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LIFE TERM PAROLE CONSIDERATION HEARING

STATE OF CALIFORNIA
BOARD OF PRISON TERMS

In the matter of the Life Term
Parole Consideration Hearing of:) CDC Number W-8304
Susan Atkins)

CALIFORNIA INSTITUTION FOR WOMEN
FRONTIERA, CALIFORNIA

THURSDAY, DECEMBER 16, 1982

TRANSCRIBED BY:
CURT BARNETT

ORIGINAL

MEMBERS PRESENT

1
2 Mr. Robert Carter, Presiding Member, Board of
Prison Terms

3 Ms. Loretta Collier, Member, Board of Prison
4 Terms

5 Mr. William Elliott, Representative, Board of
6 Prison Terms

ALSO PRESENT

7 Susan Atkins, Inmate

8 Representing Inmate Atkins:

9 Robert Moss, Esq.

10 Representing District Attorney, County of
11 Los Angeles:

12 Steven Kay, Esq.

13 Gwendolyn Glenn, Classification and Parole
Representative

14 Mr. Bob Vanfield, KBC

15 Mr. Dave Bussey, Cameraman, KBC

16 Ms. Jackie Hyman, Associated Press
17
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P R O C E E D I N G S

PRESIDING MEMBER CARTER: All right. Today is December 16, 1982. We are at the California Women's Prison, CIW, Frontera, California to conduct a subsequent parole consideration hearing for Susan Atkins, whose inmate identification number is W-8304-A. This hearing is being recorded and in order to facilitate an accurate transcription of it we are going to have to go around the table and identify ourselves, and I'll start and we will go around to our left, to my left and give our name, spell our last names, and give our role in the proceedings. And when we get to you Ms. Atkins would you give your identification number in addition to spelling your last name.

My name is Robert Carter, Member of the Board of Prison Terms and chairing this particular hearing.

MEMBER COLLIER: Loretta Collier, C-O-L-L-I-E-R, Member, Board of Prison Terms.

REPRESENTATIVE ELLIOTT: My name is William Elliott, E-L-L-I-O-T, Hearing Representative for the Board of Prison Terms.

MR. KAY: My name is Steven Kay, K-A-Y, representing the Los Angeles District Attorney's

1 Office.

2 MS. GLENN: My name is Gwendolyn Glenn,
3 G-L-E-N-N, Classification and Parole Representative.

4 MR. MOSS: Robert Moss, Defense Attorney
5 for Susan Atkins.

6 INMATE ATKINS: Susan Atkins, A-T-K-I-N-S,
7 8304-A, Inmate.

8 PRESIDING MEMBER CARTER: Okay. Also in
9 the room with us are representatives from the media
10 who will not participate in this hearing. Their
11 names are Mr. Bob Vanfield from KBC and Mr. Dave
12 Bussey, cameraman from the same organization and
13 Ms. Jackie Hyman, spelling H-Y-M-A-N from Associated
14 Press. I think that identifies all of us in the
15 room. The legal status of Ms. Atkins is that on
16 April 25, 1971 she was received in CDC custody pur-
17 suant to Penal Code 1168 for violation of 187 PC,
18 murder, first degree, eight counts from LA county.
19 Their case number A-253156 and A-267861. Their
20 were seven counts of murder and one count of conspiracy.
21 The controlling minimal eligible parole date is
22 October 6, 1976. This hearing is being conducted
23 pursuant to Penal Code Sections 3041 and 3042 and
24 the regulations of the Board of Prison Terms governing
25 parole consideration hearings of life prisoners. The

1 purpose of today's hearing is to consider your
2 suitability for parole. We will be considering
3 the number and nature of the crimes for which you
4 were committed to state prison, your criminal history
5 or lack of it prior to this commitment and your
6 behavior since your commitment. We will reach
7 a decision and inform you whether we find you
8 suitable for parole or not and why and if you are
9 found suitable the length of your confinement and
10 the specific factors leading to this determination.
11 All the members of the panel will participate in
12 this discussion and our purpose is to make certain
13 that we understand the facts involved in your case
14 and that we explore all potential factors of parole
15 suitability. Our questions and our interests will
16 be directed solely to the issue of whether you can
17 be released on parole. The hearing will proceed in
18 the following manner and you have done this once
19 or twice before. It will be divided into three or
20 four fact finding areas, actually. And the first two
21 are the commitment offense and the events surrounding
22 the multiple commitment offenses and your prior
23 criminal history and I will lead the discussion in
24 that area. We will then go to institutional adjust-
25 ment or post conviction factors and Ms. Collier will

1 lead the discussion in that area. We will end up
2 talking about parole plans and Mr. Elliott will lead
3 that discussion, however, all of us will participate
4 in all four of those fact-finding areas. At the
5 end of each of our inquiry periods into those
6 four areas we will go to the District Attorney's
7 representative Mr. Kay and afford him an opportunity
8 to highlight or to bring up things that we have
9 not previously discussed in that area and we will
10 end each of those areas by going to your attorney
11 and you so that you can highlight or bring up points
12 that we have not talked about. That is at the
13 end of each of those four fact-finding areas. At
14 the very end of the hearing we will have summary
15 statements, first by Mr. Kay and then by your attorney
16 and finally if you have anything final to say prior
17 to us taking a recess, deliberating and coming to
18 a decision, making a decision in your case we will
19 allow that. So do you understand roughly what is
20 going to happen here. All right. We do have a document
21 checklist. It is actually a vanishing breed but
22 for this case we have one and I'll share it with --
23 you have -- Have you had access to all those documents?

24 MR. MOSS: Yes, I have.

25 PRESIDING MEMBER CARTER: Would you pass it

1 around to Mr. Kay. Thanks.

2 MR. KAY: Yes, thanks.

3 PRESIDING MEMBER CARTER: Thank you. Now,
4 are there any other exhibits to be offered at this
5 time?

6 MR. KAY: Yes, I have a letter which
7 was sent to a Doug Kriegal, (Phonetic), a reporter
8 for NBC-TV by Ms. Atkins' husband, Donald Lee
9 Lasier (Phonetic). This letter is dated November 30,
10 1982 and it was sent to me by Mr. Pete Noise (Phonetic)
11 who is the Executive Editor of NBC News. I received
12 it on Tuesday and called Mr. Moss after I received
13 it and read it to him. I have given him a copy this
14 morning. In this letter Mr. Laiser alleges that
15 when he was having a conjugal visit with Ms. Atkins
16 at prison here that in a fit of jealousy she stabbed
17 him two times. I would like to submit this as an
18 exhibit to the Board to be read and considered in
19 the area of Ms. Atkins' prison behavior.

20 PRESIDING MEMBER CARTER: Mr. Moss do you
21 have any comments on this?

22 MR. MOSS: Yes, I would object to the letter.
23 The letter is untimely. It was not submitted in the
24 -- in accordance with the established rules of pro-
25 cedure. It amounts to in my view prejudicial misconduct.

1 on the part of the prosecutor or representative for
2 the District Attorney's office in Los Angeles to
3 present this letter at this hearing. In my view the
4 letter is extremely inflammatory. It has no basis
5 whatsoever in fact and the prejudicial value of the
6 letter outweighs any probative value of the letter.
7 Furthermore, the letter would be time consuming. It
8 would involve discussion presumably about the content
9 of the letter and the underlying circumstances under
10 which it was written and so on and so forth and it
11 is within your discretion and your power to exclude
12 that evidence, exclude that letter. For that reason,
13 because it would interfere with the expediency and
14 the administration of this hearing. And a few comments
15 about Mr. Lasier --

16 PRESIDING MEMBER CARTER: No. Pardon me.

17 MR. KAY: Can we offer the letter? I submit
18 it on that basis and I reserve -- I don't think any
19 comments about the author are really necessary. I
20 think it is well know.

21 PRESIDING MEMBER CARTER: All right. When
22 did you receive the letter Mr. Kay?

23 MR. KAY: This Tuesday.

24 PRESIDING MEMBER CARTER: Have you forwarded
25 one to our headquarters in Sacramento?

1 MR. KAY: No, I didn't. I called the
 2 attorney as soon as I got it and read it to him
 3 over the phone and told him I would be bringing what
 4 Mr. Noise sent me and it is in the original envelope
 5 from NBC. NBC has the original letter but they
 6 did make a copy for me. It is on Mr. Laiser's
 7 private stationery.

8 PRESIDING MEMBER CARTER: All right. Have
 9 you communicated in any way with our headquarters
 10 concerning this material?

11 MR. KAY: No, I have not.

12 PRESIDING MEMBER CARTER: I would think
 13 that we need not consider that at this hearing but
 14 if you want it considered at hearings in the future
 15 you should submit it to our office and it will
 16 become part of the package. I would poll my fellow
 17 panel members in this regard.

18 MEMBER COLLIER: I would concur with
 19 Mr. Carter. The only other addition is that I would
 20 indicate that it is not timely and depending on
 21 whatever decision we make today Mr. Kay can forward
 22 to our office or have it placed in the central file.

23 PRESIDING MEMBER CARTER: Mr. Elliott?

24 REPRESENTATIVE ELLIOTT: I would agree
 25 with that decision also. It would give the institution

1 an opportunity to investigate further to prepare
2 the appropriate reports for the Board.

3 PRESIDING MEMBER CARTER: Excellent. I

4 --
5 MR. KAY: I wonder if on the record now
6 if I could present this letter to Ms. Glenn as a
7 prison authority and that she could see that it
8 gets into the hands of the superintendant and into
9 Ms. Atkins' central file.

10 PRESIDING MEMBER CARTER: Well, since
11 there is an allegation of misconduct I would suggest
12 that you just mail it to the Board. I would suggest
13 that we handle it that way.

14 MR. MOSS: And I move that Mr. Kay's comments
15 about the content of the letter be stricken from
16 the record.

17 PRESIDING MEMBER CARTER: Well, I don't

18 --
19 MR. MOSS: What would be the purpose for
20 excluding the letter and then having comments about
21 the content of the letter in the record?

22 PRESIDING MEMBER CARTER: Well, because
23 we are able apply the appropriate weight to that
24 information and I --

25 MR. MOSS: This is a public record?

1 PRESIDING MEMBER CARTER: Yes.

2 MR. MOSS: And the transcript is a record
3 of a public proceeding?

4 PRESIDING MEMBER CARTER: Right.

5 MR. MOSS: And I know that the board will
6 not consider the letter. I'm assured of that but
7 I do not want it in the transcript of the proceeding
8 and move that it be stricken.

9 PRESIDING MEMBER CARTER: Well there are
10 some mechanics involved in that that I'm not sure
11 that we can do and I'm not sure since we didn't
12 go off record and put into confidential transcript --

13 MEMBER COLLIER: I think in fairness to
14 both you Mr. Moss and Mr. Kay that if we strike Mr.
15 Kay's comments and your comments should also have
16 to be stricken and then what will happen in next
17 year's transcript is that we will have some unexplained
18 comments regarding a letter about which there is
19 not any comment made if you understand what I'm saying.
20 So, I think that I would suggest that the comments
21 be made part -- to be left as part of the record. This
22 panel will be able to ~~give~~ those comments its proper
23 weight if any at all. We have already determined that
24 the information will not be considered today.

25 PRESIDING MEMBER CARTER: So, in answer --

1 MR. MOSS: I would agree that my comments
2 can be stricken.

3 PRESIDING MEMBER CARTER: In answer to
4 your suggestion or objection or what is it really?

5 MR. MOSS: Motion to strike.

6 PRESIDING MEMBER CARTER: Motion to strike.
7 I would say that we won't honor that at this time
8 and that we this panel will not consider it. Thank
9 you. -- the letter or the comments of the district
10 attorney concerning the -- All right. Are there
11 any other objections to be entered at this time
12 Mr. Moss?

