

1 THE COURT: Is that agreeable, Mr. Bugliosi?

2 MR. BUGLIOSI: Yes.

3 THE COURT: As long as you are at the bench, two
4 matters:

5 You filed a request and a declaration supporting
6 an order of removal for Ernest Sheppard.

7 MR. KANAREK: Yes, your Honor.

8 THE COURT: I reviewed your declaration. I exercised
9 my discretion in denying your request.

10 No reason has been stated which even remotely
11 indicates any materiality here or necessity for it.

12 MR. KANAREK: He is a Black man, your Honor.

13 THE COURT: I understand. You have already filed
14 your declaration. I have read it and I considered it.

15 The request is denied.

16 The second thing is there will not be a holiday
17 on Thursday. We will have a court session.

18 Do you wish to confer with the witness at this
19 time?

20 MR. BUGLIOSI: Yes, your Honor.

21 THE COURT: All right.
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1 THE COURT: Ladies and gentlemen, we'll give you a
2 breather for about five minutes.

3 You are admonished during the recess you are
4 obliged not to converse amongst yourselves, nor with anyone
5 else, nor permit anyone to converse with you on any subject
6 connected with the matter, nor are you to form or express
7 any opinion on the matter until it is finally submitted to
8 you.

9 (Short recess.)

10 THE COURT: You may proceed now, Mr. Kanarek.

11 MR. KANAREK: Yes, your Honor.

12 Yes, your Honor, call Ernest Shepard.

13 THE BAILIFF: Stand right there.

14 MR. KANAREK: Your Honor, we would ask that he be
15 allowed to take the witness stand like any witness.

16 THE COURT: Surely.

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

18 THE WITNESS: Uh, I don't swear, I affirm.

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

23 THE WITNESS: That's correct.

24 THE CLERK: Please take the stand and be seated.

25 THE BAILIFF: Would you state your name, please?

26 THE WITNESS: My name is Ernest X. Shepard.

27
28 ERNEST X. SHEPARD,

1 called as a witness by and on behalf of the defendant, having
2 been first duly sworn, was examined and testified as follows:

3
4 DIRECT EXAMINATION

5 BY MR. KANAREK:

6 Q And what does the X stand for, Mr. Shepard?

7 A The X is, uh, a letter given to us by the
8 Honorable Elijah Muhammad. It is given to one who has
9 embraced the Islamic religion and following the teachings of
10 the Honorable Elijah Muhammad. X means ex-slave, too, for
11 white folks, ex-everything. Ex-Negro, ex-everything I was
12 before I joined the Nation of Islam.

13 Q And where do you reside, Mr. Shepard?

14 A Well, do you take that -- if I were released or
15 during my incarceration?

16 Q Your present place of residence.

17 A In the, uh, -- in the Los Angeles County Jail.

18 Q And where is your place of residence other than
19 the Los Angeles County Jail in custody?

20 A Folsom Prison.

21 Q You have come from Folsom Prison to testify in
22 this case?

23 A Yes, sir.

24 Q And directing your attention, Mr. Shepard, to
25 any other name that you may have.

26 What other name do you have besides Ernest Shepard?

27 A Uh, once, uh, I adopted a Swahili name, the name
28 Hekima.

1 Q And how do you spell that?

2 A H-e-k-i-m-a.

3 Q Now, directing your attention, then, to Mr. Manson.
4 Would you say that you are a friend of Mr. Manson's?

5 A A friend?

6 Q Yes.

7 A Uh, I don't understand friend.

8 Q You don't understand the word friend?

9 A No, sir.

10 Q I see. You mean you don't understand what the
11 word is, as I use it?

12 A Friendship as far as an emotional attachment
13 between two people, this type of friendship?

14 Q Yes, this is what I am saying.

15 A Uh, no, sir.

16 Q Then, directing your attention to Mr. Manson.
17 Did you come to know Mr. Manson at a time when
18 you were in custody and he was in custody?

19 A Yes, sir.

20 Q And was that at a time when you were in the Los
21 Angeles County Jail?

22 A Yes, sir.

23 Q Was that at a time -- well, would you tell us
24 when that was?

25 I'll withdraw that and ask you when was it that
26 you first met Mr. Manson?

27 A Yes, sir.

28 This was approximately 18 months ago. This is

1 when I was down in the Los Angeles County Jail, fighting the
2 present case that I am convicted of now. Charlie Manson had,
3 uh, just gotten arrested for the crimes -- had just gotten
4 arrested. We were both placed in the same tank with approxi-
5 mately 50 other persons.

