

SUBSEQUENT PAROLE CONSIDERATION HEARING

STATE OF CALIFORNIA

BOARD OF PRISON TERMS

In the matter of the Life)
Term Parole Consideration)
Hearing of:)

CDC Number W-13378

LESLIE VAN HOUTEN)
_____)

ORIGINAL

CALIFORNIA INSTITUTION FOR WOMEN

FRONTERA, CALIFORNIA

JUNE 6, 2000

3:10 P.M.

PANEL PRESENT:

M. ORTEGA, Presiding Commissioner
SHARON LAWIN, Commissioner
ELIZABETH RICHARDSON, Deputy Commissioner

OTHERS PRESENT:

LESLIE VAN HOUTEN, Inmate
CHRISTIE WEBB, Attorney for Inmate
STEPHEN KAY, Head Deputy District Attorney
JOHN DESANTIS, Victim's Next-Of-Kin
LOUIS SMALDINO, Victim's Next-of-Kin
ANGELA SMALDINO, Victim's Next-of-Kin
MR. BEE, Victims' Services Coordinator
FELICIA CARDONA, Reporter, Los Angeles Times
CHRISTOPHER URSO, Photographer, Los Angeles Times
DENNIS LYNCH, Camera Operator, Court TV
MARY JANE STEVENSON, Reporter, Court TV
STEVEN HERNANDEZ, Deputy Commissioner, Observer
DR. MCDANIEL, Staff Psychiatrist, Observer
SALLY DIFRANCESCO, Kern County District Attorney's Office,
Observer
ERIN STRAUSS, Observer
LIEUTENANT ROBERT SEBALD, Public Information Officer

CORRECTIONS TO THE DECISION HAVE BEEN MADE

No
 Yes

See Errata Sheet

Patricia Johnson, Transcriber

Capitol Electronic Reporting

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P R O C E E D I N G S

1
2 **PRESIDING COMMISSIONER ORTEGA:** This is going
3 to be a Subsequent Parole Consideration Hearing for
4 Leslie Van Houten. I've got to find my paperwork
5 here. I had it here just a second ago. Well, I had
6 it. Why don't you go off the record just briefly.
7 Never mind, I found. We can go back. Now we're
8 ready. As I stated before, this is a Subsequent
9 Parole Consideration Hearing for Leslie Van Houten,
10 CDC number W-13378. And on 8/17, 1978 (sic), the
11 prisoner was received at CDC pursuant to Penal Code
12 Section 1168 for violation of Penal Code Section 187,
13 that's murder in the first degree. There were
14 actually three counts and I will read those onto the
15 record. Counts six and seven were 187, first degree
16 murder, and count eight was 182.1 P.C., conspiracy to
17 commit murder. And this LA County case number
18 A253156. There's a minimum eligible parole date of
19 8/17 of 1978. We are located at Chino Institution for
20 Women at Frontera. Today's date is 6/6 of the year
21 2000. The time now is approximately 3:10 p.m. At
22 this time, Ms. Van Houten, as you know we've got to go
23 around the room and identify ourselves, giving our
24 first name and spelling our last name. As I indicated
25 before, and to the people in the room, we will
26 introduce ourselves at this table and then I will go
27 around and introduce those, at least spelling their

1 names of those people that are here, and then anyone
2 whose name I do not call then I'll have them introduce
3 themselves and state their name for the record. I'll
4 begin and we'll go to my left. My name is M. Ortega,
5 O-R-T-E-G-A, Commissioner.

6 COMMISSIONER LAWIN: Sharon Lawin, L-A-W-I-N,
7 Commissioner.

8 DEPUTY COMMISSIONER RICHARDSON: Elizabeth
9 Richardson, R-I-C-H-A-R-D-S-O-N, Deputy Commissioner.

10 HEAD DEPUTY DISTRICT ATTORNEY KAY: And I'm
11 Stephen Kay, S-T-E-P-H-E-N K-A-Y, Head Deputy District
12 Attorney for Los Angeles County.

13 PRESIDING COMMISSIONER ORTEGA: Thank you.
14 Ma'am, if you would go, go ahead.

15 ATTORNEY WEBB: Oh, I'm Christie Webb,
16 C-H-R-I-S-T-I-E W-E-B-B. I am Ms. Van Houten's
17 attorney.

18 PRESIDING COMMISSIONER ORTEGA: Thank you.

19 INMATE VAN HOUTEN: Inmate Van Houten, Leslie,
20 capital V-A-N capital H-O-U-T-E-N, W-13378.

21 PRESIDING COMMISSIONER ORTEGA: Thank you. We
22 also have an officer here and she'll be here for
23 security purposes only. Let me go around the room
24 starting with the victims' next-of-kin that are
25 represented here. I have John DeSantis, capital D-E
26 capital S-A-N-T-I-S. Thank you. Louis Smaldino,
27 S-M-A-L-D-I-N-O. Thank you, sir. And Angela

1 Smaldino. Thank you. We also have the Victims'
2 Services Coordinator, Mr. Bee, capital B-E-E. LA
3 Times representatives, we have Felicia Cordova,
4 C-O-R-D-O-V-A.

5 MS. CARDONA: C-A-R-D-O-N-A.

6 PRESIDING COMMISSIONER ORTEGA: I'm sorry,
7 spell it, Cardona?

8 MS. CARDONA: C-A-R-D-O-N-A.

9 PRESIDING COMMISSIONER ORTEGA: All right, I
10 apologize. C-A-R-D-O-N-A. And also photographer for
11 the LA Times is Christopher Urso, U-R-S-O. From Court
12 TV, we have Dennis Lynch, L-Y-N-C-H, who is running
13 the camera on the -- in the hearing room, and the
14 reporter is Mary Jane Stevenson, S-T-E-V-E-N-S-O-N.
15 We do have some observers. We have Steven Hernandez,
16 H-E-R-N-A-N-D-E-Z, who is a Deputy Commissioner for
17 the Board of Prison Terms but here to observe only.
18 We also have Dr. McDaniel, capital M-C capital
19 D-A-N-I-E-L, and Dr. McDaniel is the psychiatrist here
20 that works out of this institution. There are several
21 other people that I have not identified. Ma'am, if
22 you would start please.

23 MS. DIFRANCESCO: Sally DiFrancesco,
24 D-I-F-R-A-N-C-E-S-C-O. I'm an observer from the Kern
25 County District Attorney's office.

26 PRESIDING COMMISSIONER ORTEGA: Thank you.

27 MS. STRAUSS: Erin Strauss, S-T-R-A-U-S-S. I'm

1 here as an observer.

2 **PRESIDING COMMISSIONER ORTEGA:** Thank you.

3 **LIEUTENANT SEBALD:** Lieutenant Robert Sebald,
4 S-E-B-A-L-D, Public Information Officer.

