one idea in his mind, one goal to  
15 achieve, and he set out to achieve that without thinking at  
16 all about whether it was wrong to do what he was going to do  
17 because if he thought it was wrong to do what he was going to  
18 do, he never would have set out. He had to be consumed by  
19 the rightness of it.

20 We know, also, that when Watson was at a more  
21 rational period of existence out in the desert <sup>and</sup> there was some  
22 suggestion made about killings, he abandoned that, he left,  
23 he no longer became involved with that because he realized  
24 at that time that that was clearly wrong; there was no positive  
25 factor, there was no need for that, it wouldn't enhance halter  
26 skelter any more; so he left the desert at that time because  
27 he was capable of rational thinking. He had been drug free  
28 for some six or seven weeks; the situation had changed a bit,

1 he now realized there was nothing to be accomplished by that  
2 and we know that he was capable of thinking, he was capable  
3 of a right and wrong decision, given a kind of lucid mind and  
4 thought, and at that time he left.

5 I would submit, ladies and gentlemen, that on the  
6 nights of the killings he was so consumed by the rightness of  
7 what he was doing that there was no thought about wrongness;  
8 that had been so far depressed in his unconscious or subconscious  
9 that it didn't even rise to the surface. It is the same sort  
10 of thing Dr. Bailey told us, the same sort of thing that Dr.  
11 Hoskman told us; and I would submit, ladies and gentlemen,  
12 that is what motivated Watson, the rightness of his conduct  
13 rather than the wrongness.

14 Thank you.

15 THE COURT: Ladies and gentlemen, we will have a short  
16 recess at this time; and, once again, please heed the usual  
17 admonition.

18 (Recess.)  
19  
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1 THE COURT: People against Watson.

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

4  
5 CALJIC 1.30

6 Ladies and Gentlemen of the Jury:

7 It becomes my duty as judge to instruct you  
8 in the law that applies to this case, and it is your  
9 duty as jurors to follow the law as I shall now state  
10 it to you. On the other hand, it is your exclusive  
11 province to determine the facts in the case, and to  
12 consider and weigh the evidence for that purpose.  
13 The authority thus vested in you is not an arbitrary  
14 power, but must be exercised with sincere judgment,  
15 sound discretion, and in accordance with the rules  
16 of law stated to you.

17 Both the People and the defendant have a  
18 right to expect that you will conscientiously consider  
19 and weigh the evidence and apply the law of the  
20 case, and that you will reach a just verdict regard-  
21 less of what the consequences of such verdict may  
22 be.

23 Your verdict must express the individual opinion  
24 of each juror.

25 You are the exclusive judges of the facts and  
26 of the effect and value of the evidence. You must  
27 determine the facts only from the evidence received  
28 in court.



1           You must not consider as evidence any state-  
2       ment of counsel made during the trial; however, if  
3       counsel for the parties have stipulated to any fact,  
4       you will regard that fact as being conclusively  
5       proved.

6           As to any question to which an objection was  
7       sustained, you must not speculate as to what the  
8       answer might have been or as to the reason for  
9       the objection.

10          You must not consider for any purpose any  
11       offer of evidence that was rejected, nor any evi-  
12       dence that was stricken out by the court; such  
13       matter is to be treated as though you had never  
14       heard it.

15          It is not necessary that facts be proved by  
16       direct evidence. They may be proved also by cir-  
17       cumstantial evidence or by a combination of direct  
18       evidence and circumstantial evidence. There is no  
19       distinction between direct evidence and circumstan-  
20       tial evidence as a means of proof. Neither is en-  
21       titled to any greater weight than the other.

22          Direct evidence means evidence that directly  
23       proves a fact, without an inference, and which in  
24       itself, if true, conclusively establishes that fact.

25          Circumstantial evidence means evidence that  
26       proves a fact from which an inference of the exist-  
27       ence of another fact may be drawn.

28          An inference is a deduction of fact that may

1 logically and reasonably be drawn from another  
2 fact or group of facts established by the evidence.

3 You are the sole judges of the credibility of  
4 the witnesses who have testified in this case. In  
5 determining the credibility of a witness you may  
6 consider his demeanor while testifying; the char-  
7 acter of his testimony; his opportunity and ability  
8 to observe, to recollect, or to communicate any  
9 matter about which he testifies; his character for  
10 honesty or veracity or their opposites; the exist-  
11 ence or nonexistence of any bias, interest or motive  
12 in the case; or any statement made by him that  
13 is inconsistent with his testimony.

14 A witness false in one part of his testimony  
15 is to be distrusted in others; that is to say, you  
16 may reject the whole testimony of a witness who  
17 wilfully has testified falsely as to a material point,  
18 unless, from all the evidence, you shall believe that  
19 the probability of truth favors his testimony in  
20 other particulars.

21 You are not bound to decide in conformity  
22 with the testimony of a number of witnesses, which  
23 does not produce conviction in your mind, as  
24 against the declarations of a lesser number or other  
25 evidence, which appeals to your mind with more  
26 convincing force. Testimony given by one witness  
27 whom you believe is sufficient for the proof of any  
28 fact.

(Duly qualified experts may give their opinions on questions in controversy at a trial. To assist you in deciding such questions, you may consider the opinion with the reasons given for it, if any, by the expert who gives the opinion. You may also consider the qualifications and credibility of the expert. You are not bound to accept an expert opinion as conclusive, but should give to it the weight to which you find it to be entitled. You may disregard any such opinion if you find it to be unreasonable.)

It is your duty as jurors to consult with one another and to deliberate with a view to reaching an agreement, if you can do so without violence to your individual judgment. Each of you must decide the case for yourself, but should do so only after a consideration of the case with your fellow jurors, and you should not hesitate to change an opinion when convinced that it is erroneous.

Requested by People

Given as Requested

Hon. Adolph Alexander, Judge

## CALJIC No. 2.10

There has been admitted in evidence the testimony of a medical expert of statements made to him by the defendant in the course of an examination of the defendant which was made for the purpose of diagnosis. The testimony of such statements may be considered by you only for the limited purpose of showing the information upon which the medical expert based his opinion. Such testimony is not to be considered by you as evidence of the truth of the facts disclosed by defendant's statements.

Requested by People

Given as Requested

Hon. Adolph Alexander, Judge

## CALJIC 2.82

In examining an expert witness, counsel may propound him a type of question known in the law as a hypothetical question. By such a question the witness is asked to assume to be true a hypothetical state of facts, and to give an opinion based on that assumption.

In permitting such a question, the court does not rule, and does not necessarily find that all the assumed facts have been proved. It only determines that those assumed facts are within the probable or possible range of the evidence. It is for you, the jury, to find from all the evidence whether or not the facts assumed in a hypothetical question have

1       been proved, and if you should find that any  
2       assumption in such a question has not been proved,  
3       you are to determine the effect of that failure of  
4       proof on the value and weight of the expert opinion  
5       based on the assumption.

6                       Requested by People

7                       Given as Requested

8                       Hon. Adolph Alexander, Judge

9  
10                      CALJIC 4.00

11             The defendant has heretofore been found guilty  
12     of the offenses of murder and conspiracy to commit  
13     murder and it is now your function to determine the  
14     issue raised by the defendant's plea of "not guilty  
15     by reason of insanity." Such plea now places before  
16     you the issue as to whether he was legally sane or  
17     legally insane at the time of the commission of the  
18     offense. This is the sole issue for you to determine  
19     in this proceeding.

20             Although you may consider evidence of his  
21     mental condition before and after the time of the  
22     commission of the offense, such evidence is to be  
23     considered for the purpose of throwing light upon  
24     his mental condition as it was when the offense  
25     was committed.

26             Legal insanity, as the words are used in these  
27     instructions, means a diseased or deranged condition  
28     of the mind which makes a person incapable of  
29     knowing or understanding the nature and quality

1 of his act, or makes a person incapable of knowing  
2 or understanding that his act was wrong.

3 If you find that the defendant was capable of  
4 knowing and understanding the nature and quality  
5 of his act and, in addition, was capable of knowing  
6 and understanding that his act was wrong, you will  
7 find that he was legally sane.

8 However, if you find that the defendant was  
9 not capable of knowing or understanding the nature  
10 and quality of his act, you will find that he was  
11 legally insane; or, if you find that he was in-  
12 capable of knowing or understanding that his act  
13 was wrong, you will find that he was legally insane.

14 The defendant has the burden of proving his  
15 legal insanity by a preponderance of the evidence.

16 By a preponderance of evidence is meant such  
17 evidence as, when weighed with that opposed to it,  
18 has more convincing force and the greater proba-  
19 bility of truth.

20 Requested by People

21 Given as requested

22 Hon. Adolph Alexander, Judge  
23  
24  
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28



## CALJIC 4.01

Mental illness and mental abnormality, in whatever form either may appear, are not necessarily the same as legal insanity. A person may be mentally ill or mentally abnormal and yet not be legally insane. For mental illness or mental abnormality to be a defense to crime, such condition must make the person incapable of knowing or understanding the nature and quality of his act, or make him incapable of knowing or understanding that his act was wrong.

Requested by People

Given as Requested.

Hon. Adolph Alexander, Judge

## CALJIC 4.03

Temporary legal insanity, or legal insanity of short duration, which existed at the time of the commission of the offense charged, is as fully recognized as a defense of legal insanity of longer duration.

Requested by Defendant

Given as Requested

Hon. Adolph Alexander, Judge

## CALJIC 17.30

I have not intended by anything I have said or done, or by any questions that I may have asked, to intimate or suggest what you should find to be the facts on any questions submitted to you, or that I believe or disbelieve any witness.

If anything I have done or said has seemed to so indicate, you will disregard it and form your own opinion.

Requested by People

Given as Requested

Hon. Adolph Alexander, Judge

## CALJIC 17.31

You have been instructed as to all the rules of law that may be necessary for you to reach a verdict. Whether some of the instructions will apply will depend upon your determination of the facts. You will disregard any instruction which applies to a state of facts which you determine does not exist. You must not conclude from the fact that an instruction has been given that the court is expressing any opinion as to the facts.

Requested by People

Given as Requested

Hon. Adolph Alexander, Judge

## CALJIC 17.42

In your deliberations the subject of penalty or punishment is not to be discussed or considered by you. That is a matter which must not in any way affect your verdict.

Requested by People

Given as Requested

Hon. Adolph Alexander, Judge

## CALJIC 17.49

In this case there are two possible verdicts (as to each count)(as to Counts 1 - 3). These various possible verdicts are set forth in the forms of verdict which you will receive. Only one of the possible verdicts may be returned by you (as to any particular count). If you all have agreed upon one verdict (as to a particular count), the corresponding form is the only verdict form to be signed (as to that count). The other forms are to be left unsigned.

Requested by People

Given as Requested

Hon. Adolph Alexander, Judge

CALJIC 17.30

You shall now retire and select one of your number to act as foreman, who will preside over your deliberations. In order to reach a verdict, all twelve jurors must agree to the decision. As soon as all of you have agreed upon a verdict, you shall have it dated and signed by your foreman and then shall return with it to this room.

Requested by People

Given as Requested

Hon. Adolph Alexander, Judge

Would you swear the bailiffs again, please.

THE CLERK: You and each of you do solemnly swear you will take charge of the jury, that you will keep them together, that you will not speak to them or allow anyone else to speak to them on any matter connected with this case except on order of the court, that when they have agreed upon a verdict, you will return them to the courtroom, so help you God.

(Affirmative response.)

THE CLERK: You and each of you do solemnly swear you will take charge of the alternate jurors and keep them apart from the jury while they are deliberating on the cause until further order of the court, so help you God.

(Affirmative response.)

THE COURT: You four ladies again will remain in isolation.

(The jury retired for deliberation.)

#9-1  
1 (At the hour of 4:25 p.m. the jury returns to the  
2 courtroom and the following proceedings were had:)

3  
4 THE COURT: People against Watson.

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

7 Mr. Rodriguez, I see you are holding the verdicts.

8 THE FOREMAN: Yes, your Honor.

9 THE COURT: Have the ladies and gentlemen of the jury  
10 agreed upon the verdict in this case?

11 THE FOREMAN: We have, your Honor.

12 THE COURT: Will you hand them to the bailiff, please.

13 (Pause.)

14 Will the clerk please read the verdicts.

15 THE CLERK: (Reading)

16 \*Title of Court and Cause.

17 \*We the jury in the above-entitled  
18 action find the defendant, Charles Denton Watson,  
19 was sane at the time the offense was committed as  
20 charged in Count I of the indictment.

21 This 19th day of October, 1971.

22 \*Carlos Rodriguez, Foreman.

23 \*Title of Court and Cause.

24 \*We the jury in the above-entitled  
25 action find the defendant, Charles Denton Watson,  
26 was sane at the time the offense was committed as  
27 charged in Count II of the indictment.

28 \*This 19th day of October, 1971.

9-2  
1 "Carlos Rodriguez, Foreman.

2 "Title of Court and Cause.

3 "We the jury in the above-entitled  
4 action find the defendant, Charles Denton Watson,  
5 was sane at the time the offense was committed as  
6 charged in Count III of the indictment.

7 "This 19th day of October, 1971.

8 "Carlos Rodriguez, Foreman.

9 "Title of Court and Cause.

10 "We the jury in the above-entitled  
11 action find the defendant, Charles Denton Watson,  
12 was sane at the time the offense was committed as  
13 charged in Count IV of the indictment.

14 "This 19th day of October, 1971.

15 "Carlos Rodriguez, Foreman.

16 "Title of Court and Cause.

17 "We the jury in the above-entitled  
18 action find the defendant, Charles Denton Watson,  
19 was sane at the time the offense was committed as  
20 charged in Count V of the indictment.

21 "This 19th day of October, 1971.

22 "Carlos Rodriguez, Foreman.

23 "Title of Court and Cause.

24 "We the jury in the above-entitled  
25 action find the defendant, Charles Denton Watson,  
26 was sane at the time the offense was committed as  
27 charged in Count VI of the indictment.

28 "This 19th day of October, 1971.



9-3  
1 "Carlos Rodriguez, Foreman.

2 "Title of Court and Cause.

3 "We the jury in the above-entitled  
4 action find the defendant, Charles Denton Watson,  
5 was sane at the time the offense was committed as  
6 charged in Count VII of the indictment.

7 "This 19th day of October, 1971.

8 "Carlos Rodriguez, Foreman.

9 "Title of Court and Cause.

10 "We the jury in the above-entitled  
11 action find the defendant, Charles Denton Watson,  
12 was sane at the time the offense was committed as  
13 charged in Count VIII of the indictment.

14 "This 19th day of October, 1971.

15 "Carlos Rodriguez, Foreman."

16 Ladies and gentlemen of the jury, are these your  
17 verdicts, so say you one, so say you all.

18 (The jury answers affirmatively.)

19 THE COURT: Do you wish the jury polled, gentlemen?

20 MR. DUBRICK: Please, your Honor, but again as to all  
21 verdicts on one ballot.

22 THE CLERK: Ladies and gentlemen, as I call your names,  
23 if this was your vote on all the verdicts, would you answer yes.

24 Mrs. Lee Stanton?

25 MRS. STANTON: Yes.

26 THE CLERK: Irving Spanier?

27 MR. SPANIER: Yes.

28 THE CLERK: Francisco Jeffers?

1 MR. JEFFERS: Yes.

2 THE CLERK: Miss Alice E. Mihai.

3 MRS. MIHAI: Yes.

4 THE JUDGE: You missed one.

5 THE CLERK: I'm sorry.

6 Kenneth R. Morgan.

7 MR. MORGAN: Yes.

8 THE CLERK: Juror No. 6, Matthew Batie.

9 MR. BATIE: Yes.

10 THE CLERK: Gwendolyn Spencer.

11 MRS. SPENCER: Yes.

12 THE CLERK: Mrs. Marie Trainor?

13 MRS. TRAINOR: Yes.

14 THE CLERK: Carlos Rodriguez.

15 MR. RODRIGUEZ: Yes.

16 THE CLERK: Rosemarie Casaleuovo.

17 MRS. CASALEUOVO: Yes.

18 THE CLERK: George I. Ujiye.

19 MR. UJIYE: Yes.

20 THE CLERK: Norm Oreskovich.

21 MRS. ORESKOVICH: Yes.

22 THE COURT: Just to make sure, Miss Mihai, was that your  
23 vote too?

24 MISS MIHAI: Yes.

25 THE CLERK: Twelve jurors answered yes, your Honor.

26 THE COURT: All right. Record the verdict, please.

27 THE CLERK: Waive reading?

28 MR. BUBRICK: Waive reading, yes, your Honor.

9-5

1 THE COURT: Ladies and gentlemen of the jury, we will  
2 now start the last phase of this case. That will be  
3 tomorrow morning at 9:30. As I have indicated, there will  
4 be no further testimony.

5 Am I correct in this, gentlemen?

6 MR. BUBRICK: Correct, your Honor.

7 MR. BUGLIOSI: Yes.

8 THE COURT: There will be argument by counsel and  
9 instructions by the court. You will be excused until 9:30  
10 tomorrow morning and, again, do not form or express any opinion  
11 in this case as to the last phase of this case. Do not  
12 discuss it amongst yourselves or with anybody else. Please  
13 keep your minds open.

14 Tomorrow morning at 9:30. Thank you.

15 MR. BUBRICK: Your Honor, is it correct to assume that  
16 it will be expected the jury will start their deliberations  
17 tomorrow? Is that what we expect?

18 THE COURT: It all depends upon how long the arguments  
19 will take. If we get through at a reasonable hour with your  
20 arguments, the jury will get the case tomorrow. If we are  
21 through within a reasonable hour.

22 MR. BUGLIOSI: I am relatively sure both sides will  
23 be through tomorrow, your Honor.

24 THE COURT: The instructions won't take long, so,  
25 ladies and gentlemen of the jury, you might expect to take this  
26 case tomorrow.

