

1 Court. Treat it as though you had never heard it.

2 You must not independently investigate the  
3 facts or the law or consider or discuss facts as to  
4 which there is no evidence. This means, for  
5 example, that you must not, on your own, visit the  
6 scene, conduct experiments, or consult reference  
7 works or persons for additional information.

8 You must not converse among yourselves or  
9 with anyone else, including, but not limited to,  
10 spouses, spiritual leaders or advisors or therapists  
11 on any subject connected with the trial, except when  
12 all of the following conditions exist: A, the case  
13 has been submitted to you for your decision by the  
14 Court following arguments by counsel and jury  
15 instructions; B, you are discussing the case with a  
16 fellow juror; and, C, all 12 jurors and no other  
17 persons are present in the jury deliberating room.

18 You must not read or listen to any accounts  
19 or discussions of the case reported by the  
20 newspapers or other news media, including radio,  
21 television, the Internet, or any other source.

22 You will be given notebooks and pencils.  
23 Leave them on your seat when you leave each day and  
24 at each recess. You will be able to take them into  
25 the jury room when you deliberate.

26 A word of caution: You may take notes.  
27 However, you should not permit note-taking to  
28 distract you from the ongoing proceedings.

1 Remember, you are the judges of the believability  
2 of the witnesses.

3 Notes are only an aid to memory and should  
4 not take precedence over recollection. A juror who  
5 does not take notes should rely on his or her  
6 recollection of the evidence and not be influenced  
7 by the fact that other jurors do take notes. Notes  
8 are for the note-taker's own personal use in  
9 refreshing his or her recollection of the evidence.

10 Should a discrepancy exist between a juror's  
11 recollection of the evidence and a juror's notes, or  
12 between a juror's recollection and that of another,  
13 you have a right to, and may request, the court  
14 reporter read back the relevant testimony, which  
15 must prevail.

16 You will be permitted to separate at the  
17 evening recess. You must return following -- on the  
18 following days at such times as I instruct you.  
19 During recess, you must not discuss with anyone, any  
20 subject connected with this trial.

21 As for the alternate jurors, you are bound  
22 by all these admonitions. You must not converse  
23 among yourselves or with anyone else on any subject  
24 connected with the trial or form or express any  
25 opinion on it until the case is submitted to you,  
26 which means until such time as you are substituted  
27 in for one of the 12 jurors and begin deliberating  
28 on the case.

1 This means that you must not decide how you  
2 would vote if you were deliberating with the other  
3 jurors, and that you must not form or express an  
4 opinion about the case unless and until you have  
5 been substituted in as a juror in the case.

6 You are not to visit or view the premises or  
7 place where the crime or crimes charged were  
8 allegedly committed or any other premises or place  
9 mentioned or involved in the case.

10 During the course of this trial, and before  
11 you begin your deliberations, you must keep an open  
12 mind on this case, and upon all of the issues that  
13 you will be asked to decide. In other words, you  
14 must not form or express any opinions on this case  
15 until the matter is finally submitted to you.

16 Before and within 90 days of your discharge  
17 as a juror in this matter, you must not request,  
18 accept, agree to accept, or discuss with any person  
19 receiving or accepting any payment or benefit in  
20 consideration for supplying any information  
21 concerning the trial.

22 You must promptly report to the Court any  
23 incident within your knowledge involving an attempt  
24 by any person either to improperly influence any  
25 member of this jury or to tell a juror his or her  
26 view of the evidence of the case.

27 At this time, the lawyers will be permitted  
28 to make an opening statement, if they choose to do

1 so. An opening statement is not evidence. Because  
2 it is not evidence, do not take any notes during the  
3 opening statement.

4 Neither is it argument. Counsel are not  
5 permitted to argue the case at this point in the  
6 proceedings.

7 An opening statement is simply an outline by  
8 counsel of what he or she believes or expects the  
9 evidence will show in this trial. Its sole purpose  
10 is to assist you in understanding the case as it is  
11 presented to you.

12 Mr. Sneddon?

13 MR. SNEDDON: Yes, Your Honor.

14 THE COURT: I understand there is a change in  
15 the way we're going to refer to the alleged victims  
16 in this case?

17 MR. SNEDDON: That's correct, Your Honor.  
18 And the change is that we are going to use the real  
19 names.

20 THE COURT: All right. Counsel agree?

21 MR. MESEREAU: Defense would agree to that,  
22 Your Honor.

23 THE COURT: And I understand the reason for  
24 this change in this case is that there is so much  
25 documentary, written evidence that has their names  
26 in it would be pretty much impossible to proceed  
27 without reaching this agreement.

28 MR. SNEDDON: That's correct, Your Honor. I

1 discussed it with the family and explained to them  
2 the technical problems of trying to go through all  
3 the redaction process with every tape and video and  
4 everything else, and they understood. And they said  
5 that they were comfortable with it, the decision to  
6 change it back.

7 THE COURT: All right. I'll accept that  
8 agreement and request. And I will allow the names  
9 of the victims to be used in this case.

10 In doing so, I want to express to the  
11 members of the press who did not reveal the names of  
12 the victims in accordance with our law, how deeply  
13 appreciated that was by the Court.

14 And I want you to know that in other cases,  
15 it would remain very important to continue your  
16 policies that you expressed not revealing the  
17 victim's names in these type of cases.

18 Are you ready to proceed?

19 MR. SNEDDON: Judge, there's one final thing  
20 that we discussed a long time ago, but I wanted to  
21 double-check with the Court. There is a motion to  
22 exclude witnesses; is that correct?

23 THE COURT: I don't remember. Yes, there  
24 was, during one of the hearings, a motion -- is  
25 there a motion to exclude witnesses during the  
26 trial?

