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LIFE TERM PAROLE CONSIDERATION HEARING  
STATE OF CALIFORNIA  
COMMUNITY RELEASE BOARD.

In the Matter of the Life )  
Term Parole Consideration )  
Hearing of: ) CDC No. B-28302  
ROBERT K. BEAUSOLEIL. )

DEUEL VOCATIONAL INSTITUTE  
TRACY, CALIFORNIA

ORIGINAL

MONDAY, AUGUST 27, 1979

2:00 P.M.

EVELYN J. DUGGAN  
Shorthand Reporter



PANEL:

- 1 Ms. Horetta Collier, Presiding Member
- 2
- 3 Mr. Rudy DeLeon, Board Member
- 4 Mr. Warren Wade, Hearing Representative
- 5

MEMBERS ABSENT:

6  
7 None

ALSO PRESENT:

- 8
- 9
- 10 Mr. Robert K. Beausoleil, Inmate
- 11 Mr. Michael J. Montagna  
Head District Attorney  
Los Angeles County
- 12
- 13 Mr. Bruce Dyer  
Program Administrator  
Inmate's case worker
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P R O C E E D I N G S

--oOo--

3           PRESIDING MEMBER COLLIER: Today is August 27th,  
4 1979. It is approximately 3:05 p.m.

5           This is a subsequent parole consideration  
6 hearing for life term prisoner Robert Kenneth Beausoleil,  
7 B Number 28302, received by CDC on June 23rd, 1970 under  
8 sentence of death. On September 13th, 1973, sentence was  
9 modified by a DC Opinion of June 8th, 1973 to life.  
10 Received for the offense of 187 P.C., Murder First Degree,  
11 Count I, from Los Angeles County, Case Number A-057452.  
12 The victim was Gary Hinman; MEPD is 8/4/76.

13           The hearing is being transcribed at Deuel  
14 Vocational Institution. I'm going to ask each person to  
15 identify themselves. Would you please spell your last  
16 name and your function, and I'll start to my left.

17           MR. MONTAGNA: Michael Montagna, M-o-n-t-a-g-n-a,  
18 Los Angeles County District Attorney's Office.

19           MR. DYER: My name is Bruce Dyer, D-y-e-r. . .  
20 I'm the program administrator here at DVI and sitting in  
21 as Mr. Beausoleil's case worker today.

22           INMATE BEAUSOLEIL: Robert Beausoleil,  
23 B-e-a-u-s-o-l-e-i-l.

24           HEARING REPRESENTATIVE WADE: My name is Warren Wade, W-a-d-e.  
25 I'm a hearing representative for the Community Release



2  
1 Board

2 BOARD MEMBER DeLEON: Rudy DeLeon, capital D-e  
3 capital L-e-o-n, member, Community Release Board.

4 PRESIDING MEMBER COLLIER: Loretta Collier,  
5 C-o-l-l-i-e-r, member, Community Release Board.

6 This hearing is being conducted pursuant to  
7 Penal Code Sections 3041, 3042 and the regulations of the  
8 Community Release Board governing parole consideration  
9 hearings for life prisoners.

10 The purpose of today's hearing is to consider  
11 your suitability for parole. It is necessary for us to  
12 conduct this hearing under revised procedures enacted  
13 by the Legislature effective July 1st, 1977, which are  
14 applicable to all prisoners under a life sentence.

15 We will be considering the number and nature  
16 of the crimes for which you were admitted to state  
17 prison, your criminal history, or lack of it, prior  
18 to your commitment, and your behavior since your commitment.  
19 We will reach a decision and inform you whether you are  
20 suitable for parole or not and why, and if you are found  
21 suitable, the length of your confinement and the specific  
22 factors leading to this determination.

23 Now, the hearing will proceed in the following  
24 manner: We'll divide it up into three or four areas.  
25 I will discuss the commitment offense and the surrounding



3  
1 circumstances and your prior criminal history. Mr. DeLeon  
2 will discuss your institutional adjustment, we call it  
3 post-conviction factors. Mr. Wade will discuss your  
4 parole plans.

5 At the end of each one of these areas, you will  
6 be allowed to make comments regarding the specific area.  
7 We have present with us today Mr. Montagna, D.A. from  
8 Los Angeles County who will also be allowed to make state-  
9 ments following a discussion at the end of each one of  
10 these areas.

11 Now, these are not adversary proceedings, and  
12 we are asking that any questions that you might have be  
13 directed to the Chair and not to the D.A.

14 Now, I want to talk to you a little bit about  
15 your rights. You did receive notice of this hearing  
16 30 days hence. Have you had the opportunity to review  
17 your file?

18 INMATE BEAUSOLEIL: Yes, I have.

19 PRESIDING MEMBER COLLIER: Are you prepared  
20 to proceed?

21 INMATE BEAUSOLEIL: Yes, I am.

22 PRESIDING MEMBER COLLIER: The panel has reviewed  
23 the C File, the Central File, and there's no confidential  
24 information that we will be discussing today.

25 You have the right to appeal once we've given you



4  
1 our decision under CRE 2050. Our decision is not effective  
2 for 60 days.

3 Do you have any reason to believe that this will  
4 not be a fair and impartial panel?

5 INMATE BEAUSOLEIL: I would like to enter an  
6 objection to the presence of the Deputy District Attorney.

7 PRESIDING MEMBER COLLIER: Could you hold off,  
8 because I'm going to ask you for preliminary objections.

9 As far as the panel is concerned, do you have  
10 any objections?

11 INMATE BEAUSOLEIL: No.

12 PRESIDING MEMBER COLLIER: You will be giving  
13 testimony today; is that correct?

14 INMATE BEAUSOLEIL: Yes, I am.

15 PRESIDING MEMBER COLLIER: Would you stand.  
16 I can swear you in.

17 (Thereupon Inmate Robert Beausoleil was,  
18 by Presiding Member Collier, sworn to  
19 tell the truth, the whole truth, and  
20 nothing but the truth.)

21 PRESIDING MEMBER COLLIER: Mr. Beausoleil, I'm  
22 going to share with you and with the D.A. this list of  
23 documents. Those are the documents that we'll be using  
24 in this hearing today.

25 At this time, Mr. Beausoleil, do you have any



1 preliminary objections?

2 INMATE BEAUSOLEIL: Yes, I do..

3 PRESIDING MEMBER COLLIER: Would you state your  
4 objections.

5 INMATE BEAUSOLEIL: To begin with, I would like  
6 to object to the presence of the Deputy District Attorney.  
7 Let me reiterate. I was more prepared for Mr. Ross'  
8 presence today. Mr. Ross appeared at my last Board  
9 appearance. He was the Deputy District Attorney that  
10 handled my first trial which ended in a hung jury.

11 Throughout his handling of the case, he's been  
12 extremely fair, forthright, and I would have no objections  
13 to his presence, whether it was official or unofficial in  
14 this hearing. However, I do not know Mr. --

15 MR. MONTAGNA: Montagna.

16 INMATE BEAUSOLEIL: -- Montagna. I asked for  
17 an interview before the hearing. I do not know if he  
18 has something new that he could offer this panel or not.  
19 I would object to it on the grounds that I'm not represented  
20 by an attorney pursuant to 2030 of the CRB rules, which  
21 is, from what I understand -- at first I was informed  
22 that the District Attorney would not be allowed. Then,  
23 I was informed that he might be allowed.

24 It seems to be a debatable or arguable point,  
25 and I enter an objection on these grounds.



1 PRESIDING MEMBER COLLIER: Your objections are  
2 so noted.

3 For the record, I'd like to refer to Section 2030  
4 of the CRB rules, Subsection 3:

5 "The representative of the  
6 District Attorney of the county  
7 from which a life prisoner was  
8 committed may participate in any  
9 parole consideration or rescission  
10 hearing for that prisoner."

11 Now, under a general statement, it states that  
12 the Chairman may permit a representative of that office  
13 that prosecuted a prisoner to participate in any Board  
14 hearing.

15 Your comments are noted, and they're overruled  
16 without prejudice. We're going to allow Mr. Montagna to  
17 participate as the representative of the L.A. County  
18 District Attorney's Office.

19 Anything further?

20 MR. MONTAGNA: May I interject?

21 PRESIDING MEMBER COLLIER: Yes.

22 MR. MONTAGNA: I note that during Mr. Beausoleil's  
23 statement, he made some objection to the effect that he  
24 is not now being represented by counsel.

25 PRESIDING MEMBER COLLIER: You waived the right,



1 did you not?

2 INMATE BEAUSOLEIL: That's correct.

3 MR. MONTAGNA: It's subject to the possible  
4 interpretation that he's now saying he does want an  
5 attorney present.

6 INMATE BEAUSOLEIL: No, I did not.

7 MR. MONTAGNA: Excuse me.

8 INMATE BEAUSOLEIL: In fact, I would like to say  
9 that I have no prejudice toward Mr. Montagna at all. I  
10 just -- I don't know what ten years later, the State would  
11 offer to this hearing.

12 PRESIDING MEMBER COLLIER: Do you have any  
13 further objections?

14 INMATE BEAUSOLEIL: Yes, I do.

15 I have one other pertaining to -- I assume that  
16 you're planning to use the matrix system, the new matrix  
17 system, in this hearing; is that correct?

18 PRESIDING MEMBER COLLIER: Why don't you state  
19 your objection.

20 INMATE BEAUSOLEIL: The objection -- I had a  
21 friend of mine who helped me with the legal terminology.  
22 I would like to read this into the record. Is that  
23 all right?

24 PRESIDING MEMBER COLLIER: Yes.

25 INMATE BEAUSOLEIL: Objections to new matrix of



1 terms. Life term prisoners whose commitment offense  
2 occurred prior to January 1st, 1979, is entitled to a  
3 hearing under ISL and all of the benefits under the law  
4 applicable to him at the time of the commission of the  
5 offense.

6 The matrix of terms as devised by the CRB and/or  
7 judicial council constitutes sublegislation in violation  
8 of the separation of powers doctrine. The matrix is a  
9 system which, pursuant to CRB administrative rules, which  
10 permit enhancements upon life sentence imposed prior to  
11 January 1st, 1979 is not based on enabling statute. The  
12 matrix system which provides for aggravated offenses --  
13 pardon me, aggravated sentences -- and fixes terms dependent  
14 upon the social status of the victim, which provisions do  
15 not exist under the law, to prisoners whose commitment  
16 offense prior to January 1st, 1979 cannot be retroactively  
17 applied without violating the constitutional provisions and  
18 ex post facto laws.

19 And one other, which is a personal objection;  
20 to the matrix system on the grounds it's -- it makes  
21 overly vast generalizations, which I don't think be best  
22 suited for hearing a case of this nature.

23 PRESIDING MEMBER COLLIER: Mr. DeLeon, do you  
24 have comments?

25 BOARD MEMBER DeLEON: Yes.



1 The matrix system is a guideline only. It is  
2 for the panel and the panel is not bound by that. It is  
3 an established part of the rules.

4 Your objection is noted for the record and over-  
5 ruled. That is acknowledged.

6 The multi-purposes of a matrix of guidelines  
7 is to establish uniformity, and the punitive factor to  
8 consider all factors dealing with a particular offense  
9 is well established. And I mention again, the purpose of  
10 it is as a guideline. The panel may go above in aggravation  
11 or it may go below in mitigation of a particular matrix  
12 that fits that particular offense, depending upon the total  
13 circumstances related to that, to that particular crime.  
14 So, that's the purpose of it.

15 We note your objections are a part of the record  
16 and that, in substance, is it.

17 PRESIDING MEMBER COLLIER: Are there any further  
18 objections, Mr. Beausoleil?

19 INMATE BEAUSOLEIL: There are no objections.  
20 I would like to submit a couple of -- is this the time?

21 PRESIDING MEMBER COLLIER: No, if those have  
22 to do with institutional adjustment or your adjustment  
23 since you were received by the institution, then, when  
24 Mr. DeLeon discusses that part of the hearing, then  
25 you may submit that information to him.



1 If there are no further comments, then, at this  
2 time I will read into the record the circumstances of  
3 the offense. I'm taking my information from the probation  
4 officer's report.

5 On July 25th, 1969, the prisoner, Susan Atkins,  
6 and Mary Brunner, B-r-u-n-n-e-r, went to the decedent's  
7 house at the request of Charles Manson for the purpose  
8 of extorting \$20,000 which Manson and his Family believed  
9 Hinman to have.

10 After initial attempts to secure said money were  
11 unsuccessful, the prisoner pulled a 9 millimeter gun on  
12 the victim, and during the ensuing struggle, struck the  
13 victim over the head, causing head wounds. Thereafter,  
14 the prisoner called Charles Manson and told Manson that  
15 the victim was not cooperating.

16 Manson arrived at the victim's house with  
17 Bruce Davis shortly thereafter, and told the victim that  
18 they wanted all of his money and property. Charles Manson  
19 thereafter slashed the victim across the face with a  
20 sword, severing his left ear. Manson and Davis left  
21 the victim's house, leaving Atkins, the prisoner, and  
22 Brunner to remain with the victim, Gary Hinman.