6 Q And you became acquainted with Mr. Manson in that
7 atmosphere?

8 A Yes, sir.

9 Q Is that correct?

10 A Yes, sir.

11 Q Would you tell us what your relationship is with
12 Mr. Manson? How do you feel towards him?

13 MR. MANZELLA: Objection, your Honor, it is not
14 relevant.

15 MR. KANAREK: It has to go -- it goes to show bias and
16 prejudice, your Honor.

17 THE COURT: The objection is overruled.

18 MR. MANZELLA: Your Honor, I would like to approach the
19 bench on this, please.

20 THE COURT: You may not. You may answer it.

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

22 MR. KANAREK: Yes, may it be read, your Honor?

23 THE COURT: Yes.

24 (Whereupon, the record was read by the reporter
25 as follows:

26 "Q Would you tell us what your relationship
27 is with Mr. Manson? How do you feel towards him?"
28

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1 THE WITNESS: Uh, my relationship with Mr. Manson,
2 basically, as a relationship would be with any person, you
3 know, that I would encounter. Uh, I recognize him for what
4 he is, as I recognize or tend to recognize every person for
5 what they are.

6 Uh, my contacts with Mr. Manson, observing his,
7 uh, mind, his mental process, uh, his relation to life, to
8 the world, uh, -- is that what -- is this, uh, the relationship
9 that you would like for me to describe?

10 Q BY MR. KANAREK: Yes.

11 MR. MANZELLA: I object, your Honor, beyond what the
12 witness has already testified to, the answer would be
13 irrelevant.

14 THE COURT: Ask your next question.

15 MR. KANAREK: Is your Honor stopping the witness from
16 testifying further in answer to --

17 THE COURT: Have you finished your answer?

18 Did you finish your answer?

19 THE WITNESS: Well, I asked a question.

20 THE COURT: Have you finished the answer to that last
21 question?

22 THE WITNESS: No, sir.

23 MR. KANAREK: May he be allowed to finish, your Honor?

24 THE COURT: Go ahead.

25 THE WITNESS: Charlie Manson is one who is keenly
26 aware of the times that we're living in.

27 THE COURT: Well, that may be stricken.

28 Do you know what the question is?

1 to be present.

2 Mr. Kanarek, you may call your next witness.

3 MR. KANAREK: Mr. Charles Rich, your Honor.

4 THE CLERK: Would you raise your right hand, please?

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

9 THE WITNESS: I do.

10
11 CHARLES A. X. RICH,
12 called as a witness by and on behalf of the defendant, having
13 been sworn, was examined and testified as follows:

14 THE CLERK: Please take the stand and be seated.

15 THE BAILIFF: State and spell your full name, sir.

16 THE WITNESS: Charles A. X. Rich; Rich, R-i-c-h.

17
18 DIRECT EXAMINATION

19 BY MR. KANAREK:

20 Q Mr. Rich, where do you reside?

21 A At CMC East.

22 Q Would you tell us, what does that mean?

23 A It's a prison. California Men's Colony.

24 Q And where is that located?

25 A San Luis Obispo.

26 Q Here in California, --

27 A Yes.

28 Q -- County of San Luis Obispo; right?

1 A Right.

2 Q Now, would you tell us how long, if at all, have
3 you known Mr. Manson, Charles Manson?

4 A Oh, about 15, 16 years.

5 Q And during these 15 or 16 years that you've known
6 Mr. Manson, would you tell us where you were and where Mr.
7 Manson was when you knew him?

8 A Well, to explain that thoroughly to this courtroom,
9 I would like to ask this courtroom for three or four minutes
10 of its time, uninterrupted, if that's possible.

1-1

1 THE COURT: Just answer the question, Mr. --

2 THE WITNESS: Oh, yes, sir.

3 And jails, prison.

4 Q BY MR. KANAREK: Would you tell us the prisons
5 and the jails?

6 A Oh, numerous of them.

7 Q Name them as best you can, Mr. Rich.

8 A Oh, Los Angeles County Jail, state prisons,
9 federal penitentiaries, reform schools.

10 Q Would you tell us -- break it down for us a
11 little bit. That is, tell us from about what year to what
12 year? In what institution?