27 (The jury leaves the courtroom and the  
28 following proceedings were had:)

9-6

1 THE COURT: Would you give me an estimate of the length  
2 of your arguments?

3 MR. BUGLIOSI: Opening, about 20 minutes; closing,  
4 probably half hour.

5 THE COURT: Sam, do you have any idea?

6 MR. BUBRICK: Something less than an hour.

7 THE COURT: Max, are you going to participate?

8 MR. KEITH: 45 minutes.

9 MR. BUBRICK: I am sure that hour is a very rough  
10 estimate for me, your Honor. I don't think it probably  
11 will be that long. Anywhere between 40 minutes or 45 minutes.

12 THE COURT: All right.

13 So in all probability then the entire morning  
14 will be consumed?

15 MR. KEITH: No question about that.

16 MR. BUGLIOSI: Yes.

17 THE COURT: If you go beyond 2:30 tomorrow would you  
18 want me to instruct them at that hour?

19 MR. BUBRICK: It seems to me that you would just really  
20 get them seated and then lock them up. It would probably be  
21 better to instruct the next morning. Tomorrow would be  
22 Wednesday; that would be Thursday then.

23 THE COURT: If we go beyond 2:30 with arguments I better  
24 instruct them the following morning.

25 MR. BUBRICK: And lock them up the following day?

26 THE COURT: Yes, although the instructions on the  
27 penalty phase are no more than 10 minutes, so bring them in,  
28 Steve, tomorrow morning. We will play it by ear. If we are

9-7

1 through within a reasonable hour we will give it to them and  
2 let them get started.

3 MR. KAY: What instructions would the court want since  
4 there is going to be no testimony?

5 THE COURT: We will give them the stipulation we gave  
6 them on this insanity phase, that it's stipulated that all  
7 the testimony they have heard on both phases they may consider  
8 on the question of penalty.

9 MR. KAY: We didn't give them an instruction.

10 THE COURT: But we stipulated.

11 MR. KAY: We can enter into that stipulation again, and  
12 then you want 1.30, the basic --

13 THE COURT: That's all we need.

14 MR. BUGLIOSI: The standard Morse instructions.

15 THE COURT: That's all we need.

16 MR. BUBRICK: Then I have a special instruction on the  
17 fact that they may be guided by pity, passion, sympathy, things  
18 of that nature.

19 THE COURT: That one we omit.

20 MR. BUBRICK: It is a proper instruction for this penalty  
21 phase.

22 THE COURT: Yes.

23 MR. BUGLIOSI: Your Honor, I was going to do this  
24 tomorrow morning, but this time might be a convenient time.  
25 We would ask again that the court, certainly during the penalty  
26 trial, admit people's 87 for the specific reason that during  
27 the penalty trial under the law the jury certainly can, if they  
28 want to, take into consideration their passion, hatred,

9-8

1 sympathy. This was the element that I think induced the court  
2 to keep people's 87 out during the guilt trial, that it might  
3 arouse the passions of the jury against Mr. Watson.

4 During the penalty trial I think that consideration  
5 no longer exists because the jury is entitled to use sympathy  
6 or hatred for a defendant, so we would ask the court at this  
7 point, since the reason for the court's ruling no longer seems  
8 to be present, we would ask the court at this point to admit  
9 people's 87.

10 THE COURT: I didn't keep it out because of that. The  
11 law says where the prejudicial effect outweighs its probative  
12 value, then the court is to exercise its discretion in keeping  
13 it out. The highly prejudicial effect of those photographs  
14 still lingers on.

15 I am not going to change my ruling in that respect,  
16 Mr. Bugliosi.

17 MR. BUGLIOSI: But it's perfectly admissible to put on  
18 prejudicial evidence during the penalty trial. That's the  
19 whole point.

20 THE COURT: In the exercise of my discretion I am going  
21 to keep them out.

22 MR. BUGLIOSI: Thank you, your Honor.

23 THE COURT: I think you will appreciate it later on.

24 (At 4:45 an adjournment was taken until Wednesday,  
25 October 20, 1971 at 9:30 a.m.)  
26  
27  
28



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1 LOS ANGELES, CALIFORNIA, WEDNESDAY, OCTOBER 20, 1971; 9:50 A.M.

2  
3  
4 THE COURT: Good morning, ladies and gentlemen.

5 THE JURORS: Good morning.

6 THE COURT: Gentlemen.

7 People against Watson.

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

10 Now, ladies and gentlemen of the jury, counsel  
11 have stipulated and the law says that you may consider all  
12 testimony that has heretofore been offered both on the guilt  
13 phase, the lack of mental capacity, and the insanity phase.  
14 All of that may be considered by you in arriving at the penalty  
15 issue in this case.

16 In addition to that, all exhibits heretofore  
17 received in evidence are now received in evidence in this phase  
18 of the case.

19 So stipulated, gentlemen?

20 MR. BUGLIOSI: So stipulated.

21 MR. KAY: So stipulated.

22 MR. KEITH: So stipulated.

23 MR. BUBRICK: So stipulated.

24 THE COURT: All right, Mr. Bugliosi, you may proceed.

25 MR. BUGLIOSI: Your Honor, defense counsel, Mr. Kay,  
26 ladies and gentlemen of the jury.

27 I am sure you will be happy to hear that I won't  
28 take more than 10 or 15 minutes of your time during my opening

1 argument. However, after Mr. Bubrick argues I will respond  
2 to his argument and, dependant upon what he says, I might be  
3 a little longer than I will be during this opening argument;  
4 but, in any event, I am almost positive that you will get  
5 instructions from Judge Alexander late this morning or early  
6 this afternoon and you will be able to commence your delibera-  
7 tions.

8 I do not have to tell you, ladies and gentlemen,  
9 that you are facing a very, very serious, solemn decision:  
10 Namely, whether to return a verdict of life imprisonment or  
11 the death penalty against Mr. Watson.

12 You are going to have to make that decision all  
13 by yourselves. Defense counsel and I are not going to be able  
14 to help you, Mr. Kay is not going to be able to help you; even  
15 Judge Alexander is not going to be able to help you.

#2  
1           The probabilities are exceedingly great that you  
2 will never ever have to make a decision like this again as long  
3 as you live.

4           In fact, I would say the probabilities are exceed-  
5 ingly great that you will never even meet another individual in  
6 your lifetime who has had to make a decision similar to the  
7 one that faces you right now.

8           The difficulty in your decision, as I see it,  
9 ladies and gentlemen, is not whether Mr. Watson deserves the  
10 death penalty. In view of the incredibly savage, barbaric,  
11 inhuman nature of these murders, the death penalty is the only  
12 proper verdict.

13           In view of what he did, life imprisonment would be  
14 the greatest gift, the greatest charity, the greatest handout  
15 ever given.

16           The difficulty in your decision, ladies and  
17 gentlemen, as I see it is whether you will have the fortitude  
18 to return a verdict of death. Now, I know that you will have  
19 that fortitude.

20           Just as you folks have been observing the witnesses  
21 on that witness stand for the last two and a half months, we  
22 attorneys have been observing you folks and what I see in you  
23 12 people is the collective conscience of this community.

24           I see 12 dedicated conscientious citizens of this  
25 community who are going to rise above the admitted unpleasant-  
26 ness of voting for a verdict of death and say to yourselves,  
27 "We have got to return a verdict which is proper under all of  
28 the circumstances."

1 Now, ladies and gentlemen of the jury, if this case  
2 is not a proper case for the imposition of a death penalty,  
3 then no case ever would be.

4 As you know, a defendant cannot be sentenced to  
5 death unless he has first been convicted of first degree murder.  
6 If a defendant is only convicted of second degree murder, the  
7 issue of the death penalty doesn't even arise.

8 There are many types of first degree murder, all  
9 of which can carry and many of which have carried the death  
10 penalty.

11 For instance, these are just examples: Party A  
12 has an immense hatred against Party B and one day Party A  
13 poisons Party B to death -- first degree murder, not second  
14 degree, first degree. A killing by poison is first degree  
15 murder.

16 Or a robber goes into a liquor store and holds up  
17 the liquor store and the proprietor forcibly resists and the  
18 robber shoots and kills the proprietor -- first degree murder.  
19 A killing during the perpetration of a robbery is first degree  
20 murder.

21 Where a man learns that his wife is cheating on  
22 him, so one night a week after he learns about this, he hides  
23 in some bushes waiting for his wife's paramour and he shoots  
24 and kills his wife's paramour -- first degree murder. Not  
25 second degree, it is a deliberate, premeditated killing -- first  
26 degree murder.

27 These are just a few examples of first degree  
28 murder. There are many, many more, of course.

1           These types of first degree murder I have just  
2 mentioned, ladies and gentlemen, have happened thousands upon  
3 thousands of times before and they are probably happening  
4 right now in this city of Los Angeles, but I submit, ladies  
5 and gentlemen, that the seven murders in this case were so  
6 incredibly savage, so incredibly ghastly, they are perhaps  
7 unprecedented.

8           They were so vicious and so horrible and so totally  
9 devoid of any extenuating circumstances that the death penalty  
10 should just absolutely be automatic.

11           If Mr. Watson gets life imprisonment for what he  
12 did then the average typical first degree murderer should only  
13 get 10 days in the county jail by comparison.

14           Now, Mr. Hubrick and Mr. Keith during their  
15 arguments to you, of course, will be begging for Mr. Watson's  
16 life. I expect that.

17           In fact, it is commendable on their part that they  
18 beg for his life. They are representing him. Certainly it is  
19 understandable.

20           Also they will probably tell you that a verdict of  
21 death will be an eye for an eye and a tooth for a tooth or  
22 similar language.

23           It is not an eye for an eye, ladies and gentlemen.  
24 Mr. Watson killed seven people.

25           To be an eye for an eye Watson would literally  
26 have to be put to death seven times, ladies and gentlemen.

27           I might add, and I think this is an important  
28 point, that although during the guilt trial, although during

1 the guilt trial, the first phase of this proceeding, trial  
2 jurors cannot let passion or sympathy or hatred for a defendant  
3 enter into their deliberations, there is no such restriction  
4 during the penalty trial, no such restriction.

5 In other words, you folks are perfectly free to  
6 go back into that jury room and say to yourselves, "This man  
7 murdered seven people, therefore he deserves to die for what  
8 he did."

9 Nothing wrong with that. The law does not prohibit  
10 that state of mind. This is not the guilt trial now; this is  
11 the penalty trial.



#3  
1           The defense attorneys will probably tell you that  
2 verdicts of death won't bring the seven victims back to life.

3           Well, that type of argument, ladies and gentlemen,  
4 can be made in every death penalty case and if one were to buy  
5 that argument, the death penalty would never be imposed. In  
6 fact, if one were to buy that argument, ladies and gentlemen,  
7 no one would ever be punished for any crime, since the  
8 punishment that a person receives does not remove the fact that  
9 the crime has been committed.

10           In other words, don't punish a man for raping a  
11 virgin because the punishment does not remove the fact that  
12 she was raped; the punishment is not going to restore her  
13 virginity, as it were. Don't punish a man for arson because  
14 the punishing is not going to put that building up, the building  
15 is still burned down, and so on and so on. You can make that  
16 argument with every crime.

17           The defense attorneys may also argue to you,  
18 ladies and gentlemen, how barbaric the death penalty is; that  
19 is, how horrible death in the gas chamber is, but you ask  
20 yourselves this question back in the jury room: Is death in  
21 the gas chamber one one-hundredths -- one one-hundredths --  
22 as horrible as the way these seven victims in this case were  
23 brutally murdered.

24           Wojciech Frykowski -- Wojciech Frykowski, 51 stab  
25 wounds -- 51 stab wounds, two gunshot wounds, 13 deep lacerations  
26 to the top of his scalp. Is death in the gas chamber, ladies  
27 and gentlemen, 1/100 as horrible as the way this poor man died?

28           Leno La Bianca, 26 stab wounds, a knife stuck in

1 his throat, a fork in his stomach, the word "war" carved on  
2 his stomach; the words "halter skelter" and "death to pigs"  
3 and "rise" printed in his blood on the refrigerator door and  
4 the living walls of his residence -- and the pregnant Sharon  
5 Tate and all the other victims.

6 Please don't forget -- please don't forget the  
7 victims in this case, ladies and gentlemen. As I said during  
8 the final summation during the guilt phase, the memory of these  
9 people cries out for justice. From their graves they cry out  
10 for justice.

11 Moreover, if death in the gas chamber is horrible,  
12 ladies and gentlemen, let's look at the opposite side of that  
13 coin. Maybe life imprisonment is not that bad.

14 I imagine -- I imagine that inmates are fed three  
15 wholesome meals a day. I imagine their living conditions are  
16 sanitary -- talking about life imprisonment, now -- the state  
17 prisons in the state of California have a library, they have  
18 a movie, there is a prison orchestra, the inmates receive  
19 medical care and treatment, they can learn a trade or an  
20 occupation, there is no question that they participate in  
21 sports.

22 Oh, I'm not saying it is a country club. I am  
23 not saying that at all, don't get me wrong, it is not a country  
24 club; but maybe it is not that bad, either.

25 Now, should Mr. Watson, ladies and gentlemen --  
26 should Mr. Watson receive life imprisonment and be permitted  
27 to live like I have just indicated, when he did this to these  
28 people -- you have seen these pictures -- but think of this in

1 terms of the type of life that this man will most likely have  
2 if he gets life imprisonment.

3 Should he be permitted to live like I have just  
4 indicated, when he did that to these people? Should he be  
5 permitted to live, ladies and gentlemen, like I have just  
6 indicated, when he saw to it -- when he saw to it that Sharon  
7 Tate, Abigail Folger, Wojciech Frykowski, Jay Sebring, Steven  
8 Parent, Leno La Bianca, Rosemary La Bianca would never enjoy  
9 another dinner, would never see their loved ones again, would  
10 never listen to music again, would never see another sunrise?

11 For the unbelievably savage, barbaric, merciless  
12 murders that Mr. Watson committed, ladies and gentlemen, there  
13 is only one proper verdict: It is a verdict of death.

14 Now, voting for the death penalty obviously is  
15 not going to be a pleasant task for you folks -- obviously not.  
16 As twelve sensitive human beings such a task could never be  
17 pleasurable; but keep one thing in mind, if and when you do  
18 return verdicts of death against Mr. Watson: There will be a  
19 good reason for it.

20 Mr. Watson viciously snuffed out the lives of seven  
21 precious human beings; so, if and when you do return verdicts  
22 of death there will be a good reason for it.

23 Ladies and gentlemen of the jury, there was  
24 absolutely, absolutely no extenuating reason under the moon  
25 or under the stars for Watson and his co-conspirators to murder  
26 these seven poor people.

27 In view of what Mr. Watson did, ladies and  
28 gentlemen, and in view of the fact that during the guilt trial

1 you found that he deliberated and premeditated these murders  
2 with malice aforethought and during the sanity trial you found  
3 that he was not insane, in view of all these things there is  
4 only one proper ending to this trial, and that is a verdict  
5 of death.

6 Thank you very much.

7 THE COURT: Mr. Bubrick.

8 MR. BUBRICK: Thank you, your Honor.

9 Your Honor, colleagues, ladies and gentlemen, this  
10 will probably be the last time I will have an opportunity  
11 to address you, and lest I forget and get carried away by what  
12 I have to say I want to at the very outset thank you for your  
13 very courteous, your considered, and I know your very  
14 conscientious participation in this trial.

15 I know that what you here today will be a  
16 reflection of what you feel deeply within yourselves and will  
17 be, as I am certain it will be, what you consider to be the  
18 proper verdict; but, as I say, lest I forget, I do want to  
19 thank you for your participation here because I think you have  
20 been as honest, honorable and just a verdict as we could have  
21 had.

1           You will recall, ladies and gentlemen, that when  
2 we started the voir dire in this case, some two, two and a  
3 half months ago, we talked about the fact that when we reached  
4 this particular phase of the trial, if we did, that it would  
5 be a phase of the trial in which you yourselves would have to  
6 look to yourselves for what you considered to be the proper  
7 verdict, and that verdict, whatever it may be, should and must  
8 be based on the evidence that you heard in this case.

9           You were told by the court on a number of  
10 occasions that there would be no guide that you could follow.  
11 There were going to be no rules other than the instructions  
12 given by the court and it would be within your sole and sound  
13 discretion in determining which of the two legally permissible  
14 verdicts you will return in this case.

15           And as you will be told later on, you may in this  
16 particular proceeding, as Mr. Bugliosi intimated, unlike the  
17 other proceedings that we have had heretofore, be guided by  
18 any feelings of pity, passion, or sympathy that you may have  
19 for the defendant, because in this proceeding your emotions,  
20 I suppose, are as much involved as anything else.

21           As Dr. Hockman said the other day I don't know  
22 how you divorce emotions from an intellectual determination.  
23 I think they are part and parcel of our thinking process, of  
24 the thought process.

25           I am sure that you will allow your human emotions,  
26 whatever they are, to be reflected in whatever verdict you  
27 return. But I think there is something else that you must  
28 keep in mind, as I am sure you will: We told you from the

1 very start that this was a case that involved multiple murders.

2 We told you from the very start that the defendant  
3 was a person who voluntarily ingested drugs.

4 We told you that he lived a hippie style life on  
5 the Spahn Ranch in that commune. We told you that these  
6 victims were brutally and savagely killed, that there were  
7 multiple stabbings, that there were many gunshot wounds, but  
8 you also told us in response to those inquiries, those  
9 directives, that your verdict would not reflect retribution,  
10 that you would not at that time be guided by the theory of an  
11 eye for an eye or a tooth for a tooth, that you would, in  
12 reaching whatever determination, you will be guided by  
13 everything you hear and not just take one isolated fact out  
14 of all the other circumstances and make a determination on  
15 that and that is all I am asking you to do.

16 Certainly I don't expect you to forget the very  
17 character or nature of these murders. Certainly you must  
18 consider that, but don't isolate those facts.

19 Treat those facts as you will treat the person who  
20 committed the murders, because the punishment here is not so  
21 much for the murders, as it is for the murderer.

