

1 LIFE TERM PAROLE CONSIDERATION HEARING
2 STATE OF CALIFORNIA
3 COMMUNITY RELEASE BOARD
4

5 In the Matter of the Life
6 Term Parole Consideration
Hearing of:

7 ROBERT KENNETH BEAUSOLEIL.
8

CDC Number B-28302

9 ORIGINAL
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12 DEUEL VOCATIONAL INSTITUTION
13 ADMINISTRATION BUILDING
14 TRACY, CALIFORNIA
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20 TUESDAY, AUGUST 15, 1978
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25 FRANCES ANN PETERSON
Shorthand Reporter

MEMBERS PRESENT

- Mr. A. Smith, Presiding Officer
- Mr. R. C. Brown, Board Member
- Mr. R. Burton, Board Member

ALSO PRESENT

- Mr. Robert Kenneth Beausoleil, Inmate
- Mr. Peter C. Pumphrey, Attorney for Inmate Beausoleil
- Mr. Ronald Ross, Head Deputy District Attorney,
Long Beach Branch

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	<u>Page</u>
Proceedings	1
Recess	54
Resumption of Proceedings for Findings of Board	55
Adjournment	59
Certificates of Reporter	60

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1 considering the number and nature of the crimes for which
 2 you were committed to state prison, your criminal history or
 3 lack of it prior to the commitment, and your behavior since
 4 your commitment. We will reach a decision and inform you
 5 whether you are suitable for parole or not and why, and if
 6 you are found suitable, the length of your confinement and
 7 the specific factors leading to this determination.

8 This hearing will proceed in the following
 9 manner: We will be initially discussing precommitment
 10 factors and the offense, which I will handle. Mr. Brown
 11 will be discussing institutional factors. And Mr. Burton
 12 will be discussing your plans upon release. We will
 13 initially cover the offense, and the Deputy District
 14 Attorney will have a chance to enter anything he wishes to
 15 at that point in time. You will, of course, have a chance
 16 to speak to that point also, Counselor.

17 Okay. At this point in time I'd like to indicate
 18 that you are here on a murder one count, 62370, out of
 19 Los Angeles County. And this is for an offense occurring
 20 July 25th, 1969, which indicates that you, Susan Atkins,
 21 and Mary Brunner went to the home of Hinson --

22 INMATE BEAUSOLEIL: Hinman.

23 PRESIDING OFFICER SMITH: Hinman. Thank you --
 24 at the request of Manson for the purpose of extorting
 25 \$20,000 which Manson and his family believed Hinman to have.

1 After initial attempts to secure said money were unsuccess-
 2 ful, Beausoleil pulled a 9 millimeter gun on Hinman, and
 3 during the ensuing struggle struck Hinman over the head
 4 causing head wounds.

5 Thereafter Beausoleil called Manson and told
 6 Manson that Gary Hinman was not cooperating. Manson
 7 arrived at Hinman's house with Bruce Davis shortly there-
 8 after and told Hinman that they wanted all his money and
 9 property and that they meant business. Manson thereafter
 10 slashed Hinman across the face with a sword, severing his
 11 left ear. Shortly thereafter Manson and Davis left
 12 Hinman's house, leaving Atkins, Beausoleil, and Brunner to
 13 remain with the stricken Hinman. The latter three remained
 14 in Hinman's house for another day and a half, keeping
 15 Hinman hostage while they were attempting to find out where
 16 Hinman kept his alleged money,

17 Upon determining that Hinman did not have the said
 18 \$20,000, Beausoleil called Charlie Manson and received
 19 orders to kill Hinman. Before killing Hinman, Hinman was
 20 required to sign over the pink slips to his two automobiles.
 21 On Sunday, July 27th, 1969, following dinner, Beausoleil
 22 stabbed and killed Gary Hinman. Beausoleil thereafter told
 23 Atkins and Brunner to wipe the house down for prints and to
 24 write something on the wall in Hinman's blood to make it
 25 look like the Black Panthers had killed Hinman. The words

1 "political piggy" and a symbol of the Black Panther paw
2 were written in blood on the wall.

3 On August 6, 1969, Beausoleil was arrested in
4 San Luis Obispo in Hinman's automobile.

5 That is the data that the panel has available
6 from the 1203.01 statement and from the probation report
7 which is being used as a basis. And, of course, you will
8 have a chance to present any information that you feel
9 varies with this report.

10 Do you wish your client to testify, Counselor?

11 MR. PUMPHREY: I believe that he will have
12 testimony to present to the Board, yes, sir.

13 PRESIDING OFFICER SMITH: Okay. Would you please
14 rise and raise your right hand.

15 (Thereupon Inmate Robert Beausoleil
16 was, by the Presiding Officer, sworn
17 to tell the truth, the whole truth,
18 and nothing but the truth.)

19 INMATE BEAUSOLEIL: I do, sir.

20 PRESIDING OFFICER SMITH: Thank you.

21 Counselor, is there anything you'd like to have
22 him bring out in regard to what we've mentioned?

23 MR. PUMPHREY: Yes. I'd simply ask
24 Mr. Beausoleil if the facts as recited by Mr. Smith
25 constitute an accurate rendition of the facts surrounding

1 the circumstances of the offense.

2 INMATE BEAUSOLEIL: Some of them, not all of them.

3 MR. PUMPHREY: Would you care to explain to the
4 Board those areas in which you feel the facts are
5 inaccurate?

6 INMATE BEAUSOLEIL: Where to begin? I think I
7 would have to begin with number one, I was not in Gary
8 Hinman's house 48 hours. I was there approximately 24.
9 There was no incident between Gary Hinman and Charlie
10 Manson, and I am in fact responsible for Gary's wound,
11 initial wound. And I am in fact responsible for killing him.
12 And as far as the motive, this was a theory, the District
13 Attorney's theory. And having no other -- I didn't
14 testify and I didn't give any statement to the authorities
15 at the time. I wish now that I had. I probably could have
16 -- In fact, I had a discussion with Burton Katz, who
17 prosecuted me, about two or three months ago, and I told him
18 what had happened. It probably would have made a lot of
19 difference if I'd have discussed the situation with him
20 before, the circumstances.

21 PRESIDING OFFICER SMITH: What happened as far as
22 you are concerned? What did go down? Why did this offense
23 occur?

24 INMATE BEAUSOLEIL: It started approximately a day
25 and a half, two days before I went to Hinman's house, or at

1 least the time I went to Hinman's house with the two girls.
2 I was trying to do some favors or a favor for some friends
3 or some people that were staying at the ranch. And there
4 was several members of a motorcycle club staying at Spahn
5 Ranch, Straight Satans motorcycle club.

6 Anyway, I volunteered to score some mescaline for
7 them from Gary Hinman. Gary Hinman was a drug dealer
8 working out of Topanga Canyon. And I went to Gary Hinman's
9 house and I arranged a thousand dollar exchange for what I
10 believed to be mescaline. And I took it to the motorcycle
11 club, and it turned out to be -- they came back to me and
12 told me it was strychnine and they wanted their money back.
13 So I went to Gary Hinman's house. And I mean they put me
14 kind of in a very bad position, you know, because I had a
15 motorcycle club coming to me for a thousand dollars. They
16 want their money, and I'm expected to give it to them
17 because I was the one that took it from them. So I had to
18 collect it from Gary Hinman.

19 So I went to his house, and I went to his house
20 armed to the teeth with a 9 millimeter Radam and a knife
21 that I always carried. And I told him that I wanted the
22 money back. He said he didn't have it anymore. His
23 attitude was like that he didn't really believe I was
24 serious.

25 I think probably the stupidest thing I did in the

1 whole thing -- I mean, it was all pretty stupid -- but
 2 probably the most stupid thing I did was taking those girls
 3 with me. I don't know what I was trying to prove by doing
 4 that, but I did take Mary Brunner and Susan Atkins with me.
 5 While at Gary Hinman's house I -- he said he didn't have the
 6 money any longer; he turned it over or whatever. So I was
 7 looking around the house for something that might be worth
 8 a thousand dollars that I could give to these people. And
 9 I gave the gun to Susan Atkins, and I told -- I, you know --
 10 I didn't -- I knew damn well that she wouldn't do anything,
 11 but it would serve the purpose if Gary Hinman thought that
 12 she would in fact shoot him if he tried to take the gun away
 13 from her or something.

14 So I left her in the kitchen with Gary Hinman,
 15 with her holding the gun. And I went out in the living room
 16 trying to find something worth a thousand dollars. And the
 17 next thing I knew she is screaming that Gary's got the gun.
 18 And I came running into the kitchen, and he's got the gun.
 19 He's pointing it at me, and I'm in a stand-off situation.
 20 I got my knife out, and we're in just kind of a Mexican
 21 stand-off kind of situation. I didn't think -- I took a
 22 chance. I didn't think that he would shoot if I made any
 23 attempt to get the gun away from him. And I was right.
 24 I dove at him, and during the scuffle, that's when he got
 25 his face cut. He got -- His ear was nicked, and he got a

1 slice on his cheek. I took the gun away from him and
 2 calmed down. And he realized that I wasn't kidding. I
 3 wanted something, some kind of compensation so I could get
 4 the motorcycle club, get them off my back. And I discussed
 5 this with him for awhile. And he finally came up with the
 6 idea of him giving his two -- He had two beat-up cars, an
 7 old Fiat with a Toyota engine in it and a Volkswagen bus
 8 with a smashed-in front. And we figured that that would be
 9 worth maybe a thousand dollars between the two of them.