13 A Well, that would be kind of hard. My last
14 institution I was in, I was there five years and I didn't
15 see Charles for that length of time. He was in the federal
16 joint, I believe, at that particular time.

17 It is hard to go back, just year after year
18 after year. I've been in prison since 1955, in and out.

19 Q Yourself?

20 A Yes.

21 Q Well, then, could you name the prisons, then,
22 if you can't name the dates with precision? Name the
23 prisons.

24 THE COURT: Would you clarify your question?

25 Q BY MR. KANAREK: Would you name the prisons that
26 you know Mr. Manson has been in?

27 A Well, we went in County prison here, right here
28 in Los Angeles.

1-2

1 Q Was that for approximately a year or something
2 like that?

3 A Correct. Over a year.

4 Q Now, what about --

5 A Over a year.

6 Q What about McNeil Island?

7 A We were in McNeil together.

8 Q That's a federal penitentiary?

9 A Right.

10 Q How long were you there with Mr. Manson?

11 A Uh, close to two years.

12 Q Can you name any others?

13 A Oh, you just choose your pick.

14 Q San Quentin -- well, you just tell me, Mr. Rich,
15 whichever ones they are.

16 A Well, I say it is hard to go back through them
17 years like that, you know.

18 Q I see, very well.

19 Now, what is your full name, Mr. Rich?

20 A Charles A. X. Rich.

21 Q Now, in the time that you have seen Mr. Manson in
22 prison, would you say that you -- what has been your relation-
23 ship with Mr. Manson?

24 A Well, I've always got along with him.

25 Q What has been your observation as to Mr. Manson's
26 relationship with other people?

27 A He got along with everybody that he's in contact
28 with.

1 MR. MANZELLA: I said: The other grounds for my
2 objection, your Honor, were that no foundation has been laid
3 for that question.

4 MR. KANAREK: Well --

5 THE COURT: Sustained on that ground.

6 Q BY MR. KANAREK: You've -- you have seen Mr.
7 Manson, you have told us, Mr. Rich, speak to people on many
8 occasions; right?

9 A Right.

10 Q And do you know Mr. Manson's reputation in the
11 prison community, as far as his character for attempting to
12 dominate people is concerned, Mr. Rich?

13 A Definitely so.

14 Q Would you tell us: What is that reputation?

15 A The guy don't have no reputation for dominating
16 nobody. He's a cream puff. The guy ain't got enough sense to
17 lead a man to a drink of water.

18 MR. KANAREK: I'm sorry. May that last be read back?
19 I didn't hear.

20 Q BY MR. KANAREK: Mr. Rich, it's difficult to hear
21 you with your hands over --

22 A I say: That guy doesn't have enough sense to lead
23 a man to a drink of water.

24 Q What do you mean by that?

25 A That guy can't lead nobody nowhere.

26 Q Well, would you tell us -- summarize for us your
27 observations of Mr. Manson's relationship with these people in
28 prison?

2a-1

1 MR. MANZELLA: Objection, your Honor. It calls for
2 hearsay; it's irrelevant; and there's no foundation for that
3 question.

4 THE COURT: Objection sustained.

5 Q BY MR. KANAREK: Now, you -- your name is
6 Charles A. X. Rich, --

7 A Correct.

8 Q -- is that correct?

9 A That is correct.

10 Q What does the "X" stand for?

11 A Ex-slave, ignorant so-called nigger for white
12 America.

13 Q And in connection with your residence in the
14 institutions that you have inhabited, have you had occasion
15 to observe people -- other than Mr. Manson?

16 MR. MANZELLA: Objection, your Honor.

17 THE WITNESS: Repeatedly.

18 MR. MANZELLA: It's not relevant.

19 THE COURT: The objection is sustained, and the answer
20 is stricken.

21 Q BY MR. KANAREK: You recognize, Mr. Rich, what
22 a leader is; is that correct?

23 A Correct.

24 Q In the prison communities, where you have been
25 with Mr. Manson, would you term Mr. Manson a leader?

26 MR. MANZELLA: Objection, your Honor. It calls for an
27 opinion, and there is no foundation for it.

28 MR. KANAREK: Well, your Honor, then I would like to --

1 A Basketball, baseball, volley ball.

2 Q And you participated in the same way?

3 A Yes.

4 Q Is that right?

5 Now, you've seen Mr. Manson in custody with people
6 of the Black or Negro race?

7 A Yes.

8 Q Mexican or Latin people, right?

9 A Yes.

10 Q White or Caucasian people?

11 A Right.

12 Q Have you -- have you ever heard Mr. Manson make
13 any statements of a racial nature against any black people,
14 any Mexican people, Negro, Latin, white or Caucasian or any
15 kind of racial statements?