22 The punishment now is for Mr. Watson. That is  
23 what we are concerned about. There is nothing, as Mr. Bugliosi  
24 intimated, that we can do about the facts or the deaths. Your  
25 determination now is what do you do with Mr. Watson because of  
26 what he did, and I want to remind you for a few minutes, if I  
27 say, please, about the kind of person that we are concerned  
28 with here so that we can see whether or not there is in fact



1 any mitigation, any extenuating circumstances that would help  
2 you in determining that life imprisonment is the proper  
3 punishment in this case.

4 I hope, so far as I am concerned, I have told you  
5 everything I need say about the gruesomeness of this offense.  
6 I don't want to dwell on that any more. I think there has been  
7 enough expressions about blood and guts and everything else  
8 so far, so that there cannot be any question in anybody's mind  
9 -- there shouldn't be any question in anybody's mind about how  
10 we feel about the crime.

11 We don't condone it for one minute. We don't say  
12 it was anything other than as has heretofore been described,  
13 but, as I say, the thing we are going to determine now is what  
14 we do with Mr. Watson.

15 You know if vicious killings had to be treated  
16 differently than any other kind of a killing, the law would  
17 have made a provision for it. If multiple killings had to be  
18 treated differently than single killings, the law would have  
19 made provision for it.

20 If killings for people who voluntarily ingest drugs  
21 were to be treated differently, the law would have made  
22 provision for it, but the law doesn't.

23 The law recognizes that all of those factors may  
24 be present in a situation where life imprisonment is a proper  
25 verdict. It hasn't at any time said that anybody who commits  
26 more than one murder must die -- anybody who voluntarily ingests  
27 drugs must die. They have never said that. They leave that  
28 to your sound discretion.

1 Now, who is this person we are concerned with now?  
2 Who is Watson? What was he? What did he become? How did he  
3 become to be involved in these murders?

4 I don't want to belabor his background. You have  
5 heard it all. You have heard about this kid who came from  
6 Copeville, Texas with a population of 150.

7 He grew up in a God-fearing family. He was a  
8 regular churchgoer. He went to school. He went to college.

9 He excelled at some sports. He got some recognition  
10 within the sports arena.

11 He worked as Mr. Carpenter indicated. He wasn't  
12 a philanderer or he didn't waste his time. He did what he  
13 did as a kid.

14 He developed a kind of a character. He developed  
15 into the kind of personality that I think any man would have  
16 been proud to call his son because I think he had within him  
17 all of those attributes that many fathers look for in their  
18 sons, because up until the time he came to California he was  
19 a person to be respected.

20 He was a person that anybody would be proud to call  
21 a son. He was a person that Mr. Carpenter permitted to come  
22 into his home as a son.

23 But unfortunately he came to California. When he  
24 came here, as the record now shows, he had no criminal record.  
25 He had not been involved with the law.

26 He had never been arrested -- he had never been  
27 convicted of anything and so far as we know he had a  
28 commendable record so far as meeting the demands of society,

1 as far as living within the scope of those limitations imposed  
2 upon all of us by society.

3 There were no breaches of society's rules or  
4 regulations until he came to California and even when he got  
5 here, he continued in much the same vein as he did in Texas.

6 He got a job and he tried to go to school. He  
7 couldn't do the two, so he dropped out of the school and  
8 continued to work.

9 Then we had an incident, as you will recall, where  
10 the wig business went down. It finally had to be closed.

11 That chance meeting with Dennis Wilson on the  
12 freeway, the introduction to Moorehouse, Manson, the girls and  
13 everything that followed thereafter.

14 Even the incident involving Dave Neal, his boyhood  
15 friend, that he came to see in California.

16 The rejection by the Army and an attempt again on  
17 Mr. Watson's part to live within the rules. He wanted to be  
18 a member of the Army but was rejected because of a broken knee,  
19 as you will recall, and when Dave Neal was accepted for the  
20 military service, his last crutch was gone and sliding sort of  
21 sideways he moved into the Manson scene with everybody else.

22 You will recall that as he described living at  
23 the Dennis Wilson house, he met a lot of the Hollywood people.  
24 He was introduced to drugs on a large scale and apparently  
25 drugs were all right with them, so it was all right for him.

26 I don't think he was in a position to make a  
27 rational distinction at that time. I think he must have been  
28 overwhelmed by the kinds of people he met and certainly he was

1 overwhelmed by the kind of person he met in Manson.

2 You will recall Greg Jacobson describing Mr. Watson  
3 at the time he first met him. Do you remember he was asked:

4 "Did you see Mr. Watson in the late  
5 spring of 1969?

6 "Yes.

7 "Was that the last time you saw him  
8 until he got arrested?

9 "Yes.

10 "Did you notice any change in Mr.  
11 Watson's personality and physical appearance from  
12 the time you knew him at Dennis Wilson's house and  
13 when you saw him in the late spring of 1969?

14 "Yes, very much so.

15 "What change did you notice?

16 "Well, he was another person. The  
17 Charles Watson that I knew at Dennis Wilson's house  
18 to me no longer existed when I saw him.

19 "In what way had he changed?

20 "Well, in every way, really. I mean  
21 the thing that you like in a person isn't something  
22 that you can put your finger on. I mean it isn't  
23 the shape of his nose or what kind of a shirt he  
24 is wearing. It is something that comes from within,  
25 you know. What everybody liked about Charlie so  
26 much was that essence that came from within and it  
27 wasn't there when I saw him. I was really taken  
28 back by it. I was really surprised."

1                   Later on again when he was asked to further  
2 describe:

3                   "He was like a friendly puppy dog. That  
4 is as close as I can come. That is why he was well  
5 liked, in the sense that there is nothing a dog won't  
6 do for you, you know. You throw a stick. He will  
7 go get it. He tried to please."

45  
1 And once again he says, "Well, I described  
2 him as everything he was before, he no longer was,  
3 he wasn't any more, if that makes any sense to you.  
4 I mean, he just wasn't, it was just a void, he was  
5 blank."

6 That is the kind of person Mr. Watson became when  
7 he became involved with Mr. Manson.

8 You heard his mother tell you something about his  
9 exploits as a college student or as a high school student,  
10 some of the many honors that were bestowed upon him. He was  
11 anything but a shell, he was a very active person, he was a  
12 gregarious person, he was a friendly person. He was anything  
13 but a murderer in his mother's womb, or a murderer in his  
14 mother's stomach, or had murder in his blood. He had none  
15 of those facilities.

16 He was, as Greg Jacobson described him, a kind of  
17 friendly puppy dog, a person who wanted to please; and that's  
18 what he was before he became involved with Manson.

19 Also, you will recall Dr. Fort's description of  
20 him. Dr. Fort said when he came to California -- or, when  
21 he examined him, his analysis of his background was that he  
22 was overly protected by his mother, he grew up extremely  
23 immature and infantile; his father was withdrawn and played  
24 relatively an unimportant role in his development. It resulted  
25 in a passive-dependant, immature person, very susceptible,  
26 because of lack of value structure and a sense of an inner  
27 directness. That is the kind of person Watson was when he  
28 came to California. That is the kind of person, as Dr. Fort and



1 all the other doctors told you Manson preyed and played on.

2 Now, we all know that all of us have within us  
3 different grades or different areas of nobility. We are able  
4 to respond to other people, we are able to thwart off other  
5 people, some of us, with more or less a degree of success; but  
6 the weak person, the person who succumbs does that not  
7 necessarily because he wants to but because he doesn't have  
8 the inner strength to avoid it.

9 It is much like the illustration I gave you  
10 before. I am sure all of those skid row bums down on Main  
11 Street didn't want to become alcoholics; but, nevertheless,  
12 they did. Their use of alcohol for a period of time, one drink  
13 after another, soon led them to become the derelicts that they  
14 became and I dare say none of them ever thought that that's how  
15 they would end up; and none of them, I am sure, appreciate  
16 being that way, but there was some inner weakness that permitted  
17 alcohol and everything it is to get hold of them, and that's  
18 why they wound up on skid row.

19 That's why Watson wound up with Manson and was  
20 able to accept that crazy philosophy that Manson was spreading.

21 To say there are no extenuating circumstances, to  
22 say there are no redeeming features is to completely overlook  
23 the facts as we know them to be. How can anybody say that  
24 Watson was not affected by drugs?

25 How can anybody say that Watson was not affected  
26 by Manson? There came a time in his life when he thought he  
27 was Manson, when he thought he heard Manson directing his very  
28 movements and there wasn't a doctor in this case who said that

1 Watson was not affected by drugs, that LSD, speed, amphetamines,  
2 that everything he took did not so change his character that  
3 Manson was able to manipulate him and make him do what he did.

4 Certainly, he was affected by the Manson philosophy;  
5 certainly, he was affected by helter skelter and all that  
6 crazy mess, because he believed it. He believed it because  
7 of deterioration of his mind to the point where he could no  
8 longer resist and that's what Manson wanted to do and those are  
9 what I say are the redeeming features because it wasn't the  
10 person in complete and absolute control of himself who went  
11 out and killed a bunch of people because he had nothing else  
12 to do on two successive nights. He hadn't hurt anybody, he  
13 hadn't harmed anybody until he got involved with Manson on  
14 these two horrible nights.

15 If you look at the totality of it, Watson was  
16 approximately 23 years old at the time this happened, and in  
17 48 incredible hours he destroyed an entire lifetime. In 48  
18 incredible hours he had erased 23 years of life, 23 years of  
19 living, 23 years of teaching.

20 It is not as if he had a criminal record that was  
21 reflected in improper conduct or illegal conduct over a period  
22 of time. He has an unblemished record except for a 48-hour  
23 period when he commits the greatest transgressions anybody can  
24 commit; but up until then his record is impeccable and what you  
25 are to be concerned about now is whether he lives or dies for  
26 what he did in 48 hours out of a lifetime -- and I don't, for  
27 one minute, minimize what he did -- but, I say what he did on  
28 those 48 hours is the culmination of everything that Manson

1 taught him and the culmination of the effects of drugs,  
2 because had it not been for that the likelihood of his being  
3 here is remote.

4 We also know at the time that all this happened  
5 Manson had to dominate Watson because he was losing his people,  
6 he was losing Paul Watkins, Brooks Poston; the only person left  
7 was Watson, the only person he could completely control -- and  
8 control him with drugs, he did.

9 I don't have to tell you about the formation of  
10 the murders, how they were carried out; we know the plan  
11 originated with Manson, we know it was Manson's theory of  
12 helter skelter, we know it was Manson who called the shots, it  
13 was Manson who told them where to go and when, and they did.  
14 It was Manson who told them how, to wear the dark clothes,  
15 with the knives, with the gun, with the girls.

16 There is no evidence at all that Watson had anything  
17 at all to do with the planning of these murders. He didn't  
18 even know the victims. He had nothing to gain. Helter skelter  
19 wasn't his theory. He wasn't going to be the ruler of the  
20 world, Manson was going to be the ruler of the world. He was  
21 a follower, as he had always been.

22 Certainly, there was nothing financial in it, he  
23 certainly couldn't gain monetarily, there was no money to be  
24 gotten for him. It was an absolutely senseless act on his part  
25 without any meaning, without any true meaning so far as he,  
26 himself, was concerned.

27 He was brainwashed, he was victimized, he was so  
28 narcotized over this period of time when he lived with the

1 family through his use of LSD that he thought and acted like  
2 Manson. He did everything that was expected of him.

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#5A

1 Even Dr. Bailey told us that the reasons for the  
2 killings lie somewhere in his unconscious, not on a conscious  
3 level.

4 Dr. Fort couldn't offer any suggestion for Watson's  
5 participation in the killings. He said, "The human mind is  
6 so complex I can't tell you why he killed." It is so many  
7 factors involved that he just can't put his finger on all of  
8 them at one time.

9 And how about Dr. Tweed, Dr. Frank, Dr. Nockman,  
10 who said that this was a youngster living in a delusional  
11 world, who was insane at the time?

12 The Watson who committed the murders is not the  
13 Watson here before you today. You are not being asked to  
14 determine the life or death of the person depicted in the  
15 picture at the time he was arrested for the belladonna. That  
16 person is gone forever, I hope.

17 The person you are asked to judge today is the  
18 person who sits here at counsel table, a person who is  
19 remorseful, a person who does understand and appreciate the  
20 enormity of his offense. He is anything but a cocky, boastful,  
21 braggart type of a killer, because I don't think he had that  
22 in him then, I don't think he has it in him now.

23 I think he has become over the period of time  
24 more like the Watson who lived in Texas than the Watson who  
25 lived on Spahn Ranch.

26 There has been no evidence that he caused any sort  
27 of disturbance -- you have seen his conduct and character here  
28 in the courtroom. He hasn't said a word, he hasn't uttered a

1 sound, he hasn't committed a single violation of any of the  
2 court's orders; he's been as obedient as he could be, because  
3 I think that's basically the kind of person he is.

4 I just wish I were able to tell you in words how  
5 I feel about this young man, what my relationship with him  
6 has been, seeing him as he was when I first met him, as I  
7 described to you, an emaciated, thin, gaunt individual who  
8 had very little to say until he got to the point where he is  
9 now, communicating, cooperating with everybody who talked to  
10 him, cooperating with the doctors, seeing the doctors, leveling  
11 with the doctors, telling them everything he knew, not holding  
12 back anything; and almost dying in jail in an effort to do that  
13 because he realized for the very first time what it is that he  
14 had done; and as these things came into his conscience and he  
15 became more and more conscious of them, as Dr. Hockman said,  
16 that incident in the county jail was almost a psychotic  
17 episode leading to his death because he was so moved and so  
18 disturbed by it.

19 You know, in reaching your verdict, whatever it is,  
20 it is going to be so final that I think there are some other  
21 things that you ought to just look at and think about for a  
22 second.

23 The finality of your verdict is so great and so  
24 lasting and one that you will have to live with the rest of  
25 your life, that I'm asking you to ask yourselves whether there  
26 is any -- whether you are absolutely positive.

27 You see, up until now we have talked about  
28 reasonableness. As a reasonable jury you reasonably concluded



1 from the evidence that Watson was guilty of first degree murder,  
2 and you made that determination. I don't quarrel with that,  
3 but I am asking you now to go beyond the realm of reason and  
4 I would ask you, because of the finality of your order, because  
5 of its everlasting effect, whether you think that there is  
6 any -- whether you are absolutely positive, for example, that  
7 Linda Kasabian told the whole truth and nothing but the truth.

8 Do you have any feeling at all, would you bet your  
9 life on the absolute veracity of Linda Kasabian's testimony?

10 Would you bet your life on the absolute veracity  
11 of the testimony of Diane Lake or Barbara Hoyt?

12 Do you think there is any conceivable chance that  
13 they are wrong, that they distorted, either voluntarily or  
14 involuntarily?

15 After all, Diane Lake was committed to a mental  
16 institution for nine months. That is some evidence of the  
17 way her mind works. She hallucinates. She said Manson talked  
18 to her in the hospital, she could hear him.

19 Yet, because your order, whatever you determine  
20 here today, your verdict, will be so final and irrevocable,  
21 I would ask you to think whether there is any possible chance  
22 in the world that Linda Kasabian told something less than the  
23 whole truth.

24 Are you absolutely positive, so positive that you  
25 would bet your own life that all the doctors who testified  
26 that Watson had diminished capacity are wrong?

27 Do you suppose that there is any chance in the  
28 world that Watson did suffer some degree of mental capacity?



1           You see, that's how positive you should be, because  
2 a death verdict is irreversible, that's it --

3           MR. BUGLIOSI: I would object, your Honor; that is not  
4 the law.

5           THE COURT: So far as this jury is concerned, it is.

6           MR. BUBRICK: You see, there may be some feeling on my  
7 part or Mr. Keith's part; maybe we were unable to convince you  
8 that he did suffer diminished capacity, but we are all human,  
9 we all make mistakes, but you have to be positive, ladies and  
10 gentlemen.

11           You have to be in the realm where you just don't  
12 think that never again, if you look at your verdict five years  
13 from now, you will still feel as certain of it as the day you  
14 returned it.

15           Would you bet your life because you are so  
16 absolutely, positively certain, that there was no degree of  
17 insanity on Mr. Watson's part?

18           Again, I know you found it, but remember what Mr.  
19 Bugliosi said: "If the scales are balanced, you have to find  
20 him sane," because we have the burden.

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1           Were the scales balanced in your mind? Was it that  
2 close a determination?

3           Would you order this man's life forfeited because  
4 the issue of sanity was perhaps in balance? There are some  
5 of the questions that you have to think about.

6           As I suggested before are you so God-certain sure  
7 that all the doctors were wrong? That none of the doctors  
8 presented a diagnosis that you could live with?

9           Is there no psychosis? Is there no schizophrenia?  
10 Is there no mental illness? Is there no brain damage?

11           You see, it is hard to say that the doctors who  
12 said that there was evidence of mental illness -- it is hard  
13 to say that the doctors who said there was brain damage were  
14 doctors who came in here and lied because I don't think they  
15 did that.

16           They rendered opinions that were honest and just  
17 so far as they were concerned. They are opinions with which  
18 you have a right to disagree, but I hope that they are not  
19 opinions that you think were uttered falsely.

20           And though you may disagree with them, I would ask  
21 you whether that disagreement is to the extent that under no  
22 conceivable conditions could you admit to yourself that there  
23 is a possibility of some truth in them.

24           I'm sure that you will, in making whatever  
25 determination you will, consider whatever element of sympathy  
26 you think Mr. Watson is entitled to, any pity or passion you  
27 may have for him, because of his involvement here with the  
28 Manson clan and everything that led up to the murders.

1 I hope you will give some consideration, as you  
2 must, to the part, if any, you think that drugs may have  
3 played in his involvement -- that the Manson family may have  
4 played -- that mental illness may or may not have played --  
5 that brain damage may or may not have played -- and return  
6 what I hope will be the just and proper verdict that you feel  
7 satisfies your conscience for the rest of your days and that  
8 is one of life imprisonment.

9 Life imprisonment means just that -- it means  
10 life imprisonment. It is not a kind of hotel. It is not a  
11 kind of a social club atmosphere.

12 It is anything but that. It means life imprison-  
13 ment in an institution behind bars or walls for the rest of  
14 his natural life and so far as you are concerned that is what  
15 your verdict of life imprisonment means.

