

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 104

HON. CHARLES H. OLDER, JUDGE

COPY

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,

vs.

CHARLES MANSON, SUSAN ATKINS,  
LESLIE VAN HOUTEN, PATRICIA KRENWINKEL,  
Defendants.

133

No. A253156

REPORTERS' DAILY TRANSCRIPT  
Wednesday, October 21, 1970

APPEARANCES:

For the People:

DONALD A. MUSICH,  
STEPHEN RUSSELL KAY,  
[REDACTED] and  
VINCENT T. BUGLIOSI,  
DEPUTY DISTRICT ATTORNEYS

For Deft. Manson:

I. A. KANAREK, Esq.

For Deft. Atkins:

DAYE SHINN, Esq.

For Deft. Van Houten:

[REDACTED],  
RONALD HUGHES, Esq.

For Deft. Krenwinkel:

PAUL FITZGERALD, Esq.

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JOSEPH B. HOLLOMBE, CSR.,  
MURRAY MEHLMAN, CSR.,  
Official Reporters

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PEOPLE'S WITNESSES:                      DIRECT    CROSS    REDIRECT    RECROSS

HATAMI, Shahrokh (Cont'd)		14603H	14619	
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1 LOS ANGELES, CALIFORNIA, WEDNESDAY, OCTOBER 21, 1970

2 9:20 o'clock a.m.

3 - - -

4 (The following proceedings were had in the  
5 chambers of the court out of the hearing of the jury, all  
6 counsel being present:)

7 THE COURT: The record will show all counsel are  
8 present.

9 I understand you were late this morning, Mr.  
10 Hughes. It is now 9:22, according to the clock and my  
11 watch.

12 MR. HUGHES: Yes, your Honor, I wish to apologize.

13 THE COURT: We were scheduled to start at 9:00  
14 o'clock.

15 MR. HUGHES: Yes, I am aware of that.

16 I was tied up in the heaviest traffic that I  
17 have ever seen in my life on the Santa Monica Freeway  
18 coming in this morning.

19 It was raining this morning. I left my house  
20 at approximately 8:15. I had to take alternate means of  
21 transportation to get here.

22 The person who normally drives me in did not  
23 appear.

24 At any rate the traffic on the Santa Monica  
25 Freeway was backed up onto the San Diego Freeway. I  
26 have never seen it that heavy in my life.

1 I understand other counsel were also late this  
2 morning besides myself.

3 THE COURT: All right, gentlemen, I know the traffic  
4 was heavy this morning and I accept the reason.

5 However, you are simply going to have to plan  
6 ahead.

7 If the weather is inclement you cannot make it  
8 the same time as you do on a dry day. We all know that.

9 I also come from the west side, but I started  
10 considerably earlier than 8:15 for a 9:00 o'clock appoint-  
11 ment.

12 MR. HUGHES: Normally I would have left by 8:00  
13 o'clock but the person who drives me did not show up.

14 THE COURT: The second thing I wanted to ask you out  
15 of the presence of the jury, have the defendants expressed  
16 any desire to return to the court and conduct themselves  
17 in a proper manner?

18 MR. FITZGERALD: No, your Honor.

19 MR. HUGHES: No, your Honor.

20 MR. FITZGERALD: I talked to both of the young  
21 ladies and Mr. Manson.

22 THE COURT: Do you concur, Mr. Kanarek?

23 MR. KANAREK: Yes, your Honor.

24 MR. SHINN: No change.

25 MR. HUGHES: No change.

1 THE COURT: Now, I was informed that -- Mr. Darrow  
2 said that he thought he overheard some conversation which  
3 indicated that Mr. Manson wanted to confront Mr. Hatami.

4 I am going to bring the defendants in here and  
5 I want to advise them that they have the right to confront  
6 any witness that they want to; and, of course, I am going to  
7 advise them again that they have the right to return to the  
8 courtroom any time that they want to, if they are willing to  
9 conduct themselves in a proper manner.

10 I don't want there to be any misunderstanding  
11 on that.

12 On the other hand, I recognize that counsel, as  
13 a matter of trial strategy or tactic, may not always agree  
14 with his client.

15 MR. SHINN: Yes, your Honor.

16 We had a talk with Mr. Manson. Mr. Manson did  
17 want to confront Mr. Hatami, but Mr. Kanarek opposed it,  
18 your Honor. He is his attorney.

19 THE COURT: Well, I think this is a matter of  
20 fundamental importance, and if the defendant insists on --  
21 I assume he wanted to confront him for the purpose of  
22 determining whether or not Mr. Hatami recognized him, could  
23 identify him -- and/<sup>if</sup>such is the case, I think he has the  
24 right to do that, notwithstanding counsel.

25 That is something I think is a right that can't  
26 be waived by counsel when the defendant insists upon

1 exercising that right.

2 MR. KAY: May I inquire of your Honor?

3 If Mr. Hatami does confront Mr. Manson and says  
4 he does recognize him, then will the prosecution be allowed  
5 to use that identification?

6 THE COURT: Well, I anticipate the confrontation  
7 taking place in front of the jury.

8 MR. KANAREK: I would ask that it first, initially,  
9 take place outside the presence of the jury, your Honor.  
10 There is no reason that it has to be in the presence of the  
11 jury.

12 THE COURT: The defendant can't have it both ways.  
13 The defendant is having a jury trial, and if he insists on a  
14 confrontation, I see no reason that it shouldn't be in front  
15 of the jury.

16 MR. KANAREK: I know, your Honor, but under normal  
17 circumstances he would be at counsel table during the time  
18 that Mr. Hatami was testifying, and if your Honor is going  
19 to allow him, if your Honor is going to do what your Honor  
20 proposes to do, then certainly the same ground rules would  
21 apply.

22 The fact that he is taken out, your Honor has  
23 many times said, does not mean that he couldn't return.  
24 So, therefore, since he would be at counsel table while  
25 Mr. Hatami was testifying outside the presence of the jury,  
26 there is no reason why he couldn't be initially viewed by

1 Mr. Hatami outside the presence of the jury.

2 I see no reason why he should be deprived of  
3 that since that would have been the case had he been in the  
4 courtroom.

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1 MR. BUGLIOSI: The point is, if Mr. Hatami does not  
2 identify Mr. Manson, you are going to want to put that  
3 evidence on in front of the jury, and you are entitled to  
4 do it.

5 If he does identify Mr. Manson, we are entitled  
6 to put that on in front of the jury. So, either way.

7 MR. KANAREK: You are sliding off the point though.  
8 The point is that if Mr. Manson had not been excluded  
9 because of factors that have nothing to do with Mr. Hatami  
10 being on the witness stand -- it has to do with Mr. Manson's  
11 purported conduct -- he would have been at counsel table  
12 when Mr. Hatami was going through the voir dire proceed-  
13 ing.

14 THE COURT: The purpose of the voir dire was not for  
15 identification but to ascertain whether or not the proce-  
16 dure in showing photographs to the witness was unduly  
17 suggestive or unfair, or for some reason was an improper  
18 procedure. It had nothing to do with a confrontation of  
19 the witness and the defendant.

20 That would have been done in front of the jury.  
21 I excluded that.

22 But if Mr. Manson insists on confronting this  
23 witness?

24 MR. KANAREK: The law doesn't say that it has to be  
25 done in the presence of the jury.

26 THE COURT: What is the point of doing it if it

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1 Isn't done in front of the jury?

2 MR. KANAREK: Because what your Honor is doing,  
3 your Honor is fettering --

4 THE COURT: I am not doing anything. I am giving him  
5 an opportunity to do what he wants to do.

6 MR. KANAREK: I understand that. Now, that is over  
7 counsel's objection. Your Honor is then asking that this  
8 be done in the presence of the jury initially. I am saying  
9 that if Mr. Manson, if this had been a trial where --

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1 THE COURT: Well, just a moment, Mr. Kanarek.

2 MR. KANAREK: Yes.

3 THE COURT: Assume that it's not done in the presence  
4 of the jury initially. Then what?

5 MR. KANAREK: Pardon?

6 THE COURT: Then what?

7 Assume the witness says, "I can't identify  
8 Mr. Manson."

9 What do you propose then?

10 MR. KANAREK: I think if there is no harm --

11 THE COURT: Will you answer that question?

12 MR. KANAREK: Then I say this, the prosecution then --

13 The prosecution then can do what it wishes to  
14 do.

15 Now, the prosecution is the one that asks the  
16 questions, remember it is now the People's case that is going  
17 on.

18 THE COURT: That's right.

19 MR. KANAREK: If they don't ask a question, then it  
20 doesn't happen.

21 THE COURT: Well, you have the right to cross-  
22 examine, too, and ask questions.

23 MR. KANAREK: Right, but that is not what we are  
24 talking about, your Honor.

25 THE COURT: You would want to put that evidence in,  
26 wouldn't you, that he could not make the identification?

1 MR. KANAREK: Well, what I am saying --

2 THE COURT: Well, would you, or wouldn't you?

3 MR. KANAREK: Your Honor is making -- is asking me to  
4 make a judgment.

5 I could not say at this point. I don't know what  
6 he is going to say, whether there is resemblance or not. I  
7 am only saying, your Honor --

8 THE COURT: You are playing games, Mr. Kanarek. You  
9 know and I know if the evidence is negative you want it in.

10 If identification is made you don't want it in;  
11 the People want it in.

12 MR. KANAREK: It depends on what you mean by negative,  
13 your Honor.

14 In other words, there are degrees of negative.  
15 He may say it resembles the man, or something to that  
16 effect.

17 THE COURT: Suppose he says that, then what?

18 MR. KANAREK: Well, your Honor, that is why we have an  
19 independent bar, supposedly. We are not supposed to judge --

20 THE COURT: Never mind the speech, Mr. Kanarek.

21 Let's get to the point. Suppose he says just  
22 that, "This man resembles the man I saw in 1969"?

23 MR. KANAREK: I don't know, I would have to make a  
24 valued judgment in court.

25 THE COURT: Are you contending then that the People  
26 would not have the right to put that on?

1 MR. KANAREK: What I am saying is, your Honor --

2 As your Honor has said many times in connection  
3 with rulings, we will ask the next question and then we will  
4 rule.

5 What I am saying is now, that is what I am  
6 saying to the Court.

7 THE COURT: Mr. Kanarek, it is impossible for you  
8 apparently to give a straight answer to a straight question.  
9 I am not going to waste any more time.

10 MR. KANAREK: It is not so, your Honor.

11 THE COURT: I told you I am going to bring Mr. Manson  
12 in here. If he wants to confront this witness I think he  
13 has the right to do it.

14 This is a jury trial. A confrontation will take  
15 place in front of the jury. They are the ones who are going  
16 to have to evaluate the evidence.

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1 MR. KANAREK: I am asking for a different procedure.  
2 Your Honor wishes to use that procedure. Your Honor is the  
3 one who dictates what actually occurs in this courtroom.

4 THE COURT: All right, let's have the defendants  
5 brought into chambers.

6 THE BAILIFF: Females also?

7 MR. BUGLIOSI: Do we need the females also?

8 THE COURT: Yes, I want to tell them the same thing.

9 MR. SHINN: Your Honor, could we talk to our clients  
10 first?

11 MR. KANAREK: Why don't we do it in open court then,  
12 your Honor?

13 THE COURT: The jury is sitting in the box.

14 MR. KANAREK: Let's let the --

15 If your Honor is going to do it that way,  
16 let's do it in open court, bring Mr. Manson in, if your  
17 Honor is going to do it.

18 MR. SHINN: May we go up and talk to our clients for  
19 about one minute, your Honor?

20 THE COURT: Yes, certainly.

21 MR. SHINN: Thanks.

22 (Whereupon defense counsel leave the chambers  
23 of the court and return with their clients.)

24 (The following proceedings were had in the  
25 chambers of the court out of the hearing of the jury, all  
26 defendants and all counsel being present:)

3a-2

1 THE COURT: Did you confer with your client, Mr.  
2 Shinn?

3 MR. SHINN: Yes, your Honor, I advised her of her  
4 rights. She understands her rights fully.

5 THE COURT: The record will show all defendants  
6 and all counsel are present.

7 I have asked the defendants to be brought in  
8 here after consulting with their attorneys.

9 I will first remind them again that they may  
10 return to the court at any time they express a desire to  
11 do so and to conduct themselves in a proper manner.

12 Secondly, as I explained to counsel before,  
13 the Clerk overheard a conversation yesterday which indicated  
14 that Mr. Manson wanted to confront Mr. Hatami.

15 Now, the state of the record at the present  
16 time so far as the jury is concerned is that Mr. Hatami  
17 has described the person that he saw at the Tate residence  
18 about March of 1969.

19 He did not attempt to make any identification  
20 of that person. He did not say he resembles Mr. Manson,

21 He did not say it was Mr. Manson. He did not  
22 say it was anyone. He just described a person.

23 Are we agreed on that?

24 MR. FITZGERALD: Yes.

25 THE COURT: I am not talking now about the out-of-  
26 the-jury <sup>presence</sup> voir dire examination.

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1 I am talking about what the jury has heard  
2 this witness testify to.

3 Do you understand, Mr. Manson?

4 THE DEFENDANT MANSON: I understand what you are  
5 saying.

6 THE COURT: All right.

7 Now, I think the right to confront a witness  
8 is a fundamental right that you may exercise notwithstand-  
9 ing your counsel. However, you should recognize fully at  
10 this point that this witness has not identified you and  
11 has made no effort to identify you.

12 Now, if you confront this witness and he makes  
13 an identification, in effect you have brought in evidence  
14 against yourself that is not now before the jury.

15 Do you understand that?

16 DEFENDANT MANSON: It is not before the jury now!

3b file.

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1 THE COURT: No, there is nothing before the jury now.  
2 This man has not identified you or made an attempt to  
3 identify you.

4 DEFENDANT MANSON: What is he testifying for then?

5 THE COURT: Well, apparently the People attempt to  
6 connect up this evidence with some evidence from another  
7 witness, according to what Mr. Bugliosi said.

8 DEFENDANT MANSON: They are building the thought with  
9 this man, aren't they?

10 THE COURT: They are placing a man at the scene in  
11 March of 1969.

12 This man did not say anything connecting you  
13 with that man.

14 DEFENDANT MANSON: I am the only man on trial, though,  
15 ain't I?

16 MR. BUGLIOSI: That isn't completely accurate, your  
17 Honor. He certainly has given a description of the man  
18 which fits Mr. Manson, not precisely, but certainly is a  
19 fairly good description of Mr. Manson.

20 DEFENDANT MANSON: I haven't for a second wanted to  
21 hide anything.

22 THE COURT: Well, just a moment.

23 What I am saying is that I think if you insist  
24 on confronting this man you have a right to do so.

25 As the record now stands I think it would be  
26 beyond the scope of the direct examination because there has

1 been no identification evidence presented.

2 I think you certainly would have the right to  
3 call this man as your own witness as part of your defense  
4 and confront him at that time, and if that is what you  
5 want to do, find out whether or not he can identify you.

6 MR. FITZGERALD: Well, I have a suggestion:

7 In the event Mr. Manson decides to be confronted  
8 by Mr. Hatami, it would certainly be much more convenient  
9 for this witness if we would be allowed to take him as our  
10 witness at this time, as he indicated yesterday he has  
11 commitments in Europe, and if they don't --

12 MR. BUGLIOSI: Well, he is our witness.

13 In the first place I think it is preposterous --  
14 I am not going to criticize the Judge -- it is almost  
15 preposterous that Hatami cannot identify him in court.  
16 That is my position.

17 Secondly, if Mr. Manson wants to be confronted,  
18 it's all right with me.

19 THE COURT: I didn't understand you.

20 MR. BUGLIOSI: I say I'm not criticizing you, your  
21 Honor, but the ruling in my opinion was absurd.

22 THE COURT: Well, I don't care much for your language,  
23 Mr. Bugliosi, and I don't care much for the procedure that  
24 you use in showing photographs to this witness, and that,  
25 among other things, is why the ruling was made.

26 Now, if you don't understand it, I suggest you

1 read some of the cases pertaining to the subject and stop  
2 using that kind of language.

3 MR. BUGLIOSI: Every case in this area -- I have read  
4 all of the cases -- where they are suspects of crimes.

5 THE COURT: Read them again.

6 MR. BUGLIOSI: And he is our witness. We called him.  
7 If he wants to confront him, we should put on that evidence.  
8 It should not look like we are trying to hide anything,  
9 because we are not trying to hide anything.

10 THE COURT: I already told you you are not going to  
11 put on that evidence, so we can get off that point and onto  
12 the next one.

13 DEFENDANT MANSON: I think you have given the simplest  
14 solution, if we want to put on a defense, we can call him  
15 back.

16 THE COURT: All right, as long as you understand that,  
17 Any time that you want to call that man as your  
18 witness and confront him and see if he can make the  
19 identification, you have the right to do that.

20 DEFENDANT MANSON: I understood that confronting  
21 witnesses meant that I can ask him questions.

22 THE COURT: Well, if you are representing yourself,  
23 yes. Otherwise, through counsel.

24 DEFENDANT MANSON: My counsel? If I tell him to sit  
25 down and you tell him to stand up, and he stands up he is  
26 your counsel, isn't he?

1 THE COURT: All right, anything further?

2 Now, while we are here let me ask you again,  
3 do you desire to come back into court and conduct yourselves  
4 in a proper manner?

5 Do you, Mr. Manson?

6 DEFENDANT MANSON: I wouldn't make any promises that  
7 I wouldn't keep.

8 THE COURT: Well, that is an equivocal statement.  
9 I don't know what it means.

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1 DEFENDANT MANSON: It means that I wouldn't make any  
2 promises that I wouldn't keep.

3 THE COURT: Are you asking to come back into court?

4 DEFENDANT MANSON: No.

5 THE COURT: Miss Atkins, are you asking to come back  
6 into court?

7 DEFENDANT ATKINS: No.

8 It sounds like you are asking me if I want to  
9 come back into court.

10 THE COURT: That is what I am asking you.

11 DEFENDANT ATKINS: No, I am not asking to come back  
12 into court.

13 THE COURT: Miss Krenwinkel?

14 DEFENDANT KRENWINKEL: No, I am not.

15 THE COURT: Miss Van Houten?

16 DEFENDANT VAN HOUTEN: No.

17 THE COURT: Just so the record will be perfectly  
18 clear, I understand your answers to be that you are not  
19 expressing any desire to return to the court and conduct  
20 yourselves in a proper manner.

21 You may return to the court at any time that  
22 you do express such a desire.

23 All right. Any reason why we should not  
24 resume?

25 Very well.

26 (The following proceedings occur in open

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1 court. All counsel and the jury present. Defendants  
2 absent.)

3 THE COURT: All counsel and jurors are present.

4 You may proceed, Mr. Hughes.

5 MR. HUGHES: Thank you.

6  
7 SHAHROKH HATAMI,

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

10  
11 FURTHER CROSS-EXAMINATION

12 BY MR. HUGHES:

13 Q Mr. Hatami, yesterday you testified that a man  
14 came up to the Polanski residence and you confronted him  
15 somewhere near the front door area; is that correct?

16 A In the yard.

17 Q And you also testified that Sharon Polanski  
18 came to the front door; is that correct?

19 A Yes.

20 Q Could Sharon see this man?

21 A Yes.

22 Q Did she say that she saw the man?

23 A No, she didn't.

24 Q But, in your opinion, she could see him?

25 A Yes, because I could see him and I could see  
26 her and she could see me and she could see him. I was

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1 not blocking her view seeing him.

2 Q And in your opinion, Mr. Hatami, she saw the  
3 man?

4 A Yes.

5 Q Could the man see Sharon?

6 A I think if she could see him, he could see her  
7 too, and I would say yes.

8 Q Were there any shrubs or bushes near the porch?

9 A Nothing really avoiding her to see me. I could  
10 see her back, too. So, I would say there wasn't anything,  
11 any obstacle, for me to see her or her to see me.

12 There was bushes around but not between us,  
13 between me and her, the way she came out and looked at me  
14 and asked me.

15 Q Were the three of you standing in some straight  
16 line?

17 A If you looked at the maps, and if I explain,  
18 you would see how the line is direct.

19 I mean, the look from the porch of the entrance  
20 to the house and where I am standing is a direct line,  
21 it is not going this way (indicating).

22 I mean, even the road, when it goes this way,  
23 one can look direct.

4a fls.

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1 Q If someone were to draw a line -- if I were to  
2 draw a line from where you were standing -- excuse me.  
3 Strike that.

4 If I were to draw a line from where Sharon was  
5 standing to you, and then continue that line to where the  
6 man was standing, would the line continue straight or would  
7 it bend?

8 A It would be straight to both of us. I mean, to  
9 me and the man I was talking to. Because he was about a  
10 metre, I mean, about three feet away from me.

11 Q Directing your attention to People's 8,  
12 Can you see the map from there, sir?

13 A Yes.

14 Q There was a gate at the entrance where I am  
15 pointing here, was there not?

16 Can you see from there?

17 A I can see from here, yes.

18 Q There was a gate here, was there, sir?

19 A Well, I prefer to come closer.

20 MR. HUGHES: May the witness leave the stand, your  
21 Honor, and approach the board?

22 THE COURT: Yes. You may step down.

23 (The witness leaves the stand and approaches  
24 the board containing Exhibit 8.)

25 THE WITNESS: Yes, I can see the gate.  
26

1 BY MR. HUGHES:

2 Q It is marked "Gate"?

3 A Yes.

4 Q Was that gate about 12 feet wide and six feet  
5 high?

6 A I can't tell you. I can show you how tall and  
7 wide it is. I can't say in feet.

8 I can say from here to the end of the door was  
9 the length.

10 From here to there was the height, almost. A  
11 little shorter, I think.

12 Q You are indicating to the bottom of this  
13 speaker?

14 A A little. About that much closer to you.  
15 (Indicating.)

16 MR. HUGHES: May the record indicate about nine or  
17 ten feet, your Honor, high?

18 Q And the width of the gate was -- would you show  
19 us again?

20 From this door here, Mr. Hatami, I will back  
21 up --

22 A I am just saying from here -- or rather,  
23 maybe, from here to the end of that wall was the length.

24 And the height was about that much shorter  
25 than this lamp.

26 MR. HUGHES: May the record indicate about seven feet

1 high, your Honor, and approximately 16 feet in length?

2 THE COURT: I don't know, Mr. Hughes. You will have  
3 to establish it some other way.

4 MR. HUGHES: Very well.

5 Q Sir, was this gate on hinges and it swung  
6 inward into the property?

7 A It was opening into the property.

8 Q I see.

9 And how would you open that gate, sir?

10 A You will ring a bell here. I don't know how  
11 much is the distance, but there is a bell which you push  
12 and the door opens, and you get past, and the door closes.

13 If you don't pass quick enough, the door closes  
14 before.

15 Q I see.

16 It would catch on your car or on your person?

17 A Yes.

4b file.

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4b-1 1 Q So, there was a button that you would push and  
2 the door, the gate, would open automatically?

3 A Yes.

4 Q And anyone familiar with that gate, then, could  
5 push the button and open the gate; is that correct?

6 A If the gate is not closed from inside.

7 I did not know about the mechanism of the gate or  
8 the security of the house.

9 Q Have you come up on occasions and pushed the  
10 button and had the gate open?

11 A Very often.

12 Q And have you, on occasions, seen others push  
13 this button and have the gate open?

14 A Yes.

15 Q And have you, on occasions, seen Sharon Polanski  
16 push that button?

17 A Yes.

18 Q And open the gate?

19 A Yes. Because I staged a scene which I was  
20 filming, and I asked her -- she was on a bicycle, and I  
21 said to do that, and the door will open, and you will enter  
22 it. I was filming. We were doing little games together  
23 just for filming, and I started to do that. I was filming  
24 from the top of the garage.

25 Q And you never saw anybody use any key to make  
26 the gate open?

1 A I didn't do it and I didn't see anybody else  
2 doing it. I mean, I don't know.

3 I didn't look closely to the mechanism of the  
4 bell. But if there is a key, there might be one not open  
5 to my eyes.

6 If this is the bell, the bell is here, I push  
7 here. Now, maybe there is a lock here. I didn't see that  
8 lock that needs a key. I don't know. I didn't see a key  
9 to it.

10 Q You never had a key, though, Mr. Hatami?

11 A No.

12 Q And no one offered to give you a key?

13 A No.

14 Q And you were able to come to the Polanski resi-  
15 dence during the day and during the night at various  
16 times, over a period of some five, six months?

17 A Yes. But I have never been to the house after  
18 9:00 or 10:00 p.m. in the evening. No, I haven't been there  
19 late in the evening.

20 Q But you were able, every time you came, to  
21 gain admittance by pushing the button?

22 A Yes.

23 Q And the gate would open automatically?

24 A Inward.

25 Q Inwardly?

26 A Yes.

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Q And you did not have a key?

A No.

Q And you did not get into some sort of telephonic communication at the gate to the house?

A No.

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4G-I

1 Q Who told you how the gate worked, Mr. Hatami?

2 A I don't think anybody did. I just find out  
3 by myself. I pushed the button to get in the property.

4 Q Did you ever hear anyone tell anyone else how  
5 that gate worked?

6 A No.

7 Q Did you ever hear Sharon tell friends how to  
8 operate that gate?

9 A No.

10 Q Did you ever hear Roman tell friends how to  
11 operate that gate?

12 A No.

13 Q You never had to climb over the gate to get in,  
14 did you?

15 A I didn't, never.

16 Q And you never saw anyone else climb over, did you?

17 A No.

18 Q Did you ever see anyone come up to the gate who  
19 could not open it?

20 A No.

21 MR. HUGHES: May the witness resume the stand, your  
22 Honor?

23 (The witness resumes the witness stand.)

24 MR. HUGHES: Q Were you aware of a communi-  
25 cations box inside the house?

26 A No, sir.

1           But I could now realize there was, because  
2 there was an old telephone in the house. I don't know what  
3 the use of that telephone would be.

4           Q       Did you ever see anyone ever use that old  
5 telephone?

6           A       No.

7           Q       Did you ever hear that old telephone ring?

8           A       No.

9           Q       And you had been in the house on numerous  
10 occasions?

11          A       Yes.

12          Q       And near the telephone?

13          A       It is a wooden kind of -- maybe it is a  
14 decoration, maybe it is not a telephone, but it looked like  
15 a telephone which is not one of those Pacific Telephone  
16 system telephones.

17                 Maybe it is a decoration. I don't know. I  
18 didn't see that telephone operated by anybody in the house  
19 for any special reason.

20          Q       Was it your belief that that telephone did not  
21 work?

22          A       I did not try it myself.

23          Q       Did anyone tell you that that did not work?

24          A       No.

25          Q       Did anyone tell you that that telephone, at  
26 one time, was hooked to a speaker at the gate?

1 A No.

2 Q And you never tried to use that speaker or that  
3 telephone; is that correct?

4 A That is correct.

5 Q Now, you testified that there was a garage there?

6 A Yes.

7 Q Now, was it a three-car garage, Mr. Hatami?

8 A I would say two.

9 Q Were there living quarters over the garage?

10 A There is an attic -- is that what you call it?

11 Q An attic?

12 A Above the garage, like an attic, which Roman  
13 was planning to put his office there, I think, or something.

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Q Did you ever go up there?

A I think I went there with Roman.

Q Was anyone living there then?

A No.

Q Was it completely empty?

A I don't think so. It may be that junk was there or some old tables, I don't remember exactly.

Q Tables?

A I think so.

Q Any other furniture?

A I don't remember, sir, I don't remember.

Q Was there a toilet?

A I don't know.

Q Refrigerator?

A I don't remember.

Q A sink?

A I don't remember.

Q Was there a button which opened the gate if you were on the inside?

A I did not operate that button, and I did not see anybody doing it so I cannot say yes or no.

Q How did you leave the Cielo Drive address?

A Whenever I left the door was open, I did not operate to open it.

Q Did you see another box similar on the inside with a button?

5-2

1 A I don't remember, sir. If there is a box  
2 inside -- I don't remember.

3 Q Thank you. Now, at the party, the large party  
4 in March --

5 A I don't know it was in March.

6 Q Around the time that Sharon left there was a  
7 party?

8 A I did not say there was a party at the time  
9 Sharon left, but most of the time peoples were there,  
10 friends of all of us dropping in.

11 Q You did testify to a large party though?

12 A That was during the absence of the couple from  
13 the residence.

14 Q Who invited the people to that party, sir?

15 A A gentleman called Bryan Morris, a close  
16 friend of the Polanskis.

17 Q Do you know if there were any uninvited persons  
18 at that party?

19 A I presume, yes, there always some peoples who  
20 comes along that are not invited.

21 Q Was there a fight at the party?

22 A I did not witness the fight if there was one,  
23 and I did not hear of it.

24 Q Did you see anyone ordered from the party,  
25 ordered to leave the party?

26 A No.

1 Q Was this a catered party?

2 A Yes.

3 Q Were people smoking marijuana at this party?

4 MR. BUGLIOSI: Irrelevant, your Honor.

5 THE COURT: Sustained.

6 MR. HUGHES: May I approach the witness, your Honor?

7 THE COURT: You may.

8 BY MR. HUGHES:

9 Q Mr. Hatami, I show you a pair of glasses,  
10 people's No. 243 for identification only, have you had a  
11 chance to look at those glasses, sir?