5 **PRESIDING COMMISSIONER ORTEGA:** Good, I think
6 that identifies everyone who's in the room at this
7 time. And the purpose of today's hearing, of course,
8 Ms. Van Houten, is to again consider your suitability
9 for parole. In arriving at that decision, we'll
10 consider your commitment offenses, your prior
11 criminality and your social history, as well as your
12 behavior since your commitment. I've had the
13 opportunity to review your Central File. I've also
14 looked at the prior transcript. Matter of fact, I was
15 here on that hearing. And I've also looked at all the
16 documents that we have here. Any time during this
17 hearing you wish to make any corrections or
18 clarifications to the record, feel free to do so.
19 What I'd like to do, Counsel, is I'm going to
20 incorporate by reference a Statement of Facts as it
21 was presented in the probation officer's report quite
22 a few years back. We'll just incorporate it by
23 reference and then we'll talk a little bit about that,
24 if you have no objections to that.

25 **ATTORNEY WEBB:** I have no --

26 **INMATE VAN HOUTEN:** Is it different than the
27 one that we've been using?

1 PRESIDING COMMISSIONER ORTEGA: I don't believe
2 so. I think it all started with that document. And
3 of course during the hearing if I'm asking you
4 questions and you want to clarify, of course feel free
5 to do so.

6 ATTORNEY WEBB: I thought the Statement of
7 Facts actually came out of the --

8 PRESIDING COMMISSIONER ORTEGA: Appellate
9 decision.

10 ATTORNEY WEBB: -- appellate decision.

11 PRESIDING COMMISSIONER ORTEGA: I would imagine
12 it probably did.

13 ATTORNEY WEBB: Okay.

14 PRESIDING COMMISSIONER ORTEGA: Sure.

15 ATTORNEY WEBB: If that's the one --

16 PRESIDING COMMISSIONER ORTEGA: And I saw the
17 appellate decision as well.

18 ATTORNEY WEBB: -- then I have no objection.

19 PRESIDING COMMISSIONER ORTEGA: Sure. Oh,
20 good. All right, thank you. Then we'll go directly
21 to your progress since your last hearing. We'll go
22 through the new psychological reports and psychiatric
23 reports, and any other documents which may have a
24 bearing on your suitability. Then before we recess
25 for deliberation, the Deputy District Attorney, your
26 attorney, and you are given an opportunity to make a
27 short statement regarding your suitability and length

1 of confinement. We will then also have statements
2 from the victims' next-of-kin who are represented here
3 today also. Then we will recess for deliberation and
4 then call you back with our decision. Now, the law
5 and the Board of Prison Terms' rules state you are to
6 be denied a parole date if your release would pose an
7 unreasonable risk of danger to others. You are
8 afforded certain rights by law. I would ask at this
9 time of Ms. Webb if those rights have been met to the
10 best of your knowledge?

11 INMATE VAN HOUTEN: Yes.

12 ATTORNEY WEBB: Yes, they have.

13 PRESIDING COMMISSIONER ORTEGA: Thank you. One
14 of the rights you didn't get to exercise before today,
15 Ms. Van Houten, was the right to an impartial Panel.
16 Do you have any objections to any of the members of
17 the Panel that are seated before you today?

18 INMATE VAN HOUTEN: No, I don't.

19 PRESIDING COMMISSIONER ORTEGA: Thank you. You
20 know, I might ask you just to speak up just --

21 INMATE VAN HOUTEN: Oh.

22 PRESIDING COMMISSIONER ORTEGA: -- a little
23 bit --

24 INMATE VAN HOUTEN: No.

25 PRESIDING COMMISSIONER ORTEGA: -- so we be
26 sure we get it on the tape.

27 INMATE VAN HOUTEN: Yes, I have no objection.

1 **PRESIDING COMMISSIONER ORTEGA:** Thank you very
2 much. You also signed Board of Prison Terms' form
3 1073 and that's the Americans with Disabilities Act
4 Reasonable Accommodation Request, and I noted on that
5 form that you initialed it that you have no
6 disabilities that would preclude you from
7 participating in this hearing today; is that true?

8 **INMATE VAN HOUTEN:** That's true, I have no
9 disabilities.

10 **PRESIDING COMMISSIONER ORTEGA:** All right,
11 thank you. Do you have any documents, Counsel, you
12 want to present that we may not have received already?

13 **ATTORNEY WEBB:** All I have is a request that I
14 put in writing and it's just a brief request. It has
15 to do with the confidential parole plans materials.
16 And I've written it out so you can see the names of
17 the individuals to the residence and job places that
18 Ms. Van Houten would parole to, and I've done that
19 because I think those letters may be intermixed with
20 the other support letters that she has, and I'm just
21 concerned if we could make those names and addresses
22 confidential I would appreciate that.

23 **PRESIDING COMMISSIONER ORTEGA:** Most certainly
24 we will honor that request if you --

25 **ATTORNEY WEBB:** So I've written those down and
26 I've actually attached for whoever's handling --

27 **PRESIDING COMMISSIONER ORTEGA:** All right.

1 ATTORNEY WEBB: -- that section.

2 PRESIDING COMMISSIONER ORTEGA: Sure, we will
3 keep that confidential of course.

4 ATTORNEY WEBB: Okay.

5 PRESIDING COMMISSIONER ORTEGA: Any other
6 documents you want to present?

7 ATTORNEY WEBB: No, that's the only document.
8 There's another small section asking about crime
9 partners. It's just a minor thing. Bobby Beausoleil
10 is included in the miscellaneous materials in the
11 Board packet as a crime partner and I think it's been
12 dealt with in the past --

13 PRESIDING COMMISSIONER ORTEGA: Yeah, I know he
14 was not --

15 ATTORNEY WEBB: -- he was not, so --

16 PRESIDING COMMISSIONER ORTEGA: -- involved I
17 don't think in any of this.

18 ATTORNEY WEBB: Right.

19 PRESIDING COMMISSIONER ORTEGA: Mr. McKay can
20 probably -- Mr. Kay can probably confirm that.

21 HEAD DEPUTY DISTRICT ATTORNEY KAY: Bobby
22 Beausoleil was convicted of the Gary Hinman murder.

23 PRESIDING COMMISSIONER ORTEGA: Right, he was
24 not involved in the charges that --

25 HEAD DEPUTY DISTRICT ATTORNEY KAY: No, he
26 was --

27 PRESIDING COMMISSIONER ORTEGA: -- Ms. Van

1 Houten -- Okay.

2 ATTORNEY WEBB: -- in custody at the time.

3 PRESIDING COMMISSIONER ORTEGA: I saw that in
4 there and I didn't know how that managed to get in
5 there.

6 ATTORNEY WEBB: I think it's happened before
7 and --

8 PRESIDING COMMISSIONER ORTEGA: Okay.

9 HEAD DEPUTY DISTRICT ATTORNEY KAY: He's a
10 member of the Manson family and I think they --

11 PRESIDING COMMISSIONER ORTEGA: They
12 automatically incorporate it all. All right.

13 HEAD DEPUTY DISTRICT ATTORNEY KAY: I might
14 just say that in the past we have never stipulated to
15 the probation report being used. It's always the
16 Statement of Facts in prior hearings. The problem is
17 the probation report is very skitty, so I would have a
18 problem stipulating to that, but I would have no
19 problem stipulating to the Statement of Facts as read
20 into the record of the prior hearings, the --