13 MR. MOSS: No.

14 PRESIDING MEMBER CARTER: All right. Now
15 is Ms. Atkins going to answer questions or respond
16 to us today?

17 MR. MOSS: I think she should be placed
18 under oath and I'm not sure at this time.

19 PRESIDING MEMBER CARTER: Would you raise
20 your right hand, please? Do you swear or affirm
21 that the information that you give today will be the
22 truth, the whole truth, and nothing but the truth.

23 INMATE ATKINS: I affirm that.

24 PRESIDING MEMBER CARTER: Thank you.
25 //

1 (Thereupon Inmate Atkins, was
2 by Presiding Member Carter sworn
3 to tell the truth, the whole truth,
4 and nothing but the truth.)

5 PRESIDING MEMBER CARTER: As a result of
6 participating in this hearing the inmate is accorded
7 certain due process rights and they include but
8 are not limited to sufficient prior notice, right
9 to review material in her central file, right to
10 representation and to meet with attorney, and some
11 others including impartial panel. As far as you
12 are concerned Mr. Moss have those due process rights
13 been met in this case?

14 MR. MOSS: Yes.

15 PRESIDING MEMBER CARTER: The decision
16 we make today is a proposed decision and it will not
17 be finalized and official until 60 days from today.
18 About midway through that period you should get a
19 copy of the hearing, a transcript of the hearing and
20 from that point, 60 days from now you have 90 days
21 from that point in which to make an administrative
22 appeal should you decide to do that. So, although
23 we will tell you of a decision today, of our decision
24 it is not final until 60 days from now. Have I
25 accomplished most of our preliminary information

1 here.

2 REPRESENTATIVE ELLIOTT: Yes.

3 PRESIDING MEMBER CARTER: Ms. Atkins is
4 -- it is possible that we may apply 3041.5B2 as part
5 of our hearing and basically that reads the Board
6 shall hear each case annually thereafter except
7 the board may schedule the next hearing no later
8 than three years after any hearing at which parole
9 is denied and the prisoner has been convicted in
10 the same or different proceedings of more than
11 one offense which involves the taking of a life. So
12 you come under that provision with seven counts of
13 187 and I just want to put you on notice that in
14 addressing issues and making summary statements that
15 might be one of the issues that you address.

16 MR. MOSS: All right.

17 PRESIDING MEMBER CARTER: The statement
18 of fact has been incorporated in prior hearings and
19 I intend to that today, incorporate by reference from
20 the decision of the hearing of July 5, 1979 and it
21 is included in that transcript in pages 2 and 3 and
22 it is also reiterated verbatim in the decision of
23 1981 which I think you have a copy of. Are there
24 any comments as to my recommendation that that be
25 included in this year's hearing, incorporated by

1 reference?

2 MR. MOSS: No, I would concur.

3 MR. KAY: It's --

4 PRESIDING MEMBER CARTER: Mr. Kay?

5 MR. KAY: -- agreeable.

6 PRESIDING MEMBER CARTER: Now, concerning
7 the statement of facts after reading last year's
8 transcript Mr. Moss it appeared to me that your argu-
9 ment was that Ms. Atkins was less culpable than
10 I suppose the common wisdom would have us believe?

11 MR. MOSS: That's correct.

12 PRESIDING MEMBER CARTER: And specifically
13 concerning three murders that she was specifically
14 supposed to have or has been found guilty of partici-
15 pating in directly by directly I mean applying wounds
16 whether or not they were the fatal wounds, what I
17 get out of last year's hearing is that you are saying
18 that that is not true and as I have said I have read
19 all that and I have followed that testimony if you
20 can comment in that area without going through exact --
21 all of it from last year we would appreciate it at
22 this time?

23 MR. MOSS: All right. Do you want me to
24 comment. Okay. Frankly, I'm glad you brought that
25 up because I cannot think of any good, realistic

1 reason at this time to launch into a descriptive
2 lengthy narrative about the circumstances of the
3 offense. I did that last year as you pointed out
4 and the Board I presume considered my arguments but
5 they did not meet with any success. Last year after
6 those lengthy comments the Board found quote in
7 part:

8 "The totality of the offenses
9 defy description and that further
10 that the callous, dispassionate,
11 calculated series of shooting,
12 stabbings and beatings indicate a
13 total disregard for human life
14 and suffering."

15 Frankly, again, candidly I cannot disagree with
16 the finding of the Board. That finding of the Board
17 and I submit that that should be finding of the
18 Board again related to -- relating to the nature
19 and circumstances of the offense. However, someday
20 and I underline and emphasize someday I would hope
21 and trust that the Board will have the courage and
22 be ready and willing to review this case in the total
23 perspective of all the facts and I would want the
24 Board to ask certain questions and seek certain answers
25 in a detailed inquiry and investigation along these

1 lines. Number one was Susan Atkins' extrajudicial
2 confession to her jail cellmates truthful at the
3 time. Number two, was her judicial admission during
4 the death penalty phase truthful and voluntary
5 on her part? Number three, was her grand jury
6 testimony upon which the prosecution relied to
7 indict the more truthful version under the circum-
8 stances? Number four, was Mary Brunner telling the
9 truth during the Booselay (Phonetic) trial relating
10 to the Hindman (Phonetic) murders about Susan Atkins'
11 limited participation and role in that crime? Number
12 five, is Tex Watson telling the truth in his subse-
13 quent confessions and in his story related to the
14 psychiatrist that he personally did the stabbings
15 and the shootings at the Tate house and last but
16 not least the sixth item, the sixth question that
17 I would hope that someday we have an accurate answer
18 to and that was, was Susan Atkins probably insane
19 at the time of the commission of the offense and
20 during her trial despite the failure of the defense
21 to raise a not guilty by reason of insanity plea and
22 I think that was confirmed and corroborated by Michael
23 Coburn a fellow from USC who was a psychologist on
24 the staff here and he said in sum and substance that
25 she was:

1 "worse off than any of the
2 members of the group and she
3 was actively psychotic."

4 So, it is my opinion that after a careful and
5 sufficient inquiry investigation and review this
6 tribunal would conclude that although that indeed
7 the totality of the circumstances defy description
8 and I'm not arguing with that. Susan Atkins' partici-
9 pation in the crimes was limited by comparison and
10 that her culpability was less than the public has
11 been led to believe. I believe that once this is
12 done. That once those questions are raised and
13 answered then her true role in culpability should be
14 weighed against her institutional adjustment and
15 parole plans in an objective way and at that time
16 I believe that the decision of this Board will be
17 much more difficult to make and will be closer to
18 finding her suitable and setting a release date. Now
19 that is why I use the word courage. Because to release
20 Susan Atkins would be a courage act. There would
21 probably be major public outrage and outcry; we know
22 that there is the strong voice of the heirs of the
23 victims and I'm not minimizing their role but eventually
24 in a free and democratic society where our goal is
25 to preserve individual rights -- balance individual

1 rights against each other and against the state the
2 Board must be required to do a careful investigation
3 and fully balance and measure these rights against
4 each other. Apply balancing tests and against society
5 which includes the victims' heirs' rights and I feel
6 would come to a conclusion that under the rules and
7 in the interest of justice Susan Atkins is suitable
8 for parole.

9 PRESIDING MEMBER CARTER: Thank you. Is
10 that your summary?

11 MR. MOSS: That's it.

12 PRESIDING MEMBER CARTER: I'll poll my
13 fellow panel members. Do you have anything in
14 the area of --

15 MEMBER COLLIER: I don't have any questions.
16 I would just like to indicate for the record that
17 I was on Ms. Atkins' 1979, 1980 hearing. I have
18 reread the voluminous amount of material; I'm aware of
19 Mr. Moss' discussion last year and I think that we
20 have discussed the statement of fact quite thoroughly
21 in the last four hearings as well as the answers that
22 have been given and I don't have any questions or
23 comments at this time.

24 PRESIDING MEMBER CARTER: Mr. Elliott?

25 REPRESENTATIVE ELLIOTT: I have nothing to

1 add.

2 PRESIDING MEMBER CARTER: Okay. Mr. Kay?

3 MR. KAY: Well, I take it in reading Mr.
4 Moss' comments last year, you read my opposition
5 to his comments. Mr. Moss obviously by his comments
6 today would like to retry the case. The case has
7 been tried; her confessions have been found credible;
8 the jury used those very heavily in convicting
9 her; her participation in these crimes is clear; the
10 statement of facts I have stipulated to today of
11 course is very general; it doesn't really focus
12 on Susan Atkins' individual participation but since
13 you have both assured me that you have read last
14 year's transcript I will defer until my closing
15 statements reviewing again briefly some of her indi-
16 vidual callous acts in these crimes.

17 PRESIDING MEMBER CARTER: Thank you. If
18 there are no other comments in regards to the commit-
19 ment offenses, we will move into prior criminal history
20 and I'll just recite very briefly what I've found in
21 the CII rap sheet. The arrest started in 1966, Sep-
22 tember 16, 1966 the first one being in Oregon and it
23 was for carrying a concealed weapon and I think that
24 had to do with a subsequent finding that the car
25 was stolen and there was a threat to a highway patrol --

1 or highway patrol officer at that time by the priso-
2 ner. Subsequently that same month, the 29th and
3 30th, charges were filed for the direct; I think
4 that was the same arrest. I'm not aware of any
5 disposition in that case. Two years later, a little
6 less than two years later Ms. Atkins was found
7 guilty of involvement in a driver's license forgery
8 operation in Ventura. I think she was either arrested
9 or found guilty on April 21, 1968 in Ventura, Cali-
10 fornia and then June 1968 she was arrested for
11 possessing dangerous drugs, possessing marijuana
12 and some related offense concerning exposing under
13 age persons to drugs or something like that for
14 which and that was in Ukiah, California for which
15 she was sentenced to 90 days in the County Jail and
16 a period of probation; she was brought up on violation
17 of probation charges a year later, June 19, 1969 and
18 after a hearing in this matter probation was extended
19 and continued. Four months later, October 10, 1969
20 she was arrested with others for a GTA, grand theft
21 auto, in the City of Independence, California and
22 out of that arrest which out of that arrest she was
23 eventually transferred to Los Angeles and charged
24 with first homicide; I think the homicide of Gary
25 Hindman. She was received in Los Angeles October 13,

1 1969 from Independence and the rest is concerning
2 the commitment offense. Did I accurately portray your
3 arrest history prior to the commitment offense.

4 Yes! Nods don't record on the telephone.

5 MR. MOSS: Yes, she did.

6 PRESIDING MEMBER CARTER: On the micro-
7 phone. All right. My panel members -- Ms. Collier
8 do you have anything in the area of prior history?

9 MEMBER COLLIER: I have no questions.

10 PRESIDING MEMBER CARTER: Mr. Elliott?

11 REPRESENTATIVE ELLIOTT: Nothing.

12 PRESIDING MEMBER CARTER: Okay. Mr. Kay?

13 MR. KAY: Yes, I would just like to point
14 out the, the threat to the Oregon state trooper in
15 1966 was after he discovered that Ms. Atkins had
16 a loaded gun on her. She turned to the officer and
17 said I should have killed you, which I think carries
18 a lot of weight. It carries so much weight that we
19 put that on as evidence at the penalty phase of her
20 trial and I think it should carry a lot of weight
21 with the Board showing the type of person that she
22 is.

23 PRESIDING MEMBER CARTER: Mr. Moss?

24 MR. MOSS: I have no comments.

25 PRESIDING MEMBER CARTER: All right. That

1 concludes the first two areas that we talked about
2 covering and we are now going to institutional
3 adjustment. Ms. Collier.

4 MEMBER COLLIER: Okay. Ms. Atkins'
5 counsel and Mr. Kay what I've done is reviewed
6 the central file, the chronos that have been sub-
7 mitted on your behalf, classification chronos; I
8 have reviewed the information and the packet in
9 front of us which includes the board report dated
10 July 12, 1982 submitted by Carolyn Brown and as I
11 indicated earlier I have reviewed the transcripts
12 on the prior hearings and I will just tell you what
13 I've found from my review of that information. It
14 has already been entered into the record that you
15 were received in CDC on June 3, 1971. At the
16 time of reception a special housing unit I think was
17 created for you and they call it the special security
18 unit because you were under a sentence of death.
19 You remained there, I believe your statement in one
20 of the transcript was for approximately four years
21 and three months. Is that about right?