12 A I am doing so now.

13 Q Have you ever seen those glasses before?

14 A No.

15 Q Did the police ever come and show you a pair  
16 of glasses like that, or that pair?

17 A I have not been approached by police to be  
18 shown anything, sir.

19 Q When you were at the Polanski residence, two  
20 days before what you describe as the tragedy, did you have  
21 occasion to see those glasses anywhere on the premises?

22 A No, sir.

23 Q Is it your understanding, sir, that on August  
24 8, 1969, Mr. Roman Polanski was in Europe?

25 A Yes.

26 Q Is it also your understanding that he was due

1 to arrive in the United States, Los Angeles --

2 A -- shortly.

3 Q -- shortly thereafter, August 12, was it?

4 A The date is not -- I don't know about the date,  
5 but shortly.

6 Sharon was expecting him shortly.

7 Q He was due to arrive shortly after the tragedy?

8 A After Sharon arrived. She was not expecting a  
9 tragedy. She was saying that he's coming soon.

10 Q Did you ever visit Roman and Sharon at 1600  
11 Summit Ridge Drive?

12 A Yes.

13 Q Was that a residence which they had previously  
14 inhabited?

15 A Yes, they were living there sometimes.

16 Q Was that approximately one mile away from the  
17 Cielo Drive address?

18 A I don't know how to get to that residence so  
19 I cannot say how the distance are from each other.

20 Q And you also attended numerous parties at the  
21 Summit Ridge Drive address?

22 A I did not --

23 MR. BUGLIOSI: I object on the ground it's irrelevant.

24 Moreover, your Honor, Mr. Hatami's testimony

25 is only coming in against Susan Atkins and Patricia

26 Krawinkel and Mr. Manson; it is not against Miss Leslie

1 Van Houten, so I will object on the grounds of no standing  
2 here.

3 THE COURT: Objection sustained. It is beyond the  
4 scope.

5 MR. HUGHES: Then I ask the conspiracy count be  
6 dismissed against Leslie Van Houten, your Honor.

7 MR. BUGLIOSI: That is an argument that should be made  
8 somewhere else.

9 THE COURT: Do you have anything further, Mr. Hughes?

10 MR. HUGHES: Yes, I have.

11 THE COURT: Proceed with it.

12 MR. HUGHES: May I have a ruling on that motion?

13 THE COURT: Denied.

14 MR. HUGHES: May I approach the witness, your Honor?

15 THE COURT: You may.

16 BY MR. HUGHES:

17 Q I show you Defendants' Exhibit I for identifica-  
18 tion only, and ask if you have ever seen the person depicted  
19 in this photograph?

20 A I have not seen -- I mean I don't remember  
21 having seen anybody that looks like here, but there are  
22 many girls look like her, long hair, blonde.

23 I mean, this picture is not terribly precise.

24 MR. HUGHES: I have no further questions at this time,  
25 thank you.

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1 THE COURT: Any redirect?

2 MR. BUGLIOSI: Yes, your Honor, I have a few questions.

3  
4 REDIRECT EXAMINATION

5 BY MR. BUGLIOSI:

6 Q You know Rudy Altobelli, is that correct?

7 A Yes, the owner of the residence.

8 Q Right. On this day in late March, 1969, when  
9 you spoke to the man, did you see Rudy on the premises  
10 that afternoon?

11 A I did not see Rudy during the day, but in the  
12 evening, sometimes around 7:00 and 8:00 o'clock -- I cannot  
13 pronounce his name, Mr. --

14 Q Altobelli?

15 A -- Mr. Altobelli, Mr. Rudy, came to the residence.  
16 I saw him in the bedroom with Sharon.

17 Q The Tate residence?

18 A Yes.

19 Q But you did not see him that afternoon on the  
20 premises?

21 A That afternoon, no, I did not see him.

22 Q And you knew during that period of time he was  
23 living in the guest house?

24 A Yes.

25 Q And that is the house that you sent the man  
26 back to, is that correct?

1 A Yes.

2 Q Incidentally, Mr. Hatami, other than sending  
3 this man back to the guest house in late March, 1969, did  
4 you ever at any other time send any other man back to the  
5 guest house?

6 A No, sir.

7 Q This man about whom you testified, did he have  
8 a beard?

9 A No.

10 Q But he did have somewhat long hair?

11 A He had long hair, yes.

12 Q But no beard?

13 A No.

14 Q Did he have any type of a growth around the chin  
15 area?

16 A What do you mean by growth?

17 Q Did it look like he needed a shave, for instance?

18 A Oh, yes, it was not a clean-shaved man.

19 Q He was not a clean-shaved man?

20 A No.

21 Q Yesterday, Mr. Hatami, you testified that a week  
22 before this incident with this man Roman left for Rio de  
23 Janeiro, is that correct?

24 A I cannot say the time it was, a week, maybe two  
25 days before Sharon, because they have to go imminently, both  
26 of them, out of town, and I accompanied Sharon with Voityck

1 and Abigail, Sharon, Voityck and Abigail and me took Roman  
2 to the airport.

3 It might have been two days before or a few day,  
4 before, imminently to Sharon's departure, maybe a day or two  
5 before.

6 Q Maybe a day or two before this incident you  
7 took Roman with the other people to the airport?

8 A Yes, and I find them bidding farewell to each  
9 other, "Goodbye, see you later."

10 MR. BUGLIOSI: No further questions.

11 THE COURT: Anything further?

12 MR. FITZGERALD: No questions.

13 MR. SHINN: No questions.

14 MR. KANAREK: No questions, but, your Honor, we would  
15 ask Mr. Hatami to return.

16 We have prepared a subpoena, your Honor.

17 THE COURT: That is a matter you can take up with  
18 Mr. Hatami.

19 Anything further, Mr. Hughes?

20 MR. HUGHES: May I have a moment, your Honor?

21 No questions.

22 THE COURT: You may step down, sir.

23 MR. BUGLIOSI: Thank you, Mr. Hatami.

24 THE WITNESS: Thank you.

25 MR. BUGLIOSI: People call Rudy Altobelli.

26 THE COURT: We will take our recess at this time.

1 Ladies and gentlemen, do not converse with anyone  
2 or form or express an opinion regarding the case until it is  
3 finally submitted to you.

4 The Court will recess for 15 minutes.  
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1 THE COURT: All counsel and jurors are present.

2 You may proceed, Mr. Bugliosi.

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

4 THE COURT: For what purpose?

5 MR. KANAREK: Your Honor, I have a point that I wish  
6 to make to the Court. It is of extreme urgency.

7 THE COURT: Is this a matter concerning the press?

8 MR. KANAREK: Yes.

9 I have been threatened by the press because I  
10 obeyed the Court's order.

11 THE COURT: I don't want to hear that now. I have  
12 told you that many times before.

13 This type of motion must be made in writing  
14 supported by a declaration. We are not going to take up  
15 court time for this.

16 Call your next witness, Mr. Bugliosi.

17 MR. BUGLIOSI: People call Rudy Altobelli.

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

19 Would you please repeat after me.

20 I do solemnly swear --

21 THE WITNESS: I do solemnly swear --

22 THE CLERK: -- that the testimony I may give --

23 THE WITNESS: -- that the testimony I may give --

24 THE CLERK: -- in the cause now pending --

25 THE WITNESS: -- in the cause now pending --

26 THE CLERK: -- before this Court --

1 THE WITNESS: -- before this Court --

2 THE CLERK: -- shall be the truth --

3 THE WITNESS: -- shall be the truth --

4 THE CLERK: -- the whole truth --

5 THE WITNESS: -- the whole truth --

6 THE CLERK: -- and nothing but the truth --

7 THE WITNESS: -- and nothing but the truth --

8 THE CLERK: -- so help me God.

9 THE WITNESS: -- so help me God.

10 THE CLERK: Would you be seated, please.

11 Would you please state and spell your name.

12 THE WITNESS: Rudolph Altobelli; R-u-d-o-l-p-h,

13 A-l-t-o-b-e-l-l-i.

14

15 RUDOLPH ALTOBELLI,

16 called as a witness by and on behalf of the People, being

17 first duly sworn, was examined and testified as follows:

18

19 DIRECT EXAMINATION

20 BY MR. BUGLIOSI:

21 Q What is your occupation, sir?

22 A Personal manager.

23 Q For actors and actresses?

24 A Yes.

25 Q And you own the residence and guest house at

26 10050 Cielo Drive?

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A Yes, I do.

Q And you still own the premises?

A Yes.

Q When did you purchase the home and the premises?

A November of '63.

Q I take it you know Terry Melcher?

A Yes.

7-1

1 Q Did you ever rent the residence to Terry  
2 Melcher?

3 A Yes, I did.

4 Q The guest house or the main house?

5 A The main house.

6 Q During what period of time did you rent the main  
7 house to Terry Melcher?

8 A May 15th of '68, and he stayed until January of  
9 '69 -- yes, '69.

10 Q Did you ever rent the main house to actress  
11 Sharon Tate and her director husband Roman Polanski?

12 A Yes, I did.

13 Q And when did they move in?

14 A February 15th?

15 Q 1969?

16 A Yes.

17 Q Was this a one-year lease?

18 A Yes, it was.

19 Q What was the rental per month?

20 A \$1200, I think.

21 Q Were they still the tenants on August 8th  
22 and 9th, 1969?

23 A Yes, they were.

24 Q Do you know the Defendant Charles Manson?

25 A I have met him.

26 MR. KANAREK: Your Honor, may we approach the bench

7-2

1 at this point?

2 THE COURT: For what purpose?

3 MR. KANAREK: I have a motion in view of this, your  
4 Honor, calling for a conclusion, and also I would like to  
5 make a point outside of the presence of the jury, your  
6 Honor.

7 THE COURT: Very well, you may approach the bench.

8 (The following proceedings were had at the  
9 bench out of the hearing of the jury:)

10 MR. KANAREK: Your Honor, under 1538.5 of the Penal  
11 Code, your Honor --

12 First of all, I would ask for an evidentiary  
13 hearing outside of the presence of the jury concerning this  
14 witness as to any knowledge that he may have concerning  
15 Mr. Manson, because --

16 MR. FITZGERALD: May it be a little more orderly?  
17 May we get an offer of proof so we can proceed more  
18 directly, so I understand what the objection is about?

19 THE COURT: Offer of proof from whom?

20 MR. FITZGERALD: From Mr. Bugliosi.

21 MR. KANAREK: That is a good idea.

22 THE COURT: Your objection is to whether this witness  
23 knows Mr. Manson.

24 MR. KANAREK: That calls for a conclusion, and I  
25 contemplate --

26 THE COURT: Is that the extent of your objection?

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1 MR. KANAREK: Out of an abundance of caution I am  
2 doing it at the beginning.

3 May we have an offer of proof to what he is  
4 going to testify to?

5 THE COURT: What is your objection?

6 MR. KANAREK: If he is going to purportedly identify  
7 Mr. Manson and refer to him, of course its materiality and  
8 relevancy.

9 My motion is to suppress the physical person  
10 of Mr. Manson on the basis that -- all right, well, he is  
11 a tangible thing.

12 MR. BUGLIOSI: We are not going to mark him as an  
13 exhibit and submit him in evidence.

14 MR. KANAREK: You can laugh if you wish, your Honor.

15 THE COURT: I am laughing, Mr. Kanarek.

16 MR. KANAREK: Well, all right, your Honor is the one  
17 to decide, but I would like to point this out to the Court:

18 1538.5 of the Penal Code provides that a  
19 defendant may move for the return of property or to  
20 suppress as evidence any tangible or any intangible thing  
21 obtained as a result of search or seizure on the ground  
22 that --

23 Then under subheading 2, search or seizure  
24 with a warrant was unreasonable because --

25 And it is my position under subheading 2, two  
26 subsections apply, subsection 3, there was not probable cause

1 for the issuance of the warrant.

2 THE COURT: For whom?

3 MR. KANAREK: For Mr. Manson.

4 Subsection 5, the exact language being:

5 "If there was any other violation of federal  
6 or state constitutional standards."

7 It is my position that the Grand Jury warrant  
8 which was purportedly issued against Mr. Manson was issued  
9 when the District Attorney knew in connection with Susan  
10 Atkins, knew that there was an extreme dichotomy concerning  
11 the killing of Sharon Tate.

12 In other words, the District Attorney had  
13 statements from Roni Howard and Virginia Graham saying  
14 that --

15 THE COURT: Mr. Kanarek --

16 MR. KANAREK: May I finish, your Honor?

17 THE COURT: Not if you are going to get off on  
18 attacking the Grand Jury indictment again.

19 MR. KANAREK: I am not attacking the Grand Jury  
20 indictment per se, the 1538.5, your Honor, was a statute--  
21 because it happened to occur in a Grand Jury proceeding, I  
22 am not attacking the Grand Jury.

23 THE COURT: What are you doing?

24 MR. KANAREK: I am following 1538.5.

25 THE COURT: Start to make some sense, will you, Mr.  
26 Kanarek.

1 MR. KANAREK: Your Honor keeps interrupting me.

2 THE COURT: I am trying to get you headed towards  
3 some point if you have one.

4 MR. KANAREK: The point is I want a hearing under  
5 1538.5 of the Penal Code.

6 THE COURT: For what purpose?

7 MR. KANAREK: To suppress the physical presence of  
8 Mr. Manson because it is my position that his seizure by  
9 way of this purported warrant was without probable cause  
10 and under subsection (iii) and subsection small Roman  
11 numeral v of subsection 2 of 1538.5 that he has a right,  
12 that he has a right that his presence be suppressed.

13 THE COURT: We are wasting time, Mr. Kanarek. The  
14 motion is denied.

15 MR. KANAREK: Your Honor is not going to grant a  
16 hearing on that?

17 THE COURT: I am not.

18 8 fls. MR. KANAREK: Very well.

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1 (Whereupon, all counsel return to their  
2 respective places at counsel table and the following  
3 proceedings occur in open court within the presence and  
4 hearing of the jury:)

5 THE COURT: I think there is a question pending,  
6 Mr. Bugliosi.

7 MR. BUGLIOSI: Yes, your Honor.

8 May I reframe it?

9 THE COURT: Yes.

10 MR. BUGLIOSI: Q Do you know the defendant,  
11 Charles Manson, sir?

12 A I have met him.

13 Q When is the first time that you met him?

14 A I met him at Dennis Wilson's home on Sunset  
15 Boulevard, I don't know, in late summer or middle summer,  
16 early summer, of '69, I guess it was.

17 MR. KANAREK: Your Honor, may I have a continuing  
18 objection.

19 THE WITNESS: Or '68. I'm not sure.

20 MR. KANAREK: I am sorry.

21 May I have a continuing objection on relevancy?

22 THE COURT: Just a moment, sir.

23 Read the answer.

24 Wait until the answer is concluded, Mr. Kanarek,  
25 before you make your -- whatever it is you are making.

26 MR. KANAREK: I apologize, your Honor. I thought he

1 had finished.

2 THE COURT: Read the answer.

3 (The record was read by the reporter.)

4 MR. BUGLIOSI: Q Do you want to think about that.  
5 for just a moment, sir, whether it was 1968 or 1969?

6 Of course, 1969 would be last summer.

7 A It was '69.

8 Last summer?

9 Q Last summer would be 1969.

10 A No. No. It would be '68 then. The summer of  
11 '68.

12 MR. KANAREK: May I, at this time, then, ask the  
13 Court for a continuing objection on relevancy and materiality  
14 as to all of this witness' testimony?

15 THE COURT: Very well.

16 MR. KANAREK: Thank you, your Honor.

17 MR. BUGLIOSI: Was Mr. Manson living with Mr. Wilson  
18 at that time?

19 A Yes, I think he was.

20 Q But this was Dennis Wilson's home?

21 A Yes.

22 Q Around the 12000 block of Sunset Boulevard?

23 A Yes.

24 Q And how long were you in Mr. Manson's presence  
25 on this occasion at Dennis Wilson's home?

26 A 20 minutes, approximately. Approximately 20

1 minutes.

2 Q Who else was present at that time in addition  
3 to yourself and Mr. Manson?

4 A Dennis Wilson, Gregg Jakobson, a little boy  
5 maybe three or four years old, I don't know, and three girls  
6 -- three or four girls.

7 Q Did you listen to any musical recordings of  
8 Mr. Manson?

9 A Yes. Dennis was playing a tape that Charles  
10 Manson had recorded.

11 Q That was the first time that you met Mr. Manson?

12 A Yes.

13 Q In March of 1969, Mr. Altobelli, did you fly to  
14 Rome, Italy?

15 A Yes, I did.

16 Q What date did you fly to Rome?

17 A March 24th.

18 Q 1969?

19 A Yes.

20 Q And how do you know that is the date?

21 A Because I keep all my tickets, and it is in my  
22 book.

23 Q Have you checked your passport also?

24 A Yes. And my passport.

25 Q So, the date that you flew to Rome was March 24th,  
26 1969?

1 A Yes.

2 Q Directing your attention to the previous day,  
3 March the 23rd, 1969, where were you living at that time?

4 A I'm sorry, I didn't hear the question?

5 Q Directing your attention to the previous day,  
6 March the 23rd, 1969, where were you living at that time?

7 A I was living in the guest house on Cielo Drive.

8 Q Behind the main residence?

9 A Yes.

10 Q And the main house was still, of course, leased  
11 to Sharon Tate and her husband, Roman Polanski?

12 A Yes, that is correct.

13 Q On that date, March the 23rd, 1969, were you  
14 preparing to go to Rome?

15 A Yes, I was.

16 Q Packing your suitcases, et cetera?

17 A Right. Getting business arranged.

18 Q And what was your purpose for flying to Rome,  
19 Mr. Altobelli?

20 A I had two clients making a movie there.

21 Q Did you intend to fly to Rome with anyone?

22 A Sharon was going to Rome and we decided to go  
23 together. She was going to make a movie in Rome.

24 Q So, your purposes in Rome were unrelated but  
25 you were going to fly to Rome together?

26 A Yes, that is correct.

1 Q When you say Sharon, you mean Sharon Tate?

2 A Sharon Tate, yes.

3 Q To your knowledge, was Sharon also packing her  
4 suitcases on March 23rd, 1969, to go to Rome?

5 A Yes.

6 Q On that date, March the 23rd, 1969, do you  
7 recall whether you were in the guest house in the afternoon?

8 A I don't know. I might have been at my business  
9 manager's arranging for my trip and different business.

10 Q Were you there that evening?

11 A Yes, I was.

12 Q That evening, March 23rd, 1969, did you visit  
13 the main house, the house that Sharon was living in?

14 A For a few minutes, yes.

15 Q And you observed that she was packing to go to  
16 Rome?

17 A She was in preparation, yes.

18 Q Was anyone else there with her?

19 A There were other people there, yes.

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1 Q And who were they?

2 A There was Voltyck and Abigail, and Hatami,  
3 I think, was in the house at the time, and Jay Sebring.

4 Q Voltyck Frykowski, Abigail Folger, Jay  
5 Sebring, and the photographer Hatami; is that correct?

6 A That is correct.

7 Q And then, after you visited Sharon briefly,  
8 then you went back to your guest house?

9 A Yes, that is correct.

10 Q Did anyone come back to your guest house after  
11 you returned from Sharon's residence?

12 A Yes. I went in and I was showering, and my  
13 dog Christopher was barking.

14 I got out of the shower, and somebody was at  
15 my front door. Charles Manson was at my door.

16 Q About what time was this?

17 A Approximately 8:00, 9:00 o'clock.

18 Q In the evening?

19 A In the evening.

20 Q What is the next thing that happened?

21 A I asked him what he wanted.

22 He said, "My name is" --

23 MR. KANAREK: I will object on the grounds of  
24 hearsay, if I may.

25 This certainly is not any exception to the  
26 hearsay rule. It is prior to any kind of event occurring,

1 so it couldn't be an admission. It has to be -- it is a  
2 conclusion and hearsay, your Honor, and inadmissible.

3 THE COURT: Do you wish to argue, Mr. Bugliosi?

4 MR. BUGLIOSI: Well, it certainly comes in --

5 THE COURT: If you wish to argue, you may approach  
6 the bench.

7 MR. BUGLIOSI: All right.

8 (Whereupon all counsel approach the bench and  
9 the following proceedings occur at the bench outside of the  
10 hearing of the jury.)

11 MR. BUGLIOSI: Your Honor, it certainly comes in under  
12 the admission exception to the hearsay rule; anything, any  
13 statement by a defendant which is prejudicial to the  
14 position he has taken in court is an admission.

15 So, it comes in under the admission exception  
16 to the hearsay rule.

17 In fact, your Honor, the next witness we are  
18 going to put on is going to testify that Mr. Manson denied  
19 ever being to the Tate residence.

20 Furthermore, your Honor, even assuming that it  
21 was not an admission -- and in my mind, it clearly is an  
22 admission -- it could come in under the rationale that it  
23 is not being offered for the truth of the matter asserted.

24 But, as I say, your Honor, it is clearly  
25 an exception to the hearsay rule.

26 He is being charged with murders which placed

1 him on the premises. The conversation will show that he  
2 was looking for Terry Melcher, and that someone up in  
3 front referred him back there, the inference being that  
4 it was Mr. Hatami.

5 THE COURT: Do you wish to be heard, Mr. Kanarek?

6 MR. KANAREK: Yes, your Honor.

7 My position is that this statement is hearsay  
8 and it is not admissible.

9 I don't know what else I can say, except to  
10 say that there is no exception to the hearsay rule that  
11 would allow this to come in.

12 This is back in March, your Honor. The  
13 prejudicial value far outweighs any probative value.

14 This record reveals, by the prosecution's  
15 own evidence, that Mr. Manson, according to their view-  
16 point, knew that Mr. Melcher did not live at the Tate  
17 residence at the time of the events of August the 8th, 9th  
18 and 10th, or those dates in August.

19 The prosecution cannot, just because Mr.  
20 Bugliosi wishes to get evidence in on some theory of his  
21 which is untenable --

9 fls.

9-1

1 THE COURT: Of course, this is a question -- I don't  
2 know what he is going to say yet, it can come in either as an  
3 admission -- it is not hearsay at all. It is a question of  
4 identification.

5 MR. KANAREK: Your Honor, he is going to offer it for  
6 the truth of the matter asserted. Certainly as to the man  
7 in front telling him, that is offered for the truth to  
8 bolster Mr. Hatami.

9 THE COURT: The objection will be overruled.

10 MR. FITZGERALD: I want to object on the grounds it  
11 is hearsay as to Krenwinkel.

12 MR. BUGLIOSI: No question about that, it's offered  
13 only as to Mr. Manson.

14 MR. KANAREK: That is inconsistent, your Honor.

15 In other words, if it's not hearsay, then the  
16 analysis must be that it must be going in because of some-  
17 thing in the People's case.

18 You cannot have it both ways.

19 If it's not hearsay --

20 THE COURT: I don't understand what you're saying,  
21 Mr. Kanarek.

22 MR. KANAREK: What I am saying is, and I would like to  
23 point out to the Court you can't --

24 It is a violation of due process and equal  
25 protection for your Honor to say that this is coming in  
26 only against Mr. Manson.

1 If it is not hearsay then it would be like any  
2 other testimony.

3 How can a court artificially segregate testimony  
4 and say it goes only against one defendant?

5 THE COURT: All right, let's get on, gentlemen, the  
6 objections are overruled.

7 (The following proceedings were had in open  
8 court in the presence and hearing of the jury:)

9 THE COURT: The jury is instructed that the evidence  
10 of any conversation between this witness and Mr. Manson is  
11 to be received only with respect to Mr. Manson and not as  
12 to any other defendant for any purpose whatever.

13 9a

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1 Q BY MR. BUGLIOSI: Mr. Altobelli, you had a  
2 conversation with Mr. Manson?

3 A Yes.

4 Q And he was by himself?

5 A Yes, he was.

6 Q And there was no one else in addition to your-  
7 self and he that were there, is that correct?

8 A That's correct.

9 Q Where were you and he at the time of the  
10 conversation?

11 A He was outside the door and I was inside the  
12 door, and the door was open -- he was in the entranceway.

13 Q Was there a screen door to your guest house at  
14 that time?

15 A Yes, there was.

16 Q Had he entered the screen door at that point?

17 A Yes, he did.

18 Q Had you invited him in?

19 A Not into the screen door, no, I did not invite  
20 him into the house.

21 Q So he entered the screen door on his own, with-  
22 out your consent, is that correct?

23 MR. KANAREK: Leading and suggestive.

24 THE WITNESS: That is a fact.

25 THE COURT: Overruled.

26 MR. KANAREK: Conclusion, your Honor.

THE COURT: Overruled.

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Q BY MR. BUGLIOSI: At the time of the conversation between the screen door and the main door to your guest house --

A Yes.

Q -- was the main door open?

A Yes, it was.

Q And you were on the inside of the main door?

A Yes.

Q And he was on the outside?

A That is correct.

Q Okay, would you relate the conversation you had with him?

MR. KANAREK: Your Honor, I would object on the grounds of hearsay.

THE COURT: You have already made your objection.

MR. KANAREK: In accordance with your Honor's ruling, then, would your Honor state to the jurors this is not being --

THE COURT: I don't want to hear any speech. You had your opportunity at the bench and you made your objections.

MR. KANAREK: But your Honor is not following your Honor's ruling.

THE COURT: Very well, sit down, Mr. Kanarek, and let this examination proceed.

If you have some additional objection you may state it. I don't want to hear argument.

1 MR. KANAREK: Yes, your Honor, well, may I make a  
2 motion at the bench, then, because I think --

3 THE COURT: Something in addition.

4 MR. KANAREK: Yes, because of your Honor's ruling I  
5 think your Honor should state to the jury --

6 MR. BUGLIOSI: If he is going to start making legal  
7 arguments, your Honor, this has to be at the bench.

8 THE COURT: Approach the bench.

9 MR. KANAREK: Thank you, your Honor.

10 (The following proceedings were had at the  
11 bench out of the hearing of the jury:)

12 THE COURT: Just a minute. I want to warn you,  
13 Mr. Kanarek, I am not going to permit you to disrupt the  
14 testimony of this witness as you have tried so many times  
15 in the past.

16 You asked to come to the bench; you made your  
17 objections --

18 MR. KANAREK: Yes.

19 THE COURT: -- you stated everything that you wanted to  
20 state.

21 We went back and tried to resume the examination.  
22 You stand up and make the same objections all over again.

23 MR. KANAREK: Your Honor misinterprets.

24 THE COURT: I don't misinterpret you. I understand  
25 you perfectly.

26 MR. KANAREK: I regret, your Honor, that your Honor

1 does not, because your Honor is misinterpreting my motives.

2 THE COURT: State what you have to say.

3 MR. KANAREK: Your Honor has ruled that it is not  
4 hearsay, I am merely asking --

5 THE COURT: I have not ruled anything except that your  
6 objections are overruled.

7 MR. KANAREK: Then I would ask your Honor to state  
8 to the jury it is not being offered for the truth of the  
9 matters asserted, just for the fact the words were being  
10 uttered.

11 THE COURT: I will not make such a statement.

12 Now, Mr. Kanarek, we went over this before.  
13 You are going over the same ground again and I caution you  
14 not to do this.

15 MR. KANAREK: Well, your Honor --

16 THE COURT: Is that all you have to say, is that it?

17 (No response.)

18 THE COURT: All right.

19 (The following proceedings were had in open  
20 court in the presence and hearing of the jury:)

21 Q BY MR. BUGLIOSI: Did Mr. Manson introduce  
22 himself?

23 A He started to, and I said -- I remembered him --  
24 I said, "I know who you are, Charlie."

25 Q You said, "I know who you are, Charlie."

26 A Yes.

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Q Then you had a conversation with him?

A Yes, and I asked him if he was alone.  
He said yes.

I asked "Did you go to the front house?"

He said yes.

And I said "Why?" What did he want?

He said he was looking for Terry Melcher.

And I said that Terry did not live there anymore.

And he said yes, he knew that, but where did he live.

I said he lived in Malibu, I did not know the exact address.

Q Now, before you go any further, did Mr. Manson say anything about being sent back --

A Yes, he had to go to the front house which disturbed me because I don't like my tenants disturbed, and I said, "You shouldn't, you know, just go up to somebody's house."

And he said they sent him back to me.

Q All right, you may continue with the conversation about where Terry Melcher was.

A And he wanted to know where Terry was, and I said I did not know his exact address in Malibu, that he was living at his mother's home.

And I said to him, "I would like to talk to

9b-2

1 you longer, but I have to get packed. I am leaving the  
2 country."

3 And he asked me where I was going.

4 I said "To Rome."

5 He said "For what?"

6 I said, "I have clients making a movie."

7 He said he was going to make a movie and  
8 record, himself.

9 And I said "Yes, I understand you are very  
10 talented."

11 With that he said he would like to come back  
12 and talk to me, when would I be back?

13 I said I would be gone for over a year.

14 Q Was that about the extent of the conversation?

15 A That was it.

16 Q And then he departed, is that correct?

17 A Yes, he left.

18 Q Do you recall whether Mr. Manson had a beard  
19 at that particular time?

20 A No, he did not.

21 Q Did he have any growth at all around his chin?

22 A He may have needed a shave.

23 MR. BUGLIOSI: Your Honor, I would request at this  
24 time that Mr. Manson be brought into the court for  
25 attempted identification purposes.