21 PRESIDING COMMISSIONER ORTEGA: Well, that's
22 been done quite a few times.

23 HEAD DEPUTY DISTRICT ATTORNEY KAY: Yes, yes.

24 PRESIDING COMMISSIONER ORTEGA: And I don't
25 have any objection to that, Counsel, if you don't
26 either.

27 ATTORNEY WEBB: I have no --

1 INMATE VAN HOUTEN: That's fine.

2 ATTORNEY WEBB: -- objection to that.

3 PRESIDING COMMISSIONER ORTEGA: All right. As
4 I stated before, since we are incorporating by
5 reference, all I'm going to do is just kind of go over
6 the facts as I have read them. If there's anything
7 you want to correct, of course, Mr. Kay or Ms. Webb,
8 feel free to do. I don't have any -- will have no
9 problem with that as well. Any confidential
10 information to be used?

11 DEPUTY COMMISSIONER RICHARDSON: None.

12 PRESIDING COMMISSIONER ORTEGA: Thank you.
13 I've passed to your attorney just a few moments ago a
14 copy of the hearing checklist and that's the list of
15 all the documents that we're going to use today to
16 assist us. I would ask of Ms. Webb if she has all of
17 those? I'm sure with the possible exception of
18 confidential information.

19 ATTORNEY WEBB: Yes, I believe I do.

20 PRESIDING COMMISSIONER ORTEGA: Would you pass
21 that on to Mr. Kay please if you would.

22 ATTORNEY WEBB: Um-hmm.

23 PRESIDING COMMISSIONER ORTEGA: And I would ask
24 the same question of the District Attorney.

25 HEAD DEPUTY DISTRICT ATTORNEY KAY: Thank you.
26 Yes, it appears that I have everything.

27 PRESIDING COMMISSIONER ORTEGA: Good, thank

1 you. You will receive a copy of our tentative written
2 decision today. That decision will be effective 90
3 days after it's reviewed. We'll then send you a copy
4 of the transcript and we also send you a copy of the
5 decision. Then you have 90 days from the effective
6 date of that decision to appeal it if you wish.

7 INMATE VAN HOUTEN: Okay.

8 PRESIDING COMMISSIONER ORTEGA: Now, you're not
9 required to talk to us today, as you know. You're not
10 required to admit to the offense; however, we do
11 accept the findings of the court. Are you going to
12 talk to us today?

13 INMATE VAN HOUTEN: Yes.

14 PRESIDING COMMISSIONER ORTEGA: All right.
15 Would you raise your right hand please. Do you
16 solemnly swear or affirm in the hearing now pending to
17 tell the truth, the whole truth, and nothing but the
18 truth?

19 INMATE VAN HOUTEN: I do.

20 PRESIDING COMMISSIONER ORTEGA: All right,
21 thank you.

22 ATTORNEY WEBB: I have a brief preliminary
23 matter.

24 PRESIDING COMMISSIONER ORTEGA: Surely.

25 ATTORNEY WEBB: Just I'm not sure this is the
26 time.

27 PRESIDING COMMISSIONER ORTEGA: Well, let's

1 find out.

2 **ATTORNEY WEBB:** Okay. I just want to explain
3 for the record why we're here after two continuances.
4 Last summer you may be aware that when Ms. Van Houten
5 was representing herself, she had written a letter to
6 the Board raising certain questions, legal questions,
7 a number of them, and when she got here for that
8 hearing, apparently the Panel members weren't aware of
9 her letter and prepared to address her questions and
10 rightfully so I believe, advised Ms. Van Houten to --
11 gave Ms. Van Houten a continuance and advised her to
12 get an attorney, and I came into the case at that
13 point. And then a week before the November 4th
14 hearing, I asked for a continuance in order to prepare
15 myself the hearing since I hadn't been involved in the
16 case before that and it's a voluminous record. So my
17 request was initially denied, and then on the morning
18 of that hearing the request was granted by the Board
19 and I received a call from Mr. Ortega. And there's
20 been some damaging speculation outside this hearing
21 room that the reasons for those continuances had
22 something to do with the presence of the victims'
23 family members here, and I just want to make sure that
24 that speculation doesn't hurt my client here today.

25 **PRESIDING COMMISSIONER ORTEGA:** Well, and I
26 certainly appreciate your comments and I can attest to
27 both of those continuances because I was a part of

1 both of those, and as you stated, the reasons that you
2 just articulated of course were the ones and the sole
3 purpose behind the postponements at that time. So
4 that will not have -- carry any weight at any this
5 particular time. So --

6 ATTORNEY WEBB: Okay, thank you.

7 PRESIDING COMMISSIONER ORTEGA: All right.
8 We'll proceed with the hearing then. Ms. Van Houten,
9 on the two charges of first degree murder, of course
10 those dealt with the case of the LaBianca family.

11 INMATE VAN HOUTEN: Yes.

12 PRESIDING COMMISSIONER ORTEGA: The conspiracy
13 if I'm not mistaken, I was corrected I think by
14 Mr. Kay at our last hearing back in 1998, that not
15 only included the LaBiancas, but also the Tate murders
16 if I'm not mistaken.

17 HEAD DEPUTY DISTRICT ATTORNEY KAY: Well, it
18 was an ongoing conspiracy --

19 INMATE VAN HOUTEN: No.

20 HEAD DEPUTY DISTRICT ATTORNEY KAY: -- but she
21 joined it after the Tate murders --

22 PRESIDING COMMISSIONER ORTEGA: Okay.

23 HEAD DEPUTY DISTRICT ATTORNEY KAY: -- so she
24 had nothing to do with --

25 PRESIDING COMMISSIONER ORTEGA: With the Tate
26 murders.

27 HEAD DEPUTY DISTRICT ATTORNEY KAY: -- the Tate

1 murders. But it was one count of conspiracy to commit
2 murder that they were all convicted of. She had
3 nothing to do with the Tate murders.