27 MR. SNEDDON: Yes, sir. I believe that was  
28 the request of both parties.

1 MR. MESEREAU: We would make a similar  
2 motion, Your Honor.

3 THE COURT: All right. The motion to  
4 exclude witnesses made by both parties is granted.

5 MR. SNEDDON: Yes, sir?

6 THE COURT: Does that require witnesses not  
7 to be present during your opening remarks or just  
8 during the testimony?

9 MR. SNEDDON: Well, I understand -- I'm  
10 sorry, Your Honor. My understanding would sort of  
11 defeat the proposition if they were allowed to  
12 remain in the courtroom during the opening  
13 statement, by either party.

14 THE COURT: All right. Then --

15 MR. SNEDDON: Other than the investigating  
16 officer, of course, who's been designated.

17 THE COURT: All right. Any witnesses that  
18 have been subpoenaed to testify in this case or who  
19 expect to testify, if you're in the courtroom at  
20 this time, you're required to leave the courtroom.

21 Seeing nobody leaving, you may proceed.

22 I am going to take breaks at the standard  
23 time, so -- just so you know.

24 MR. SNEDDON: Good morning.

25 THE JURY: (In unison) Good morning.

26 MR. SNEDDON: On February the 3rd of 2003,  
27 Michael Jackson, the defendant in this case, world  
28 was rocked. And it didn't rock in a musical sense.

1 It rocked in a real life sense. And it was rocked  
2 by the fallout from the broadcast in the United  
3 Kingdom of the Martin Bashir video documentary,  
4 "Living with Michael Jackson."

5 And his life was rocked so badly that one of  
6 his long-time closest and most trusted associates,  
7 and co-conspirator in this case, Marc Schaffel  
8 described it as "a train wreck."

9 Now, I'm sure that some of you ladies and  
10 gentlemen are going to be a little surprised to  
11 learn, as the testimony and the evidence unfolds in  
12 this case, that actually for years prior to the  
13 Bashir video that the defendant in this case was  
14 heavily in debt. That his musical assets --

15 MR. MESEREAU: Objection.

16 MR. SNEDDON: -- and his real estate  
17 property --

18 MR. MESEREAU: Objection.

19 THE COURT: Sustained.

20 MR. SNEDDON: Your Honor, that's the motive  
21 for the --

22 MR. MESEREAU: Objection, again, Your Honor.

23 THE COURT: The --

24 MR. MESEREAU: He's violating your order.

25 THE COURT: The final determination as to the  
26 financial evidence coming in has not been reached.

27 MR. SNEDDON: Very well, Your Honor.

28 Unfortunately, for Mr. Jackson, the effect

1 of the Bashir documentary had just the opposite  
2 effect.

3 This case, in Count 1, is a case about  
4 conspiracy. It's about the train wreck situation  
5 caused by the Bashir documentary. It's about the  
6 world's reaction and how it created the motive for  
7 the once superstar's desperate attempt to salvage  
8 his once very powerful musical career.

9 This is also a case about Michael Jackson's  
10 exploitation of a 13-year-old boy and cancer  
11 survivor, Gavin Arvizo.

12 It's about how Jackson, after almost a year  
13 of having no contact with this young boy, reached  
14 out to the young boy and invited him to Neverland  
15 Ranch to participate in the Bashir documentary.

16 It's about how he never told this boy that  
17 the interview was anything other than an audition.  
18 That the boy nor any member of their family realized  
19 that the interview that occurred on the ranch that  
20 day was going to be broadcast internationally around  
21 the world and seen by millions and millions of  
22 people.

23 This case is about the defendant. It's  
24 about his manipulation of the young boy's  
25 adolescence through exposing him to strange sexual  
26 behavior and introducing him to sexually graphic  
27 adult magazines.

28 It's about how he traded on the boy's



1 obvious and often expressed admiration for the  
2 defendant. And it's about how he exploited the  
3 knowledge of the fact that the child had no father  
4 in his life, and had had no father in his life for  
5 over a year, because of the separation and divorce  
6 of the parents, and the fact that there was a court  
7 restraining order prohibiting the father from seeing  
8 the children.

9 He exploited this paternal relationship and  
10 created another relationship with the child as a  
11 surrogate father, encouraging both the child, Gavin  
12 Arvizo, the mother, and other members of the family  
13 to refer to him as "Daddy" or "Michael Daddy."

14 You will soon see, as one of the first  
15 witnesses in this case, the Martin Bashir  
16 documentary. You will see Bashir's probing and  
17 incredulous questioning of the defendant.

18 And you will see the defendant's almost  
19 casual responses to his questions in trying to  
20 justify his admitted practice and long-standing  
21 custom and habit of sharing his bedroom, and his  
22 bed, with young boys.

23 You will soon hear the testimony from such  
24 witnesses as Ann Gabriel, Rudy Provencio, Ian Drew,  
25 and others close to the defendant in this case, that  
26 the Bashir documentary was deemed a disaster. And  
27 that the Arvizo family was a dangerous loose end.

28 One that needed to be isolated, one that needed to

1 be controlled, and one that needed to be convinced  
2 to participate in a pro Michael Jackson video that  
3 was planned to be aired later in mid-February.

4 As the trial unfolds, you will also learn  
5 that maintaining that isolation and maintaining that  
6 control became very problematic. And gaining the  
7 cooperation of the mother, Janet Arvizo, was very,  
8 very difficult. And you will learn the reasons why.

9 The evidence through the Arvizo family, and  
10 corroborated by tape-recordings and other witnesses,  
11 will show that when logic and reason appeals to  
12 trust, deceit, and lies and threats, failed.

13 That the defendant in this case and his  
14 co-conspirators were able to obtain the valuable  
15 interview that they needed from the Arvizo family  
16 through extortion. And it was done very simply.