26 MR. KANAREK: I would object on the grounds of the

9b-3

1 Fourth Amendment, and 1538.5 of the Penal Code.

2 THE COURT: Bring Mr. Manson into the courtroom.

3 The objections are overruled.

4 MR. KANAREK: Your Honor, could we approach the  
5 bench so I can make further argument?

6 THE COURT: No.

7 (Mr. Manson enters the courtroom.)

8 BY MR. BUGLIOSI:

9 Q Do you see the man walking out of the lockup,  
10 sir?

11 A Yes.

12 Q Do you recognize him?

13 A Yes.

14 Q Who is he?

15 A Charles Manson.

16 Q Is he the man about whom you have been referring  
17 in your testimony?

18 A Yes, he is.

19 Q The man you spoke to on March 23, 1969, at the  
20 guest house?

21 A That's correct.

22 MR. BUGLIOSI: I have no further questions with  
23 respect to the identification, your Honor.

24 THE COURT: Very well, you may take Mr. Manson back.

25 (Defendant Manson leaves the courtroom.)

26 MR. KANAREK: May the record reflect that Mr. Manson--

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THE WITNESS: Could I ask a question, please?

MR. KANAREK: May the record reflect that Mr. Manson does not have a beard and that he deliberately took the beard off.

MR. BUGLIOSI: Your Honor, this is argument. He is arguing in front of the jury, your Honor.

THE COURT: That's right.

9c fls.

9c-1  
1 MR. KANAREK: Is it a fair statement that he did not  
2 have a beard?

3 MR. BUGLIOSI: If you want to make a legal argument,  
4 Mr. Kanarek, I think it has to be at the bench.

5 MR. KANAREK: I will be glad to approach the bench if  
6 I may, your Honor.

7 THE COURT: There is no point in approaching the bench.

8 You may proceed. Is there any cross-examination?

9 MR. BUGLIOSI: I'm not through yet, your Honor, just  
10 on the issue of identification I indicated I have no further  
11 questions.

12 THE COURT: You may proceed.

13 Q BY MR. BUGLIOSI: Did you in fact then fly to  
14 Rome with Sharon on March 24, 1969?

15 A Yes, I did.

16 Q When was the last time you saw Sharon Tate  
17 alive?

18 A Early July, I, in London, with Roman, we had  
19 dinner.

20 Q Incidentally, how tall is Roman Polanski,  
21 approximately?

22 A Maybe five-five.

23 Q Five feet five inches?

24 A Yes, approximately.

25 Q Do you know a young man named William Garretson?

26 A Yes.

1 Q Did Mr. Garretson work for you?

2 A Yes, he did.

3 Q Could you briefly explain your business  
4 relationship with Mr. Garretson?

5 A Mr. Garretson took care of my dogs. He loved  
6 my dogs and my dogs loved him.

7 I did not want to put them in a kennel; I was  
8 going to be gone for a long time, and I hired him to take  
9 care of the dogs and the house, to keep it clean.

10 Q How many dogs did you have?

11 A Three.

12 Q When did Mr. Garretson move into your guest  
13 house?

14 A The 24th, the day I left.

15 Q March 24th, 1969?

16 A Yes, that's correct.

17 Q Did Mr. Garretson have any responsibilities with  
18 respect to the main house, the house that Sharon lived in?

19 A Just to leave them alone.

20 Q But he did have the responsibility to take  
21 care of your three dogs and the guest house?

22 A Yes.

23 Q Incidentally, Mr. Altobelli, do you recall, or  
24 are you aware of whether or not it is rather difficult to  
25 hear noises in the front of the Tate premises?

26 MR. KANAREK: That is ambiguous, your Honor; it calls

1 for a conclusion.

2 THE COURT: Sustained.

3 MR. KANAREK: Whether it's an Atomic Bomb -- very well.

4 Q BY MR. BUGLIOSI: When you are in the guest  
5 house at your premises, have you experienced difficulty in  
6 hearing noises up front?

7 MR. KANAREK: It is ambiguous, your Honor.

8 MR. BUGLIOSI: This is foundational, your Honor.

9 MR. KANAREK: It is assuming facts not in evidence.

10 Its prejudicial value far outweighs  
11 the probative value, without the proper foundation as to --

12 THE COURT: Sustained.

13 Q BY MR. BUGLIOSI: Do you have a stereo set in the  
14 guest house?

15 A I did have, yes.

16 Q Was there one there in March of 1969?

17 A Yes.

18 Q In August of '69?

19 A Yes.

20 Q Was it your stereo?

21 A Yes, it is.

22 Q It was not Mr. Garretson's?

23 A No, it's mine.

24 Q With that stereo set on did you ever experience  
25 difficulty hearing noises up front?

26 MR. KANAREK: I object, your Honor, on the grounds it

1 calls for a conclusion.

2 Its prejudicial value far outweighs the probative  
3 value.

4 And furthermore, it is cumulative in that he  
5 had a purported expert here in connection with this matter,  
6 your Honor, and there is no foundation --

7 THE COURT: The objection is sustained.

8 MR. BUGLIOSI: No further questions, your Honor.

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1 MR. FITZGERALD: No questions, your Honor.

2 THE COURT: Mr. Shinn?

3 MR. SHINN: Yes, your Honor.

4  
5 CROSS-EXAMINATION

6 BY MR. SHINN:

7 Q Mr. Altabelli, you said you met Mr. Manson?

8 A Yes, that's correct.

9 Q The first time you met Mr. Manson was when?

10 A It was the summer of '68.

11 Q '68?

12 A Yes.

13 Q And that was at someone else's house?

14 A Yes, Dennis Wilson.

15 Q And do you recall approximately what time you  
16 met him there?

17 A It was in the evening, the early evening.

18 Q And was anyone else there present beside  
19 Mr. Manson?

20 A Yes, Gregg Jakobson, several girls --  
21 I don't know, three, four, five girls.  
22 There were people all over the place.

23 Q People all over the place? In other words,  
24 would you say there were about 20 people in the house?

25 A No, I would not say 20 people. I did not  
26 count them.

9d-2

1 I was in Mr. Wilson's bedroom, and I walked  
2 through the house to look at it.

3 I saw people sleeping in the bedrooms. I saw  
4 people on the grounds. I saw people in the kitchen.

5 Q In other words, there were people all over the  
6 house?

7 A Yes, there was.

8 Q And when you first saw Mr. Manson, where was  
9 Mr. Manson in the house?

10 A He was somewhere else other than -- the first  
11 time I saw him?

12 Q Yes.

13 A I saw him in Dennis Wilson's room.

14 Q Was he by himself?

15 A I don't know what you mean by himself, there  
16 were other people there.

17 Q How many other people were there in the room?

18 A There were three girls that came in and out.  
19 Various people came in and out of the room.

20 Dennis Wilson was there; I sat on the bed;  
21 Gregg Jakobson sat on the bed.

22 There was a little boy that came in and asked  
23 for money for Charlie from Dennis Wilson.

24 Q Where was Charlie in this room when you first  
25 saw Mr. Manson?

26 A He was sitting to the left of me on the floor.

9d-3

1 He came in, we met, we were introduced.

2 Q Somebody introduced you?

3 A Yes, that's correct.

4 Q Do you know the name of that person?

5 A Yes, Dennis Wilson.

6 Q And after that did you say anything to Mr.  
7 Manson?

8 A No, I did not.

9 Q In other words you just ignored him?

10 A No, we listened to his music, and you don't  
11 talk when you are listening to an artist's music.

12 Q And how long did you listen to his music?

13 A Twenty minutes, maybe longer, I don't know  
14 exactly; I did not time it.

15 Q Where was Mr. Manson in relation to you when  
16 you were listening to the music?

17 A To my left, squatting on the floor, sitting on  
18 the floor.

19 Q Sitting on the floor?

20 A That's correct.

21 Q How about you, in a chair?

22 A I was on the bed.

23 Q Now, were you looking at him all of this  
24 time?

25 A Was I looking at him all of this time?

26 Q Yes, Mr. Manson.

9d-4

1 A No, there were other pretty people there.

2 Q In other words, you met Mr. Manson; you  
3 took your eyes away from him; you talked to other people,  
4 is that correct?

5 A I talked to several people, yes.

6 Q Lots of people that night?

7 A Not lots of people, no.

8 Q What were the names of the other people you  
9 met in that room that night?

10 A Three girls. I don't know their names.

11 Q Did they introduce you to these girls?

12 A No, I don't think they did.

13 Q You are not sure?

14 A I am positive they did not introduce me to  
15 the girls. I was with Dennis and Gregg Jakobson mainly.  
16 I did meet the little boy.

17 Q Do you know his name?

18 A No, I don't.

19 Q You forgot his name, is that correct?

20 A That's correct.

21 Q But you remember Charles Manson?

22 A Yes, because I have heard of Charlie for a  
23 long time before I ever met him.

24 Q Did you know his last name at that time?

25 A Yes.

26 Q And you called him "Charlie"?

1 A Yes, that is correct.

2 Q You stayed in there for what, 20 minutes?

3 A Maybe, yes.

4 Q And during this 20 minutes did you have any  
5 conversations with Mr. Manson?

6 A No, I did not have any conversations with  
7 him.

8 Q In other words after you were introduced you  
9 did not talk to him any more, is that correct?

10 A Just that the music was nice.

11 Q While the music was playing for 20 minutes  
12 you did not look at Mr. Manson, did you?

13 A Sure I did.

14 Q You kept looking at him?

15 A No, not kept looking at him. I don't stare  
16 at anyone; it's rude.

17 Q How often did you look at Mr. Manson?

18 A I don't know.

19 Q Maybe one minute, two minutes?

20 A I don't know, I don't time how long I look  
21 at anyone.

22 I just looked at this man here for a few  
23 minutes in his eyes, I don't know, a few seconds, I  
24 don't know how long it is.

9d fls.

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- 1 Q A few seconds?
- 2 A I don't know how long it is.
- 3 Q Then, did you leave the room or did Mr. Manson
- 4 leave the room?
- 5 A I checked him out thoroughly because I heard
- 6 a lot about him, and I checked him up and down thoroughly.
- 7 Q How did you check him out?
- 8 A Just looking at him.
- 9 Q Up and down, you said?
- 10 A Yes.
- 11 Q Up and down where?
- 12 A From his feet to his head.
- 13 MR. BUGLIOSI: This is argumentative.
- 14 Well, I will withdraw the objection.
- 15 MR. SHINN: I didn't get the answer;
- 16 Did you answer, sir?
- 17 THE WITNESS: I beg your pardon. I didn't hear the
- 18 question, then.
- 19 MR. SHINN: Q I asked you --
- 20 A You said, how did I check him out?
- 21 Q You said you looked at him up and down.
- 22 A Yes.
- 23 That is my business. When somebody has talent,
- 24 I check them out, closely, their presence.
- 25 Q Did you check him out before you heard his
- 26 music or after you heard his music?

1 A I was hearing his music when he came in.

2 Q Then you checked him out at that point?

3 A Yes.

4 Q And did you leave the room first or did Mr.  
5 Manson leave the room first?

6 A I don't know. I don't remember.

7 Q In other words, the events for the day are  
8 pretty foggy?

9 A No.

10 Q That is back in March, 1968?

11 A I remember it very clearly.

12 Q You don't recall if you left the room first or  
13 if Mr. Manson left the room first; is that correct?

14 A No. That is correct.

15 Q Did you have any other conversation with  
16 Mr. Manson in the bedroom?

17 A No. Just that I thought the music was nice.

18 Q You don't know if you left the bedroom first or  
19 Mr. Manson left the bedroom first?

20 A No, I do not, because I got up and wandered  
21 around the house.

22 Q And you talked to other people that day;  
23 correct?

24 A No, I did not talk to anybody else there.

25 There was a man by the name of Dean in the  
26 living room, an older man, who was some sort of a philosopher

1 or something, and I wanted to ignore any conversation with  
2 him at all.

3 Q In other words, you didn't have very much  
4 conversation with anyone that night; is that right?

5 A That is correct.

6 Q Now, you didn't see Mr. Manson after the  
7 bedroom incident, did you?

8 A I passed him in the hallway.

9 Q You passed him in the hallway?

10 A Yes.

11 Q When was this?

12 A The same evening. As I was going to say good-  
13 night.

14 Q You passed him in the hallway, and did you say  
15 anything to Mr. Manson at that time?

16 A "Goodnight."

17 Q That is all?

18 A "Nice to have met you."

19 Q In other words, your observation of Mr. Manson  
20 was a very, very short time; is that correct?

21 A I don't know what you consider short.

22 Q Well, it wasn't a long time, was it?  
23 You met him, then you focused your attention on the  
24 music, then you met him in the hallway, and then you  
25 passed him by and you said, "Goodnight"; is that correct?

26 A That is correct.

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Q That is correct?

A Yes.

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1 Q You didn't put his name down or address?

2 A I beg your pardon?

3 Q Did you put his address or name down some  
4 place?

5 A I didn't know he had an address, except for  
6 living with Dennis Wilson.

7 Q In other words, you weren't very interested in  
8 Mr. Manson?

9 A The name I had been -- I was aware of Charlie  
10 Manson for a long time before I met him through Gregg  
11 Jakobson and Dennis Wilson and Terry Melcher.

12 Q But you --

13 A They frequently talked of Charlie Manson and  
14 his way of life.

15 Q Now, when was the next time that you saw Mr.  
16 Manson?

17 The first time was March, 1968; correct?

18 A March of '68?

19 Q That is the first time you met Mr. Manson?

20 A No, I did not say March of '68.

21 Q What month?

22 A It was in the summer of '68.

23 I had met him again March of '69, I saw him  
24 again.

25 Q Now, when you first saw Mr. Manson, Mr.  
26 Altobelli, do you recall anything outstanding about his

1 features?

2 A Outstanding?

3 Q Yes.

4 A I think he has a part between his teeth, a  
5 space.

6 Q You were that close to his teeth?

7 A Yes.

8 I like to notice people's teeth. I am a  
9 personal manager, Mr. Shinn -- is that your name?

10 Q Yes, that's right, that is correct;  
11 S-h-i-n-n, Shinn.

12 A It is my business. I am a personal manager,  
13 a manager of talent, and when I meet people --

14 Q You get close to them?

15 A -- I check them out closely.

16 MR. SHINN: Thank you.

17 I have no further questions.

18 THE COURT: Any question, Mr. Kanarek?

19 MR. KANAREK: Yes. Thank you, your Honor.

20  
21 CROSS-EXAMINATION

22 BY MR. KANAREK:

23 Q Mr. Altobelli, is it a fair statement that  
24 you don't like Mr. Manson?

25 A I don't dislike Mr. Manson.

26 Q You don't?

1 A No.

2 Q Do you remember having a conversation with me  
3 when I tried to get into your fortress out there on  
4 Cielo Drive?

5 MR. BUGLIOSI: Argumentative.

6 THE WITNESS: I remember your insinuation of  
7 threats.

8 MR. KANAREK: Q What were my insinuations and  
9 threats?

10 A That "We will take care of you, Mr. Altobelli,"  
11 "We will see about you, Mr. Altobelli," "We will get the  
12 court up at your house and have the trial at your house,  
13 Mr. Altobelli."

14 "I will see that the Judge has the trial at  
15 your house."

16 Several people -- I have several extensions in  
17 my home, and several people listened to your conversation.

18 Q You understand that you are under oath, do  
19 you not?

20 A Yes, I am.

21 Q Now, let's get it clear, Mr. Altobelli.

22 A I understand.

23 Q Did you interpret as a threat when I asked you  
24 to view the premises, when a man is charged with what Mr.  
25 Manson is charged --

26 A I said no.

1 Q May I finish, Mr. Altobelli?

2 A Yes, Mr. Kanarek, you may finish.

3 Q If I may finish?

4 Is it a fact that I called you up and asked you  
5 politely, nicely, if I might view the premises in view of  
6 the very serious charges that have been made against Mr.  
7 Manson?

8 Now, would you just answer my question?

9 Mr. Bugliosi will be able to speak with you  
10 further.

11 Is it a fact that I asked you, "May I come in?"  
12 And I stated my business. It was daylight, the middle of  
13 the day; right?

14 A Yes, it was on a Sunday.  
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1 Q On a Sunday?

2 A Correct.

3 Q Right.

4 And I asked if I might come in, didn't I?

5 A You asked if you could come up to see the  
6 premises and talk to me for about 15 minutes.

7 Q That is what I asked for.

8 Is it your state of mind that that is a  
9 threat when a lawyer in a case of this type --

10 A Well, you --

11 Q May I finish? If I may finish, Mr. Altobelli?

12 A Yes.

13 Q Is it your state of mind that it is a threat  
14 for a lawyer to want to view the premises where the events  
15 that we are talking about in this courtroom purportedly  
16 occurred? Do you consider that a threat?

17 A I consider it a threat when I refused you,  
18 and I said, "If the Court gives you permission and tells  
19 me that I have to let you on my premises," I said, "It  
20 would be perfectly okay."

21 And you told me, "We will see about you, Mr.  
22 Altobelli."

23 Q I stated that "I will see about you"?

24 A Yes. "We will see about you."

25 And you said, "We will get the whole trial  
26 tried up at your house."

1                   And I swear under oath that you said that to  
2 me.

3           Q       That I said that the whole trial will be  
4 there, or did I say --

5           A       You said you would have the whole trial up  
6 there, that it would all be at my house.

7           Q       All right.

8                   Now, Mr. Altobelli --

9           A       At my home.

10          Q       -- let me ask you this.

11                   Did I say that I would ask the Court that we  
12 view the premises during the course of the trial, Mr.  
13 Altobelli?

14          A       I told you. I said, "I imagine that everybody  
15 would come up during the trial, and if they did, I was  
16 ready for it."

17          Q       Would you answer my question, please?

18          A       That is the only way I can answer it, because  
19 I can't give you an answer the way you are asking me.

20          Q       You can answer yes or no, if I am stating --

21          A       I will not answer yes or no if it is not right.

22          Q       Answer yes or no, Mr. Altobelli. Then you may  
23 explain. I am sure Judge Older will let you explain.

24          A       Then, do you want to repeat your question?

25          Q       Yes, I will be glad to.

26                   Did I ask you to let me view the premises?

1           Would you answer that first?

2           A        You didn't finish what you asked me.

3           Q        May I ask this question of you, and would you  
4 please answer it?

5                    I am asking you this question at this time:

6                    Do you respect our courts of law, Mr. Altobelli?

7           A        I think more than you do, Mr. Kanarek.

8           Q        You do?

9                    Would you tell the Court and the jury what you  
10 told me about our courts of law when I spoke with you?

11          A        What did I say?

12          Q        I am asking you.

13          A        I don't know what I said about the courts of

14cfs14    law.

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1 Q You don't remember what you said about our  
2 courts of law?

3 A I probably said it was a circus with you in it.  
4 That is probably what I said to you.

5 Q I see.

6 Now, would you tell us what you said, if  
7 anything, concerning our courts of law?

8 A You gave me -- you told me that Charles Manson  
9 had never been up at my house.

10 And I didn't tell you anything one way or the  
11 other, whether he was or he wasn't.

12 You were trying to insinuate, to tell me, that  
13 he was not, and you wanted to talk to me for 15 minutes  
14 and view the premises.

15 And I told you, "No." I said, "If the court  
16 says that you should come up," I said, "It would be  
17 perfectly okay."

18 Q Mr. Altobelli, may I have an answer to the  
19 question that I asked you?

20 A If you finish the question the way it was,  
21 the day you asked me.

22 Q You don't want to answer the question I am  
23 asking?

24 Your Honor, may that question be read and  
25 answered?

26 THE COURT: Reframe the question, Mr. Kanarek.

1 BY MR. KANAREK:

2 Q Now, would you listen to the question, Mr.  
3 Altobelli.

4 A If you finish the question.

5 Q Well, when I stop and gasp for breath or  
6 something, you can tell I am through.

7 A I am not going to give you a yes or no unless  
8 you finish what you asked me on the telephone.

9 THE COURT: All right. Listen to the question first.  
10 You may answer it in whatever manner you like, as long as  
11 you tell the truth.

12 THE WITNESS: Yes, sir.

13 BY MR. KANAREK:

14 Q Now, Mr. Altobelli, let's back off a little  
15 bit. Let's back off a little bit and see if we can  
16 portray for the people in this courtroom what really  
17 happened.

18 It was a sunny Sunday afternoon; right?

19 A I don't know. I was in bed when you called.

20 Q It was the middle of the afternoon; right?

21 A Well, I can sleep any time I want to when I  
22 am not working.

23 Q I concede that. I concede that, Mr. Altobelli.

24 Now, my question is:

25 When I called, first of all, did I state my  
26 true name and what my business was to someone who was not

1 you who answered the phone?

2 A That is possible.

3 Q Well, what do you mean "possible"? You know  
4 it is true, do you not, Mr. Altobelli?

5 A It is possible. There were other people in  
6 the house.

7 Q You say you had people listening on the exten-  
8 sion. Did you record my conversation?

9 A I wish I had.

10 Q I wish you had too, Mr. Altobelli, believe me,  
11 from the bottom of my heart I wish you had, because  
12 you are so emotionally involved in this --

13 MR. BUGLIOSI: Your Honor, he is arguing to the jury  
14 now.

15 THE COURT: Sustained.

16 MR. KANAREK: Very well. I concede that I am.

17 Q Mr. Altobelli, did you tell me -- let me  
18 withdraw that and ask you:

19 Is it a fact -- is it a fact -- that when I  
20 spoke to the person I made no misrepresentations, I told  
21 the person who I was and what my business was, to the  
22 person, the boy that lives there with you on the premises?

10c file A You stated who you were, yes.

24

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- 1 Q And what my business was?
- 2 A What your business was.
- 3 Q Right?
- 4 A Right.
- 5 Q And then you came to the telephone; right?
- 6 A Uh-huh, yes.
- 7 Q And I told you that I did not wish to inconvenience
- 8 you; is that correct?
- 9 A I don't remember that, no.
- 10 Q You don't remember whether that happened or not?
- 11 A Inconvenience? No.
- 12 You said you wanted to come up at my convenience
- 13 to see the premises.
- 14 Q Right.
- 15 A And to talk to me for 15 minutes.
- 16 Q Right.
- 17 And I told you that all I wished to hear from
- 18 you was the gospel truth.
- 19 A And when I said, "No," you told me that there
- 20 was an injustice being done with the press and with Charles
- 21 Manson, and that he had never been up at my house, he had
- 22 never been on my premises.
- 23 You told me this.
- 24 Q Mr. Altobelli, first of all, may I ask you this:
- 25 Would you tell us, please, who the people were that were
- 26 listening on the telephone?

1 A I don't have to. It is none of your business.

2 Q I think the Court will ask you to answer it,  
3 Mr. Altobelli.

4 A It was a houseman that works for me.

5 Q What is his name?

6 A His name is Robert Conrad, but he does not work  
7 for me now.

8 Q Where does he live?

9 A I don't know where he lives.

10 Q How can we get ahold of Robert Conrad?

11 A I have no idea.

12 Q May I finish the question?

13 A He is in Yugoslavia, I think.

14 Q Mr. Robert Conrad is now living in Yugoslavia?

15 A Yes. That is where he is from. He was an  
16 exchange student.

17 Q Is he living in Yugoslavia now?

18 A I have no idea.

19 Q How can I get ahold of Robert Conrad?

20 A I have no idea.

21 Q May I finish the question, Mr. Altobelli?

22 A Yes.

23 Q Would you tell me how I can get ahold of  
24 Mr. Robert Conrad?

25 A I have no idea.

26 Q How did he come to your knowledge or come to

1 your house?

2 MR. BUGLIOSI: That is irrelevant.

3 MR. KANAREK: I want to find this man. We have a  
4 right to try to find him.

5 THE COURT: The objection is sustained.

6 MR. KANAREK: Q What is Mr. Robert Conrad's  
7 last known address, Mr. Altobelli?

8 A 10050 Cielo Drive.

9 Q And what was his address just prior to that?

10 A I have no idea. Yugoslavia.

11 Q What city in Yugoslavia?

12 A I have no idea.

13 Q Who in the City of Los Angeles or anywhere in  
14 the world knows Mr. Conrad that you know of?

15 A I have no idea.

16 Q No one at all?

17 A People that came to my house.

18 Q Pardon?

19 A People that came to my house.

20 Q Who are these people?

21 A I think that is none of your business,

22 Mr. Kanarek.

23 MR. KANAREK: Your Honor --

24 THE WITNESS: I don't have to name my guest list.

25 MR. KANAREK: -- I am trying to get evidence for the  
26 Court.

1 THE COURT: He says he doesn't know.

2 MR. KANAREK: May I ask you this?

3 Q You say Mr. Conrad was an exchange student,  
4 Mr. Altobelli?

5 A Yes, that is correct.

6 Q Now, would you please tell me where he was  
7 enrolled in this country as a student?

8 A I have no idea.

9 Q You don't know?

10 A No. UCLA.

11 Q Well, was it UCLA, Mr. Altobelli?

12 A Yes, I think it was.

13 Q What subject matter was he studying?

14 A As a designer.

15 Q Was he studying designing at UCLA?

16 A That is correct.

17 Q And does he speak English fluently?

18 A You talked to him.

19 MR. KANAREK: Your Honor, may I have an answer to  
20 the question?

21 THE WITNESS: He speaks very well, yes.

22 MR. KANAREK: Mr. Manson is entitled to due process  
23 and a fair trial.

24 May I have an answer to that question?

25 THE WITNESS: I don't understand what Mr. Conrad has  
26 to do with Mr. Manson or anything else.

1 THE COURT: Just answer the questions.

2 THE WITNESS: Yes, your Honor, I will answer the  
3 questions.

4 MR. KANAREK: May I have an answer, your Honor?

5 THE COURT: Does he speak English?

6 THE WITNESS: Yes, he speaks English very well.

7 You spoke to him on the telephone.

8 MR. KANAREK: Now --

9 A Several times.

10 Q Does he have a middle name?

11 A I have no idea.

12 Q I see.

13 How long did he live on your premises?

14 A I don't know. Until September -- August,  
15 September.

16 Q Beginning when, Mr. Altobelli?

17 A I don't know. He was hired when I was in  
18 Africa.

19 Q I understand. But will you tell us how many  
20 months? Would you give us an estimate?

21 A I don't know exactly.

22 Q May I finish?

23 Give us an estimate of how many months he was  
24 on your premises, Mr. Altobelli?

25 A Seven months, eight months. I don't know.

26 Q Until last September?

1 A Yes.

2 Q And you were ---

3 A Or August. August.

4 Q Now, presently the premises on Cielo Drive  
5 where you live are quite secure; is that correct?

6 That is, they are --

7 A I hope so.

8 Q Well, is it correct? They are quite secure?

9 A I hope so, yes.

10 Q Is that right?

11 Now, is it a fact that you feel -- I will  
12 withdraw that.

13 Did you check into Mr. Conrad's background  
14 before you let him come on your premises?

15 A I did not hire him.

16 Q I see.

17 And he was in the school of design at UCLA?

18 A As far as I know, yes.

19 Q And do you know any persons other than  
20 Mr. Conrad -- I mean, other than yourself -- that had a  
21 speaking acquaintance with Mr. Conrad?

22 A I imagine many people did.

23 Q May I ask you: If you wanted to find  
24 Mr. Conrad yourself, right now, would you tell me what you  
25 would do?

26 A I wouldn't want to find him, number one.

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1 Q I see.

2 But let's assume that you wished to find him.

3 A I don't know.

4 Q May I finish the question, please, Mr. Altobelli?  
5

6 A Yes.

7 Q I am trying to ask you -- if you would please  
8 let me finish the question.

9 A Yes.

10 Q My question is, Mr. Altobelli: If you wished--  
11 assuming for some reason that you wished, maybe, to prove  
12 that I am a liar even --

13 A I don't want to prove that you are a liar or  
14 not a liar.

15 Q All right.

16 But let's assume that you wished that. You  
17 have made statements concerning me.

18 A I don't have those kind of fantasies, Mr.  
19 Kanarek.

20 Q All right.

21 You tell us that he was on the telephone.  
22 He could be an important witness in this case.

23 Will you tell us, assuming -- or maybe even  
24 Mr. Bugliosi would ask you -- assuming you wished to find  
25 him. Would you tell us what would you do to find Mr.  
26 Conrad?

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I am asking a simple question, Mr. Altobelli.

A I have no idea. I'd have to think about it.

Q You would have to think about it?

A Yes, I would.

Q You mean, it is a complete blank as to how to find him?

A Right now, yes, it is.

Q Well, would you think about it for us and maybe, after the noon hour, let us know?

A Maybe, if I can.

Q Pardon?

A Yes, if I can.

Q As to how we can locate him?

A Sure.

Q Give us some hints?

A Yes.

Q Now, did you suggest, Mr. Altobelli, that I contact your lawyer?

A That is correct.

Q And did I, in fact, speak with your lawyer personally?

A I don't know. You said you had.

Q Well, have you spoken with your lawyer concerning this?

A I won't repeat what he said.

Q I am not asking you, Mr. Altobelli, for --

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1 A Mr. Kanarek, I have no feelings about you  
2 whatsoever. I don't hate you.