4 ATTORNEY WEBB: Okay. Well, that conspiracy
5 relates only to the LaBianca murders it is my
6 understanding, and that was cleared up in -- I think
7 early on in the 1980s. And you have in the Board
8 packet an order from San Bernardino --

9 PRESIDING COMMISSIONER ORTEGA: Okay.

10 ATTORNEY WEBB: -- County --

11 PRESIDING COMMISSIONER ORTEGA: Yes, I saw
12 that.

13 ATTORNEY WEBB: -- about that.

14 PRESIDING COMMISSIONER ORTEGA: That was the
15 habeas corpus.

16 ATTORNEY WEBB: That it does -- it relates only
17 to the LaBianca murders.

18 PRESIDING COMMISSIONER ORTEGA: Okay.

19 HEAD DEPUTY DISTRICT ATTORNEY KAY: Her
20 participation was only at the LaBianca murders.

21 PRESIDING COMMISSIONER ORTEGA: Correct. All
22 right, fine. So at least we know exactly what charges
23 we're talking about. But anyway, you and I talked the
24 last time and apparently on -- specifically, and I
25 want to address primarily my thoughts and my comments
26 to the LaBianca murders. On the nights that these
27 crimes were committed, and I have the date written

1 here and it was some time in August, August the 8th I
2 believe.

3 INMATE VAN HOUTEN: Tenth.

4 PRESIDING COMMISSIONER ORTEGA: Tenth? You and
5 Charles Mason, along with Patricia Krenwinkel and Tex
6 Watson, and I thought there was one other person. I
7 don't know if that was Susan --

8 INMATE VAN HOUTEN: There was Susan Atkins,
9 Steve Grogan --

10 PRESIDING COMMISSIONER ORTEGA: You were all in
11 the car.

12 INMATE VAN HOUTEN: -- were also in the car.

13 PRESIDING COMMISSIONER ORTEGA: All right.

14 Now, just to put it in proper context, the evening
15 before, Mr. Manson had gone out with several of those
16 same people.

17 INMATE VAN HOUTEN: Yes.

18 PRESIDING COMMISSIONER ORTEGA: And they -- And
19 it was at that time that the Tate murders had been
20 committed.

21 INMATE VAN HOUTEN: Yes.

22 PRESIDING COMMISSIONER ORTEGA: And you knew
23 that something had happened when they got back.

24 INMATE VAN HOUTEN: Yes.

25 PRESIDING COMMISSIONER ORTEGA: They got back
26 to the Spahn Ranch I believe.

27 INMATE VAN HOUTEN: Yes.

1 PRESIDING COMMISSIONER ORTEGA: Is that where
2 you were staying? And I remember you and I talking at
3 the last hearing and it was interesting to note that
4 your comment was that you really felt left out when
5 they had gone out the first night.

6 INMATE VAN HOUTEN: Yes.

7 PRESIDING COMMISSIONER ORTEGA: And you wanted
8 to be sure that the next time that they went out to do
9 whatever they were going to do that you wanted to be a
10 part of that.

11 INMATE VAN HOUTEN: Yes.

12 PRESIDING COMMISSIONER ORTEGA: Did you talk to
13 Mr. Manson about that that night, do --

14 INMATE VAN HOUTEN: No.

15 PRESIDING COMMISSIONER ORTEGA: -- you
16 remember?

17 INMATE VAN HOUTEN: No. I --

18 PRESIDING COMMISSIONER ORTEGA: You didn't?

19 INMATE VAN HOUTEN: I remember that he
20 approached me on the boardwalk of the movie set the
21 night before the LaBianca murders and asked me was I
22 crazy enough to believe in him and what he was doing
23 and I said yes.

24 PRESIDING COMMISSIONER ORTEGA: So --

25 INMATE VAN HOUTEN: But I didn't directly ask
26 him can I go.

27 PRESIDING COMMISSIONER ORTEGA: When you said

1 -- When you knew you wanted to go and you had --

2 INMATE VAN HOUTEN: Yeah.

3 PRESIDING COMMISSIONER ORTEGA: -- articulated
4 that --

5 INMATE VAN HOUTEN: Yes.

6 PRESIDING COMMISSIONER ORTEGA: -- did you know
7 what they were going to go out to do?

8 INMATE VAN HOUTEN: Yes.

9 PRESIDING COMMISSIONER ORTEGA: All right. And
10 so you went willingly?

11 INMATE VAN HOUTEN: Yes.

12 PRESIDING COMMISSIONER ORTEGA: You knew that
13 the night before they'd gone out and they had killed
14 numerous people?

15 INMATE VAN HOUTEN: They told me when they got
16 back.

17 PRESIDING COMMISSIONER ORTEGA: All right. But
18 you didn't talk to Mr. Manson that night?

19 INMATE VAN HOUTEN: No.

20 PRESIDING COMMISSIONER ORTEGA: You got it from
21 the other family members?

22 INMATE VAN HOUTEN: I got it from Patricia
23 Krenwinkel and Susan Atkins.

24 PRESIDING COMMISSIONER ORTEGA: All right. So
25 the next night Mr. Manson comes to you and says come
26 on, we're going. Doesn't say where you're going as I
27 recall.

1 INMATE VAN HOUTEN: No, he said get a change of
2 clothes and get in the car.

3 PRESIDING COMMISSIONER ORTEGA: All right. So
4 then you drive into the Los Angeles Hollywood area.

5 INMATE VAN HOUTEN: Yes.

6 PRESIDING COMMISSIONER ORTEGA: Drove around
7 for quite some time as I recall?

8 INMATE VAN HOUTEN: Yes.

9 PRESIDING COMMISSIONER ORTEGA: It didn't
10 appear from what -- the statements that you made and
11 from what I read in the documents that they had
12 already selected the LaBianca residence because they
13 drove around and went to several locations.

14 INMATE VAN HOUTEN: Yes.

15 PRESIDING COMMISSIONER ORTEGA: So you don't --
16 you didn't know for sure where you were going to go?

17 INMATE VAN HOUTEN: No.

18 PRESIDING COMMISSIONER ORTEGA: You arrive at
19 the LoBianca -- the LaBianca residence.

20 INMATE VAN HOUTEN: Yes.

21 PRESIDING COMMISSIONER ORTEGA: Mr. Watson and
22 Mr. Mason leave the car.

23 INMATE VAN HOUTEN: Yes.

24 PRESIDING COMMISSIONER ORTEGA: They came back
25 about how some much later?

26 INMATE VAN HOUTEN: I don't -- Not long.

27 PRESIDING COMMISSIONER ORTEGA: Fifteen

1 minutes?

2 INMATE VAN HOUTEN: Maybe 15, 20.

3 PRESIDING COMMISSIONER ORTEGA: Okay. So he
4 comes back to the car, Mr. Manson. Mr. Manson came
5 alone back to the car; is that correct?

6 INMATE VAN HOUTEN: Yes.

7 PRESIDING COMMISSIONER ORTEGA: And he said to
8 you and Ms. Krenwinkel, go in the house and do what
9 Tex tells you to do?

10 INMATE VAN HOUTEN: Yes.

11 PRESIDING COMMISSIONER ORTEGA: Words to that
12 effect?

13 INMATE VAN HOUTEN: Yes.

14 PRESIDING COMMISSIONER ORTEGA: All right.
15 Mr. Manson stayed at the car?

16 INMATE VAN HOUTEN: Yes.

17 PRESIDING COMMISSIONER ORTEGA: Do you know at
18 that time did he leave?

19 INMATE VAN HOUTEN: I was under the impression
20 that they were leaving.

21 PRESIDING COMMISSIONER ORTEGA: All right. But
22 I mean after this crime was committed and you came
23 out, they were gone?