22 INMATE ATKINS: Yes.

23 MEMBER COLLIER: Okay. And then in 1975
24 you were transferred to the Psychiatric Treatment
25 Unit and of course this came after the 1972 decision

1 declaring the death penalty unconstitutional, was
2 transferred to the psyc treatment unit, it afforded
3 you as I gleaned from the record a few more privileges
4 and a little more freedom in terms of moving about
5 that particular unit. You stayed in the Psychiatric
6 Treatment Unit until about September 1980 at which
7 time you were transferred to general population?

8 INMATE ATKINS: Yes.

9 MEMBER COLLIER: And you are now residing
10 in Barnaberg, and I'll spell it for the record
11 B-A-R-N-A-B-E-R-G "A" Cottage. And is your custody
12 still close?

13 INMATE ATKINS: Yes.

14 MEMBER COLLIER: Close custody. Also
15 reviewing the file I note that there have been a
16 lot of requests by you and recommendations by various
17 staff members for a reduction to medium custody which
18 would afford you many more privileges than you have
19 now.

20 INMATE ATKINS: Yes.

21 MEMBER COLLIER: But they have all been
22 denied and the running reason not the running reason
23 but the conclusive reason seems to be that because
24 of the case factors and the case notoriety whoever
25 makes the final decision has decided that now is not

1 the time to reduce your custody to medium so you
2 still hold close custody?

3 INMATE ATKINS: Yes.

4 MEMBER COLLIER: Okay. Briefly could
5 you tell us what that custody designation allows
6 you as far as privileges in the institution con-
7 cerning --

8 INMATE ATKINS: At 6:00 a.m. my door is
9 unlocked Monday through Friday. I am allowed out
10 of the Cottage from 7 until after the dinner
11 meal and the yard closes at 6:30 and I'm put back
12 into the Cottage and then to remain inside the
13 Cottage until lockdown at 9:30 and locked in my
14 room 9:30 again until 6:00 in the morning. This
15 allows me to go to work or school or whatever it
16 is; whatever my job assignment or non-job assignment
17 that allows me to go to canteen; to have my receptions
18 and to function within the institution under that
19 limited basis.

20 MEMBER COLLIER: Academically, it seems
21 that the first time you participated at all was about
22 1974 when you took a history course?

23 INMATE ATKINS: Yes.

24 MEMBER COLLIER: And I guess that must have
25 been while you were still in that special security

1 unit?

2 INMATE ATKINS: Yes.

3 MEMBER COLLIER: Then in 1976 you took
4 an intelligence test and through this particular
5 testing it was determined that your I.Q. was about
6 117 indicating that that placed you in the above
7 average to superior intelligence level. 1977
8 you took a couple of typing courses and I'm going
9 to get into your specific work assignments but I
10 believe those courses were taken to improve your
11 typing skills.

12 INMATE ATKINS: Yes, I was required to
13 work as a clerk and did not have these skills
14 necessary to handle the job and my employer requested
15 the institution to send me to typing school. I
16 began school not with the history class. I began
17 going to the University of Santa Cruz through tutors
18 that came down, I believe that was in 1972 or 1973.

19 MEMBER COLLIER: Okay. I couldn't find
20 any documentation of that. Would you like to tell
21 us what courses you were taking? Do you remember?
22 I know this was a long time ago.

23 INMATE ATKINS: Well, there is about 10
24 or 12 courses through the University of Santa Cruz
25 in -- There is nothing in my file?

1 MEMBER COLLIER: Well, why don't you di-
2 rect your questions to me. There is some stuff
3 in here, but, there is a lot of stuff and I might
4 have overlooked your participation.

5 INMATE ATKINS: Yeah. I remember Women
6 in Society, a lot of them were Sociology classes a
7 major in Sociology.

8 MEMBER COLLIER: And about how many units
9 did you complete?

10 INMATE ATKINS: Ten. Each one was worth
11 about three or four units. I don't recall whether --

12 MEMBER COLLIER: Well, so you completed
13 about 30 or 40 --

14 INMATE ATKINS: Thirty or forty units with
15 a 3.9 average. I got all "A"s and a B.

16 MEMBER COLLIER: Okay. I'm going to ask
17 you to pull your chair closer and speak up so
18 I can hear you and so we can get an accurate tape
19 transcript.

20 PRESIDING MEMBER CARTER: Pardon me, Ms.
21 Collier?

22 MEMBER COLLIER: Yes.

23 PRESIDING MEMBER CARTER: I'm going to
24 request that -- I'm going to ask the news if we
25 turn the air conditioning on is that going to

1 severely impact (Inaudible)

2 SPECTATOR: I don't believe so.

3 PRESIDING MEMBER CARTER: Okay.

4 MEMBER COLLIER: Then in March of 1978
5 there is an indication that you were enrolled in
6 Shakey College?

7 INMATE ATKINS: Yes.

8 MEMBER COLLIER: You took a business
9 education course and you received what kind of
10 grade. I couldn't find it.

11 INMATE ATKINS: Not just one course. I
12 took an entire two semesters, four classes a
13 semester of business education. That included
14 shorthand, file, record management, accounting,
15 business english, all related subjects and I
16 received anywhere from "A"s to "C"s average.

17 MEMBER COLLIER: Then the next indication
18 of academic participation I found in January 1980
19 continued enrollment in Shakey (Phonetic). You took
20 several courses including a word processing course,
21 a college psychology course, speech, creative writing,
22 art, ceramics, written communications for business
23 and those grades ranged from "A"s to "C"s. You
24 also took a general psychology course and an adolescent
25 psychology course. In the file there is a chrono

1 dated November 8, 1982 submitted by D. Allbritton,
2 A-L-L-B-R-I-T-T-O-N, academic education counseller
3 and I'll read it in for the record:

4 "The registrar at the University
5 of Laverne has verified the
6 completion of Susan's Associate
7 in Arts Degree effective July 2,
8 1982. She has completed 71 and 1/3
9 semester units including units
10 from Chaffe College, Universtiy
11 of California, Santa Cruz and
12 Coastline Community College with
13 a grade point average of 3.53.
14 She is to be commended for her
15 educational accomplishments."

16 And I would like to commend you for that also.

17 INMATE ATKINS: Thank you.

18 MEMBER COLLIER: Do you intend to go on
19 and try and get your Bachelor of Arts Degree, now?

20 INMATE ATRINS: I do intend to attain
21 my Sachelor of Arts Degree but I'm taking a break,
22 and currently enrolled in Data Processing which is
23 approximately an 18 month to 2-year course.

24 MEMBER COLLIER: When did you enroll in
25 the Data Processing course?

1 INMATE ATKINS: Last Thursday.

2 MEMBER COLLIER: So it has been very,
3 very recently?

4 INMATE ATKINS: Very recently.

5 MEMBER COLLIER: As far as your work
6 assignments are concerned it looks like you began
7 working in the dining room as most inmates in CDC
8 do. That was about back in 1975. You have worked
9 in various kinds of maintenance jobs, cleaning the
10 TV room, cleaning the unit, then about 1976 you began
11 working as a clerk. We have already indicated that
12 you enrolled in a typing class to improve your
13 skills. You worked as a regular clerk, you have
14 worked as lead clerk, and you have worked in the
15 Business Education Department as a clerk for the
16 program administrator as the Lieutenant's clerk.
17 I think the longest period of time you worked in
18 a clerical assignment was in the Psychiatric Treatment
19 Unit for approximately two and one half years. Your,
20 grades up to that point ranged from a acceptable to
21 exceptional. You received many laudatory comments
22 on the work reports and individually written chronos
23 regarding your outstanding work abilities. In
24 February of 1982 you started working as the close
25 custody representative for the Women's Advisory

1 Committee and also in the Children's Learning
2 Center. The last work report that I could find
3 was March 5, 1982. In May of 1982 as a part of
4 the Department's work training program you were
5 placed in Privilege Group A which means that you
6 have to work a minimum of six hours and then in
7 November of 1982 I saw a chrono recommending a
8 full-time assignment for you in the Children's
9 Learning Center. So, why don't you tell us what
10 your job assignment is?

11 INMATE ATKINS: My job assignment at
12 present is the Data Processing School.

13 MEMBER COLLIER: Okay.

14 INMATE ATKINS: And I left the Children's
15 Center I think a week prior to that and had to find
16 a job on the vocational education program and after
17 reviewing all available or unavailable jobs as
18 the case is in this institution I determined that
19 data processing would be the most beneficial to me
20 at this time.

21 MEMBER COLLIER: So, you are now involved

22 --
23 INMATE ATKINS: Full-time.

24 MEMBER COLLIER: -- full-time in a vocational
25 educational program?

1 INMATE ATKINS: Yes.

2 MEMBER COLLIER: How many hours a day?

3 INMATE ATKINS: I believe it is a total
4 of 6 hours a day, 5 days a week.

5 MEMBER COLLIER: And you said that this
6 is an approximate 18 month course?

7 INMATE ATKINS: That's what the instructor
8 has told me that they do not kick you out after
9 18 months if you have not obtained all the skills
10 necessary to be a full-time data processor. That
11 some inmates take longer; some inmates take less
12 time. It is 18 months to 2 years.

13 MEMBER COLLIER: Okay. Moving on to
14 self-help participation in reviewing the file it
15 is noted that from about November 1974 until November
16 of 1975 you participated in group therapy sessions
17 with Dr. Black who was a staff psychiatrist. Is
18 that pretty accurate. Was it about a year's partici-
19 pation?

20 INMATE ATKINS: It was about a year's.

21 MEMBER COLLIER: Okay.

22 INMATE ATKINS: And it was not group it
23 was one-to-one.

24 MEMBER COLLIER: It was one-to-one, indi-
25 vidual therapy?

1 INMATE ATKINS: Yes.

2 MEMBER COLLIER: He submitted chronos
3 regarding your participation and the last one that
4 he submitted indicated and I'll quote:

5 "She has shown an increasing
6 awareness and ability to relate
7 effective material. Her recent
8 work in group has been seen as
9 most effective."

10 Also in the area of self-help -- We'll take a brief
11 recess to change the tape.

12 (Off the record, Momentarily)

13 MEMBER COLLIER: Okay. We were in the
14 area of self-help participation. Then, in 1974
15 and because I couldn't think of any place else to
16 put this particular topic the record indicates that
17 you underwent what you called a religious conversion;
18 you became a born again christian and from that
19 point on you started participating in as many religious
20 activities in the institution as you were permitted
21 to do so. There were a number of laudatory chronos
22 submitted by Monsignor Lowler, L-O-W-L-E-R, regarding
23 your participation of the Legion of Mary, there
24 were other chronos submitted regarding and these were
25 I called them negative chronos because it seems that

1 for a time you allowed your religious beliefs and
2 activities to get into difficulty with CDC staff;
3 there were a couple of incidents that have already
4 been discussed but I'll just mention them for the
5 record. You were accused of and you admitted to
6 baptizing two or three inmates in the swimming pool
7 and then there were a couple of incidents where
8 you became involved in unauthorized spiritual coun-
9 selling. And your use of the telephone, you got
10 some 128 counselling chronos for that which are
11 not serious disciplinarys but just kind of warnings
12 to you to kind of get your act together but because
13 of your religious involvement you got yourself into
14 a little bit of difficulty. I haven't seen anything
15 recently so I guess you have learned how to handle
16 it a little bit better is that a --

17 INMATE ATKINS: Yes.

18 MEMBER COLLIER: -- pretty accurate state-
19 ment?

20 INMATE ATKINS: Yes.

21 MEMBER COLLIER: Okay. What are you doing
22 in that particular area now? What are you participating
23 in?

24 INMATE ATKINS: I attend church regularly
25 on Sunday and there are no bible studies available

1 to me as a close custody inmate. So, I'm not
2 allowed to attend any otherwise I would. Just
3 being very quiet.