16 And when you do that your function to see that  
17 society is protected is performed because what you do here,  
18 you do, I suppose, as the conscience of the community.

19 You do what you do here to take this person out  
20 of society in one form or another because really that is all  
21 you are going to do. You are going to take him out of our  
22 society either by death or by committing him to life  
23 imprisonment and I say the committing him to life imprisonment,  
24 removing him from society, gives the society the protection  
25 that it is entitled to, that it wants, the protection that it  
26 asks you to give them.

27 I would also ask you to look at some of the other  
28 qualities of these murders that have been alluded to, the

1 viciousness, the barbaric killings, they all evidence what I  
2 am trying to tell you, that they were the product of a person  
3 who was just a little bit different than everybody else --  
4 not a person who really looked for the chance to kill or  
5 wanted to kill, because he had done nothing like that up until  
6 and he did nothing after that.

7 When he had a chance to kill, perhaps, Crockett  
8 or the forest ranger or the highway patrol officer, he didn't  
9 do that. He left because some degree of sanity and reason  
10 was returning to him.

11 He was again grasping with those values that he  
12 had when he first came to the Manson family and I would submit  
13 that in those traits he shows the first steps towards  
14 rehabilitation -- and you can't be rehabilitated unless you  
15 have been habilitated, unless you have been a person to start  
16 with.

17 I think that given time and God's help he could  
18 again achieve the kind of personality he was before Manson  
19 got hold of him, a kind of person who did not violate any  
20 of the dictates of our society, a person who did not transgress  
21 on the rights of others, whether they are property rights or  
22 human life.

23 I don't know what else I can say to you, ladies  
24 and gentlemen, other than, as I say, I hope and I trust and I  
25 know that whatever verdict you return here today or tomorrow,  
26 whenever it is, will reflect what you truly and honestly feel  
27 in your conscience and in your heart. Thank you.

28 MR. BUGLIOSI: May we approach the bench?

1 THE COURT: Yes.

2 (The following proceedings were had at the bench.)

3 THE COURT: I know what you are going to tell me. I  
4 know what you are going to tell me: Mr. Dubrick's alluding  
5 to life imprisonment.

6 MR. BUGLIOSI: Yes. There is something he did more  
7 serious than that, though. He said that it definitely means  
8 life and, of course, under the Morse instruction it doesn't  
9 necessarily mean that. Something I am more concerned about --  
10 and I can't understand this particularly since the party is  
11 Mr. Keith, whom I have the greatest respect -- as I understand  
12 it he intends to once again read portions of my argument  
13 during the last trial.

14 This is not evidence. It just can't be done even  
15 during the penalty trial.

16 MR. KEITH: I have no intention of doing that. You see  
17 those old transcripts there. I was reading my own argument.  
18 I had no intention of doing that.

19 MR. BUGLIOSI: I am sorry.

20 MR. KAY: That was the inference I drew.

21 MR. KEITH: I don't want to read your argument. I  
22 have already been told by the court I can't do it.

23 MR. BUGLIOSI: I agree. That is why I couldn't figure it  
24 out. I am sorry.

25 MR. KAY: That was my inference.

26 MR. KEITH: I was rereading my own argument.

27 THE COURT: What else is on your mind?

28 MR. BUGLIOSI: He said that a death penalty is

1 irreversible.

2 THE COURT: That means that they cannot change it later  
3 on. They cannot change a verdict.

4 MR. BUBRICK: I was talking about this jury.

5 THE COURT: If you are going to talk about an appeal,  
6 you may be committing reversible error.

7 MR. BUGLIOSI: I know that. In fact there are cases  
8 saying that I cannot.

9 THE COURT: You cannot.

10 MR. BUGLIOSI: That I cannot and I won't.

11 THE COURT: That is why I say it is their verdict  
12 that they cannot change.

13 MR. BUBRICK: That is what I said. They cannot come  
14 back five years from now and change it.

15 MR. BUGLIOSI: I agree, but there was kind of an  
16 inference in there that the verdict itself could never be  
17 reversed and you left it at that.

18 All right. The other thing, of course, is that  
19 he said life imprisonment is the rest of your life.

20 THE COURT: I have got that instruction --

21 MR. BUGLIOSI: So I won't even bother. Should I start  
22 my argument right now?

23 THE COURT: Yes, if you will, because I am feeling worse  
24 by the minute.

25 (The following proceedings were had in open court.)

26 MR. BUGLIOSI: May I start, your Honor?

27 THE COURT: Yes, Mr. Bugliosi.

28 MR. BUGLIOSI: Believe, me, ladies and gentlemen, this

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1 is it. So you don't have to listen to me any more or Mr. Kay.  
2 You will have to listen to my good friend here, Mr. Keith,  
3 however, but Max is normally brief and to the point.

4 This final summation of mind will be just a little  
5 longer -- not very much longer than my opening argument, but  
6 it too will be rather brief.

7 I want to respond to some of the contentions made  
8 by Mr. Rubrick in his argument. Mr. Rubrick, among other  
9 things, said that how can you be absolutely certain and sure  
10 and positive that Watson was not suffering from mental  
11 illness or diminished capacity.

12 He said there was testimony from several  
13 psychiatrists that he was. There seems to be an inference in  
14 Mr. Rubrick's statement, or at least in what he is saying,  
15 that if you do have some thought in your mind that perhaps  
16 Watson was mentally ill at the time of these murders, perhaps  
17 you should come back with life imprisonment.

18 There is no law -- there is no statute -- there is  
19 no section in any criminal code which provides that if a  
20 convicted murderer is suffering from some type of mental  
21 illness, he cannot be sentenced to death.

22 There is no such rule existing in the state of  
23 California or so far as I know in any state. Certainly you  
24 can be mentally ill and still receive the death penalty.

25 What I am talking about is a total lack of  
26 extenuating circumstances. I am not talking about this  
27 man's background, ladies and gentlemen. I am talking about  
28 a total lack of extenuating circumstances.



1 In reference to the victim in a love triangle  
2 situation, there are extenuating circumstances. I am  
3 certainly not saying that a murder resulting from a love  
4 triangle is okay. I am saying that there are certain human  
5 extenuating circumstances with respect to that murder as  
6 pertaining to the victim.

7 As pertaining to the seven victims in this case,  
8 there is a total absolute lack of any extenuating circumstances.

9 Mr. Rubrick pointed out that Mr. Watson had a good  
10 background. He told you about the fact that he got good  
11 grades in school and that he worked all right for this Mr.  
12 so and so back in his home town, never had any trouble with  
13 the law before, had a perfectly normal background.

14 Actually, ladies and gentlemen, actually, if  
15 anything -- if anything, the fact that Watson never had a  
16 deprived background is all the more reason, all the more reason  
17 why he should be held more responsible for what he did.

18 He had the benefit of a home with parents in it  
19 who cared for him. He had the benefit of education.

20 Take some killer who had not had the benefit of  
21 a decent home or no home at all, who had not the benefit of  
22 education, that type of person is a born loser.

23 It would seem to me that if you compare that type  
24 of a person with Tex Watson, that type of a person would be  
25 entitled to more consideration than Mr. Watson.

26 Mr. Watson had all the opportunity in the world  
27 not to do what he did, but he voluntarily took a different  
28 path.

1           So contrary to Mr. Bubrick's position that his  
2           good background is a mitigating circumstance, I say that the  
3           fact that he had these great opportunities, that he came from  
4           a decent home, that he had education, that he was not opposed  
5           to the criminal elements, I would say this is all the more  
6           reason why he should be held more responsible for what he did,  
7           but Mr. Bubrick, as I say, feels that his background is very,  
8           very significant.

9           The fact that he played sports -- I think Mr.  
10          Watson even testified on the witness stand that he was in the  
11          school band. He went fishing with his father, et cetera.

12          Well, ladies and gentlemen of the jury, every  
13          vicious killer in history was a baby once and then -- what  
14          do they call it -- a toddler, then a child.

15          They all went through that type of progressive  
16          graduation and most killers, ladies and gentlemen, most  
17          killers when they were children, I presume, played in sand piles  
18          and did cute adorable things and loved their mother and father  
19          and perhaps went on to high school and college.

20          I don't blame Mr. Bubrick for arguing these  
21          things to you, ladies and gentlemen, about Mr. Watson's normal  
22          childhood, but it simply has no relevance; it simply has no  
23          relevance.

24          The seven victims in this case, ladies and  
25          gentlemen, were also babies and children once, who went to  
26          kindergarten and played in sand piles and had toys and pet  
27          animals and loved their mother and father and went to high  
28          school.

1 And we can assume that people like Abigail Folger  
2 and Jay Sebring and Leno La Bianca probably also went to  
3 college.

4 So Mr. Watson's past -- his past, I want to under-  
5 line this point in your mind -- this man's past is negated by  
6 the victims' past. It simply has no relevance. His past is  
7 negated by the victims' past.

8 No killer was a killer all of his or her life as  
9 I said during my final argument in the guilt phase.

10 Killers don't emerge from their mother's womb  
11 cold-blooded premeditated murderers wielding knives and guns.  
12 Of course not.

13 They develop into murderers and the reasons why  
14 they develop are multifold and diverse.

15 Likewise, ladies and gentlemen, the fact that Mr.  
16 Watson has parents who care has little, if any, relevance.

17 I felt very, very sorry for Mrs. Watson. You  
18 observed her on the witness stand. She was here in the  
19 courtroom for a good portion of the trial.

20 She seemed to be a decent respectable woman. I am  
21 sure she did everything possible -- she did the very best she  
22 could for her son.

23 It goes without saying, ladies and gentlemen --  
24 it goes without saying that if you come back into this courtroom  
25 with a verdict of death, you are going to be hurting Mrs.  
26 Watson. You are going to be hurting Mrs. Watson's husband,  
27 Tex Watson's father. No question about that.

28 Certain things just cannot be avoided, ladies and

1 gentleman. One of the very, very most distasteful aspects of  
2 being a prosecutor is the fact that when to convict a rapist  
3 or a robber or a murderer, the innocent parents -- the  
4 innocent parents and relatives very frequently are in the  
5 courtroom at the time of the verdict and sentence and they  
6 suffer so very much themselves and I have always hated this  
7 particular aspect of my job, but I guess it is one of those  
8 unavoidable things in my job as a prosecutor.

9 Every job has to have its drawbacks. Many times  
10 I have found that the mother or the father or the children or  
11 the husband or the wife of the defendant takes it harder than  
12 the defendant.

13 Mr. and Mrs. Watson care, ladies and gentlemen.  
14 They care a lot, but keep this point in mind: Every vicious  
15 killer in history, every despot, every tyrant had mothers and  
16 fathers who most frequently cared. So I don't think this  
17 factor should weigh too heavily in your consideration.

18 Moreover if we are to consider the relatives,  
19 ladies and gentlemen, and parents of Mr. Watson, what about  
20 the parents and sisters and brothers and the children of the  
21 seven victims in this case?

22 Don't you think they will die a thousand times  
23 the most of their lives everytime they think of how their  
24 loved ones were brutally murdered?

25 For instance, Mr. Tate -- and I use him as an  
26 example because he testified -- he is not going to want these  
27 thoughts, but he is going to remember his little baby daughter  
28 Sharon Marie, a baby that he and his wife obviously protected

1 and loved with all their hearts and souls.

2 Then he is most likely going to see her as a  
3 daughter who grew up to be a very beautiful young woman,  
4 who was just a half step away from major stardom.

5 Then without wanting those thoughts, we can assume,  
6 human nature being what it is, he is going to see his grandchild  
7 in his daughter's womb in the early morning hours of August  
8 the 9th, 1969.

9 He will see Sharon fighting for her life and her  
10 baby's life.

11 He will see the fright, the horror on her face.  
12 He will hear her scream for her life.

13 He will see the strong sharp knife ripping into  
14 her chest and her heart. He will imagine Sharon's baby, his  
15 grandchild, sucking desperately for oxygen in Sharon's womb  
16 and then there was no more.

17 Take a look at this photograph here, ladies and  
18 gentlemen, people's 11. This is the master bedroom of the  
19 Tate residence.

20 Do you notice this bed here, we can assume that  
21 this was Sharon and her husband Roman's bed and directly in  
22 front of that bed, ladies and gentlemen, there is a large  
23 chest of drawers and on top of that chest of drawers what do  
24 we find? So that Sharon could look at constantly and expectantly?  
25 A brand new baby bassinet, still freshly wrapped, tied with a  
26 ribbon on one end.

27 The stunningly beautiful Sharon Tate, honey  
28 blonde Sharon Tate, had everything in the world to live for,

1 ladies and gentlemen.

2 Most of all she was about to give birth to her  
3 first baby child whom she had protectively carried in her  
4 womb for eight months and like all expectant mothers,  
5 especially those who are about to give birth to their first  
6 child, undoubtedly we can assume that Sharon couldn't wait  
7 for this moment to arrive, so she could give her baby all of  
8 her mother love.

9 She probably wanted this moment more than anything  
10 else in her life.

11 When she begged Charles Tex Watson to let her live,  
12 we can assume that one of the very most important reasons  
13 why she wanted to live was so she could just have her baby.  
14 This brand new baby bassinet, ladies and gentlemen, was never  
15 used by Sharon and her baby.  
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1           No little baby ever cried out for its mother's  
2 breast from that baby bassinet. This man right here saw to  
3 that, ladies and gentlemen; he saw to that.

4           Do you really think that a day will pass the rest  
5 of Mr. Tate's life or his wife's life when they won't be  
6 reminded of the incredible horror of what happened to their  
7 daughter, Sharon Marie, and suffered beyond description for it?  
8 They are not going to want these thoughts, obviously not;  
9 they will do everything possible to get these thoughts out  
10 of their minds, but those thoughts have got to be there.

11           And Frank Struthers, Jr., is going to have to grow  
12 up into manhood without his mom, Rosemary. Don't you think  
13 that he and all the other survivors of the victims in this case,  
14 who have the same type of excruciating thoughts for the rest  
15 of their lives -- not only did Tex Watson, ladies and  
16 gentlemen, murder seven human beings, not only did he do that  
17 but he caused horror and immeasurable grief to the survivors  
18 of the victims in this case -- horror and grief that will  
19 haunt them and be their undying companion until the day they  
20 die.

21           Mr. Watson, by these murders, undoubtedly has  
22 caused extremely severe mental, emotional and psychological  
23 trauma to a great number of people who survived these victims.

24           Mr. Hubrick again argued to you how it was all  
25 Manson's fault. Now, in my final summation during the guilt  
26 trial I spent an entire morning, about two and a half hours,  
27 addressing myself specifically to this point, about how every  
28 killer develops into a killer; Manson had his reasons for



1 becoming a human monster that he is, et cetera. I'm not going  
2 to go over this all again with you. Fortunately, it was just  
3 a couple of weeks ago, I'm sure that some of the things I said  
4 are probably still in your mind -- or, hopefully, they are,  
5 so I'm not going to go over everything again.

6 Just to remind you that I did address myself to  
7 this point in great depth during my final summation I will  
8 remind you of just a couple of very, very brief little points:  
9 Just as water seeks its own level, each group seeks its own  
10 kind. Manson drove up and down the state in that bus, as  
11 Dr. Hockman said, literally bumped into thousands of people.  
12 Those that stayed with him wanted to stay with him; they found  
13 his band of blackhearted, diabolical medicine appealing to them.

14 Watson stayed with Manson because he wanted to.  
15 He found Manson's venomous, vitriolic attitude towards society  
16 palatable to him; he liked it. He didn't have to stay there;  
17 other people left.

18 Apart from Manson and drugs, totally apart from  
19 Manson and drugs, there has got to be -- there had to be a  
20 homicidal tendency in this man. There had to be. Manson was  
21 the catalyst that brought that to the surface.

22 Several other people, Linda Kazabian, Paul Watkins,  
23 Brooke Posten, totally subject and subservient to Manson,  
24 thought he was Jesus Christ -- Watson was willing to die for  
25 Manson, but when Manson told them to go out and kill, they  
26 said no, no, absolutely not, they were not murderers.

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1           Watson did not refuse Manson. Why? Because he  
2 is a murderer. Watson was a very, very willing participant in  
3 these murders.

4           It is not a situation where Manson tells Watson  
5 to go out and kill and Watson is shocked and violently opposed  
6 to it. It is not that type of a situation; and when he does  
7 kill, he is repulsed by it. We don't have that type of  
8 situation. We have the situation where this man murdered  
9 with relish, ladies and gentlemen, with gusto, as it were.  
10 The great number of stab wounds, the multiplicity of stab  
11 wounds show that he was a completely willing participant in  
12 these murders.

13           This man places absolutely no value on human life,  
14 none whatsoever. Even before these murders, even before these  
15 murders he tells Catherine Gillis, "If you ever leave Spahn  
16 Ranch again without permission, I am going to kill you"; and he  
17 adds this, "because your life doesn't mean anything to me."

18           No one's life means anything to Charles Tex  
19 Watson, ladies and gentlemen, except his own life. How do  
20 we know that his own life means a lot to him? Because if his  
21 life didn't mean anything to him he wouldn't have had any  
22 reason at all for taking that witness stand and lying and  
23 denying everything that Linda Kasabian and Diane Lake and  
24 Barbara Hoyt and Officer Cox and Rudolph Weber said he did.  
25 He wouldn't have any reason for denying these things if his  
26 life didn't mean anything. His life means a lot to him.  
27 Other people's life don't mean anything.

28           Even after these murders, in September of 1969

1 he is conducting a murder school, if you will, for Barbara  
2 White and three other girls, telling them how to stab a  
3 human being to death.

4 Mr. Subrick said the Watson who committed these  
5 murders is not the man who sits in front of you right now,  
6 that man has gone forever, at the present time he is more like  
7 the person he was back in Texas; and went on to say that  
8 Watson could be rehabilitated.

9 Well, in the criminal law, ladies and gentlemen,  
10 when we speak about rehabilitation we mean reshaping the  
11 personality and the behavioral patterns of the criminal so  
12 that he no longer has these criminal propensities which  
13 constitute a threat to other parties.