24 INMATE VAN HOUTEN: They were gone.

25 PRESIDING COMMISSIONER ORTEGA: All right. So
26 once you go into the house, Mr. Watson had them at
27 knifepoint I understand.

1 INMATE VAN HOUTEN: Yes.

2 PRESIDING COMMISSIONER ORTEGA: Had a bayonet I
3 think you had mentioned earlier the last time we
4 talked. Directed you and Patricia Krenwinkel to take
5 Mrs. LaBianca into a bedroom --

6 INMATE VAN HOUTEN: Yes.

7 PRESIDING COMMISSIONER ORTEGA: -- and to hold
8 her there.

9 INMATE VAN HOUTEN: Yes.

10 PRESIDING COMMISSIONER ORTEGA: And so you laid
11 her out -- or had her lay down on the bed.

12 INMATE VAN HOUTEN: Yes.

13 PRESIDING COMMISSIONER ORTEGA: Is that correct
14 so far?

15 INMATE VAN HOUTEN: Well, we were supposed to
16 kill her.

17 PRESIDING COMMISSIONER ORTEGA: That was the
18 direction?

19 INMATE VAN HOUTEN: Yes.

20 PRESIDING COMMISSIONER ORTEGA: Now, I believe
21 also what I read is that while you were there,
22 Patricia Krenwinkel went into the kitchen and brought
23 back some knives --

24 INMATE VAN HOUTEN: Yes.

25 PRESIDING COMMISSIONER ORTEGA: -- and gave you
26 one.

27 INMATE VAN HOUTEN: I think she did.

1 PRESIDING COMMISSIONER ORTEGA: All right.
2 That was what you testified to at the last hearing.

3 INMATE VAN HOUTEN: Okay.

4 PRESIDING COMMISSIONER ORTEGA: That's why I --

5 INMATE VAN HOUTEN: Yes.

6 PRESIDING COMMISSIONER ORTEGA: Okay.

7 INMATE VAN HOUTEN: Yes.

8 PRESIDING COMMISSIONER ORTEGA: So she gives
9 you the knife. About this same time you can hear in
10 the other room as I understand, as I remember,
11 Mr. Watson literally killing Mr. LaBianca.

12 INMATE VAN HOUTEN: Yes.

13 PRESIDING COMMISSIONER ORTEGA: You heard --
14 What did you hear, screams?

15 INMATE VAN HOUTEN: The sound of him being
16 stabbed and a guttural sound of his breathing.

17 PRESIDING COMMISSIONER ORTEGA: Did you hear
18 Mr. Watson say anything?

19 INMATE VAN HOUTEN: No.

20 PRESIDING COMMISSIONER ORTEGA: All right.
21 Mrs. LaBianca obviously heard the same thing.

22 INMATE VAN HOUTEN: Yes.

23 PRESIDING COMMISSIONER ORTEGA: She attempted
24 to get up --

25 INMATE VAN HOUTEN: Yes.

26 PRESIDING COMMISSIONER ORTEGA: -- of the bed.
27 At that time, apparently from what I recall,

1 Ms. Krenwinkel then attempted to stab her --

2 INMATE VAN HOUTEN: Yes.

3 PRESIDING COMMISSIONER ORTEGA: -- hit her in
4 the collarbone though.

5 INMATE VAN HOUTEN: Yes.

6 PRESIDING COMMISSIONER ORTEGA: And it kind of
7 bent the knife.

8 INMATE VAN HOUTEN: Yes.

9 PRESIDING COMMISSIONER ORTEGA: Was it you then
10 that went in and told Mr. Watson that you were having
11 difficulties or you needed his help?

12 INMATE VAN HOUTEN: Yes.

13 PRESIDING COMMISSIONER ORTEGA: All right. He
14 comes into the room. By then Mrs. LaBianca's already
15 on the floor.

16 INMATE VAN HOUTEN: No, she was still on the
17 bed.

18 PRESIDING COMMISSIONER ORTEGA: Okay.

19 INMATE VAN HOUTEN: He came into the room and I
20 don't -- I turned my back to the room and I looked out
21 into the hallway or, you know, out of the bedroom
22 door. And I stood there, and then that's when he
23 turned me around and handed me a knife and said do
24 something, so --

25 PRESIDING COMMISSIONER ORTEGA: Where was
26 Mrs. LaBianca at that time?

27 INMATE VAN HOUTEN: At that time she was in the

1 floor.

2 PRESIDING COMMISSIONER ORTEGA: And where was
3 Ms. Krenwinkel?

4 INMATE VAN HOUTEN: In the living room.

5 PRESIDING COMMISSIONER ORTEGA: She had gone
6 out into the living room?

7 INMATE VAN HOUTEN: Yes.

8 PRESIDING COMMISSIONER ORTEGA: When you turned
9 around and saw Mrs. LaBianca on the floor, what else
10 did you see relative to Mrs. LaBianca?

11 INMATE VAN HOUTEN: She was laying there
12 lifeless.

13 PRESIDING COMMISSIONER ORTEGA: Do you know for
14 sure she was dead?

15 INMATE VAN HOUTEN: I felt she was, but I
16 didn't know for sure.

17 PRESIDING COMMISSIONER ORTEGA: All right. So
18 she could have been alive still?

19 INMATE VAN HOUTEN: Yes.

20 PRESIDING COMMISSIONER ORTEGA: Mr. Watson says
21 to you do something.

22 INMATE VAN HOUTEN: Yes.

23 PRESIDING COMMISSIONER ORTEGA: What did that
24 imply to you?

25 INMATE VAN HOUTEN: Manson had been talking
26 about mutilating bodies and so it meant to do
27 something to her. He had also told Tex to make sure

1 everyone in the house did something.

2 PRESIDING COMMISSIONER ORTEGA: All right, but
3 you were not privy to that conversation?

4 INMATE VAN HOUTEN: I heard part of it out by
5 the car.

6 PRESIDING COMMISSIONER ORTEGA: Okay. Then you
7 heard that portion of it, that Mr. Manson said that
8 to --

9 INMATE VAN HOUTEN: Yes.

10 PRESIDING COMMISSIONER ORTEGA: -- Tex?

11 INMATE VAN HOUTEN: Yes.

12 PRESIDING COMMISSIONER ORTEGA: All right, so
13 when Mr. Watson said that to you, you assumed he
14 wanted you to stab --

15 INMATE VAN HOUTEN: Stab Mrs. LaBianca.

16 PRESIDING COMMISSIONER ORTEGA: And you stabbed
17 her numerous times.

18 INMATE VAN HOUTEN: Yeah, 14 or 16.

19 PRESIDING COMMISSIONER ORTEGA: And you stabbed
20 her I think you said mostly in the back.

21 INMATE VAN HOUTEN: All in the lower back.

22 PRESIDING COMMISSIONER ORTEGA: All right. And
23 so it's conceivable that she might still have been
24 alive at that point in time?