17 As events turned out -- and I will explain  
18 to you in later detail during other parts of my  
19 opening statement here this morning -- that as a  
20 result of the things that occurred in this case,  
21 authorities from the school contacted the Department  
22 of Social Services in Los Angeles, and they  
23 contacted Mrs. Arvizo, and they wanted Mrs. Arvizo  
24 to produce the children for an interview on February  
25 the 20th in Los Angeles.

26 But Mrs. Arvizo had a problem. Because  
27 Mrs. Arvizo at that point in time was not on the  
28 ranch, and the children were. And she had refused

1 to participate in the video that they desired on a  
2 number of occasions prior to this.

3 She placed a phone call to one of the  
4 co-conspirators in this case, Frank Tyson, who also  
5 goes by the name of Frank Cascio. And it was put to  
6 her quite simply: No children; no video. No  
7 children; no video.

8 She had no choice but to agree for herself  
9 and the children to participate in the video.

10 What followed was kind of a bizarre event in  
11 the sense that the children were taken from  
12 Neverland Ranch by Michael Jackson's personal  
13 videographer --

14 THE BAILIFF: Hit the switch.

15 MR. SNEDDON: Well, I know I've had some  
16 effects on people before, but I don't think I've  
17 ever had that one.

18 (Laughter.)

19 BAILIFF CORTEZ: Okay. Back on.

20 THE BAILIFF: Wait just one second.

21 MR. SNEDDON: I don't need it.

22 THE BAILIFF: You don't need it?

23 MR. SNEDDON: I told you, I don't need it.

24 I guess that gives new meaning to an  
25 electric personality.

26 I think we were at that point in time now  
27 where we're talking about the fact that the children  
28 are at the ranch. And the defendant's personal

1 videographer, Hamid Moslehi, is commissioned to  
2 bring the children from the ranch to his Calabasas  
3 residence where the filming is going to take place.

4 Another member of the co-conspirator's team  
5 named Vinnie Amen, who also goes by the name of  
6 Vinnie Black, picks up Janet Arvizo at a West Los  
7 Angeles apartment where she's staying with her  
8 future husband and fiance, Major Jay Jackson.

9 They meet at Moslehi's residence in  
10 Calabasas. And it's now approaching about 11:30 or  
11 almost midnight when everybody arrives. What  
12 results is a video that occurs -- and I'm going to  
13 speak more about later in my presentation -- but  
14 occurs and doesn't end until two o'clock in the  
15 morning. And the children are then taken back to  
16 West Los Angeles for a nine o'clock appointment with  
17 the Department of Social Services people, the very  
18 next morning.

19 Now, what I want to do is -- at this point,  
20 is I want to share with you just a few of the  
21 comments from the Bashir transcript. I want to  
22 share with you some of the things that caused the  
23 reactions and the movement of the people and the  
24 parties involved in this particular case that I've  
25 already discussed rather briefly.

26 And before I do that, though, I want to stop  
27 and tell you, in caution and in candor and in  
28 fairness, this video that you will hear is about an

1 hour and 40 minutes long. And it's not my intention  
2 to lift from that -- from that video just a portion  
3 of it. But you will see from what I'm going to  
4 lift, that it is the parts that deal most  
5 specifically with this case.

6 This is the interview of Martin Bashir and  
7 the defendant. It's the interview that occurs  
8 towards the end of the eight-month journey in the  
9 filming of the life and "Living with Michael  
10 Jackson" video documentary.

11 "Martin Bashir: It was a great privilege to  
12 meet Gavin because he's had a lot of suffering in  
13 his life.

14 "Michael Jackson: Yeah.

15 "Martin Bashir: When Gavin was there, he  
16 talked about the fact that he shares your bedroom.

17 "Michael Jackson: Yes.

18 "Martin Bashir: Can you understand why  
19 people would worry about that?

20 "Michael Jackson: Because they're ignorant.

21 "Bashir: But is it really appropriate for a  
22 40-year-old man to share a bedroom with a child that  
23 is not related to him?

24 "Michael Jackson: That's a beautiful thing.

25 "Martin Bashir: That's not a worrying  
26 thing?

27 "Michael Jackson: Why should it be  
28 worrying? Who's the criminal? Who's the Jack the

1 Ripper in the room? This is a guy trying to help  
2 and heal a child. I'm sleeping in a sleeping bag on  
3 the floor. I give him the bed because he has a  
4 brother named Star, so him and Star took the bed and  
5 I'm on the floor in the sleeping bag.

6 "Did you ever sleep in bed with him?

7 "No, but I have slept in bed with many  
8 children. I sleep in bed with all of them.

9 "Bashir: But is that right, Michael?

10 "Michael: It's very right. It's very  
11 loving. That's what the world needs now. More  
12 love, more love.

13 "Martin Bashir: The world? The world  
14 needs....

15 "Michael Jackson: More heart.

16 "Martin Bashir: The world? The world needs  
17 a man, 44, sleeping in bed with children?

18 "Michael Jackson. No, you're making it --  
19 no, no, you're making it all wrong. That's wrong.

20 "Bashir: Well, tell me. Help me.

21 "Michael Jackson: Because what's wrong with  
22 sharing a love? You don't sleep with your kids and  
23 some other kids" -- I'm sorry. "You don't sleep  
24 with your kids or some other kids who need love who  
25 didn't have a good childhood?

26 "Martin Bashir: No. No, I don't. I never  
27 dream of sleeping --

28 "Michael Jackson: Well, I would. I would.

1 Because you've never been where I've been mentally."

2 Later on in the transcript, Bashir goes on:

3 "But isn't that precisely the problem, that when you  
4 actually invite children into your bed, you never  
5 know what's going to happen?"