10 So he signed over his pink slips. I had him
 11 predate them so that he couldn't arrange for new pink slips.
 12 I had him predate them about nine days, I think, ahead so
 13 that he wouldn't be able to go to the Department and say
 14 that he had lost his registration or whatever, in other
 15 words. So we could -- The property would be turned over
 16 that quick, given to the motorcycle club, and it would be
 17 over with. That was the idea. At least that was what I
 18 had in mind.

19 I stayed with Gary Hinman that day, the following
 20 day. I took care of his ear. I sewed his ear with some
 21 dental floss. His cheek would have healed up fine. It was
 22 closed; it was a real thin cut. And I figured everything
 23 was -- you know, we were square. He's on the wrong side of
 24 the law being a dealer. And we took care of it the way I
 25 thought it was taken care of in this kind of a situation.

1 I wasn't into trafficking drugs or anything. I was just
2 trying to do somebody a favor.

3 Anyway, that evening I waited till I figured that
4 he was calmed down and the bleeding had stopped in his ear
5 and his cheek. I was ready to leave the next evening.
6 And on my way out he said that he was going to blow the
7 whistle on me when I left for assault and whatever. And I
8 just made a choice whether I wanted to take that chance.

9 PRESIDING OFFICER SMITH: Again, I'm having a
10 problem because I am going to the appeal document now that
11 was submitted to the Second Appellate District. And
12 apparently they made a complete review of the testimony of
13 the trial and to some of the questions brought up during
14 that trial. They indicate that defendant testified in his
15 own behalf to the following effect.

16 INMATE BEAUSOLEIL: Right.

17 PRESIDING OFFICER SMITH: And then gave
18 substantially the same story as I read here as to what
19 occurred. Defendant testified in his own behalf to the
20 following effect: At Manson's request he went to Brunner
21 and Atkins' home and asked for money for the family. He
22 carried a knife which Manson had given him, but not a gun.

23 INMATE BEAUSOLEIL: In my trial, in my second
24 trial -- My first trial ended in a hung jury. There was no
25 defense testimony presented. The second trial I was -- I

1 testified in my own behalf, and I testified that Manson
2 had killed Gary Hinman, which was a fabrication. What I
3 did with -- I merely seconded pretty much the District
4 Attorney's theory and just put myself into a different, a
5 different position.

6 PRESIDING OFFICER SMITH: Now, other people
7 testifying at that time would appear, however, to
8 corroborate some of your story, not about Manson killing
9 Hinman, but on some of the others, indicating you were
10 armed with a knife in a sheath and the pillow situation
11 and that type of thing, indicating that the victim would
12 not cooperate and was beaten by you rather than a fight
13 situation.

14 INMATE BEAUSOLEIL: I didn't beat him.

15 PRESIDING OFFICER SMITH: But you are indicating
16 that during that ruckus that he was cut; is that correct?

17 INMATE BEAUSOLEIL: Yes, I did -- Beating him,
18 I interpreted that was like I was on top of him pummeling
19 him or something, which isn't in fact true. I did hit him
20 with the gun during or after the scuffle.

21 PRESIDING OFFICER SMITH: What was he cut with?

22 INMATE BEAUSOLEIL: He was cut with my knife.

23 PRESIDING OFFICER SMITH: Your knife. There was
24 some point about a sword at one point.

25 INMATE BEAUSOLEIL: There was no sword there.

1 That's kind of ridiculous. I carried a knife in a sheath
2 all the time on my belt.

3 PRESIDING OFFICER SMITH: Now, you indicated you
4 were there for 24 hours. When did you go into the house
5 first?

6 INMATE BEAUSOLEIL: The evening before.

7 PRESIDING OFFICER SMITH: Of the, what?

8 INMATE BEAUSOLEIL: I'm not sure of the date.

9 PRESIDING OFFICER SMITH: Was it a Friday
10 evening?

11 INMATE BEAUSOLEIL: I'm not positive. It's been
12 a long time.

13 PRESIDING OFFICER SMITH: You indicate you were
14 only there for 24 hours.

15 INMATE BEAUSOLEIL: 24 hours. We went there
16 approximately -- it was after dark, just after dark, and
17 left there about the same time the next day.

18 PRESIDING OFFICER SMITH: Now, the stabbing
19 incident that terminated Mr. Hinman's life, how did that
20 take place?

21 INMATE BEAUSOLEIL: It was just after he told me
22 that he was going to blow the whistle on me.

23 PRESIDING OFFICER SMITH: Okay. And how many
24 times was he stabbed?

25 INMATE BEAUSOLEIL: Twice.

1 PRESIDING OFFICER SMITH: Twice. Did he die
2 immediately?

3 INMATE BEAUSOLEIL: Yes.

4 PRESIDING OFFICER SMITH: Okay. Then the
5 statement, you are saying, in regards to the use of the
6 pillow to stop the noise wasn't correct?

7 INMATE BEAUSOLEIL: No. There was a pillow used
8 to stop the noise. What I mean to say is that he did in
9 fact die immediately after he was stabbed. It was very fast.
10 But I don't know what you'd call it exactly. I don't know
11 what the coroner would call it. It was like death throes.

12 PRESIDING OFFICER SMITH: You indicated that you
13 sewed up his ear. When did that happen?

14 INMATE BEAUSOLEIL: That was during the day.

15 PRESIDING OFFICER SMITH: During the day.

16 INMATE BEAUSOLEIL: Well, early in the morning
17 after we had already straightened out the pink slips and
18 whatnot.

19 PRESIDING OFFICER SMITH: By "early in the
20 morning", what do you mean, "early in the morning"?

21 INMATE BEAUSOLEIL: Well, it was that evening,
22 that night, that we had arrived that he was -- we had the
23 incident over the gun. It was the next morning after we
24 had straightened out all the other business as far as
25 settling the, you know --

1 PRESIDING OFFICER SMITH: What's the time frame?
2 Can you give me a time between it happening and the sewing
3 up?

4 INMATE BEAUSOLEIL: Maybe four hours, three hours.

5 PRESIDING OFFICER SMITH: What did you have to do
6 to get him to sign the pink slips?

7 INMATE BEAUSOLEIL: Nothing. I mean, it was
8 understood, you know, that I was there for business and I
9 wanted the thousand dollars back, period. And he realized
10 the fact that I was serious about it, and he didn't fight
11 me about that.

12 PRESIDING OFFICER SMITH: Panel, any questions?

13 BOARD MEMBER BROWN: Yes, I do.

14 What makes you decide, now you say things that
15 you didn't say at the time of the trial?

16 INMATE BEAUSOLEIL: I have changed in a lot of
17 ways in the last nine years. I am just a lot more willing
18 to take responsibility for my own actions. This isn't the
19 first time I brought this out. I brought it out two and a
20 half years ago when I was before the Board that time.

21 BOARD MEMBER BROWN: My question is is it your
22 statement that Manson did not cut this man's ear with the
23 sword?

24 INMATE BEAUSOLEIL: No, he didn't.

25 BOARD MEMBER BROWN: You did?

1 INMATE BEAUSOLEIL: Right. The only time Manson
2 ever came anywhere in the proximity of Gary Hinman's house
3 is when I called him, when I called the ranch and asked for
4 somebody to come over and pick up one of the cars because I
5 couldn't drive both of them back.

6 BOARD MEMBER BROWN: Then there is some discussion
7 about something being written on the wall in blood. Who did
8 that?

9 INMATE BEAUSOLEIL: One of the girls did.

10 BOARD MEMBER BROWN: Why was that done?

11 INMATE BEAUSOLEIL: Well, you got to remember, you
12 know, I'm -- I wasn't thinking too clearly at the time. My
13 logic at the time was that Gary Hinman was a political
14 science major and his walls were lined with books concerning
15 politics and whatnot, with the emphasis on Marxist
16 philosophies and that sort of thing. He regularly received
17 Communist-type literature, periodicals and whatnot. And I
18 don't know if he was an active member or not, but by
19 appearance anyone would assume that he was. And I just
20 figured that some kind of slur or some kind of a -- if it
21 was -- if the murderer had left some kind of a thing that --
22 to make it look like it was some kind of a factional dispute
23 with his people or whatever, would take some of the
24 authorities in a direction away from me, hopefully.

25 BOARD MEMBER BROWN: Tell me specifically, what

1 was it that made you change your mind and decide to give
2 this version of events? What thing changed? You have been
3 here a long time; but it could have happened year one,
4 year two, three, four, five. What actually made it happen
5 in, you said in 1976?