25 INMATE VAN HOUTEN: She could have been.

26 PRESIDING COMMISSIONER ORTEGA: All right. So
27 you stabbed her the 14 or 15 or 16 times, whatever it

1 was. Then what happened?

2 INMATE VAN HOUTEN: Then I started wiping off
3 fingerprints.

4 PRESIDING COMMISSIONER ORTEGA: Did Tex direct
5 you to do that?

6 INMATE VAN HOUTEN: No.

7 PRESIDING COMMISSIONER ORTEGA: Why did you
8 begin to do that then?

9 INMATE VAN HOUTEN: For one thing, we weren't
10 supposed to be detected that it was us that committed
11 the crime because it was supposed to be blamed on
12 blacks. And I didn't want to have any more contact
13 with the body of Ms. LaBianca and I felt that if I
14 kept busy that I wouldn't be asked to do anything
15 else. And so I --

16 PRESIDING COMMISSIONER ORTEGA: Okay, so you
17 were busy wiping fingerprints.

18 INMATE VAN HOUTEN: And I wiped them until we
19 left.

20 PRESIDING COMMISSIONER ORTEGA: And what was
21 Ms. Krenwinkel doing?

22 INMATE VAN HOUTEN: She was in the living room
23 and I didn't know what she was doing until we walked
24 out of the house and I had to walk through the living
25 room to get to the kitchen to go out the back door,
26 and she had written on the walls.

27 PRESIDING COMMISSIONER ORTEGA: And she had

1 written what, do you recall?

2 INMATE VAN HOUTEN: I didn't really see it
3 clearly that night, but I know since then she wrote,
4 "arise," and "helter skelter." I'm not sure exactly.

5 PRESIDING COMMISSIONER ORTEGA: Okay. But that
6 was part of what she wrote?

7 INMATE VAN HOUTEN: Yes.

8 PRESIDING COMMISSIONER ORTEGA: All right. And
9 Mr. Watson was doing what during this time?

10 INMATE VAN HOUTEN: He took a shower.

11 PRESIDING COMMISSIONER ORTEGA: All right. So
12 he went into the LaBianca's bathroom and used the
13 shower?

14 INMATE VAN HOUTEN: Yes.

15 PRESIDING COMMISSIONER ORTEGA: All right.
16 Now, you said that Mr. Manson told you to bring a
17 change of clothing.

18 INMATE VAN HOUTEN: Yes.

19 PRESIDING COMMISSIONER ORTEGA: What was the
20 purpose of that?

21 INMATE VAN HOUTEN: To change our clothes if
22 they got bloody.

23 PRESIDING COMMISSIONER ORTEGA: Did you do
24 that?

25 INMATE VAN HOUTEN: Mine weren't. My clothes
26 weren't bloody. And Tex didn't have a change of
27 clothes, so he said for me to give him mine. And at

1 the ranch we all shared the same clothes, so the jeans
2 I was wearing would fit Tex because I would just tie a
3 belt around them to hold them up. And he told me to
4 change clothes by wearing Mrs. LaBianca's clothes, and
5 so I went into her closet and I got a pair of shorts
6 and a top.

7 PRESIDING COMMISSIONER ORTEGA: What happened
8 to the clothes that you had been wearing while you
9 were there?

10 INMATE VAN HOUTEN: We dumped them in a
11 dumpster on the way out of the area.

12 PRESIDING COMMISSIONER ORTEGA: Did
13 Ms. Krenwinkel also change clothes while she was
14 there?

15 INMATE VAN HOUTEN: I really -- I assume she
16 did, but I didn't see it or -- I don't know if she did
17 or not.

18 PRESIDING COMMISSIONER ORTEGA: So you leave
19 the residence. You go out the back door. You're
20 pretty sure now at this point in time of course that
21 both Mr. and Mrs. LaBianca are dead.

22 INMATE VAN HOUTEN: Yes.

23 PRESIDING COMMISSIONER ORTEGA: You walk out
24 the back door. Now, because Mr. Manson has left you
25 there, you now have to find your own way to get back
26 to the Spahn Ranch.

27 INMATE VAN HOUTEN: Yes.

1 PRESIDING COMMISSJONER ORTEGA: And how did you
2 do that?

3 INMATE VAN HOUTEN: Hitchhiked.

4 PRESIDING COMMISSIONER ORTEGA: So you
5 hitchhiked from there. In terms of distance and time,
6 how long do you think it took you?

7 INMATE VAN HOUTEN: We got a straight ride
8 through, so it was sunrise.

9 PRESIDING COMMISSIONER ORTEGA: What time did
10 the --

11 INMATE VAN HOUTEN: Actually, we slept in the
12 bushes until morning.

13 PRESIDING COMMISSIONER ORTEGA: What time did
14 the killing occur, do you recall approximately?

15 INMATE VAN HOUTEN: It was late at night, but I
16 have no idea what time.

17 PRESIDING COMMISSIONER ORTEGA: Was it before
18 midnight?

19 INMATE VAN HOUTEN: It could have been. I --
20 You know, we didn't have clocks and things --

21 PRESIDING COMMISSIONER ORTEGA: Sure.

22 INMATE VAN HOUTEN: -- and so I really -- I
23 don't have any idea.

24 PRESIDING COMMISSIONER ORTEGA: Well, then let
25 me ask you another question. Approximately how much
26 time do you think you spent in the LaBianca residence?

27 INMATE VAN HOUTEN: I would look back and

1 speculate maybe a half hour.

2 PRESIDING COMMISSIONER ORTEGA: So all this
3 occurred in a half hour?

4 INMATE VAN HOUTEN: Quickly. It all happened
5 very quickly.

6 PRESIDING COMMISSIONER ORTEGA: Was there any
7 thought to steal anything?

8 INMATE VAN HOUTEN: No, although I think Tex
9 took a bottle of change.

10 PRESIDING COMMISSIONER ORTEGA: Okay. But that
11 was it?

12 INMATE VAN HOUTEN: Yes.

13 PRESIDING COMMISSIONER ORTEGA: Nothing else
14 was stolen?

15 INMATE VAN HOUTEN: No.

16 PRESIDING COMMISSIONER ORTEGA: All right. You
17 mentioned earlier that Mr. Manson wanted people to
18 believe that it was blacks that had committed this
19 crime.