6 "Michael Jackson: But when you say 'bed,'  
7 you're thinking sexual. They make it sexual. It's  
8 not sexual. We're going to sleep. I tuck them in.  
9 We put -- I put a little, like, music on. We do a  
10 little story time. I read a book. It's very sweet.  
11 We put the fireplace on. We give them hot milk, you  
12 know, and we have little cookies. It's very  
13 charming. It's very sweet."

14 Ladies and gentlemen, this case begins with  
15 ten-year-old Gavin Arvizo. It begins in the year  
16 2000. It begins when Gavin Arvizo is living with  
17 his mother, Janet Arvizo, and his father David, and  
18 his older sister Davallin, and his younger brother  
19 Star, in a studio apartment in East Los Angeles.

20 It begins with his diagnosis of stage four  
21 cancer at the age of 10. In an attempt to stem the  
22 cancer, a medicine-sized -- medicine-ball-size  
23 tumor, weighing 16 pounds, is removed from his  
24 abdomen. Lesions were removed from his lungs. His  
25 gall bladder was removed. Lymph nodes were removed.  
26 And one kidney was also removed.

27 For a year, he underwent chemotherapy. Long  
28 recuperative hospitalizations and long periods of

1 recuperation at his grandparents' place. And in all  
2 candor, the doctors told the Arvizos and told Gavin  
3 Arvizo to prepare for his funeral, that he wasn't  
4 going to survive.

5 But, you see, Gavin's a fighter, and Gavin  
6 wasn't willing to quit. And because of a miracle,  
7 today Gavin is alive and his cancer is in remission  
8 and he's a freshman in high school. And he's an  
9 active member of a Navy Explorer unit and has gone  
10 through a boot camp in 2003 in Virginia. And he  
11 played football on his freshman high school football  
12 team this year.

13 During Gavin's fight for life, however,  
14 there were people actively involved in supporting  
15 him. And one of those people that you're going to  
16 learn about in this case is Jamie Masada.

17 Now, Jamie Masada you probably have not  
18 heard of, but you may have heard of the company that  
19 he founded. He started with The Laugh Factory on  
20 Sunset Boulevard in Los Angeles. He now has places  
21 in Hawaii and he has a place in New York City. It's  
22 for comedians. And as one of the things that Mr.  
23 Masada did, is he sponsored camps during the summer  
24 for underprivileged children.

25 And during the summer one year when the  
26 children were younger, the three children, Davallin,  
27 Star and Gavin, participated at The Laugh Factory in  
28 a summer program for underprivileged children.



1 Jamie Masada took a liking to the children.  
2 He particularly took a liking to Gavin. And when he  
3 heard that Gavin was -- had cancer, that it was  
4 serious and that he may not live, he began to visit  
5 Gavin on a regular basis.

6 And some of -- you know, unfortunately one  
7 of the things that happens to kids that are going to  
8 die from cancer, there are organizations and people  
9 and individuals, allow them to try to make a last  
10 wish, to make a wish.

11 And Gavin's wish, Gavin's wish was to meet  
12 some comedians and entertainers. And Gavin's wish  
13 was to meet Chris Tucker. And Gavin's wish was to  
14 meet Adam Sandler. And Gavin's wish was to meet the  
15 defendant in this case, Michael Jackson.

16 He actually met all of them. The first call  
17 came from the defendant while Gavin Arvizo was in  
18 the hospital recuperating from one of his  
19 chemotherapy sessions. Over the next several weeks,  
20 they exchanged television calls on a regular basis.  
21 The calls often lasted hours.

22 And during one of the recuperative periods  
23 when Gavin was at home, Michael Jackson invited the  
24 Arvizo family from East Los Angeles to the ranch of  
25 Neverland here in Santa Barbara County.

26 In August of 2000, the Arvizo family,  
27 Gavin's -- Gavin, ten, and Star, nine, were picked  
28 up in a limousine with their mother and their father

1 and their brother, and traveled to Neverland Valley  
2 Ranch.

3       It was here -- and you can imagine just  
4 about the excitement that must have been with the  
5 family, coming from an environment like that to the  
6 ranch and this beauty that we have here in Santa  
7 Barbara County. And the family was put up in the  
8 guest cottages at the ranch and they were there for  
9 several days.

10       Now, on the night before the last day that  
11 they were to leave, Michael Jackson, the defendant  
12 in this case, takes Gavin aside, and he says to  
13 Gavin, "Gavin, why don't you ask your parents if you  
14 can spend the night in my bedroom, at the dinner  
15 table tonight."

16       Well, obviously here's a little kid who's in  
17 the midst of a life-threatening disease --

18       MR. MESEREAU: Objection.

19       MR. SNEDDON: -- a chance to spend the  
20 night --

21       MR. MESEREAU: Objection.

22       THE COURT: Overruled. Go ahead.

23       MR. SNEDDON: -- the chance to spend the  
24 night with one of his idols. Gavin obliges. Gavin  
25 asks his parents at dinner, "Can I spend the night  
26 with Michael Jackson in his bedroom?"

27       And the parents say, "Yes"; they agree. And  
28 it's agreed that Star will go along with them.

1 Now, what happens that night is this: The  
2 defendant, Frank Tyson, the defendant's children,  
3 particularly his son Prince, Prince Michael, and the  
4 two Arvizo boys are in the downstairs area of the  
5 Jackson bedroom suite. And after a few hours, they  
6 go upstairs to the bedroom. And when they get up  
7 into the bedroom, Tyson pulls out a laptop computer,  
8 and Jackson and Tyson are hooking the computer up to  
9 the Internet. And when they get on the Internet,  
10 they then place the computer with the boys there,  
11 and they take the boys, nine-year-old and  
12 ten-year-old, on a tour of sexually explicit  
13 websites. Naked ladies. They take them on a tour  
14 of a number of websites. And it lasts approximately  
15 30 to 40 minutes.