4 MEMBER COLLIER: Are you still involved
5 with the Legion of Mary?

6 INMATE ATKINS: Yes, I am.

7 MEMBER COLLIER: Okay. Additional self-
8 help participation includes your work in occupational
9 therapy and I think you have been involved in that,
10 probably since the day you arrived here at --

11 INMATE ATKINS: Yes.

12 MEMBER COLLIER: -- the California Insti-
13 tution for Women. You have concentrated on working
14 in ceramics and pottery. In 1980 you applied for
15 a grant through the California Arts Council and that
16 request was denied in July of 1980. I think you are --
17 only one person was allowed the grant and that was
18 somebody at the California Institution for Men.

19 INMATE ATKINS: Yes.

20 MEMBER COLLIER: Do you intend to reapply?

21 INMATE ATKINS: No.

22 MEMBER COLLIER: And the monies that you
23 have received from the the sale of these items you
24 have used to support yourself?

25 INMATE ATKINS: Yes.

1 MEMBER COLLIER: Partially support your-
2 self?

3 INMATE ATKINS: Yes.

4 MEMBER COLLIER: 1976 it has already
5 been discussed that you wrote a book.

6 INMATE ATKINS: Yes.

7 MEMBER COLLIER: What was the title of
8 the book?

9 INMATE ATKINS: Child of Satan, Child of
10 God.

11 MEMBER COLLIER: And I think in the 1980
12 hearing you indicated that all of proceeds had gone
13 to what was called the New Life Foundation?

14 INMATE ATKINS: Yes.

15 MEMBER COLLIER: That you received no
16 monies from the writing of that book at all?

17 INMATE ATKINS: That's correct.

18 MEMBER COLLIER: Do you have any idea how
19 much the book made?

20 INMATE ATKINS: No, I don't.

21 MEMBER COLLIER: You don't. Are you still
22 affiliated with the New Life Foundation?

23 INMATE ATKINS: No, I'm not.

24 MEMBER COLLIER: May I ask why?

25 INMATE ATKINS: Personal reasons.

1 MEMBER COLLIER: None that you care to
2 state for the record?

3 INMATE ATKINS: That's correct.

4 MEMBER COLLIER: Okay. Under other we
5 are already of the fact that you got married last
6 year August 1981 to Donald Laisure, L-A-I-S-U-R-E.
7 The record indicates that in about January of '82
8 you started having marital problems and as a result
9 you filed for an anulment. Is that correct? Not
10 correct. Okay. Would --

11 MR. MOSS: To my knowledge she hasn't filed
12 for an anulment. To the best of my understanding
13 Mr. Laisure filed for divorce in Texas and I have
14 attempted to through his lawyers -- I have attempted
15 to contact his lawyers in Texas in his home town
16 apparently where he filed and they have not replied
17 to my correspondence. She wanted to file for a divorce
18 or an anulment and she didn't do so against my --
19 following my advise because at that time there was
20 a great deal of publicity surrounding that and she
21 wants to avoid publicity at all costs if possible. It
22 doesn't do anybody any good, this kind of publicity.
23 She happened to marry a con-artist and a publicity
24 hound but no matter what she does with respect to
25 this marriage it is going to be publicized. But anyway

1 I wanted to minimize any publicity and she wants
2 to file and she will file at the opportune time to
3 avoid any undue publicity.

4 MEMBER COLLIER: Okay. Thank you. As
5 far as the good things, the laudatory chronos I
6 eluded to those early on but you have received approxi-
7 mately discussing your above average work performance,
8 the fact that you have volunteered for work assignments,
9 the, there have been a lot of them asking for a
10 reduction in your custody; there are laudatory com-
11 ments also regarding your participating in self-
12 help activities. Since the last hearing which was
13 held September 16, 1981 there have been three submitted
14 in your behalf. One of them was submitted January 11,
15 1982. That was submitted by I beleive Monsignor
16 Loller regarding your participation in the Legion of
17 Mary. But now I think there was another one that was
18 submitted shortly after that regarding your partici-
19 pation in distributing I think gifts to thousand
20 inmates here in the institution. Further, there
21 was one submitted January 1982 wherein you volunteered
22 to fill in for another inmate who was ill and could
23 not do her work assignment. The last one is
24 October 20, 1982 and once again that is submitted by
25 Monsignor Loller and it talks about your participation

1 in the Legion of Mary; the job that you are doing;
2 with working with the choir; that you get along
3 well with your peers and you are always willing to
4 give a helping hand to those in need. What I would
5 like to do at this point is to stop and see if there
6 are any comments before we go into the other two
7 areas of disciplinaries and psychiatric evaluations.
8 Let me see if the panel members have any questions
9 or comments. Mr. Carter?

10 PRESIDING MEMBER CARTER: I have a comment and it
11 concerns the New Life Foundation in the Board Report
12 for 9/76 hearing. It reads:

13 "Susan intends to parole to
14 the New Life Foundation, a non-
15 profit religious home for wayward
16 girls. This foundation is being
17 set up from all the royalties
18 from subject's upcoming auto-
19 biography, autobiographical book
20 that Logos, L-O-G-O-S publishers,
21 religious book publishing it didn't
22 say what the firm or company is
23 contracting to write. This
24 foundation has already been in-
25 corporated and Susan has a business

1 manager, Mr. John Wort. She is
2 on the Board of Directors and is
3 to be paid a salary of \$600 plus
4 living expenses, and a home per
5 month for her duties as a lay
6 evangelist for the foundation. A
7 few months ago a perspective sight
8 composed of 225 acres 70 miles out-
9 side of Nashville, Tennessee was
10 located to be used for the foun-
11 dation's building. The actual
12 state to be used for the foundation
13 still is yet undetermined and I'm
14 in the area of employment. Susan
15 states that her business manager
16 estimates that from all book and
17 movie rights that royalties coverage
18 should reach \$14 million or more and
19 the following year 1977 her plans
20 were to still be involved with
21 that organization."

22 And then in 19 -- In late 1977 her plans with that
23 organization tended to have diminished or changed
24 considerably. That is the only comment that I have.

25 MEMBER COLLIER: Any questions?

1 PRESIDING MEMBER CARTER: I don't have
2 any questions.

3 MEMBER COLLIER: Mr. Elliott any comments
4 or questions?

5 REPRESENTATIVE ELLIOTT: Yeah. You said
6 you left the Children's Clinic?

7 INMATE ATKINS: Yes, I did.

8 REPRESENTATIVE ELLIOTT: And that was to
9 go into this present program?

10 INMATE ATKINS: Yes.

11 REPRESENTATIVE ELLIOTT: Okay. There was
12 any other reason why you left Center?

13 INMATE ATKINS: No.

14 REPRESENTATIVE ELLIOTT: I didn't clearly
15 understand why you wanted to make a change at this
16 time?

17 INMATE ATKINS: I had been working in the
18 Children's Center as a volunteer while I was attempting
19 the child development classes taught by Dr. Jones and
20 later was recommended for a full time assignment in
21 the Children's Center pending approval by the super-
22 intendant and I continued to work full-time. The
23 Children's Center is open when visiting is open and
24 that is Wednesday through Sunday and on all holidays
25 and that includes Saturday. As a close custody inmate

1 under the new incentive program that is beginning
2 to be implemented throughout the department of
3 corrections all close custody inmates whether you
4 are in Group A, B, or C still are required to work
5 full-time and extra activities such as movies, bands,
6 church, bible studies, things that are not associated
7 with your work assignment are to be done for close
8 custody inmates on your regular days off. For
9 close custody inmates in this institution those
10 activities occur on Saturday, Sunday and holidays.
11 Consequently, I found myself working all the time
12 and having no activities to relieve whatever I needed
13 to do or go walk on the field or whatever, go to
14 a movie, go to a band, go to a religious concert or
15 a gospel bonanza within in the institution I couldn't
16 do that. And I had decided those things were im-
17 portant to me too. I did not need to be a workaholic.
18 My love for the children in the Center made it very
19 difficult for me to make that decision because I
20 really enjoy working with the kids and felt it was
21 best for me to go somewhere else and the superintend-
22 ant never confirmed my full-time assignment in the
23 Children's Center which made it necessary also for
24 me to find a full-time assignment somewhere else.

25 REPRESENTATIVE ELLIOTT: And you say that

1 was a non pay position.

2 INMATE ATKINS: It was a non pay position.

3 REPRESENTATIVE ELLIOTT: Have you held any
4 paid positions?

5 INMATE ATKINS: I did hold several pay
6 positions when I worked as the clerk and leave
7 clerk in the psychiatric treatment unit when I worked
8 as the business education clerk for Chaffe Business
9 Education Department here. I was paid and when
10 I went from when I changed my major from Secre-
11 tarial Sciences to Human Development and went full-
12 time into LaVerne College I gave up my pay slot and
13 became a full-time student. And I have not had
14 any pay slot since.

15 REPRESENTATIVE ELLIOTT: How do you get
16 money on your books now?

17 INMATE ATKINS: Friends will send me occasional
18 money to help me out other than that I have no visible
19 means of support.

20 REPRESENTATIVE ELLIOTT: That's all the ques-
21 tions that I have.

22 MEMBER COLLIER: Mr. Kay do you have any
23 questions in this area, comments?

24 MR. KAY: Well, just about the last point
25 that Ms. Atkins made; I have received correspondence

1 from a number of inmates telling me that Ms. Atkins
2 has a very big business in the prison of doing nails
3 for other inmates and makes quite a bit of money
4 doing that. I have received that information from
5 a number of inmates. I have looked at her nails there
6 and they look like they are in pretty good shape not
7 that that is a bad thing I guess but she does have
8 visible means of support.

9 MEMBER COLLIER: Ms. Glen do you have any
10 comments up to this point?

11 MS. GLEN: No. There is no job assignment
12 for doing nails.

13 MEMBER COLLIER: Thank you. Okay. Mr.
14 Moss do you have any comments up to this point?

15 MR. MOSS: As usual Ms. Collier you were
16 thoroughly prepared and articulated completely the
17 facts in this area. I have no further comments.

18 MEMBER COLLIER: Ms. Atkins any comments
19 up to this point?

20 INMATE ATKINS: None.

21 MEMBER COLLIER: Okay. Let's look at the
22 disciplinary area then. Since reception you have
23 received 11 128 counselling chronos and as I have
24 already indicated those are not as serious as 115 they
25 are chronos warning you of some negative behavior.

1 You have received 11 of those. As far as 115's
2 are concerned altogether you have received four during
3 your entire period of incarceration. The first one
4 was March 21, 1978 for use of the telephone. The
5 next one was December 1979, again using the telephone
6 without permission. Since the last board appearance
7 you have received two and I want to talk about those
8 in a little bit. There are two incident reports
9 in the file and it seems that that is just what they
10 are, incident reports. They did not develop into 115s.
11 The first incident report is August 30, 1973 when
12 you were suspected of passing marijuana to another
13 inmate. You are shaking your head no.

14 INMATE ATKINS: That's right. I was
15 suspected of receiving hashish from another inmate.
16 I was not passing drugs. I was suspected of having
17 drugs passed to me.

18 MEMBER COLLIER: What was the disposition
19 on that?

20 INMATE ATKINS: I don't remember.

21 MEMBER COLLIER: But you didn't get a 115
22 for it.

23 INMATE ATKINS: No. I don't think I did.
24 If I did I don't remember. It would be in the file
25 then apparently I didn't.

1 MEMBER COLLIER: You said you were receiving
2 or passing. Which one were you doing?

3 INMATE ATKINS: I wasn't doing either. I
4 was suspected of having someone passing drugs to
5 me.

6 MEMBER COLLIER: Okay. Did you in fact re-
7 ceive drugs from somebody else?

8 INMATE ATKINS: No.

9 MEMBER COLLIER: I think the incident report
10 indicated that they found something under your skirt.

11 INMATE ATKINS: They found something on
12 the floor underneath the chair I was sitting on.

13 MEMBER COLLIER: Okay. And it was de-
14 termined to be hasish?

15 INMATE ATKINS: It was determined to be
16 hasish.

17 MEMBER COLLIER: Okay. Do you know whether
18 or not happened to the other inmate?

19 INMATE ATKINS: No. I don't.

20 MEMBER COLLIER: The next incident report
21 was January 30, 1980 when you were the victim of
22 a physical attack.

23 INMATE ATKINS: Yes.

24 MEMBER COLLIER: And as I said there was
25 no 115 written on that one either. The last two 115s

1 received -- the first one was November 24, 1982.