23 The latter three remained in the victim's house  
24 for another day and a half, keeping the victim hostage  
25 while they attempted to find out where the victim kept his



1 alleged money. Upon determining that the victim did not  
2 have the said \$20,000, the prisoner called Charles Manson  
3 and received orders to kill the victim.

4 Before killing the victim, he was required to  
5 sign over the pink slips to his two automobiles. On  
6 Sunday, July 27th, 1979 (sic) the prisoner stabbed and  
7 killed Gary Hinman.

8 The prisoner thereafter told Atkins and Brunner  
9 to wipe the house down for prints and to write something  
10 on the wall in Hinman's blood to look like the Black  
11 Panthers had killed the victim. The words, quote, "Political  
12 Piggy" and the symbol of the Black Panthers' paw were  
13 written in blood on the wall.

14 On August 6, 1969, the prisoner was arrested  
15 in San Luis Obispo in the victim's automobile.

16 Now, Mr. D.A., do you have any comments that  
17 you'd like to make with regard to the commitment offense?

18 MR. MONTAGNA: No, ma'am, thank you.

19 PRESIDING MEMBER COLLIER: Mr. Beausoleil, do  
20 you have any comments that you'd like to make for the  
21 record on the commitment offense?

22 INMATE BEAUSOLEIL: Only that, as a matter of  
23 record, from the last hearing, in which I went into detail  
24 over the circumstances of the offense of the incident,  
25 many points were brought out that are in direct -- different



1 with that version. There has been a letter -- there is a  
2 letter in the addenda from Mr. Ross, which was a response  
3 to directive from the CRB last year to my version, and  
4 that letter is in the addenda.

5           PRESIDING MEMBER COLLIER: Panel members, do  
6 you have any questions regarding the commitment offense?  
7 Mr. DeLeon.

8           BOARD MEMBER DeLEON: In the documentation,  
9 there seems to be some contradiction over a period of years  
10 in your version of your part in the commitment offense.  
11 And that is among, you know, the given parties, apparently,  
12 in that you told people the story and they repeated it,  
13 and so on and so forth.

14           The version given by others, apparently the crime  
15 partner Brunner and Atkins and others that were involved,  
16 as to your degree of involvement and your degree of  
17 involvement with the other people that were there, including  
18 Mr. Manson.

19           With that in mind, did you, in fact, go to that  
20 house to get money from Mr. Hinman?

21           INMATE BEAUSOLEIL: As I stated last year,  
22 and in the previous two years before that, I went there  
23 to get money that was -- I never went there to collect  
24 \$20,000 from him. I've known -- I had known Gary Hinman  
25 several years before this incident. I would never have



1 assumed him to have any large sums of money. I did not  
2 go there to rob him.

3 I've never been a member of the Manson Family,  
4 as I've stated from the first date. In fact, I was not  
5 living at Spahn's Ranch at the time the offense was  
6 committed.

7 Gary -- the situation that developed between  
8 Gary Hinman and I was a matter over a drug deal. I stupidly  
9 placed myself in a position of go-between between a motor-  
10 cycle club and Gary Hinman, who was dealing lightweight  
11 at the time. And he sold me a thousand hits of supposed  
12 Mescaline for a thousand dollars of the motorcycle club's  
13 money. I didn't test it or try the drug myself. I took  
14 it to the motorcycle club, and they were mad as hell  
15 at me because I was -- because, you know, they had given  
16 me the money and they didn't give it to him.

17 So, I was in the position of having to go to  
18 Gary Hinman and collect the money they had given him for  
19 the supposed Mescaline.

20 The situation that developed at Gary Hinman's  
21 house was something I did not foresee. I never went there  
22 to kill him. I had no intention of getting involved in  
23 this type of -- I had known him for a while. I considered  
24 him a friend.

25 The girls that went with me, Mary Brunner and



1 Susan Atkins, were friends of Gary Hinman. They wanted  
2 to go and visit Gary Hinman. There was no indication  
3 that it was going to turn into violence.

4 I was mad. I was in a position where I was  
5 severely threatened at the time. I had to get myself  
6 out of the situation that I had got myself into.

7 I don't know what else to say.

8 BOARD MEMBER DeLEON: Did you stab --

9 INMATE BEAUSOLEIL: Yes, I did.

10 BOARD MEMBER DeLEON: -- Hinman? Did you  
11 sever his ear?

12 INMATE BEAUSOLEIL: His ear was never severed,  
13 his ear had a cut. Yes, I did.

14 BOARD MEMBER DeLEON: You did that?

15 INMATE BEAUSOLEIL: Yes, a knife cut that went  
16 from his ear, part of his ear, here, across his cheek.  
17 And I sewed it up afterwards.

18 BOARD MEMBER DeLEON: And you sewed it up?

19 INMATE BEAUSOLEIL: That's correct, as a matter  
20 of court record.

21 BOARD MEMBER DeLEON: Was that with a regular  
22 needle and thread?

23 INMATE BEAUSOLEIL: No, with dental floss.

24 BOARD MEMBER DeLEON: Dental floss?

25 INMATE BEAUSOLEIL: Dental floss and needle.



1 BOARD MEMBER DeLEON: Who obtained that for you?

2 INMATE BEAUSOLEIL: He did. Out of his medicine  
3 chest.

4 BOARD MEMBER DeLEON: And then you stabbed him,  
5 killed him?

6 INMATE BEAUSOLEIL: The next day, yes.

7 BOARD MEMBER DeLEON: Who wrote on the walls?

8 INMATE BEAUSOLEIL: One of the girls that was  
9 with me.

10 BOARD MEMBER DeLEON: Was that just on the  
11 refrigerator or on all the walls? Did they write in  
12 more than one place?

13 INMATE BEAUSOLEIL: There's no refrigerator  
14 involved. No, it was on the wall.

15 The purpose of that, Gary Hinman was into --  
16 he was a political science major, and he was into a lot  
17 of Marxist-type ideology. And his associations were  
18 people that were involved in Communist Marxist-type  
19 philosophies. The idea -- you must keep in mind, I wasn't  
20 thinking very clearly through this whole thing. I mean,  
21 I had never been in a situation like this in my entire  
22 life, never conceived of the position that I was in.

23 I was looking for a way to direct the attention  
24 away from myself. That's why.

25 BOARD MEMBER DeLEON: Did you call Bruce Davis



1 and Manson to the house?

2 INMATE BEAUSOLEIL: No, sir.

3 BOARD MEMBER DeLEON: They did come to the house?

4 INMATE BEAUSOLEIL: No, sir.

5 BOARD MEMBER DeLEON: Did Brunner and Atkins  
6 say that they had come to the house?

7 INMATE BEAUSOLEIL: Brunner did say that he had  
8 come to the house.

9 Now, I would like to point out that Mary  
10 Brunner's testimony as an accomplice, she was granted  
11 immunity in return for her testimony. Under -- in testify-  
12 ing, she stated that she was under coercion from the  
13 detectives in the case, that she would lose her child  
14 if she did not testify in my case. She stated in testimony  
15 that she had been coerced into bringing Charlie Manson  
16 into this case because the sheriff's department wanted  
17 him involved in this case. They didn't have -- the  
18 sheriff's department didn't have Charlie Manson involved  
19 in any of the two cases that were under their jurisdiction.  
20 Apparently, there was some competition between the  
21 Los Angeles P.D. and the Sheriff's Department.

22 This is -- I'm only going by what Mary Brunner  
23 stated on the stand. Now, I would also like to point out  
24 that Mary Brunner has given three distinctly different  
25 versions of this testimony in different trials or different



1 phases of the same trials. I think that, in a court of  
2 law, that impeaches the witness.

3 BOARD MEMBER DeLEON: Were you a boyfriend or  
4 lover to either one of the two crime partners?

5 INMATE BEAUSOLEIL: No, Mary Brunner had been  
6 a boyfriend (sic) lover to Gary Hinman.

7 BOARD MEMBER DeLEON: Did you pick them up on  
8 the day you went to that location? Did you pick them up at  
9 their place of residence that day?

10 INMATE BEAUSOLEIL: They were at Spahn's Ranch.

11 BOARD MEMBER DeLEON: Did you pick them up  
12 there?

13 INMATE BEAUSOLEIL: Yes, they asked to come  
14 along.

15 BOARD MEMBER DeLEON: But you were not living  
16 there?

17 INMATE BEAUSOLEIL: No, sir.

18 BOARD MEMBER DeLEON: Did you have orders from  
19 anyone at Spahn's Ranch to carry out a particular assignment  
20 with Hinman?

21 INMATE BEAUSOLEIL: No, sir. I have never been  
22 under -- I would like to state that I have never been  
23 party to any type of sectarian philosophy. I have never  
24 been a cultist. I have never been -- I do not have the  
25 personality for that type of an ideology. Throughout various



1 professional endeavors, I've always been a leader-type  
2 of person. I'm not a follower. I've always been the  
3 leader of my bands, and my music, my professional occupa-  
4 tions. I've never, never been subject to anybody's  
5 orders.

6 BOARD MEMBER DeLEON: Were you involved in  
7 music at the time of the offense?

8 INMATE BEAUSOLEIL: Yes, I was.

9 BOARD MEMBER DeLEON: What type of music or  
10 with whom?

11 INMATE BEAUSOLEIL: At the time I was doing  
12 studio work, various studios, but I was requested by  
13 Charlie Manson to help him cut a demo tape, and we were  
14 involved in taping at Beverly Hills at the time this  
15 situation developed.

16 BOARD MEMBER DeLEON: Was he a good musician?

17 INMATE BEAUSOLEIL: Especially in song writing.  
18 He was recording his songs at the time, all of his songs  
19 that he had composed, written. It wasn't for -- the demo  
20 tape wasn't for an album, but just to get his songs  
21 on tape for possible resale. He had already sold some  
22 songs. I was helping him to tape them in as professional  
23 manner as possible. He's a very talented lyricist  
24 especially.

25 BOARD MEMBER DeLEON: I have nothing further,



Mrs. Chairman.

PRESIDING MEMBER COLLIER: Mr. Wade, any questions?

HEARING REPRESENTATIVE WADE: You mentioned that when you were there, that circumstances when the victim was killed, that you were mad. Who or what were you specifically mad at?

INMATE BEAUSOLEIL: Well, I was in a situation where I had a large motorcycle -- large, potentially violent motorcycle club mad at me for setting them up with a deal that turned out to be a bunco, that could possibly have gotten them killed because the supposed Mescaline was --

HEARING REPRESENTATIVE WADE: I'm sorry. Let's shift to the scene of the circumstances of the crime. You indicated you got mad there, you went there mad? Or did you get mad?

INMATE BEAUSOLEIL: I was mad over being put into a situation which placed me under severe threats from this motorcycle club.

HEARING REPRESENTATIVE WADE: Okay. Now, you say you had been threatened. Who threatened you?

INMATE BEAUSOLEIL: The motorcycle club.

HEARING REPRESENTATIVE WADE: Not the victim?

INMATE BEAUSOLEIL: No, sir. He threatened me



1 later on, as I was getting ready to leave the house, he  
2 threatened me with bringing the police into it.

3 HEARING REPRESENTATIVE WADE: Was there anything  
4 unusual about that?

5 INMATE BEAUSOLEIL: Well, I'd never have assumed  
6 that he would do that, inasmuch as he was a drug dealer.

7 HEARING REPRESENTATIVE WADE: How long had you  
8 been there when you started to leave?

9 INMATE BEAUSOLEIL: Approximately 24 hours,  
10 26 hours, something like that.

11 HEARING REPRESENTATIVE WADE: Why were you there  
12 so long?

13 INMATE BEAUSOLEIL: Because I didn't want to leave  
14 during the daytime.

15 HEARING REPRESENTATIVE WADE: How long were  
16 you there all together before you left?

17 INMATE BEAUSOLEIL: I just said that about  
18 24 to 26 hours, approximately.

19 HEARING REPRESENTATIVE WADE: No more than a  
20 little over a day?

21 INMATE BEAUSOLEIL: That is correct.

22 HEARING REPRESENTATIVE WADE: That's in  
23 contradiction to time in the official records.

24 INMATE BEAUSOLEIL: Yes, it is.

25 HEARING REPRESENTATIVE WADE: Where did you go



1 when you left?

2 INMATE BEAUSOLEIL: I went back to the Spahn  
3 Ranch. I took the girls back to the Spahn Ranch.

4 HEARING REPRESENTATIVE WADE: How long did  
5 you stay there?

6 INMATE BEAUSOLEIL: I didn't.

7 HEARING REPRESENTATIVE WADE: Where did you go  
8 then?

9 INMATE BEAUSOLEIL: I went back to my apartment  
10 in Hollywood.

11 HEARING REPRESENTATIVE WADE: Did you acquire  
12 some pink slips when you left the victim's house?

13 INMATE BEAUSOLEIL: I had acquired them earlier  
14 in the day that the victim was killed.

15 HEARING REPRESENTATIVE WADE: How did you get  
16 them?

17 INMATE BEAUSOLEIL: Under agreement from Gary  
18 Hinman that, since he did not have the \$1,000 anymore,  
19 that it was turned over to the people that he had apparently  
20 -- that he had copped the drugs from.