20 INMATE VAN HOUTEN: Yes.

21 PRESIDING COMMISSIONER ORTEGA: Was that part
22 of the reason why nothing was taken?

23 INMATE VAN HOUTEN: I don't know. The -- He
24 took a wallet.

25 PRESIDING COMMISSIONER ORTEGA: He being?

26 INMATE VAN HOUTEN: Manson.

27 PRESIDING COMMISSIONER ORTEGA: Took it from

1 Mr. LaBianca?

2 INMATE VAN HOUTEN: Yes, I didn't know that
3 until after we were arrested. But I think that
4 stealing wasn't a thought because it wasn't burglary.
5 You know, it was a -- specifically designed to go kill
6 people to start the revolution, and so taking things
7 wasn't -- I didn't think of doing that.

8 PRESIDING COMMISSIONER ORTEGA: And it was
9 never mentioned to you to do that, it was never
10 mentioned to you not to do that either?

11 INMATE VAN HOUTEN: No.

12 PRESIDING COMMISSIONER ORTEGA: Okay. So now
13 you're back at the ranch. You hitchhiked back. Did
14 you ever talk to Mr. Manson when you got back about
15 what happened that night?

16 INMATE VAN HOUTEN: No, not any -- I don't
17 remember a conversation with him.

18 PRESIDING COMMISSIONER ORTEGA: Okay.

19 INMATE VAN HOUTEN: I -- We got back the next
20 day --

21 PRESIDING COMMISSIONER ORTEGA: Okay.

22 INMATE VAN HOUTEN: -- and I went to the back
23 farm house and then burned the clothing and --

24 PRESIDING COMMISSIONER ORTEGA: Which clothes
25 -- clothing was this?

26 INMATE VAN HOUTEN: Mrs. LaBianca's.

27 PRESIDING COMMISSIONER ORTEGA: Oh, the one

1 that you had on?

2 INMATE VAN HOUTEN: Yes. And whatever else
3 connected us to the crime.

4 PRESIDING COMMISSIONER ORTEGA: Okay.

5 INMATE VAN HOUTEN: And I had talked to Diane
6 Lake, and Tex found out that I was speaking with Diane
7 Lake and became very angry.

8 PRESIDING COMMISSIONER ORTEGA: Diane Lake was
9 another one of the Manson family?

10 INMATE VAN HOUTEN: Snake. Yeah, her nickname
11 was Snake.

12 PRESIDING COMMISSIONER ORTEGA: Okay. Last
13 name was Lake, L-A-K-E?

14 INMATE VAN HOUTEN: Yes. Also -- You know, we
15 all had several names. So --

16 PRESIDING COMMISSIONER ORTEGA: Um-hmm.

17 INMATE VAN HOUTEN: -- Bluestein or Lake. And
18 Tex Watson got very upset that I was speaking to her
19 and told me not to talk about it anymore.

20 PRESIDING COMMISSIONER ORTEGA: So you never
21 talked to anybody else about that?

22 INMATE VAN HOUTEN: Later at the desert I did,
23 but Manson had Pat Krenwinkel and I go to another
24 place to stay for a little while.

25 PRESIDING COMMISSIONER ORTEGA: All right. So
26 right immediately after this killing when you got back
27 to the Spahn Ranch?

1 INMATE VAN HOUTEN: I'd say within a few days
2 he got us over to this other place that was more
3 isolated.

4 PRESIDING COMMISSIONER ORTEGA: So it was just
5 the two of you there?

6 INMATE VAN HOUTEN: Yes, until we went to the
7 desert for the last time.

8 PRESIDING COMMISSIONER ORTEGA: Which was about
9 how much time?

10 INMATE VAN HOUTEN: Couple of weeks maybe.
11 I --

12 PRESIDING COMMISSIONER ORTEGA: Okay. That's
13 okay. I just -- Approximately is all I need.

14 INMATE VAN HOUTEN: Yeah.

15 PRESIDING COMMISSIONER ORTEGA: All right.
16 This happened in 1969.

17 INMATE VAN HOUTEN: Yes.

18 PRESIDING COMMISSIONER ORTEGA: Thirty-one
19 years ago, almost thirty-one years ago. I asked you
20 the last time and I ask you again about your feelings
21 now, what you went through, your remorse, what exactly
22 are you feeling now over these horrendous crimes? I
23 think there's no other way to describe them. How do
24 you feel about it now?

25 INMATE VAN HOUTEN: I feel that no matter what
26 my particular participation is or was in the murders,
27 it doesn't diminish or make me feel less responsible.

1 I feel very responsible for Mr. and Mrs. LaBianca's
2 murder. And I feel that it used to be important to me
3 to hope that she was dead and to believe that my
4 feelings that she was when I stabbed her, it made it
5 easier for me to live with. But as I've aged and as
6 I've really come to terms with the loss, it doesn't
7 matter whether I wielded the fatal blows or not, I
8 feel responsible for both their deaths. As time's
9 gone on, it's gotten more difficult to live with, and
10 the only way I know to express my remorse is to be who
11 I am today in the world I live in and it helps some.
12 And some days are easier than others. But I'll be
13 living with this crime for the rest of my life --

14 PRESIDING COMMISSIONER ORTEGA: In the --

15 INMATE VAN HOUTEN: -- and I know that.

16 PRESIDING COMMISSIONER ORTEGA: Yeah, thank
17 you.

18 INMATE VAN HOUTEN: In a very real way.

19 PRESIDING COMMISSIONER ORTEGA: Let me ask you
20 this. In the context of the people that were there,
21 and we're talking about not only Charles Manson, Tex
22 Watson, Patricia Krenwinkel, Susan Atkinson (sic), is
23 any one of you or any one of you more culpable for
24 this crime; any one more responsible than the other?

25 INMATE VAN HOUTEN: Manson.

26 PRESIDING COMMISSIONER ORTEGA: And the reasons
27 why.

1 INMATE VAN HOUTEN: I believe that he was
2 already criminally oriented. And I don't know
3 everybody else's personal histories and I've often
4 wondered what was going on inside of Tex Watson. I
5 didn't -- You know, I don't think any of us as kids at
6 the ranch really knew each other truly. We knew what
7 we were wearing for each other at the ranch to be part
8 of the group. But I feel that Manson had a plan and a
9 design, and when he left prison I think that he
10 intended to use people, which is what he did, and I
11 believe he was the most culpable certainly in planning
12 it.

13 PRESIDING COMMISSIONER ORTEGA: You were --
14 came from a very good background --

15 INMATE VAN HOUTEN: Yes, I did.

16 PRESIDING COMMISSIONER ORTEGA: -- family. You
17 were an intelligent young woman --

18 INMATE VAN HOUTEN: Yes.

19 PRESIDING COMMISSIONER ORTEGA: -- at that
20 time. How old were you then?

21 INMATE VAN HOUTEN: Nineteen -- eighteen.

22 PRESIDING COMMISSIONER ORTEGA: The reason I
23 ask that is you were just out of high school.

24 INMATE VAN HOUTEN: Yes.

25 PRESIDING COMMISSIONER ORTEGA: A year or two
26 out of high school. Yet you were -- what you're
27 saying is Mr. Manson had such control over you that --

1 And I'm not going to try to put words in your mouth,
2 you correct me if I'm wrong, but what it sounds that
3 you're saying is he was more responsible for this
4 crime than you were.