2 The specific act was contraband substance and the
3 report indicates that while being pat-searched the
4 reporting employee who is E. Smith and it is also
5 signed by an A. Estrada, E-S-T-R-A-D-A, found an
6 envelope in your coat pocket which consisted of a
7 brown granular substance which appeared to be yeast.
8 You indicated that you found it while you were coming
9 from work.

10 INMATE ATKINS: Going to work.

11 MEMBER COLLIER: I found it coming to
12 work around on the side of the hospital. After
13 an investigation it was determined that the sub-
14 stance was in fact yeast. You admitted guilt to
15 the charge. You stated that you found it but you
16 had intended to throw it away but you forgot. It
17 was explained to you that you were going to be found
18 guilty; you would be held accountable for your actions
19 and the disposition was 10 days administrative segre-
20 gation.

21 INMATE ATKINS: I don't think there is
22 anything to say. I've said it all to the hearing
23 officer.

24 MEMBER COLLIER: Okay.

25 INMATE ATKINS: The way it happened.

1 MEMBER COLLIER: Yeast is used for what
2 in this institution other than making bread.

3 INMATE ATKINS: Apparently it is used
4 to make hootch.

5 MEMBER COLLIER: Was there any indication
6 that they suspected that this might be what you
7 were going to use it for?

8 INMATE ATKINS: No.

9 MEMBER COLLIER: Okay. May I ask why
10 you picked it up. You knew what it was.

11 INMATE ATKINS: I didn't know what it was.

12 MEMBER COLLIER: You didn't know it was
13 yeast.

14 INMATE ATKINS: I didn't know what it was
15 until I had opened it and I was going to throw it
16 away. There wasn't a trash can available. I put
17 it in my pocket so I could throw it away.

18 MEMBER COLLIER: The institution viewed
19 it as pretty serious because it is a serious CDC 115
20 and you got max --

21 INMATE ATKINS: Yeah. Contraband yeast
22 is --

23 MEMBER COLLIER: You got the max -- Yeah.
24 Max administrative segregation.

25 INMATE ATKINS: Yes.

1 MEMBER COLLIER: The next one is also
2 serious. December 10, 1982 possessing money. And
3 it indicates that during an unclothed body search
4 the reporting officer discovered a \$20 bill in the
5 right watch pocket of your blue jeans. It was
6 wrapped in a list of nail care items. The money was
7 taken from you; the CDC 115 was written; you were
8 found guilty based on your admission of guilt with
9 modifications. The disposition was three weekend
10 lockup effective December the 24th. You want to ex-
11 plain what happened in that situation.

12 INMATE ATKINS: Well I explained it to the
13 hearing officer --

14 MEMBER COLLIER: Why don't you explain it
15 for the rest of the other two panel members?

16 INMATE ATKINS: I --

17 MR. MOSS: Her explanation is in the report
18 isn't it?

19 MEMBER COLLIER: It is Mr. Moss but --

20 MR. MOSS: Can't we just incorporate that
21 into the record?

22 MEMBER COLLIER: No. I would like to hear
23 her explanation. I know it is written in the report.
24 We have a lot of written information in front of us.
25 But there are times when we like to hear the inmate's

1 own explanation to what occurred. If she chooses
2 not to -- if she chooses not to then we will accept
3 that and we will just --

4 INMATE ATKINS: I would ask you to rely
5 on what is written because that is true and accurate.

6 MEMBER COLLIER: Okay. Counsel any com-
7 ments in the area of disciplinaries before we talk
8 about the psychiatric evaluations? Panel members
9 any questions? Mr. Carter?

10 PRESIDING MEMBER CARTER: I have nothing
11 in this area.

12 MEMBER COLLIER: Mr. Elliott?

13 REPRESENTATIVE ELLIOTT: I want to go
14 back there. I know you declined to say anything
15 about that disciplinary but in here you made a state-
16 ment to the person handling this 115 you said you
17 had a desire to harm yourself. Did you want to
18 explain that?

19 INMATE ATKINS: I'm not saying I have a
20 desire I would say I am beginning to become aware that
21 there is a very good possibility that subconsciously
22 I'm wanting to hurt myself and I'm trying very desperately
23 to deal with that. And to stop doing things that would
24 hurt myself. It has taken me a long time to get to
25 the place where I like myself and just stop negative

1 behavior when I subconsciously or consciously do
2 things that get myself in trouble it makes me wonder
3 about what is going on in my heart and in my head
4 and this particular disciplinary has made be stop
5 and do some looking and thinking.

6 REPRESENTATIVE ELLIOTT: So this is an
7 old problem?

8 INMATE ATKINS: I think it is a very old
9 problem. It goes way back. It crops up every now
10 and then and gets me in trouble. There are no
11 psychiatrists within the institution that have the
12 time to devote to helping me to deal with this problem
13 on a regular basis. There are 1160 women in the
14 institution and some have much greater needs than
15 I do and they devote their time as they should to
16 those inmates and so I do the best I can to help
17 myself.

18 REPRESENTATIVE ELLIOTT: Thank you. That
19 is all.

20 MEMBER COLLIER: Thank you Mr. Elliott.

21 MR. MOSS: May I make a comment on that?

22 That is a good question. And I think Susan's answer
23 was a good answer because people do act on unconscious
24 feelings, feelings of low self esteem, feelings of
25 guilt, feelings of depression, feelings of despondancy

1 worthlessness and I think Susan's explanation was
2 plausible of what we know of her and you know the
3 circumstances and I think it is very important that
4 she is beginning to gain insight into her character
5 and her behavior and her past behavior. Because
6 she did what she did at the time, 12 years ago,
7 because of these psychological, serious pathological,
8 psychopathological reasons, she is now beginning to
9 prepare herself with insight when she is released
10 into the community to act and function productively
11 and not act on these unconscious feelings, you know
12 which she previously wasn't even aware of.

13 MEMBER COLLIER: Thank you. Now, this
14 area has been covered quite extensively. I counted
15 approximately 17 psychological or psychiatric evaluations
16 that have been completed since you have been in CDC.
17 The very first year there were four that were completed.
18 They have all been discussed in great detail through-
19 out the four previous hearings and what I'm going
20 to try to do at this time is kind of summarize what
21 they have said and then we will talk a little bit
22 more in detail about the last report that was prepared
23 for this hearing. Initially in July -- Strike that.
24 In June of 1971 a Doctor Fishman indicated that the
25 diagnosis -- the appropriate diagnosis at that time

1 was schizophreniachronic undifferentiated type. Then
2 seven years later the diagnosis was passive-aggressive
3 personality, drug dependency. The 1974 there was
4 indication and it seemed to be a consensus of opinion
5 there were no signs of mental disorder or evidence
6 of psychosis and I believe that these were Dr. Black's
7 ~~statement~~. That your involvement in the commitment
8 offense was partially influenced by your involvement
9 with drugs. That you had a tendency to defend your
10 actions by using denial, repression, or suppression
11 and then after your religious conversion you tended
12 to resolve conflicts by using religious pre-occupation.
13 In 1976 the diagnosis was personality disorder, in-
14 adequate personality, still no evidence of psychosis.
15 There was the impression that your violence potential
16 was average in the institution and at that time vio-
17 lence potential outside of control setting and super-
18 vised environment was probably unpredictable. Then
19 in 1978 the report that was submitted for that year
20 indicated and I'm quoting she is gravely improved
21 through eight years in the institution. Violence
22 potential outside of controlled environment would
23 probably be average unless she became influenced by
24 drugs or alcohol. In the 1980 evaluation stated no
25 present psychopathology. This you woman appears to

1 have undergone a permanent change such that she would
2 no longer constitute a danger to the community. In
3 1981 and I'm quoting, "Improved greatly and appears
4 very likely to continue improving. Violence potential
5 appears to be currently lower than the average in-
6 mate. Would find psychological/psychiatric services
7 of benefit to further her emotional understanding
8 and to assist her in achieving a better self image.
9 Then we turn to the report that was prepared for today's
10 hearing by Dove Arbel, A-R-B-E-L, Staff Psychologist,
11 and it has got two dates on it. 8/19/82 and 11/16/82.
12 Okay. The interview was held in August and I guess
13 it was typed --

14 INMATE ATKINS: It was typed.

15 MEMBER COLLIER: -- in November. Dr.

16 Arbel indicates that this is Ms. Atkins' 13th psychologi-
17 cal or psychiatric evaluation which is not true be-
18 cause there are four, no five additional evaluations.
19 He indicates that you were cooperative, pleasant, ar-
20 ticulate, that there was no depression or anxiety.
21 You discussed your marriage, the death of your father
22 in the past year. You became depressed a few months
23 ago and had suicidal aviations for the first time;
24 you denied that you had these kinds of feelings at
25 the present time and that your depression had somewhat

1 improved. He further indicates that because of
2 your religious beliefs you have been able to stabilize
3 yourself somewhat. That you had a strong urge to
4 be accepted. You feared rejection. You tended to
5 become possessive on one on one relationships and
6 he indicated that you had become aware of these feelings
7 and you were attempting to ameliorate these. Dr.
8 Arbel talks about the mechanism of denial that was
9 mentioned quite prominently and prior report and he
10 seems to feel that this has become less prominent that
11 you now are attempting to use a little more insight
12 into what motivate you to act as you do. That you
13 are becoming -- your involvement in school and other
14 pjects assist you in -- keeps you from being depressed
15 as much as you had been previously. He states that
16 there were no overt sides of psychotic symptoms or
17 thought disorder or other major psychiatric disorders.
18 She is also cognizant that some of these facets of
19 a personality are still in the process of changing
20 and developing. She appears to have embarked in re-
21 cent years on a constructive course and the resulted
22 improvement is evident and this process is expected
23 to continue. The circumstances of her marriage last
24 year raised questions as to her judgment employed in
25 this matter and hopefully this will be emphasis for

1 furthering the process of learning and maturation.
2 Aside from this matter there were no indications of
3 poor judgment in the past year and her behavior and
4 performance in this institution has been highly
5 regarded. Apparently he wasn't aware of the two
6 115s or the 115 --

7 INMATE ATKINS: If you will look at the
8 date of his --

9 MEMBER COLLIER: You got them after you
10 saw him?

11 INMATE ATKINS: These two 115s have come
12 in the last three years.

13 MEMBER COLLIER: Okay. What is your im-
14 pression of this report. Does it match the way
15 you feel yourself?

16 INMATE ATKINS: Yeah. I would say it
17 does. I would say it is very accurate.

18 MEMBER COLLIER: You are not participating
19 in any group therapy are you. Group therapy --

20 INMATE ATKINS: There is no resources
21 available in this institution for that activity for
22 me at this time.

23 MEMBER COLLIER: Is that because of your
24 custody situation?

25 INMATE ATKINS: No. It is because of the

1 lack of funds to have the psychiatrist and psychologist,
2 enough of them available to handle the medical load:

3 There are just not enough psychiatrists and psycholo-
4 gist to handle everybody. I went to the psychiatrist
5 in the institution almost immediately following my
6 last hearing and requested as the board requested
7 of me to seek out psychiatric therapy. He told
8 me that his case load was so heavy that he could
9 not even consider having psychiatric therapy sessions
10 with me. I went again after my father's death and
11 requested again to have his assistance in dealing
12 with that particular issue. He told me he thought
13 I was dealing with it very rationally and to continue
14 dealing with things myself because he did not have
15 the time available to devote to me. There were other
16 people who needed his attention much more than I
17 did. When he left there was only Dr. Arbel from
18 the institution and Dr. Chamockus. Dr. Chamockus
19 left the institution on sick leave and Dr. Arbel had
20 the entire case load for I believe three or four
21 months. I'm assuming. I don't keep up with doctors
22 coming and going how long they have been here or
23 whatever and recently we in this institution the
24 institution just received another psychiatrist who
25 is attempting to deal with the psychiatric load in

1 the psychiatric treatment unit reception center
2 and the institution and they deal primarily with
3 emergency cases to the best of my knowledge. People
4 who have extreme needs and emergencies and they
5 don't consider -- the administration does not con-
6 sider me, at least at this time, to require the
7 services.