14 Well, in the first place there is no testimony,  
15 as far as I recall, there is no testimony that came from that  
16 witness stand from any psychiatrist or anyone that they  
17 thought Charles Tex Watson was capable of rehabilitation. If  
18 there was, I have forgotten it. I don't think anyone testified  
19 that he was capable of rehabilitation.

20 In fact, I would say this, that the most  
21 persuasive evidence that came from that witness stand is that  
22 Charles Tex Watson is not capable of rehabilitation. It would  
23 seem, ladies and gentlemen, that the very, very first step,  
24 the very first step towards rehabilitation, the sine qua non,  
25 is remorse, repentance, sorrow. Did you hear any words come  
26 from his mouth that he was sorry for what he did?

27 Did he testify to that, that he had any repentance,  
28 any sorrow for what he did? I didn't hear it, and I should

1 think that this remorse would take place immediately after  
2 the murders or within a very short time thereafter.

3 Let's look at Tex Watson: After he murdered  
4 the five humans on the night of the Tate murders, did he have  
5 the slightest tinge of remorse, ladies and gentlemen?

6 The very next night, to show, to show his  
7 complete lack of remorse for what he did, he goes out again  
8 and murders two other human beings, a total, a complete lack  
9 of remorse.

10 He hadn't gotten his fill the first night; his  
11 only concern the second night was that he had to take out  
12 better weapons this night because the first night the weapons  
13 weren't good enough.

14 Ask yourselves this question back in the jury  
15 room: Do you really think that since these murders on August  
16 the 9th and 10th, 1969, do you really think that Charles Tex  
17 Watson shed one small, tiny little tear for any one of the  
18 seven victims in this case?

19 Ask yourselves that question, do you really think  
20 he shed one small, tiny tear for any one of them?

21 As I said in my closing argument during the guilt  
22 trial, the only time that Mr. Watson's eyes moistened on that  
23 witness stand was not when he was relating how he murdered  
24 these seven people, ladies and gentlemen, but when he was  
25 describing the allegedly poor treatment he got up at  
26 Atascadero his eyes started to moisten.

27 Linda Kasabian, who never physically murdered  
28 any of the victims, showed how aghast she was by running away

1 from the family right after these murders; and when she was  
2 on that witness stand she showed her remorse by crying and  
3 crying hard when she related observing Watson stab Wojciech  
4 Frykowski on the front lawn of the Tate residence.

5 Did you see any manifestation from Mr. Watson that  
6 he has any remorse whatsoever? Absolutely not.

7 Even to the very day, to the very day, ladies  
8 and gentlemen, when he is interviewed by Dr. Fort, almost  
9 two years after these murders, tells Dr. Fort these people were  
10 running around like chickens with their heads cut off; and  
11 when he tells Dr. Fort that he smiles. He smiles -- he smiles.

12 He never would have said that, he never would have  
13 made that statement on the witness stand, but apparently Dr.  
14 Fort has been associating with the offbeat type for years  
15 and apparently he had ingratiated himself with Mr. Watson;  
16 so Watson slipped up in an unguarded moment he smiled and he  
17 said, "Those people were running around like chickens with  
18 their heads cut off."

19 Instead of feeling remorse, this guy sees a lot  
20 of humor in what happened.

21 Mr. Bubrick is talking about rehabilitation. I  
22 would like to add that when we talk about rehabilitation, ladies  
23 and gentlemen, we are not just dealing with Mr. Watson's mind,  
24 we are dealing with his heart, we are dealing with his soul.  
25 How do you rehabilitate a person whose heart and whose soul  
26 is filled with murder?

27 How do you give a person a new heart? How do you  
28 give a person a new soul?

1 Much more importantly -- much more importantly,  
2 who says that if a convicted murderer is capable of  
3 rehabilitation that he should not get the death penalty?  
4 I have never heard anyone say that that's the law.

5 Even assuming that Mr. Watson is capable of  
6 rehabilitation, and we don't know that, we certainly don't  
7 know one way or the other; but, even assuming that he is,  
8 this does not exempt him from the death penalty. If it did,  
9 no matter how many people a person murdered, no matter how  
10 heinous, even if a person murdered a thousand people, buried  
11 them alive, severed their limbs, if it could be shown that  
12 that person was capable of rehabilitation they would be  
13 entitled to life imprisonment.

14 That type of a rule, I don't think, would make  
15 much sense. There is no rule of law, no statute, no section  
16 in any code in California or in any state in the union, as  
17 far as I know, that provides either expressly or by implication  
18 that if a convicted murderer is capable of rehabilitation that  
19 he cannot be sentenced to death; and I would remind Mr. Rubrick,  
20 with respect to his argument about rehabilitation, that this  
21 is the penalty trial. This is the penalty trial, this is not  
22 the rehabilitation trial.

23 The first trial was the guilt trial, the second  
24 trial was the sanity trial; this trial is the penalty trial,  
25 and the word "penalty" means judicious punishment for the  
26 crimes committed.

27 So, the main issue during this trial, ladies  
28 and gentlemen, is not whether Mr. Watson is capable of



1 rehabilitation but what would be the proper punishment, what  
2 would be the proper penalty for these savage murders that he  
3 committed; and I submit, ladies and gentlemen, that the only  
4 proper penalty, the only proper penalty for these murders is  
5 the death penalty.

6 Now, Mr. Rubrick says that life imprisonment would  
7 be the proper punishment, but would it be, ladies and  
8 gentlemen? I just don't see how.

9 Since the very dawn of history people have been  
10 punished for the crimes that they committed and, historically  
11 -- historically, the greater the crime, the greater the  
12 punishment.

13 You look at the penal statute in the state of  
14 California, the greater the crime, the greater the punishment.  
15 For instance, the punishment for rape is much greater than  
16 the punishment, let's say, for battery or disturbing the peace.  
17 Why? Because rape is a much more serious offense.

18 Now, for these multiple murders, ladies and  
19 gentlemen, for which Mr. Watson, in a cold-blooded, premedi-  
20 tated fashion, inflicted the ultimate harm on seven human  
21 beings, I ask you what punishment other than the ultimate  
22 penalty would fit Mr. Watson and these murders?

23 I think that it is common knowledge that our  
24 society is becoming more and more permissive. Whether this  
25 is for good or bad, I certainly don't know; I am not a  
26 sociologist and I don't purport to be, but I don't think --  
27 I don't think we have reached that point yet where equal  
28 punishment for our crimes can only take place during the



1 second life and not this life. I don't think we have gotten  
2 that permissive yet, so I think you should ask yourselves  
3 this question back in the jury room, ladies and gentlemen:  
4 Charles Tex Watson murdered seven human beings. What would  
5 be equal punishment for what he did?

6 Even if Mr. Watson -- even if Mr. Watson had only  
7 murdered one of the seven victims in this case -- let's assume  
8 that only one victim was murdered, let's take Jay Sebring --  
9 just Jay Sebring, no one else was murdered: In view of the  
10 unbelievably savage, barbaric nature and manner in which  
11 Mr. Sebring was murdered, Mr. Watson would deserve the death  
12 penalty.

13 But here, ladies and gentlemen, here seven people  
14 were murdered; seven people were murdered. At the present time,  
15 that is right now, as I am talking to you, the space between  
16 seconds, seven precious human beings are in their coffins in  
17 the cold grave, the cold earth, and an eight month old boy  
18 fetus is in his coffin in the cold earth because this man  
19 here, Charles Tex Watson, took a knife in his hand and cut  
20 these seven victims up, brutally butchered them to death.

21 To say that equal punishment for seven murders is  
22 life imprisonment just doesn't make sense. If seven murders  
23 equal life imprisonment, what equals the death penalty, 25  
24 murders, 100 murders?

25 When I said a few moments ago that even if Mr.  
26 Watson had only murdered one of the victims in this case he  
27 should receive the death penalty, I certainly did not mean  
28 to say just or imply that everytime you have a murder the

1 killer deserves the death penalty. I was not implying that at  
2 all. The manner in which each murder is committed, the  
3 circumstances surrounding the murder certainly have to be  
4 examined and evaluated separately.

5 For instance, there is all the difference in the  
6 world between a murder resulting from a love triangle and  
7 the seven murders committed by Mr. Watson. All of the seven  
8 victims in this case, particularly the five Tate victims --  
9 but all of them -- were young people, relatively young. I  
10 think Steven Parent was only 18, but all of them were relatively  
11 young people, ladies and gentlemen, who had full lives ahead  
12 of them. That is, until Mr. Watson and his co-conspirators  
13 snuffed out their lives.

14 Now, it goes without saying that life is the  
15 very, very most precious of all God-given gifts, the very  
16 most precious. People who are 90 years of age and older hang  
17 onto life with a youthful passion; animals fight for life.  
18 The world's wealthiest men on their deathbeds would give  
19 everything they owned for the gift of life.

20 The seven victims in this case, ladies and  
21 gentlemen, the seven victims, Sharon, Abigail, Wojciech,  
22 Jay, Steven, Leno, Rosemary, we could assume would have given  
23 everything they owned if this man would have just let them  
24 live.

25 You recall that Diane Lake testified that Tex  
26 told her that Sharon Tate pleaded for her life.

27 Linda Kasabian testified that Steven Parent said  
28 to Tex, "Please don't hurt me, I won't say anything."

1 Timothy Ireland testified that he heard a male  
2 voice, undoubtedly Wojciech Frykowski's, screaming from the  
3 direction of the Tate residence, "Oh, God, no, please don't,  
4 oh, God, no."

5 When Sharon pleaded for her life, ladies and  
6 gentlemen, the person she begged was not Genghis Khan, was  
7 not an aunt of mine who lives up in Minnesota, was not Josh  
8 McGiggy; it was this man right here, this man right here.  
9 This is the man that Sharon pleaded with.

10 When Steven Parent said, "Please don't hurt me,"  
11 the man he was begging was this man right here; and Wojciech  
12 Frykowski screamed, "Oh God, no, please don't," the man he was  
13 begging was this man right here.

14 The seven victims in this case wanted desperately  
15 to live, to be alive, not to die; but Tex Watson looked them in  
16 the eye and says, "No, you are going to die," and then proceeded  
17 to brutally snuff out their lives.

18 Now Mr. Watson wants a break. Did he give these  
19 seven victims in this case a break?

20 Now, he wants another chance. Did he give the  
21 seven victims in this case any chance at all?

22 Now he wants you to show him some mercy. Did he  
23 have any mercy at all for these seven victims when they  
24 begged him for their lives?

25 These seven murders, ladies and gentlemen, were  
26 premeditated executions. Tex Watson showed these victims  
27 absolutely no mercy whatsoever.

28 I would say that the easiest thing for you folks

1 to do would be to go back in the jury room and vote for a  
2 verdict of life imprisonment. That would be the easiest way  
3 out, but the question is would it be a proper verdict? I  
4 don't see how, ladies and gentlemen.

5 If the death penalty is to mean anything in the  
6 state of California other than two empty words, this is a  
7 proper case. These savage, nightmarish murders were perhaps  
8 the most brutal in the recorded annals of crime.

9 In 1872, ladies and gentlemen, the California  
10 Penal Code enacted section 190 of the California Penal Code.  
11 Section 190 provides in part: "Every person guilty of murder  
12 in the first degree shall suffer death or confinement in a  
13 state prison for life." This is the penal code that I am  
14 holding up in front of you right now, section 190 is  
15 contained within the penal code and I say this, ladies and  
16 gentlemen: In view of the incredibly savage, brutal, inhuman  
17 nature of these murders, if Charles Tex Watson does not  
18 receive the death penalty, if he receives life imprisonment,  
19 then section 190 does not belong on the books of the State  
20 of California; section 190 should be torn out of this penal  
21 code.

22 If a person can commit seven unbelievably savage  
23 murders like this, put seven people in their graves and only  
24 get life imprisonment, then the death penalty should be  
25 abolished in the state of California because if this isn't a  
26 proper case no case would ever be, and why have the death  
27 penalty on the books? Why bother having it on the books if  
28 this isn't a proper case?

1 I can only take you back to voir dire, two and a  
2 half months ago, ladies and gentlemen. Mr. Kay and I told  
3 you at that time, during voir dire, that many people are not  
4 opposed to the death penalty but they do not personally want  
5 to sit as jurors on a case where the death penalty is  
6 involved and vote for a verdict of death; they want to let  
7 George do it.

8 We told you that if you felt that way, there was  
9 certainly nothing to be ashamed about, nothing to be ashamed  
10 of, please don't hesitate, raise your hand and tell us that  
11 you feel that way -- now, I told you and Mr. Kay told you,  
12 "Now is the time to speak up," referring back then, "not  
13 later on in the jury room"; and, as you recall -- as you  
14 recall, each and everyone of you told Mr. Kay and I that if  
15 you felt it was a proper case for the imposition of the death  
16 penalty you would be willing to vote for a verdict of death.

17 Now, Mr. Kay and I took your word for it and we  
18 have no doubt in our minds that you folks meant exactly what  
19 you told us, you meant what you said.

20 Now, all the chips are on the line and I say that  
21 if these incredibly, savage murders do not constitute a proper  
22 case for the death penalty, no case ever would. Ask yourselves  
23 that question back in the jury room: If this isn't a proper  
24 case, what would be?

25 Ask yourselves that question: If this isn't a  
26 proper case, what would be? How aggravated do murders have  
27 to be, how many people does a person have to murder?

28 Charles Tex Watson murdered seven people in a

1 barbaric fashion. If he doesn't receive the death penalty  
2 no defendant should ever receive the death penalty.

3 Now, Mr. Keith may argue to you, all right, in  
4 response to what I am saying, "All right, let's not give Mr.  
5 Watson the death penalty, let's not give anyone the death  
6 penalty."

7 I remind you that the death penalty is an  
8 authorized form of punishment in California and Mr. Keith,  
9 as well as Mr. Rubrick, of course, are opposed to the death  
10 penalty. Many people are, but you folks are not opposed to  
11 the death penalty.

12 How do I know that? Because during voir dire you  
13 told Mr. Kay and me that you were not opposed to the death  
14 penalty.

15 In closing, I want to say this, I am humbly and  
16 profoundly sorry that neither his Honor nor defense counsel  
17 nor Mr. Kay nor I can give you any help at all back in that  
18 jury room. It is going to be lonely back there even though  
19 there are twelve of you. All of the burden, unfortunately,  
20 is on your shoulders. But, I have an enormous, unlimited  
21 confidence and faith in the jury system.

22 As many of you probably know, the jury system has  
23 been subject to attack from many quarters, but no one has yet  
24 come up with a better system to determine the guilt, the  
25 innocence, and now the fate of one's fellow man; and I am,  
26 therefore, confident that your verdict will reflect the  
27 conscience of this community of seven million citizens and  
28 it is going to be a fair verdict and it is going to be a



1 proper verdict.

2 On behalf of the people of the state of California  
3 Mr. Kay and I can't thank you enough for the enormous public  
4 service you have rendered as jurors in this historic trial.

5 Thank you very much.

6 THE COURT: Gentlemen, will you approach the bench,  
7 please.

8 (Unreported discussion between court and counsel.)

9 (The following proceedings were had in open court.)

10 THE COURT: Ladies and gentlemen of the jury, at this  
11 time we will have a short recess and, once again, during your  
12 recess please heed the admonition heretofore given.

13 (Recess.)  
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#8  
1 THE COURT: People against Watson.

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

4 Mr. Keith, you may proceed.

5 MR. KEITH: Thank you, your Honor.

XXXXXX 6 May the court please, learned counsel, ladies  
7 and gentlemen of the jury: Mr. Bugliosi, as I expected, made  
8 a powerful argument.

9 I have known him for some time and this is nothing  
10 that I did not anticipate.

11 Mr. Bugliosi represents death here this morning,  
12 ladies and gentlemen, and he represented death very, very  
13 well.

14 He talked about the blood, the butchery, savagery,  
15 brutality, coffins, graves, cold earth, snuffed out young  
16 lives, the victims begging for their lives, the horror, the  
17 blood, the inhumanity of Watson.

18 This is his job. That is okay because he wants  
19 you to hate Watson. He wants you to despise him. He wants to  
20 inflame your passions with vivid references to the baby  
21 bassinet, to the sorrow of the families of the victims, to  
22 the victims begging for their lives, as he says we are going  
23 to beg for Watson's life.

24 We are not going to beg for his life. Mr. Watson  
25 wouldn't beg for his life. We feel he deserves life, but we  
26 are not going to get on our knees to you.

27 He is telling you in effect, ladies and gentlemen,  
28 give Tex what he gave his victims. Kill him as he killed

1 seven people.

2 Ladies and gentlemen, sometimes your task and your  
3 power and your function is likened to that of a Roman emperor.  
4 As you know there are no standards or guidelines to control  
5 your deliberations.

6 You have absolute discretion, absolute power over  
7 life or death and as the Roman emperor, you can say thumbs up,  
8 life, or thumbs down, death, but I don't care for that  
9 analogy because I expect you ladies and gentlemen to be more  
10 humane, more enlightened, more civilized than a Caesar in  
11 his coliseum.

12 I expect you to be more humane, more rational,  
13 more civilized than Watson himself was.

14 Many, many years ago, as a matter of fact perhaps  
15 not too many years ago, killing other human beings in the name  
16 of the law was relished by the populace and became in many  
17 instances a public spectacle -- not so long ago because in  
18 the wild west this is what happened and in England not too  
19 many years ago children were put to death for petty theft.

20 I hope we have progressed over those times and  
21 certainly we have progressed from the days of the Roman  
22 emperor.

23 We like to think of ourselves as charitable, kind,  
24 generous human beings. Yet here we sit, ladies and gentlemen,  
25 in this solemn courtroom, deciding whether or not to take  
26 the life of a sick young man.

27 Mr. Bugliesi indicated to you that Tex Watson  
28 has shown no remorse for these killings and therefore he

1 should deserve to die.

2 Do you not think, ladies and gentlemen, although  
3 there is no utterances to that effect from the witness stand --  
4 it wasn't appropriate at that time -- that Mr. Watson is not  
5 beginning, at least in his confused disoriented mind, to  
6 appreciate the enormity of what he did?