6 INMATE BEAUSOLEIL: Well, I'll tell you. At the
7 time of my trial my folks, as soon as they found out I was
8 in jail, they came to jail and they supported me. And they
9 immediately assumed that I was an innocent young man.
10 Their son was innocent. And I just didn't have the heart
11 to break that illusion, to shatter that illusion at the
12 time. It's been a hard thing for me to come to terms with
13 this whole thing. I mean, I have never had to face
14 anything like this in my whole life. Just face up to it
15 and accept responsibility for myself just took a number of
16 years. That's all. I don't know how to explain it any
17 other way to you.

18 BOARD MEMBER BROWN: Now, you said you talked,
19 recently talked to the District Attorney in Los Angeles
20 County.

21 INMATE BEAUSOLEIL: Yes.

22 BOARD MEMBER BROWN: Why were you talking with
23 him?

24 INMATE BEAUSOLEIL: Well, he came up here. There
25 was another guy here that has a case that related to the

1 Manson thing, and his -- this was the Shorty Shea killing.
2 They have never found the body of Shorty. They convicted
3 him and never found the corpus delicti. I talked to him
4 about it, and I said, "Man" -- you know, he's been denying
5 it for years and years, that he had anything to do with it.
6 I said, "Man, that's not going to do you any good, you
7 know. You have got people saying that you tortured
8 somebody," and he didn't. And that Gary Hinman -- or that
9 Shorty Shea had been beheaded, which he hadn't been. I
10 said, "Man, you can carry that and be the tough guy all
11 you want, but it's not going to -- you can be the tough
12 guy for the next 20 years in prison. Big deal." I said,
13 "If you want to prove that you didn't cut the guy's head
14 off, tell them where the body is." So he did.

15 He got in touch with the District Attorney
16 through the authorities here. And when he came up, Burton
17 Katz and one of his associates came up here to interview
18 this inmate, he called me in and talked to me. I discussed
19 the case with him.

20 BOARD MEMBER BROWN: You came to grips with this
21 then in about 1976. Is that right?

22 INMATE BEAUSOLEIL: No, before that. That was
23 the first righteous opportunity that I had to bring it up,
24 was at my Board hearing.

25 BOARD MEMBER BROWN: It was in 1970-what then

1 that you came to grips with this?

2 INMATE BEAUSOLEIL: Probably about two years
3 before I went to the Board.

4 BOARD MEMBER BROWN: '74. Okay. That's all I
5 have.

6 PRESIDING OFFICER SMITH: I might indicate for the
7 record that the 1976 Board report does give substantially
8 the same story as you gave us today in regards to that.

9 Mr. Ross, is there anything you'd like to bring
10 forward from your viewpoint in regards to what's been brought
11 up so far?

12 MR. ROSS: Yes, just a couple of things. Some of
13 the things I think Mr. Beausoleil is saying for the first
14 time are considerably different, as you have indicated, from
15 what was said previously. A couple of the things I should
16 think, in fairness to Mr. Beausoleil, were borne out at the
17 trial. I tried Mr. Beausoleil the first time, which ended
18 up in a hung jury. And there was evidence that the ear was
19 in fact sewn up with dental floss. It appears, according to
20 the coroner's report, there was also an indication that it
21 was considerably more than a nick to the ear. As a matter
22 of fact, the ear was severed by some large instrument. It
23 could have been a knife; it could have been a sword. No one
24 knows for sure. The coroner also stated that the nature of
25 the wound, in seeing how it was sutured up, if it had not

1 been cared for, it would probably, could well have resulted
2 in death from loss of blood.

3 As far as the other is concerned, Susan Atkins,
4 as a matter of record, testified at her preliminary hearing,
5 which I conducted in 1969, to some corroborating points of
6 his story. In connection with her being in the kitchen at
7 the time that the gun was pulled, she was holding the gun
8 apparently on Mr. Hinman. And there was a struggle in the
9 kitchen. Mr. Beausoleil did come in and apparently struck
10 Mr. Hinman at that time. That was her version of the story.
11 However, there was no overtone at any time to my
12 recollection concerning anything as far as dope dealing is
13 concerned. Miss Atkins did not state anything of that
14 nature at all during her hearing. And this, of course, is
15 complete news to me until I heard it from Mr. Katz not too
16 long ago. He indicated that he had come up and seen
17 Mr. Beausoleil, and he had indicated a new version of the
18 story.

19 The other part of the story, when I originally
20 tried the case there was no indication, of course, of
21 anyone known as Charles Manson. Mr. Manson was unknown to
22 law enforcement at that time. It was only during the course
23 of the trial that this broke, and we had the testimony of a
24 Mr. DeCarlo concerning this aspect of the case. It was a
25 considerably different case that was tried the second time

1 by Mr. Katz. I must say for Mr. Beausoleil, he didn't say
2 anything in his defense, any kind of a story. There was
3 simply no defense in the case the first time.

4 Looking at the case itself and looking at the
5 factors to be considered by the Board, I would just merely
6 point out that there do seem to be a number of aggravating
7 factors in connection with the case. The Board has before
8 it the statement in the resume of the testimony and the
9 conclusion and finding of the Appellate Court as indicated
10 on page 20 of that opinion toward the bottom.

11 INMATE BEAUSOLEIL: Pardon me. Is it all right
12 if I smoke?

13 MR. ROSS: The last sentence of page 20 of the
14 Appellate opinion.

15 PRESIDING OFFICER SMITH: One second, if you would,
16 Counsel.

17 MR. ROSS: Sure.

18 PRESIDING OFFICER SMITH: Okay.

19 MR. ROSS: Where the Court states that the
20 evidence showed only the premeditated murder by torture in
21 the course of a robbery. It appears that that's what the
22 theory of the case was from beginning to end, and I see
23 nothing to dispel that at this time or at any time during
24 the course of the trial. The facts would seem to indicate
25 that this was a rather aggravated felony murder case, that

1 Mr. Beausoleil during the course of a subsequent proceeding
2 in Los Angeles made threats toward a number of individuals,
3 as can be seen from the reports that you have received from
4 the sheriff's office and from the District Attorney's
5 office in Los Angeles.

6 I was somewhat peripherally involved in that case.
7 I did not try it, but I did select the jury in that case.
8 That was tried by a different person, a man who was working
9 for me at that time. I am sure Mr. Beausoleil has in some
10 ways changed in a period of nine years. As a matter of
11 fact, I didn't even recognize him when I saw him. However,
12 appearances change; I'm not sure whether the attitude of
13 Mr. Beausoleil has changed. It certainly hadn't in 1973
14 when he testified in connection with the robbery where he
15 made those threats.

16 I have nothing further.

17 PRESIDING OFFICER SMITH: I do have one question
18 for you, Mr. Ross. Time frame has been brought into
19 question. Was there any specific evidence brought out on
20 the time frame from initial entry to the death of
21 Mr. Hinman?

22 MR. ROSS: I cannot frankly remember. There was
23 some indication that they came there, I believe it was on a
24 Friday night, and they were there a couple of days is my
25 recollection. It was impossible for the coroner to tell

1 how long that wound had existed before Mr. Hinman actually
2 died because of the advanced stage of decomposition of the
3 body when the body was actually found. So I can't really
4 give you much reference.

5 PRESIDING OFFICER SMITH: Other than what's in
6 the official records.

7 Panel, do you have any questions?

8 BOARD MEMBER BROWN: I have none.

9 BOARD MEMBER BURTON: No.

10 PRESIDING OFFICER SMITH: Counsel?

11 MR. PUMPHREY: No, I have no questions.

12 PRESIDING OFFICER SMITH: I would like to indicate
13 for the record that there does not appear to be any
14 indication of prior criminal convictions prior to this
15 offense. He was arrested on several occasions. However,
16 none of them resulted in convictions. The most serious one
17 would have been the arrest on auto theft which resulted in
18 his being returned, I understand, to L.A. County for
19 prosecution on this murder charge. This is Mr. Hinman's
20 vehicle, from what I understand.

21 MR. ROSS: Yes, that's correct.

22 PRESIDING OFFICER SMITH: There was a robbery
23 arrest for which he was held two days and released. No
24 disposition. That's all we have in terms of prior history.