8 MEMBER COLLIER: But what about the long-
9 termers' group. I know that that is not a formalized
10 therapy program.

11 INMATE ATKINS: No it is not.

12 MEMBER COLLIER: Okay. Are you participating
13 in that now?

14 INMATE ATKINS: Yes, I do. The long-term-
15 er's organization was designed by the women in the
16 institution who are doing a long-term and self-help
17 support system so that we can help each other deal
18 with the type of time that we are facing.

19 MEMBER COLLIER: Well, that is not necessary
20 a therapy group. It is to help you with being in-
21 carcerated and the prospect of being here for a long
22 time.

23 INMATE ATKINS: Right. We support each
24 other. One of us is depressed or going through times
25 such as I'm going through today there are many long

1 termers who will just come and let you know that they
2 are there. If you need me to talk to I'm here for
3 you type of thing. It is independence of any medi-
4 cal department therapy sessions but it is an authorized
5 and recognized organization by the administration
6 within this institution.

7 MEMBER COLLIER: Okay. Let me ask Ms.
8 Glen about the -- get on the record the staff's
9 comment regarding the psychiatric situation here.

10 MS. GLEN: I think I've chaired that
11 previously during another hearing that we have some
12 difficulties competing with outside psychiatric
13 services. We in the last two years have had a
14 terrific turnover of psychiatric staff. We presently
15 have two and most of Ms. Atkins' statement is
16 as far as our situation -- Approximately a year
17 ago we attempted with Dr. Chameckus to have small
18 groups for the individuals. We had to terminate
19 those sessions at that time based on our population
20 increase.

21 We had a staff capacity for 900+ individuals.
22 Today our population is 1206. As she indicated we
23 respond to emergencies; we also have a counselling
24 staff available for assistance and the regular units
25 staff as well any administrative staff that the

1 individual elects to seek.

2 MEMBER COLLIER: Mr. Carter any questions?

3 PRESIDING MEMBER CARTER: In the area of
4 institutional adjustment that might have something
5 to do with psychiatric concerns as I have read
6 the record you have been involved Ms. Atkins with
7 a series of different people in different organi-
8 zations where you have indicated plans to be involved
9 in them over a period of time and then they come
10 and they go and every year you have a different
11 organization or individual that you are concerned
12 with or affiliated with. Do you have any idea
13 why that is?

14 INMATE ATKINS: Well, I believe that a
15 lot of times people in the community who like to
16 get involved with prisoners and inmates and it has
17 been my experience that they will become involved and
18 they will stay involved for a certain length of time
19 and if what they would like to see happen doesn't
20 happen right away they get tired, the street term
21 is burned out and they lose interest and other things
22 happen in their lives out in the world that might
23 prevent them from following through with what they
24 would like to do.

25 I think that I made the statement last

1 year that my parole plans last year for the first
2 time were to go home and --

3 PRESIDING MEMBER CARTER: Home to San
4 Jose?

5 INMATE ATKINS: To my father. Yes, to
6 my father. And that I'm aware that the board is
7 very aware that for a long term, I'm a lifer.
8 Parole plans are very tentative. It is very difficult
9 to make a parole plan when you do not have a parole
10 date.

11 PRESIDING MEMBER CARTER: We will get
12 into parole plans later. I was --

13 INMATE ATKINS: But that was basically the
14 reason why there is so many changes that I could
15 -- that the way I feel --

16 PRESIDING MEMBER CARTER: Do you feel as
17 though you may have been manipulated or used by some
18 of these former affiliates.

19 INMATE ATKINS: I think the possibility
20 exists that I have been easily manipulated and
21 exploited in the past and that I have become of this
22 and I'm very reluctant to get involved with any
23 organization or group of people in any community un-
24 less I have long term personal relationship with those
25 people and by long-term I'm speaking five, six,

1 seven years consistent concern with people. I
2 know there are some people that do this with me
3 and are consistent and are very supportive of me
4 and they are good friends and -- But I'm not looking
5 to get involved in any organization or group of
6 people in the community.

7 PRESIDING MEMBER CARTER: All right. That
8 is all I have in this area:

9 MEMBER COLLIER: Mr. Elliott? We need
10 to change the tape here.

11 REPRESENTATIVE ELLIOTT: I'll change it.

12 (Off the Record, Momentarily)

13 MEMBER COLLIER: Okay. We are back on
14 record and I have concluded my discussion or my
15 presentation of the area of institutional adjustment
16 and we will go first to Mr. Kay to see if he has
17 any comments he would like to make in this area.

18 MR. KAY: Not in this area.

19 MEMBER COLLIER: Okay. Ms. Glen would you
20 have anything you would like to add?

21 MS. GLEN: Yes, I would like to add that
22 the administration is continuously seeking psychiatric
23 assistance and if anyone is aware of a candidate I'm
24 quite sure the superintendant will be interested.

25 MEMBER COLLIER: Thank you. Okay. Mr.

1 Moss any comments in this area?

2 MR. MOSS: No. Just to point out that
3 the psychiatric reports have increased favorably
4 through the years and their quality and viewpoint
5 towards Susan that she has behaviorally and emotionally
6 reformed herself since her commitment which is a
7 credit to herself and which is a credit to this
8 institution notwithstanding some of the disadvantages
9 and that she will continue to grow and live as best
10 as she can under the circumstances. She will continue
11 to persevere and she will continue to try to improve
12 herself and she will try to avoid that so called
13 burn out syndrome and not expect things to happen
14 immediately for her.

15 MEMBER COLLIER: Okay. Ms. Atkins is
16 there anything else that you want to add in this
17 area keeping in mind that you will permitted to make
18 a closing statement also?

19 INMATE ATKINS: No.

20 MEMBER COLLIER: Okay. Mr. Carter then
21 that concludes my portion of the hearing.

22 PRESIDING MEMBER CARTER: Thank you. We
23 will now go into the discussion of parole plans and
24 Mr. Elliott will lead that discussion.

25 REPRESENTATIVE ELLIOTT: Okay. Thank you.

1 REPRESENTATIVE ELLIOTT: Let's spend just
2 a few moments talking about the current parole
3 plans. I think some of them have already been dis-
4 cussed with you in an indirect way and the primary
5 document that I'm going to be referring to is the
6 Correctional Counsellor report dated 11/12/82 and
7 it is signed by your counsellor, Carolyn Brown. Is
8 that correct?

9 INMATE ATKINS: Yes.

10 REPRESENTATIVE ELLIOTT: Okay. That report
11 indicated that you have a residential program that
12 you -- go back to -- Is that correct?

13 INMATE ATKINS: Yes.

14 REPRESENTATIVE ELLIOTT: In Santa Clara?

15 INMATE ATKINS: San Jose.

16 REPRESENTATIVE ELLIOTT: San Jose. And
17 is she working?

18 INMATE ATKINS: Yes, she is.

19 REPRESENTATIVE ELLIOTT: And how old is
20 she at the present time?

21 INMATE ATKINS: Sixty-two. I don't know.
22 I honestly don't know. I know my father was 63 when
23 he died last year and I know they were very close
24 in age, three or four years apart. I never asked
25 her.

1 REPRESENTATIVE ELLIOTT: Why did you
2 choose this residence?

3 INMATE ATKINS: My step-mother, my mom
4 has been very supportive of me as long as she has
5 been my mom and I know she needs me. We are in
6 constant communication and I feel that that would
7 be the best place for me to go. To go home. I
8 have family, I have a grandmother. I have aunts,
9 cousins, and a brother, two brothers. It is very
10 important to me to reestablish my family ties. To
11 keep them in constant contact.

12 REPRESENTATIVE ELLIOTT: And how long has
13 she been supporting you? Going back over several
14 years?

15 INMATE ATKINS: Well she was always sup-
16 portive of me from the day she married my father and
17 she was very instrumental and my father coming to
18 see me after a seven year estrangement. She has
19 been in my corner. And I would say that is going
20 on 10 years now.

21 REPRESENTATIVE ELLIOTT: I understand.
22 Employment you -- the report here it says you are
23 not planning to seek employment at this time. Okay.
24 You don't have anything --

25 INMATE ATKINS: Well, without a parole date

1 it would be a little absurd for me to try to seek
2 employment. I have several job offers from very
3 good friends that I have known for many years who
4 have told me that they would give me a job whenever
5 I am released into the community but that is a
6 standing offer that I don't see it as necessary at
7 this particular hearing to state that I would work
8 at such and such a street. You know. Employment
9 office or whatever. It is not relevant to this
10 at this point.

11 REPRESENTATIVE ELLIOTT: Are any of these
12 employment offers that you put forth that went clear
13 back to 1975 are they still viable programs that
14 you can turn to someday.

15 INMATE ATKINS: There is one. There are
16 two. And I don't know that either one of them are
17 in those records but they have been offered to me
18 through the years and I have only elected to have
19 one letter sent to my file and that is from Father
20 Michael Manning who has offered his assistance in
21 employment.

22 REPRESENTATIVE ELLIOTT: Any other that
23 you want to mention?

24 INMATE ATKINS: I dare not to mention them
25 at this time.

1 REPRESENTATIVE ELLIOTT: Okay. We have
2 already talked about your marital status and one
3 thing that does concern me and it concerns me because
4 I really don't understand it clearly. Going back
5 to '75 and in the '75 report indicates that you
6 are going -- you had the aspirations of owning your
7 own boutique and you had no residential program
8 at that time. Then in 1976 you were going to into
9 this foundation program which was religious where
10 they want to pay you \$600 a month and so forth. And
11 you were also going to get royalties from this book
12 that you wrote. That was part of of subsistence
13 I believe and I think earlier you said you received
14 no royalties at all.

15 INMATE ATKIN: I gave the royalties that
16 would have come to me from the book to New Life
17 Foundation. I didn't want the money.

18 REPRESENTATIVE ELLIOTT: Well, you did
19 receive royalties, but you gave it away?

20 INMATE ATKINS: The royalties never came
21 to me. I signed a contract with New Life Foundation
22 who signed a contract with Logos and the monies that
23 would have come to me went straight from Logos to
24 New Life Foundation. They never passed through my
25 hands.

1 REPRESENTATIVE ELLIOTT: Do you know
2 the amount?

3 INMATE ATKINS: So I never received any-
4 thing. No, I do not.

5 REPRESENTATIVE ELLIOTT: And you were going
6 to live at that facility in addition. Then in 1977
7 the program completely changed and here you are say-
8 ing that you are going to out-of-state job with a
9 Mr. John Wort, prison ministries. Is that something
10 totally different?

11 INMATE ATKINS: John Wort was involved with
12 the Life Foundation.

13 REPRESENTATIVE ELLIOTT: Oh that is still
14 part of the same --

15 INMATE ATKINS: Yes.

16 REPRESENTATIVE ELLIOTT: Foundation. And
17 you were going to live with Mr. and Mrs. Wort as
18 a residential --

19 INMATE ATKINS: It's been so long and it is
20 so far out of mind and concerns that I don't recall
21 the exact agreements.

22 REPRESENTATIVE ELLIOTT: Okay. Then in '77
23 it indicates here that you were going to be involved
24 workwise in the prison out-reach ministry. Is that
25 part of this --

1 INMATE ATKINS: No. It is not. It is
2 another prison orga -- prison out reach ministry
3 that had offered me a job that they thought I would
4 be very beneficial to their organization and helping
5 to help other inmates, ex-convicts reestablish them-
6 selves in the community through the religious orga-
7 nization. I know one of the situations that I found
8 myself in that I felt was not in my best interest,
9 I don't care to be exploited and neither does the
10 name of religion need my name involved in it to gain
11 converts so to speak. God does fine on his own.