3 THE COURT: Just answer the questions, sir.

4 THE WITNESS: That is part of the question.

5 MR. KANAREK: Listen to the question.

6 THE COURT: Be responsive.

7 THE WITNESS: It is responsive, your Honor.

8 THE COURT: Listen to the questions and answer the  
9 questions.

10 THE WITNESS: Yes, sir.

11 MR. KANAREK: If you would, please.

12 THE COURT: Let's get on with it, Mr. Kanarek.

13 MR. KANAREK: Yes, your Honor.

14 Q I am not asking you for conversation between  
15 yourself and your lawyer. I would be the first to  
16 protect that conversation if you wished to exert the  
17 privilege against self-incrimination or something.

18 But my question is: Did you, in fact, speak  
19 with your lawyer after --

20 A Who is the attorney you are speaking of?

21 Q It is a gentleman that is on Wilshire Boulevard.  
22 In fact -- just a moment --

23 A You said you were a good friend of his.

24 Q Well, yes, as a matter of fact --

25 THE COURT: This is irrelevant, Mr. Kanarek. Let's  
26 get on with the cross-examination.

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BY MR. KANAREK:

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Q Is this in the law firm of --

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THE COURT: I have already sustained my own objection to the question.

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Let's get on with it.

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MR. KANAREK: Yes, your Honor.

Q The gentleman that I am speaking of is in the law firm of --

THE COURT: I just sustained an objection to that question.

Get on with your cross-examination, Mr. Kanarek.

MR. KANAREK: Yes, your Honor.

Q Now, Mr. Altobelli, did you have a conversation with your lawyer concerning my request --

THE COURT: Mr. Kanarek, I just sustained an objection to that question.

Get on with your cross-examination, sir.

MR. KANAREK: I am sorry, your Honor.

Q Now, you told me the name of this lawyer; is that right?

A No. You told me that you were a friend of his and that you just had lunch with him a few days before.

Q Right.

Correct.

In fact, it was dinner, I believe.

But I am speaking now, Mr. Altobelli, not of the second time we spoke but of the first time we spoke.

If you would let me finish.

The first time we spoke, you suggested that

1 I try to talk to your lawyer, a man whose name you gave  
2 me, to see if --

3 A No.

4 Q May I finish? May I finish?

5 Did you tell me to speak with your lawyer  
6 concerning the possible visitation to the premises on  
7 Cielo Drive when I spoke with you on that Sunday  
8 afternoon, and did you not give me the name of a lawyer?

9 A I would never do that because I make my  
10 own decisions who comes on my premises.

11 Q You didn't suggest to me --

12 A No.

13 You told me his name. You said you were a  
14 friend of his.

15 Q How would I know your lawyer's name if you  
16 hadn't told it to me?

17 A I did not tell you. You told me, Mr. Kanarek.

18 You said that you had worked on a case with  
19 him once before. You said you were friends.

20 And I called him up and I said, "If this is  
21 the kind of friends you have, I would change attorneys."

22 Q All right.

23 Now, is that lawyer in a firm of lawyers  
24 with an attorney named Mr. Zagon?

25 A I think it is, yes.

26 Q Now, did you speak with the lawyer that you

1 are talking about?

2 A Not about your coming onto the premises, no.

3 Q You never spoke with him about that?

4 A No.

5 Q Pardon?

6 A No.

7 Q Now, who else was on the telephone that day  
8 when I spoke with you and asked if I might come and visit  
9 the premises, Mr. Altobelli?

10 A I don't want to tell you who was on the phone.

11 MR. KANAREK: I think the Court -- we are entitled  
12 to know, your Honor.

13 MR. BUGLIOSI: It is irrelevant, your Honor, this  
14 line of questioning.

15 THE COURT: Sustained.

16 MR. KANAREK: Your Honor, it is relevant to prove  
17 the conversation.

18 THE COURT: The objection is sustained.

19 BY MR. KANAREK:

20 Q You mean there was more than one person, Mr.  
21 Altobelli, besides Mr. Conrad?

22 A Mr. Kanarek, it doesn't make any difference.

23 I told you I didn't want you to come up.

24 I said that if the court said that you could  
25 come up, it would be perfectly all right with me, and I  
26 said, "Otherwise, no, I would not have anybody. It is a

1 home. It is not going to be a tourist attraction or a  
2 freak show."

3 Q Now, my question is: When you spoke with me  
4 on that Sunday afternoon, Mr. Altobelli --

5 A I spoke to you more than once, Mr. Kanarek.

6 Q All right. I am speaking now of the Sunday  
7 when I spoke with you. Remember?

8 A Yes, I remember.

9 Q On that occasion, Mr. Altobelli, you say someone  
10 else was listening on the phone besides yourself, or on an  
11 extension.

12 Would you name the people?

13 A I just named one of them, and I will not name  
14 anyone else.

15 MR. KANAREK: Your Honor, may I?

16 THE COURT: The objection is sustained.

17 Go to your next question.

18 MR. KANAREK: Very well.

19 Q Now, Mr. Altobelli, did you suggest to me that  
20 you would think about it and that I should call you back?

21 A No.

22 You said you would speak to my attorney.

23 And I said, "You can do whatever you want."

24 And you said, "May I call you back?"

25 And I said, "If you would like."

26 Q We had a conversation about my calling you back;

1 right?

2 A Yes.

3 Q And did I call you back?

4 A Yes, you did.

5 Q At a proper hour, a normal hour, something like  
6 7:00 or 8:00 or 5:00 o'clock in the afternoon; something like  
7 that?

8 A Something like that, yes.

9 Q And did I ask you if I might come up to view  
10 the premises?

11 A And I said no.

12 Q You said no; right?

13 A That is correct.

14 Q And you told me that -- well, what did you tell  
15 me in that conversation, Mr. Altobelli?

16 A I told you no, I did not want anybody up there  
17 unless they had a court order to come onto the premises.  
18 That was it.

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- 1 Q And --
- 2 A That was it.
- 3 Q And Mr. Altobelli, did we have a conversation
- 4 that lasted some minutes?
- 5 A A few minutes, yes.
- 6 Q Pardon?
- 7 A A few minutes, yes.
- 8 Q A few minutes?
- 9 A Yes.
- 10 Q And did someone else listen in on that conver-
- 11 sation?
- 12 A It doesn't make any difference, Mr. Kanarek.
- 13 Q Well, I'm asking you, if you would answer me.
- 14 MR. BUGLIOSI: Objection, your Honor, irrelevant.
- 15 THE COURT: Sustained.
- 16 Q BY MR. KANAREK: Well, Mr. Altobelli, you feel
- 17 very strongly about the passing/<sup>away</sup>of the people on these
- 18 premises, right?
- 19 A I don't know what you mean by strongly.
- 20 Q Well, you feel personally involved in connection
- 21 with the passing away of these people on the premises, is
- 22 that correct?
- 23 A I feel personally involved?
- 24 Q Yes.
- 25 A I am personally involved.
- 26 Q Yes. Now, would you tell us, Mr. Altobelli,

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when you say you are personally involved, do you mean that you feel some responsibility for the passing away of the people that did pass away?

A Do you mean do I have guilt --

Q May I finish the question, Mr. Altobelli?

Do you feel some personal responsibility for these people who passed away on the premises?

MR. BUGLIOSI: Objection, irrelevant.

THE WITNESS: I don't understand the question.

THE COURT: The objection is sustained.

Q BY MR. KANAREK: Now, as you sit there on the witness stand, Mr. Altobelli, do you have a friendly feeling toward Mr. Manson?

A I don't have any feelings toward Mr. Manson.

Q You mean you are not unfriendly toward him?

A No, I am not unfriendly. If he is not guilty, has not guilty, I don't know, I have no feelings about Mr. Manson.

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Q You have no feelings at all?

A No feelings whatsoever.

Q Do you like Mr. Manson?

A I don't know. What do you mean "like"?

I don't understand what you mean.

Q You don't understand that word?

A No.

Q Are you friendly disposed to Mr. Manson as you now sit on the witness stand?

A I feel nothing for Mr. Manson. I have stated that, nothing.

Q Does that mean you dislike Mr. Manson?

A No, it doesn't mean I dislike Mr. Manson.

Q I see. Now, have you spoken with your lawyer prior to coming to court?

MR. BUGLIOSI: It's irrelevant, your Honor.

THE WITNESS: No, I did not, as a matter of fact.

Q BY MR. KANAREK: You have not spoken with your lawyer concerning your coming to these premises?

A No.

Q At all?

A I haven't even thought about it.

Q Pardon?

A I haven't even thought about it.

Q You never spoke to him at all about your coming here at all to testify?

1 A I asked him once if he thought he should come  
2 with me.

3 We discussed it and I decided to come alone.

4 Q I see. Then if I may --

5 You are saying you have an absolutely neutral  
6 attitude towards Mr. Manson.

7 You don't like him, you don't dislike him.

8 A Also to you.

9 Q You changed your mind about me?

10 A No, I feel nothing.

11 THE COURT: Just answer the question, sir, don't  
12 volunteer.

13 Get to the next question.

14 MR. KANAREK: Yes, your Honor, if I may ask this:

15 Q What do you mean when you say you feel nothing,  
16 Mr. Altobelli?

17 A Absolutely nothing.

18 Q You mean you don't like me or dislike me?

19 MR. BUGLIOSI: Asked and answered, irrelevant.

20 THE COURT: Sustained.

21 Do you have anything further, Mr. Kanarek?

22 MR. KANAREK: Yes, your Honor.

23 THE COURT: All right, get to it.

24 Q BY MR. KANAREK: Now, since these events have  
25 occurred, Mr. Altobelli, have your premises been besieged  
26 by people of the press?

1 MR. BUGLIOSI: It's irrelevant, your Honor.

2 MR. KANAREK: It goes to his state of mind, your  
3 Honor.

4 THE COURT: Sustained.

5 Q BY MR. KANAREK: Long before I ever spoke with  
6 you, Mr. Altobelli, did you create on the premises a  
7 certain security system?

8 MR. BUGLIOSI: It's irrelevant.

9 THE COURT: Sustained.

10 Q BY MR. KANAREK: Now, if I should ask you,  
11 Mr. Altobelli, if I might come out to your premises  
12 sometime today or tomorrow or the next day to visit, just  
13 to view the premises, would you allow me to come in?

14 MR. BUGLIOSI: Irrelevant.

15 THE COURT: Sustained.

16 Q BY MR. KANAREK: Now, on the day that you say --  
17 How many times in your lifetime prior to the  
18 March date which you speak of have you seen Mr. Manson?

19 A Once.

20 Q And when was it that you saw Mr. Manson?

21 A Summer of '68.

22 Q In the summer.

23 Would you tell us when in the summer of '68?

24 A No, I don't remember exactly what month it was.

25 It was in the summer of '68.  
26

1 Q You don't know what month or what day?

2 A No, Mr. Jakobson could possibly answer that  
3 better than I could.

4 Q Since these events on Cielo Drive, since these  
5 people passed away, have you been under a doctor's care?

6 MR. BUGLIOSI: Irrelevant.

7 THE COURT: Sustained.

8 THE WITNESS: For a tooth ache, yes.

9 Q BY MR. KANAREK: Well, now, when you first saw  
10 Mr. Manson on this day, what time of the day or night was  
11 it?

12 A I beg your pardon? I did not hear the question.

13 Q What time of the day or night was it, Mr. Alto-  
14 belli?

15 A When?

16 Q When you first saw Mr. Manson?

17 A It was in the evening.

18 Q And about how many people were in this place  
19 where you saw Mr. Manson?

20 A As I said before, I did not count them.

21 Q Well, would you give us an estimate?

22 A No, because it would not be correct. It would  
23 not be accurate.

24 Q Was it more than 100?

25 A I doubt that -- no, it was not.

26 Q Was it less than 50?

1 A Less than 50, yes.

2 Q And when you saw Mr. Manson would you tell us  
3 what light, what were the conditions of the lighting in the  
4 room when you saw him?

5 A Clear.

6 Q When you say clear --

7 A I mean like I can see you.

8 Q Was it foggy?

9 A No, it wasn't foggy.

10 Q What was the lighting, was it lighting like in  
11 this courtroom?

12 A A little softer.

13 Q And how many other people were in the room that  
14 you saw Mr. Manson in?

15 A It changed.

16 Q For what period of time did you see him?

17 A 20 minutes approximately.

18 Q Now, you say --/Mr. Manson have long hair at  
19 that time?

20 A Longer than yours, yes.

21 Q Well, my purpose is not to argue.

22 A It was not shoulder length, no.

23 Q Well, describe for us how long it was.

24 A Like a feather cut.

25 Q What does that mean?

26 A You remember in the 40's they had feather cuts,

1 about that long.

2 Q I mean, was it so the hair was actually  
3 hanging?

4 A Yes.

5 Q And directing your attention to Mr. Manson,  
6 have you seen in the press pictures of Mr. Manson since  
7 these events happened in August at your premises on  
8 Cielo Drive?

9 A Yes, I have.

10 Q Have you seen many pictures of Mr. Manson?

11 A Not many, no, because I don't read it.

12 Q But you have seen them?

13 A Yes.

14 Q And you have seen facial close-ups of  
15 Mr. Manson, right?

16 A You mean pictures?

17 Q Yes.

18 A Yes.

19 Q And on the occasion when you saw Mr. Manson  
20 at Mr. Wilson's house did he play any music?

21 A No, he did not, just on the tape recorder.

22 Q What was that?

23 A Just the tape recorder.

24 Q And what was the tape recorder -- what did the  
25 tape recorder play?

26 What was playing on the tape recorder?

1           A       Just noise, noise music -- music -- just  
2 music.

3           Q       And Mr. Manson was in a room and you say  
4 people kept going in and out, right?

5           A       Yes.

6           Q       And this person that you say was  
7 Mr. Manson, did he go out of the room?

8           A       He came into the room and I imagine he went  
9 out of the room.

10          Q       And did you have any words with him?

11          A       Just "It's nice to know you."

12                 And, "The music was nice."

13          Q       Who was present when you uttered those words,  
14 Mr. Altobelli?

15          A       Gregg Jakobson, Mr. Wilson, and then I saw him  
16 in the hallway and I said, "Goodnight."

17          Q       Now, what was the total time that you were in  
18 the presence of Mr. Manson that night?

19          A       Approximately 20 minutes.

20          Q       And would you tell us were there other people  
21 in the room or in the house, Mr. Wilson's, that had long  
22 hair?

23          A       The girls did.

24          Q       Did any of the men have long hair?

25          A       Dennis has long hair.

26          Q       Anybody else?

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How many men were there?

A. Just Dennis and Dean who was in the living room, he had long hair; he has a beard.

And Greg, and there was a man sleeping in another room, a boy or a man or whoever he happened to be.

Q Did he have long hair?

A. I did not check him out that way.

Q This Dean, what is his last name?

A. I have no idea.

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11C-1  
1 Q You say between the time that you saw Mr. Manson  
2 and the time in March that you say you saw Mr. Manson on  
3 your premises, you had no intention to see Mr. Manson, right?

4 A No.

5 Q And you had no purpose in memorizing Mr. Manson's  
6 appearance when you met him at Mr. Wilson's?

7 A Yes, I did.

8 Q What was your purpose in memorizing his  
9 appearance?

10 A Future talent, a client.

11 Q Future talent, a client, what do you mean?

12 A Well, if he had recorded and he was successful,  
13 possibly I could handle him.

14 Q Did you listen to his music that night?

15 A Yes, I did.

16 Q You listened to his music on the tape recorder?

17 A That's correct.

18 Q And you knew this was a future client, right?

19 A You are a future client. Anybody is a future  
20 client.

21 Q Right?

22 A A possibility.

23 Q All right, when a future client comes to your  
24 door do you turn him away and say, "Get on your way"?

25 A If I so choose, yes.

26 Q What I'm saying is this good business,

1 Mr. Altobelli?

2 A If that is the way I want to run it, yes.

3 Q I see. Now, Mr. Manson came to your door,  
4 in your mind he was a future client in March of '69, right?

5 A No.

6 Q Pardon?

7 A No.

8 Q He was not a future client, then?

9 A No.

10 Q So, therefore, being discourteous --

11 A I was not discourteous to Mr. Manson.

12 Q You did not invite him in, did you?

13 A A lot of people I don't invite in that come  
14 uncalled.

15 Q Mr. Altobelli, were you courteous?  
16 Did you invite the man?

17 A No, I did not invite the man in.

18 Q Mr. Wilson is a good friend of yours, right?

19 A Good friends? He is a friendly acquaintance.

20 Q Is he a client of yours?

21 A No, he is not.

22 Q Would you like for him to be a client?

23 A No, I would not.

24 Q Well, then, what was your state of mind,

25 Mr. Altobelli --

26 You say Mr. Manson was there, and nothing had

1 intervened in this period of time?

2 A I don't understand what you mean there.

3 MR. KANAREK: I haven't finished the question.

4 Q BY MR. KANAREK: Mr. Altobelli, you say that  
5 nothing had intervened, you had not seen Mr. Manson from  
6 the time that you first saw him and Dennis Wilson.

7 You thought of him then as a potential client.  
8 Then he shows up at your house.

9 What intervened?

10 A When I say a future client, let me clarify  
11 something first.

12 When I say a future client --

13 Q May I finish the question, Mr. --

14 A -- Altobelli. Yes.

15 Q Am I mispronouncing your name?

16 A Yes, you are.

17 Q Show me the courtesy -- I am trying to show you  
18 courtesy, Mr. Altobelli.

19 A Yes.

20 Q Please don't interrupt, if you would, please.

21 A All right.

22 Q I'm trying not to interrupt you.

23 Now, during this period of time from the time  
24 that you saw Mr. Manson at Dennis Wilson's until March of  
25 1969, did anything intervene so that you did not want  
26 Mr. Manson to be your client any more?

1 A I did not want him to begin with. Everybody is  
2 a future client when I first meet them.

3 Q All right.

4 A There is a possibility.

5 Q All right, now, is this the way you treat future  
6 clients -- may I finish -- is this the way you treat future  
7 clients that when somebody comes to your door you, in effect,  
8 order them off your premises?

9 A I did not order him off my premises.

10 Q You did not invite him in for a glass of cognac,  
11 did you?

12 A I have many friends and clients. If they come  
13 to my door or gate and they have not been called, they know  
14 they can be refused to come in.

15 Q My question is did you invite him in?

16 A No, I did not.

17 Q My question is did something intervene so that  
18 you no longer considered him a future client?

19 A It did not enter my mind.

20 Q At that time, Mr. Altobelli, the premises on  
21 Cielo Drive did not have the security they have now?

22 A They had a gate, an automatic gate, yes.

23 Q All you had to do was push the button, is that  
24 right?

25 A That's correct.

26 Q Or anybody had to do to get on your premises

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would be to push the button.

A. That is correct.

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1 Q It's not like it is now?

2 A That is correct.

3 Q And so in effect the whole wide world could  
4 have pushed that button in March of 1969 and come onto  
5 to your premises?

6 A If they had the bad taste to do so, yes.

7 Q Pardon?

8 A The bad taste to do so.

9 Q You feel it is bad taste?

10 A That is correct, to come uncalled, without  
11 calling, without notice, when you live on a piece of  
12 property like that, and the way it is situated and the  
13 windows --

14 All my friends and clients who are friends call,  
15 and I give them the same courtesy.

16 It never entered my mind to go to anybody's  
17 house without calling first.

18 MR. KANAREK: I see.

19 Q Now, when I called to come on very serious  
20 business, business that involves in fact the integrity of  
21 our courts, whether people get a fair trial or not --

22 MR. BUGLIOSI: Your Honor, this is argument to the  
23 jury again.

24 THE COURT: Sustained.

25 BY MR. KANAREK:

26 Q Now, is it a fair statement, Mr. -- let me

11d-2  
1 withdraw that and ask you:

2 When was the first time, Mr. Altobelli, that  
3 you had occasion to recall the purported presence of Mr.  
4 Manson on your premises in what you say is March of 1969?

5 When was the first time you had to recall it  
6 after it allegedly happened?

7 A When I was flying to Rome with Sharon.

8 Q All right.

9 A Can I explain something first?

10 MR. KANAREK: No, Mr. Bugliosi will, I'm sure,  
11 perhaps -- hopefully maybe -- will ask you some questions.  
12 If you will just answer my questions.

13 Q When was it after you were flying to Rome with  
14 Sharon that you next had occasion to recall the presence  
15 of Mr. Manson on the premises?

16 A Last August.

17 Q Last August. By last August do you mean what?

18 A When I flew back from Rome.

19 Q In other words, in August of 1969, when you  
20 flew back from Rome, was this after the passing away of  
21 the people on the premises?

22 A That's correct.

23 Q You had occasion to think of Mr. Manson, right?

24 A That is correct.

25 Q Did you report this to the police?

26 A I did not feel that it was necessary to report

ild-3  
1 it to the police.

2 Q I see.

3 Well, you thought of Mr. Manson in connection  
4 with the events --

5 A No, I did not.

6 Q Well, you were very concerned.

7 A I am not a detective.

8 Q I understand you are not a detective. I have  
9 never accused you of being a detective, Mr. Altobelli, I  
10 never stated you were a detective.

11 Are you presupposing the answers?

12 MR. BUGLIOSI: Argument, your Honor.

13 THE COURT: Ask your next question.

14 BY MR. KANAREK:

15 Q Mr. Altobelli, you thought of Mr. Manson in  
16 connection --

17 You are telling us now in August of 1969, is  
18 that right?

19 A Yes.

20 Q And you caused no police agency to be given  
21 any information concerning Mr. Manson in August of 1969,  
22 is that correct?

23 A No, I did not.

24 Q When was the first time that you talked to any  
25 police agency concerning Mr. Manson?

26 A When I talked to Mr. Bugliosi.

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1 Q And when was that?

2 A When was that?

3 Q When was that, Mr. Altobelli?

4 A I don't know how long ago it was. It was in  
5 my attorney's office.

6 Q It was in your attorney's office?

7 A Yes. I met Mr. Bugliosi in my attorney's office.

8 Q You felt that there was some necessity to have  
9 an attorney present, right?

10 A I was told to meet Mr. Bugliosi in my attorney's  
11 office. That is the only number they had for me was my  
12 attorney, yes.

13 Q That was not the only place in the world to  
14 meet though, was it Mr. Altobelli?

15 MR. BUGLIOSI: Irrelevant.

16 THE COURT: Sustained.

17 BY MR. KANAREK:

18 Q What is the name of the attorney's office you  
19 met him in?

20 A Barry Hirsch.

21 Q Pardon?

22 A Barry Hirsch was the attorney.

23 Q Hirsch, Zagon --

24 A Shiff & Levene.

25 Q I see, and this other attorney we are speaking  
26 of is not one of those, but he is with that law firm, is

1 that right?

2 A Which one is this?

3 Q The attorney you spoke of.

4 A Yes, he is with that law firm.

5 Q But he is not on the masthead?

6 A No, he is not.

7 Q He is just a man that works there?

8 A Yes, that's correct.

9 Q Were there any other people present when you  
10 first spoke to Mr. Bugliosi?

11 A My attorney was present.

12 Q Anybody else?

13 A No.

14 Q And when was that?

15 A I don't remember, a few months ago.

16 Q Could you give us some kind of an estimate of  
17 what day it was, Mr. Altobelli?

18 A No, I could not.

19 Q You don't even know what month?

20 A No, I don't.

21 Q Would that be maybe in July?

22 A Possibly.

23 Q Was it after this trial had already started?

24 A No, it was not.

25 Q Your state of mind is that in July, 1970, this  
26 trial had not yet started?

1           A       I said I don't know. I said possibly. I  
2 don't know when the trial started, Mr. Kanarek.

3           Q       I see.

4                    Now, then, at the time you were in Mr.  
5 Bugliosi's presence and the presence of Mr. Hirsch --

6           A       That's correct.

7           Q       -- did Mr. Bugliosi and you have a conversation  
8 to speak with each other?

9           A       I don't understand what you mean.

10          Q       At that time did you and Mr. Bugliosi speak?

11          A       Yes, we did.

12          Q       And did Mr. Hirsch bring in a stenographer?

13          A       He took notes.

14          Q       Pardon?

15          A       Mr. Hirsch took notes.

16          Q       Mr. Hirsch took some notes?

17          A       Yes.

18          Q       Did he bring in a stenographer to take down  
19 word for word all that was uttered between yourself and  
20 Mr. Hirsch?

21          A       No, he did not.

22          Q       Was there a tape recorder going?

23          A       Not to my knowledge.

24          Q       That is during the -- during any of the period  
25 of time that you were present?

26          A       Not to my knowledge.

1 Q Did Mr. Bugliosi?

2 A I don't know.

3 Q Not to your knowledge?

4 A No.

5 Q Did you ask that a tape recorder be hooked up?

6 A No, I did not.

7 Q Did Mr. Bugliosi ask that a tape recorder be  
8 hooked up?

9 A Not to my knowledge, no.

10 Q Now, other than Mr. Bugliosi, Mr. Altobelli,  
11 have you spoken --

12 You recognize Mr. Bugliosi is with the District  
13 Attorney's Office of the County of Los Angeles?

14 A That is correct.

15 12 fls.

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12-1 1 Q Now, I am now directing your attention to  
2 police officers, law enforcement officers, Los Angeles  
3 Police Department officers.

4 A Yes.

5 Q Have you spoken with any Los Angeles law  
6 enforcement -- Los Angeles Police Department personnel?

7 A Yes, I have.

8 Q Now, when is the first time that you spoke to  
9 any Los Angeles Police Department personnel?

10 A In my attorney's office the day of Sharon's  
11 funeral, and I don't remember the date.

12 Q And at that time you saw to it that you spoke  
13 to the police officers with your lawyer present, right?

14 A That is correct.

15 I didn't see to it. They arranged it.

16 Q What do you mean, "they arranged it"?

17 A Just what I said. They arranged it.

18 Q And who is the they, Mr. Altobelli?

19 A The police officers and my attorney.

20 Q All right.

21 But you were first approached by the police  
22 officers; is that right?

23 A That is correct.

24 Q And you, by making phone calls and whatever,  
25 arranged to speak with the police in the presence of your  
26 attorney?

1 A I did not make any phone calls.

2 Q Well, did you cause arrangements to take place  
3 so that you met with the police in the presence of your  
4 lawyer?

5 A I did not make the arrangements.

6 I was called and told that the police officers  
7 were coming to my attorney's office and that I should be  
8 there at such-and-such a time.

9 Q And who called you?

10 A My attorney.

11 Q Your attorney?

12 A That is correct.

13 Q So that you had contacted your attorney first;  
14 is that right?

15 A I don't understand what you mean.

16 Q Did you contact your attorney before the  
17 Los Angeles Police Department contacted you?

18 A For what reason?

19 Q I am just asking the question. Would you just  
20 answer that question?

21 A Well, I contact him all the time. We do  
22 business together. I mean, I could talk to him every day of  
23 my life.

24 I don't understand what you mean, Mr. Kanarek.

25 Q You don't understand that question, Mr.  
26 Altobelli?

1 A Well, I contacted him, sure. I contacted him  
2 every day.

3 Q But my question is a little different than that,  
4 Mr. Altobelli.

5 A You mean, pertaining to the case?

6 Q No.

7 Would you listen to the question, if you would,  
8 please, Mr. Altobelli?

9 A Yes, I will.

10 Q The question is: Did you contact the Los  
11 Angeles Police Department first or did you contact your  
12 attorney first? Who did you call first, sir?

13 A For what reason?

14 Q After you returned to Los Angeles, in connection  
15 with --

16 A I did not call anyone.

17 I talked to my attorney. The police had called  
18 my attorney and said that they wanted to speak to me.

19 Q So, you called your attorney before you called  
20 the police concerning the events on Cielo Drive?

21 A I never called the police.

22 Q May I finish?

23 A Yes.

24 Q Is it a fair statement, Mr. Altobelli, that you  
25 contacted the police officers -- I mean, you contacted your  
26 attorney before you contacted the police in connection with

1 matters pertaining to Cielo Drive where these people  
2 passed away?

3 A That is not true.

4 Q All right.

5 Now, is it a fact that you contacted your  
6 attorney instead of the police concerning the matters  
7 pertaining to the events on Cielo Drive where these people  
8 passed away?

9 A I don't know how you mean that.

10 Q That question is not clear to you?

11 A No.

12 Q I will be glad to rephrase it.

13 Is it a fair statement, Mr. Altobelli, that  
14 you returned to Los Angeles after the events occurred where  
15 these people passed away on Cielo Drive?

16 A That is correct.

17 Q Is it a fair statement that after you returned  
18 to Los Angeles from overseas that you contacted first your  
19 attorney, you called your attorney instead of calling the  
20 Police Department?

21 Is that a fair statement?

22 A I called my attorney from Rome.

23 Q I am questioning you now, Mr. Bugliosi, about --

24 THE COURT: Ladies and gentlemen, do not converse  
25 with anyone or form or express any opinion regarding the  
26 case until it is finally submitted to you.

The Court will recess until 1:45.

(Whereupon, at 12:00 p.m. the court was in  
recess until 1:45 p.m., same day.)

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1 LOS ANGELES, CALIFORNIA, WEDNESDAY, OCTOBER 21, 1970

2 1:45 o'clock p.m.

3 - - -

4 THE COURT: All counsel and jurors are present.  
5 You may continue, Mr. Kanarek.

6 MR. KANAREK: Thank you, your Honor.

7  
8 RUDOLPH ALTABELLI,

9 the witness on the stand at the time of the noon recess,  
10 resumed the stand and testified further as follows:

11  
12 FURTHER CROSS-EXAMINATION

13 BY MR. KANAREK:

14 Q Over the noon hour were you able to find out  
15 anything concerning Mr. Conrad?

16 A No, I did not.

17 Q Did you attempt to?

18 A No, I was attempting to get something to eat  
19 because every place was crowded.

20 Q Would you through your lawyer, Mr. Altobelli,  
21 would you tell your lawyer the details as to how we  
22 might locate Mr. Conrad?