16 And during the time that they travel through  
17 these websites, at one of the points in time when a  
18 female is shown to -- with her shirt up, exposing  
19 her breasts, the defendant turns and exclaims: "Got  
20 milk?" And he turns around to the sleeping Prince  
21 on the bed and says, "Prince, you're missing a lot  
22 of pussy."

23 The Arvizo boys spent the night with Michael  
24 Jackson. They did not sleep in bed with him. They  
25 slept in the bed. And it is true, Jackson slept on  
26 the floor.

27 The Arvizo boys returned to the ranch a  
28 couple of times during 2000. Never with their

1 mother or their sister again. Jackson was rarely  
2 there. And after several months, the relationship  
3 drifted apart. The number that Gavin had been given  
4 for the defendant was no longer good. There was no  
5 more phone calls and there was relatively no contact  
6 between the Arvizos and Michael Jackson.

7       However, the participation of Gavin Arvizo  
8 in the Martin Bashir video changed his life forever.  
9 Because, you see, Gavin Arvizo ended up being one of  
10 those boys who shared a bed with the defendant,  
11 Michael Jackson.

12       He didn't do it in 2000 on the first visit  
13 to the ranch. And he didn't do it, as many people  
14 suspected, when they saw the Martin Bashir video.  
15 But he did it in February and in March of 2003 at  
16 Neverland Valley Ranch.

17       I want to take you now back to some of the  
18 statements that we heard in the Bashir tape made by  
19 the defendant in this case. I want to take you back  
20 to the admissions that are found in that video about  
21 his public statements acknowledging sharing his  
22 bedroom and his bed with young boys, and to the  
23 circumstances of the explanation under -- in which  
24 he says he does so. Let's explore that for a  
25 moment.

26       You see, the private world of Michael  
27 Jackson is quite different from what he said on that  
28 video. As the testimony and the evidence unfolds in

1 this particular case, you will learn that the  
2 stories he refers to in that video remark do not  
3 consist of children's books, but the Internet visits  
4 to sexually explicit sites, the exposure of children  
5 to suitcases, briefcases laden with sexually  
6 explicit magazines and centerfold cutouts from  
7 magazines such as Hustler and Playboy, with titles  
8 like "Barely Legal Hard-Core," "Barely Legal" and  
9 many others with far more offensive covers and cover  
10 titles.

11       You see, the private world of Michael  
12 Jackson reveals that instead of cookies and instead  
13 of milk, you can substitute wine, vodka, and  
14 bourbon.

15       Now, publicly Michael Jackson says he  
16 doesn't drink. But his private behavior and conduct  
17 is quite the opposite, as you will learn through  
18 numerous witnesses in this case.

19       First he's caught on film talking to Martin  
20 Bashir about wine. And he uses it and describes it  
21 as "Jesus Juice," the same exact expression that the  
22 Arvizo children told detectives in this case that  
23 Michael Jackson used in referring to red wine that  
24 he provided to them, and he referred to it as "Jesus  
25 Juice."

26       Former employees and security guards and  
27 maids of the defendant will tell you that he  
28 furnished alcohol, that he encouraged children to

1 drink, and on occasion he was actually viewed to  
2 pour drinks for children.

3 Several airline stewardesses will testify in  
4 this case. They work for a charter jet  
5 organization. They are the stewardesses on  
6 chartered planes chartered by the defendant in this  
7 case. And they have, in conjunction with the work  
8 that they do, a profile of information as to what to  
9 take on the plane to satisfy the people that are  
10 going to be on the plane.

11 They will tell you that they have not only  
12 seen -- they have not only seen the defendant drink  
13 alcohol on the planes, they have furnished it. And  
14 they have furnished it in a method and a manner  
15 exactly like the Arvizo children told detectives in  
16 this case that the defendant does; and that is, that  
17 it is put in Diet Coke or soda pop cans.

18 Indeed, several employees, including his  
19 long-time security guard Chris Carter, and others,  
20 will tell you that they observed children on the  
21 ranch drinking, in highly intoxicated states on a  
22 number of occasions when Jackson is on the ranch.

23 Security Guard Chris Carter will tell you  
24 that he observed one incident one night where he  
25 encountered Gavin Arvizo. It was late. It was  
26 dark. Gavin was intoxicated, and he wanted to get  
27 into one of the little carts, electric carts that  
28 you can use to drive around the premises.

1 Carter stopped him. He saw that Gavin was  
2 in no condition to drive. And he told him that he  
3 couldn't do that. When Carter asked the boy why he  
4 was drinking, he replied, Michael Jackson told him  
5 that he had to be a man and drink.

6 In another incident, Michael Jackson's  
7 personal attendant and a long-time employee, Jesus  
8 Salas, will describe taking a full bottle of wine  
9 and a full bottle of vodka on a tray into Michael  
10 Jackson's bedroom with four glasses.

11 And when he got into the bedroom, he saw the  
12 defendant and three children sitting on the bed.  
13 And when he came back the next morning to clean out  
14 the bedroom, both bottles were empty, and the  
15 glasses had been used.

16 Another ranch employee, Kiki Fornier, is  
17 going to testify in this case. And she will tell  
18 you that on a number of occasions she saw three  
19 local Santa Ynez boys intoxicated, saw them at a  
20 time when Jackson was on the ranch and Jackson was  
21 with the boys. And she viewed this on a number of  
22 occasions.

23 The private world of Michael Jackson reveals  
24 that instead of bedtime discussions and children's  
25 books and discussions of Peter Pan, at the same time  
26 that this 44-year-old man is sharing with  
27 13-year-old Gavin and 12-year-old Star and another  
28 11-year-old boy his collection of sexually explicit

1 magazines, that he's talking to Gavin about  
2 masturbation. And he's telling him that it is  
3 normal, and that it is okay, and that everybody does  
4 it.