21 He gave me the -- he had three cars, three  
22 vehicles. He gave me the pink slips to two of them, which  
23 were approximately equal to the amount of \$1,000, and these  
24 I was intending to turn over to the motorcycle club in  
25 return for --



1 HEARING REPRESENTATIVE WADE: One last question.  
2 Were you driving one of the vehicles, one of the victim's  
3 cars; when you were arrested?

4 INMATE BEAUSOLEIL: Yes, I was.

5 HEARING REPRESENTATIVE WADE: Where were you then?

6 INMATE BEAUSOLEIL: I was in San Luis Obispo  
7 at the time I was arrested.

8 HEARING REPRESENTATIVE WADE: Where were you  
9 going?

10 INMATE BEAUSOLEIL: Didn't know.

11 HEARING REPRESENTATIVE WADE: I have no other  
12 questions.

13 PRESIDING MEMBER COLLIER: I have just one  
14 question.

15 Mr. Beausoleil, as Mr. DeLeon asked you earlier  
16 or said earlier, your testimony of the circumstances  
17 of the commitment offense have changed. In the probation  
18 officer's report, there is a statement here given by you  
19 apparently to the probation officer. They state in the  
20 probation officer's report that this is their version  
21 of what you told them. Now, this version is entirely  
22 different.

23 INMATE BEAUSOLEIL: Yes, ma'am.

24 PRESIDING MEMBER COLLIER: It is different  
25 from the version that you've been giving for over the last



1 two or three Board reports.

2 INMATE BEAUSOLEIL: No, it's been before that.  
3 It's the first time I brought it to the Board's attention.

4 PRESIDING MEMBER COLLIER: Why are the two  
5 statements so entirely different?

6 INMATE BEAUSOLEIL: Very simply, because I  
7 wanted to -- I didn't want to tell my folks exactly  
8 what happened. It was already very difficult for me.  
9 At that time, I would have preferred that they believed  
10 that I was not involved to the extent that I was charged  
11 with.

12 PRESIDING MEMBER COLLIER: So, in effect,  
13 you kind of led them to believe that your participation  
14 was --

15 INMATE BEAUSOLEIL: Correct.

16 PRESIDING MEMBER COLLIER: -- not as serious,  
17 or you were not as involved as the other witnesses and  
18 as the other evidence had indicated?

19 INMATE BEAUSOLEIL: Yes, ma'am.

20 PRESIDING MEMBER COLLIER: Panel, any other  
21 questions?

22 Mr. Montagna, do you have any comments?

23 MR. MONTAGNA: I have some comments. Perhaps,  
24 Mr. Beausoleil, with the Board's permission, would like  
25 to reply.



1 According to the Appellate Court opinion, the  
2 trial transcript reflects that a witness by the name of  
3 DeCarlo testified that, prior to Hinman's death, there  
4 was a conversation between the defendant Beausoleil and  
5 Manson in which there was discussion. Hinman was called  
6 a political pig who should die. I point out, according  
7 to the Appellate Court opinion, this is prior to the  
8 death of Hinman. That, subsequently after Hinman's death,  
9 there was another conversation with DeCarlo in which this  
10 defendant, Beausoleil, stated he had gone to Gary's house  
11 with Brunner and Atkins to demand money, that Hinman did  
12 not cooperate, and that he beat him. That Manson came  
13 over, and I emphasize this is what Beausoleil told DeCarlo,  
14 that Manson came over and cut Gary with a sword. The  
15 defendant Beausoleil stabbed Hinman to death. That he  
16 told the women to wipe the house down for fingerprints,  
17 that he had never killed anyone before.

18 In another conversation, Beausoleil told DeCarlo  
19 that he had gone back to the house to take the paw print  
20 off the wall, and that Hinman was still lying there and  
21 maggots were eating him.

22 A witness Cooper testified at the trial to  
23 a conversation between this defendant Beausoleil and DeCarlo,  
24 that the defendant said something about torturing somebody  
25 for about seven hours, something about killing somebody for



1 about seven hours, and he wouldn't give up.

2 There's further testimony at this trial from  
3 Mary Brunner, in which Brunner testified that Manson  
4 and Bruce Davis did go up to the house while Beausoleil  
5 was there, and that Manson was involved in cutting the  
6 victim with a sword.

7 I point out for the Board that at the trial,  
8 there was a second trial for Beausoleil. He himself  
9 took the stand and, although he gave an essentially  
10 self-serving statement, the whole import of that and the  
11 whole thrust of it was that Charles Manson had sent him  
12 up there. Manson's request -- this is from the Appellate  
13 Court opinion -- the defendant testified in his own  
14 behalf to the following effect: That at Manson's request,  
15 he, Beausoleil, went with Brunner and Atkins to Hinman's  
16 home and asked for money for the Family. That Beausoleil  
17 carried a knife which Manson had given him, but not a gun.  
18 That Hinman offered \$150 which defendant said was not  
19 enough. That he, Beausoleil, then telephoned Manson  
20 and asked for somebody to give him a ride back. That  
21 Manson and Davis arrived armed with a sword and gun. That  
22 Manson stabbed Hinman with a sword twice. That when  
23 defendant Beausoleil expressed disapproval, that Bruce  
24 Davis menaced him with a gun, and Manson said he would  
25 kill anybody that tried to cross him. That Manson forced



1 Hinman to sign the pink slips for the vehicles. That  
2 Manson then left the gun with Brunner with instructions  
3 to kill Hinman if he tried to leave. That then Manson  
4 left the house and that Manson then later returned and  
5 stabbed Hinman to death with a knife.

6 I suppose much of what I would have to say would  
7 probably be by way of argument, and that should come at  
8 the conclusion of the hearing before arguing stuff which  
9 is in the record before this Board. I think it only fair  
10 that, perhaps, Beausoleil, with the Board's permission,  
11 might want to reply to some of this trial testimony,  
12 and that now would be the opportunity, because it's clearly  
13 markedly different than what the record would seem to bear  
14 on what actually happened.

15 PRESIDING MEMBER COLLIER: Mr. Beausoleil, would  
16 you like to reply?

17 INMATE BEAUSOLEIL: Yes, I would.

18 To begin with, now, the comments there, DeCarlo,  
19 I would like to state for the Board's record that Danny  
20 DeCarlo in his testimony, it's stated that he was granted  
21 -- what do you call it -- charges were dropped, GTA, drug  
22 charges, and, I suppose, I'm pretty sure, some kind of  
23 federal charge in return for his testimony against me.

24 I have never made any such statements to Danny  
25 DeCarlo. I have stated that from the beginning. I was



1 later to find out from one of the people who supposedly  
2 associated with this group that the comments that came  
3 from Sadie Atkins to Danny DeCarlo, that he had an oppor-  
4 tunity to -- this is -- by the way, Danny DeCarlo was  
5 secretary of the Straight Satans Motorcycle Club, which was  
6 the one I was having problems with.

7 As far as Danny DeCarlo's testimony goes, I can  
8 only state that it was not true. Mary Brunner's testimony,  
9 I've already commented on.

10 Linda Cooper's testimony, I really don't know  
11 what to make of that. I don't know where she got her  
12 information. I don't know what she was doing on the witness  
13 stand, because I wish, if this is going to be drawn into  
14 this hearing, that all of Linda Cooper's testimony could  
15 be reviewed by the Board, because it was a joke.

16 As far as -- well, I guess -- who else was there?

17 MR. MONTAGNA: His own testimony.

18 INMATE BEAUSOLEIL: My own testimony. Excuse  
19 me.

20 My own testimony was, obviously, an attempt  
21 to get out of a bad situation, an attempt, also,  
22 to, as I mentioned in my version, which was the same  
23 version that I gave to my parents, by the way, and given  
24 for the same reasons.

25 PRESIDING MEMBER COLLIER: Panel, any questions?



1 *Any other questions regarding the commitment offense?*

2 BOARD MEMBER DeLEON: No.

3 HEARING REPRESENTATIVE WADE: No.

4 PRESIDING MEMBER COLLIER: If not, then, at  
5 this time we move to a discussion of pre-conviction factors.  
6 I'll be taking my information from the probation officer's  
7 report, which is information taken from the report of  
8 the Criminal Investigation Unit.

9 Mr. Beausoleil, what I'm going to do is, I'm  
10 going to discuss each entry, and I'd like to ask you to  
11 comment following my discussion.

12 The first arrest that we have occurred, and this,  
13 I assume, is your adult arrest record. I think, as  
14 a juvenile, I remember reading that you had several, --  
15 you were involved with the authorities beginning at age  
16 12?

17 INMATE BEAUSOLEIL: Runaways.

18 PRESIDING MEMBER COLLIER: Mainly runaways. And  
19 then, the first adult entry was March 5th, 1966, violation  
20 of leash law.

21 INMATE BEAUSOLEIL: Yes.

22 PRESIDING MEMBER COLLIER: Does that have to  
23 do with a dog?

24 INMATE BEAUSOLEIL: Yes, it does.

25 PRESIDING MEMBER COLLIER: You were assessed



1 \$25 penalty assessment. Did you pay that, or did you do  
2 two days?

3 INMATE BEAUSOLEIL: No, I did the two days.

4 PRESIDING MEMBER COLLIER: Would you talk a  
5 little bit about that?

6 INMATE BEAUSOLEIL: I was walking my dog without  
7 a leash in Los Angeles, West Hollywood, and I was picked up.  
8 I was given -- pardon me, I was given a ticket for it, and  
9 I failed to pay the ticket.

10 PRESIDING MEMBER COLLIER: The next entry we have  
11 is November 13th, 1966, San Francisco P.D. You were charged  
12 with suspicion of possession of marijuana, Count I, unlawful  
13 possession of a hypodermic needle or syringe, Count II,  
14 and possession of restricted dangerous drugs. On  
15 November 30th, 1966, Count I was dismissed on motion of  
16 the district attorney, and on January 12th, 1967, Counts II  
17 and III were dismissed. So, all of those counts were  
18 dismissed.

19 The next entry we have is the January 18th,  
20 1967, San Francisco P.D., suspicion of possession of  
21 marijuana. In April of 1967, that charge was dismissed  
22 on the motion of the district attorney.

23 On February 23rd, 1968, Redwood City Sheriff's  
24 Office, taking a car without the owner's permission. There's  
25 no disposition shown. What happened?



1 INMATE BEAUSOLEIL: I'm not really -- to tell  
2 you the truth, I'm not really sure. At the time, I was  
3 working with a film maker at that time. And supposedly,  
4 apparently, he felt that the car belonged to him. The  
5 car was bought with money that he had paid me. He was mad  
6 at me about something. I don't know. I really don't --  
7 the San Francisco Police Department never questioned me  
8 about it. I really couldn't say what, you know, what  
9 exactly transpired that would become record.

10 PRESIDING MEMBER COLLIER: It indicates that  
11 you were apprehended while driving a friend's car. You  
12 were held four hours and then released.

13 INMATE BEAUSOLEIL: Excuse me. I know what  
14 that is.

15 PRESIDING MEMBER COLLIER: And then your friend  
16 came down and identified himself.

17 INMATE BEAUSOLEIL: Right. I was driving someone  
18 else's car, and exactly what happened -- the owner came  
19 by. I was driving a man's car with his permission, and  
20 when he came to the police department, then I was released.

21 PRESIDING MEMBER COLLIER: The next entry is  
22 March 27th, 1968, Berkeley Police Department, possession  
23 of narcotic paraphernalia, no disposition shown, and the  
24 entry here is that you told the probation officer that  
25 you were released. Do you remember saying that?



1 INMATE BEAUSOLEIL: Yes, I was arrested for  
2 a tobacco pipe, which turned out to be tobacco, and I  
3 was released almost immediately.

4 PRESIDING MEMBER COLLIER: The next entry is  
5 February 15th, 1969, L.A.P.D., 211 P.C. robbery. There  
6 is no disposition shown. The notation in parentheses states  
7 that the defendant states that he had a large sum of money  
8 with which he was going to purchase a truck for a friend.  
9 He was stopped, the money was discovered, and it was felt  
10 that he had been involved in a robbery. He was held two  
11 days then released.

12 INMATE BEAUSOLEIL: Correct.

13 PRESIDING MEMBER COLLIER: So, that accounted  
14 for that particular incident?

15 INMATE BEAUSOLEIL: They held me long enough --  
16 they held me until the person who owned the money called  
17 them and let them know that, yes, this is my money, he  
18 is buying a truck for me.

19 PRESIDING MEMBER COLLIER: The next entry is  
20 March 9th, 1969; L.A.P.D., 459 P.C., burglary. You were  
21 released on March 11th, 1969, deemed not arrested,  
22 insufficient evidence.

23 Next entry is March 29th, 1969, traffic warrant,  
24 by the Sheriff's Office in Santa Cruz. It was a misdemeanor  
25 and you had to pay a fine; is that correct?



1 INMATE BEAUSOLEIL: (Nods head.)

2 PRESIDING MEMBER COLLIER: Then on August 6th,  
3 1969, you were initially arrested by San Luis Obispo  
4 Sheriff's Office on grand theft auto, but you were turned  
5 over to the L.A. Sheriff's Office, rebooked for murder,  
6 and this refers to the commitment offense.