25 Did you have any juvenile record at all?

1 INMATE BEAUSOLEIL: Runaway.

2 PRESIDING OFFICER SMITH: Runaway. Out of control?

3 INMATE BEAUSOLEIL: Yes.

4 PRESIDING OFFICER SMITH: Did you do any time on
5 that?

6 INMATE BEAUSOLEIL: Yeah, I went to camp for about
7 nine months.

8 PRESIDING OFFICER SMITH: Nine months. Was there
9 any other juvenile record?

10 INMATE BEAUSOLEIL: No.

11 PRESIDING OFFICER SMITH: Were you on probation for
12 that after you got out of camp?

13 INMATE BEAUSOLEIL: Oh, yeah, for a little while,
14 about six months, I think.

15 PRESIDING OFFICER SMITH: What did you do when you
16 ran away? Where did you go to?

17 INMATE BEAUSOLEIL: I went and stayed with my
18 grandmother.

19 PRESIDING OFFICER SMITH: Panel have any further
20 questions on the offense or preconviction factors?

21 BOARD MEMBER BROWN: I don't.

22 PRESIDING OFFICER SMITH: Okay. At this point in
23 time then we'll move into institutional adjustment.

24 BOARD MEMBER BROWN: Okay. We are going to look in
25 the following areas: one is to see what has happened relative

1 to your psychiatric evaluations. We will be looking at
2 your disciplinary record, any educational efforts you may
3 have made, any vocational efforts you may have made, and in
4 general what your institutional adjustment has been.

5 So as a starting point we are going to look at
6 the psychiatric area. And I notice there have been a
7 number of psychiatric and psychological reports prepared in
8 this particular case. And they start out with none, where
9 you refused to participate in a psychiatric evaluation, so
10 none could be made. And then they have proceeded on
11 through the years from essentially negative on to fair on
12 to release plans should not be based on psychiatric problems
13 but on other than that. And I have noted a series of
14 psychiatric and psychological evaluations, starting
15 January 4th of '74; another February 20th of '76; one on
16 10/7/77; and the latest on 7/3/78, I guess. Beginning back
17 in 1970 you refused to be interviewed by psychiatric staff.
18 Why was that?

19 INMATE BEAUSOLEIL: I never did refuse as a matter
20 of fact.

21 BOARD MEMBER BROWN: What happened?

22 INMATE BEAUSOLEIL: The doctor took it as a
23 refusal.

24 BOARD MEMBER BROWN: What did you say or not say?

25 INMATE BEAUSOLEIL: Well, I didn't say anything.

1 He called me in to interview me one time. So I sat down,
2 and he talked about his family problems and whatnot. And he
3 didn't really talk to me. And so the second time he sent me
4 a ducket --

5 BOARD MEMBER BROWN: This was while you were on
6 condemned row?

7 INMATE BEAUSOLEIL: Right -- No. In fact, I was
8 never interviewed while I was on condemned row. This was
9 when I came to the mainline. I think it was Dr. Smith that
10 called me.

11 BOARD MEMBER BROWN: This was a Dr. Drummond. Do
12 you recall him on January 6th, '70? This would have been
13 before you got to -- actually received. You were talking to
14 a Dr. --

15 INMATE BEAUSOLEIL: I was never even asked in '70
16 to see a psychiatrist.

17 BOARD MEMBER BROWN: This one is dated
18 January 6th, '70, shows condemned. And it shows that
19 "subject's refusal to be interviewed by psychiatric staff
20 convinces evaluation of his mental or emotional condition."
21 You don't recall that?

22 INMATE BEAUSOLEIL: I don't recall anyone even
23 attempting to see me on that one.

24 BOARD MEMBER BROWN: Then there is one on
25 January 11th of 1977 which says, "Subject refuse

1 examination by the neuropsychiatric committee." And this
2 was again at San Quentin. Do you recall that one?
3 Dr. Kleinmaier, Dr. Reeves, and a Dr. Rhodenbush.

4 INMATE BEAUSOLEIL: What is the date on that?

5 BOARD MEMBER BROWN: January 11th, 1971, shows on
6 condemned. Again, you were on condemned row.

7 INMATE BEAUSOLEIL: I don't recall it.

8 BOARD MEMBER BROWN: Okay. Then let's move on
9 to -- It would appear in 1974 there was a psychiatric
10 evaluation which is dated 1/4/74. This was prepared by a
11 D. V. Stocking, Correctional Counselor II, and approved by
12 an E. J. Reeves, who was the acting chief psychiatrist.
13 This would have been at San Quentin again. Do you recall
14 that one?

15 INMATE BEAUSOLEIL: This is when?

16 BOARD MEMBER BROWN: January of '74.

17 INMATE BEAUSOLEIL: Yes, I recall that one.

18 BOARD MEMBER BROWN: Okay. And at that time he
19 felt in his conclusions that no psychiatric gains had been
20 made at that time, "violence potential unprovoked is low,
21 provoked is high. No medication is prescribed."

22 Then the next one we see is '76, February 16th of
23 1976. And again in his conclusion, "His potential for
24 violence within an institutional setting is seen as being
25 about moderate, particularly when being placed under any

1 stress, but outside is quite unpredictable," and in his
2 opinion is still high.

3 Then we move on to 1977, Dr. Mackenberg. And at
4 this time he noted some gains that had been made in his
5 recommendations. And he said, "He would appear capable of
6 functioning in a realistic way here in prison. There would
7 not appear to be any psychiatric contraindications to
8 parole of any kind, and that his parole preparedness should
9 not be based upon psychiatric or psychological difficulties."

10 And then on into 1978, July 3 of 1978. This is a
11 Dr. Macomber. "Appears to be gradually maturing over the
12 years. There was no evidence of psychopathology which would
13 require other than routine handling in this case due to the
14 absence of serious mental or emotional problems that would
15 contribute to violence potential. It was recommended that
16 this case be handled on its legal merits only."

17 Do you have any comments in that area relative to
18 what's happened over the years in that regard?

19 INMATE BEAUSOLEIL: Yeah, I do.

20 BOARD MEMBER BROWN: What?

21 INMATE BEAUSOLEIL: When I was first arrested I
22 was 21 years old. And this was at the end of the sixties.
23 A lot of -- There was a lot of problems in the world, and
24 like a lot of youth at that time I was rebellious,
25 resentful. I have done a lot of growing up since then. I

1 have had to just to survive, really. I have had a lot of
2 time to look at myself. I don't -- If you could understand
3 what kind of a situation I have been put in all of a sudden
4 in my life at 21 years old. I mean, I was still a
5 youngster, really. It seemed like the whole world had
6 caved in on me on this case, you know, being associated with
7 the Manson family thing when in point of fact I was never a
8 member of the Manson family. I have never done anything
9 under orders from Charles Manson. It's just -- I was in
10 jail at the time the Tate-LaBianca murders happened, and
11 yet I have been tied up in this whole thing, you know.

12 The second trial was just completely, in
13 comparison -- When Mr. Ross tried my case, then it was
14 realistic, you know, three-quarter full courtroom. It was
15 just/a -- you know, it was -- no murder is pretty, and I'm
16 not defending myself. But it got so blown out of
17 proportion the second time. The whole thing just -- Man, all
18 of a sudden I'm part of this bizarre cult, murder cult,
19 you know, with some kind of god. I'm just not the kind of
20 person to have -- I've got too much -- I don't know what
21 you'd call it; personal pride or whatever. I just -- I
22 couldn't be under somebody, be subservient to anyone like
23 that. I mean, even in here, you know, the last nine years I
24 have had run-ins with two gangs. I just will not be
25 subservient to somebody like, you know -- But anyway, the

1 whole thing that has fallen on me -- I think that there were
2 a lot of injustices in the second trial. It was blown --
3 I don't think that I should have had to be put through
4 quite that extreme thing. So I was resentful. I was --
5 you know, I wound up on death row for two years. I was a
6 very bitter person and I think understandably so.

7 After awhile -- I mean, I was thinking about it,
8 dwelling on it, on my personal situation. It was eating me
9 up inside. I mean, this bitterness was just -- As
10 Mr. Ross brought up mention of threats, I would like to
11 point out that there was no -- I threatened no individual
12 or anything like that. I was testifying -- I was asked to
13 testify as a character witness, sort of as a -- to present
14 philosophies that might be shared by the defendants in
15 that case. They wanted that brought out. Okay. So I
16 went, and I consented, and I testified. And we were
17 discussing the injustices in the world. And the testimony,
18 it was an emotional statement. It wasn't a serious
19 statement. And like I say, it wasn't, "I'm going to kill
20 you," or something like that. I didn't make any kind of
21 statement like that. I would never --

22 BOARD MEMBER BROWN: What did you say?

23 INMATE BEAUSOLEIL: I said something to the effect
24 that you better hope I never get out, or something like that.
25 This is at the -- You got to -- to see this in the proper

1 perspective, you've got to kind of put yourself mentally
2 into the time zone that this occurred. This is in the early
3 seventies. There was a lot of dissension, factional belief,
4 dissension, whatever you want to call it. And I was tied
5 up in that in my thinking, because of my bitterness. Then
6 I got to, you know -- coming to terms with it. I got to
7 thinking that I really didn't have anyone to blame but
8 myself, the situation that I was in, the stupidity. I am
9 not a murderer by nature. It was the most incompetent
10 murder there could ever possibly have been, really. I was
11 arrested five days later in the victim's car.

12 BOARD MEMBER BROWN: Okay. Panel have any
13 questions about the psychiatric? If not, I'll move on to
14 the --

15 PRESIDING OFFICER SMITH: Could you -- The last
16 two are positive or just the last one?

17 BOARD MEMBER BROWN: The '77 one is Dr. Macomber,
18 appears to be clear. And the '78 one is fair. It just
19 says that release plans should not be based upon
20 psychiatric problems.