5 That each of these acts are calculated to  
6 desensitize the boy, to change his moral antenna,  
7 and to add the trust and the admiration of an adult  
8 voice to the boy's conduct to convince him that what  
9 was being done was all right in the adult world.  
10 And it worked.

11 Lastly, you're going to be able to peek into  
12 the defendant's private world, and you're going to  
13 hear Gavin Arvizo describe to you his molestation.

14 You will hear Star Arvizo tell you how, on  
15 other occasions, he happened upon seeing Michael  
16 Jackson masturbating himself with one hand while  
17 Jackson's other hand was inserted into the  
18 underpants of his brother, Gavin.

19 Your Honor, I think this will probably be a  
20 good place to take the morning recess.

21 THE COURT: All right. We'll take a  
22 15-minute recess.

23 (Recess taken.)

24 --o0o--

25



1 THE COURT: Mr. Sneddon? Go ahead.

2 MR. SNEDDON: Thank you, Your Honor.

3 Ladies and gentlemen, the scene for most of  
4 the events that occur in this particular case is  
5 going to be the defendant's home, Neverland Valley  
6 Ranch. And I think you'll get a very good feel for  
7 the ranch through videos that are going to be shown  
8 probably by both sides, as well as snippets of tape  
9 and footage that is shown in the Martin Bashir  
10 documentary.

11 But for just a moment, since probably most  
12 or none of you have an idea of what the ranch is  
13 like, I want to take you on a little visual tour of  
14 what it is.

15 And I want to say, first and foremost, that  
16 the ranch is something that is a beautiful thing.  
17 And it's been used for beautiful causes. For the  
18 children, the underprivileged children, for the  
19 children who have been suffering, who have been  
20 brought there to share a day or a weekend on the  
21 ranch. It's something very good.

22 But just like so many things in life,  
23 something very good can end up being, on another  
24 occasion, in another setting, something very bad.

25 And several of the witnesses in this case  
26 are going to tell you that some of the young  
27 visitors at the ranch, that stay on and that visit  
28 with Mr. Jackson, and who are there on a prolonged

1 basis, begin to change because of the personality of  
2 the ranch. That it creates a no-rules,  
3 no-restriction, no-wants environment. And people  
4 who walk in there with manners walk out and can be  
5 described by some of the staff as hellions, rude,  
6 obnoxious. And what is there about Neverland that  
7 can do that to somebody?

8       What is there about Neverland Valley Ranch?

9       Well, first of all, for those of you who may  
10 not know where it is, I'll try to describe it to you  
11 briefly. It's at the foot of the Los Padres  
12 National Forest. It's about 2,800 acres. And it's  
13 about 4.5 miles from Los Olivos, or, better put,  
14 Mattei's Tavern, up Figueroa Mountain Road. It has  
15 a zoo with lots of animals. And you heard Mr.  
16 Mesereau talk about some of those animals during the  
17 questioning of some of you folks.

18       It has an amusement park with a ferris wheel  
19 and a merry-go-round and a lot of other rides for  
20 the enjoyment of children and adults.

21       It has a NASCAR-type racing track with small  
22 miniature NASCAR cars that people, even adults, can  
23 drive around the track. And it has a theater  
24 complex with a huge screen and a stage, where people  
25 can go to watch movies at any time of the day or  
26 night, with a snack bar with free popcorn, free ice  
27 cream, and free candy of just about any variety or  
28 sort that you may desire.

1 Neverland Valley Ranch, where selected  
2 guests are allowed to drive electric-powered golf  
3 carts out around the ranch's many acres into the  
4 back country on roads, paths, many times  
5 unsupervised. Complete with a two-story video  
6 arcade. Video arcade with just about every  
7 imaginable video game that you can think of, from  
8 the old traditional type to the most recent virtual  
9 reality type of video games. Two stories high,  
10 packed with these things.

11       The arcade also has a cellar. The cellar is  
12 hidden behind a juke box. Behind the juke box, you  
13 remove it, go down into the cellar. And in the  
14 cellar, wine and alcohol. And it's a place where  
15 special guests of Mr. Jackson are taken and they're  
16 invited into the cellar and they're treated to  
17 alcoholic beverages poured by Mr. Jackson himself.

18       Neverland Valley Ranch, where music is piped  
19 throughout the entire main residence area. The  
20 lawns are sprinkled with statues and figurines of  
21 kids and animals. An area that has a  
22 Disneyland-like replica train station, and a  
23 Disneyland-like replica train that takes people  
24 throughout the grounds, to the zoo, and to the  
25 amusement park, and the theater, and back to the  
26 main house residence.

27       The residence is complete with four guest  
28 cottages that are nestled down by two lakes that

1 form a boundary to the house.

2       Neverland Valley Ranch, where the main  
3 residence has at least two rooms on the second floor  
4 totally dedicated to every imaginable toy that a  
5 child would ever want. Electric trains, games,  
6 figures. Lifelike figurines of R2-D2, Darth Vader,  
7 Superman, Batman, Daffy Duck. You name it. One  
8 whole room devoted to dolls and dollhouses in the  
9 main residence.

10       Next to the arcade and on the back side of  
11 the house is a swimming pool and a Jacuzzi. And on  
12 the other side is another part of the lake, a  
13 teepee, trees to climb, tree houses. You name it.  
14 It has everything.

15       Next to the main business -- main residence  
16 is another building that's attached to it by an  
17 arch. And in that arch, in that building, is a  
18 security office on one end. And at the other end is  
19 a personal office of the defendant, Michael Jackson.  
20 In that office is a small museum with figurines, a  
21 lot of lifelike figures in the back office, and six  
22 large-sized plasma T.V.'s.