7 No, he doesn't get up on the witness stand and say,  
8 "I am sorry." To me, ladies and gentlemen, this would sound  
9 phony, if I may use the term, almost as phony as, I believe,  
10 Linda Kasabian's tears were.

11 No, this isn't Tex. I don't know whether Tex  
12 could have shed a tear. I think at the present time he is  
13 probably too emotionally flat to burst forth into tears, but  
14 don't you think he feels it?

15 Don't you think that is one of the reasons he  
16 almost died in the county jail?

17 He has remorse, ladies and gentlemen. It is deep  
18 within him, but it is there.

19 Ladies and gentlemen, I think, and I become aghast  
20 at your function, your duty, to decide whether this man  
21 should die or be allowed to live, in this day and age when  
22 all of us in some small way are struggling to benefit society,  
23 to make it a better place to live and here you are going to  
24 determine the awful task or undertake the awful task of  
25 deciding whether or not to kill.

26 It is almost unthinkable when everyone we know --  
27 doctors, even lawyers, merchants, workers, are doing something  
28 to help other people.

1                   Tex didn't help other people, did he? And so you  
2   are asked, because of his inhumanity you should become equally  
3   inhuman and kill him.

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8A

1 Now, I am not saying that Tex Watson is blameless.  
2 He isn't.

3 You convicted him of first degree murder. You  
4 know he isn't blameless. As a human being he is a sad  
5 commentary. I suggest to you, ladies and gentlemen, he is  
6 a person whose life for all intents and purposes has been  
7 destroyed.

8 I suggest to you ladies and gentlemen that Manson  
9 killed him as surely as if he struck a knife in his heart.  
10 Tex's destruction was cold and calculating on the part of  
11 Manson. I don't need to belabor this, but you know how he  
12 manipulated his followers like puppets with drugs, with a  
13 promise of utopia, the bottomless pit and whipping them into  
14 a religious fervor.

15 When Charles Manson got through with this young  
16 man, Watson's mind was a vacuum, crying for the intrusion  
17 of the devil and the devil's watchword was death.

18 I will say it again. It can't be said enough.  
19 Death was Charlie's trip and those aren't my words. They are  
20 Paul Watkins' words and it is true.

21 The entire atmosphere at the Spahn Ranch was  
22 filled with death and I can't say it enough. Killing was  
23 right at the Spahn Ranch.

24 What chance did he have? Sure, people left the  
25 ranch when they found out what was going on. Sure, Tex was  
26 a dupe. He was defrauded. Tex didn't leave, so you should  
27 kill him for that.

28 He didn't have the guts, the intestinal fortitude.

1 He didn't have the will to leave so you should kill him for  
2 that.

3 Tex is supposed to have killed to please his master  
4 according to Mr. Bugliosi. If he did, if that was a factor --  
5 and it is an oversimplification -- if this is a factor, can  
6 you imagine a more complete robot, a more complete zombie,  
7 and you are asked to put him to death for that.

8 Chronologically and physically at the time of  
9 these homicides Tex was 21. If you are 17 in this state and  
10 commit a first degree murder, you are not eligible for the  
11 death penalty under the law.

12 Chronologically Watson is eligible. What do you  
13 think his emotional age was at the time of these homicides?  
14 10, maybe, and I am giving him more credit than he deserves.

15 Would you put a 10-year old child to death? I  
16 suppose Watson in his psychosis wanted to please his master  
17 like the puppy dog Jacobson described him as. This is part  
18 of the picture. This is the end result of the diabolical  
19 conditioning of Hanson.

20 Do you think he had any choice, ladies and  
21 gentlemen? Choice is important in this case.

22 Free will? Do you think Mr. Watson had any free  
23 will left? Wasn't his power to say "no" destroyed?

24 Who ever said "No" at the Spahn Ranch? That was  
25 a word that was hardly ever used.

26 Everything was "Yes," "Do this," "Do that," "Yes,"  
27 "Yes," "Yes."

28 Freedom? Freedom from any responsibility.



1 Freedom from morality, licentiousness. This was the philosophy  
2 and the life style at the Spahn Ranch.

3 Do you think from all you have heard that he had  
4 any choices, ladies and gentlemen? Do you think with his  
5 personality structure, his underlying personality structure --  
6 and this is what is important about his background, not that  
7 he was deprived or not deprived or lived a normal childhood --  
8 the real importance of that information which you received  
9 is the type of personality he was: Weak, passive, dependent,  
10 cannon fodder for somebody like Manson and cannon fodder he  
11 became.

12 I suggest that Tex was more than the child, that  
13 Manson's child that Dr. Hockman believed. He was that, yes,  
14 but he was Manson's, as you know, totally obedient captive --  
15 more than just Manson's child, because even children say "No."

16 You are asked by Mr. Bugliosi not to find any  
17 mitigating circumstances -- not the LSD, not the domination  
18 of Manson, not the psychosis, not the senselessness, the lack  
19 of motive or rational motive for these offenses, not the  
20 number of deaths, not the manner in which they met their  
21 death.

22 This isn't mitigating according to Mr. Bugliosi,  
23 but it is because you have got to look at the person. Yes,  
24 you can look at what he did and you can abhor it and you will  
25 look at what he did, but pay attention to the person -- what  
26 was he like? What motivated him? What sickness was within  
27 him?

28 I have suggested this before, ladies and gentlemen,

1 and I will say it again: The very senselessness, the very  
2 savagery, the very number of killings is mute evidence of  
3 what kind of a person Tex Watson was, not a born killer, not  
4 a cold and calculating killer, but crazed, mad, insane.

5 I know you found that he is sane. I know you  
6 found him to be able to deliberate.

7 I am not criticizing those verdicts, but the  
8 evidence in this case, all the psychiatric testimony, which  
9 I beg you not to disregard -- it is the one begging I will  
10 do -- cries out to look at the person.

11 Try and understand. It is hard because none of  
12 us were there and it is so hard to believe how this could have  
13 happened, but try and understand.

14 I believe from the psychiatric evidence and from  
15 the facts themselves, as given to you by lay witnesses, that  
16 you have been given a picture as best we can give you as to  
17 what went on at the Spahn Ranch and in this young man's mind.

18 Is that not mitigation? What he actually did,  
19 the fact that his killings were aggravated -- nobody is going  
20 to say otherwise. Nobody would dare to. We would be fools  
21 to.

22 It is what is behind it -- what was behind it  
23 that I beg of you to consider most strongly, profoundly, in  
24 your deliberations.

25 Look at Tex Watson now -- a withered human being  
26 at 25. So little to look forward to, so little left,  
27 emotionally, spiritually, manfully, virtually dead.

28 As he told Dr. Hockman he believes he is dead now

1 but there may be some spark left in him, ladies and gentlemen,  
2 that I believe deserves nurturing, not snuffing out.

3 Yes, he snuffed out seven lives, but must you snuff  
4 out his life because of what he did?

5 Mr. Bugliosi says life imprisonment isn't that  
6 bad -- three squares, TV, band, sanitation, medical attention  
7 -- and he needs it -- that you would be giving away the  
8 courthouse if you gave him life for what he did.

9 Again the same over and over again throughout  
10 Mr. Bugliosi's argument of retribution -- kill him for what  
11 he did. Kill him because Sharon Tate will never have her  
12 baby.

13 Certainly life is precious but liberty is too  
14 and this is what Watson has lost and will lose forever.

15 Life isn't that good, but he does not deserve to  
16 die nonetheless. Because of him as a person, not <sup>just</sup> because  
17 of what he did -- think about him and his mind and his having  
18 been so cruelly programmed by one of the evillest men of our  
19 times, who picked on the weak and the halt and the lame as  
20 he went up and down the state of California.

#9

1 Sure, Mr. Watson, sure, Tex volunteered to go with  
2 him. Remember, Dean Moorehouse gave him the acid, started  
3 him off on it: "Acid is truth; give up your worldly  
4 possessions; come with me to utopia; take another acid pill  
5 or acid tablet, Tex, and it will open up the truth for you;  
6 everything you learned before was a lie, I'm going to show  
7 you the way to the real meaning of life; take another tab,  
8 Tex."

9 Sure, he went along with Manson; sure, it appealed  
10 to him because he was at a crossroads of his life and anybody  
11 with any stability or any fiber, any goals, set goals, any  
12 ambitions, would have told Moorehouse to go to hell; but Tex  
13 didn't because he was that kind of a person. Don't kill him  
14 for it.

15 Let us ask ourselves, ladies and gentlemen, how  
16 will we benefit by killing Tex Watson? How will society  
17 benefit? Will we create a better world by sending Tex to his  
18 death? Will other would-be Mansons think twice before  
19 developing their devilish cults and religions and destroying  
20 young lives, if we send Tex to his death?

21 Do you think Tex's death, ladies and gentlemen,  
22 is going to make the paranoid, the megalomaniac, or the  
23 sociopathic types like Manson think twice before they create  
24 and spread their devilish creeds? Of course not.

25 If anything, ladies and gentlemen, if for no  
26 other reason, Tex shouldn't be killed, he ought to be studied.  
27 Perhaps at some time in the future medical science can  
28 provide some answers that we have not yet heard, answers to,

1 perhaps, one of the most unique and unusual crimes in the  
2 history of this country. He should be studied; he shouldn't  
3 be killed in a gas chamber. That's what Mr. Bugliosi wants  
4 you to do.

5 I can think of no reason how any of us on this  
6 earth will be in any way helped or benefited or made to feel  
7 easier or feel cleansed by your verdict putting him to death.

8 Mr. Bugliosi said, I believe, that you were the  
9 conscience of the community. Ladies and gentlemen, you are  
10 individuals, you are not the community. You are individuals.

11 I hope you are strong, courageous. You must give  
12 us the benefit of your individual opinions. Please don't do  
13 what you think the uninformed community wants you to do.  
14 You are yourselves. I beg to differ with Mr. Bugliosi, you  
15 are not the conscience of the community. Don't let any  
16 pressure invade your decision making power in this case,  
17 pressure derived from what you think your friends and neighbors  
18 want to happen to Mr. Watson. It is your individual judgment,  
19 unhampered or unimpaired by any extraneous influences which  
20 we expect and which this court demands of you.

21 Mr. Bubrick delved upon a point or points which  
22 I think is important and significant enough to repeat in part  
23 and to re-emphasize.

24 You found that Mr. Watson was not afflicted with  
25 diminished capacity to the extent that he was unable to  
26 naturally and meaningfully reflect. Suppose -- suppose, ladies  
27 and gentlemen, you come back with a verdict of death and that  
28 Tex dies in the gas chamber. None of us are infallible,

1 ladies and gentlemen. I'm sure you would be the first to  
2 concede that.

3 It is so hard, so difficult to, from the witness  
4 stand through doctors who Tex a year, a year and a half, two  
5 years after the events that we are interested in, to make a  
6 determination of his state of mind on those two nights. I  
7 think you will agree with that. Medical science, the art of  
8 psychiatry, if you will, has not progressed to the point where  
9 they can look in his mind and say, "Ah ha," as Mr. Baglioni  
10 said, "This is what he was thinking on that night, and there  
11 was a void; he wasn't thinking about anything."

12 Psychiatry can't do that; they can provide whatever  
13 assistance their experience and education and expertise permits  
14 them to furnish you, and eight out of nine of them, I believe,  
15 told you that in their opinion Mr. Watson was psychotic. Many  
16 of them told you he could not maturely reflect. Three of them  
17 told you they thought he was insane at the time.

18 Just suppose, ladies and gentlemen, they are right  
19 and you were wrong. We all can be wrong -- and Tex dies --  
20 if you were wrong, then Tex should have been convicted, and  
21 I am not criticizing you, believe me -- should have been  
22 convicted of second degree, which doesn't carry the death  
23 penalty; yet, Tex is dead, a mistake you may have made, an  
24 honest, good faith mistake. It can never be retrieved.

25 This is the danger of the death penalty, ladies  
26 and gentlemen. I am not suggesting for one instant you did not  
27 do your duty; I am suggesting we all can be wrong, and if we  
28 are wrong and if Watson dies in the gas chamber, what a ghastly



1 miscarriage of justice, I'm sure you will all agree.

2 You have been invested with an awesome power,  
3 ladies and gentlemen, the power usually given only to God,  
4 the power over life and death; but the law of this state has  
5 in its wisdom decided that you, the jury, not only should  
6 act as judges of Tex's life, but you are also to act as  
7 legislators; because, you see, you have absolute discretion.  
8 What we tell you makes no difference. What the law will tell  
9 you is, "The sky is the limit," you are the law in this case.  
10 You are the law, ladies and gentlemen, you make the law; you  
11 decide whether Tex should live or die, as God ordinarily  
12 decides whether a person should live or die.

13 I say ordinarily, because in this case, I dare  
14 say, Mr. Bugliosi would argue, if he could get up again, Mr.  
15 Watson usurped the function of God on two nights; but must  
16 his insane disregard for the lives of his victims inspire  
17 you to join in this insanity of killing?

18 Must his two nights of madness be compounded on  
19 your insistence on his blood, his death?

20 Will his death atone for his inhumanity to his  
21 fellow human beings?

22 Is it your sublime obligation to kill Tex because  
23 he killed others?

24 MR. BUGLIOSI: Your Honor, I'm going to object to the  
25 constant reference to the jury killing Tex, this is improper.

26 They are only one part of the administration of  
27 justice. It is a verdict of death that we are asking for and  
28 he keeps categorizing the jury as killing Tex, and I think this

1 is improper and I would ask the court to --

2 THE COURT: No, the objection will be overruled.

3 MR. KEITH: I will direct myself to that comment.

4 You are the ones that put him in the gas chamber,  
5 ladies and gentlemen. You don't drop the pill, somebody else  
6 does, but you are the one that really does it. Everybody  
7 else who has a hand in it is, by occupation, a ministerial  
8 function.

9 You have the power to decide; it is your decision.  
10 I suggest to you, in answer to Mr. Bugliosi's comment, that  
11 you kill him just as if you are the one that did drop the  
12 pill.

13 Hasn't there been enough killing, ladies and  
14 gentlemen?

15 Can't we take one small step towards sanity, and  
16 benignity and benevolence and stop putting people to death?

17 Must we be something less than the beasts in the  
18 jungle, ladies and gentlemen? They only kill to survive.

19 There is no need to recount man's inhumanity to  
20 man, we could be here for eons; but can we not make one small  
21 start to stop it and save a life instead of taking it?

22 Must we lower ourselves to the level of a Manson,  
23 who killed seven people, or Watson, for that matter?

24 But, in a very real sense Manson has destroyed  
25 the lives of Tex, Sadie, Katie, Leslie, has ruined many other  
26 lives; has, in effect, forever the lives of his followers,  
27 his family members, some of whose names you have heard: Clem  
28 Tufts, Bobby Beauteleil, Grogan, Gipsy, Mary Brunner, Sandra

1 Good, Kathy Gillis, Squeaky, Snake -- will her life ever be  
2 the same after eight months in a mental hospital for drug  
3 abuse?

4 The list is probably longer, ladies and gentlemen.

5 Yes, they were volunteers, including Tex. Nobody  
6 shoved dope down their throats.

7 Yes, he could have left, and he did on two  
8 occasions; but think of his personality, think of his  
9 character. It is a pretty sad character when you think of it,  
10 but it is something that I ask you to, I desperately ask you  
11 to consider, because it is his character -- he is not a born  
12 killer, he doesn't have killing in his blood, but it is that  
13 passive-dependant character that sent him down the road to  
14 destruction, his destruction right here. He will never --  
15 he's gone, ladies and gentlemen.

16 I'm not saying he is blameless. I'd be insulting  
17 your intelligence if I did so. Tex finally did say no, as  
18 you know; but, as you also know, unfortunately, much too late  
19 to save him.

20 Think of his character that portended his doom.  
21 I almost look on him as a tragic figure out of Shakespeare,  
22 with a fatal flaw in his character that eventually leads to  
23 the destruction of the individual, like Hamlet.

24 I am not describing Tex as the prince of Denmark.  
25 I am describing Shakespeare's characters in general, particu-  
26 larly his tragedies, where all his central figures had certain  
27 character flaws that ended in their doom, that was the genesis  
28 of their doom, and this is Tex.

1 I don't pretend, really, to know all the many,  
2 many complex interrelated factors that led to his destruction  
3 and the destruction of the people at the Tate and La Bianca  
4 residences. You have heard enough testimony about his  
5 underlying character, that fatal flaw that led him to this  
6 position, this predicament, sitting in the chair at counsel  
7 table wondering whether he is going to live or die.

8 This is mitigation, ladies and gentlemen. This  
9 is one of the things that led up to his doing what he did.  
10 Watson didn't introduce death as a way of life. Yes, he went  
11 along with it in his sick mind, but it was Manson who represented  
12 death and if anyone should die for these killings it should be  
13 Manson, not this poor puppet, this robot, this slave.

14 Let me close with this thought: If Sam and I  
15 cannot convince you of the wrongness of putting Tex to death  
16 in the gas chamber, we will have failed, and miserably so,  
17 and we will be with you in the spirit when Tex dies in the gas  
18 chamber, and all of us will be with him -- physically, we won't  
19 be present, but, nonetheless, we will be there and we will  
20 walk with him those last steps to the gas chamber; and I dare  
21 say Tex will die, not as he lived, bravely and proudly, and  
22 we will shudder to think that what we did here in this court.  
23 We sentenced a fellow human being to die.

#10  
1 Is it your duty, ladies and gentlemen, to put Tex  
2 to death, as Tex believed it was his duty to kill?

3 Is there some monstrous equation, ladies and  
4 gentlemen, whereby two wrongs make a right?

5 Is this justice under the law -- your law? You  
6 are the legislators in this case.

7 Why should Tex live? Why should we consider letting  
8 this caricature of a human being survive what he perpetrated?  
9 Because, ladies and gentlemen, because you and I, we all of us  
10 in this court, we are human beings.

11 I thank you.

12 THE COURT: Ladies and gentlemen of the jury, I trust  
13 you will forgive me if I impose upon you for about another 10  
14 or 15 minutes to read the instructions so that you may have  
15 this case for your deliberation.