21 PRESIDING OFFICER SMITH: Okay, fine. Thank you.

22 BOARD MEMBER BROWN: Then looking at your
23 disciplinary record: On 4/23/72 appears to be the first
24 one, and that is possession of contraband. This was
25 possession of forged paper. It appears that you were on

1 condemned row and were going to have a visit with Manson,
2 which was for the purpose of a supposed legal conference.
3 And they noticed that you had some legal documents which
4 evidently carried a sergeant's signature that was not his.

5 INMATE BEAUSOLEIL: That wasn't it. The situation
6 there, in fact, was that they were his signature and he
7 didn't want to own up to it. What it was, it was some
8 trust withdrawal slips for mailing that I hadn't filled in
9 the numbers or anything. I hadn't filled in the amount.
10 I asked him to sign them. Apparently he thought that he
11 was signing something that had been filled out or something,
12 I don't know. But he didn't want to own up to it after-
13 wards.

14 BOARD MEMBER BROWN: Okay. And why were you
15 visiting at that time with Manson?

16 INMATE BEAUSOLEIL: As it says there, for a legal
17 conference.

18 BOARD MEMBER BROWN: Relative to what?

19 INMATE BEAUSOLEIL: Relative to my appeal.

20 BOARD MEMBER BROWN: I'm not sure I understand
21 how Manson would fit into your appeal, because you are
22 telling us now that Manson had nothing to do with it.

23 INMATE BEAUSOLEIL: That's true.

24 BOARD MEMBER BROWN: Okay. Then what was --

25 INMATE BEAUSOLEIL: At that time they had just

1 started allowing people to co-defense. He's a co-defendant.
2 I wasn't sure for what reason, that if anything would be
3 brought out, by anything that would be a help to my appeal
4 or not. I don't know. It was by his request that we have
5 a meeting, and --

6 BOARD MEMBER BROWN: Okay. And then the next one
7 occurred on 4/15/73, tattooing and what have you.

8 INMATE BEAUSOLEIL: I'm guilty of that one.

9 BOARD MEMBER BROWN: What were you tattooing?

10 INMATE BEAUSOLEIL: I was tattooing myself.

11 BOARD MEMBER BROWN: It also appears that along
12 about that time there was an incident involving baseball
13 bats. You got pounded pretty good.

14 INMATE BEAUSOLEIL: I was one of them.

15 BOARD MEMBER BROWN: Were you a pounder or a
16 poundee?

17 INMATE BEAUSOLEIL: I was a poundee.

18 BOARD MEMBER BROWN: What was that all about?

19 INMATE BEAUSOLEIL: That was a problem situation
20 that occurred at San Quentin with the Aryan Brotherhood.

21 BOARD MEMBER BROWN: That was on 4/24/73. What
22 was this all about?

23 INMATE BEAUSOLEIL: A couple months previous to
24 this the Aryan Brotherhood had offered me and a couple
25 other dudes the opportunity to join their organization.

1 And I couldn't agree with what they represented. Neither
2 could any of the people that I was associating with at that
3 time. And we told them no, denied their offer. A couple
4 months later we found out they have got a contract on us.
5 We tried to straighten it out with them. In fact, we did
6 in fact straighten it out with them about three or four
7 times, and the contract that they had on us was what they
8 call squashed about three or four times. And then we
9 found out that it was -- it had come out, some orders out
10 of the hole again, contracts on me and a friend of mine.
11 And so we met them on the yard and confronted them.

12 BOARD MEMBER BROWN: What occurred?

13 INMATE BEAUSOLEIL: I believe between about five
14 of them and three of us -- I broke my jaw and my hand.
15 Someone hit me with a baseball bat from behind, and I ended
16 up in the hospital.

17 BOARD MEMBER BROWN: I notice the result of that
18 was the charge was dismissed. You were deemed to be the
19 victim of the attack.

20 Then there is one on August 26th of 1974. There
21 you were charged with having a weapon. That was ultimately
22 during a hearing changed to possession of contraband, that
23 you had some plastic utensils and some parts of razor
24 blades in there. What's your description of what happened
25 with that?

1 INMATE BEAUSOLEIL: They were little eating
2 utensils, the plastic handles from some, like, picnic
3 spoons, flimsy things. I had taken some pieces of razor
4 blades, which were legal issue, and I had broken the corners
5 of them off, little small shavings about the size of your
6 fingernail. And I put them on -- to cut my art work out
7 with. And they were deemed -- in the final hearing they
8 were deemed not to be weapons. They gave me straight
9 contraband.

10 BOARD MEMBER BROWN: Okay. Now, if we go back to
11 what you earlier said, it was along about this time that
12 you got your head screwed on straight, about 1974.

13 INMATE BEAUSOLEIL: Before then, because I had
14 just -- Well, see, here's the thing. When I started
15 getting my head turned around straight is when I started
16 finding other avenues to expend my energy rather than
17 letting it eat me up inside. And I got into -- more
18 deeply involved in my art work and music.

19 BOARD MEMBER BROWN: Okay. Then on 6/6/77, after
20 your head was screwed on straight, you got involved in
21 another disciplinary, which was a conduct, hitting a man
22 with a baseball bat again. According to this, you were the
23 pounder, this time with your feet. You had a baseball bat,
24 but the man that was struck, at least on your part, was
25 being struck by your feet. Now, what was this all about?

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INMATE BEAUSOLEIL: This was an incident that occurred last year between the Nuestra Familia and the white population in general. Nuestra Familia at that time were pretty much in control of the mainline, and there had been an agreement for a long time that they would leave the whites alone and everything's fine. Previous to then, about a year and a half, two years previous, they had stabbed a lot of white dudes, a whole lot. And it had almost broken out into a full-scale war that time. They straightened out their problems. They made an agreement: You just leave the whites alone; we'll leave you alone. You do your thing; we'll do ours and that's fine. Well, along about last year they decided that they wanted to take over, and they gave an ultimatum to the whites. This was out on the yard. And I was in a music unlock, and I had to go out to get two cokes. And I go out to the yard and I find out all hell's ready to break loose. And I couldn't get off the yard.

I found out that the Mexicans were going to make their threat good, that they were going -- they gave them an ultimatum. The answer was a flat out no, and it was just a matter of not going off the yard. And we gave them plenty of room to go around us. If they want to go around us to get off the yard, fine. But they came at us, and everybody just went for what they knew.

1 BOARD MEMBER BROWN: Okay. I understand that the
2 one you were kicking was down. Is that right?

3 INMATE BEAUSOLEIL: Well, he had just been down.
4 He just got down. It didn't last that long. It was only a
5 brief minute before the whole thing was over.

6 BOARD MEMBER BROWN: Your statement is that you
7 just got involved in this because you happened to come out
8 to buy some cokes at the time this all went down, and you
9 got in the middle of it.

10 Okay. Then we move to another one on 12/3/77,
11 which is not obeying orders. What's that about?

12 INMATE BEAUSOLEIL: I wish I knew on that one.
13 I don't think I should ever have been given that 115.
14 But what can you do?

15 BOARD MEMBER BROWN: It said you were where you
16 didn't belong, where you shouldn't have been.

17 INMATE BEAUSOLEIL: There was a new officer in
18 our wing at that time. This was Officer Velasquez, a
19 woman. And she had been hassled all day by the blacks in
20 that wing. I mean, they had really given her a hard time.
21 And I was coming back from my shower, and I wanted to give
22 -- somebody had handed me a couple of noodles on the way
23 upstairs, little packages of those instant cook noodle
24 things, and told me one of them was for my next-door
25 neighbor. So on my way to my room I stopped at his house to

1 give him the noodles. And she wrote me up for delaying the
2 lockup.

3 BOARD MEMBER BROWN: Okay. Have we covered your
4 disciplinary record?

5 INMATE BEAUSOLEIL: I believe that's it.

6 BOARD MEMBER BROWN: Comments from the panel on
7 the disciplinary record?

8 PRESIDING OFFICER SMITH: No.

9 BOARD MEMBER BURTON: No.

10 BOARD MEMBER BROWN: What have you done on your
11 education since you have been in the institution?

12 I understand when you arrived and were tested you were at
13 about the tenth grade. Have you done anything in that area?

14 INMATE BEAUSOLEIL: I have not normally, as far
15 as going to school, going to regular classes. I'm sure
16 that my grade point average is a lot higher than that.