23       It's in this room that during the course of  
24 the execution of the search warrant on November the  
25 18th, 2003, that at least two sexually explicit  
26 magazines were found, one teenaged themed.

27       Neverland Valley Ranch, where the defendant  
28 reigns supreme in his own two-bedroom -- two-floor

1 suite. One bedroom, two-floor suite. The bottom  
2 floor of the bedroom -- and let me take you on a  
3 little tour, if I can, visually. You'll see it  
4 through photographs during the course of the trial.  
5 And let me see if I can lay the foundation for that  
6 now.

7       The bottom floor is entered through -- you  
8 walk down a hallway. And when you come into the  
9 door, you turn to your left, you open up into the  
10 main part of the downstairs.

11       And what you will see, what you did see, if  
12 you were a visitor there at the time of the Arvizo  
13 boys, was a room that is cluttered. It's cluttered  
14 with figurines. It's cluttered with boxes. It's  
15 cluttered with video games. There's a piano.  
16 There's all kinds of things in a very small,  
17 relatively small area. And including king and queen  
18 chairs and figures, life-sized figures in the chairs  
19 and at other locations in the room.

20       There's a piano that plays different tunes  
21 and is electric, can be changed to different  
22 formats.

23       In this room, when you walk towards the back  
24 of it, towards what would be the back side of the  
25 room that fronts onto the back part of the house,  
26 you move to the right. As you move to the right,  
27 you walk into the master bathroom. As you move into  
28 the master bathroom, you see, at the far end of the

1 master bathroom, a large Jacuzzi tub.

2 It was in this room on November the 18th  
3 that police officers seized at least 15 sexually  
4 explicit magazines and DVDs lining the tub at the  
5 time of the execution of the search warrant.

6 It's in this same room - right next to the  
7 tub is a briefcase containing correspondence private  
8 to the defendant in this case, Michael Jackson -  
9 that two more sexually explicit magazines are found.  
10 In a drawer just above that are found numerous  
11 envelopes containing cards and letters and  
12 correspondence from the Arvizo family. Almost all  
13 of them are signed or saluted with the phrase  
14 "Michael Daddy" or "Michael," and with greetings and  
15 with love and admiration for the defendant in this  
16 case.

17 It's actually in this room and from some of  
18 the materials in this room that for the first time  
19 the boys were shown sexually explicit magazines  
20 during their visit to Neverland Ranch during  
21 February and March of 2003.

22 And let me pause for a second and let me  
23 tell you something that you will learn during the  
24 testimony and the evidence in this case about the  
25 defendant's master suite.

26 There will be maids, like Blanca Francia,  
27 Jesus Salas, other people who are responsible for  
28 serving the defendant and taking care of his private

1 premises in this house, and that is, that the  
2 defendant, Michael Jackson, was pathological about  
3 not allowing people in there without his permission.  
4 And that entrance could only be secured by those who  
5 knew the secret password and that there was an alarm  
6 that went off when anybody approached the door, to  
7 give him knowledge of people approaching.

8       Neverland Valley Ranch, where the  
9 defendant's bedroom is located on the second floor  
10 of this master suite. It's a bedroom that can only  
11 be accessed by one entrance and exit. Only one.

12       As you walk through the room into another  
13 vanity type of bathroom and you turn immediately to  
14 the left, there's a stairway. And as you walk up  
15 the stairwell to the top of the stairs, there are  
16 walls on both sides until you reach about two-thirds  
17 of the way up the stairwell. At that point the  
18 right side of the wall gives way to a banister and  
19 to pedestals that are separated about 18 inches  
20 apart.

21       Ladies and gentlemen, it's in this room and  
22 on the bed that you see when you reach the landing  
23 and you can see through the pedestals, that the  
24 defendant, Michael Jackson, on the second occasion,  
25 opened up his Samsonite briefcase and displayed to  
26 the boys numerous sexually explicit magazines, both  
27 adult and teenaged themed.

28       It's on -- in this room and in this bed that

1 the defendant took a mannequin from the -- from the  
2 corner -- I forgot to tell you, when you reach the  
3 top of the bed (sic) and you look over to the far  
4 right-hand corner, there's a female mannequin. A  
5 young, 13-, 14-, 15-year-old-looking mannequin. And  
6 it's in this room and on that bed that the  
7 defendant, in the presence of these two boys, put  
8 that mannequin, put it on the bed, and began to  
9 simulate an act of sexual intercourse with this  
10 mannequin.

11 It's in this room and on that bed where the  
12 boys were sitting there watching T.V. one night, and  
13 all of a sudden, the defendant appears from the  
14 stairwell, absolutely stark naked, with an erection.  
15 And when the boys look at him - and Star will say he  
16 was grossed out - that the defendant says, "It's  
17 natural. It's okay. Why don't you boys do the same  
18 thing?" Their response was to get up from the bed  
19 and go downstairs and pretend like they had to go to  
20 the bathroom.

21 It's in this room and on that bed that Gavin  
22 Arvizo was molested by the defendant in this case.  
23 And it's in this room and on that bed that Star  
24 Arvizo saw his brother Gavin molested on two  
25 separate occasions.

26 During the course of the execution of the  
27 search warrant in this case, at the foot of the bed  
28 was a box. And in that box, Sergeant Robel, from



1 the Santa Barbara Sheriff's Department, found 17  
2 more sexually explicit adult and teenaged themed  
3 pornographic, sexually-themed magazines.

4 MR. MESEREAU: Objection.

5 MR. SNEDDON: And --

6 THE COURT: Just a moment. Grounds?

7 MR. MESEREAU: You ruled that term not to be  
8 used.

9 THE COURT: Overruled. You may proceed.

10 MR. SNEDDON: Sexually explicit adult  
11 magazines and sexually explicit teenaged themed.  
12 And by that, "teenaged themed," I mean, when you see  
13 them - and you will see them - it is clear that if  
14 these young ladies are 18 years old, which they're  
15 supposed to be, they sure don't look 18 years old.