23 I would be glad to contact him.

24 A I will see if I can, yes.

25 MR. KANAREK: Your Honor, I make the motion that  
26 we adjourn to the Altobelli residence and take evidence

1 there in connection with the testimony of this witness.

2 MR. BUGLIOSI: That is a legal motion, your Honor,  
3 it should be at the bench.

4 THE COURT: That's right. If you wish to make a  
5 motion --

6 MR. KANAREK: What?

7 THE COURT: If you wish to make a motion, sir, as  
8 you have been instructed on a number of occasions, request  
9 the Court to approach the bench and hear the motion out  
10 of the presence of the jury.

11 MR. KANAREK: Your Honor, I thought it is argument.

12 On many occasions your Honor has asked me to  
13 make motions in open court.

14 THE COURT: You started to make your argument in  
15 addition.

16 Do you wish to approach the bench, Mr.  
17 Kanarek?

18 MR. KANAREK: Yes, may I?

19 THE COURT: Yes.

20 MR. KANAREK: Thank you.

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1 (Whereupon, all counsel approach the bench and  
2 the following proceedings occur at the bench outside of the  
3 hearing of the jury:)

4 MR. KANAREK: Your Honor, I would make the  
5 motion to go to the Altobelli residence in order to deter-  
6 mine and take testimony there as to the geography that this  
7 man is speaking of.

8 THE COURT: The geography? What do you mean by that?

9 MR. KANAREK: I mean, as to where he was and where  
10 Mr. Manson was.

11 THE COURT: He told you where they were.

12 MR. KANAREK: I know.

13 THE COURT: How will going to the scene change it?

14 MR. KANAREK: Well, obviously, the jury will be able  
15 to view the premises. The testimony is not even --

16 THE COURT: What is the purpose of a view? That is  
17 what I am trying to find out, Mr. Kanarek.

18 MR. KANAREK: So that we will be able to see the  
19 relationships of the distances in reality, in life, your  
20 Honor.

21 THE COURT: What distances?

22 MR. KANAREK: The distances in connection with the  
23 matters that he has spoken about.

24 THE COURT: You mean, how far he was from Mr. Manson?

25 MR. KANAREK: No. As to the detail of the premises,  
26 what the premises look like.

1 THE COURT: Of course, we have diagrams and photographs  
2 in great number showing all aspects of views of the  
3 premises.

4 MR. KANAREK: I understand that, your Honor, but that  
5 is why the Penal Code makes provision that the premises may  
6 be viewed.

7 THE COURT: It is a matter of discretion, I am trying  
8 to find out precisely why you want to do it.

9 MR. KANAREK: Because it is my belief that it will be  
10 much clearer to the jury in connection with the matters  
11 at the Tate residence.

12 The difference is just enormous, your Honor,  
13 between oral testimony and diagrams and integrating one  
14 diagram with another diagram and all of that.

15 When you actually go there, your Honor, and  
16 view it, the distances are more -- I am sure I don't have  
17 to point that out to the Court, the distances are more --

18 THE COURT: I think you do, Mr. Kanarek, because I  
19 fail to see, at this moment, why it would make the slightest  
20 bit of difference in view of the fact that the premises  
21 have been photographed extensively covering all the  
22 premises, in color, including all the structures, the  
23 location of the victims, the windows, the doors. We have  
24 a diagram showing the entire property.

25 MR. KANAREK: Well, your Honor, I can only analogize  
26 by saying that someone who is buying a house, you can look

1 at pictures and there are a lot of things you can do, but  
2 when you finally want to make a decision, you go out and  
3 view the premises.

4 Maybe that is a homely analogy and maybe it is  
5 not applicable, but I know that the Penal Code couches it  
6 in certain terms, and I am making the motion, and I think  
7 it is well taken.

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1 THE COURT: Does anybody else wish to be heard on  
2 the subject?

3 MR. FITZGERALD: I would ask, in the event that  
4 your Honor denies the motion, that it be denied without  
5 prejudice.

6 I think there is merit in it, not in regard  
7 to the testimony of Mr. Altobelli, but before the case is  
8 concluded it might well be relevant in some respect.

9 THE COURT: It might well be. If I deny the motion,  
10 it isn't with prejudice to renewing it again if the facts  
11 change; but as the situation now stands, I can't see the  
12 desirability or the necessity of going out there.

13 MR. KANAREK: We have a man that --

14 THE COURT: Do you wish to be heard, Mr. Bugliosi,  
15 in the matter?

16 MR. HUGHES: I would ask to join the motion, your  
17 Honor.

18 MR. BUGLIOSI: I don't think there is any question,  
19 your Honor, that a jury view would have some value. It  
20 certainly couldn't hurt.

21 The question is, whether it is worth it.

22 My position is that it is not worth it, your  
23 Honor. I think the value is extremely minimal. But it  
24 has some value, obviously -- the murders took place on  
25 the premise -- for the jury to get the flavor, as it were,  
26 of the premises.

1 I just don't think it is important, your  
2 Honor.

3 THE COURT: I don't see it either.

4 We have extensive photographs, in color, of  
5 the premises.

6 MR. BUGLIOSI: Right.

7 My point is that it is an affirmative thing.  
8 It could in no way hurt. It might be slightly helpful.

9 THE COURT: I don't even see how that has anything  
10 to do with the issues in the case.

11 There isn't any question but what five people  
12 were murdered there.

13 MR. BUGLIOSI: Right. Right.

14 THE COURT: The exact locations of their bodies  
15 have been pinpointed on the charts.

16 MR. BUGLIOSI: Right.

17 THE COURT: We have photographs of the victims lying  
18 as they lay at the time, presumably, that they fell.

19 MR. BUGLIOSI: Right.

20 THE COURT: I just don't see it.

21 MR. BUGLIOSI: There are certain things like -- again,  
22 on balance, I don't think it is worth it, I agree with the  
23 Court -- but there are certain things like the distance  
24 between the guest house and the main house.

25 THE COURT: You have got a scale diagram.

26 MR. BUGLIOSI: Yes, that is true.

1 THE COURT: It is on the board now, a large diagram  
2 facing the jury, and it has been facing them now for weeks.

3 MR. BUGLIOSI: I agree with you.

4 The seclusion of the premises is something.

5 But, again, your Honor, like the Court says,  
6 there are photographs.

7 THE COURT: We have aerial photographs showing it  
8 clearly. There is a large map on the wall facing the jury  
9 and has been for weeks.

10 MR. BUGLIOSI: On balance, I don't think it is  
11 necessary at all, on balance.

12 THE COURT: I am going to deny the motion without  
13 prejudice to renewing it. I see no desirability of such a  
14 trip at the present time.

15 MR. BUGLIOSI: Your Honor, just very briefly.

16 My recollection this morning is that Mr. Manson  
17 was not that affirmative about not coming back to court.  
18 He said something like "I can't make any promises."

19 THE COURT: He said, "I don't want to make any  
20 promise I can't keep," is what he said.

21 MR. BUGLIOSI: Right.

22 Which is somewhat ambiguous, your Honor.

23 I am wondering whether, somewhere along the  
24 line here, we should try to bring them into court again.

25 This is a very disturbing thing. People have  
26 mentioned to me -- other lawyers -- that they can see

27, 1964  
certain problems.

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2 I don't know what the answer is, and I am not  
3 saying that the Court isn't handling it properly. I am saying  
4 that this can be a very serious issue on appeal, and I am  
5 wondering whether we are touching all the bases, as it were,  
6 and insuring that we are not doing everything we are required  
7 to.

8 THE COURT: I have had no request from anyone so far  
9 for any defendant to return.

10 Alien vs. Illinois says that they may return  
11 when they express a desire to do so and conduct themselves  
12 in a proper manner.

13 I am still waiting for a proper request.

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1 MR. HUGHES: I think the interesting thing, your  
2 Honor, is that when Mr. Manson was brought in for identifi-  
3 cation this morning he in no way disrupted the courtroom.

4 MR. BUGLIOSI: That is another point I meant to mention  
5 and I forgot.

6 When he came in here he didn't say boo.

7 THE COURT: Of course he was brought in for a limited  
8 purpose and for a limited time, less than a minute, probably.

9 MR. FITZGERALD: As you know, I think you know all of  
10 the attorneys would prefer to have their clients in the  
11 courtroom.

12 THE COURT: Not one of you have made any request.

13 MR. FITZGERALD: But I cannot make a request based  
14 on what my client told me, that she is not willing to sub-  
15 scribe to your Honor's admonition.

16 I speak only as an attorney. I think it is to  
17 my client's best interest, obviously, to be here. I have  
18 no objection to her returning to the courtroom, in weighing  
19 in my mind the prejudicial effect she will have if she  
20 reacts before the jury.

21 On the other hand, I cannot represent to the  
22 Court -- I have to represent to the contrary: she does not  
23 affirm.

24 I would like to see her back.

25 THE COURT: All they have to do is ask.

26 MR. FITZGERALD: I understand that. I am just

1 arguing along the lines of Mr. Bugliosi, I have to go through  
2 a repetition of them acting up.

3 THE COURT: I don't think the Court is required,  
4 certainly Illinois vs. Allen does not require that when the  
5 defendants have disrupted the trial in the manner in which  
6 these defendants did, three days in a row, also attempting  
7 to attack the court, that the Court has to bring them in  
8 every day and let them do it all over again before it is  
9 convinced that they intend to disrupt the trial.

10 Illinois vs. Allen holds just the opposite.  
11 They may be kept out of the courtroom until such time as  
12 they express a desire to return and conduct themselves in a  
13 proper manner.

14 They have been so advised, and you have been  
15 advised many times. There cannot be the slightest  
16 possibility of misunderstanding on the part of anyone.

17 MR. FITZGERALD: I am not suggesting we do it every  
18 day. It's been two weeks.

19 THE COURT: They were brought in to chambers this  
20 morning and again asked by the Court.

21 MR. HUGHES: I believe the record is perfectly clear  
22 that only one of the defendants tried to attack the Court.

23 THE COURT: It is also perfectly clear that all four  
24 disrupted the trial and have done so on numerous occasions,  
25 the last series there were three days in a row that occurred.

26 MR. HUGHES: I think those were very mild-mannered

1 statements, your Honor.

2 THE COURT: That is not true, sir, far from true and  
3 you know it.

4 MR. HUGHES: I would certainly represent what  
5 Leslie Van Kouten said was very mild.

6 THE COURT: I don't care what you represent. I saw  
7 what I saw. It was a violent demonstration.

8 MR. SHINN: With the time lapsed, your Honor, maybe  
9 they had time to think about it, maybe if we try one more  
10 time they may behave, we don't know.

11 THE COURT: You may confer with them any time you like.

12 MR. FITZGERALD: I am not trying to be facetious.  
13 I ask the Court's good graces.

14 It may be a matter of pride. I sometimes get  
15 the impression that the defendants do not want to humble  
16 themselves by affirming to the Court that they will behave.

17 On the other hand they might, if you brought  
18 them in court, it's only they might, but they might if they  
19 came to court, if it wasn't an ego issue or an issue  
20 involving pride, it may continue on as necessary.

21 On the other hand I don't want to subject your  
22 Honor to any abuse. I honestly don't.

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1 THE COURT: I have gone as far as I intend to go with  
2 the defendants, gentlemen.

3 I have gone far far beyond what I was required  
4 to do in an effort to give them every opportunity to conform  
5 their conduct to the established rules of conduct in the  
6 courtroom.

7 They have abused it.

8 They have disrupted the court.

9 They have been violent.

10 They have been loud; they have been disorderly.

11 They have been contemptuous time after time  
12 after time.

13 They clearly understand what it takes to get  
14 back into court. They have been invited to come back when-  
15 ever they express a desire to do so, and I don't think the  
16 Court has to go any farther than that.

17 In fact, I know it doesn't.

18 MR. BUGLIOSI: There is no question the Court has  
19 been very fair with the defendants, more fair than  
20 required, unquestionably.

21 But this is such a fundamental right. It is  
22 a capital case, that sometimes we have to do things I  
23 would submit in spite of the defendants, in spite of them,  
24 try to make them comply.

25 THE COURT: All right, I have told you my thinking  
26 on the subject, gentlemen.

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1 MR. HUGHES: Is your Honor suggesting that the female  
2 defendants and particularly Leslie Van Houten had any  
3 violence towards the Court, directed any violence towards  
4 the Court?

5 THE COURT: The record is perfectly clear as to what  
6 happened, gentlemen.

7 Let's get on with the trial.

8 MR. KANAREK: I have just one other request, your  
9 Honor.

10 I will ask your Honor after court is over to  
11 request the press, your Honor, not to interfere.

12 I would like to say to the Court that Mr. Stan  
13 Atkinson at a time when I was trying to serve Mr. Hatami  
14 with the order re publicity for witnesses, interfered  
15 because he contemplated that he would not be able to get  
16 an interview.

17 I tried to obey the Court's order. He  
18 threatened me.

19 THE COURT: This occurred outside of the courtroom?

20 MR. KANAREK: Yes, your Honor.

21 THE COURT: That is a matter between you and Mr.  
22 Atkinson. I am not going to take it up now.

23 MR. KANAREK: I would welcome the good services of  
24 the Court.

25 THE COURT: I told you how to bring the matter to  
26 the Court's attention this morning, if you care to do so.

MR. KANAREK: Very well, your Honor, thank you.

(The following proceedings were had in open court in the presence and hearing of the jury.)

THE COURT: You may continue, Mr. Kanarek.

MR. KANAREK: Thank you, your Honor.

BY MR. KANAREK:

Q Can you hear me, Mr. Altobelli?

A Yes, I can.

Q Now, Mr. Altobelli, is it a fair statement that while Sharon Tate and Abigail Folger, Mr. Frykowski, Mr. Sebring -- while they were on the premises, and I know Mr. Sebring was there from time to time -- is that correct?

A As far as I know, yes.

Q That many people visited the premises?

A Is that the end of your question?

Q Yes -- I'm sorry -- other than the four that I named.

A Well, they got in there February 15th and in March we left, so it was less than a little over a month.

And when you live in the back, the way it is situated up there, you don't really see who is coming in and going out.

And I was not aware of a lot of activity.

They did have friends, and Mr. Polanski does work and he did work a lot at home, so he did have a lot

1 of his associates visit him.

2 Q And is it a fair statement that many of the  
3 people who visited had long hair?

4 A I don't even know today -- I don't really know--  
5 yes, some of them had long hair.

6 Q Now, directing your attention to the time when  
7 you first came back after hearing of the passing away of  
8 the people at the Tate residence, is it true that when you  
9 came to Los Angeles that you called your lawyer instead of  
10 the police concerning the matters at the Tate residence?

11 A Yes, that is true.

12 Q And is it true that arrangements were made for  
13 a conference, interview, at your lawyer's office?

14 A Yes, that is correct.

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1 Q And is it true that at that visit you did not  
2 mention Mr. Manson?

3 A I did not mention anyone.

4 Q Well, you spoke, is that correct?

5 A I talked to the police. They asked me  
6 questions; I answered the questions that they asked me.

7 Q Now, your state of mind was --

8 Is it true your state of mind was that you  
9 have told us that you thought <sup>of</sup> Mr. Manson in August of  
10 1969 when you returned to Los Angeles?

11 A That's correct.

12 Q And no one prevented you from speaking either  
13 through your lawyer or directly to law enforcement officers  
14 concerning Mr. Manson, is that right?

15 A That is correct, but I did not speak with -- of  
16 Mr. Manson in that way.

17 Q Well, you did not speak of Mr. Manson at all to  
18 law enforcement officers?

19 A No, that is correct.

20 Q And is it a fact that the law enforcement  
21 officers and you spoke of concerning people who might be  
22 involved in connection with the matters which occurred with  
23 the passing away of these people?

24 A No, as a matter of fact, I did not.

25 Q There was no conversation concerning the facts  
26 or alleged facts surrounding the passing away of the people

1 at the Tate residence?

2 A They asked me the relationship between -- what  
3 I knew about the relationship between Roman and Sharon.

4 They asked me about Roman and did I know these  
5 people.

6 I said I had met them casually, I knew Jay  
7 Sebring.

8 They knew I had been in Europe for some time.  
9 I was in Europe when it happened.

10 They asked me about Garretson, and they did not  
11 ask me to give any opinions on who I thought may have or  
12 could have.

13 Q There was no limitation put on you by either  
14 direct statement or by inference as far as your state of  
15 mind was concerned as to who you should mention to the  
16 police, is that correct?

17 A Mr. Kanarek, I was in a state of mind. I just  
18 came from a funeral of somebody whom I loved, I love my  
19 home, I was very upset and I was not thinking to accuse  
20 anyone. I could not imagine anyone.

21 Nobody came to my mind that I could possibly  
22 think could do it.

23 I had no idea.

24 And the way the questions were that the police  
25 asked me did not warrant me giving any opinions on anyone  
26 or who I might have thought did it.

1 Q Well, in this courtroom today, Mr. Altobelli,  
2 you certainly do not appear to be the kind of person who  
3 does not speak out or speak up if you are of such a mind.

4 A That is one of my problems, yes.

5 Q Is that that you speak up and speak out?

6 A If I believe it, yes.

7 Q If you believe something you speak up and speak  
8 out, right?

9 A Yes.

10 Q Now, you also told us, and perhaps I did not hear  
11 you right, and if I did not hear you right I apologize.

12 You have just told you loved Sharon Tate very  
13 much.

14 A Yes, that's correct.

15 Q I believe just a few minutes before you stated  
16 that you knew these people casually.

17 A I knew her a short time. We got to know each  
18 other very well and I loved what she represented to me.

19 Q Well, did she then, may I ask you, and I am  
20 only asking these questions because we are in this courtroom  
21 on serious business, Mr. Altobelli, I'm sure you recognize,  
22 I hope you do.

23 A Yes.

24 Q Did you know Sharon Tate casually or did you  
25 know her, or did you feel as you indicated the loss of a  
26 very dear friend?

1 A Yes, it was working on a very close, nice  
2 friendship, yes.

3 Q Pardon?

4 A It was a very close, nice friendship, the short  
5 time that it was.

6 Q So then it is not a fair statement to say you  
7 knew her casually?

8 A I said I knew them a short time at the house,  
9 and the people who visited there.

10 I was there a short time at the house before I  
11 went to Europe, a little over a month they were there  
12 before we went to Europe.

13 I spent time with Miss Tate in Roma. We stayed  
14 at the same hotel; we knew the same people and we saw each  
15 other frequently.

16 Q So then it is a fair statement you did not know  
17 her casually?

18 A I guess so, yes.

19 Q Now, would you tell me, Mr. Altobelli, if you  
20 would, please, when you spoke to the police it was not a  
21 straight question and answer type of session, was it?

22 I'm speaking now of the first time that you  
23 spoke to the police.

24 A I don't understand what you mean by a straight  
25 question and answer.

26 Q Well, like this, what you and I are going

1 through is a somewhat formal type of proceeding.

2 I am supposedly asking questions and you are  
3 supposedly giving answers, right?

4 A They were very compassionate to my feelings,  
5 as to my feelings, and what I may have been feeling that day,  
6 and they were very nice to me.

7 Q Right, but granting all of that, still is it true  
8 that it was not the somewhat formal type of proceeding that  
9 we are having here where I am asking questions and you are  
10 giving answers, hopefully, to the questions I am asking?  
11 It was more of a conversation kind of interview, right?

12 A It was questions.

13 Q It was questions?

14 A Questions, they just asked me questions.

15 Q And there was no conversation between you  
16 and Mr. Hirsch and the police --

17 Was there just one police officer there?

18 A Two.

19 Q What were their names?

20 A I don't know.

21 Q There was no conversation among the four of  
22 you?

23 A Just casual conversation.

24 Q Not casual, but I mean conversation wherein  
25 each person would more or less speak up at will?

26 A They were asking me questions about Sharon and

1 Roman mainly.

2 Q I see. Now, did they ask you any questions  
3 concerning other people who may have been to the Tate  
4 residence, police officers?

5 A They asked me about a party that was given by  
6 Sharon and Roman. It was a housewarming party.

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1 Q Would you -- pardon me -- I'm sorry. Go  
2 ahead.

3 A About the people that were there, and who was  
4 there, and about a fight that they thought had taken place,  
5 and I forget the man's name -- he was publicized quite  
6 a bit at the time -- I don't remember the boy's name,  
7 where Roman threw him out of the party.

8 Q All right.

9 Now, would you tell us the conversation,  
10 Mr. Altobelli?

11 There was a conversation about someone being  
12 thrown out of a party?

13 A Roman and he got in a fight.

14 Q Is that correct?

15 A Yes.

16 Q What was said by you and Mr. Hirsch and the  
17 two officers? If you would give us as completely as  
18 possible what he said.

19 A I said --

20 MR. BUGLIOSI: Irrelevant, your Honor. Hearsay.

21 THE WITNESS: I said I did not --

22 MR. BUGLIOSI: Just a minute.

23 Hearsay, your Honor. Calling for not the  
24 nature of the conversation but the actual conversation.

25 MR. KANAREK: It is not offered for the truth of  
26 the facts asserted, your Honor, it is offered at this

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1 time for the fact that there was a conversation and words  
2 uttered.

3 THE COURT: The objection is sustained.

4 BY MR. KANAREK:

5 Q Well, when, Mr. Altobelli, did this party take  
6 place?

7 A I think the beginning of March. I don't know  
8 exactly when.

9 Q And you spoke to the police officers concerning  
10 a party that occurred in the beginning of March?

11 A They asked me about it, yes.

12 Q I see,  
13 Had there been a police report concerning this  
14 party?

15 MR. BUGLIOSI: Calls for a conclusion, your Honor.

16 THE WITNESS: I don't know what you mean.

17 THE COURT: Sustained.

18 BY MR. KANAREK:

19 Q Did the police officers indicate to you that  
20 there was a police report?

21 MR. BUGLIOSI: Calls for a conclusion.

22 MR. KANAREK: May I finish the question, your Honor?

23 Q To your knowledge, Mr. Altobelli, did the  
24 police indicate to you that there had been written a police  
25 report concerning the incident of the party?

26 MR. BUGLIOSI: Calls for a conclusion. Also

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1 irrelevant and also hearsay.

2 THE COURT: Sustained.

3 BY MR. KANAREK:

4 Q Now, when, in March, did this incident occur,  
5 Mr. Altobelli?

6 A What incident?

7 Q The incident of the party when Mr. Polanski --

8 A I don't know exactly the date. I don't know.

9 Q Well, could you give us an estimate of when  
10 it occurred?

11 A I said possibly the beginning of March.

12 Q But it could have been later on in March?  
13 Is that right?

14 A Possibly, yes.

15 Q Is that right?

16 A Possibly.

17 Q And in connection with that incident, Mr. Alto-  
18 bell, to your knowledge, you knew that Mr. Polanski had  
19 thrown someone out of that party?

20 A I did not know it until the police told me,  
21 that he asked somebody to leave.

22 Q I see.

23 Did they tell you the name of the person?

24 Did they tell you the name of the person that  
25 was asked to leave?

26 A Yes.

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1 Q What was the name of that person?

2 A I don't remember.

3 Q You don't remember that?

4 A No.

5 Q And so, Mr. Altobelli, your mind was focused  
6 on March, upon the month of March, 1969, by this conversa-  
7 tion, by the interview, or whichever way you want to  
8 term it, whatever occurred in Mr. Hirsch's office?

9 A I don't know what you mean.

10 Q Well, your thinking was directed towards  
11 March of 1969.

12 A When we left for Rome, yes. Possibly. I  
13 don't know what you mean.

14 Q Well, I mean, during that conversation,  
15 March of 1969 occurred; right?

16 A During that conversation?

17 I don't understand the way you are wording that.

18 Q The month of March, 1969, came up in your  
19 conversation with the police officers; is that right?

20 A The party came up. There was no date given,  
21 as I remember, or month.

22 Q Well, you are now telling us this was in March  
23 of 1969.

24 A I said I think it was. I don't really know  
25 when the party was.

26 They gave a house warming party. There were

1 several people there.

2 Q Upon what do you base your statement that you  
3 think it was March of 1969?

4 A It could have been. I don't know. I don't  
5 know.

6 Q You don't know why you think of that?

7 A No.

8 Q Was the month of March, 1969, discussed among  
9 you four people when you were talking about --

10 A Possibly.

11 Q Whenever you talked about it?

12 A It is possible.

13 I think if you find out who the detectives  
14 are that questioned me, they could tell you much better  
15 than I could.

16 Q Now, after this initial conversation that you  
17 had with the authorities, the Los Angeles Police Officers,  
18 in the presence of your attorney, Mr. Altobelli, did you  
19 have any subsequent conversation with Los Angeles Police  
20 Officers or law enforcement officers prior to the time you  
21 spoke to Mr. Bugliosi?

22 A Lieutenant Helder.

23 Q And Lieutenant Helder was in charge of the  
24 investigation in this case?

25 A That is correct.

26 Q You spoke with him when? How long after the

1 time that you spoke in the offices of your attorney with  
2 the people that you have told us about?

3 A I don't really know.

4 Q Pardon?

5 A I don't really know.

6 Q Would you please give us an estimate?

7 A I couldn't because I don't know.

8 Q May I ask you, was it a month later?

9 A I didn't talk with the police officers in March  
10 of '69. I talked to them in August, No. 1.

11 Q Mr. Altobelli, you have told us that in August  
12 of 1969 you spoke with the people that you have told us  
13 about.

14 A Yes, the police, and then I talked to Lieutenant  
15 Helder after that.

16 Q All right.

17 A On a couple of occasions, concerning the house  
18 and about belongings that were in the house that were not  
19 there and things that the police have now, like my cutlery.

20 Q Now, my question is, Mr. Altobelli: How long  
21 after the conference in your attorney's office did you then  
22 speak or next speak to any law enforcement officer? Next  
23 speak?

24 A Lieutenant Helder. I don't know how long it  
25 was.

26 Q And you spoke to Lieutenant Helder on several

1 occasions?

2 A On a couple of occasions, yes.

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1 Q Now, would you tell us, on the first occasion,  
2 who was present?

3 A We always talked by phone.

4 Q Did you have someone listen in on the phone?

5 A No.

6 Q Now, Mr. Altobelli, directing your attention to  
7 these conversations. You say there were a couple of them;  
8 two, three, four?

9 A Yes. Two. I don't really know.

10 Q And in any of these conversations, Mr.  
11 Altobelli, did you mention Mr. Manson?

12 A No, I did not.

13 I didn't mention anyone. We didn't talk about  
14 people.

15 Q Now, at some time after the time you spoke to  
16 Mr. Helder, did you speak to any other law enforcement  
17 officers prior to the time that you spoke to Mr. Bugliosi?

18 A No.

19 Q Between the time that Mr. Bugliosi --  
20 pardon me -- between the time that you spoke, that you  
21 last spoke, to Officer Helder and the time that you spoke  
22 to Mr. Bugliosi, is it a fair statement that you knew that  
23 Mr. Manson had become a defendant in this case?

24 A You are going to have to repeat that.

25 Q Certainly.

26 Between the time that you spoke to officer

1 Helder and the time that you spoke to Mr. Bugliosi, did you  
2 become aware of the fact that Mr. Manson had become a  
3 defendant in connection with the matters that had occurred  
4 at the Tate residence?

5 A Yes.

6 Q Now, is it a fair statement, Mr. Altobelli, that  
7 in the latter part of 1969 you became aware of Mr. Manson --  
8 of the allegations concerning Mr. Manson?

9 A Yes.

10 Q And did you, having knowledge -- I will withdraw  
11 that.

12 A At that time, when you became aware of  
13 Mr. Manson's becoming a defendant in this case, Mr. Altobelli,  
14 did you contact any law enforcement officers?

15 A No, I did not. I was in London at the time.

16 Q But you had access to cables?

17 A Yes.

18 Q And you could talk to people?

19 A Yes.

20 Q And telephones?

21 A Yes.

22 Q I mean, you were not incommunicado in London,  
23 were you, Mr. Altobelli?

24 A No.

25 Q You were free to come and go as you pleased?

26 A Yes, that is correct.

1 Q Now, is it a fair statement, Mr. Altobelli,  
2 that your state of mind is such that you feel very unhappy  
3 about these events having occurred on your premises?

4 A My state of mind what?

5 Q Is your state of mind such that you are very  
6 unhappy, you feel very bad, that these events, the passing  
7 away of these people, occurred on your premises?

8 A If it had happened at your house with your  
9 friends --

10 Q You see, Mr. Altobelli --

11 A Of course I feel badly and I am sad.

12 Q Mr. Altobelli, if you would take these  
13 questions in the light that they are given. You have  
14 professed to want someone to get a fair trial. I am not  
15 asking the questions out of malice, I am asking these  
16 questions for only one purpose, Mr. Altobelli, to have you  
17 give answers, and I would hope that you would take them in  
18 the light that these questions are offered to you. I am  
19 not arguing with you.