7 I just have a couple questions with regard  
8 to your criminal record. There are several entries where  
9 you were arrested for possession of marijuana, suspicion  
10 of possession of hypodermic and/or syringe. When you  
11 discussed your narcotics usage with the probation officer,  
12 you stated that you had smoked marijuana occasionally.  
13 You denied the use of any strong narcotic drugs or other  
14 hard narcotics.

15 Now, I'm asking, have you ever used heroin,  
16 L.S.D., marijuana?

17 INMATE BEAUSOLEIL: I have used L.S.D. a few  
18 times. Heroin, I've never used. I don't believe in  
19 drugs.

20 PRESIDING MEMBER COLLIER: What about L.S.D.?

21 INMATE BEAUSOLEIL: L.S.D. I have used, between  
22 '64 and about '66.

23 PRESIDING MEMBER COLLIER: Any barbituates,  
24 seconal?

25 INMATE BEAUSOLEIL: No.



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PRESIDING MEMBER COLLIER: Any paraphernalia, whites, uppers?

INMATE BEAUSOLEIL: No.

PRESIDING MEMBER COLLIER: Panel, do you have any questions?

BOARD MEMBER DeLEON: No.

PRESIDING MEMBER COLLIER: Mr. Wade?

HEARING REPRESENTATIVE WADE: Matching what you said, you said you had used L.S.D. several times. Looking at the summary sheet in your Cum Sum, which, I guess, you're familiar with, known sometimes as the "Grandma Sheet", it should be in your package there. You know, where it says about how many times you used L.S.D.

INMATE BEAUSOLEIL: No, I don't.

HEARING REPRESENTATIVE WADE: It says 50 trips.

INMATE BEAUSOLEIL: I don't know where that came from.

HEARING REPRESENTATIVE WADE: Have you ever seen that before?

INMATE BEAUSOLEIL: No, I certainly haven't.

HEARING REPRESENTATIVE WADE: It's right on it.

INMATE BEAUSOLEIL: I don't have a complete copy of my Cum Sum.

HEARING REPRESENTATIVE WADE: This copy right here is what I'm referring to. I would think it would be



1 in your Cum Sum, or that you would have read it in your  
2 Central File. Right here on the bottom.

3 INMATE BEAUSOLEIL: I don't know where that  
4 comes from. I've never had 50 trips.

5 HEARING REPRESENTATIVE WADE: Well, it could  
6 have been an interview that you would have had with somebody

7 How many times did you run away from home?  
8 You mentioned earlier that you had run away from home when  
9 you were 13 or 14.

10 INMATE BEAUSOLEIL: Twice.

11 HEARING REPRESENTATIVE WADE: Why did you  
12 run away?

13 INMATE BEAUSOLEIL: Partly, difficulties at home,  
14 partly because I wanted to see the world.

15 HEARING REPRESENTATIVE WADE: What were the  
16 difficulties at home?

17 INMATE BEAUSOLEIL: Mild. The usual sibling  
18 arguments. I was -- I guess I've always been a very  
19 independent individual.

20 HEARING REPRESENTATIVE WADE: They weren't with  
21 a poor relationship with the parents. You say siblings?

22 INMATE BEAUSOLEIL: Not severe, no. I justified  
23 it to myself at the time that it was, but it was really  
24 just a yen, I think, more than anything.

25 HEARING REPRESENTATIVE WADE: I have no other



1 QUESTIONS.

2 PRESIDING MEMBER COLLIER: Mr. Montagna?

3 MR. MONTAGNA: No, thank you.

4 PRESIDING MEMBER COLLIER: If there are no further  
5 questions regarding pre-conviction factors, at this time  
6 we'll move to post-conviction factors. Mr. DeLeon will  
7 handle that portion of the hearing.

8 BOARD MEMBER DeLEON: All right. Just going down,  
9 first of all, in chronological order from the date of your  
10 reception on June 23rd, 1970, when you were admitted to  
11 the California Department of Corrections and placed on  
12 Death Row. While you were on Death Row you received a  
13 115 for possession of forged papers. That was in April  
14 of '72.

15 You left there. You were received in the  
16 institution. You were released to Medium "A" custody.  
17 You were the victim of an attack and hospitalized on  
18 4/73. Originally, it appears you were found in possession  
19 of a baseball bat. It turned out that you were, apparently,  
20 defending yourself.

21 Also in April of '73, you received a 115  
22 disciplinary for tattooing and tattooing paraphernalia.  
23 I think an inmate by the name of Rodriguez was tattooing  
24 you on the shoulder at the time you were stopped.

25 Then, in May of '74, you were placed in close



1 custody at DVI.

2 Again, we're going year to year, from 6/74 to  
3 6/75, you were close custody. You were placed in close  
4 custody in March of '75 due to, you were offering material  
5 advocating assaults on other inmates.

6 Now, do you want to comment on that, on the  
7 material advocating assaults on other inmates? I read  
8 one chrono that indicated you were advocating attacks  
9 by Blacks on Blacks, Whites on Whites.

10 INMATE BEAUSOLEIL: No.

11 BOARD MEMBER DeLEON: That's not true?

12 INMATE BEAUSOLEIL: There was -- it should be  
13 noted that I was not given a 115 on this matter. I would,  
14 I think, prefer that Mr. Dyer comment on these -- on  
15 these -- would that be possible?

16 BOARD MEMBER DeLEON: Well, before you do,  
17 there's a chrono here made by Quigle, H.G., Correctional  
18 Counselor I, dated 7/8/75:

19 "Subject was seen in person  
20 at ICC for special review for West  
21 Hall placement program by Unit Four,  
22 K-Wing Classification Committee.  
23 Subject admitted to ICC that he wrote  
24 the material indicating an assault  
25 on others. He states he wrote the



1 material when White inmates were  
2 being victimized by Mexicans and  
3 Blacks during the lockdown at  
4 DVI. He states he wrote the material  
5 to keep an all-out war from occurring  
6 between the three races.

7 "He indicated that, if hits were  
8 to be made, Whites were to hit Whites,  
9 Mexicans to hit Mexicans, and Blacks  
10 to hit Blacks, if hits had to be made.  
11 He indicates enemies are the E.M.E.  
12 and A.B.'s. Subject currently  
13 exercises with known N.F.'s and  
14 known B.G.F. members in K-Wing. He  
15 belongs to a White group affiliated  
16 with the N.F., and this group is  
17 called the Host of Valhalla."

18 Host, H-o-s-t, of Valhalla, V-a-l-h-a-l-l-a.

19 "Subject states he belongs to  
20 a group for survival only. He  
21 doesn't want it, but there is no  
22 other solution at present time. He  
23 admits membership in the Host of  
24 Valhalla and has requested West Hall  
25 over general G.P., general population,



1 until ICC knows where he stands with  
2 G.P. inmates at present.

3 "ICC assigned subject to Unit  
4 Three West Hall program. Members  
5 present: Patterson, Superintendent  
6 Chastine, Associate Superintendent  
7 Sanders, Associate Superintendent.

8 It's signed by Whitney, CC I."

9 Now, do you wish to comment?

10 MR. DYER: Bobbie, I think, you know, if you  
11 would tell them just in your own words just exactly what  
12 you told me the other day it would sound a lot better  
13 coming from you, just exactly what you told me the other  
14 day, and what the whole purpose of it was.

15 INMATE BEAUSOLEIL: Again, I would like to say  
16 that there was not 115 issued on that. If the material  
17 had been that severe, I'm sure that it would have been  
18 issued.

19 Now, I would like to comment on -- I would  
20 like to bring to the Board's attention that I had a problem  
21 in San Quentin with the Aryan Brotherhood. I was  
22 found victim of an assault, and I was subsequently  
23 transferred here.

24 I have never been able to get along with any  
25 of the inmate pressure groups. I can live with being



1 under the authority of the Department, but I cannot live  
2 with being under the coercion or extortion of pressure  
3 groups.

4 At San Quentin, I was found victim of an assault,  
5 but I would admit that I was standing up for myself at the  
6 time that incident occurred. When I was transferred here,  
7 I was immediately thrown into a hostile environment. I  
8 was trying to survive in some very precarious situations.

9 I landed at this institution. I was put on  
10 the tier in K-Wing when I first arrived, in which Whites  
11 had not been on the tier in years with N.F.'s and B.G.F.'s.  
12 Lucky for me, some news of this incident in San Quentin  
13 had preceded my arrival. The N.F. left me alone, because  
14 I had stood up to their enemies, the A.B.

15 This situation on offering material concerning  
16 making assaults on other inmates, all I was trying to do  
17 was, an inmate was coming to me who was having severe  
18 difficulties. I was trying to explain to him to stand  
19 up for himself. You know, you got two choices in this  
20 situation: You can go P.C. or you can stand up for yourself.  
21 That's basically the gist of the material.

22 As far as the problems, I had a hard road to go.  
23 I came -- I came to prison 21 years old, young, good looking,  
24 and with a certain amount of notoriety attached to my name.  
25 I had to put up with a whole lot. And I made up my mind



1 when I came in, I wasn't going to wind up on the shelf  
2 in P.C. You know, I'm just going to stand up -- stand  
3 up for myself. And ten years later, I'm -- I've --  
4 I'm on the mainline still.

5 I'm fairly well respected among the population.  
6 I don't have any problems, but it took me a long time.  
7 It was a hard road. There's -- I don't have any pre-  
8 occupations with violence. I don't want any violence,  
9 or any involvement in violence. I'm only trying to do  
10 the best I can to survive in that situation.

11 BOARD MEMBER DeLEON: All right. Very good.

12 You received a 115 for possession of plastic  
13 utensil with a razor blade attached, and apparently on  
14 that negative disciplinary, you explained, or it was  
15 documented, that you had melted the plastic utensils  
16 down and attached the razor blade, and you had three of  
17 those in your possession. At at least one point, you  
18 commented that these were cutting objects for art purposes,  
19 and apparently when they found them, you had them in a cup  
20 with pencils and possibly art objects or art paraphernalia.  
21 And the sergeant that made the 115 commented, or appeared  
22 to infer, that he was pressured into making the 115 in  
23 order to transfer you into or out of one unit and into a  
24 -- possibly one with greater security. Whether or not  
25 it was indicated that someone considered you a menace to



1 staff or not, that may have been implied.

2 Do you want to comment on that?

3 INMATE BEAUSOLEIL: Yes, I do. The transfer  
4 from one wing to another, the sergeant did state that  
5 the purpose -- he was led to believe that the purpose  
6 for this roust, or whatever you want to call it, was to  
7 have me removed from Y-Wing. They had to have an excuse  
8 to have me removed from Y-Wing.

9 Now, Y-Wing, I should mention, is Protective  
10 Custody wing for ex-tip members, or ex-cliques. I've  
11 never been involved in any clique.

12 I should backtrack a little bit to a prior  
13 statement, but I've never been involved with any cliques.  
14 I've never been part of any pressure groups or anything.  
15 I did not belong in that wing. I was not apprised of  
16 the fact that they were going to transfer me to this  
17 wing before I was transferred. It was -- somebody here  
18 had made the decision to have me put up for that program.  
19 I did not request Protective Custody. I was not in  
20 Protective Custody at the time I was transferred. I  
21 did not belong there. The inmates knew that I did not  
22 belong there. It was not from threats to staff or anything  
23 like that. Apparently, some of the inmates there felt that  
24 I was a threat to them. That was the reason that I was  
25 removed.



1 Now, I would like to mention, also, on the findings  
2 of the 115, the officer, or the lieutenant, that heard the  
3 115 deemed the items not to be weapons. They were deemed  
4 contraband. I was given five days suspended for time  
5 served.

6 BOARD MEMBER DeLEON: That's correct. They  
7 were not deemed weapons. They were deemed contraband.

8 INMATE BEAUSOLEIL: I would like to mention  
9 the Host of Valhalla. I forgot to mention that on the  
10 previous issue.

11 The Host of Valhalla is a pretty much non-existent  
12 clique. It was, at this institution, anyway. Now, there  
13 was a group at San Quentin, maybe ten guys or so, who  
14 had, at one time or another, stood up to the A.B., had  
15 had difficulties with the A.B. The A.B. in San Quentin  
16 at that time was stabbing people for no reason. To make  
17 their bones, in other words. They were -- for practice.

18 There were some people that refused to go P.C.  
19 after being assaulted by A.B. In the lockdown units at  
20 San Quentin afterwards, they were placed in Segregation,  
21 Isolation, whatever, Segregation, where there were A.B.  
22 present. Now, there was a group of -- a handful of people  
23 that were associated with each other, had a common problem,  
24 and they banded together and called themselves the Host  
25 of Valhalla.



1 Now, that name preceded my arrival here. I  
2 allowed the N.F. and B.G.F. to think that I was part of  
3 this group. As I state again, I was in the situation where  
4 I was either the only or one of the very few Whites in an  
5 area where there were a great number of N.F. or B.G.F.  
6 I was able to survive this by virtue of the fact that I  
7 had stood up to the A.B., by virtue of being associated  
8 with some of the guys they respected that were in this  
9 group.

10 BOARD MEMBER DeLEON: Well, whether or not you  
11 were actually in fact a member of a clique, if the other  
12 population or members of cliques believed you to be a member  
13 of a clique, say, that that was a particular white clique  
14 that was against the activities, say, of the A.B., then  
15 would that not be a reason to consider you Protective  
16 Custody subject, or a person subject to Protective  
17 Custody by virtue of the fact that there were people who  
18 believed that you were a member of a clique that was the  
19 enemy of a certain other clique?