12 REPRESENTATIVE ELLIOTT: Okay. I guess
13 you were associated with those with that program with
14 Mr. Boeuf, B-O-E-U-F?

15 INMATE ATKINS: Mr. LeBoeuf.

16 REPRESENTATIVE ELLIOTT: Well, it --

17 INMATE ATKINS: Yes.

18 REPRESENTATIVE ELLIOTT: Because you had
19 that listed in '78 as a parole plan.

20 INMATE ATKINS: Yes.

21 REPRESENTATIVE ELLIOTT: In '79 you stated
22 that you wanted to be a housewife. You were planning
23 in the work program and that you were planning to
24 marry a Mr. Michael Holbrook, I believe and would
25 you care to tell what happened to that?

1 INMATE ATKINS: I realized that that would
2 have been a mistake and I broke the engagement.

3 REPRESENTATIVE ELLIOTT: Okay.

4 INMATE ATKINS: And broke off the relation-
5 ship.

6 REPRESENTATIVE ELLIOTT: And in 1980 you
7 had no job offer that could employ your skills as
8 a secretary and I think you were doing instructor
9 work in ceramics and pottery making.

10 INMATE ATKINS: Yes.

11 REPRESENTATIVE ELLIOTT: And then you said
12 here your parents would assist you until you could
13 be self-supporting.

14 INMATE ATKINS: Yes.

15 REPRESENTATIVE ELLIOTT: And then in '81
16 last year you were planning to be a housewife and
17 that was with your impending marriage with Mr.
18 Donald Laisure.

19 INMATE ATKINS: Yes.

20 REPRESENTATIVE ELLIOTT: One question here
21 it seems as though you have vacillated between quite
22 a few different programs and one of the things I know
23 the panel looks at in terms of suitability for parole
24 readiness is judgment and stability and certainly
25 some of your judgment here has been questionable in

1 my mind unless you can explain it differently.

2 INMATE ATKINS: It has been questionable
3 in my mind, too.

4 REPRESENTATIVE ELLIOTT: And the stability
5 doesn't have a continuing --

6 INMATE ATKINS: It is very difficult to
7 find, to put down roots in a community when you
8 are sitting inside the prison with no parole date
9 and I would ask the Board to take into consideration
10 that without a parole date it is almost impossible
11 if not impossible unless you have strong family ties
12 and strong support system in the community that is
13 consistent and well established and I have not had
14 that. And I just feel very fortunate that my mother
15 has now for three years consistently told me to come
16 home or requested of me to come home and that I see
17 that as something stable. As a 34 year old woman
18 not looking to walk out these doors for quite sometime
19 yet to come I'm doing the best I can under the circum-
20 stances.

21 REPRESENTATIVE ELLIOTT: Okay. Yes, we
22 realize that. It is hard to make specific employment
23 plans but if you are utilizing your time beneficially
24 and in the institution in terms of training and
25 your preparation that is certainly given credit. Who

1 visits you here?

2 INMATE ATKINS: Who visits me?

3 REPRESENTATIVE ELLIOTT: Do you get regular
4 visits?

5 INMATE ATKINS: I have several people
6 who do come to see me yes.

7 REPRESENTATIVE ELLIOTT: Who is your pri-
8 mary visitor?

9 INMATE ATKINS: My cousin who lives in
10 Long Beach comes to see me on a regular basis. A
11 minister, pastor friend of mine from Quest Church
12 in Los Angeles has come to visit me on a regular basis
13 now for about four and one half or five years. Audrey
14 and Charles Meyer who are well established in the
15 ministry have come to visit me for almost six years
16 consistently at least once a month unless one of the
17 two of them and they just can't make it. My father
18 came to see me as his health allowed him to up until
19 his death last year.

20 I have had several M2 sponsors through
21 the years. That is the match two program in the
22 community and felt that because I had other regular
23 visits that the M2 sponsors would best be utilized
24 for inmates who do not have any consistent visitors.

25 So, I took them off my visiting list. A

1 former member of the Women's Board of Terms of
2 Parole has been a friend and visitor of mine con-
3 sistently for about five and one half years. And if
4 she can come to California and visit me she will.

5 REPRESENTATIVE ELLIOTT: So, you have
6 quite a few what you consider positive contacts
7 with --

8 INMATE ATKINS: I have a very positive
9 support system of people in the community, long time
10 friends who have shown that they really care through
11 their actions.

12 REPRESENTATIVE ELLIOTT: Do you have any
13 contact with your son?

14 INMATE ATKINS: No, I don't to my dismay.

15 REPRESENTATIVE ELLIOTT: And do you plan
16 for any attempt of reconciliation?

17 INMATE ATKINS: I would love to. I would
18 love to know where my son is. But he was adopted.
19 The state took him away from me, took custody away
20 from me while I was on death row and whoever his
21 parents are I'm sure they are taking very good care
22 of him.

23 PRESIDING MEMBER CARTER: I think that
24 information is confidential until the child reaches
25 a majority.

1 INMATE ATKINS: He is 14 now. So, I'm
2 hoping in four years he will want to know who I
3 am and he will seek me out.

4 REPRESENTATIVE ELLIOTT: Okay. Very
5 good. Let me see if the other panel members have
6 any questions for you. Ms. Collier?

7 MEMBER COLLIER: I don't have any questions.

8 REPRESENTATIVE ELLIOTT: Mr. Carter?

9 MEMBER CARTER: I don't have any.

10 REPRESENTATIVE ELLIOTT: Mr. Kay?

11 MR. KAY: No questions.

12 REPRESENTATIVE ELLIOTT: Counsellor?

13 MR. MOSS: I have no questions, thank you.

14 REPRESENTATIVE ELLIOTT: Was there anything
15 else you wanted to add before we conclude this phase?

16 INMATE ATKINS: No.

17 REPRESENTATIVE ELLIOTT: All right. I
18 believe that concludes this phase.

19 PRESIDING MEMBER CARTER: Thank you Mr.
20 Elliott. As we set out the progress of the hearing
21 at the very first we talked about the four areas we
22 were going to cover. We have done that. We will
23 now ask Mr. Kay for a summary statement which will
24 be followed by Mr. Moss and then you if you have
25 anything. Mr. Kay.

1 MR. KAY: Thank you. Mr. Moss stated
2 that it would take courage on the part of the Board
3 to parole Susan Atkins. I feel that it would make
4 a mockery of justice at anytime during her life to
5 parole her from this institution. Susan Atkins is
6 one of the most cold blooded murders in American
7 history. She is the scariest female that I have
8 ever met and that includes her two crime partners,
9 Patricia Krimwinkle and Leslie VanHouton. Her
10 participation in these murders is of unbelievable
11 brutality. In the Hindman murder, Gary Hindman
12 was tortured over a three day period to get his
13 property while the Manson family was preparing for
14 war. The -- Ms. Atkins, Mr. Boatelay and Mary
15 Bruner even got Mr. Hindman to sign over his pink
16 slips to his automobiles as he was dying after they
17 had continually beat him up and tortured him. Susan
18 Atkins admitted in the penalty phase of her trial
19 in the Tate LaBianca murders that she stabbed Gary
20 Hindman once although she never claimed that she
21 was the actual killer and I believe that Bobby Vogelay
22 was the actual killer of Mr. Hindman. Ms. Atkins
23 admitted that when she plead guilty to the Hindman
24 murder that as Hindman was dying she held the pillow
25 over his face to suffocate him and she also admitted

1 that she held a gun on Gary Hindman while Voselay
2 and Manson were fighting with it. Ms. Atkins
3 when she got back to the ranch during the period
4 if the Hindman murder and the Tate and LaBianca
5 murders went around sharpening knives and telling
6 everyone how great it was to kill somebody with a
7 knife.

8 In the Tate murders at the Tate house
9 Ms. Atkins was the one who first entered the Tate
10 house and opened the door for the others and her
11 confession to the murder of Sharon Tate is the most
12 chilling hardened confession that I have ever heard
13 from a female in my 15 years in the District Attorney's
14 office.

15 Susan Atkins stated through her cellmate,
16 Virginia Graham, that "Sharon was the last to die."
17 And then she laughed. Susan said that she held
18 Sharon's arms behind her. Remember, Sharon Tate
19 is 8 1/2 months pregnant. Susan said that she held
20 Sharon's arms behind her and that Sharon looked at
21 her and was crying and said, "Please don't kill me.
22 Please don't kill me. I don't want to die. I want
23 to live. I want to have my baby." Susan Atkins
24 said she looked Sharon Tate straight in the eye and
25 said, "Look, bitch I don't care about you. I don't

1 care if you are going to have a baby. You had better
2 be ready. You are going to die and I don't feel
3 anything about it." And then Susan Atkins said she
4 killed her. She told Ronnie Howard another cellmate
5 that she just kept stabbing until Sharon Tate stopped
6 screaming. Susan Atkins was finished at that point.
7 She took a towel dipped it in Sharon Tate's blood
8 and then wrote the word pig on the front door.

9 Of course, as we all know that we have
10 gone over time and again in these hearings that
11 the motive of these murders was helter skelter. Not
12 the motive of the Hindman murder. The Hindman
13 murder was an out-and-out robbery, murder. Mr.
14 Manson believed that Mr. Hindman had come into an
15 inheritance and wanted that money to buy dunebuggys;
16 armaments. He had a gun room at Spawn Ranch that
17 actually had a biker, Danny Varcarlo who was in
18 charge of the gun room. They had machine guns, they
19 were preparing for war. And this war they were
20 preparing for was this black-white race war that they
21 were going to start by blaming the murders at the
22 Tate house and the next night at the LaBianca house
23 on blacks.

24 Susan Atkins has also admitted besides
25 murdering Sharon Tate that she stabbed Boycheff Talaskosky.

1 Borcheff Tsiakosky was stabbed 51 times. I believe
2 that most of those wounds were inflicted by Mr.
3 Watson but the initial wounds to Mr. Tsiakosky clearly
4 were inflicted by Susan Atkins. Susan Atkins at
5 this point of course had been involved in two murders.

6 But that didn't stop her because she
7 went out again the next night prepared to kill again.
8 We have talked in the past about this four hour
9 trip around the County of Los Angeles where at one
10 point and that -- I find it interesting the -- that
11 Ms. Atkins professes to be into religion now because
12 one of the people they were going to murder that
13 night was a minister. They were looking for a
14 minister of the Congregational Church in South
15 Pasadena and they were going to murder him and hang
16 him upside down to the cross in front of the church.
17 And this was a minister they didn't even know.

18 They just saw the church and let's go kill
19 the minister. But it was late at night and the mini-
20 ster wasn't there.

21 After VanHouton and Krimwinkle and Watson
22 were left at the LaBianca house they continued driving
23 around and ended up out in Venice and they were going
24 to kill an Israeli actor. Ms. Atkins and Steve
25 Grogan hid around the corner of his apartment house.

1 Fortunately, Linda Casavian knocked on the wrong
2 door intentionally because she didn't want to
3 participate in the murder that Mr. Atkins and Mr.
4 Grogan were armed and ready to kill this Israeli
5 actor and on the way home from there when they hitched-
6 hiked back to the Spawn Ranch Ms. Atkins sang
7 the song "Piggies" which was a Seattle's song and
8 the now infamous "White Album" which was one of
9 the motivators of these murders. Piggies not referring
10 to police officers but referring to people that held
11 9 to 5 jobs and that all these people that were
12 being murdered supposedly were piggies and that
13 is why Pig was written on the front door of the
14 Tate house.

15 The significance of this case of course
16 to the public and the American criminal justice system
17 is quite large. We are all aware that there has
18 been a continuous outcry from the public to not
19 release Ms. Atkins on parole. (Inaudible) I under-
20 stand thousands of people have written in to ask
21 that she be denied parole.