20 THE COURT: Get to your next question, Mr. Kanarek.

1 MR. KANAREK: Yes, sir.

2 Q So, it is a fair statement that you felt, from  
3 the beginning, from the time that you first heard about  
4 these people passing away, it is a fair statement that you  
5 felt very keenly about these events taking place on your  
6 premises?

7 A I don't understand what you mean by "keenly."

8 Q You felt strongly, very unhappy, that these  
9 people had passed away on your premises?

10 A A little stronger than that.

11 Q Pardon? How strongly did you feel? Tell us  
12 your state of mind.

13 A Those are my personal feelings and I don't  
14 have to air them in this courtroom.

15 Q Well, Mr. Altobelli, would you please tell us  
16 what your state of mind was? You say it is even stronger  
17 than the question.

18 A I mean, how badly I felt.

19 Q Yes.

20 A Yes. Not against anyone.

21 Q I am not intimating that you were against  
22 anyone, Mr. Altobelli. I merely want your state of mind.

23 Would you describe your state of mind as to  
24 how these events affected your state of mind?

25 MR. BUGLIOSI: It is irrelevant, your Honor.

26 THE COURT: Asked and answered.

1 MR. KANAREK: Pardon?

2 THE COURT: It has been asked and answered.

3 MR. KANAREK: Very well, your Honor.

4 Your Honor, I thought he said that it was even  
5 stronger than my question. But very well, your Honor.

6 THE WITNESS: That was the answer.

7 MR. KANAREK: Q Now, Mr. Altobelli, would you  
8 step to the blackboard, please, or that board over there?

9 (The witness leaves the stand and approaches  
10 the board and Exhibit 8.)

11 MR. KANAREK: Your Honor, may I go through that  
12 forbidden area there because of this microphone?

13 THE COURT: Yes.

14 MR. KANAREK: Q Now, Mr. Altobelli, is it true  
15 that you have discussed some of these matters with  
16 Mr. Hatami from time to time?

17 A No, I haven't discussed the matters with  
18 Mr. Hatami at all.

19 Q Would you speak up so the ladies and gentlemen  
20 of the jury can hear you?

21 THE COURT: Mr. Altobelli, use the microphone.

22 Mr. Kanarek, you can use one of the other  
23 microphones on counsel table.

24 MR. KANAREK: Certainly, your Honor.

25 THE WITNESS: I have not discussed matters with  
26 Mr. Hatami.

1 I don't understand what matters you mean.

2 MR. KANAREK: Q Well, is it a fair statement  
3 that you knew that Mr. Hatami was subpoenaed here to  
4 testify?

5 A I saw him in the office yesterday -- or I saw  
6 him here yesterday.

7 Q That is, before --

8 A I was not aware that he was subpoenaed, no.  
9 I assumed he had been subpoenaed.

10 Q You assumed that he had been?

11 A Yes. But I did not know.

12 Q As to whether technically he had been subpoenaed  
13 or not, you did not know; right?

14 A I did not know.

15 Q But is it a fair statement that you discussed  
16 with Mr. Hatami certain matters concerning Mr. Hatami's  
17 presence at the Tate residence?

18 A No, I haven't discussed it with him.

19 Q You didn't speak with him at all?

20 A I have spoken to him but not about his presence  
21 at the Tate residence.

22 I don't know what you mean.

23 He said he was there.

24 THE COURT: Keep your voice up, please, sir.

25 THE WITNESS: Me?

26 THE COURT: Yes.

1 THE WITNESS: Yes, sir.

2 I knew he was there the night before we left  
3 for Rome, that Sharon and I left for Rome.

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1 BY MR. KANAREK:

2 Q And you and he spoke about this; right?

3 A When?

4 Q At some time subsequent to your return from  
5 Rome, in August of 1969, between that date and this date,  
6 you and Mr. Hatami have spoken?

7 A No.

8 Q First, have you and Mr. Hatami spoken between  
9 August of 1969 and --

10 A Once on the telephone.

11 Q May I finish, Mr. Altobelli?

12 A Yes.

13 Q Between August of 1969 and this day?

14 A Yes.

15 Q Now, let's say between August of 1969 and  
16 let's say, a week ago last Monday.

17 A Yes.

18 THE COURT: Mr. Kanarek, are you intending to examine  
19 this witness with regard to that chart?

20 MR. KANAREK: Yes, your Honor.

21 THE COURT: Then please get to it.

22 MR. KANAREK: Very well.

23 IF I may just ask this one question, your  
24 Honor.

25 Q Have you spoken with Mr. Hatami between August  
26 of 1969, when you returned from Rome, and, say, a week ago

16d-2

1 last Monday?

2 A Nothing about -- it was before Manson or anybody  
3 else was arrested for this, and it was about something that  
4 had nothing to do with Manson or anybody else that was  
5 arrested, or about the night before we left for Rome.

6 It was about a newspaper article in London.  
7 And that was the only thing.

8 MR. KANAREK: Your Honor, may all of that be stricken?  
9 My question was whether or not he had spoken with him.

10 THE COURT: Mr. Altobelli, you may resume the witness  
11 stand.

12 MR. KANAREK: Very well, your Honor. I will  
13 interrogate him, then, if I may.

14 May I have a ruling on that?

15 THE COURT: The motion is denied.

16 BY MR. KANAREK:

17 Q Now, would you show us, Mr. Altobelli, where  
18 you lived?

19 Withdraw that.

20 Did you live on these premises in March of  
21 1969?

22 A Yes, I did.

23 Q Did you live there in February? You did live  
24 there for quite a period of time, right?

25 A Yes, I have lived there for seven years.

26 Q Seven years?

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A Yes.

Q Prior to which date? When did the seven years begin?

A November 19th, 1963, I guess.

Q Now, would you point out where your living quarters are?

A When?

Q Presently then, let's ask you.

A Presently?

Q Yes.

A Right here (indicating).

Q Here is a pencil.

A I live in the main house.

Q Oh, you live in the main house presently?

A Yes.

Q Now, directing your attention to the time when the Polanskis lived on these premises, where did you live?

A I lived in the guest house.

Q Would you show us where in the guest house you lived?

A All the guest house.

Q All right.

Then you and Mr. Garretson both lived in the guest house?

A No.

Mr. Garretson did not live with me. He moved

16-4

1 in when I moved out to go to Rome.

2 Q In other words, are you telling us that when you  
3 lived in the guest house, you lived there alone?

4 A That is correct.

5 Q All right.

6 Now, where --

7 A Excuse me.

8 Am I being rude turning this way, your Honor?

9 THE COURT: No.

10 MR. KANAREK: I will withdraw that.

11 Q Now, where were you when you saw this man that  
12 you say was Mr. Manson?

13 A I was here. There is a double door here. I  
14 was here and he was here.

15 Q All right.

16 Now, would you put an A for Altobelli as to  
17 where you were?

18 Please do it yourself.

19 THE CLERK: Do you want this in ink or pencil?

20 THE WITNESS: He was here and I was right about  
21 here.

22 MR. KANAREK: Put an M for where he was.

23 THE WITNESS: Okay.

24 (The witness marks.)

25 BY MR. KANAREK:

26 Q Now, could you make it just a little clearer,

1 Mr. Altobelli?

2 A Yes.

3 (The witness marks.)

4 Q You are not used to doing blackboard work?

5 A No.

6 Q Is it imposing?

7 A No.

8 Q It is not?

9 A No. Okay.

10 THE COURT: Keep your voice up.

11 THE WITNESS: I said no, okay.

12 BY MR. KANAREK:

13 Q When you saw Mr. Manson, had you heard a knock  
14 or something prior to the time you saw the person that you  
15 say is Mr. Manson?

16 A I was in the shower right here, and my dog  
17 Christopher was barking.

18 He barks very loud, and I knew it was a people  
19 bark. There is a difference between an animal bark and a  
20 people bark.

21 Q Right.

22 A And it was a people bark.

23 And I turned off the shower, got out, put a  
24 towel around me, and there he was.

25 Q All right.

26 Now, at that time, was Mr. Hatami in your

1 view at that time?

2 A Hardly.

3 Q He was not in your view at all?

4 A No. Mr. Manson was in my view.

5 Q And on that day was Mr. Hatami in your view  
6 at a time when Mr. -- I will rephrase that.

7 Were you, Mr. Hatami and Mr. Manson in each  
8 other's presence at any time that day?

9 A No.

10 Q Now, directing your attention to Mr. Manson or  
11 the person that you say was Mr. Manson.

12 Did you call any police agency in connection  
13 with the presence of this person?

14 A No.

15 Q What time of the day was it that you saw this  
16 person?

17 A In the evening.

18 Q When you say in the evening, what time in the  
19 evening?

20 A I didn't have a watch on. It was in the  
21 evening. I don't know, 8:00, 9:00 o'clock.

22 Q 8:00, 9:00 o'clock at night; right?

23 A I don't know.

24 Q So, it was dark outside; right?

25 A Except for the lights, yes.

26 Q Except for the lights?

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A Yes.

Q Now, what lights are you speaking of?

A There are two lights, here and here. This is  
all glass here and all glass here and glass here. The  
lights were on all over, so it makes it very bright.

17 fls.

17-1

1 Q Now, the person that you say was Mr. Manson,  
2 was in your presence how long?

3 A A few minutes.

4 Q A very few minutes?

5 A A few minutes.

6 Q Well, how many minutes?

7 A Well, I don't know. I did not time it. I did  
8 not think about it in time.

9 It was long enough to say what I said this  
10 morning.

11 Q One minute, two minutes, three minutes?

12 A I don't know how long that takes.

13 Q I see.

14 Now, was there anything about that incident  
15 that caused you to make any written note whatsoever?

16 THE COURT: You may resume the witness stand,  
17 Mr. Altobelli.

18 (Witness resumes the stand.)

19 Q BY MR. KANAREK: You made no written notes, is  
20 that correct, Mr. Altobelli?

21 A No.

22 Q Concerning this incident?

23 A No, I did not.

24 Q Now, you spoke after -- after you first found  
25 out that Mr. Manson was a defendant in this case how long  
26 was it before you spoke to Mr. Eugliosi?

1. A I don't know, I don't remember how long it was.  
2 I spoke to Mr. Bugliosi maybe five or six months ago.

3. Q Was it three months ago?

4 A I said five or six months ago.

5 Q Five or six months ago you say now?

6 A Yes.

7 Q Now, in that entire period between the time  
8 that you spoke to Officer Helder and the time you spoke to  
9 Mr. Bugliosi, did you tell anyone in law enforcement anything  
10 concerning Mr. Manson's presence in March of 1969?

11 A I report? No.

12 Q Not at all, right?

13 A That's correct.

14 Q Now, when you spoke to Mr. Bugliosi, was that  
15 conversation recorded between yourself and Mr. Bugliosi to  
16 your knowledge?

17 A Not to my knowledge, no.

18 Q Was there any stenographic reporter present?

19 A No, there was not.

20 Q So as far as you know there was no word-for-  
21 word recording of what you said to Mr. Bugliosi and what  
22 he said to you?

23 A My attorney took notes, which I have.

24 Q You do have those notes?

25 A Yes, he has those notes.

26 Q I see, your attorney does?

- 1 A Yes.
- 2 Q And the only people present were you, yourself,  
3 your attorney, yourself and Mr. Bugliosi?
- 4 A Yes.
- 5 Q Now, in connection with this party that you  
6 are speaking of in March of 1969, were you there in the  
7 guest house at the time this party was going on?
- 8 A I was at the party.
- 9 Q And did you observe -- did you observe the  
10 person that Mr. Polanski caused to be thrown out?
- 11 A The alleged person, yes, the alleged throwing  
12 out, yes.
- 13 Q How many people were at that party?
- 14 A Many.
- 15 Q Well, would you tell us?
- 16 A I don't really know.
- 17 Q Could you give us an estimate?
- 18 A I don't know, 60, 70, I don't know.
- 19 Q 60 or 70?
- 20 A Possibly, yes.
- 21 Q That is your estimate?
- 22 A Yes.
- 23 Q Did any of those people have long hair?
- 24 A The women.
- 25 Q I'm talking about the men.
- 26 A Well, I don't know what you consider long hair

1 today, because in my business long hair and short hair --

2 It could be short to her. Mr. Polanski's  
3 hair is semi-long and was at the time.

4 Q But you gave us an illustration this morning  
5 concerning some kind of hair-do in the 40's, you said.

6 A Yes.

7 Q Were the people there --

8 A Do you consider anything over the ears, below  
9 the ears, long hair?

10 Q May I ask you this, was any of the hair hanging?  
11 Did anybody have any hair that was hanging?

12 A I imagine it was.

13 Q I'm speaking in terms of men.

14 A Yes, I understand.

15 But you know, if it is down over the ears it's  
16 hanging, isn't it?

17 I don't know, unless it is sticking straight  
18 out, I don't know what you are talking about.

19 Q What I'm talking about?

20 A Long hair is long hair; short hair is short  
21 hair; semi-long --

22 Q Let me ask you this, Mr. --

23 A Altobelli.

24 Q -- Altobelli, thank you.

25 Did anybody there have hair that you would  
26 consider long?

1 MR. BUGLIOSI: Irrelevant, your Honor.

2 THE COURT: Sustained.

3 Q BY MR. KANAREK: Well, directing your attention  
4 to the man that you saw -- you were smiling, Mr. Altobelli.

5 A Well, I just looked at Mr. Hughes.

6 Q Directing your attention, Mr. Altobelli, to the  
7 people at this party, were there people of varying degrees,  
8 varying height, were there men, say, five feet, five feet  
9 four, five feet eight, up to maybe six foot, six foot two,  
10 something like that?

11 MR. BUGLIOSI: Irrelevant.

12 THE WITNESS: I would say so.

13 THE COURT: Sustained.

14 MR. KANAREK: Your Honor, may I approach the bench  
15 on this?

16 THE COURT: You may not.

17 Ask your next question.

18 Q BY MR. KANAREK: Did you speak -- when you  
19 spoke to Mr. Bugliosi concerning Mr. Manson, did you speak  
20 with him for some period of time?

21 A With Mr. Bugliosi?

22 Q Yes.

23 A I don't know. What do you mean by "period of  
24 time," two minutes, three minutes, five minutes, 20  
25 minutes?

26 Q Yes, how long?

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A I don't know,

Q You don't remember?

A I don't know, just by the charges of my attorney,  
I can go by that.

Q I see, you paid your attorney to be present,  
is that correct?

A No, he set up the appointment with Mr. Bugliosi.

Q I see.

A I was told Mr. Bugliosi wanted to see me and  
talk to me, and I consented and I met at the time --  
Mr. Bugliosi was already there when I got there, and we  
talked.

He asked me questions and I answered them.

I left, he left.

Q Now, if it could be arranged that I would pay  
your attorney to talk with you, would you meet with me the  
way you did with Mr. Bugliosi?

A No, my attorney works by the hour, whatever he  
is to get.

Q I see.

A And his time is worth money like yours is or  
anyone else's.

Q But if in this instance, if I would pay to  
meet with your attorney, I would pay, would you meet with  
me and your attorney?

THE COURT: Do you have any further examination,

1 Mr. Kanarek?

2 MR. KANAREK: Yes, your Honor.

3 THE COURT: I suggest you get on with it.

4 Q BY MR. KANAREK: Now, Mr. Altobelli, when you  
5 spoke with Mr. Bugliosi concerning Mr. Manson, were any  
6 pictures shown to you?

7 A Yes, there were.

8 Q There were pictures shown to you?

9 A But not of Mr. Manson.

10 Q I see. Pictures of other people were shown to  
11 you?

12 A No, no people.

13 Q No people?

14 A It was a squawk box / <sup>and</sup> one of my cats, Arnold.

15 Q Go ahead.

16 A That is it.

17 Q I see. So there was no intent -- I will withdraw  
18 that.

19 There were no pictures given to you so that you  
20 could, in your conversation with Mr. Bugliosi, say, pick  
21 out from a group of pictures, "This is the man; that is  
22 Mr. Manson; that was the man there in March," and so  
23 forth?

24 A No, no.

25 Q And when you spoke -- have you at any time, at  
26 any time, Mr. Altobelli, gone to a lineup of people where

Mr. Manson was present?

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A No, I did not go to a lineup.

Q No one has called you to any such lineup, is that correct?

A Right.

Q Now, there was no real reason, was there, Mr. Altobelli, to remember this incident you say concerning the man that you say is Mr. Manson?

A Yes, there was.

Q There was a reason, right?

A It stuck in my head because I heard about him so often and I had specially expressed to Gregg and to Dennis and to Terry that I did not want to be involved with the philosophies of this group.

Q I see. So it is a fair statement that at that time you had developed an antipathy toward Mr. Manson?

A I don't know what you mean.

Q You don't know what I mean?

A I did not have anything against him, I just know I make my money and I want to keep it and give it to wherever I want to give it, and not give it to people that I don't know, that do nothing.

Q I see, so it's a fair statement that as early as, well, a long time ago, let's put it that way, you did not like Mr. Manson, right?

A I don't dislike him.

1                   Anybody can have and do whatever they want to  
2 do as long as I am not forced or I am not intimidated in any  
3 way to do something I don't want to do.

4           Q       Well, let's put it this way.

5           A       Or belong to.

6           Q       Whatever you thought the philosophy of Mr. Manson  
7 was, you did not like that, a long time before you ever came  
8 to this courtroom, is that right?

9           A       No, I don't believe in people doing nothing and  
10 I should work and pay for that.

11          Q       If that happens to be somebody's philosophy,  
12 let's say, for instance, you would not approve of that?

13          A       I don't approve of it for me to be involved.  
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1 Q Yes, so you associate a person's philosophy  
2 with a person?

3 A Anyone else who wants to do it, it's fine with  
4 me, Terry and Dennis and Gregg all felt -- of course Gregg  
5 did not contribute anything financial, but whatever they  
6 felt about him was fine with me as long as I was not  
7 involved.

8 And they talked to me on many occasions about  
9 Mr. Hansen and about his philosophy, and they wanted  
10 Dean to talk to me, and they thought it was a way of life.

11 I did not think it was a way of life because I  
12 worked too hard to get where I am, and I don't know where  
13 that is yet; I am still working at it.

14 Q And if you see someone -- oh, well, I won't  
15 ask that.

16 So it is a fair statement then, Mr. Altobelli,  
17 that you had no interest in Mr. Hansen as a client. That  
18 is sheer absolute untruth.

19 MR. BUGLIOSI: Asked and answered.

20 MR. KANAREK: No, it isn't.

21 THE COURT: Sustained.

22 THE WITNESS: Thank you.

23 BY MR. KANAREK:

24 Q Well, at the time in March of 1969, Mr. Alto-  
25 belli, when you have previously told us that you saw  
26 this person that you are speaking of, did you consider

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1 Mr. Manson, wherever he may have been, whether he was on  
2 those premises or not, a potential client?

3 MR. BUGLIOSI: Asked and answered.

4 THE COURT: Read the question, please.

5 (Whereupon the reporter reads the question  
6 as follows:

7 "Q Well, at the time in March of 1969,  
8 Mr. Altobelli, when you have previously told us  
9 that you saw this person that you are speaking of,  
10 did you consider Mr. Manson, wherever he may have  
11 been, whether he was on those premises or not, a  
12 potential client?"

13 THE COURT: Overruled, you may answer.

14 THE WITNESS: I would consider you as a potential  
15 client.

16 THE COURT: Answer the question.

17 THE WITNESS: That is it, that is the answer, sir.

18 THE COURT: That is not an answer. Answer the  
19 question.

20 THE WITNESS: Well, he will have to repeat it again  
21 then.

22 THE COURT: The question is whether you considered  
23 Mr. Manson to be a client, a potential client?

24 THE WITNESS: If he were working and producing,  
25 possibly, yes.  
26

17a-3

1 BY MR. KANAREK:

2 Q May I have an answer to the question, Mr. Alto-  
3 bellii?

4 The question is at that point in time in March  
5 of 1969, did you, in fact, consider Mr. Manson, wherever  
6 he may have been located, to be a potential client?

7 That is the question, sir, not any other ques-  
8 tion.

9 That is the question.

10 A I cannot answer it any other way.

11 I cannot answer it any other way.

12 Q Well, did you or didn't you?

13 MR. BUGLIOSI: Too ambiguous, your Honor.

14 MR. KANAREK: I don't think it's ambiguous, your  
15 Honor.

16 MR. BUGLIOSI: It is also irrelevant.

17 THE WITNESS: I was not thinking of anything at the  
18 time but going to Europa and doing my work with the people  
19 I was working with.

20 BY MR. KANAREK:

21 Q And you were not paying too much attention to  
22 anybody -- I'm sorry, your Honor, science has let us down.  
23 It isn't working (indicating the microphone).

24 THE COURT: It is turned down for a reason, Mr.  
25 Kanarek.

26 MR. KANAREK: Very well, your Honor.

17a-4

BY MR. KANAREK:

1 Q Mr. Altobelli, at that time then your interest  
2 was focused upon going on a trip to Europe, right?

3 A That's correct.

4 Q And you were not paying too much attention to  
5 anybody coming to your door, is that right?

6 A That's correct.

7 Q And so, as a matter of fact you had many  
8 conversations concerning Mr. Manson with the people that  
9 you have told us about?

10 A Yes, they had the conversations.

11 They were telling me about his philosophy and  
12 his way of living, and how groovy it was.

13 Q Yes, and to put it mildly you did not approve,  
14 right?

15 A I did not disapprove and I did not approve.

16 I did not approve of it for me.

17 Q And is it a fair statement you did not approve  
18 of it, if you did not approve of it for "me," you did not  
19 approve of it?

20 A If Dennis Wilson, or Gragg wanted it, it was  
21 all right with me. I didn't want it around me.

22 MR. KANAREK: Thank you, Mr. Altobelli. Thank you  
23 for your patience.

24 THE WITNESS: Thank you.

25 THE COURT: Any questions, Mr. Hughes?  
26

I7a-5

1 MR. HUGHES: Yes, thank you, your Honor.

2  
3 CROSS-EXAMINATION

4 BY MR. HUGHES:

5 Q Now, referring your attention to this chart,  
6 People's 8, which is a chart of your house --

7 Are you having some trouble with your nose,  
8 sir? I saw you look away, and you sniffed.

9 THE COURT: Ask the question, Mr. Hughes.

10 BY MR. HUGHES:

11 Q Directing your attention to this chart,  
12 People's 8 for identification, you identified, I believe  
13 a mechanism for opening the gate, is that correct?

14 A I haven't as yet but I will.

15 Q Is it true that outside of the gate there was  
16 a mechanism for opening it?

17 A And still is.

18 Q And all that is required to open the gate was  
19 to push a button, is that correct?

20 A If it wasn't locked, yes.

21 Q Was it on occasion locked?

22 A No, there was no necessity. We never felt there  
23 was a necessity to lock it.

24 Q Did you give the Polanskis a key when they  
25 moved in?

26 A For what?

1 Q For that mechanism.

2 A I don't really know.

3 Q Was there also a speaker box outside on the  
4 gate?

5 A No, there was not. There was one out there  
6 but it never worked, it was something that Mark Lindsey  
7 put up, a Mickey Mouse, and it never did work to my  
8 knowledge.

9 And it was just left there when it fell off of  
10 wherever it was.

11 Q There were some wires coming out of that box?

12 A That's right.

13 Q From where that box had been?

14 A Yes.

15 Q Now, besides refusing Mr. Kanarek admittance to  
16 your premises at Cielo Drive, you also refused a request  
17 by me, is that correct?

18 A That is correct.

17b fls 18

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Q Has the District Attorney advised you that you need not let us see the premises?

A No, I did not ask anyone.

I feel if the Court tells me that you have to come up there and disturb my home, then it is okay.

Otherwise, no, nobody is going to be admitted.

Q Have you let the prosecution into your premises?

A I possibly have, yes.

Q When was the last time the prosecutor visited your house?

A I don't know.

Q Have you allowed police officers to visit the premises?

A When they had cause to come up there and they had -- whoever gives them permission.

Q Did they come up with a court order?

A I guess so, they called my attorney.

Q Did you see a court order?

A No.

Q Did your attorney tell you there was a court order?

A The only time a police officer was up there, and once I gave permission for a fingerprint expert or somebody to come up there with two other men.

Q Did you see members of the District Attorney's staff up there?

1 A I don't know who the members of the District  
2 Attorney's staff are except for the ones I see here that I  
3 met.

4 Q Did you see Mr. Bugliosi there?

5 A Yes, Mr. Bugliosi has been there.

6 Q On many occasions?

7 A No.

8 Q On one occasion?

9 A One occasion I know of.

10 Q Had he been admitted more than one occasion or  
11 other occasions?

12 A Unless it was before I took possession.

13 Q You say you met Manson at Dennis Wilson's house?

14 A That's correct.

15 Q What time of the day was that?

16 A It was in the evening.

17 Q And he was in a bedroom somewhere?

18 A Dennis Wilson was in the bedroom and it was  
19 kind of a lounging type bedroom.

20 Q Was it light or dark?

21 A Medium.

22 Q Were there other people present?

23 A Yes, there were.

24 Q You say you looked Mr. Manson up and down?

25 A That's correct.

26 Q As a possible talent?

- 1 A. Possible.
- 2 Q. Was he naked or did he have clothes on?
- 3 A. He had clothes on.
- 4 Q. Fully dressed?
- 5 A. I don't know what you mean by fully dressed.
- 6 Q. Shoes, pants, socks, shirt?
- 7 A. He had a shirt and pants on.
- 8 Q. Did you touch him?
- 9 A. I shook his hand.
- 10 Q. Grabbed his elbow with your other hand?
- 11 A. I am not very physical.
- 12 Q. Did you touch his shoulder?
- 13 A. Not to my knowledge.
- 14 Q. You came there with two other males, to  
15 Dennis Wilson's bedroom?
- 16 A. No, I came with Gregg Jakobson, he needed a ride  
17 to Dennis', Dennis Wilson's, and I said I would drive him  
18 because Dennis had invited me on many occasions to come  
19 and see his house in the country, so to speak.
- 20 Q. There was a young boy there?
- 21 A. Small.
- 22 Q. How old was he?
- 23 A. I don't know <sup>his</sup> age, three, four.
- 24 Q. Did you touch him?
- 25 MR. BUGLIOSI: Irrelevant, your Honor.
- 26 THE COURT: Sustained.

1 Q BY MR. HUGHES: You said he came in and  
2 asked you for some money?

3 A No, not me. He came in and asked Dennis.  
4 He said Charlie wanted money, he wanted dumb  
5 money or something.

6 Q Any girls in the room?

7 A On occasion.

8 Q Were they wearing clothes?

9 A Yes.

10 Q Did you get invited to any orgies there?

11 A Did I get invited to any orgies?

12 Q Yes, sir.

13 A No.

14 Q Did you smoke any dope there?

15 MR. BUGLIOSI: Irrelevant.

16 THE COURT: Sustained.

17 Q BY MR. HUGHES: This was a conversation you  
18 were having with Mr. Hanson at the time?

19 A It was not a conversation.

20 Q Mr. Hanson offer you any marijuana?

21 MR. BUGLIOSI: Irrelevant.

22 THE COURT: sustained.

23 Q BY MR. HUGHES: Did he offer you any Cocaine?

24 MR. BUGLIOSI: Irrelevant.

25 THE COURT: Get on with it, Mr. Hughes.

26 MR. HUGHES: Is your Honor objecting to this whole

1 line of questioning regarding drugs?

2 THE COURT: Ask your next question.

3 Q BY MR. HUGHES: The second time you saw  
4 Mr. Manson you said you just came out of the shower?

5 A That's correct.

6 Q You put some clothes on?

7 A No.

8 Q Did you come to the door naked?

9 A Towel.

10 Q Dripping wet?

11 A The door and the shower are almost one.

12 Q Excuse me?

13 A There is a very short distance between the wall  
14 and the shower and it is all glass, it's almost one.

15 Q Did you invite Mr. Manson in?

16 A No, I did not.

17 Q Did he open the door?

18 A What door?

19 Q To come in.

20 A What door? He opened the screen door to come  
21 in.

22 Q Did he come in?

23 A He came into the screened door; there are parts  
24 of a screened area there.

25 Q Did you invite him that far?

26 A No, he already had been that far when I opened

1 up the other door.

2 Q And you say this was around 8:00 or 9:00 at  
3 night, it was dark out, is that correct?

4 A That's correct.

5 Q Now, this Mr. Garretson works for you, basically  
6 his duties were to care for your three dogs, is that  
7 correct?

8 A That's correct.

9 Q One of those dogs is Christopher?

10 A Yes.

11 Q Is Christopher the Weimaraner?

12 A Yes.

13 Q Is a Weimaraner a hunting dog?

14 A No, he is a pet.

15 Q Are there rabbits up there in the hills?

16 A Yes.

17 Q Did he ever chase rabbits?

18 A He chases lizards, rabbits, you name it.

19 Q Maybe he is a small hunting dog.

20 A He never caught anything to my knowledge.

21 Q Did he have any other duties?

22 A Yes, to keep away from the people in the front  
23 and disturb them as little as possible.

24 Q Did he have to care for your cats?

25 A No, he does for Terry's cats and -- Terry  
26 Melcher, that is, he used to send George, the man who

1 worked for him, up there to feed them. There was like 26  
2 of them.

3 And when I left for Europe, I understand they  
4 stopped feeding them, so Garretson was giving them food  
5 and so was Sharon.

6 THE COURT: We will take our recess at this time.

7 Ladies and gentlemen, do not converse with  
8 anyone or form or express an opinion regarding the case  
9 until it is finally submitted to you.