16 A Not in prison, no, I haven't.

17 Q Have you ever heard that Mr. Manson made such kinds
18 of racial statements?

19 A No.

20 You know, when you have guys in small groups, you
21 know, and Mr. Manson was a part of a clique which is referred
22 to in the joint as musicians, you know, and they stayed off
23 to themselves, the majority of the time.

24 Q Well, what do you mean by that? Did you ever hear
25 Mr. Manson play any instrument?

26 A Oh, he can definitely play an instrument, yes, he
27 can.

28 Q What instrument have you seen Mr. Manson play?

1 A I've seen him play and heard him play guitar.
2 I've heard him play a little saxophone. I've seen and heard
3 him play drums.

4 Q And have you ever heard him sing?

5 A Yes, I have.

6 Q Along with the playing of these instruments?

7 A Yes.

8 Q Is that correct?

9 Now, did he play these -- was this done in a -- in
10 the form of a band or an orchestra or how did this musical
11 activity of his take place?

12 A Just a group, you know. He was one of a group of
13 about 15 or 20. He and another white boy was the only two
14 that were in the group, you know.

15 Q And all of the rest of the people were black or
16 Negro?

17 A Yes.

18 Q And would you say it is a fair statement that you
19 consider yourself a friend of Mr. Manson's?

20 A Yes, I do.

21 Q And, now, would you describe the --

22 Now, directing your attention to this -- to this
23 group wherein he and another white or Caucasian person was a
24 member. How many people in all were in that group?

25 A There was about 14 or 15 of them.

26 Q And the rest you tell us were black or Negro
27 people?

28 A Yeah, they were all blacks except Charlie and that

1 other white boy.

2 Q And over what period of time did you observe
3 Mr. Manson participate in this group?

4 A Well, as long as it was in the joint. He did five
5 years.

6 Q And that was at -- on that particular occasion at
7 McNeil Island?

8 A Right.

9 Q And you were there with him?

10 A Right. He got out in 1967, '68, I believe. Some-
11 where in that area.

12 Q Then, as best you can, would you say in the prison
13 atmosphere where you are given the opportunity to do what you
14 want as -- well, let me withdraw that.

15 A No, you are not given the opportunity to do what
16 you want, Counsellor.

17 Q I understand.

18 (Laughter.)

19 Q BY MR. KANAREK: I understand, Mr. Rich. I'm not
20 phrasing that right. I'm sorry.

21 What I am saying is, in connection with those
22 matters where you are given some option, some choice --

23 A Some leisure time?

24 Q Right.

25 A Yeah.

26 Q Mr. Manson directed his option or choice towards
27 this musical group?

28 A Right.

1A2

1 A Yeah.

2 Q Did you see Tex use it?

3 A Yeah.

4 Q Did you see Bruce use it?

5 A Yeah.

6 Q Did you see Clem use it?

7 A Yeah.

8 Q Did you use it?

9 A Yeah.

10 Q Did you ever see any of the girls use it?

11 A Yeah.

12 Q Linda?

13 A No.

14 Q Brenda?

15 A Possibly.

16 Q Mr. De Carlo, is it not true from your dis-

17 cussions with Mr. Manson, that Mr. Manson indicated to you

18 that he actually loved the black people?

19 A Yeah, there was one time he said that.

20 Q Did you ever hear him say he hated blacks or

21 Negroes?

22 A Yeah.

23 Q When was that, do you recall?

24 A No.

25 Q Did Mr. Manson ever use the word "hate"?

26 A No.

23a4

1 Loved what? It's ambiguous.

2 THE COURT: Sustained.

3 Q BY MR. FITZGERALD: Did you actually hear
4 Manson ever say that he hated blacks or Negroes?

5 A Yeah.

6 Q When was that?

7 A Sometime in -- I don't know when, while I was
8 there.

9 Q Just one big blur?

10 A Because we never had no clocks or calendars up
11 there, so, hell, I didn't know what time it was.

12 It got dark, light, dark, and that was it.

13 We never listened to a radio; we had no calendar,
14 so one day went along like the next day.

15 I did not know if it was Monday, Wednesday, or
16 Friday, so --

17 Q And I take it you had a lot of conversations
18 with an awful lot of people during the period of time you
19 were at the Spahn Ranch?