20 INMATE BEAUSOLEIL: Not in this situation,  
21 because at DVI, there were very few A.B., if any, and  
22 at the time I was placed -- I was located at that time  
23 at West Hall. There were no A.B. to my knowledge, anyway,  
24 and I don't think they would have survived if there had  
25 been any. In fact, it's very, very doubtful that any of



1 them could have survived.

2 I was not in a situation at the time where I  
3 was under particular threat from anyone. I was not enemies  
4 of the N.F. I was not enemies of the B.G.F. I was able  
5 to keep them off of me, in fact, because I had stood  
6 up to their enemies. That was the only reason I was able  
7 to make it in this situation. I was not in Protective  
8 Custody at the time, in other words. There is no way  
9 that anyone should have thought me as a Protective Custody  
10 case.

11 BOARD MEMBER DeLEON: All right.

12 In October of '75, you were on West Hall honor  
13 status. You worked as a painter with above-average grades.  
14 You were disciplinary free during that year, from 6/75  
15 to 6/76. Or, certainly, you were free of any major  
16 disciplinaries.

17 Now, from 6/76 to 6/77 you were identified as  
18 -- well, actually the incident occurred in the preceding  
19 year. You were identified -- no, it didn't. Pardon me.  
20 It was on 6/6/77 you were identified as being an assailant on  
21 Mexican-Americans, who were, apparently, or possibly,  
22 Nuestra Familia members, and you were placed in Security  
23 Housing. You were given a 115 for that, and it was  
24 considered a major racial confrontation in the yard.  
25 Eleven Whites attacked four Mexican-American inmates with



baseball bats.

There were contradictory reports that you had initially armed yourself with a baseball bat --

INMATE BEAUSOLEIL: There were?

BOARD MEMBER DeLEON: -- then put it down, and then there was another report that, apparently, at least one person said that they saw you with a baseball bat in your hand. It was contradicted by other reports that said you did not arm yourself, that you were in a position of observation, that you moved out of the way, that you complied when ordered to sit down or get against the wall.

There was documentation that you were seen in the beating of an inmate with other inmates who were beating the inmate with baseball bats, and that you were kicking him, kicking the inmate, and that you desisted when ordered to go sq. by the officers. I believe there were later comments by you that you were wearing a soft-type of shoe, or sandal-type shoe or footwear and that you couldn't have harmed anyone.

There was considerable documentation contradicting I believe the greater brunt of the allegations, initially, were to the fact that the Mexican-Americans were victimized by the Whites, they were assaulted and beaten by the Whites, that the Whites had set it up by having the baseball equipment, a cart there, and that the baseball bats had



1 been taken from the cart and the Mexican-Americans attacked.  
2 Then, there was later documentation that the Mexican  
3 Americans were involved, where members of the Nuestra  
4 Familia, who had provoked the attack by threatening the  
5 Whites and threatening the Blacks and, I believe, seeking  
6 Black support against the Whites, which they did not receive.  
7 The Mexican-Americans were threatened to take over the  
8 White -- I believe it was some type of game, card game,  
9 or whatever, but they were going to take over and informed  
10 the Whites they were going to take it over. Apparently,  
11 they had broken a promise that they had made to the Whites  
12 that they would leave them alone and were now trying to  
13 dominate them. These were all incidents, the harassments,  
14 the intimidation and threats by the Nuestra Familia,  
15 were all incidents that preceded the confrontation and  
16 fight that was racial in nature that did occur that  
17 particular day in which you were involved.

18 So, do you wish to comment on that?

19 INMATE BEAUSOLEIL: Yes, I do.

20 I would like, however, for Mr. Dyer to provide  
21 some background, I think some integral background, concerning  
22 the developments of this problem over the number of years,  
23 just a little bit, and then I will pick it up as far as  
24 specific activities.

25 BOARD MEMBER DeLEON: All right.



1 Mr. Dyer, do you want --

2 MR. DYER: I can give you just a few. It might  
3 help to bring you up to date, Mr. DeLeon.

4 The Nuestra Familia had pretty well controlled  
5 the gambling and illegal trafficking of narcotics and  
6 whatever in the institution. It was my understanding  
7 at the time they wanted to -- the Whites controlled the  
8 gambling in, I believe, it was E-Wing, and they had  
9 received an ultimatum from the N.F. to, as I recall,  
10 "We're going to take at least half the profits from the  
11 gambling," and they gave a deadline at such and such a  
12 time, at nine o'clock, whatever it was, on this particular  
13 date. Staff refers to this day as the day of the baseball  
14 game on the yard.

15 I don't think they met there by design; but  
16 when you said four Chicanos were involved, Mr. DeLeon,  
17 that surprised me. I'm sure there were many more than  
18 that. I was in charge of the lockup units at the time,  
19 and I know they had many more locked up than four.

20 BOARD MEMBER DeLEON: Well, the one documentation  
21 might have alluded to four injured, possibly.

22 MR. DYER: That might have been that. It really  
23 surprised me when you said four.

24 The N.F. were very strong at the time. They  
25 controlled the line. The gambling game would have been



1 very profitable. I would guess that out of one game they  
2 would probably -- I had one inmate tell me, who was since  
3 paroled, that he saw at one time as much as \$14,000 cash  
4 money in one wing. So, it would have been a very profitable  
5 game.

6 Incidentally, Bob did not live in this wing  
7 at that time. He was not part of the group that controlled  
8 the gambling. They were known as "Bikers," the "Biker  
9 Clique."

10 I believe that pretty well brings you up to  
11 date. If you have any questions, I'd be glad to answer  
12 that.

13 INMATE BEAUSOLEIL: I would like you to bring  
14 out one other thing.

15 Would you be willing to, as far as the background,  
16 mention the background concerning the N.F. as far as making  
17 assaults on Whites in previous years?

18 MR. DYER: I think that's pretty much a matter  
19 of record. I can't give you the exact number of assaults,  
20 but there were numerous homicides, oh, in a matter of  
21 two or three -- in a matter of a couple, three years,  
22 there were probably 12 to 14 homicides committed by members  
23 of the N.F.

24 BOARD MEMBER DeLEON: On Whites?

25 MR. DYER: Not just Whites, other Chicanos,



1 members of opposing cliques, whites and Chicanos both.

2 BOARD MEMBER DeLEON: Now, was there that much  
3 cash --

4 MR. DYER: As far as E-Wing, I don't know. I've  
5 been told in one of the other wings, Mr. DeLeon, just  
6 to give you an idea of how profitable, why the N.F. might  
7 have wanted it, one of the other inmates in another wing  
8 said he had seen as much as \$14,000 cash money at one time.  
9 That's an inmate's story.

10 BOARD MEMBER DeLEON: I see. Mr. Dyer, what  
11 happened after this incident, after this confrontation?  
12 Was there any action taken by staff? I notice that what  
13 action was taken by staff as far as Mr. Beausoleil was  
14 concerned, but as far as the others that were involved  
15 were concerned, as far as the cliques involved were  
16 concerned, as far as the Nuestra Familia was concerned?

17 MR. DYER: It was shortly thereafterwards that  
18 the N.F. was taken completely off the line. Anyone that  
19 participated, and I hesitate to use the term, but that  
20 was part of the baseball team, I know I'm well within the  
21 mark when I say that the N.F. would take them out immediately  
22 if they had a chance to take them out. They have several  
23 hit lists, and Bobbie would probably be on their number  
24 two hit list to be taken out by the N.F.

25 BOARD MEMBER DeLEON: Now, are the N.F.'s separate?



1 MR. DYER: At the present time, the known N.F.  
2 are housed in the West Hall. That's part of the old  
3 Reception Center here. I know Mr. Wade is very familiar  
4 with that area, but it's completely separate and apart  
5 from the rest of the institution, Mr. DeLeon.

6 BOARD MEMBER DeLEON: Yes, I've been there. I  
7 was just wondering if that was still --

8 MR. DYER: It's still there, yes, sir.

9 BOARD MEMBER DeLEON: Now, during this same  
10 year --

11 INMATE BEAUSOLEIL: Excuse me, Mr. DeLeon. I'd  
12 like to respond myself to that --

13 BOARD MEMBER DeLEON: All right.

14 INMATE BEAUSOLEIL: -- that situation.

15 To begin with, when I went on the yard that  
16 night, I didn't go out there to participate. I was there  
17 on music, and I was not on the yard that night. I was  
18 on music unlock.

19 I went outside to pick up a six-pack of cokes  
20 to take back to the music room from the Satellite Canteen  
21 and I walked into this problem.

22 Now, I had heard some rumors that there was a  
23 difficulty coming down around the card game, but I had  
24 heard that so many times I didn't really think of it  
25 developing into an altercation. But when I went out to the



1 yard, I was told that I couldn't go to the yard safely.

2 The situation was that, after their meetings,  
3 that the N.F. had given an ultimatum. You know, "That's  
4 it, if you don't want to go along with the program,  
5 we're going to take you out of the box."

6 So, the agreement between the Whites was that  
7 we won't leave the yard until they leave the yard first.  
8 Now, I would like to explain the reason for this strategy.

9 In leaving the yard, the officers allow only  
10 so many inmates to go at a time, take people in groups  
11 out of the yard through the gate. There's usually, maybe,  
12 15 or 20 go at a time. Now, what would have happened  
13 if the Whites had gone out first, if they had left the  
14 yard first, they'd have gone out in groups of, you know,  
15 small groups, until there was just a small group left,  
16 which would, they would have been sitting ducks. And  
17 there was a hell of a lot more than four N.F. out there;  
18 those were the ones that were injured. It was just under-  
19 stood they would let them hang back, you know, let them  
20 go off the yard, but just not at our backs, that's all.

21 So, the Whites all got to one side up against  
22 the fence, and left plenty of room for the N.F. to go  
23 around into the yard. But they didn't go into the yard;  
24 they came at the group of Whites there. And it was just --  
25 all hell broke loose.



1 I did not pick up a weapon. I did stand up  
2 for myself. That's all I can say there. It wasn't --  
3 I hit the man first, knocked him down with my fists,  
4 and then I kicked him as an insult. It was -- I was --  
5 you know, everybody that was there, including the staff,  
6 was fed up with these people.

7 For years, without retaliation, they had killed,  
8 extorted, coerced, and it was just, everybody had had it.

9 Now, a lot of staff came to me afterwards and  
10 said, "It's about time; it's about time."

11 Of course, they can't officially condone a  
12 situation like that, but I don't think there's any secret  
13 about how the staff felt about it.

14 I'm not saying that we were right. I'm just  
15 saying that I stood up for myself in a situation that  
16 seemed to call for it.

17 MR. DYER: I feel a little bit defensive. I'd  
18 like to add, some staff might have felt that way.

19 BOARD MEMBER DeLEON: All right.

20 During that year you were a painter with above-  
21 average grades. You were also a hobby clerk, also a  
22 field house orderly.

23 The following year, 6/23/77 to 6/78, you were  
24 a hobby clerk, hobby orderly, where you are still working.

25 INMATE BEAUSOLEIL: Excuse me, sir. I'd like



1 to this is a late arrival. I wasn't able to get it into  
2 the addendum. It's a work report from my supervisor.

3 HEARING REPRESENTATIVE WADE: Would you happen  
4 to have an extra copy of that chrono?

5 MR. DYER: They just gave us one copy, Mr. Wade.

6 BOARD MEMBER DeLEON: This is dated 8/24/79:

7 "Beausoleil has been the tool  
8 orderly of the handicraft shop for  
9 approximately three and a half years,  
10 under my supervision for a year and  
11 a half."

12 This is taken out of context:

13 "Beausoleil's main responsibility  
14 in the shop is care and supervision  
15 of shop tools and equipment. He has  
16 accomplished this by a method he calls  
17 the "honor system", eliciting the  
18 cooperation of the inmates participating  
19 in the program. The fact that we have not  
20 lost any tools while Beausoleil has been  
21 assigned to this position attests to the  
22 success of his system and his responsibility  
23 toward his assignment.

24 "His attitude and work habits are  
25 good. He works well with other inmates,



1 seems to get along well with other  
2 races. He is also willing to give  
3 a helping hand when others need it,  
4 staff and inmates alike.

5 "With respect to his handicraft  
6 work, which is extremely important  
7 to him, he pursues this ambitiously  
8 during his free time and produces  
9 excellent quality woodwork, musical  
10 instruments, equipment cabinets,  
11 et cetera, electronical musical  
12 devices and art work."

13 That's by the handicraft manager, Mr. Jones.

14 INMATE BEAUSOLEIL: I have one other letter.  
15 I don't know if this is the time for it. It's from  
16 Lieutenant Cecil Chandler, the Watch Commander here,  
17 Third Watch.