22 But, even apart from that, this case is
23 so important because this is the number one case.
24 Rightly or wrongly. Maybe there are cases that you
25 could say could be more brutal. But the public net

1 only in California but throughout the United States
2 views this at the top of the spectrum of crime and
3 they look to see what is happening with Ms. Atkins,
4 Ms. VanHouten, Ms. Krimminkle, Charles Manson and
5 Tex Watson. Because if any of these people were
6 paroled it would be a message to our society that
7 sooner or later everybody is going to get paroled
8 because these people participated in unbelievable
9 horror.

10 It is not just that it was a murder. It
11 was a political crime. The basis of all possible
12 motives trying to format a race war in our society
13 to tear our society apart. This is not -- If it
14 was the Hindman murder alone you would say okay. We
15 can understand that motive it is robbery. You see
16 a lot of robberies.

17 Here are a lot of people that come up
18 for parole have committed robbery murders but the
19 motive for the Tate and LaBianca murders is so bizarre
20 that it is just hard to comprehend and can we ever
21 really trust paroling one of these people into
22 society. The society that they wanted to in effect
23 destroy. Can we ever have confidence that Ms. Atkins
24 will go out and be a responsible citizen in society
25 when we know what she has done in the past? On behalf

1 of the Los Angeles District Attorney's office and
2 for myself I would ask that the Board to deny Ms.
3 Atkins' parole for three years. I find that it
4 is inconceivable that during the next three years
5 that she would be a suitable candidate for parole.
6 We have heard the psychiatric reports today. Even
7 a psychologist not a psychiatrist. But a psycholo-
8 gist has said that her personality is changing.
9 Even today.

10 We have Ms. Atkins talking in one of
11 her 115 about how she wants to hurt herself and that
12 this is part of her personality. She jumps from
13 this thing to that thing. Parole plans than she
14 does in prison. There is no stability here that
15 we can see.

16 If she doesn't have stability in a
17 structured prison setting, how can we believe that
18 she is going to have stability out in society?
19 The Board of course has certain guidelines that it
20 must follow included in Section 2281, Title XV, and
21 it seems like that these were written almost ex-
22 clusively for the Manson family. I mean they just
23 to fit into the category of Susan Atkins, Charles
24 Manson. I mean they are interchangeable.

25 We could be talking about any one of them

1 here but Ms. Atkins of course it talks about the
2 circumstances tending to show unsuitability. One,
3 the commitment offense. The prisoner committed the
4 offense and the especially heinous, atrocious and
5 cruel manner.

6 Well, her confession about her she murdered.
7 Sharon Tate. This poor, 8 1/2 month pregnant woman
8 all she wanted was to have her baby and that didn't
9 make a darn bit of difference to Susan Atkins. All
10 she wanted to do was stab her and write on the
11 front door with the woman's blood.

12 Multiple victims were attacked, injured
13 or killed in the same or separate incidents. Well,
14 again we are not talking about one murder. We are
15 talking about three separate murders and absolutely
16 no remorse on the part of Susan Atkins. As a matter
17 of fact after the Tate murder the only thing that
18 Susan talked about was that her head hurt because
19 Erocosky had pulled her hair at one point.

20 But nothing about the blood shed; the
21 fact that there were the victims at the Tate house
22 that suffered 102 stab wounds. The only thing that
23 she could think about was her own pretty little head
24 and that it hurt from Erocosky pulling her hair.
25 C: the victim was abused, defiled or mutilated during

1 or after the offense. Sharon Tate was stabbed
2 16 times; Frocosky 51 times; Hindman was stabbed
3 4 times; it goes on and on and on. B: which I
4 left out. The offense was carried out in a dis-
5 passionate and calculated manner such as an exe-
6 cution style murder.

7 Well, these murders were execution style.
8 Maybe not Hindman because Hindman maybe they would
9 have let him go if he had given over his property
10 which he didn't do and he got killed. But going
11 to the Tate house, going on the four hour trip
12 around the county of Los Angeles. They were specifically
13 looking for people to murder. And my gosh it could
14 have been anybody. It could have been anybody.

15 The Tate house was picked out before be-
16 cause some of the members of the family had been
17 there in the past. Not when Sharon Tate lived there
18 but when Doris Day's son Marty, a Terry Melser had
19 lived there and he had refused to give Manson a
20 recording contract and apparently this irritated
21 Manson but Manson knew that he didn't live there at
22 the time that Susan Atkins and her friends went up
23 there to commit murder.

24 But the LaBianca house was picked up
25 purely at random. Nobody had knew the LaBiancas.

1 The LaBiancas had never bothered anybody. Abso-
2 lute strangers. The motive for the crime is in-
3 explicable. This is Section E, well we have talked
4 about the motive. It is inexplicable. It is
5 unbelievable. Previous record of violence under
6 Subsection 2. I think that the statement that Ms.
7 Atkins made to the Oregon State Trooper upon him
8 finding a loaded gun on her possession is very in-
9 formative about Susan Atkins and we saw that Susan
10 Atkins did turn to violence. That was 1966 that
11 she had the run in with the Oregon State Trooper
12 and three years after that she was involved, strongly
13 involved in some of the most brutal crimes in the
14 history of our country.

15 Unstable social history is three. That
16 is contained in these reports. I don't think there
17 has been any real stability in her life travelling
18 around with Charles Manson to being a go-go dancer
19 at North Beach, unstable family life. The psychological
20 factors. I don't see maybe a small improvement in
21 Susan Atkins according to these psychiatrists. But
22 I don't see any major improvement even from Ms.
23 Atkins own words what we have heard here today and
24 Mr. Elliott's incisive questioning on the subject.

25 I mean this girl still has psychological

1 problems and problems that we should not foist out
2 on the public. She is in the right place now in
3 prison and if she is going to function well, let
4 her function well in prison first before anybody
5 even thinks of turning her out.

6 Again, to make absolutely clear my position
7 that she should never be paroled. In conclusion
8 I would ask the Board strongly to consider not
9 just denying her parole but to put off another hear-
10 ing until 1985. To come back year after year; the
11 Board is very conscientious, gives her a fair hear-
12 ing year after year but the facts are the same. The
13 facts have not changed -- this is her fifth parole
14 hearing and frankly I've been to all of them and
15 I haven't seen that much of a change in the facts,
16 enough of a change to warrant us thinking that to
17 come back here next year that she is going to be
18 in a position to be considered for parole. Thank you.
19 very much.

20 PRESIDING MEMBER CARTER: Thank you Mr.
21 Kay. Is there something for the record, Ms. Glen?

22 MS. GLEN: Do you wish to make your --

23 MR. MOSS: I think we will terminate. I
24 am going to be very brief.

25 MS. GLEN: Okay.

1 MR. MOSS: Unfortunately Mr. Kay has
2 resorted again to inflammatory remarks to prejudice
3 the Board against Susan Atkins and prejudice
4 the public against Susan Atkins. Mr. Kay fails
5 to realize that this is not supposed to be an
6 adversary hearing. I'm not seeking to retry according
7 to his accusation this case.

8 He apparently is trying to retry the
9 case as it was presented by the prosecution a long
10 time ago. My point, which I have made, is to try
11 bring, analyze this case dispassionately and ob-
12 jectively in the full context of the circumstances
13 bringing into focus the aggravating and the miti-
14 gating circumstances. It is not one way or the
15 other. There are a combination of circumstances which
16 have to be evaluated in the case. Susan has asked
17 me to be brief so I will be brief.

18 In the opinion of the correctional staff
19 and the psychological staff, Susan is suitable for
20 parole. She is not a danger to society and there
21 is no indication that she would reoffend or be
22 violent upon her return to society. She is mentally,
23 behaviorally and emotionally reformed. She is a
24 completely different person than she was. There
25 have been demonstrable significant changes contrary

1 Deputy District Attorney's remarks that he can
2 see only a small change. I'm not going to confront
3 each and every remark because it is not an adver-
4 sary hearing.

5 Suffice it to say, that when this Board
6 is ready to make the decision that she has earned
7 her right to parole and therefore grant her parole
8 Susan Atkins will be ready. Submitted.

9 PRESIDING MEMBER CARTER: Ms. Atkins
10 do you have anything?

11 INMATE ATKINS: I have nothing further to
12 say.

13 PRESIDING MEMBER CARTER: The time is
14 now approximately ten after four o'clock. We are
15 going to run a recess. We would ask that the inmate
16 leave first.

17 (Off the Record, Deliberation)

18 PRESIDING MEMBER CARTER: The Susan Atkins
19 hearing is reconvening and we will note that we
20 have a couple of absences. The inmate, Ms. Atkins
21 has chosen not to return for the decision. The
22 Associated Press representative, Jackie Hyman has
23 not returned and the decision is that this panel
24 has found Susan Atkins unsuitable and it is a unanimous
25 decision for parole setting at this time. And that

1 if her release at this time would pose an unreasonable
2 risk to the safety of the public. The factors that
3 we considered were the prisoner's prior history.

4 The prisoner has two prior arrests for
5 possession of a concealable weapon and for drug
6 violations in 1966 and 1968. The commitment offense
7 also involved the use of drugs and weapons. The
8 commitment offenses include seven counts of first
9 degree murder; the offenses occurred over a period
10 of time and involved planning and forethought. The
11 multiple murder victims were attacked and killed
12 in several separate incidents. Several of the
13 victims were defiled and mutilated by the prisoner
14 and her crime partners. The offenses were carried
15 out in a manner which demonstrates an exceptionally
16 callous disregard to human suffering in that the
17 victims were shot or stabbed numerous times by the
18 prisoner and her crime partners. The commitment
19 offenses shocked the conscious of the community
20 and of the nation.

21 Institutional adjustment. The prisoner's
22 in-prison behavior indicates an increasing ability
23 to adapt to her environment. Her recent 115s indi-
24 cate a lack of good judgment however. And her
25 marriage to a virtual con man is also seen as a

1 continuing pattern for poor choice of affiliations.
2 Her poor judgment and poor choice of friends played
3 a large part in the commitment offenses. Psychiatric
4 evaluations while they tend to indicate a level of
5 improvement in this area they do not strongly support
6 parole readiness. This panel takes this opportunity
7 to commend the prisoner for obtaining her A.A. degree
8 with a high grade point average; for her partici-
9 pation in vocational upgrading and for her laudatory
10 work reports.

11 We also commend her for her participation
12 in the long term-lifer's group, religious activities
13 and other self help activities. We recommend to
14 her that she remain disciplinary free; continue
15 in vocational upgrading; and participate in therapy
16 when available.

17 In relations to the setting of her next
18 hearing date, this panels finds that she comes with-
19 in the definition of Penal Code Section 3041.5B2 and
20 we find that it is not reasonable to expect that
21 parole would be granted and a hearing during the
22 following years and for that reason we set her next
23 parole date three years hence in 1985. This ends
24 the reading of the hearing of the results, the decision
25 in the hearing. I'll offer -- Will you see your

client?

MR. MOSS: Well, not today. I'll send it to her.

PRESIDING MEMBER CARTER: We can leave this with the institution. Are there any final statements?

MR. MOSS: No. No thank you.

PRESIDING MEMBER CARTER: This ends this hearing. Thank you, gentlemen.

MR. MOSS: Thank you very much.

PRESIDING MEMBER CARTER: The time is approximately 5:00 o'clock.

(Thereupon, the hearing before the Board of Prison Terms in the Matter of Inmate Susan Atkins, W-8304-A, was concluded at 5:00 p.m.)

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CERTIFICATE OF TRANSCRIBER

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2
3 I, CURT BARNETT, an employee and
4 transcriber for MM. E. HENDERSCHIED & ASSOCIATES, do
5 hereby certify:

6 That I am a disinterested person herein; that the
7 foregoing Board of Prison Terms hearing was transcribed
8 by me into typewriting from electronic tape recording
9 produced by the Board of Prison terms.

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

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 4th day of January, 1983.

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16 

17
18 (Signature)
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