17 BOARD MEMBER BROWN: Do you have a high school
18 diploma?

19 INMATE BEAUSOLEIL: No, I don't.

20 BOARD MEMBER BROWN: Why not?

21 INMATE BEAUSOLEIL: I haven't finished high school.

22 BOARD MEMBER BROWN: Why not?

23 INMATE BEAUSOLEIL: Because I have been spreading
24 myself so thin as it is. I have been involved in a lot of
25 things here as far as programs. There is only so much you

1 can do. I think there is a memo in my file from a
2 Dr. Bertholf, who is one of the educators here at DVI.
3 And she's been here something like 25 or 30 years. And she
4 sent a memo, put a memo in my jacket to the effect that as
5 far as my intelligence and what I do know, I'm sure that
6 constitutes more than a high school diploma. I just
7 haven't --

8 BOARD MEMBER BROWN: As far as any classes, you
9 haven't taken any classes.

10 INMATE BEAUSOLEIL: I have got too many other
11 things going on.

12 BOARD MEMBER BROWN: We'll get to those in just a
13 minute.

14 Now, on vocational efforts since you've arrived in
15 the institution, what have you done in that area?

16 INMATE BEAUSOLEIL: I was in drafting for awhile,
17 but that wasn't what I had hoped it was going to be. I
18 ended that. That's the only --

19 BOARD MEMBER BROWN: What did you have when you
20 were on the outside?

21 INMATE BEAUSOLEIL: I'm a professional musician.

22 BOARD MEMBER BROWN: Just a musician.

23 INMATE BEAUSOLEIL: I've been playing
24 professionally since I was 17.

25 BOARD MEMBER BROWN: Other than that. I'm saying

1 you have nothing other than the musician trade.

2 INMATE BEAUSOLEIL: Well, I have made a
3 considerable sum since I have been in through my art work.

4 BOARD MEMBER BROWN: Art work.

5 INMATE BEAUSOLEIL: Graphic arts.

6 BOARD MEMBER BROWN: Painting?

7 INMATE BEAUSOLEIL: Not necessarily, no. Things
8 like graphic arts, commercial art. I made most of my money
9 in here doing book covers and things like that,
10 stationery designs.

11 BOARD MEMBER BROWN: Have you been able to sell
12 that on the outside?

13 INMATE BEAUSOLEIL: Oh, yeah.

14 BOARD MEMBER BROWN: How much money have you been
15 able to earn in that area?

16 INMATE BEAUSOLEIL: If I really apply myself --
17 I don't need that much money in here. I'm not trying to
18 make a whole bundle or anything. But I usually make about
19 seventy-five to a hundred a book cover, maybe forty, fifty
20 dollars for a stationery design.

21 BOARD MEMBER BROWN: How much have you been able
22 to earn since you've been in the institution doing this kind
23 of work?

24 INMATE BEAUSOLEIL: Well, most of the money that
25 I have been able to earn since I've been in the institution

1 has come from my music.

2 BOARD MEMBER BROWN: Stay with the graphics.
3 How much have you been able to earn?

4 INMATE BEAUSOLEIL: Probably about fifteen
5 hundred, two thousand, just on that aspect of it.

6 BOARD MEMBER BROWN: Now, let's turn around to
7 the music. What are you going to do with the music,
8 writing?

9 INMATE BEAUSOLEIL: Yes, writing and recording.
10 I am doing a movie soundtrack right now for a film maker
11 by the name of Kenneth Anger, professional film maker, one
12 of the most well-known film makers of the sixties. And it's
13 a feature length film, ninety-three minutes. I have a band
14 here, small orchestra, I guess. I have almost a full
15 recording studio in my room. This has been approved
16 through Sacramento and Superintendent Reese, to make
17 arrangements for all this equipment.

18 BOARD MEMBER BROWN: How much have you been able
19 to make on your music?

20 INMATE BEAUSOLEIL: About five thousand so far.
21 I've been working on that for about the last two years now.

22 BOARD MEMBER BROWN: Okay. You said you have been
23 doing other things. Now, does this include everything that
24 you have been doing or are there other things besides this
25 you have been doing?

1 INMATE BEAUSOLEIL: Well, I'm pretty much the one
2 solely responsible, if anyone is, for putting the music
3 program at DVI together. I mean, there wasn't any music
4 when I came.

5 BOARD MEMBER BROWN: What is the music program?

6 INMATE BEAUSOLEIL: The music program now
7 consists of about five different, five or six different
8 bands, different groups representing different, mainly
9 different ethnic groups. There is a Black soul group,
10 Mexican group, country western. We are trying to, you know,
11 represent everyone. We have a music room; we have about,
12 oh, maybe five, six, seven thousand dollars' worth of music
13 equipment that we didn't have before I started.

14 BOARD MEMBER BROWN: Is there anything else that
15 you have done since you arrived in the Department of
16 Corrections that you think we ought to know about?

17 INMATE BEAUSOLEIL: Let's see. I have been in
18 the hobby craft. That's one of my main job assignments
19 right now is in the hobby craft, tool room clerk. I have
20 been in there for about two, two and a half years, and I
21 have been doing my best to keep that program together.
22 There wasn't any since that officer was killed here in '73,
23 I think it was. The hobby program has been shut down, and
24 we've been trying to get that together.

25 I have built three guitars from the ground up.

1 And the last one was -- the last one was a double neck
2 guitar that I invested probably about \$800 in. It's
3 probably worth around twenty-five hundred resale value
4 right now. I sent some pictures of it to a company in
5 Detroit called Pyramid Guitars. In fact, I got some letters --
6 I didn't bring them. I got some letters from Pyramid
7 Guitars, which they are a professional custom guitar
8 company. They make pick-ups and whatnot for guitars. And
9 their response to the pictures of my guitar was to offer as
10 many of their pick-ups as I wanted and to assist me in any
11 way as far as building guitars. They thought it was
12 unbelievable.

13 BOARD MEMBER BROWN: Okay. There are a number of
14 documents in the file that oppose you being paroled. There
15 are a number of documents in the file that say you might be
16 a good parole risk, and they offer you some kind of aid on
17 the outside. Do you have any comments relative to these?

18 INMATE BEAUSOLEIL: Well, I'm -- I haven't
19 reviewed my jacket. I know that there is a lot of --
20 excuse my language. There is a lot of bullshit in my
21 file. A lot of people have just tried to, you know, put in
22 their two cents here and there. I don't --

23 BOARD MEMBER BROWN: Well, for instance, there
24 are those from the judge, from the District Attorney, from
25 the police department who don't see you as a very good

1 parole risk.

2 INMATE BEAUSOLEIL: I don't think those people
3 even know me, do they? I mean, I have never had a conversa-
4 tion with Judge Keene, and he has not been at all familiar
5 with anything that I've done in the last eight years, more
6 than eight years.

7 BOARD MEMBER BROWN: He is looking at it, I'm
8 sure, from the standpoint of the trial. It's from that
9 area. I don't know whether he knows anything or not about
10 your institutional adjustment. I would assume that he
11 probably does not. However, there is a letter in the file
12 from him opposing parole. You also have letters in here
13 from a number of other people who see you differently than
14 he does. And this is your opportunity to make any comments
15 you may want to make in that regard.

16 INMATE BEAUSOLEIL: Well, I look at it this way:
17 I committed a murder. I would say that the drugs being
18 involved -- In fact, I would like to rebut Mr. Ross'
19 statement a little bit in that there is in fact some law
20 enforcement documentation to the effect of Gary Hinman's
21 paraphernalia that was found in his house at the time.
22 They weren't, of course, concerned with that. They were
23 concerned with his murder, and it was not brought up in the
24 trial. They found scales and bags of marijuana seed, I
25 think, and I forget what else. But they did in fact find

1 some drug paraphernalia in his house.

2 To get back to the point, I do believe that my
3 conviction -- that the offense did probably constitute a
4 first degree conviction, and I want to take responsibility
5 for what I have done. I would have to -- In that regard I
6 would have to agree with some of the people that say things
7 against me, to some extent. But by the same token, I'm not
8 essentially a murder-type person, I don't think. I think
9 that I have got -- hopefully I have got something worthwhile
10 to offer society, you know. I don't think I'm all bad.
11 I don't think -- I'm not -- I haven't been an angel. I
12 don't think that I'm all bad either.

13 BOARD MEMBER BROWN: Okay. Let's take a short
14 recess. It's now about twenty minutes after four.

15 BOARD MEMBER BURTON: Excuse me. I have to make a
16 phone call before 4:30.

17 MR. PUMPHREY: Okay, that's fine.
18 (Thereupon a brief recess was taken.)

19 PRESIDING OFFICER SMITH: We will go back on the
20 record. The time is now 4:28.

21 Mr. Brown, I think you were speaking at the time.

22 BOARD MEMBER BROWN: At the time of the recess
23 there was an opportunity for you to make any comments, for
24 the inmate to make any comments relative to the letters that
25 had been sent in. Have you finished any comments that you

1 wanted to make in that area?

2 INMATE BEAUSOLEIL: I think I pretty much covered
3 it.

4 BOARD MEMBER BROWN: Okay. Counsel, is there
5 anything you'd like to add in the post conviction factor
6 area?

7 MR. PUMPHREY: I think that I would reserve
8 perhaps until Mr. Burton is completed. I'm not sure which
9 phase my questions might fall into.