18 BOARD MEMBER DeLEON: This is from Correctional  
19 Lieutenant Chandler, dated 8/27/79:

20 "To whom it may concern:

21 "Be advised that I have been  
22 acquainted with Inmate Robert  
23 Beausoleil since the date of his  
24 incarceration. In the time period  
25 which I have been associated with



1 this inmate, he has continually  
2 demonstrated himself to be one  
3 that joins in the programs to  
4 which he may receive the most  
5 benefits in a positive, rehabili-  
6 tative effort. Mr. Beausoleil  
7 has actively participated in the  
8 education program at the Deuel  
9 Vocational Institute and is  
10 currently involved in the television  
11 program and assisting in the produc-  
12 tion of the KDVI news program, this  
13 within the education area.

14 "Consistently, Mr. Beausoleil  
15 has demonstrated to staff that he  
16 is willing to assist in the operations  
17 of the institution, maintaining a  
18 positive work ethic and attitude  
19 towards his incarceration. His  
20 attitude is most positive, in that  
21 all that he may attempt is for the  
22 betterment of himself and the  
23 institution and the projection of  
24 making a positive effort toward the  
25 day which he may receive a parole and



be returned to the community as a helpful member of society.

"It is my considered opinion in the years that I have had the opportunity to observe and know this inmate, that a positive consideration towards his release to parole will benefit the community.

"C. Chandler, Correctional Lieutenant."

That was dated 8/27/79.

Now, the documentation, the chronos, do indicate that you were an enemy of the Nuestra Familia, an enemy of the Mexican Mafia, and an enemy of the Aryan Brotherhood, and that you were a member of the Host of Valhalla, as indicated in at least one chrono, a White group associated with the Nuestra Familia.

On 12/3/77, you received a negative 115 disciplinary for delaying the lockup. There was also a negative 128 on April of '78 for covering of cell window, and a negative 128 for leaving the trailer during the family visit. I believe you were outside the trailer, smoking, and it indicated that you were not aware of the rule that you could not leave a trailer during a family



1 visit. You were told that you could have been shot for  
2 doing so.

3 Now, the last 14 months, you've received above-  
4 average work grades, you've participated in G.E.D. tests,  
5 apparently with the highest grades ever at DVI, at least  
6 that is indicated. You're currently doing recording work,  
7 apparently, or you have done recording work for a studio,  
8 according to the documentation. You've had art work  
9 accepted by publications. Apparently, you're a member  
10 of Local 6 of the Musicians' Union. You formed a band  
11 at DVI, the band won first prize in, apparently, the  
12 California Department of Corrections.

13 Of course, other than the letters that you  
14 have just shown us, you have had letters, outside letters,  
15 praising your musical talents, your expertise. A letter  
16 from Dr. Bert Holt recommending release, citing your  
17 design of electronic musical equipment. There are other  
18 strong letters of support from family, church, friends.

19 You've remained disciplinary-free during this  
20 period, and also, you have received the laudatory letters  
21 that you've shown us from the handicraft manager and  
22 Lieutenant Chandler.

23 The work supervisor reports consistently indicate  
24 above-average work. You did get a couple of negative  
25 comments from your work supervisor for having more interest



1 in your music than in the job, but that's -- it was only  
2 once incident, the rest were all above-average comments.

3 Now, your psychiatric history goes back to,  
4 well, we can go back to Dr. Kleinmaier's report, diagnosing  
5 a passive-aggressive personality, on 1/11/71. Most of  
6 the comments at that time when you were on Death Row  
7 relate to the fact that you were sane and not psychotic.  
8 and you did know right from wrong at the time of the  
9 commission of your act.

10 Now, on 10/11/77, Dr. Mackenberg,  
11 M-a-c-k-e-n-b-e-r-g, alluded to your psychiatric history,  
12 stating there is a psychiatric evaluation for the  
13 Adult Authority dated 1/4/74, by J. D. Stocking,  
14 Ornellas, Correctional Counselor, II, approved by Dr. Reeves,  
15 R-e-e-v-e-s, Acting Chief Psychiatrist at San Quentin,  
16 giving a diagnosis, and reading this out of context:

17 "Passive-aggressive personality  
18 disorder, passive dependent and  
19 aggressive types with antisocial  
20 behavioral pattern, aggravated by  
21 drug usage (L.S.D.)."

22 This report is quite negative and indicates that  
23 Mr. Beausoleil was, in fact, a wary, cautious, distrustful,  
24 antagonistic individual who spoke in a calm and non-  
25 aggressive manner, but in such a way as to indicate that



1 he was, in fact, extremely dangerous and very likely to  
2 again resort to murder if released.

3 A second report, dated 2/20/76, written by  
4 Dr. John A. Malloy, M-a-l-l-o-y,

5 "Diagnostic impression: Antisocial  
6 personality, severe, schizoid personality."

7 Dr. Malloy gave a much more favorable report than that of  
8 1974. It indicated that Mr. Beausoleil was far more  
9 positively socially oriented, not as alienated or resentful  
10 as previously, and that he appeared to have a far more  
11 positive attitude towards society and his possible placement  
12 than he had 18 months before. Mr. Beausoleil was noted,  
13 however, as still quite resistant to any kind of group  
14 counseling, although it was recommended as possible,  
15 and individual counseling was also posed as being of  
16 benefit for Mr. Beausoleil if he could be induced to it.

17 Just reading one paragraph from Dr. Malloy's  
18 report of 2/16/76:

19 "From a description of this inmate's  
20 family background, I just could not  
21 elicit any real evidence of a major  
22 family conflict which might have some  
23 bearing on his personality development.

24 I do have the impression, though, that,  
25 by the time he reached adolescence or



1 in early high school, he was quite  
2 alienated, restless, and he did  
3 indicate he was having problems  
4 in adjusting at school. He  
5 rationalized this by saying, quote,  
6 'Nothing appealed to me,' unquote,  
7 and further added that he was more  
8 interested in the arts than in the  
9 technical school work."

10 Then, out of context:

11 "For about five years or so  
12 before his instant offense, he stated  
13 that quite generally he would carry  
14 a hunting knife in a sheath because,  
15 quote, 'a knife is something you can  
16 use for a lot of things,' unquote.  
17 He did not indicate any real paranoid  
18 thinking about the need to carry a  
19 knife as, for example, protect himself.

20 "He had no problem with alcohol,  
21 seconal, or stimulants as he indicated.  
22 He had used L.S.D. on about 25 occasions  
23 over about 10 years, had been, quote,  
24 'drinking some wine' during the instant  
25 offense."



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There's one line here:

"As compared to the psychiatric evaluation in January of '74, in this interview, the inmate came across as more positively, socially oriented and not nearly as alienated and resentful as previously."

As stated before, the report of 1/74 was extremely negative. For example:

"His character disorder is of long standing and he gives no indication of ever wanting to be any different than he now is. He wants the world to change to fit him. He has killed without compunction or remorse, and he could do so again when his survival or tribe, quote/ unquote, is threatened."

"Conclusion: Psychopathology is directly related to criminal behavior. No psychiatric gains have been made. Violence potential unprovoked is low, provoked is high. No medication prescribed."

Again, that goes the 1/4/74.



1 In the last report by Dr. Macomber,  
2 M-a-c-o-m-b-e-r, Senior Psychologist, dated 6/19/79, out  
3 of context:

4 "Beausoleil related in a friendly,  
5 talkative, open manner. There was no  
6 indication of mental or emotional  
7 problems. Compared to last year,  
8 Beausoleil appeared to have matured  
9 significantly. The nonconformant  
10 orientation, lack of anxiety or guilt,  
11 the considerable pride and egocentricity  
12 that was noted in last year's evaluation  
13 is markedly diminished this year.

14 "Beausoleil has completed his  
15 G.E.D. during the last year as well  
16 as maintaining a busy schedule of musical  
17 instrument manufacturing and inking.

18 "Diagnostic impressions: Passive-  
19 aggressive personality with some anti-  
20 social personality features, improved.

21 "There is no evidence of any  
22 psychopathology which would preclude  
23 release plans. There is no indication  
24 of emotional problems which would  
25 require participation in psychotherapy.



1 Beausoleil appears to be maturing  
2 over the years, and violence potential  
3 appears to be diminished compared to  
4 what it was previously. Violence  
5 potential is below average compared  
6 to other inmates.

7 "As Beausoleil's personality  
8 characteristics are well-documented  
9 in previous evaluations, and there  
10 is no evidence of psychopathology which  
11 would require further diagnosis  
12 or monitoring, it is recommended that  
13 this case be removed from the  
14 psychiatric referral status."

15 Now, would you like to comment on your psychiatric  
16 history?

17 INMATE BEAUSOLEIL: I think the psychiatrists --  
18 I take issue with some of the earlier reports. They  
19 were made in a situation itself where I have to admit  
20 that I was very antisocial at the time. Extremely so,  
21 to a certain extent. I felt -- I mean, I'd been through  
22 hell already. From the time of preliminary motions and  
23 whatnot from my second trial. I felt persecuted. I felt  
24 a lot of things were brought down on me that I did not  
25 deserve, that in no way should have been -- I should have



1 had to go through.

2 In other words, in my first trial -- let me  
3 explain. The situation concerning the differences in  
4 my two trials: The first trial was, as I said earlier,  
5 was handled by Mr. Ross, Deputy District Attorney. He  
6 handled the case very fairly. It was a quiet trial.  
7 No publicity. The trial ended in a hung jury, eight to  
8 four for conviction. The transcripts for the entire trial,  
9 excuse me, were this thick, approximately maybe an inch and  
10 a half.

11 The second trial, on the same evidence, the  
12 transcripts were this thick, ten volumes on the same  
13 evidence. It was a circus. Things were -- this association  
14 with Charles Manson. I've never denied being associated  
15 with him, only denied from the very beginning ever belonging  
16 to any kind of sectarian theology, or adhering to any kind  
17 of philosophy like that. Denied it from the very beginning.  
18 I deny it today.

19 I don't deny associating with him as a friend,  
20 as one musician to another. That is exactly the relationship  
21 that we had.

22 From the time that the second trial started  
23 until approximately four years later, I had been going  
24 through a lot of personal struggles with myself. I had  
25 to do a lot of -- self-investigation, trying to come to terms



1 with the state of affairs that I was thrown into, trying  
 2 to come to terms with being, all of a sudden, this killer,  
 3 a maniac. That does not represent me. Never has. My  
 4 whole life has been devoted to one type of creative  
 5 art or another. That is my sole preoccupation in life.

6 I was thrown into a situation. I was -- a  
 7 very severe situation where I personally felt very  
 8 severely threatened. I acted wrong; I didn't think about  
 9 it. I didn't allow myself any time to think. I was  
 10 young; I was 21 and still very impulsive.

11 The last ten years, I've learned to curb my  
 12 impulsiveness, learned to put myself in other perspective  
 13 with the world, and I've learned to -- I know that I'll  
 14 never be able to make up for having killed a man. There's  
 15 nothing that you can do to make up for that. I can't  
 16 take it back, that it's a fact that I have been destructive  
 17 has made me try harder to learn to be creative. I'll  
 18 never be able to make up for it, I know, but I'll spend the  
 19 rest of my life trying.

20 I don't know what else to say.

21 BOARD MEMBER DeLEON: All right.

22 Mr. Wade, do you have any questions on post-  
 23 conviction factors?

24 HEARING REPRESENTATIVE WADE: Who visited you?  
 25 You mentioned a family visit; who visited you?



1 INMATE BEAUSOLEIL: Presently?

2 HEARING REPRESENTATIVE WADE: Well, at that  
3 family visit.

4 INMATE BEAUSOLEIL: Oh, my family was visiting  
5 me.

6 HEARING REPRESENTATIVE WADE: Your parents?

7 INMATE BEAUSOLEIL: Uh-huh.

8 BOARD MEMBER DeLEON: That was a trailer visit?

9 INMATE BEAUSOLEIL: I'm not married.

10 HEARING REPRESENTATIVE WADE: Mr. Scott, in  
11 his Board report, mentioned -- do you know what I'm  
12 talking about?

13 INMATE BEAUSOLEIL: I'm not sure what part of  
14 it.

15 HEARING REPRESENTATIVE WADE: He mentioned that  
16 you had no formalized self-help. What did he mean by  
17 that?

18 INMATE BEAUSOLEIL: What he meant by that,  
19 I had assumed -- I had discussed this point with him,  
20 because I took issue on this point of the Board report.  
21 I wondered why he didn't -- in other words, I've devoted  
22 an awful lot of time and energy in developing programs  
23 in this institution.

24 HEARING REPRESENTATIVE WADE: Explain what he  
25 meant by that, if you took issue on that point.



1 INMATE BEAUSOLEIL: Well, formalized, according  
2 to the CRB outline for what the counselors are supposed  
3 to use, the outline the counselor uses in making the  
4 Board report, now, there was no provisions for the type  
5 of program that I have been involved in. There are only  
6 provisions for, say, education, I mean as far as high  
7 school --

8 HEARING REPRESENTATIVE WADE: I didn't understand  
9 what you meant. There's no provisions for what you had  
10 or hadn't been involved in?

11 INMATE BEAUSOLEIL: There was no provisions  
12 for the programs that I have been involved in. There  
13 are no official --

14 HEARING REPRESENTATIVE WADE: I don't know what  
15 you mean by that.

16 MR. DYER: It might help you, Mr. Wade. They're  
17 talking about self-help groups, such as Alcoholics  
18 Anonymous, Narcotics Anonymous, Gavel Club, this is  
19 what is referred to as a self-help program.

