

1 that the Court can give a charge to the jury  
2 discussing your right not to testify; is that  
3 correct?

4 THE DEFENDANT: Yes.

5 MS. VAN PELT: And we've advised you  
6 that in the circumstances of this case we think  
7 that the Court should give this charge; is that  
8 right?

9 THE DEFENDANT: Yes.

10 MS. VAN PELT: And you agree with that  
11 decision?

12 THE DEFENDANT: Yes.

13 THE COURT: Would you like to hear the  
14 charge before you agree with it?

15 THE DEFENDANT: She read it over with  
16 me before I came out.

17 THE COURT: Okay.

18 The charge I included in my charge?

19 MS. VAN PELT: Yes.

20 THE COURT: Okay.

21 Do you have any questions, Miss  
22 Clark?

23 MS. CLARK: No.

24 THE COURT: Mr. Tucker?

25 MR. TUCKER: No, your Honor.

1 THE COURT: Okay.

2 What do you wish to move in evidence?

3 MS. VAN PELT: May I consult with Mr.  
4 Halsey for one minute?

5 THE COURT: Sure.

6 (Discussion held off the record.)

7 MS. VAN PELT: Your Honor, may I ask  
8 him one more question for the record?

9 THE COURT: Sure.

10 MS. VAN PELT: Mr. Halsey, you're  
11 aware that originally a notice was given to the  
12 Prosecutor that you might rely on the defense of  
13 insanity or diminished capacity; isn't that  
14 right?

15 THE DEFENDANT: Yes.

16 MS. VAN PELT: And is it your decision  
17 based on -- based on consultation with us that  
18 you've told us you didn't kill the children,  
19 therefore, you didn't want us to produce any  
20 evidence of any mental condition or anything like  
21 that in this case?

22 THE DEFENDANT: Yes.

23 MS. VAN PELT: And it was your choice  
24 that we did this; is that right?

25 THE DEFENDANT: Yes. I ain't crazy.

1 MS. VAN PELT: Okay.

2 THE DEFENDANT: I didn't do it.

3 THE COURT: Are you satisfied Mr.  
4 Halsey has made this decision freely and  
5 voluntarily with full knowledge of all of his  
6 rights and responsibilities?

7 MS. VAN PELT: Yes, I am, your Honor.

8 THE COURT: Okay.

9 Do you have any questions, Mrs.  
10 Clark?

11 MS. CLARK: No.

12 THE COURT: All right.

13 What do you want to move in evidence?

14 Incidentally, just before you do that,  
15 I've asked the Court Reporter to mark jury  
16 questionnaires 2 through 17 and 2A through 17A as  
17 Court Exhibits for these sitting jurors.

18 The A exhibit will be the yellow  
19 questionnaire that everyone sends back.

20 The other exhibit is the questionnaire  
21 itself.

22 MS. VAN PELT: Thank you, your Honor.

23 THE COURT: Okay.

24 MS. VAN PELT: Your Honor, I'd like to  
25 at this time move into evidence S-6.