10 PRESIDING OFFICER SMITH: Okay. Mr. Burton.

11 BOARD MEMBER BURTON: Yes. Mr. Brown spoke to a
12 number of letters that were opposed to parole. We do have
13 a number of letters that favor it. I'd like to ask you --
14 Well, first let me read into the record some of the
15 communication. You received a letter from your mother;
16 from a gentleman named Robert Krause, who's an educator at
17 the school district. You apparently went to school there.
18 Monseigneur Patrick O'Brien. All of these arriving last
19 January. Letters of support from Mrs. O'Dea and your
20 sister, and something from the Nu --

21 INMATE BEAUSOLEIL: Nu Triumph.

22 BOARD MEMBER BURTON: Nu Triumph, which appears to
23 be more in the occupational --

24 INMATE BEAUSOLEIL: Right.

25 BOARD MEMBER BURTON: -- vein. So I'm kind of

1 curious what your plans are. I note that music and art,
2 as you previously stated, all instruments except woods,
3 and you were formerly a member of Local 6 of the American
4 Federation of Musicians. So would you please tell us what
5 your parole plans are?

6 INMATE BEAUSOLEIL: Well, my plans -- Of course,
7 first and foremost, I'm a musician. I have got proven
8 value in that area as far as publicly. I don't -- I
9 wouldn't have any trouble making it on the strength of my
10 music, in other words. Even in here I don't have any
11 trouble. That would be first and foremost.

12 What I do want to do, I want to get into
13 producing. I want to open up my own studio, my own
14 recording studio. I have been gathering equipment while I
15 am here. Like I say, I have about \$5,000 now just to start
16 off with in equipment.

17 BOARD MEMBER BURTON: You have \$5,000 worth of
18 equipment that belongs to Robert Beausoleil?

19 INMATE BEAUSOLEIL: Yes, right. That's a very
20 conservative figure.

21 BOARD MEMBER BURTON: That is your equipment?

22 INMATE BEAUSOLEIL: Right. I have some on loan,
23 too, from Dr. Bertholf. But as far as mine, I have
24 approximately five, six thousand dollars' worth of
25 equipment. That's not including the guitar that I mentioned

1 that I have built. This is something that would -- I
2 wouldn't attempt immediately upon release, you know, to
3 start a studio. I would have to establish myself. I would
4 have to -- I would be working. I would take up one of the
5 jobs that I have been offered until I got myself settled.

6 BOARD MEMBER BURTON: What type -- You are
7 almost universal in your musical outlook. What would be
8 the pay when you were playing with -- When you were working
9 out of Local 6 what kind of an instrument -- were you
10 country and western, rock?

11 INMATE BEAUSOLEIL: No. I was playing kind of
12 exotic music, I think you might say. They call it nowadays
13 -- They call it --

14 BOARD MEMBER BURTON: Stan Getz style?

15 INMATE BEAUSOLEIL: They call it -- Nowadays it
16 is called fusion music, which is like fusion. That's the
17 label they have put on it. What it is is sort of an
18 attempt at blending various types of music, such as
19 classical or jazz, any type of music that blends with
20 another type of music is what is labeled. So to use
21 today's terms, what we were doing at that time would be
22 labeled fusion music, which was kind of a combination of
23 classical, traditional, American, and Far Eastern, which
24 were a lot of -- the cultural aspects that were prominent
25 at the time.

1 I had an orchestra, and that was in the sixties.
2 In fact, I have had two orchestras and a number of bands.
3 In San Francisco when I was in Local 6 I had two
4 orchestras and --

5 BOARD MEMBER BURTON: Where did you play?

6 INMATE BEAUSOLEIL: We played all over the main
7 halls, Avalon Ballroom, Fillmore Auditorium. We had a
8 fairly wide following. We made approximately -- on a
9 weeknight we would make somewhere around \$25 a night apiece.
10 On a weekend or something it could be anywhere from
11 a hundred to two hundred fifty a night apiece, per
12 musician.

13 BOARD MEMBER BURTON: How much money do you have
14 in your -- We were dropping figures here, couple grand here,
15 so much here. How much money do you have in your trust
16 fund?

17 INMATE BEAUSOLEIL: Probably not too much. I
18 just bought a whole lot of -- For the last two years I've been
19 getting into electronics. I want to understand from the
20 inside out what I'm using as far as production-type
21 equipment. So I have been building a lot of stuff.

22 BOARD MEMBER BURTON: Ten dollars, a hundred
23 dollars?

24 INMATE BEAUSOLEIL: I don't know. It would be
25 closer -- I think my balance is probably about \$300,

1 something like that. But I have been trying to spend
2 everything I get on electronics equipment parts.

3 BOARD MEMBER BURTON: You do graphic art, make
4 book covers. You make letterheads for stationery.

5 INMATE BEAUSOLEIL: (Inmate nods head.)

6 BOARD MEMBER BURTON: Who did the stationery for
7 your mother?

8 INMATE BEAUSOLEIL: I did that. It was actually
9 for my father. It looks better, much better in the
10 original, of course.

11 BOARD MEMBER BURTON: You plan on organizing --
12 Where will you immediately get a job is basically what I'm
13 saying, because these are very grandiose ideas, you know,
14 recording studio.

15 INMATE BEAUSOLEIL: Are they really?

16 BOARD MEMBER BURTON: Recording studios and band
17 for a guy that's been out of circulation for a long time?
18 I'm not saying they are impossible dreams. I'm talking
19 about the immediate. The immediate is to eat.

20 INMATE BEAUSOLEIL: Well, the immediate thing
21 would be -- I would parole to Santa Barbara where my family
22 is. I have the support of all of my family and a lot of the
23 people in the community in Santa Barbara, people there. In
24 fact, I don't know of anyone that knows me or is related,
25 associated with the family at all that doesn't want me out.

1 BOARD MEMBER BURTON: I notice you do have many
2 types of support.

3 INMATE BEAUSOLEIL: Actually, to tell you the
4 truth, I could have had a helluva lot more. Last time I
5 came to the Board nobody looked at them, you know. And I
6 felt like what the hell do I bother for? So this time I
7 didn't campaign at all. I wish I had now. Now somebody's
8 paying attention to them, you know.

9 PRESIDING OFFICER SMITH: Could we go back to the
10 question that was asked?

11 INMATE BEAUSOLEIL: Excuse me.

12 PRESIDING OFFICER SMITH: You were asked what was
13 your immediate employment when you got out.

14 INMATE BEAUSOLEIL: I'm not sure. I have several
15 offers. I would take the best one that was available at
16 the time. Just recently I have been given an offer from
17 Pyramid Guitars, which is in Detroit. I wouldn't move to
18 Detroit to save my life, but --

19 BOARD MEMBER BURTON: Would you in fact for the
20 moment be living with your parents?

21 INMATE BEAUSOLEIL: I would more than likely take
22 an apartment of my own. I wouldn't want to be living with
23 them. I would be living nearby.

24 BOARD MEMBER BURTON: The real crunch is day-to-
25 day existence. That's what I am --

1 INMATE BEAUSOLEIL: Financially I wouldn't be
2 hurting. I mean, I have the support of my family to begin
3 with. I'm sure they would be more than happy to help me
4 out upon release. As far as jobs, I don't have any trouble
5 with. There are two job offers here that I know of. If
6 you want more job offers, I can certainly bring them to you.

7 BOARD MEMBER BURTON: Just in general, not a
8 specific.

9 Mr. Brown, do you have any questions?

10 BOARD MEMBER BROWN: What is it that you know now
11 that would keep you from being involved in the kind of
12 offense that brought you here? That's the real question,
13 not your job offers or anything else. What is it that's
14 going to keep you from a repeat of what you were involved
15 in before?

16 INMATE BEAUSOLEIL: I think a better knowledge of
17 myself would have to be the answer to that.

18 BOARD MEMBER BROWN: Did you ever see yourself
19 becoming involved in a situation like you were involved in
20 before?

21 INMATE BEAUSOLEIL: (Inmate shakes head.)

22 BOARD MEMBER BROWN: Is there any set of circum-
23 stances that would put you back to where you were?

24 INMATE BEAUSOLEIL: Farthest thing from my mind is
25 to get involved in anything like that in my life again.

1 PRESIDING OFFICER SMITH: I have no questions.
2 Counsel?

3 MR. PUMPHREY: I have no questions.

4 PRESIDING OFFICER SMITH: Okay. At this point in
5 time then we'll go off record. The time is now 4:37. If
6 you would all leave the room for a few minutes.

7 BOARD MEMBER BROWN: Do you have any closing
8 statements?

9 MR. PUMPHREY: Yes, I have.

10 PRESIDING OFFICER SMITH: Oh, I'm sorry. Did you
11 want to make a closing statement, Counsel? I didn't mean
12 to cut you off.