20 A Yeah, I talked to a lot of people.

21 Q You probably talked to 100 people, right?

22 A Yeah.

23 Q What makes you remember this conversation where
24 Manson said he hated Negroes?

25 A Well, we both think about the same way, so --

26 MR. KANAREK: Your Honor, I ask that be stricken as

23b-1

1 THE COURT: The answer will be stricken as not
2 responsive.

3 The jury is admonished to disregard it.

4 BY MR. FITZGERALD:

5 Q You don't remember what month you had this
6 conversation with Manson when he said he hated Negroes?

7 A No.

8 Q And you don't remember the week?

9 A No.

10 Q And you don't remember the time of day?

11 A No.

12 Q And you don't remember the exact location of
13 the conversation?

14 A It was at the ranch.

15 Q How big is the ranch?

16 A It's pretty big.

17 Q You don't remember who was present?

18 A No.

19 Q Tell us exactly what happened?

20 A He just said that he wanted the blacks to
21 fight against the police -- I can't remember word for
22 word exactly what was said.

23 I mean, you know, the feeling is there; if
24 you want me to put it in exact words, I cannot remember.

25 Q So you got the feeling he hated blacks, is
26 that right?

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1 THE COURT: You may not have a continuing objection.

2 Are you objecting now?

3 MR. KANAREK: Yes, your Honor.

4 THE COURT: Overruled.

5 THE WITNESS: Well, they fight against the police,
6 you know, they fight, you know, they fight for what they
7 want.

8 Q BY MR. BUGLIOSI: How did the word "love" come
9 up in the conversation? What did Mr. Manson say?

10 A Well, he loves them for having the guts --

11 MR. KANAREK: Same grounds, improper foundation.

12 MR. BUGLIOSI: Interrupting the witness, your Honor,
13 right in the middle of a statement.

14 THE COURT: Overruled, you may answer.

15 THE WITNESS: Well, he loved them for having the guts
16 to fight against them.

17 Q BY MR. BUGLIOSI: The police, is that correct?

18 A Yeah.

19 Q With respect to the 10 buck knives, you say
20 Gypsy bought, you testified she bought them in either
21 July or August.

22 Do you know which month it was?

23 A I think the first part of August.

24 Q The first part of August?

25 A Yeah.

26 Q By "first part of August," you mean the first

1 THE COURT: Overruled.

2 You may answer.

3 MR. KANAREK: And the continuing objections which we
4 have enunciated previously.

5 THE WITNESS: This should be qualified by saying that
6 I wasn't there. This was told to me.

7 MR. BUGLIOSI: No objection to hearsay, your Honor.

8 MR. HUGHES: Q Was it told to illustrate a
9 philosophical point, Mr. Jakobson?

10 A I don't know if the point was philosophical.
11 It was more physical than philosophical.

12 Q Had Mr. Manson told you that he was able to
13 transcend pain?

14 A Yes.

15 Q And did he tell you about actually holding a
16 match to his hand and it not burning him?

17 A Yes.

18 Q Did Mr. Manson ever indicate to you that some of
19 the Far Eastern races, the Indian races, had attained some
20 higher level than both the black and the white races?

21 A We discussed that.

22 Q And was it his position that the Eastern races
23 had attained a higher level than the white races?

24 A It was both of our positions. There was no
25 argument there.

26 Q So Mr. Manson did not put the white man above

1 all other men, did he?

2 A No.

3 Q So, he was not a white-man-first sort of person,
4 was he?

5 A No.

6 Q Did he feel that the white man was capable of
7 going on to a more spiritual level?

8 A Yes.

9 Q Now, going back, Mr. Jakobson, to the album,
10 to the Beatles' white album.

11 You saw this album at the ranch?

12 A Yes.

13 Q A lot of people played that album quite a bit;
14 is that correct?

15 A Yes.

16 Q And generally, isn't it true, that rather than
17 skipping around from song to song, that that album would be
18 played through from beginning to end?

19 A Generally, yes.

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