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1 THE COURT: All counsel and jurors are present.

2 You may continue, Mr. Hughes.

3 MR. KANAREK: Your Honor, before we proceed, may I  
4 approach the bench?

5 THE COURT: For what reason?

6 MR. KANAREK: I served Mr. Altobelli, your Honor --

7 MR. BUGLIOSI: Your Honor, these are legal matters  
8 here that are not supposed to be discussed in front of the  
9 jury and Mr. Kanarek knows it, yet he repeatedly does it.

10 MR. KANAREK: I don't want to see Mr. Altobelli in-  
11 convenienced, your Honor, but --

12 THE COURT: Sit down, Mr. Kanarek.

13 You may continue, Mr. Hughes.

14 BY MR. HUGHES:

15 Q At the recess, Mr. Altobelli, were you served  
16 with a subpoena?

17 MR. BUGLIOSI: Objection, your Honor.

18 THE WITNESS: No, I have not been served.

19 THE COURT: Sustained.

20 Wait for the ruling before you answer.

21 THE WITNESS: Yes, sir.

22 BY MR. HUGHES:

23 Q You had this dog Christopher and he was a  
24 Weimaraner?

25 A Yes.

26 Q And he barks when people come; is that correct?

18-2

1 A Yes.

2 Q And you say that he has a people bark as opposed  
3 to what, an animal bark?

4 A Well, when you have had a dog as long as I have  
5 had Christopher, you know what he is barking at, whether it  
6 is an animal, a cat, or a person at the door, or someone  
7 coming up the pathway.

8 Q I see.

9 If someone was coming up the pathway, Christopher  
10 would bark?

11 A Yes. If he heard them, yes, uh-huh.

12 Q And would he sometimes bark if he heard someone  
13 at the gate, opening the gate?

14 A Which gate are you speaking of? There are  
15 several gates there.

16 Q That would be the main gate, coming in up on  
17 Cielo Drive?

18 A No. It is too far away. He would not hear the  
19 gate.

20 Q Would he sometimes hear cars drive in and  
21 would he bark at them?

22 A It is all according to how loud the car might  
23 be.

24 If it was a sports car or a motorcycle, he  
25 may hear it and bark, unless the stereo was on, and usually  
26 it was on loud so he would not hear it, no.

18-3

1 Q Generally, if he heard someone coming, he would  
2 bark at them; is that correct?

3 A That is correct.

4 Q Now, Mr. Garretson also was caring for a bird  
5 for you; is that true?

6 A That is correct. Edward.

7 Q Edward?

8 A Edward.

9 Q What sort of a bird was that?

10 A A green singing finch.

11 Q And how much was he getting paid to live there  
12 and feed these four animals?

13 MR. BUGLIOSI: Irrelevant.

14 THE COURT: Sustained.

15 MR. HUGHES: Q Now, did you know Mr. Garretson  
16 previous to your hiring him?

17 A No.

18 Q You just met him that day?

19 A No, I did not.

20 Q Well, he wasn't a friend, though?

21 A No.

18a fls. 21

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18a-1

1 Q How much previous to hiring him had you met him?

2 A He had been hired way before that, when I first  
3 came back from Rome. I came back because of the heavy rains  
4 and I needed somebody to clean up some things, and Mr.  
5 Garretson was hired by me, and he seemed to be very nice  
6 and he loved the animals and the animals loved him. He  
7 seemed to be ideal to leave my dogs with. He seemed to be  
8 trustworthy.

9 THE COURT: You have answered the question.

10 BY MR. HUGHES:

11 Q Now, sir, was there any other way to get to the  
12 guest house than by coming in the main Cielo Drive way and  
13 then walking around the paved parking area and then down  
14 the walk?

15 A You mean, from the road?

16 Q From the road, yes.

17 A From the road, no, not unless they came up  
18 over the hill, and most of it is fenced.

19 Q Was there any way to get in from the road  
20 which goes up to the address at 10048 Cielo Drive?

21 A Well, I think that is the house just before --  
22 no. 10048? No, I don't think so, unless they crawled up  
23 over their property, and I think it is all fenced off,  
24 but it is possible if they have wirecutters, or whatever.

25 Q Now, directing your attention to People's  
26 & and the area to the west of the houses, which would be

18a-2

1 this area up here where it says "Surveyed," and particularly  
2 the area where it says "Rock wall" behind the guest house.

3 What sort of terrain is that?

4 A Brush, wood, forest.

5 Q Is that chapparal, natural?

6 A I beg your pardon?

7 Q Is that natural chapparal?

8 A I don't know what chapparal is.

9 Q That is natural brush that grows in California?

10 A Yes. It is natural, yes, uh-huh.

11 Q And that is a hillside which goes up away from  
12 the house?

13 A Yes.

14 Q So, actually, these houses, then, these  
15 structures, sit downhill and on a slight plateau?

16 A Yes. There is an acre and a quarter that is  
17 landscaped and flat.

18 Q Now, there were some other dogs living at your  
19 house. Did they also bark when people came?

20 A What house?

21 Q The guest house.

22 A Yes.

23 Q And did they have a people bark as opposed to  
24 an animal bark?

25 A Yes.

26 Q So, if a person were to come there, several dogs

18a-3

1 might bark?

2 A Yes.

3 Q And with several dogs barking, with this type of  
4 bark, you could tell that a person was coming?

5 A Most of the time.

6 Q Were those dogs able usually to go up towards  
7 and around the large house from the guest house?

8 A I didn't let them, no.

9 I kept them -- there is a yard behind the  
10 guest house where it says "Lawn" there. It is quite a nice  
11 area and it is more than enough room.

12 I didn't encourage them to go to the front  
13 house because I was afraid they might bite somebody, and  
14 besides, when you rent the house for that much money,  
15 they should have as much privacy as possible.

16 So, I never let them, you know, unless they got  
17 away.

18b fls. 17

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B-1

1 Q Would you say that you discouraged them from  
2 going up there?

3 A Yes, I discouraged them from going.

4 Q But on occasion you would see them up there?

5 A On occasion, one might get away, yes, but come  
6 right back.

7 Q Were they fenced off normally in some way so  
8 that they would not go up there?

9 A They just didn't do it as a rule.

10 Q By discouragement rather than by some sort of  
11 physical restraint; is that correct?

12 A Well, a majority -- there was only one entrance-  
13 way in the back there, that path to that lawn next to the  
14 guest house, which is an entranceway to the back lawn, and  
15 usually I watched them, because my place is all glass,  
16 French windows.

17 Q Is there any other way to gain entrance to the  
18 10050 Cielo Drive address property besides coming in at the  
19 area which is marked on People's 8 as "gate", which I am  
20 pointing to now? Is there some other way?

21 A I have never entered any other way. I don't  
22 know.

23 Q If you didn't come in from that way, to your  
24 knowledge --

25 A You couldn't drive any other way, no.

26 I imagine, if you are a mountain climber, you

1 know, or wanted to go through brush and poison oak, you  
2 could get up another way.

3 Q There was no standard pathway or no other gate;  
4 is that correct?

5 A No. that is correct.

6 Q So, basically, for all intents and purposes,  
7 that is the only entrance?

8 A There is a gate up above the guest house, yes,  
9 but it is all overgrown and it hasn't been used for years  
10 and years and years. It is just a gate. It is part of the  
11 fence but there is an opening in it. It is a gate.

12 Q And there is some overgrown pathway?

13 A It is overgrown, yes.

14 Q But it is not completely impassable, is it?

15 A I haven't been up there for seven years. I  
16 couldn't tell you.

17 Q And where does that gate lead to?

18 A To more brush, and quite a ways up it is all  
19 brush. It is all heavy brush.

20 Q And I take it, if you followed that up,  
21 eventually you would look down into Beverly Glen Canyon;  
22 is that correct?

23 A No. If you follow it straight up, I think it  
24 is Angela. I am not sure what the street is up above.

25 Q When, exactly, if you recall, did you return  
26 from Europe?

1 A What time?

2 Q Well, after the deaths at your residence.

3 A The next day. I got here before Roman did. The  
4 day after the deaths.

5 Q And did you come directly to your residence  
6 there?

7 A No. I didn't even want to see it.

8 Q When, then, was the first time that you returned  
9 to the address at 10050 Cielo Drive?

10 A That is a foggy time. I don't know.

11 Maybe after Sharon's funeral, after I talked to  
12 the police, and there were just things that I had to do  
13 there.

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18c-1

1 Q Did you, indeed, live in Malibu for a few days  
2 or weeks or so?

3 A I was staying at hotels, and then I went to  
4 Malibu and stayed.

5 Q And then, the first time that you came back  
6 to this residence, were there police officers there, or  
7 had they left?

8 A Yes.

9 Q There were still police officers there?

10 A There were police officers there.

11 Q And they were guarding the property in some  
12 manner?

13 A Yes. They had it secured.

14 Q To keep evidence from being destroyed?

15 A For whatever. I don't know for what reason.

16 Q But they allowed you to come in and move in;  
17 is that correct?

18 A No, they did not allow me to move in.

19 They allowed me to come and get my bird.  
20 They allowed me to get some personal belongings that were  
21 left, that somebody hadn't taken.

22 Q Someone had taken some of your personal  
23 belongings?

24 A There were many things missing, yes. But that  
25 is neither here nor there. I don't know who, why or how  
26 come, but there were things missing, yes.

18c-2

1 Q What exactly was missing, sir?

2 A It doesn't make any difference, Mr. Hughes,  
3 what is missing. It is past history.

4 MR. HUGHES: Would the Court direct the witness to  
5 answer the question?

6 THE COURT: It is irrelevant.

7 The objection is sustained.

8 BY MR. HUGHES:

9 Q Were there any narcotics missing?

10 A Whose?

11 Q Anyone's?

12 MR. BUGLIOSI: Calls for a conclusion.

13 THE COURT: Irrelevant. Sustained.

14 BY MR. HUGHES:

15 Q Was there any heroin missing from your heroin  
16 supply?

17 MR. BUGLIOSI: Oh, your Honor, that assumes facts not  
18 in evidence.

19 THE COURT: Sustained.

20 MR. BUGLIOSI: And extremely --

21 THE WITNESS: I will refuse to answer any of your  
22 questions like that.

23 MR. BUGLIOSI: There is no objection strong enough  
24 that I can make to a question like that.

25 THE COURT: Mr. Altobelli --

26 THE WITNESS: That was an accusation.

1 THE COURT: -- when an objection is made, wait for  
2 the Court to rule.

3 There is nothing to answer.

4 MR. BUGLIOSI: It is completely foundationless.

5 I would ask the Court to admonish the jury to  
6 disregard that accusation, that vicious accusation by  
7 Mr. Hughes.

8 MR. HUGHES: I will withdraw the question.

9 THE COURT: There is no need to withdraw it. The  
10 objection was sustained.

11 Get to your next question.

12 BY MR. HUGHES:

13 Q Did you have a number of personal items at the  
14 house there?

15 MR. BUGLIOSI: What house?

16 Objection, your Honor. What house? The main  
17 house or the house in the rear?

18 THE COURT: Sustained.

19 BY MR. HUGHES:

20 Q Did you have a number of personal items in the  
21 guest house where you had been living?

22 A No?

23 Q At the time that you returned from Europe.

24 MR. BUGLIOSI: Irrelevant.

25 THE COURT: Sustained.  
26

1 BY MR. HUGHES:

2 Q Did you have any narcotics or dangerous drugs  
3 in the house at the time that you returned from Europe?

4 THE COURT: The objection is sustained.

5 THE WITNESS: I can answer that.

6 THE COURT: Approach the bench, Counsel.

18d file.

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18D

1 (Whereupon, all counsel approach the bench and  
2 the following proceedings occur at the bench outside of the  
3 hearing of the jury:)

4 THE COURT: Mr. Hughes, either get on with something  
5 that is relevant and within the scope of the direct  
6 examination or I am going to terminate your cross-  
7 examination.

8 MR. HUGHES: Your Honor, I am trying to get into an  
9 area which is relevant, which I believe --

10 THE COURT: You are not trying hard enough. Try  
11 harder.

12 Let's proceed.

13 (Whereupon, all counsel return to their  
14 respective places at counsel table and the following  
15 proceedings occur in open court within the presence and  
16 hearing of the jury:)

17 MR. HUGHES: Q You said you heard something  
18 about Mr. Manson's philosophy which turned you off, so to  
19 speak.

20 What was it that you heard about his philosophy,  
21 sir?

22 A I heard many things, for a long time, from  
23 Dennis Wilson, Terry Melcher, and from Gregg Jakobson, who  
24 thought that his philosophy -- mostly Dennis and  
25 Gregg -- that his way of life was the way of life, and that  
26 people who had should give to those who don't want to do

1 anything.

2 Q Was it your understanding that Mr. Manson was  
3 not doing anything?

4 A As far as making money, you mean, Mr. Hughes?

5 Q Well, how did you interpret that question, sir?

6 A I don't know. I am asking you. I didn't inter-  
7 pret it at all.

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9-1  
1 Q Well, what did you mean when you said give money  
2 to people who do nothing?

3 A Just what I said.

4 Q Have you been to more than one party while  
5 Sharon and Roman were living at the 10050 Cielo Drive  
6 address?

7 A I was at a party that I would call a party,  
8 and I have been to a couple of gatherings for a few minutes.

9 Q Was this one party a large party?

10 A Yes, it was a large party.

11 Q Was it a catered party?

12 A Yes, it was a catered party.

13 Q There were a number of people around the  
14 swimming pool area?

15 A I don't know, they were all over.

16 Q Some of these people have longer hair than  
17 others?

18 MR. BUGLIOSI: It's irrelevant.

19 THE COURT: Sustained.

20 Q BY MR. HUGHES: Some people have hair as long  
21 as mine or longer?

22 MR. BUGLIOSI: Irrelevant.

23 THE COURT: Sustained.

24 Q BY MR. HUGHES: Some people have beards?

25 MR. BUGLIOSI: Irrelevant.

26 THE COURT: Mr. Hughes, if you don't get on to some-  
thing relevant, I'm going to terminate your cross-

1 examination.

2 Q BY MR. HUGHES: Now, when you came back from --  
3 strike that.

4 When you left for Europe in March did you know  
5 that Voityek Frykowski and Abigail Folger were going to  
6 live in the house in Sharon's and Roman's absence?

7 A I was told they were going to stay there, yes.

8 Q Did you know that they were going to entertain  
9 while they were there?

10 A No, that was not a question.

11 Q Did you know they were going to have large  
12 parties?

13 A No --

14 MR. BUGLIOSI: That is assuming a fact not in  
15 evidence, your Honor.

16 THE COURT: Sustained.

17 Q BY MR. HUGHES: Now, you met Mr. Manson two  
18 times?

19 A Yes.

20 Q Did you ever come under Mr. Manson's hypnotic  
21 spell?

22 A I don't know what that is.

23 Q Are you now or have you ever been a member of  
24 the Charles Manson Family?

25 A No, I have never been a member of anybody's  
26 Family.

1 Q Now, you said that you had met Mr. Sebring at  
2 one time or another?

3 A No, on many occasions, for years, when he first  
4 started his business, my partner and he were very close at  
5 one time, when he first started in business.

6 He cut my hair on occasion. He was a nice boy.

7 Q Did you see him there a lot at the house, either  
8 the large house or the guest house?

9 A Most of the time I have been in the front house,  
10 except on a few occasions, he was visiting Roman and Sharon,  
11 yes.

12 Q Did you ever visit him at his house?

13 A No, I have never been to Jay Sebring's home.

14 Q Did you ever ride in his car?

15 A No, I never rode in his car.

16 Q Was a gentleman by the name of Beech Dickerson  
17 present at the meeting between you and Mr. Manson?

18 A I don't know -- Beech Dickerson sounds  
19 familiar, but is that the man, the older man with the beard  
20 that I called Dean? I don't know. I don't know. The name  
21 sounds familiar.

22 There was an older man in the living room that  
23 evening and I had on other occasions seen him up at Terry's,  
24 and that was it.

25 I don't know who Beech Dickerson is.

26 Q On any other occasion -- strike that.

1 This so-called altercation between Roman and one  
2 of his guests, did you actually see that physically take  
3 place?

4 A No, I did not, and I repeat it was just hearsay.

5 I was told by the policemen when I was asked by  
6 the policemen, when they questioned me, did I see him have  
7 words with this man and ask him to leave.

8 I did not see this.

9 Q Is the name Harrigan or Dick Dawson -- does that  
10 ring a bell to you?

11 A Only in reading the papers and hearing them on  
12 the news, I wouldn't know them if I fell over them.

13 Q Do you recall if those were any of the names  
14 that the police mentioned as the persons who were thrown out  
15 of the party?

16 MR. BUGLIOSI: Wait a minute --

17 Irrelevant.

18 THE COURT: Sustained.

19 Wait for the ruling.

20 THE WITNESS: Yes, sir.

21 Q BY MR. HUGHES: At any time that you saw  
22 Mr. Sebring at the main house did he have in his possession  
23 a whip?

24 MR. BUGLIOSI: That's irrelevant.

25 THE COURT: Sustained.

26 Q BY MR. HUGHES: At any time that you saw

1 Mr. Sebring in the main house did he appear to be under the  
2 influence of narcotics?

3 MR. BUGLIOSI: Calls for a conclusion, also irrelevant.

4 THE COURT: Also far beyond the scope of the  
5 direct examination.

6 Sustained.

7 Do you have anything further of relevance,  
8 Mr. Hughes?

9 MR. HUGHES: Yes, I do, your Honor.

10 THE COURT: Then I suggest you get to it.

11 Q BY MR. HUGHES: How long prior to Abigail Folger  
12 and Voityek Frykowski moving into the main house had you  
13 met them?

14 A I had met them at the party, I guess I was  
15 introduced to them at the house the day before.

16 It was very casual,

17 I never had any conversation except for Abigail  
18 once, by telephone from London, when we were waiting for  
19 the plane to Rome, I was concerned about the boy in the back,  
20 and Sharon said I should call Abigail because she was  
21 a social worker and she could keep an eye on him and get him  
22 on the right path.

23 Q Have you ever been whipped by Jay Sebring?

24 MR. BUGLIOSI: Irrelevant, preposterous.

25 THE COURT: Your examination is concluded.

26 Is there any redirect examination?

1 MR. HUGHES: I have more questions of this witness.

2 THE COURT: Proceed, Mr. Bugliosi.

3  
4 REDIRECT EXAMINATION

5 BY MR. BUGLIOSI:

6 Q On this date, March 23rd, 1969 when Mr. Manson  
7 came to the door you say he introduced himself.

8 Did he identify himself as Charles Manson?

9 A Yes.

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19a-1

1 MR. KANAREK: Leading and suggestive, your Honor.

2 THE COURT: Overruled.

3 BY MR. BUGLIOSI:

4 Q He himself said the words "Charles Manson",  
5 is that correct?

6 A Yes, and I said "Yes, I know who you are,  
7 Charlie."

8 Q And when you said "I know who you are, Charlie,"  
9 did he say "That is not my name"?

10 A No, he did not.

11 MR. KANAREK: Leading and suggestive, your Honor.

12 THE COURT: Overruled.

13 BY MR. BUGLIOSI:

14 Q With respect to this man being thrown out of a  
15 party, you mentioned what the police told you.

16 Did they say he was physically thrown out or  
17 asked to leave?

18 A I don't remember. He was asked to leave, I  
19 guess, Roman asked him to leave, because I don't remember--  
20 if there had been a fist fight or something, I imagine we  
21 all would have known it, unless it had taken place in the  
22 front parking area.

23 Q So you had not heard of any fist fight?

24 A No.

25 Q But they told you that Roman allegedly asked  
26 this man to leave?

19a-2

1 A Yes, and he asked him to leave the party; he  
2 was out of line or something.

3 Q Mark Lindsey, the man you mentioned, is a  
4 pop singer?

5 A Yes.

6 Q He lived with Terry Melcher in the front house  
7 when Terry first moved in?

8 A Yes.

9 Q He moved out shortly thereafter?

10 A Yes, he was away a majority of the time on the  
11 road, touring with the group he was with.

12 Q You mentioned the name Robert Conrad. You are  
13 not referring to the actor Robert Conrad?

14 A No, I'm not referring to the actor Robert  
15 Conrad.

16 MR. BUGLIOSI: No further questions.

17 THE COURT: Anything further?

18 MR. FITZGERALD: I have nothing further.

19 MR. KANAREK: Yes, your Honor, I do.

20 THE COURT: Mr. Shinn?

21 MR. SHINN: Nothing further.

22 THE COURT: Go ahead, Mr. Kanarek.

23 MR. KANAREK: Yes, your Honor.

24 THE COURT: Confine yourself to the scope of this  
25 redirect examination.

26 MR. KANAREK: Your Honor, it has to do with impeachment

19a-3

1 because of the conduct of the prosecutor.

2 THE COURT: Very well.

3  
4 RE-CROSS-EXAMINATION

5 BY MR. KANAREK:

6 Q During the recess, Mr. Altobelli, did I  
7 approach you and read to you verbatim --

8 MR. KANAREK: May I approach the witness, your Honor?

9 THE COURT: That won't be necessary.

10 MR. KANAREK: Very well, your Honor.

11 MR. BUGLIOSI: If this is a legal matter, your Honor,  
12 may we approach the bench.

13 MR. KANAREK: No, it has to do --

14 MR. BUGLIOSI: May we approach the bench before he  
15 makes his flagrant violations again in front of the jury  
16 and accusations?

17 THE COURT: You may approach the bench.

18 (The following proceedings were had at the  
19 bench out of the hearing of the jury:)

20 THE COURT: Mr. Kanarek?

21 MR. KANAREK: Yes, your Honor, during the recess I  
22 attempted in good faith as best I could, I did what I have  
23 done many many times, I filled out a subpoena and a copy.

24 I approached Mr. Altobelli to give him the  
25 subpoena along with the publicity order in accordance with  
26 the Court's orders.

19a-4

1 I read him in conformity with -- I was super-  
2 cautious, I read him as the subpoena says --

3 THE COURT: You handed him a copy?

4 MR. KANAREK: Yes, your Honor.

5 THE COURT: Did he take it?

6 MR. KANAREK: No, I touched him with it.

7 THE COURT: Go ahead.

8 MR. KANAREK: And the other --

9 THE COURT: Did you tell him you were serving him?

10 MR. KANAREK: Yes, your Honor, I did.

11 Mr. Bugliosi picked it up and put it on the  
12 counsel table.

13 THE COURT: Picked it up from where?

14 MR. KANAREK: From right in front of this gentleman.

15 THE COURT: He picked it up off the floor?

16 MR. KANAREK: On the area right in front of him, in  
17 front of where he is sitting now.

18 Mr. Bugliosi picked it up and put it on the  
19 counsel table.

20 And this man then made the statement "My lawyer  
21 is my lawyer and Mr. Bugliosi is also my lawyer."

22 His state of mind is --

23 THE COURT: Now, what is the point of all this?

24 MR. KANAREK: The point is, your Honor, it shows  
25 that his state of mind is identifying himself with the  
26 prosecution.

19a-5

1 THE COURT: He was called by the prosecutor.

2 MR. KANAREK: Yes, I'm saying this is what happened.  
3 I make a motion under Walker vs. Superior Court, the District  
4 Attorney's interfering, absolutely arbitrarily --

5 THE COURT: What has this to do with the examination  
6 of this witness?

7 MR. KANAREK: It goes to his state of mind, it shows  
8 his identity, your Honor, we are entitled to have the jury  
9 know.

10 MR. BUGLIOSI: Just say one thing on the record that  
11 I did.

12 MR. KANAREK: I will say it under oath.

13 THE COURT: You are trying as usual to generate some-  
14 thing out of absolutely nothing.

15 Get on with your cross-examination, Let's  
16 proceed.

17 MR. HUGHES: Your Honor, I ask that you reconsider and  
18 allow me to finish my cross-examination of this witness.

19 THE COURT: The motion is denied.

20 MR. KANAREK: Are we finished at the bench, your  
21 Honor?

22 THE COURT: We certainly are.

23 MR. KANAREK: Thank you.

24 (The following proceedings were had in open  
25 court in the presence and hearing of the jury:)  
26

19a-6

1 BY MR. KANAREK:

2 Q Mr. Altobelli?

3 A Yes.

4 Q During our last recess did I attempt --

5 MR. BUGLIOSI: Your Honor, apparently Mr. Kanarek,  
6 when we went up to the bench, your Honor, had earplugs on  
7 with blindfolds.

8 May we approach the bench again?

9 THE COURT: Get on to something else, Mr. Kanarek.

10 MR. KANAREK: Well, then, may I approach the bench?

11 THE COURT: No, you just did.

12 Ask your next question.

13 MR. KANAREK: Well, I want to obey the Court's order.

14 THE COURT: Then do so.

15 MR. KANAREK: Well, then, your Honor, I would ask your  
16 Honor to ask Mr. Altobelli to return on November 16th, 1970.

17 I don't want the Sheriff --

18 THE COURT: Have you concluded your cross-examination?

19 MR. KANAREK: Well, in view of the Court's orders I  
20 wish to follow the Court's orders.

21 THE COURT: Have you concluded your examination?

22 MR. KANAREK: In view of that, I have, your Honor.

23 THE COURT: Very well. Anything further, Mr. Hughes?

24 MR. HUGHES: I have no recross-examination.

25 THE COURT: You may step down.

26 MR. HUGHES: However, I would ask to be allowed to

1 finish my cross.

2 THE COURT: You may step down.

3 The motion is denied.

4 MR. KANAREK: Would your Honor inform Mr. Altobelli  
5 to return on November 16th.

6 I don't think he knows, and I don't wish to  
7 inconvenience him and have the Sheriff come to get him.

8 THE COURT: Just a moment, Mr. Altobelli.

9 Have you served Mr. Altobelli with a copy of  
10 the subpoena?

11 MR. KANAREK: Yes, and the publicity order.

12 THE COURT: He has been served?

13 MR. KANAREK: Yes, your Honor.

14 THE COURT: Did you receive it?

15 MR. ALTOBELLI: No, I did not, and I will not accept  
16 anything.

17 MR. KANAREK: Mr. Bugliosi picked it up. May I get it.

18 THE COURT: You certainly may.

19 MR. KANAREK: Thank you.

20 Here is a copy of the subpoena and a copy of the  
21 publicity order.

22 MR. ALTOBELLI: Do I have to accept it?

23 THE COURT: Yes, you are being served and I order you  
24 to return to this court on November 16th at 9:00 a.m.  
25 without further order, notice or subpoena.

26 Call your next witness, Mr. Bugliosi.

1 MR. BUGLIOSI: People call Sergeant Lee.

2 THE CLERK: Please be seated, Mr. Lee.

3 Will you state your name, sir.

4 THE WITNESS: William J. Lee, L-e-e.

5 THE CLERK: You are still under oath, sir.

6 THE WITNESS: Thank you.

7  
8 WILLIAM J. LEE,

9 having been previously called, sworn and testified as a  
10 witness on behalf of the People, was recalled to the witness  
11 stand for further direct examination and testified as  
12 follows:

13  
14 DIRECT EXAMINATION

15 BY MR. BUGLIOSI:

16 Q Sergeant, you recall testifying, I don't know  
17 whether it was a week or two weeks ago, maybe three weeks  
18 ago, is that right?

19 A It was sometime ago.

20 Q My memory is pretty bad, six weeks.

21 I show you People's 40 for identification, the  
22 revolver, do you recall testifying that you test fired  
23 this revolver?

24 A Yes, sir, I do.

25 Q And the firing pin left marks on the shell  
26 casing?

1 A Yes.

2 Q And you compared the shell casings with the  
3 shell casings you found at Spahn Ranch, is that correct?

4 A That is correct.

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19b flx.

L9B-1

1 Q I show you seven spent shell casings, People's  
2 249 for identification, which were removed from People's 40  
3 for identification.

4 Do you recall that I recently requested that  
5 you compare the seven shell casings with the shell casings  
6 you found at the Spahn Ranch?

7 A I do.

8 Q And did you conduct that experiment within the  
9 last couple of days?

10 A I did.

11 Q Over at the Los Angeles Police Department?

12 A Yes, sir.

13 Q You compared the firing pin mark on these seven  
14 shell casings with the shell casings found at the Spahn  
15 Ranch?

16 A Yes, sir.

17 Q Did you form an opinion as a result of your  
18 comparison?

19 A I did.

20 Q What is that opinion?

21 A That the shell casings in the envelope --

22 Q People's 249 for identification?

23 A -- People's 249, and the shell casings found at  
24 the Spahn Ranch which I previously testified that were fired  
25 from this weapon, were the same and were all fired in the  
26 weapon, People's --

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Q -- 40?

A Yes, sir, 40, as I recall.

Q So the firing pin mark on the seven shell casings which are in People's 249 were the same as the firing pin mark on the shell casings at the Spahn Ranch?

A Yes, sir.

MR. BUGLIOSI: No further questions.

MR. FITZGERALD: No questions.

MR. KANAREK: No questions.

MR. SHINN: No questions.

MR. HUGHES: No questions, your Honor.

THE COURT: You may step down, sir.

THE WITNESS: Thank you, your Honor.

MR. BUGLIOSI: People call Charles Koenig.

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

Would you please repeat after me.