16 Also found in his books -- in this box were  
17 23 -- 23 '60s vintage nudist magazines whose common  
18 denominator is naked pictures of children.

19 As you will see from the photographs  
20 presented to you and from the testimony and the  
21 evidence of witnesses in this case, that in the  
22 room, the defendant's bed is in the center of this  
23 room. In the center of this room the bed is flanked  
24 by two nightstands on each side.

25 In the nightstand on the left, which was  
26 opened by Detective Zelis serving the service of the  
27 search warrant, he observed a photograph of the  
28 three Arvizo children. Next to the photograph were

1 more sexually explicit adult magazines.

2 The Samsonite briefcase that I described to  
3 you that was shown and laden with these materials  
4 was found by Detective Bonner downstairs in the  
5 master bedroom (sic).

6 Now, these materials, not only the ones from  
7 the Samsonite briefcase, but other materials found  
8 at other locations in the house, were obviously  
9 taken by the sheriff's department. And some of  
10 those materials, many of those materials, were sent  
11 to their forensic unit, and they were sent to the  
12 forensic unit for the purpose of ascertaining  
13 whether or not there were any fingerprints that  
14 could be identified with participants in this  
15 particular lawsuit.

16 So what they did was they attempt to find  
17 latent prints. And Sergeant Bob Spinner is going to  
18 testify in this case. Sergeant Spinner is actually  
19 retired and he was called back to do the work in  
20 this particular case.

21 Sergeant Spinner has been a long-time  
22 employee of the sheriff's department and has  
23 testified on numerous occasions throughout the  
24 courts in this county as an expert in fingerprint  
25 analysis. And he will tell you that the sheriff's  
26 department was able to recover from the magazines,  
27 not only the ones in the Samsonite briefcase, but  
28 others, latent prints. And it was the job and the

1 responsibility of Sergeant Spinner to look at those  
2 latent prints and to compare them with the known  
3 prints of the defendant in this case that was  
4 obtained during his arrest and booking back in  
5 December of 2002, and the known prints of the Arvizo  
6 boys which were taken by the sheriff's department in  
7 this case.

8       Sergeant Spinner is going to tell you ladies  
9 and gentlemen that he was able to make  
10 identifications. He was able to match the prints of  
11 the defendant in this case with the latent prints  
12 recovered from some of those magazines in that  
13 briefcase and some in other locations.

14       He's also going to tell you that he was able  
15 to recover the latent prints -- he was able to  
16 identify the prints of the boys, both Star and  
17 Gavin, on some of those magazines. And, in fact, he  
18 was able to find at least one magazine where the  
19 prints of the defendant and the prints of Gavin are  
20 on the same magazine.

21       You will also hear testimony from both Star  
22 and from Gavin that at no time since their visit to  
23 that ranch have they ever had an opportunity to  
24 touch those magazines since they left, and that  
25 includes during the time that they testified at the  
26 grand jury.

27       Now, moments ago, you heard the Judge read  
28 to you the charges in this case involving the lewd

1 and lascivious conduct with a child under the age of  
2 14 and an attempt by the defendant to do the same  
3 thing, and that these molestations were accomplished  
4 during times when the child was fueled by alcohol.

5 You will learn from the testimony of Gavin  
6 Arvizo and Star Arvizo that these acts were acts of  
7 masturbation and acts of touching of the -- of  
8 Gavin. The Indictment covers the time period from  
9 February 20th to March the 12th. And the location  
10 of these crimes is Neverland Valley Ranch.

11 Now, you heard in the little pieces that I  
12 read to you other things from that Bashir video that  
13 the defendant said. You heard him say that sleeping  
14 with young boys is innocent, that it's a beautiful  
15 thing, and there's nothing sexual about it.

16 Ladies and gentlemen, again, the differences  
17 between his public statement and his private life  
18 could not be more different.

19 Through the testimony of Gavin Arvizo and  
20 Star Arvizo, you will see the molestations of Gavin.  
21 You will see it as the product of use of liberal  
22 doses of alcohol on a child with one kidney, the use  
23 of sexually explicit materials to whet the young  
24 boys' blossoming sexual awareness, and the  
25 defendant's conversations encouraging them to  
26 masturbate and describing it as normal and natural,  
27 and manipulating the trust and the loyalty bond that  
28 had been created, and the pacts of silence that you

1 will hear about in the forbidden world and the  
2 forbidden conduct.

3       Indeed, Gavin Arvizo will tell you that it  
4 wasn't at Neverland, the first time that he was  
5 given alcohol by the defendant in this case. The  
6 fact of the matter is, that when they were taken to  
7 Miami in February, that Gavin Arvizo was given  
8 alcohol by the defendant on that occasion.

9       But the truth and the fact is, that when  
10 they got back to the ranch on the 7th of February,  
11 that continuously when the defendant was there,  
12 almost every night that they were there with the  
13 defendant, the boys drank alcohol. And the fact of  
14 the matter is, they will tell you that on virtually  
15 every night in which the defendant is there, from  
16 February 17th till March 12th when they left, that  
17 they shared a bed with the defendant, Michael  
18 Jackson.

19       Let me pause for just a second and talk to  
20 you a little bit about Gavin Arvizo's brother, Star.

21       Star is a year younger. He was born on  
22 December 9th of 1990. But I think one of the things  
23 that will strike you when you see Star testify in  
24 this particular case, and also when you see  
25 photographs of Star depicted of what he looked like  
26 when he was nine years old and what he looked like  
27 when he was 12 years old when he visited the ranch  
28 in the year 2002 and 2003; that Star doesn't look