20 HEARING REPRESENTATIVE WADE: Formalized  
21 self-help.

22 MR. DYER: Right.

23 HEARING REPRESENTATIVE WADE: Did you want to  
24 say more about that?

25 INMATE BEAUSOLEIL: Well, just that I have



1 been involved in a lot of programs that I would assume  
2 would be self-help programs.

3 HEARING REPRESENTATIVE WADE: You wouldn't think  
4 that it would be necessary for you to be involved in  
5 a narcotics abuse program in any way?

6 INMATE BEAUSOLEIL: No, huh-uh.

7 HEARING REPRESENTATIVE WADE: Now, the reason  
8 I mentioned that also, is that Dr. Macomber, in 1978,  
9 in his report of July 11th, 1978, he had said that, at  
10 that time, including some of the things that Mr. DeLeon  
11 described, he made a statement there that you were not  
12 amenable to any psych therapy. Then in this year's report,  
13 that area is covered, and he says he didn't think it  
14 was necessary.

15 Did you want to comment anything on either  
16 one of those reports regarding that specific issue?

17 INMATE BEAUSOLEIL: From the time -- now, from  
18 the time that Dr. Mackenberg had taken my case, there has  
19 never been a recommendation, to my knowledge, personally,  
20 in my personal discussions with him, for therapy.

21 Dr. Mackenberg and Dr. Macomber -- Dr. Macomber took over  
22 Dr. Mackenberg's position -- he stated to me that they  
23 didn't feel it was necessary in my case. I've never  
24 had any difficulties speaking with them. If I had a problem  
25 to discuss with them, I've gone to them.



1 HEARING REPRESENTATIVE WADE: Okay. I don't  
2 have anything else.

3 BOARD MEMBER DeLEON: Ms. Collier, on post-  
4 conviction?

5 PRESIDING MEMBER COLLIER: No questions.

6 BOARD MEMBER DeLEON: I have nothing further  
7 on post-conviction factors.

8 PRESIDING MEMBER COLLIER: Okay. If there  
9 are no further questions on post-conviction factors,  
10 Mr. D.A., do you have anything you'd like to add?

11 MR. MONTAGNA: No, thank you.

12 PRESIDING MEMBER COLLIER: Mr. Beausoleil, do  
13 you have anything else you'd like to add with respect  
14 to your institutional adjustment?

15 INMATE BEAUSOLEIL: I think that a question that  
16 Mr. Wade brought up concerning self-help programs. I would  
17 like to mention -- I don't know. There's very little  
18 documentation. That raises a problem for me, because  
19 I've tried to come up with something that I could show  
20 the Board to account for myself for the past number of years,  
21 and it's very difficult, because the programs that I'm  
22 involved in are not really formal, classified as self-help  
23 programs, even though they are.

24 For instance, the music program. Now,  
25 approximately four years ago, there was no music program



1 at DVI at all. There had been previously, about 12 years  
2 ago, or so, a brass band-type affair, but there was no  
3 music program. So, I began working, and Mr. Dyer will  
4 recall that I began negotiating with staff for a music  
5 program, and I'm sure I was a thorn in a lot of people's  
6 side for a while. Now we do have a music program. We  
7 have a music room, music unlocks seven nights a week  
8 in the evening. We have approximately six bands,  
9 representing various ethnic groups or different types  
10 of music.

11 PRESIDING MEMBER COLLIER: Did you establish  
12 those bands, or were they an outgrowth of this program  
13 that you reestablished?

14 INMATE BEAUSOLEIL: I have been -- I'll put it  
15 this way, I've been instrumental in developing this program  
16 from the beginning. I cannot take full credit, and, you  
17 know, everyone that has been involved in it has contributed  
18 to some extent. Coach Boyd has been helpful, Mr. Dyer  
19 has been helpful, lots of different staff members. I just  
20 tried to play the role of negotiator more than anything  
21 else. I've got a lot of drive, a lot of natural drive  
22 for this type of thing.

23 Now, also in the hobby craft program, there  
24 was virtually no hobby craft program here, say, 'til about  
25 four years ago. From the time this -- the institution was



1 pretty much shut down after Officer Sanders was killed  
2 in '43, so there was -- there was no hobby craft program,  
3 and the handicraft was handled by Officer Cortez, and  
4 basically what he did was to carry order forms around  
5 for guys to make orders for cell hobbies. There was  
6 no hobby shop. I became involved in the hobby shop program  
7 and tried to do my best to develop this program.

8 Now, I should mention that I am a professional  
9 musician. I intend to continue this profession on the  
10 streets. I am also an artist, and my work is beginning  
11 to -- I'm beginning to get a lot of demand for my art work  
12 from various publications, as well as organizations.

13 I don't intend to be a professional artist on  
14 the streets, but I'll probably always be into it.

15 But these two programs, being the only thing  
16 possibly available that would be helpful to my occupation  
17 or my profession, I've devoted all my time and energy to  
18 these programs.

19 HEARING REPRESENTATIVE WADE: This sounds like  
20 a rather natural time to move into that other area. In  
21 fact, you're moving into release plans.

22 PRESIDING MEMBER COLLIER: Just a second.

23 Mr. Dyer, do you have anything you'd like to  
24 add with regard to Mr. Beausoleil's institutional adjustment?

25 MR. DYER: Particularly the last two years, ma'am,



1 he's done a pretty good job. He's an above-average  
2 inmate. He's the kind you wouldn't be afraid to turn  
3 your back on at this time. He's, as staff said, most  
4 of staff said, he's a pretty good dude. He hasn't  
5 always been that way. At one time he was a pain in the  
6 rear end, because when he was working on his music program,  
7 he just bothered you to death. But, other than that, the  
8 last two to three years, he's shaped-up. He talks too much,  
9 sometimes, but other than that, he does all right.

10 PRESIDING MEMBER COLLIER: All right. If there  
11 are no further questions, Mr. Wade will discuss parole  
12 plans.

13 HEARING REPRESENTATIVE WADE: There has been  
14 some mentioning, as I recall, by Mr. DeLeon, about some  
15 offers of help and consideration letters written to you,  
16 so I'm not going to go into detail on that.

17 But, I have reported here some nine letters  
18 of concern about you.

19 There is one specific question about one of  
20 them that I feel that I must ask, because my copy was not  
21 too clear. Your brother submitted a mailgram in your  
22 behalf?

23 INMATE BEAUSOLEIL: I haven't seen a copy of  
24 it, sir.

25 MR. DYER: I understand that just came today.



1 I was in the record's office. That just came in today.

2 HEARING REPRESENTATIVE WADE: Oh, there's  
3 the original. This must have come in -- maybe if we can --  
4 it's dated August 20th, a mailgram that came in, and I  
5 did struggle through a poorly recorded production of mine,  
6 and he's speaking in your behalf and from the family,  
7 and he closed with saying that:

8 "We love him and all waiting  
9 for him to come home."

10 I didn't know that you were not aware of that,  
11 but that had also come in.

12 INMATE BEAUSOLEIL: Which brother? I have  
13 two brothers.

14 INMATE BEAUSOLEIL: This comes from Prisilla.

15 INMATE BEAUSOLEIL: Oh, my sister.

16 HEARING REPRESENTATIVE WADE: From your sister,  
17 from Santa Barbara, California.

18 What specific plans do you have? I've read  
19 Mr. Scott's Board report, and you've made some statements.  
20 What specific plans, could you describe what you plan to  
21 do?

22 INMATE BEAUSOLEIL: I plan to reenter my  
23 profession as a musician, primarily. Now, I've done a lot  
24 of work, even while I've been in. I haven't made a whole  
25 lot of money, but I have, within the last approximatley



1 three years, I have made between five and six thousand  
2 dollars, doing work for a movie studio.

3 HEARING REPRESENTATIVE WADE: That's the  
4 recording work that Mr. Scott reported, and you want to  
5 pursue that same type of work on the outside. Do you have  
6 an actual job offer from any firm?

7 INMATE BEAUSOLEIL: Just the -- I don't have  
8 one on report. There's supposed to be a letter coming  
9 in from the movie studio that I've been working for.  
10 I do have -- there are some offers from Puritan Magazine.

11 HEARING REPRESENTATIVE WADE: We have that letter  
12 on file, Puritan saying that they had received some of  
13 your work from a Mr. Mickelson. That is on file.

14 Anything else regarding occupation on release?

15 INMATE BEAUSOLEIL: I'm sure --

16 HEARING REPRESENTATIVE WADE: Initial residence  
17 would be with whom?

18 INMATE BEAUSOLEIL: Would be with my folks.

19 HEARING REPRESENTATIVE WADE: With your folks?

20 INMATE BEAUSOLEIL: Until I could arrange a  
21 private residence.

22 HEARING REPRESENTATIVE WADE: Where would that  
23 likely be?

24 INMATE BEAUSOLEIL: Santa Barbara.

25 HEARING REPRESENTATIVE WADE: Also in the



1 Santa Barbara area.

2 Do your parents visit you?

3 INMATE BEAUSOLEIL: Yes, they do.

4 HEARING REPRESENTATIVE WADE: When did they  
5 last visit you?

6 INMATE BEAUSOLEIL: About four, five months  
7 ago, I think.

8 HEARING REPRESENTATIVE WADE: Do you feel that  
9 you need any special help in any way whenever you're  
10 released on parole?

11 INMATE BEAUSOLEIL: With regards to what?

12 HEARING REPRESENTATIVE WADE: Any realistic  
13 living problems.

14 INMATE BEAUSOLEIL: I have none I foresee,  
15 no problems whatsoever. I'm sure after however long  
16 I will have been in prison, by this time I will probably  
17 need some time to adjust to the outside world again.

18 HEARING REPRESENTATIVE WADE: In what way  
19 would you have adjustment problems?

20 INMATE BEAUSOLEIL: No, I didn't say a problem.

21 HEARING REPRESENTATIVE WADE: Don't let me suggest  
22 that you might not have some, sir.

23 INMATE BEAUSOLEIL: I'm sure the world is  
24 different, and I'm going to have to find out what it's  
25 about. I don't see any problems. People do pay good money



1 to hear me play good music, and I've never had any difficulty  
2 with that part of it.

3 HEARING REPRESENTATIVE WADE: Did you have a  
4 withdrawl from this local musicians' chapter, or did you  
5 just leave them?

6 INMATE BEAUSOLEIL: I've never withdrawn from them,  
7 I'm not paid up, obviously, but I am a member of the Local 6.  
8 That would have to be transferred from San Francisco to  
9 Santa Barbara.

10 HEARING REPRESENTATIVE WADE: These other offers  
11 of help, in particular the one from Reverend Goodell from  
12 El Cajon, California, are you familiar with him?

13 INMATE BEAUSOLEIL: Yes, sir.

14 HEARING REPRESENTATIVE WADE: He had offered  
15 counseling help.

16 I don't think I have any other areas that  
17 need to be repeated again. I think they've been covered.

18 PRESIDING MEMBER COLLIER: Mr. DeLeon, any  
19 questions regarding parole plans?

20 BOARD MEMBER DeLEON: No, I think it's been  
21 covered pretty well.

22 PRESIDING MEMBER COLLIER: Mr. Beausoleil, any  
23 other comments you'd like to add?

24 INMATE BEAUSOLEIL: No, ma'am.

25 PRESIDING MEMBER COLLIER: At this time, then,



1 I'd like to ask for a summation from the District Attorney.

2 MR. MONTAGNA: I just have a few comments and  
3 observations.

4 I suppose the fundamental question concerns  
5 the application of Rule 2291, which provides that a life  
6 prisoner shall not be found suitable if, in the judgment  
7 of the panel, the prisoner imposes an unreasonable  
8 risk of danger to society if released. I'd like to  
9 address myself to that section, to those words, "unreasonable  
10 risk of danger to society if released."

11 I suppose in order to determine that, one  
12 looks back at his past history as well as what he's  
13 done while in prison, and as to the future, try to make  
14 a judgment as to the future.

15 We're faced with a crime which is an extremely  
16 brutal one. A torture murder which took place over  
17 several days. The man was severely cut. His ear was  
18 not nicked, but severely cut. It was sewn up and, while  
19 the man is still alive, he is, over a period of a day,  
20 two days, he's stabbed several more times and finally  
21 left to die. And then the room, the bizarre overtones  
22 of the killing, the writing on the walls with blood:  
23 "Political Pig" and the Black Panther paw put on the wall  
24 in blood, and then the statement by the prisoner to a  
25 friend at a later time that he went back in order to



1 wipe the blood off the wall and saw maggots eating the body.  
2 But the crime was significantly horrendous that the jury  
3 felt fit to give him the death penalty, and the trial  
4 judge, who was a very well-known and esteemed judge,  
5 made the comment, and continues to make it, sent numerous  
6 letters to the Board, the most recent being August 6th  
7 of 1979:

8 "Mr. Beausoleil was part of a  
9 Manson misfit that committed a cold-  
10 blooded murder for which he has shown  
11 absolutely no remorse. It would  
12 truly be a travesty of justice to  
13 release this man back into society  
14 at any time, for he would surely  
15 kill again."