13 MR. ROSS: All right. I have just a few
14 observations for the Board. As in any situation, of
15 course, there can be an equal number of people who favor
16 one side as oppose one side. And it's hard for me to speak
17 for other people. I won't speak for what the judge has
18 said; I won't speak for what the prosecutor in the second
19 trial has said. And as a matter of fact, I won't express
20 an opinion at all because I think the facts have to speak
21 for themselves. I do feel, however, that Mr. Beausoleil
22 does still pose an unreasonable risk of danger to society
23 because of the things that have been brought out during this
24 hearing and because of the nature of the things that were
25 indicated during his trial: the bizarre acts in general and

1 the nature of the crime; the type of crime that was
2 involved; the absolutely senseless nature of committing the
3 robbery and torturing the victim to death, in a sense; and
4 then the bizarre acts which followed of writing blood on
5 the wall.

6 It is true Mr. Beausoleil had nothing to do with
7 the later killings, the Tate-LaBiancas, because, of course,
8 he was in jail at that time. There is some speculation as
9 to some of these having been caused to perhaps take some of
10 the blame from Mr. Beausoleil. If that were the case, of
11 course Mr. Beausoleil probably is not responsible for that.
12 But I did wish to bring out to the Board and highlight
13 several of the factors that were involved there. I think
14 the Board has an adequate picture in this case.

15 I have nothing further.

16 PRESIDING OFFICER SMITH: Thank you, Counsel.

17 MR. PUMPHREY: I just have very few comments. I
18 think that -- and would hope that and am sure that -- the
19 Board will be able to view the facts of this incident and
20 the facts of this particular offender in light of the
21 offender himself and not in light of the notoriety perhaps
22 that might surround him, that might ordinarily attach. I
23 think it is important to understand that in fact that
24 notoriety probably does not attach appropriately, at least
25 to this individual.

1 I think that this individual has demonstrated
2 progress of a positive nature while in the institution.
3 It is true, I think, that that progress did not begin
4 immediately when he came through the door. But I think that
5 the progress is still documented and has been documented
6 over the course of several years. So I think that it can
7 be given some weight, that it can be assumed and believed
8 that that is in fact a course that is a steady course and a
9 course that will be maintained.

10 I think that it is important to realize that there
11 may now be factual disagreements with respect to the exact
12 circumstances of the offense which were not available to
13 those individuals who wrote letters based on the knowledge
14 that they had of the circumstances some nine years past.
15 I think that that has to be weighed by the Board and
16 resolved by you to determine if that has any significance
17 in your thinking.

18 I think the psychological reports that are in the
19 file, the last two indicate that there are no impediments
20 of that kind towards parole and that the case simply is one
21 that should be evaluated on its legal merits. And I think
22 that's probably a correct assessment. So that in terms of
23 characterizing the acts as bizarre acts, I think that that
24 characterization has to be viewed in the perspective that's
25 established by someone who has had an opportunity within the

1 last year to make an evaluation of his psychological state.

2 I think that there is no question but that
3 Mr. Beausoleil has assumed the responsibility which he
4 believes is his for the acts involved. I don't think that
5 he is attempting to minimize that in any way. I think that
6 he has demonstrated today and the evidence has been
7 presented in response to your questions that he has made an
8 appropriate and realistic adjustment to those circumstances
9 during the time in which he has been in the institution.
10 And I would hope that that would be given careful considera-
11 tion by you at this time.

12 PRESIDING OFFICER SMITH: Thank you, gentlemen.
13 I didn't mean to cut you off, gentlemen. My apologies.

14 At this point in time we will terminate for
15 decision making. The time is 4:44.

16 (Thereupon the room was cleared,
17 and the hearing of the Community
18 Release Board recessed for
19 deliberation by the Board.)

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RESUMPTION OF PROCEEDINGS

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3 PRESIDING OFFICER SMITH: Okay. The time is now
4 5:04, and all parties previously identified are present.

5 We have made a decision in your case,
6 Mr. Beausoleil. And it is our decision at this time that
7 you are not suitable for release. We still feel you a
8 danger to society due primarily to the recent violent
9 disciplinary offense you had. The panel noted the CDC 115
10 on 6/6/77, in which you had a baseball bat and you did kick
11 a victim on the ground.

12 INMATE BEAUSOLEIL: I did not have a baseball bat.

13 PRESIDING OFFICER SMITH: I thought during the
14 process of the hearing you admitted you had a bat, you were
15 standing by the bat rack.

16 INMATE BEAUSOLEIL: No. I was deemed not to have
17 a bat in the final hearing.

18 PRESIDING OFFICER SMITH: Okay. But you did kick
19 the victim on the ground.

20 INMATE BEAUSOLEIL: Yes, I did.

21 PRESIDING OFFICER SMITH: And the bizarre nature
22 of the commitment offense tied to that. We feel that there
23 is a need for an extended disciplinary record to show
24 control of aggressive impulses prior to projecting a parole
25 date in your case.

1 We are going to make a request to the Los Angeles
2 DA's office. We will provide them with a transcript of
3 this hearing in order that they will be able to possibly
4 verify some of the statements you have made that may have
5 come out during the second trial which are not readily
6 available to the panel in the information that we have at
7 this time, to see if they have any comments they wish to
8 make which may turn out to be in your favor in terms of
9 clearing up the discrepancies that have come up during the
10 change of story that you have made over a period of years.

11 It is the panel's feeling that you definitely
12 should remain disciplinary free. This is going to be
13 critical to project a date in your case. Acts of violence
14 inside will constantly negate a panel being able to
15 consider you. We would also recommend that you get your
16 high school diploma. I am relatively sure you feel you do
17 not need it because you are in the music trade where it is
18 not an emphasis.

19 INMATE BEAUSOLEIL: It's not that. If there were
20 subjects that would be applicable, you know, to my
21 vocation.

22 PRESIDING OFFICER SMITH: Okay. We would suggest
23 that you check with the educational staff to see if you can
24 take the GED test. And you may be able to qualify simply
25 by taking that test to get your high school diploma. But we

1 think it's important enough to mention that and to list it
2 as something you should work on for your next hearing.

3 There was consideration given to giving you a
4 parole date today, and, as I say, that's the factor that
5 was considered as a major negative, was that disciplinary
6 of 1977.

7 Does the panel have anything they wish to add at
8 this time?

9 BOARD MEMBER BROWN: Yes, I have a couple comments
10 I'd specifically like to add. There has been some contact
11 evidently between Mr. Katz and the inmate. Now, you have
12 heard what the testimony is today, what he's saying
13 occurred at the time of the offense. Now, your office is
14 probably the most familiar with what went on at that time.
15 We would appreciate some input to the panel relative to
16 whether or not, based on the evidence in the case, it is
17 conceivable this could have happened the way he's describing
18 it now. It seemed to me that during the course of your
19 conversation today you said there was evidently some contact
20 between the District Attorney's office, who is now saying he
21 is responsible for this offense. Totally based upon the
22 testimony, is it conceivable that it could have happened the
23 way he said that it happened? Yes or no or indifferent or
24 whatever? The DA may want to comment relative -- when he
25 gets a transcript of today's hearing, relative to that.

1 We'd like to know in that area. We would appreciate your
2 office doing that.

3 MR. ROSS: All right.

4 PRESIDING OFFICER SMITH: We will provide a
5 transcript down to your office and ask that they might
6 comment upon it.

7 BOARD MEMBER BROWN: At least the story that he's
8 telling us now.

9 MR. ROSS: Okay. If you will send it to me --
10 you have my card -- at that address, I'll see that it gets
11 to the proper place. Sometimes in an office as large as
12 ours, it has a tendency to get lost.

13 PRESIDING OFFICER SMITH: Fine. I'd like to thank
14 you very much. We will now end the hearing. The time is
15 5:09.

16 INMATE BEAUSOLEIL: The next hearing is when?

17 PRESIDING OFFICER SMITH: It will be 12 months.

18 BOARD MEMBER BURTON: It will be August.

19 BOARD MEMBER BROWN: I want to make sure that you
20 understand why we are asking him for that, because all we
21 have is your story now which is different than even the
22 Appellate Court decision, based upon what you have said and
23 their familiarity with the trial. And we are not as
24 familiar as they are. Is there some smidgin of truth in
25 what you say? Could it have happened the way you say it

1 happened? Because the way it happened before us now is not
2 the way you say.

3 INMATE BEAUSOLEIL: I understand that.

4 PRESIDING OFFICER SMITH: So it is important.

5 BOARD MEMBER BROWN: See if we can clarify that
6 part of it prior to your next hearing.

7 MR. ROSS: May I ask the Board to ask
8 Mr. Beausoleil whether or not what he said to Mr. Katz was
9 in writing or recorded.

10 PRESIDING OFFICER SMITH: Was it?

11 INMATE BEAUSOLEIL: No, it was an informal
12 conversation.

13 MR. ROSS: Okay.

14 INMATE BEAUSOLEIL: I wish it had been now.

15 PRESIDING OFFICER SMITH: We will go off record
16 then. The time is 5:10.

17 (Thereupon the hearing before the
18 Community Release Board was adjourned
19 at 5:10 p.m.)

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