16  
17 CALJIC 1.30

18 Ladies and gentlemen of the Jury:

19 It becomes my duty as judge to instruct you  
20 in the law that applies to this case, and it is your  
21 duty as jurors to follow the law as I shall now state  
22 it to you. On the other hand, it is your exclusive  
23 province to determine the facts in the case, and to  
24 consider and weigh the evidence for that purpose.  
25 The authority thus vested in you is not an arbitrary  
26 power, but must be exercised with sincere judg-  
27 ment, sound discretion, and in accordance with the  
28 rules of law stated to you.

1 Both the People and the defendant have a  
2 right to expect that you will conscientiously consider  
3 and weigh the evidence and apply the law of the  
4 case, and that you will reach a just verdict regard-  
5 less of what the consequences of such verdict may  
6 be.

7 Your verdict must express the individual opinion  
8 of each juror.

9 At the first phase of the trial you were given  
10 instructions concerning the law applicable to this  
11 case. It will not be necessary for me to repeat  
12 at this time those instructions. With one notable  
13 exception those instructions are applicable  
14 to this phase of the case as well and you are to  
15 be guided by them.

16 The exception is that in this part of the  
17 trial the law does not forbid you from being influenced  
18 by pity and you may be governed by mere sentiment  
19 and sympathy in arriving at a proper penalty in  
20 this case. However, the law does forbid you from  
21 being governed by mere conjecture, prejudice,  
22 public opinion or public feeling.

23 The defendant in this case has been found  
24 guilty of the offenses of murder in the first  
25 degree and conspiracy to commit murder. It is  
26 now your duty to determine which of the penalties  
27 provided by law should be imposed for those offenses.  
28 In arriving at this determination you should con-  
sider all of the evidence received here in court



1 presented by the People and defendant throughout  
2 the trial before this jury. You may also consider  
3 all of the evidence of the circumstances surround-  
4 ing the crime, of the defendant's background and  
5 history, and of the facts in aggravation or miti-  
6 gation of the penalty which has been received here  
7 in court. However, it is not essential to your deci-  
8 sion that you find mitigating circumstances on the  
9 one hand or evidence in aggravation of the offense  
10 on the other.

11 It is the law of this state that every person  
12 guilty of murder in the first degree shall suffer  
13 death or confinement in the state prison for life, at  
14 the discretion of the jury. If you should fix the  
15 penalty as confinement for life, you will so indicate  
16 in your verdict. If you should fix the penalty as  
17 death, you will so indicate in your verdict. Not-  
18 withstanding facts, if any, proved in mitigation or  
19 aggravation, in determining which punishment shall  
20 be inflicted, you are entirely free to act according  
21 to your own judgment, conscience and absolute dis-  
22 cretion. That verdict must express the individual  
23 opinion of each juror.

24 Beyond prescribing the two alternative penal-  
25 ties, the law itself provides no standard for the  
26 guidance of the jury in the selection of the penalty,  
27 but, rather, commits the whole matter of determin-  
28 ing which of the two penalties shall be fixed to the

1 judgment, conscience and absolute discretion of the  
2 jury. In the determination of that matter, if the  
3 jury does agree, it must be unanimous as to which  
4 of the two penalties is imposed.

5 Requested by People

6 Given as Modified

7 Hon. Adolph Alexander, Judge

8  
9 CALJIC 8.82

10 A sentence of life imprisonment means that the  
11 prisoner may be paroled at some time during his  
12 lifetime or that he may spend the remainder of his  
13 natural life in prison. An agency known as the  
14 Adult Authority is empowered by statute to deter-  
15 mine if and when a prisoner is to be paroled, and  
16 under the statute no prisoner can be paroled un-  
17 less the Adult Authority is of the opinion that the  
18 prisoner when released will assume a proper place  
19 in society and that his release is not contrary to  
20 the welfare of society. A prisoner released on  
21 parole may remain on parole for the balance of his  
22 life and if he violates the terms of the parole he  
23 may be returned to prison to serve the life sen-  
24 tence.

25 So that you will have no misunderstandings re-  
26 lating to a sentence of life imprisonment, you have  
27 been informed as to the general scheme of our pa-  
28 role system. You are now instructed, however, that

1 the matter of parole is not to be considered by  
2 you in determining the punishment for this defend-  
3 ant, and you may not speculate as to if, or when,  
4 parole would or would not be granted to him. It  
5 is not your function to decide now whether this  
6 man will be suitable for parole at some future date.  
7 So far as you are concerned, you are to decide  
8 only whether this man shall suffer the death penalty  
9 or whether he shall be permitted to remain alive.  
10 If upon consideration of the evidence you believe  
11 that life imprisonment is the proper sentence, you  
12 must assume that those officials charged with the  
13 operation of our parole system will perform their  
14 duty in a correct and responsible manner, and that  
15 they will not parole this defendant unless he can be  
16 safely released into society. It would be a violation  
17 of your duty as jurors if you were to fix the pen-  
18 alty at death because of a doubt that the Adult  
19 Authority will properly carry out its responsibilities.

20 Requested by People

21 Given as requested

22 Hon. Adolph Alexander, Judge

23  
24 CALJIC 17.30

25 I have not intended by anything I have said  
26 or done, or by any questions that I may have asked,  
27 to intimate or suggest what you should find to  
28 be the facts on any questions submitted to you, or

1 that I believe or disbelieve any witness.

2 If anything I have done or said has seemed to  
3 so indicate, you will disregard it and form your  
4 own opinion.

5 Requested by People

6 Given as requested

7 Hon. Adolph Alexander, Judge

8  
9 CALJIC 17.49

10 In this case there are two possible verdicts  
11 as to each count -- as to Counts I to VIII. These  
12 various possible verdicts are set forth in forms  
13 of verdict which you will receive. Only one of  
14 the possible verdicts may be returned by you as to  
15 any particular count. If you all have agreed upon  
16 one verdict as to a particular count, the correspond-  
17 ing form is the only verdict form to be signed as  
18 to that count. The other forms are to be left unsigned.

19 Requested by People

20 Given as Requested

21 Hon. Adolph Alexander, Judge

22  
23 CALJIC 17.50

24 You shall now retire and select one of your  
25 number to act as foreman, who will preside over  
26 your deliberations. In order to reach a verdict, all  
27 twelve jurors must agree to the decision. As soon  
28 as all of you have agreed upon a verdict, you shall

1 have it dated and signed by your foreman and then  
2 shall return with it to this room.

3 Requested by People

4 Given as Requested

5 Hon. Adolph Alexander, Judge

6  
7 Swear the bailiff please.

8 THE CLERK: Do you and each of you solemnly swear that  
9 you will take charge of the jury, keep them together, that  
10 you will not speak to them yourselves or allow anyone else  
11 to speak to them on any matter connected with this case except  
12 on order of the court. That when they have agreed upon a  
13 verdict you will return them into court so help you God?

14 (Affirmative response.)

15 THE CLERK: Do you and each of you solemnly swear that  
16 you will take charge of the alternate jurors and keep them  
17 apart from the jury while they are deliberating on the cause  
18 until further order of the court so help you God?

19 (Affirmative response.)

20 (The jury retired for deliberations.)

21 MR. KAY: Your Honor, I just wanted the record to  
22 reflect that we did have a discussion in chambers about your  
23 Honor's crossing out certain portions of the basic instruction  
24 1.30 and both Mr. Keith and Mr. Bubrick indicated that it was  
25 all right with them. I just wanted to have them indicate that  
26 for the record.

27 MR. BUBRICK: We have no problem with that.

28 THE COURT: That is correct.

1 MR. KEITH: Could I see the instructions. I want to  
2 lodge an objection to one. It is fruitless.

3 THE COURT: Which one?

4 Before we go to that, let's settle this. I read  
5 1.30 including the paragraph "Your verdict must express the  
6 individual opinion of each juror."

7 Then I read on page 415 of the Bench Book,  
8 paragraph 3, and I struck out the remainder of 1.30, which  
9 you just agreed to; is that correct?

10 MR. BUBRICK: Yes, your Honor.

11 MR. KAY: Thank you, your Honor.

12 THE COURT: Now, what is your objection?

13 MR. BUOLIOSI: For the record, may it be indicated that  
14 as part of the discussion back in chambers, the prosecution  
15 wanted the court to instruct the jury during the penalty  
16 phase that they could take into consideration, if they wanted  
17 to, any feeling of passion or hatred against the defendant  
18 as part of the instructions of the court. The court indicated  
19 that it would not give that particular instruction.

20 THE COURT: That is correct. Now, Mr. Keith.

21 MR. KEITH: Both Mr. Bubrick and I want to object to  
22 its giving -- we should have done so before, but it wouldn't  
23 probably have made any difference -- but nonetheless, that  
24 is CALJIC 8.82, the Morse rule as to the effect of the  
25 sentence of life imprisonment.

26 THE COURT: Your objection will be noted.

27 MR. KEITH: That is outrageous. It practically tells  
28 the jury that he is likely to be released upon society at



1 some future date.

2 MR. KAY: But again you didn't object until after it was  
3 already given.

4 MR. KEITH: I know, but I don't think --

5 THE COURT: Even so, he didn't have to object. There is  
6 an automatic objection to every instruction that I give, so  
7 he didn't have to object before.

8 (Short recess.)

9 (The following proceedings took place in open court  
10 in the presence of the jury.)

11 THE COURT: Let the record show that all jurors are  
12 present, together with the alternates. All counsel are  
13 present. Tex Watson is not present.

14 I think, ladies and gentlemen, you heard me tell  
15 you that all exhibits that have heretofore been entered are  
16 now re-entered for the purpose of this penalty phase.

17 Should you desire to see any or all of the exhibits,  
18 it is your privilege to ask for them and don't hesitate to do  
19 so if you care to.

20 That is all I wanted to tell you.

21 (The jury retired for further deliberations.)  
22  
23  
24  
25  
26  
27  
28

1 LOS ANGELES, CALIFORNIA, THURSDAY, OCTOBER 21, 1971; 11:35 A.M.

2  
3  
4 THE COURT: Good morning.

5 People against Watson.

6 Let the record show all jurors are present; Mr.  
7 Kay here for the prosecution, Mr. Keith for the defense, and  
8 the defendant is present.

9 Mr. Rodriguez, I see you are still foreman. Have  
10 you agreed upon a verdict in this case?

11 MR. RODRIGUEZ: Yes, we have.

12 THE COURT: Hand the verdicts to the bailiff, please.

13 The Clerk please read the verdicts.

14 THE CLERK: Yes, your Honor.

15 "Title of Court and Cause:

16 "We, the jury in the above-entitled  
17 action, having found Charles Denton Watson, the  
18 defendant, guilty of murder in the first degree  
19 as charged in Count I of the indictment, fix the  
20 penalty as death.

21 "This 21 day of October, 1971.

22 "Carlos Rodriguez, Foreman.

23 "Title of Court and Cause:

24 "We, the jury in the above-entitled  
25 action, having found Charles Denton Watson, the  
26 defendant, guilty of murder in the first degree  
27 as charged in Count II of the indictment, fix the  
28 penalty as death.

1 "This 21 day of October, 1971.

2 "Carlos Rodriguez, Foreman.

3 "Title of Court and Cause:

4 "We, the jury in the above-entitled  
5 action, having found Charles Denton Watson, the defendant,  
6 guilty of murder in the first degree as charged  
7 in Count III of the indictment, fix the penalty  
8 as death.

9 "This 21 day of October, 1971.

10 "Carlos Rodriguez, Foreman.

11 "Title of Court and Cause:

12 "We, the jury in the above-entitled  
13 action, having found Charles Denton Watson, the  
14 defendant, guilty of murder in the first degree  
15 as charged in Count IV of the indictment, fix the  
16 penalty as death.

17 "This 21 day of October, 1971.

18 "Carlos Rodriguez, Foreman.

19 "Title of Court and Cause:

20 "We, the jury in the above-entitled  
21 action, having found Charles Denton Watson, the  
22 defendant, guilty of murder in the first degree  
23 as charged in Count V of the indictment, fix the  
24 penalty as death.

25 "This 21 day of October, 1971.

26 "Carlos Rodriguez, Foreman.

27 "Title of Court and Cause:

28 "We, the jury in the above-entitled

1           action, having found Charles Denton Watson, the  
2           defendant, guilty of murder in the first degree  
3           as charged in Count VI of the indictment, fix the  
4           penalty as death.

5           "This 21 day of October, 1971.

6                       "Carlos Rodriguez, Foreman.

7           "Title of Court and Cause:

8                       "We, the jury in the above-entitled  
9           action, having found Charles Denton Watson, the  
10          defendant, guilty of murder in the first degree  
11          as charged in Count VII of the indictment, fix the  
12          penalty as death.

13          "This 21 day of October, 1971.

14                      "Carlos Rodriguez, Foreman.

15          "Title of Court and Cause:

16                      "We, the jury in the above-entitled  
17          action, having found the defendant, Charles Denton  
18          Watson, guilty of conspiracy to commit murder, as  
19          charged in Count VIII of the indictment, fix the  
20          penalty as death.

21          "This 21 day of October, 1971.

22                      "Carlos Rodriguez, Foreman."

23                      Ladies and gentlemen of the jury, are these your  
24          verdicts, so say you one, so say you all?

25          THE JURORS: Yes.

26          THE COURT: Do you wish the jury polled, Mr. Keith?

27          MR. KEITH: Yes, collectively, however.

28          THE COURT: Poll the jury; collectively, however.

1           **THE CLERK:** Ladies and gentlemen of the jury, as I  
2 call your name, if this was your vote as to each of the  
3 verdicts, would you answer "yes"?

4           **Mrs. Louise Stanton?**

5           **MRS. STANTON:** Yes.

6           **THE CLERK:** Mr. Irving Spanier.

7           **MR. SPANIER:** Yes.

8           **THE CLERK:** Francisco Jeffers.

9           **MR. JEFFERS:** Yes.

10          **THE CLERK:** Kenneth R. Morgan.

11          **MR. MORGAN:** Yes.

12          **THE CLERK:** Alice K. Nihei.

13          **MISS NINEI:** Yes.

14          **THE CLERK:** Mathew Batie.

15          **MR. BATIE:** Yes.

16          **THE CLERK:** Gwendolyn Spencer.

17          **MRS. SPENCER:** Yes.

18          **THE CLERK:** Mrs. Marie E. Trainor.

19          **MRS. TRAINOR:** Yes.

20          **THE CLERK:** Carlos Rodriguez.

21          **MR. RODRIGUEZ:** Yes.

22          **THE CLERK:** Rosemarie Casalenuovo.

23          **MRS. CASALENUOVO:** Yes.

24          **THE CLERK:** George I. Ujiye.

25          **MR. UJIYE:** Yes.

26          **THE CLERK:** Norma R. Oreskovich.

27          **MRS. ORESKOVICH:** Yes.

28          **THE CLERK:** All jurors answered in the affirmative, your

1       Honor.

2       THE COURT: Record the verdicts.

3               Waive the reading of the verdicts as recorded?

4       MR. KEITH: Yes, your Honor.

5       THE COURT: Ladies and gentlemen of the jury, in view  
6 of the fact that there will be other proceedings between your  
7 verdict and the time of pronouncing judgment, I cannot  
8 express any attitude of mine towards your verdict; but I can  
9 say this: In all the years that I have been a defense  
10 lawyer, prosecutor and a judge, I have never come across a  
11 jury more devoted, more sincere and more conscientious.

12               When we realize that we started picking this jury  
13 on August the 2nd -- some of you were on the panel that day --  
14 you were sworn in on August the 10th; in these months, with  
15 16 people, not one has asked to be excused. In fact, one  
16 took sick during the time and she begged to remain on this  
17 jury.

18               No jury could be more conscientious. We cannot  
19 function without you jurors; so, ladies and gentlemen, in  
20 addition to the thanks of all counsel here you have the  
21 thanks of this court for your sincerity and for your devotion.

22               And, Mrs. Oreskovich, congratulations upon being  
23 a grandmother.

24               And, Mrs. Casalenuovo, I hope all is well with  
25 you.

26               And Mrs. Oreskovich, I hope your granddaughter  
27 brings you the happiness ours have brought us.

28               Now, ladies and gentlemen, you are excused; and



1       thank you, again.

2               Court will remain in session.

3       (The jurors are excused.)

4       THE COURT: All right, Mr. Keith.

5       MR. KEITH: Defendant will ask leave of court to file  
6       an application for probation, which, I believe, is required  
7       even though this jury has fixed the penalty; and also at the  
8       time of pronouncement of judgment I will notice an intention  
9       to move for a new trial on all statutory grounds.

10       THE COURT: Supposing you make your motion for a new  
11       trial at this time, waive time, because the motion for a  
12       new trial should be heard and determined within 10 days.  
13       Waive time, ask your client to waive time so that the motion  
14       for a new trial and pronouncement of judgment --

15       MR. KEITH: I will make the motion now on all statutory  
16       grounds; and also move pursuant to the appropriate sections  
17       of the Penal Code to reduce the penalty from death to life --  
18       or, I should say, reduce the judgment from the verdict of  
19       guilty first degree to second degree murder, and in lieu of  
20       that to reduce the penalty from death to life, and ask that  
21       time be waived.

22               Mr. Watson, are you willing to waive time beyond  
23       the 10-day period?

24       THE DEFENDANT: Yes, I guess so.

25       MR. KEITH: For pronouncement of judgment?

26       THE DEFENDANT: Yes.

27       MR. KEITH: And hearing on the motion for a new trial?

28       THE DEFENDANT: Yes.

1 THE COURT: Will you give us a date, please, Mr. Clerk,  
2 at least three weeks away?

3 THE CLERK: The 11th of November.

4 THE COURT: That is no longer a holiday, is it?

5 THE CLERK: No, that has been moved up to the 25th.

6 The 11th or the 18th, if he will waive time.

7 MR. KEITH: I would prefer the 11th, your Honor.

8 THE COURT: All right.

9 Probation and sentence will be set for November  
10 11th.

11 Now, Mr. Watson, under the law you may have your  
12 motion for a new trial heard and determined within 10 days  
13 from today; however, you may waive that right and consent  
14 that it be heard on November the 11th.