16 Burt Katz, the prosecutor in the case, once again,  
17 one who was very, very close to the crime, made the comment  
18 that no remorse or acceptance of the moral responsibility  
19 for this brutal killing was ever exhibited by the defendant.  
20 The defendant has threatened to kill every person and their  
21 families who was connected with the prosecution.

22 In February, 1973, the defendant was called  
23 as a defense witness by Manson Family associates, who were  
24 on trial for multiple robberies. During the course of  
25 his testimony, he reiterated his threats, stating in



1 substance, "They better hope that I never get out."  
 2 There's a letter to the Board in the file  
 3 from a representative from the sheriff's department that,  
 4 on nationwide television, in a program by Truman Capote,  
 5 during that interview, Beausoleil again reiterated  
 6 that he would kill if released from prison. This is  
 7 what the Board is faced with. What weight the Board  
 8 gives to the opinions of these people, who were very  
 9 close during the course of the trial, the judge, the  
 10 prosecutor, the letter from the police department, is  
 11 for the Board to determine. But, I offer these comments.

12 In the 1203.01 statement, Mr. Katz made the  
 13 comment:

14 "It appears that this defendant  
 15 is a remorseless sociopath who  
 16 ingratiates himself to others in order  
 17 to manipulate people for his own benefit."

18 I don't know, certainly, whether or not this defendant at  
 19 this time is trying to manipulate the Board, to give the  
 20 Board what it wants to hear in order for it to find  
 21 him suitable for parole. But, one looks at his past,  
 22 and clearly back then, back through 1973, the statement  
 23 on nationwide T.V., that if released he would kill again.  
 24 The statement during the course of a robbery trial that  
 25 they better hope that I never get out. Threats to the



1 people, the family of the witnesses, that he would kill  
2 during the course of the trial. All these raise a red  
3 flag of danger.

4 As late as 1976, '77, Dr. Malloy's report,  
5 the psychiatric report, recites that Mr. Beausoleil has  
6 a very high violence potential if provoked. Now  
7 certainly, during the course of his prison stay, he's  
8 been provoked in at least two incidents involving violence,  
9 the latest being 1977, where he stomped a person on the  
10 ground, and, apparently, had a baseball bat in his hand.

11 There are things to say in Mr. Beausoleil's credit.  
12 Certainly, the last year or so, he's stayed disciplinary-free,  
13 and the most recent psychiatric reports are more favorable.  
14 They are more positive signs.

15 But, I would suggest very strongly to the  
16 Board that, in light of this man's past history, that it's  
17 going to take many years of conduct in prison in which  
18 he stays disciplinary-free and the prognosis is favorable,  
19 and more favorable, and more favorable, that he is not,  
20 a danger at all, before he be found suitable for parole.

21 I do suggest, and I don't know the answer,  
22 but, at the time of his first trial, he didn't testify.  
23 At the time of his second trial, it's manipulative. He  
24 tells a story that he thinks might get him off the hook.  
25 He places the onus of the crime at that time on Charles



1 Manson. Certainly today, you mention the Manson Family  
 2 and people revolt in terror. To be associated with that  
 3 problem or to have killed at Manson's behest, would put  
 4 a man in poor standing with a Board seeking to consider  
 5 parole for him. At this time, I think, in the face of  
 6 very overwhelming evidence, he's trying to disassociate  
 7 himself as well as he can from the Manson Family. But  
 8 I point out that the testimony of the trial, which is,  
 9 very derogative, of the fact that he was heavily involved  
 10 with Manson, that prior to the killing, he apparently  
 11 had a conversation with Manson about the political  
 12 activities of Hinman to the effect that, "He's better  
 13 off dead," a political ploy.

14 So, I would suggest very strongly, urge the  
 15 Board that, certainly, at this time, that he be found  
 16 not suitable for parole. Thank you.

17 PRESIDING MEMBER COLLIER: Mr. Beausoleil, at  
 18 this time you may make your summation.

19 INMATE BEAUSOLEIL: Thank you.

20 At the outset of this hearing, I made an  
 21 objection to the appearance of the District Attorney  
 22 in this hearing for the reasons that have been substantiated  
 23 in the last few minutes. Several comments have been made  
 24 which are inaccurate.

25 Number one, there was never any mention that I



1 would kill again on national T.V. I have the transcripts  
2 of this, I do believe. There was -- this was, in fact,  
3 Truman Capote's -- there was an interview in a magazine  
4 where Truman Capote made this statement. It is not a  
5 statement that ever emanated from me. It is not one  
6 that I have ever felt.

7 I wish that the Deputy District Attorney here  
8 today had reviewed this case a little bit more thoroughly  
9 before making some of those statements that he's given  
10 to the Board. I would like to go over something that's  
11 in the addenda. Last year, Mr. Ross was here in the  
12 capacity of the Deputy District Attorney. I'd like  
13 to bring to the attention of the Board some of the  
14 statements that he made in a letter responding to the  
15 CRB. Let's see:

16 "After receiving a transcript  
17 of the hearing and the Board's order,  
18 I discussed the matter with Judge Burt  
19 Katz, who was the prosecutor in the  
20 case of the defendant's second trial.  
21 I was the prosecutor in the case at  
22 the first trial.

23 "As a result of my conversation  
24 with Mr. Katz and my own recollections,  
25 I can devise some information for the



1 Board.

2 "There is no specific evidence  
3 that was introduced at either trial  
4 that the defendant chose the victim.  
5 Gary Hinman was a narcotics dealer.  
6 There had been overtones, quote/unquote,  
7 to this effect during the first as  
8 well as the second trial, but it was  
9 more in the nature of gossip and  
10 innuendo, and no facts were adduced  
11 to show that Mr. Hinman was engaged  
12 in drugs.

13 "It is clear that the other  
14 defendants in the case were heavily  
15 involved with Charles Manson and  
16 his family. It appears that  
17 Beausoleil has been associated with  
18 this group, but the extent of his  
19 involvement was not clearly brought  
20 out. The only evidence to show that  
21 Charles Manson struck the victim with  
22 a sword was given by Mary Brunner.  
23 Although we have no reason to disbelieve  
24 Beausoleil's testimony, it is equally  
25 possible that a cut to the face and



ear that were inflicted prior to  
death could have been accomplished  
by the defendant, as he claimed.

The defendant's version of the  
story, that he was solely respon-  
sible for the victim's death, is,  
quite possibly, true. And it  
does not appear to negate respon-  
sibility in any way.

"There is, of course, no  
evidence linking this prisoner  
with the later killings for which  
Charles Manson was convicted."

I would like to suggest that we bring an  
element of honesty into this hearing and lay our cards  
on the table, because I really think that we should  
focus in on a key point that we all have to be concerned  
with, whether we bring it out and put it on the record  
or not, and that is that the single largest obstacle that  
I face, and, in fact, that you face in your jobs, is the  
element of this negative publicity that's been associated  
with me. I don't know -- I don't know any way around  
it, certainly. I've been doing my best to engender some  
favorable publicity, public opinion, through my work.  
I've refused to take money or to become famous in any way



1 over -- by my own doing, anyway, over having killed a  
2 man. I've had plenty of offers from magazines and books  
3 and writers to do a story. I just -- I do not want to  
4 be known as a murderer. It represents such a small  
5 portion of my life. That's the singlest stupidest thing  
6 I ever did in my whole life. I have no justification  
7 for it. I only wish I had given myself a little more  
8 time to think rather than act impulsively.

9 I don't know why the Deputy District Attorney  
10 wishes to characterize me as a totally vicious  
11 individual at any point in my life. I was under extreme  
12 duress in 1970, between 1970 and '74 by the circumstances  
13 of this case and the circumstances of being in  
14 San Quentin and having to deal with a totally alien  
15 environment. I've done my best to cope with that, and  
16 I've done my best to reconstruct my life. I've torn  
17 it down completely to the bare bone and reconstructed  
18 it, and I'm trying to be -- prove myself a benefit to  
19 society by proving myself a benefit to the community  
20 inside.

21 I think I've proven this to the staff. I'm  
22 sure -- they have had a lot longer time to get to know  
23 me than the Deputy District Attorney that's in the room  
24 today.

25 I think that there are a number of letters,



1 And Mr. Dyer's presence as a part of the record in my  
2 case attests to my progress.

3 I really don't -- I don't know of any  
4 solution that I could offer the Board as far as the  
5 problem of public opinion. I've tried to stay out  
6 of the news. Any publicity that I have played party  
7 to, as far as initiating, it has been by virtue of my  
8 art work or my music, and not by having been associated  
9 with this murder.

10 I want to state again that I had no justification  
11 for killing Gary Hinman. I have no pride whatsoever in  
12 having been party to that, and I wish that I could, somehow  
13 undo it.

14 PRESIDING MEMBER COLLIER: Thank you.

15 If there are no further comments from the  
16 panel members, it's approximately 5:10. At this time  
17 we will recess and deliberate, Mr. Beausoleil, and call  
18 you back in and let you know our decision.

19 (Thereupon the room was cleared, and  
20 the hearing of the Community Release  
21 Board recessed for deliberation by the  
22 Board.)

23 ---oOo---

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RESUMPTION OF PROCEEDINGS

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3 PRESIDING MEMBER COLLIER: The hearing has  
4 reconvened. It is approximately 5:55 p.m., and those  
5 persons who were present earlier have returned to the  
6 room.

7 Mr. Beausoleil, the panel relied on the following  
8 in determining that you are unsuitable for parole:

9 (1) The enormity of the offense, whereby the  
10 prisoner, in an especially heinous, dispassionate and  
11 calculated manner subjected the victim to an approximate  
12 72-hour period of torture. The offense was carried  
13 out in a manner which demonstrated exceptionally  
14 calloused disregard for human suffering. The victim  
15 was struck on the head with a gun butt in the house  
16 by the prisoner. The victim was later severely slashed  
17 across the ear and face. Prisoner allegedly, without  
18 medical knowledge, sutured the knife wounds. Without  
19 apparent provocation, the victim was stabbed twice in  
20 the heart by the prisoner. In an effort to silence  
21 the victim, a pillow was placed over the victim's head.

22 (2) Lengthy psychiatric history indicates,  
23 and I'll be quoting from psychiatric reports, of  
24 January 11th, 1971, submitted by G. Warren Kleinmaier,  
25 K-l-e-i-n-m-a-i-e-r. His diagnosis was of.



passive-aggressive personality.

In the January 4th, 1974 psychiatric evaluation, submitted by two correctional counselors and approved by E. J. Reeves, R-e-e-v-e-s, Acting Chief Psychiatrist. I will quote in part from his report:

"His character disorder is of long standing, and he has given no indication of ever wanting to be any different than he now is. He wants the world to change to fit him. He has killed without compunction or remorse, and he could do so again when his survival or tribe is threatened.

"Diagnosis: Passive-aggressive disorder, passive dependent and aggressive types with antisocial behavioral patterns aggravated by drug use (L.S.D.).

"Conclusions: Psychopathology is directly related to criminal behavior. No psychiatric gains have been made. Violence potential unprovoked is low, provoked is high. No medication is prescribed."



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The panel notes that the last two psychiatric reports reflect improvement. In the July 11th, 1978 report, submitted by Melvin Macomber, he states that:

"Beausoleil appears to be gradually maturing over the years. There is no evidence of psychopathology which would require other than routine handling in this case. Although he is capable of violence, it would take some prodding under stress to get him to act aggressively."

June 19th, 1979, psychiatric report submitted also from Dr. Macomber, he states that:

"Beausoleil appears to be maturing over the years and violence potential appears to be diminished compared to what it was previously."

(3) The panel notes the prisoner has been disciplinary-free for approximately two years. However, earlier institutional behavior involved confrontation and involvement with gangs, with violence as the result.

The prisoner is to be commended for his recent gains: Reestablishment of the music program and



1 hobby craft in the institution, and the attainment of  
 2 his G.I.D. However, the gravity and enormity of the  
 3 offense far outweigh these positive gains, and the  
 4 panel feels that a longer period of incarceration  
 5 and observation is necessary in order to demonstrate  
 6 that recent gains will be maintained.

7 The panel recommends the following: The prisoner  
 8 remain disciplinary-free and participate in self-help  
 9 groups; Narcotics Anonymous; Alcoholics Anonymous or  
 10 group counseling.

11 Panel, anything you'd like to add?

12 BOARD MEMBER DeLEON: No.

13 HEARING REPRESENTATIVE WADE: No.

14 PRESIDING MEMBER COLLIER: There's nothing  
 15 further. It's approximately 6:00 p.m. and the hearing  
 16 is terminated.

17 (Thereupon this hearing before  
 18 the Community Release Board was  
 19 adjourned at 6:00 p.m.)

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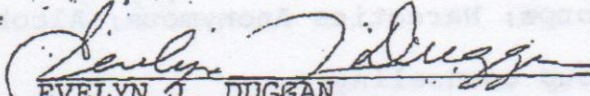
CERTIFICATE OF SHORTHAND REPORTER

I, EVELYN J. DUGGAN, a Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing Community Release Board hearing was reported in shorthand by me, Evelyn J. Duggan, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 19<sup>th</sup> day of September, 1979.

  
EVELYN J. DUGGAN  
Shorthand Reporter