I do solemnly swear --

THE WITNESS: I do solemnly swear --

THE CLERK: -- that the testimony I may give --

THE WITNESS: -- that the testimony I may give --

THE CLERK: -- in the cause now pending --

THE WITNESS: -- in the cause now pending --

THE CLERK: -- before this Court --

THE WITNESS: -- before this Court --

THE CLERK: -- shall be the truth --

THE WITNESS: -- shall be the truth --

1 THE CLERK: -- the whole truth --

2 THE WITNESS: -- the whole truth --

3 THE CLERK: ---and nothing but the truth --

4 THE WITNESS: -- and nothing but the truth --

5 THE CLERK: -- so help me God.

6 THE WITNESS: --- so help me God.

7 THE CLERK: Would you be seated, please.

8 would you please state and spell your name.

9 THE WITNESS: You want my full name?

10 THE CLERK: Yes, your full name.

11 THE WITNESS: Charles David Koenig, K-o-e-n-i-g.

12  
13 CHARLES DAVID KOENIG,

14 called as a witness by and on behalf of the People, being  
15 first duly sworn, was examined and testified as follows:

16  
17 DIRECT EXAMINATION

18 BY MR. BUGLIOSI:

19 Q What is your occupation, sir?

20 A I work for Standard Oil, pumping gas.

21 Q Where at?

22 A Well, I don't work in Sylmar any more, but I  
23 did at the time.

24 Q Well, what time are you referring to, December  
25 10, 1969?

26 A Correct.

1 Q On that date, December 10, 1969 were you an  
2 attendant working at the Standard service station at 12881  
3 Ensenada Boulevard in Sylmar?

4 A Correct.

5 Q And I take it there is a women's restroom at  
6 the station?

7 A Correct.

8 Q And on that date, December 10, 1969, did you  
9 enter the women's rest room?

10 A Yes, I did.

11 Q About what time of the day?

12 A The first time at 8:00 o'clock in the morning.

13 Q And you entered the restroom to clean the rest-  
14 room?

15 A Yes.

16 Q And while you were in the restroom did you notice  
17 anything unusual about the toilet?

18 A Well, the toilet kept running -- yes, that was  
19 the unusualness, it kept running after it was flushed.

20 Q What, if anything, did you do to correct the  
21 matter?

22 A Well, I lifted the lid off the back portion of  
23 the toilet to see if there was anything stuck under the  
24 rubber plunger.

25 Q What, if anything, did you observe?

26 A Well, I observed that there was a wallet placed,

1 or that it lodged itself somehow or other upon the top of the  
2 plumbing.

3 Q I show you People's 65 for identification. Have  
4 you ever seen that wallet before?

5 A It looks familiar.

6 Q Pardon?

7 A It looks familiar, I could not say --

8 Q Okay, where have you seen this wallet before,  
9 if this is the one you are thinking about?

10 A It looks like the wallet I took out of the back  
11 of the toilet.

12 Q On December 10th, 1969?

13 A Yes.

14 Q Was there any driver's license in the wallet?

15 A Yes, there was.

16 Q Did the license have a name on it?

17 A Yes, it did.

18 Q What name?

19 A Rosemarie La Bianca.

20 Q Now, removing a driver's license now from the  
21 wallet, do you recognize that driver's license as the  
22 driver's license you observed in the wallet on December 10,  
23 1969?

24 A Yes, I do.

25 Q Showing you People's 67, is that a photograph of  
26 the station where you worked on December 10th?

1 A Yes, it is.

2 Q And directing your attention to People's 70  
3 for identification, do you know where you found the wallet  
4 inside the toilet, is it depicted in this photograph?

5 A Yes, it is depicted by the red line.

6 Q Where?

7 A Right on top of what looks like sort of a  
8 grayish area.

9 Q Do you see an arrow, a red arrow, pointing to  
10 this extension here?

11 A Yes.

12 Q And this is where you found the wallet?

13 A Yes.

14 Q On top of it?

15 A Yes.

16 Q The same place that is depicted in this  
17 photograph here, is that correct?

18 A Yes.

19 Q What did you do with the wallet after you found  
20 it?

21 A I opened it up to see if there was any identi-  
22 fication in it, once I had assessed that there was  
23 identification and determined who it seemed to me to be, I  
24 called the police.

25 Q You turned the wallet in to the police?

26 A Yes, I did.

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Q There were quite a few items inside the wallet  
when you found it, I take it?

A Yes, there was.

Q Credit cards?

A Yes.

Q Change?

A Yes.

19c

19c-1

1 Q Was there a watch in there?

2 A Yes, there was.

3 Q Does this appear to be the watch?

4 A Yes, it does.

5 Q Incidentally, do you recall whether change was  
6 found in more than one compartment of this wallet?

7 A No, I don't.

8 Q You don't recall?

9 A I recall only having seen it in one compartment.  
10 That doesn't mean that it was not in some other area.

11 MR. BUGLIOSI: No further questions.

12 THE COURT: Mr. Fitzgerald?

13  
14 CROSS-EXAMINATION

15 BY MR. FITZGERALD:

16 Q You found this wallet on December 10, 1969?

17 A Well, to the best of my recollection, I assume  
18 that is the date because, like I could not possibly tell  
19 you yes that is the date exactly.

20 Q It was not September the 10th, it was December  
21 10th?

22 A By all means it was not September 10th.

23 MR. FITZGERALD: I have nothing further, your Honor.

24 THE COURT: Mr. Shinn.

25 MR. SHINN: Yes, your Honor.  
26

19c-2

## CROSS-EXAMINATION

1 BY MR. SHINN:

2 Q Now, how often do you go into this rest-room  
3 and clean this rest-room?  
4

5 A The rest-rooms are generally -- they are  
6 supposed to be cleaned once an hour, but they are not cleaned  
7 that frequently.

8 They are definitely cleaned multiple times a  
9 day, but I don't know exactly how many times.

10 Q Now, before December 10th, that is when you found  
11 the wallet, December 10th, is that correct?

12 A I assume so, yes.

13 Q Now, before that date did you go into this  
14 room, before that date?

15 A No, I have not.

16 Q When was the last time you have been into this  
17 room?

18 A Well, as I told you I was transferred to this  
19 station from another station.

20 I am the lead man at this station, therefore  
21 I am a boss, okay?

22 I usually tell the other fellows to go clean  
23 the rest-room.

24 I don't usually go into the rest-rooms, but at  
25 this time I happened to be the lowest man, so to speak.

26 The other management was there, so I went in and

19c-3

1 cleaned it.

2 I don't very often go into the rest-room myself.

3 Q And when you went into this rest-room was the  
4 water running from the toilet?

5 A No, I had cleaned the toilet. We use a cleaning  
6 agent to clean the toilets out themselves, and I flushed this  
7 down the toilet, and it kept running so I investigated.

8 Q And then at that point you opened the water  
9 closet?

10 A Yes.

11 Q And saw this wallet?

12 A Yes.

13 Q Just where was this wallet?

14 A On top of the plumbing portion.

15 Q What portion, the ball portion?

16 A No, it was on top of where the arrow points in  
17 the picture.

18 Q It was not wedged in between any pipes?

19 A No.

20 Q Was it waterlogged when you saw it?

21 A Pardon me?

22 Q Was it waterlogged when you saw it, was it  
23 soaked in the water?

24 A Soaked in water? It was damped, it was not  
25 soaked, no.

26 Q Now, as soon as you found that wallet, what

1 did you do with it?

2 A Opened it up to see whose name was inside.

3 Q Did you take it outside to your supervisor or  
4 did you open it up inside?

5 A No, I opened it up in passing from the rest-  
6 room to where my supervisor was.

7 Q And did you give it to your supervisor immedi-  
8 ately?

9 A No, I determined who was in it, whose name was  
10 inside and then I proceeded to make the phone call.

11 Q How long did you have it in your possession  
12 before you called someone about it?

13 A Two minutes.

14 Q And you stated that you did report it to your  
15 supervisor?

16 A He was sitting there doing the report as I was  
17 calling the police.

18 Q What was his name?

19 A Duane Brainard.

20 Q Is he still working there?

21 A No, he is a Chevron dealer now.

22 Q After you called someone he came out and  
23 picked it up?

24 A Pardon me, let me think, the man who was  
25 working at that time, I don't believe was Duane, it was --  
26 I reported it to -- I think it was Ed Bliss.

1 I would have to check back to remember who it  
2 was because it isn't an outstanding feature in my mind.

3 Q Did you call the police?

4 A Yes.

5 Q The Sheriff's Department?

6 A No, I called the Los Angeles Police.

7 Q Los Angeles Police?

8 A Right.

9 Q Not North Hollywood or Burbank?

10 A No, I called the Foothill Division and I think  
11 they put me in touch with downtown, or they told me whom to  
12 call from there.

13 Q And did they come immediately?

14 A Within an hour.

15 Q That same day, I mean?

16 A Right, right.

17 Q Did you attempt to call this -- I mean --  
18 strike that.

19 You saw a driver's license, right?

20 A Right.

21 Q Did you attempt to call that person on the  
22 driver's license?

23 A No.

24 Q Any reason for that?

25 A My reason was that the name Rosemary La Bianca  
26 had been seen in the papers frequently enough and heard on

1 television frequently enough for me to notice at least a  
2 co-relationship between the two names, between the two  
3 names.

4 Q You had it connected up all right?

5 A Well, I was calling the police in reference to  
20 fls. 6 finding out whether it was or wasn't.

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1 MR. SHINN: I have nothing further.

2 THE COURT: Mr. Kanarek?

3 MR. KANAREK: Yes. Thank you, your Honor.

4  
5 CROSS-EXAMINATION

6 BY MR. KANAREK:

7 Q Mr. Koenig -- am I pronouncing your name right?

8 A Koenig.

9 Q Koenig?

10 A Yes.

11 Q On that day, Mr. Koenig, how do you remember it  
12 was September the 10th?

13 A How do I remember?

14 Q Yes.

15 A I couldn't tell you exactly whether it was that  
16 day.

17 I can tell you it was not in September or  
18 October because I was working in another station at that  
19 moment or at that time.

20 Q Well, have you, since then, had occasion to  
21 determine on what day it was?

22 A No.

23 Q Did you make a report to someone?

24 A Well, the report was made to the police, and if  
25 their date says September the 10th, I assume their date is  
26 September the 10th.

1 Q I see.

2 You are basing it upon that?

3 A Yes.

4 Q Did you talk to Mr. Bugliosi before you took  
5 the witness stand?

6 A No, I didn't.

7 Q But had you spoken with him previously?

8 A Oh, pardon me.

9 I talked with somebody out in the hall just  
10 about five minutes before. One of them.

11 Q One of these gentlemen, Mr. Kay, Mr. Musich or  
12 Mr. Bugliosi?

13 A Yes. I think Mr. Bugliosi. He is the man with  
14 the checkered suit.

15 Q Did you discuss the date of December the 10th?

16 A Yes. He mentioned the date of December the 10th.

17 Q To you?

18 A Yes.

19 Q Now, directing your attention to this, what is  
20 denominated People's Exhibit No. 70, Mr. Koenig.

21 Would you tell me how often -- or may I ask you  
22 this -- is there a standard procedure in connection with  
23 servicing the toilets in this restroom?

24 A Yes.

25 Q What is that? Would you tell us what that  
26 procedure is?

1           A       Well, the procedure is to clean the restroom  
2 bowls as frequently as the restroom is cleaned, which is  
3 supposed to be once an hour. And from there, we are  
4 supposed to use a bluing agent in the tank portion of the  
5 toilets, so that it presents a blue color in the bowl of the  
6 toilet when it is flushed.

7           Q       And in order to put that bluing agent in, would  
8 you tell us what you do?

9           A       You would have to lift the rear of the tank,  
10 the lid off of it, to put the bluing agent in.

11          Q       So that in lifting up the tank, in the ordinary  
12 course of business, the top of this toilet bowl would have  
13 been lifted up how many times in a period of, say, four  
14 months?

15          MR. BUGLIOSI: That calls for a conclusion, your  
16 Honor. No foundation.

17          THE COURT: Do you know of your own knowledge?

18          THE WITNESS: Well, I'd have to calculate it out.

19                 It should -- like I said, if procedure was  
20 followed --

21          THE COURT: I want to know if you know of your own  
22 knowledge.

23          THE WITNESS: No, I don't.

24          THE COURT: The objection is sustained.

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1 MR. KANAREK: Q What is the procedure, the standard  
2 operating practice, of Standard Oil of California in  
3 connection with lifting the top of the toilet bowl in this  
4 restroom?

5 MR. BUGLIOSI: Calls for a conclusion. No foundation.

6 MR. KANAREK: If he knows.

7 THE COURT: Sustained.

8 MR. KANAREK: Very well, your Honor.

9 Q Do you know, Mr. Koenig, how often the toilet,  
10 the lid to the toilet bowl, is lifted in this restroom?

11 A How often I do it, or how often it was done by  
12 other persons?

13 Q How often are you instructed to do it as a  
14 standard operating practice?

15 MR. BUGLIOSI: It is irrelevant.

16 The question is how often it was done. It is  
17 irrelevant how often it is supposed to be done.

18 THE COURT: Sustained.

19 MR. KANAREK: May I lay a foundation and ask him  
20 if there is a standard operating procedure?

21 THE COURT: You may proceed with your next question.

22 MR. KANAREK: Very well.

23 Q Now, Mr. Koenig, is there a standard operating  
24 procedure, are there instructions given when you work at  
25 Standard Oil, as to how often you are supposed to put the  
26 blue stuff in the toilet, in the part of the toilet that has

the top that comes off?

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A. When it runs out.

Q. And how often is that?

MR. BUGLIOSI: Your Honor, that calls for a conclusion.

THE COURT: Sustained.

MR. KANAREK: Q. What is your experience as to how often you have to do that?

MR. BUGLIOSI: At what place? It is ambiguous.

MR. KANAREK: Your Honor, the Evidence Code provides that habit and common, ordinary type of every day activities of this type can be gone into.

THE COURT: Is this a question, Mr. Kanarek?

MR. KANAREK: No. I am making argument as to why this man can testify and give an answer to the last question, your Honor.

THE COURT: Reframe your question.

MR. KANAREK: Q. What do you call this portion of the toilet that we are looking at, you and I, in People's Exhibit 70, where it appears to be a bulb and water?

A. The tank.

Q. Now, would you tell us what instructions you get in connection with putting blue material in that tank?

MR. BUGLIOSI: Assumes a fact not in evidence.

THE COURT: Overruled.

You may answer.

1 THE WITNESS: I am told to put in -- or the book  
2 reads that it is to be put in when the bluing agent runs  
3 out. Every time it runs out, it is to be refilled.

4 MR. KANAREK: Q And you service the toilet  
5 once an hour; is that correct?

6 MR. BUGLIOSI: That is ambiguous.

7 Does he do it or do other people do it?  
8 Does he have personal knowledge of it?

9 THE COURT: Sustained.

10 MR. KANAREK: Q What are your instructions as to what  
11 you are supposed to do in connection with your employment?

12 MR. BUGLIOSI: Asked and answered.

13 THE COURT: Overruled.

14 THE WITNESS: Are you asking me: Will I get fired  
15 if I do not fill that blue thing? ↙

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1 MR. KANAREK: No. I am asking you:

2 Q What did they tell you you are supposed to do  
3 as part of your job in connection with this toilet?

4 A The normal person who cleans the rest-room  
5 should put the bluing agent in. Okay?

6 Q Yes.

7 A Does that answer your question?

8 Q And he does this by observing a lack of bluing  
9 agent in the toilet bowl itself?

10 A If he does it at all, he does it that way, yes.

11 Q And have you, on occasion, actually put this  
12 bluing agent in this toilet?

13 A No.

14 Q You never did put it in this toilet?

15 A No.

16 Q Did anyone else in the Standard Station take  
17 care of this toilet other than yourself?

18 A Oh, undoubtedly.

19 Q Let's see.

20 You were there in December of 1969; right?

21 A Correct.

22 Q How long had you worked there in December of  
23 1969?

24 A Well, I was transferred from the other station  
25 about mid-November. So, from that point forward, I would  
26 have worked there at that station.

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1 Q And when you say "the other station," Mr.  
2 Koenig, what station are you referring to?

3 A It was the station in Granada Hills at the  
4 corner of Grenaldi and Balboa.

5 Q Does it have a number?

6 A Well, it is a Chevron dealer at the moment.  
7 Prior to my being transferred it was numbered 9759.

8 Q But now it is a Chevron station?

9 A Yes.

10 Q And it is independently leased?

11 A Operated, right.

12 Q It is not owned by Standard Oil at the present  
13 time?

14 A No, it is not owned by Standard Oil.

15 Q Now, this station, where it says Standard  
16 Station, this station that we are referring to in  
17 People's 67, is, in fact, owned by Standard Oil Company of  
18 California?

19 A It is operated by the company, yes.

20 Q That is a company-owned station and operated?

21 A Right.

22 Q Now, would you tell us where you put the  
23 bluing agent in when you do put the bluing agent in?  
24 Would you tell us where you put it in?

25 A Well, being as I have never put the bluing  
26 agent into a toilet, I would have to decline to be able

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1 to answer that question. I just don't know.

2 Q Well --

3 MR. BUGLIOSI: Your Honor, then I would make a motion  
4 to strike the witness's previous statement that the lid had  
5 to be opened and the bluing agent inserted beneath the lid.

6 MR. KANAREK: I will object to that, your Honor.

7 MR. BUGLIOSI: Because he testified now that he has  
8 never done it and doesn't know.

9 MR. KANAREK: He can know the practice without having  
10 done it.

11 MR. BUGLIOSI: He testified he doesn't know.

12 MR. KANAREK: That doesn't make any difference. If  
13 he knows the practice, that is the testimony. He is testi-  
14 fying as to the practice.

15 THE COURT: You can ask him.

16 I am going to sustain the objection and I'm going  
17 to strike the previous answer and admonish the jury to  
18 disregard it.

19 Now, if you want to put the questions to him  
20c file directly, you may do so, and find out what his knowledge is.

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1 MR. KANAREK: Very well.

2 Q Have you been instructed, Mr. Koenig, as to  
3 where the bluing agent goes?

4 A Yes.

5 Q All right.

6 Would you tell us where the bluing agent goes,  
7 in accordance with the instructions that have been given to  
8 you in your employment by Standard Oil.

9 Is it possible to show me on this?

10 A It goes in the back of the toilet. But they  
11 have an apparatus that I have never been shown exactly  
12 how to use. In fact, very few of <sup>us</sup> use the thing any more,  
13 even though we are told that we are supposed to.

14 We don't often use it.

15 It somehow or other hangs on the toilet and the  
16 bluing agent is dropped into the back of the toilet.

17 That much I can tell you with certainty.

18 Q The bluing agent goes into the back of the  
19 toilet?

20 A Correct.

21 MR. KANAREK: Your Honor, his statement concerning  
22 "us" and what "some of us do," may that be stricken as  
23 conclusionary and hearsay?

24 I am only asking for his personal knowledge,  
25 your Honor. May that be stricken as to what we sometimes  
26 do or sometimes don't do.

1 THE COURT: You asked him what he had been instructed  
2 to do.

3 MR. KANAREK: Yes. And he answered, purportedly,  
4 as to what some of us do and many of us do.

5 That portion referring to other people, your  
6 Honor, I ask that it be stricken.

7 THE COURT: He was explaining his answer. You asked  
8 him how it was put in and he was explaining his answer.

9 The motion is denied.

10 MR. KANAREK: Q Well, in accordance with the  
11 knowledge that you have, this apparatus should be located  
12 where in connection with this toilet?

13 A I really don't know.

14 It is hung on the toilet anywhere in the back,  
15 I am sure, however it is hung.

16 Q Is it hung in the toilet in what you call  
17 the tank area?

18 A Well, it is hung inside sufficiently enough  
19 so that the bluing agent gets into there.

20 Q And is this bluing agent a liquid?

21 A Yes.

22 Q What is it?

23 A It is a solid. It is like a cake or  
24 solid cake material.

25 Q And it is hung in the tank, to the best of  
26 your knowledge?

1 A Correct.

2 Q Is that right?

3 A Yes.

4 Q Now, you only worked at this station, or you  
5 worked at this station beginning in November of 1969?

6 A For the second time, yes.

7 Q Pardon?

8 A This is not the first time I had worked at the  
9 station, but it was, at this time since November of 1969.

10 Q When had you last worked at this station?

11 A I started originally with this station in  
12 September of 1967, I think it was.

13 Q Now, in August of 1969, specifically, let's  
14 say, between August the 6th and -- or let's say up to  
15 about August the 12th, in that period of time, who was  
16 the manager of this station?

17 A Duane Brainard.

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1 Q And was that man, was he at the station on  
2 December the 10th, 1969?

3 A I don't know.

4 Q Is he the manager?

5 A He is the manager. That doesn't make him there.

6 Q I see.

7 You don't recall whether he was there when this  
8 wallet came to your attention or not?

9 A No, I don't.

10 Like I say, I don't recall who was in charge at  
11 the moment.

12 I know if I could see a calendar, I can tell  
13 you who was there, probably. I know his days off, if that  
14 is what you mean.

15 MR. KANAREK: I would be glad to try to get you a  
16 calendar.

17 May I approach the witness, your Honor?

18 THE COURT: Yes.

19 MR. KANAREK: I think you will find a calendar of 1969  
20 here, as you go through the top of this notebook.

21 Would you leaf through that and see if that  
22 helps you?

23 THE WITNESS: Well, it is a Wednesday, so --

24 MR. KANAREK: Q Now, what are you specifically  
25 looking at?

26 A December the 10th is what you are referring to.

1 Q No. I was referring to August the 10th,

2 A I see.

3 Then I misunderstood your question, and I  
4 really couldn't answer it. I am sorry.

5 Q All right.

6 Then, let's look at December, and would you  
7 answer it with respect to December the 10th.

8 A December the 10th he should have been there.

9 Now, that is the closest certainty I could give  
10 you, really. He should have been there at that time.

11 Q And that is because you are looking at this  
12 calendar, December the 10th of 1969, and December the 10th,  
13 1969, was a Wednesday?

14 A Right.

15 Q Now, directing your attention to this wallet.

16 Would you tell us when you first saw the  
17 wallet, was it in the area, the general area, that is marked  
18 where the X is in People's Exhibit No. 70?

19 A Yes.

20 Q What was its location there? In what way was  
21 it? Can you show us? Was it parallel with the walls of  
22 the tank, or how was it? Do you remember?

23 A No. No, I don't remember exactly.

24 If I understand your question right, I don't  
25 remember.

26 Q Well, the walls of the tank are parallel and it

1 is a rectangular tank; right?

2 A Right.

3 Q Now, this wallet has a generally rectangular  
4 configuration; is that right?

5 A Right.

6 Q My question is: Do you remember whether the  
7 wallet was -- that is, the longest portion of this wallet --  
8 was parallel to either wall or any one of the walls of the  
9 tank?

10 A No, I don't.

11 Q And when you first saw this wallet, do you  
12 remember, in fact, where it was in the tank, as you sit on  
13 the witness stand right now?

14 A When I first saw the wallet, do I remember where  
15 it was in the tank?

16 Q Yes.

17 A Yes, I do.

18 Q But you don't recall what its relationship was  
19 with respect to the tank as to whether it was parallel or  
20 not?

21 A No, I don't.

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1 Q Now, at the time that you saw this wallet,  
2 you had already heard of Leno and Rosemarie La Bianca; is  
3 that correct?

4 A That is correct.

5 Q And is it a fair statement that upon seeing this  
6 wallet, adding up whatever you added up in your mind, caused  
7 you to be, perhaps, a little bit excited?

8 A Are you asking me when I looked at the  
9 identification?

10 Q Yes.

11 A I don't know about excited. I am not sure that  
12 that would describe my feelings.

13 Q Then your answer would be no, you didn't get  
14 excited?

15 A Well, I am not even sure I understand what you  
16 mean by excited.

17 Q Well, did it cause you to think that --  
18 well, would you describe your state of mind when you saw this  
19 wallet?

20 MR. BUGLIOSI: It is irrelevant, your Honor.

21 THE COURT: Sustained.

22 MR. KANAREK: You don't know, in fact, who you called  
23 over; is that correct?

24 A Who I called over? Who I made mention of the  
25 wallet to?

26 Q Yes.

1 A Not with certainty, no.

2 Q Did you look in the tank for anything after  
3 you took the wallet out of the tank?

4 A Yes, I think I did.

5 Q What did you find, if anything?

6 A Nothing.

7 I picked up the wallet, and that was after I  
8 ascertained whether that was the cause or not for the  
9 plunger not seating itself. I closed it up, and then I  
10 looked inside the wallet.

11 Q Now, you see this metal piece. This is a  
12 metal piece, a circular piece, that is marked X.

13 A Well, it could be plastic. In fact, I think it  
14 is plastic.

15 Q Is it a fair statement that when this toilet is  
16 flushed, that piece, which you have stated you don't know  
17 whether it is plastic or metal, is it a fair statement that  
18 that piece vibrates?

19 A I don't know.

20 Q Have you ever flushed this tank at a time when  
21 the top was off?

22 A Yes.

23 As to whether I noticed whether it vibrated or  
24 not, if it vibrates, it did not vibrate sufficiently enough  
25 to call my attention to it.

26 Q Now, who else worked at the station that day,

1 Mr. Koenig, other than yourself?

2 A Well, Duane Brainerd, the manager, and Ed Bliss  
3 were supposed to be on at the same time I was on.

4 As to who worked after I was off, I would have  
5 to check the back schedules to give you that answer.

6 Q Who is it that would have the records?

7 A Who would have the records of the time schedule?

8 Q Right. As to who worked.

9 A Well, the present manager of the station would  
10 have the back records, and also, I suspect that the District  
11 Manager would have them. Ned Phillips is our District  
12 Representative. He would have them also.

13 Q Then, Ned Phillips is the District Representative?

14 A For lack of a better term, yes.

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Q What is the name of the other gentleman?

A The manager in charge now?

Q Yes, that may have --

A Steve Marshall.

Q Now, did you discuss -- I assume that after you found this wallet, a police car came to the station, is that correct?

A That's correct.

Q How soon after you found the wallet did some police officers come to the station?

A Within about an hour.

Q An hour?

A Give or take a few minutes, I could not give you the exact time.

Q I see.

Did you sign some kind of a police report?

A I assume -- yes, I think I did.

Q Did you sign the police report at the station or at a police station?

A It would be at the station. I never went to a police station.

Q And some police officers filled out some forms or wrote something down and you signed it.

Do you remember whether you did?

A I think that is true, that is correct, yes.

Q Do you know of your own knowledge who was the

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1 manager of this station in August of 1969?

2 A Yes.

3 Q Who was that?

4 A Duane B. Brainard.

5 Q Now, is it a fair statement, Mr. Koenig, that  
6 this station does quite a lot of business?

7 A That is a fair statement.

8 Q As a matter of fact the islands in this station  
9 are many times filled up, such that people have to wait  
10 to get gasoline, is that correct?

11 A That happens once in a while, yes, but I don't  
12 know how frequently you are referring to.

13 It does happen, yes.

14 Q Does it happen quite frequently?

15 A On busy days, 4th of July, things like this,  
16 it happens.

17 Q Weekends?

18 A Usually service is sufficient to move the  
19 customers out. It happens even on weekends, I assume.

20 Q Do you recall it happening, is that correct?

21 A Oh, yes, I recall it happening.

22 Q Now, is this station right near an on-ramp and  
23 off-ramp to the Golden State Freeway?

24 A Yes.

25 Q And would you tell us which -- what the cross  
26 streets are that are adjacent to this station?

1           A       Roxford is the off-ramp for the freeway and  
2 Encinitas is the other cross street.

3           Q       And is it a fair statement that this station  
4 is a station which is open 24 hours a day?

5           A       That is a statement of fact.

6           Q       There is no question about that, right?

7           A       No.

8           Q       Is that correct?

9           A       That's correct.

10          Q       And so is it a fair statement that this  
11 station to your knowledge from August 19 -- let's say the  
12 first -- well, the 1st of August, 1969, until, say,  
13 December 10th, 1969, was open day and night, is that right?

14          A       That's correct.

15          Q       Is it a fair statement that in order to get  
16 into the ladies rest-room one does not require a key?

17          A       That is correct.

18          Q       So then one can go in there without the permission  
19 of anyone that is connected with Standard Stations,  
20 Incorporated?

21          A       That's correct.

22          Q       Is that right?

23          A       Yes.

24          Q       And is it a fair statement that this rest-room  
25 has two commodes -- only one commode is shown here but  
26 is it a fair statement that there are two commodes in this

1 rest-room, this ladies rest-room?

2 A That is also a statement of fact.

3 Q And is it a fair statement that if you don't  
4 stay more or less close to that situation that the rest-  
5 room gets untidy, I mean with great frequency?

6 A Yes, it gets dirty frequently, yes.

7 Q Very frequently, right?

8 A Right.

9 THE COURT: We will adjourn at this time, Mr. Kanarek.

10 MR. KANAREK: Very well.

11 THE COURT: Ladies and gentlemen, do not converse  
12 with anyone or form or express any opinion regarding the case  
13 until it is finally submitted to you.

14 You may step down, sir.

15 The court will adjourn until 9:00 o'clock  
16 tomorrow morning.

17 (Whereupon the court stood in recess until  
18 9:00 o'clock a.m. of the following day.)

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