15 Do you understand that?

16 THE DEFENDANT: Yes.

17 THE COURT: Do you waive your right to have your  
18 motion for new trial heard within the 10 days and consent  
19 that it be continued to November 11th?

20 THE DEFENDANT: Right.

21 THE COURT: All proceedings will be continued, now, to  
22 November 11th.

23 Defendant will be remanded.

24 Anything further?

25 MR. KAY: No, nothing.

26 Thank you very much, your Honor.

27 MR. KEITH: Nothing further.

28 (Further proceedings in the above-entitled action

are continued to Thursday, November 11, 1971 at 9:00 a.m.)

1 LOS ANGELES, CALIFORNIA, THURSDAY, NOVEMBER 11, 1971, 9:30 A.M.

2 THE COURT: People versus Charles Watson. Let the  
3 record show that all counsel are present, the defendant  
4 is present. Mr. Bubrick and Mr. Keith, this is the time  
5 set for motion of new trial and also set is the motion for  
6 reduction of sentence.

7 MR. BUBRICK: As far as our motion for a new trial  
8 is concerned, we will submit that on the evidence heretofore  
9 heard by your Honor. I would like, however, to say just  
10 a few words about the reduction in the penalty under 1181.7.  
11 I am not going to belabor that point either because, your  
12 Honor, in view of his experience in this field, knows full  
13 well that your Honor has the right and the duty to reweigh  
14 the evidence that he heard and unlike the Appellate Court,  
15 which is bound to make only a formal review of the evidence,  
16 I feel because of your Honor's experience in this matter  
17 and your Honor's feeling and experience that there is really  
18 nothing that I can say that would direct your Honor's  
19 attention to anything specifically other than to note that  
20 your Honor has been very diligent in his evaluation of the  
21 evidence, and your Honor has well in mind, and I would ask  
22 your Honor to reweigh the evidence that he has heard,  
23 particularly those facets of the evidence which were most  
24 critical in this case. The testimony of Linda Kasabian,  
25 whether or not her accomplice testimony is sufficient to  
26 carry the burden that it is required to carry. Whether or  
27 not your Honor feels that the overall effect of all the  
28 psychiatric testimony introduced in this case is so overwhelming

1 to leave the testimony in a state of flux. Whether or not  
2 your Honor feels that every other consideration to the elements  
3 of these offenses, considering all of the medical evidence  
4 that was introduced is sufficient in your Honor's opinion  
5 when reweighed by him to sustain the jury's verdict and  
6 the imposition of the death penalty. I would ask your  
7 Honor to reduce the death penalty to one of second degree  
8 because, as I unsuccessfully argued to the jury, I still  
9 believe this defendant suffers from diminished capacity,  
10 although the jury has ruled on that, but I can't help feel  
11 that a reevaluation of the evidence, as your Honor heard it,  
12 would lead to that conclusion, and I would submit it.

13 THE COURT: Mr. Keith.

14 MR. KEITH: May the court please, I would like to  
15 echo my co-counsel's statement to the court. I feel very  
16 strongly that we offered an overwhelming preponderance of  
17 the evidence that Mr. Watson did suffer from diminished  
18 capacity as defined in the law at the time of these homicides.  
19 I, unfortunately, I guess Mr. Bubrick, too, either Mr. Bubrick  
20 or myself, had the persuasive powers to instill a reasonable  
21 doubt in the minds of the jurors which is all that we had  
22 to do that Charles was truly a case of diminished capacity  
23 at the time of the homicides. I am very sincere in this  
24 in urging that he was a sick man then. He is still a sick  
25 man and that your Honor under your Honor's power to reduce  
26 the death penalty verdict to second degree or in the alternative  
27 life, should exercise that power in view of the nature of  
28 the evidence of this case. Not only the medical evidence

1 but the lay evidence about life at the Spahn Ranch and Mr.  
2 Watson's relationship with Charles Manson and the other  
3 members of Manson's family, the drug use, all of these factors  
4 that were argued extensively during the course of the trial,  
5 and I also feel as Mr. Bubrick does that I would be presumptuous  
6 if I argued at length because of your Honor's wisdom and  
7 experience over many years in various cases, and, therefore,  
8 I will end with again urging your Honor under the facts in  
9 the evidence in this case to reduce the verdict of the jury  
10 to second degree murder or in the alternative life. I  
11 thank you.

12 THE COURT: Mr. Bugliosi.

13 MR. BUGLIOSI: Yes, your Honor, just a few words.  
14 The defendant, your Honor, and his lawyers certainly had  
15 the opportunity to have a court trial in this case, and if  
16 they would have had a court trial, then the issues of guilt  
17 innocence and penalty, of course, would have been decided  
18 by the court rather than a jury. Instead they asked for  
19 a jury trial. Twelve people from this community were chosen  
20 and were selected not just by the prosecution but also by  
21 the defense. These twelve people, as the court has already  
22 said, were conscientious jurors. They listened attentively  
23 to the evidence. They took comprehensive notes. They labored  
24 long and hard during their deliberations, and in the opinion  
25 of the prosecution, they reached a very, very just verdict.  
26 As I said before, these seven murders were certainly among  
27 the most savage, barbaric murders in the recorded annals  
28 of American crime. If these murders do not warrant the

1 imposition of the death penalty, then no case ever will.  
2 The prosecution respectfully urges the court not to disturb  
3 these jury verdicts. Thank you very much.

4 THE COURT: Mr. Kay.

5 MR. KAY: I join in Mr. Bugliosi's comments, your  
6 Honor.

7 THE COURT: Gentlemen, first, I want to thank you for  
8 the kind words expressed by defense counsel. When one arrives  
9 at the twilight of his career as a judge, and counsel still  
10 respect that judge, I feel it's a great compliment to that  
11 judge, and I appreciate it, gentlemen. If I were trying this  
12 case without a jury possibly, I say possibly, I do not say  
13 I would have, but possibly I would have arrived at a different  
14 verdict. You had some psychiatrists, some of whom I have  
15 a great respect for. Those psychiatrists testified opposite  
16 to each other, completely opposed to each other. If I were  
17 to try this case alone, possibly, I might have been persuaded  
18 by one side over the other. I don't say that I would have  
19 but we have a jury system, and I think we had here a jury,  
20 an exceptionally good jury. We had blacks on this jury.  
21 We had whites on this jury. We had orientals on this jury.  
22 We had persons of Latin sounding names. If ever we had  
23 a true cross section of this community sitting as a jury,  
24 this jury was it. I was greatly impressed by this jury.  
25 They were a conscientious jury, a hard-working jury, and  
26 I think a very, very sincere jury. I suppose at this point  
27 in my career, I can be forgiven if I soliloquize a bit.  
28 When I read one case which spoke of a death-oriented jury,



1 I don't know exactly what is meant by that but if it means  
2 what it sounds like, the author of that statement could  
3 not have had a great deal of experience with cases involving  
4 the death penalty. I have seen jurors weep when they came  
5 back with the death penalty just as members of this jury  
6 wept when they came back with this death penalty, and, if  
7 these people are death oriented, I don't know what that  
8 expression means. It was a sad expression to include in  
9 our lexicon and I am sorry to see it included. It didn't  
10 belong there. I think I would be remiss in my duty if I  
11 were to upset the verdicts of this jury, a jury that agonized  
12 over each of the verdicts in this case, a jury that considered  
13 so conscientiously every question submitted to them. I,  
14 too, have agonized over these verdicts because I know ultimately  
15 it is my function to either set it aside, let it stand or  
16 reduce it. And, believe, me, gentlemen, after all of these  
17 years, it is quite a responsibility. I abhor the death  
18 penalty as much as anybody does but, gentlemen, the death  
19 penalty is on our books and on this level we are compelled  
20 to follow the law as it is on our books. I cannot see at  
21 the trial level abolishing the death penalty. I cannot  
22 see a change in the law by this court. I cannot see any  
23 court legislating. That's the function of the legislature  
24 or the function of the people. As Mr. Bugliosi has said,  
25 if any case merited the death penalty, this one did,  
26 This is a harsh, brutal murder of seven innocent people  
27 and one unborn baby without sense, without meaning, and,  
28 gentlemen, as much as I abhor the death penalty, I feel

1 it is my duty to deny the motion for new trial and deny  
2 the motion for reduction of the sentence and those motions  
3 are denied. Charles Watson, will you rise, please?

4 Charles Denton Watson, is that your true name?

5 THE DEFENDANT: Yes.

6 THE COURT: Heretofore, on December 8, 1969, the  
7 Grand Jury of this county returned an indictment charging  
8 you with seven counts of murder and one count of conspiracy  
9 to commit murder. Thereafter, on September 11, 1970, you  
10 were extradited from the State of Texas. On October 7, 1970,  
11 Attorney Sam Bubrick was appointed to represent you.  
12 Thereafter, on October 30, 1970, you were sent to the Atascadero  
13 State Mental Hospital after a doubt had arisen as to  
14 your sanity under Section 1368 of the Penal Code. Thereafter,  
15 upon return to this county from Atascadero State Mental  
16 Hospital, and on May 10, 1971, you were arraigned and a  
17 plea of not guilty and not guilty by reason of insanity  
18 as to all charges were entered. Trial was commenced in  
19 this Department on August 2, 1971, which resulted in a  
20 verdict of guilty on all counts, and as to the murder counts,  
21 murder was fixed as murder in the first degree on October  
22 12, 1971. Thereafter, on October 15, 1971, the sanity  
23 phase of your trial was commenced and on October 19, 1971,  
24 the jury returned a verdict finding you sane at the time  
25 of the commission of these acts. Thereafter, on October  
26 20, 1971, the penalty phase of this trial commenced and  
27 on the twenty-first of October, 1971, the jury returned  
28 verdicts finding you sane as to each of the eight counts.

1 The motion for new trial came on to be heard today. Also  
2 the motion to reduce the penalty. All motions were denied  
3 by this court. I also have read and considered the report  
4 of the probation officer. Is there any legal cause why  
5 judgment should not now be pronounced?

6 MR. BUBRICK: No, your Honor.

7 THE COURT: There being no legal cause of the judgment  
8 and sentence of this court for the crime of murder in the  
9 first degree in count one through seven, inclusively, the  
10 conspiracy to commit murder in count eight of which you,  
11 Charles Watson, have been convicted, the penalty having been  
12 fixed as death, you will be delivered by the Sheriff of  
13 Los Angeles County to the Warden of the State Prison of  
14 the State of California at San Quentin to be by him put  
15 to death in the manner prescribed by the law of the State  
16 of California on a date hereafter to be fixed. Execution  
17 on Count Eight is stayed pending the determination of  
18 any appeal on the other counts, such stay to become permanent  
19 when the sentence as to any one of Counts One to Seven  
20 has been completed. For the purpose of sentence only, all  
21 counts are merged in one count. The sheriff of this county  
22 is commanded as provided in this judgment to take you,  
23 Charles Watson, to the State Prison at San Quentin, and  
24 deliver you into the custody of the Warden of the State  
25 Prison within ten days. The Warden of the State Prison  
26 is commanded to hold you in his custody pending the decision  
27 of this case on appeal and upon judgment here becoming  
28 final to carry into execution the judgment of this court,

1 assessing the death penalty at a time and on a date to be  
2 hereinafter fixed by order of this Court, within the State  
3 Prison at San Quentin, California, at which time and place  
4 you shall then and there put to death the said Charles  
5 Watson by the administration of lethal gas in the manner  
6 prescribed by law. Charles Watson, I sincerely pray that  
7 the good Lord will be more merciful with your soul than  
8 you were with these innocent victims. That is all.

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

DEPARTMENT 47

HON. ADOLPH ALEXANDER, JUDGE

- - - - -

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

CHARLES WATSON,

Defendant.

NO. A-253156

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.

I, LOUIS Z. SARTORIO, Official Reporter of the Superior Court of the State of California, for the County of Los Angeles, do hereby certify that the foregoing pages from 5917 to 5924, inclusive, comprise a full, true and correct transcript of the proceedings had and the testimony given in the matter of the above-entitled cause.

Dated this seventeenth day of November, 1971.

## 1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF LOS ANGELES

3 DEPARTMENT 100

HON. GEORGE M. DELL, JUDGE

4  
5  
6 THE PEOPLE OF THE STATE OF CALIFORNIA,

7 Plaintiff,

8 -vs-

No. A-253156

9 CHARLES WATSON,

10 Defendant.

11  
12  
13 STATE OF CALIFORNIA )

14 COUNTY OF LOS ANGELES )

ss.

15 I, BOB L. SPEAK, Official Reporter of the Superior  
16 Court of the State of California, for the County of Los Angeles,  
17 do hereby certify that the foregoing page 1 to 6  
18 comprise a full, true and correct transcript of the proceedings  
19 had on September 12, 1970, and the testimony given in the  
20 matter of the above-entitled cause.

21 Dated this 29th day of November, 1971.

22  
23  
24 /s/ Bob L. Speak

25 Official Reporter  
26  
27  
28



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

DEPARTMENT NO. 100

HON. GEORGE M. DELL, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA, )

Plaintiff, )

vs. )

No. A-253156

CHARLES WATSON, )

Defendant. )

STATE OF CALIFORNIA )

ss. )

COUNTY OF LOS ANGELES )

I, LOIS R. JOHNSON, C.S.R., an Official Reporter of  
the Superior Court of the State of California, for the County  
of Los Angeles, do hereby certify that the foregoing pages,  
A-7 through A-38,            through           ,            through           ,  
inclusive, comprise a full, true and correct transcript of  
the proceedings had in the matter of the above-entitled cause.

Dated this 24<sup>th</sup> day of November, 1971.

  
\_\_\_\_\_  
Official Reporter

## SUPERIOR COURT OF THE STATE OF CALIFORNIA

## FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 47

HON. ADOLPH ALEXANDER, JUDGE

- - -

THE PEOPLE OF THE STATE OF CALIFORNIA, )

Plaintiff, )

Vs. )

No. A-253,156

CHARLES WATSON, )

Defendant, )

STATE OF CALIFORNIA )

COUNTY OF LOS ANGELES ) ss.

I, JAMES H. MINNICK, Official Reporter of the Superior Court of the State of California, for the County of Los Angeles, do hereby certify that the foregoing pages A-39 to A-49 comprise a full, true and correct transcript of the proceedings had on June 29, 1971, July 1, 1971, and July 14, 1971, and the testimony given in the matter of the above-entitled cause.

Dated this 10th day of December, 1971.

/s/ James H. Minnick

Official Reporter.

## 1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 FOR THE COUNTY OF LOS ANGELES

3 DEPARTMENT NO. 110

HON. MAURICE T. LEADER, JUDGE

4  
5 THE PEOPLE OF THE STATE OF CALIFORNIA, )

6 Plaintiff, )

7 vs. )

No. A-253156

8 CHARLES WATSON, )

9 Defendant. )  
10

11 STATE OF CALIFORNIA )

) ss.

12 COUNTY OF LOS ANGELES )

13 I, RUTH A. BAILEY, C.S.R., an Official Reporter of the  
14 Superior Court of the State of California, for the County of  
15 Los Angeles, do hereby certify that the foregoing pages AA-1  
16 through AA2, inclusive, comprise a full, true and correct  
17 transcript of the proceedings had in the matter of the above-  
18 entitled cause.

19 Dated this 22 day of November, 1971.  
20  
21

22 Ruth A. Bailey  
23 Official Reporter  
24  
25  
26  
27  
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 47

HON. ADOLPH ALEXANDER, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA, )

Plaintiff, )

-vs-

No. A-253156

CHARLES WATSON, )

Defendant. )

STATE OF CALIFORNIA )

COUNTY OF LOS ANGELES )

ss.

We, HAROLD E. COOK and CLAIR VAN VLECK, Official Reporters of the Superior Court of the State of California, for the County of Los Angeles, do hereby certify that the foregoing 5916 pages comprise a full, true and correct transcript of the proceedings had and the testimony taken in the matter of the above-entitled cause.

Dated this 15th day of December, 1971.

/s/ Harold E. Cook

HAROLD E. COOK  
Official Reporter

/s/ CLAIR VAN VLECK

CLAIR VAN VLECK  
Official Reporter

## SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 47

HON. ADOLPH ALEXANDER, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,

-VS-

No. A-253156

CHARLES WATSON,

Defendant.

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES )

ss.

I, ADOLPH ALEXANDER, Judge of the Superior Court of the State of California, for the County of Los Angeles, and being the Judge who presided at the trial in the above-entitled criminal cause, do hereby certify that no objection has been made to the within transcript by either the defendant or his attorney or the District Attorney, within the time allowed by law; and the same is now, therefore, approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 1971.

\_\_\_\_\_  
Judge

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 47

HON. ADOLPH ALEXANDER, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA, )

Plaintiff, )

-vs-

No. LA-253156

CHARLES WATSON,

Defendant. )

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES )

ss.

I, ADOLPH ALEXANDER, Judge of the Superior Court of the State of California, for the County of Los Angeles, being the Judge who presided at the trial in the above-entitled criminal cause, do hereby certify that the objections made to the transcript herein have been heard and determined, and the same is now corrected in accordance with such determination, within the time allowed by law; and the same is now, therefore, approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Judge



1 Due service of the within and receipt  
2 of a copy hereby admitted this  
3 day of \_\_\_\_\_, 19\_\_\_\_.

4  
5 JOSEPH P. BUSCH, JR., DISTRICT ATTORNEY  
6

7 By \_\_\_\_\_  
8 Deputy

9 Due service of the within and receipt  
10 of a copy hereby admitted this  
11 day of \_\_\_\_\_, 19\_\_\_\_.

12  
13 EVELLE J. YOUNGER, ATTORNEY GENERAL  
14

15 By \_\_\_\_\_  
16 Deputy

17 Due service of the within and receipt  
18 of a copy hereby admitted this  
19 day of \_\_\_\_\_, 19\_\_\_\_.

20  
21  
22 By \_\_\_\_\_  
23 CHARLES WATSON  
24 In Persona Propria  
25  
26  
27  
28