5 INMATE VAN HOUTEN: No, I -- When you said
6 culpable I thought you meant in the designing of the
7 crime.

8 PRESIDING COMMISSIONER ORTEGA: Oh, no. What I
9 was talking about -- I'm -- And I apologize, maybe I
10 didn't make myself --

11 INMATE VAN HOUTEN: Because --

12 PRESIDING COMMISSIONER ORTEGA: -- clear.

13 INMATE VAN HOUTEN: -- I certainly believe that
14 whatever he became was equally my responsibility for
15 allowing him to become that. You know, people can
16 pull reins in on other people and I never did that. I
17 never said to him, you're really getting out there.
18 Instead I tried to please him more. And I feel in
19 that way that if it's like whose fault it is, I don't
20 -- I carry this crime with me as though I were the
21 only one.

22 PRESIDING COMMISSIONER ORTEGA: So I guess
23 you've answered my question. My question was who
24 shares the most responsibility and you're saying that
25 everyone shared responsibility for this.

26 INMATE VAN HOUTEN: Everyone.

27 PRESIDING COMMISSIONER ORTEGA: Equally?

1 INMATE VAN HOUTEN: Yes.

2 PRESIDING COMMISSIONER ORTEGA: Okay. There
3 maybe other questions from the other Commissioners.
4 I'm going to move on then and talk a little bit about
5 your prior arrest history as well as your family
6 history, and I'll depend on a lot of help from you on
7 that portion of the hearing. But I noted that you had
8 -- all your arrests all happened in 1969.

9 INMATE VAN HOUTEN: Yes, they were all --

10 PRESIDING COMMISSIONER ORTEGA: All centered
11 around the Manson family.

12 INMATE VAN HOUTEN: Yes.

13 PRESIDING COMMISSIONER ORTEGA: I noted that
14 there was about three grand theft auto charges, but
15 there was --

16 INMATE VAN HOUTEN: Yes.

17 PRESIDING COMMISSIONER ORTEGA: -- never any
18 prosecution of those.

19 INMATE VAN HOUTEN: No.

20 PRESIDING COMMISSIONER ORTEGA: There was also
21 a burglary charge were you used a stolen credit
22 card --

23 INMATE VAN HOUTEN: Yes.

24 PRESIDING COMMISSIONER ORTEGA: -- to buy some
25 items, and there was no disposition on that either.
26 Nothing happened as a result of that?

27 INMATE VAN HOUTEN: I wasn't the one signing.

1 PRESIDING COMMISSIONER ORTEGA: Oh, okay. It
2 was somebody else that was signing?

3 INMATE VAN HOUTEN: Yes.

4 PRESIDING COMMISSIONER ORTEGA: You were
5 arrested but you were not charged?

6 INMATE VAN HOUTEN: Yeah.

7 PRESIDING COMMISSIONER ORTEGA: Now that
8 happened in September of 1969.

9 INMATE VAN HOUTEN: Yes.

10 PRESIDING COMMISSIONER ORTEGA: You committed
11 this crime, the murder for which you're in prison in
12 August of 1969.

13 INMATE VAN HOUTEN: Yes.

14 PRESIDING COMMISSIONER ORTEGA: When were you
15 arrested?

16 INMATE VAN HOUTEN: October 10th.

17 PRESIDING COMMISSIONER ORTEGA: Of 1969?

18 INMATE VAN HOUTEN: Yes.

19 PRESIDING COMMISSIONER ORTEGA: Okay. So
20 you've been in custody literally ever since?

21 INMATE VAN HOUTEN: No.

22 PRESIDING COMMISSIONER ORTEGA: Did you get out
23 for a period of time?

24 INMATE VAN HOUTEN: Yes, in 19 -- I believe it
25 was '78, the early part of '78 I was out on bail for
26 six months.

27 PRESIDING COMMISSIONER ORTEGA: All right.

1 Tell me a little about your family history, do you
2 have any brothers and sisters?

3 INMATE VAN HOUTEN: Yes, I have two brothers
4 and a sister. My younger sister and brother are
5 Amerasian and were adopted when I was seven and they
6 were two and three, and we had a good life. And my
7 dad left when I was I believe 13 or 14, and that kind
8 of affected -- didn't kind of, it definitely affected
9 our family structure. And I took it hard and I --

10 PRESIDING COMMISSIONER ORTEGA: How about your
11 mom?

12 INMATE VAN HOUTEN: My mother, she's a gentle,
13 loving, kind woman who is very involved in the church.

14 PRESIDING COMMISSIONER ORTEGA: Are they still
15 alive today, your parents?

16 INMATE VAN HOUTEN: Yes, they both are.
17 They're in their eighties now. And when my dad left,
18 my mom had to go back to renew her teaching
19 credential. And I began to -- When I was 15, I
20 started dating a young man and I was experimenting
21 with drugs. And I ended up pregnant when I was 17 and
22 that ended in an abortion that affected me very
23 deeply, and I believe that that's what left me so open
24 to kind of dropping out and going with Katherine Share
25 and Bobby Beausoleil that eventually took me to the
26 ranch.

27 PRESIDING COMMISSIONER ORTEGA: Do you keep in

1 contact with your family members now?

2 INMATE VAN HOUTEN: Yes, I do.

3 PRESIDING COMMISSIONER ORTEGA: With your
4 brother and sister and both?

5 INMATE VAN HOUTEN: Yes.

6 PRESIDING COMMISSIONER ORTEGA: And your
7 parents, obviously you still keep in contact with
8 them?

9 INMATE VAN HOUTEN: Yes.

10 PRESIDING COMMISSIONER ORTEGA: All right.
11 Have you ever married?

12 INMATE VAN HOUTEN: Yes, I did. I married an
13 ex-con while I was in here I believe in the early
14 eighties, and I was married for six months and I
15 divorced him.

16 PRESIDING COMMISSIONER ORTEGA: All right. And
17 that's the last marriage that you've ever had?

18 INMATE VAN HOUTEN: Yes.

19 PRESIDING COMMISSIONER ORTEGA: Okay. Anything
20 else you want to talk to us about in your family
21 history or anything in this portion of the hearing
22 that we haven't covered that you feel is important?

23 INMATE VAN HOUTEN: It's all pretty documented.
24 I think everything is --

25 PRESIDING COMMISSIONER ORTEGA: Yeah, there's
26 quite a bit.

27 INMATE VAN HOUTEN: -- really well documented.

1 **PRESIDING COMMISSIONER ORTEGA:** Yeah, there is
2 quite a bit. All right, with that then I'll ask you
3 to direct your attention to Ms. Richardson. She'll
4 cover your prison adjustment --

5 **INMATE VAN HOUTEN:** Okay.

6 **PRESIDING COMMISSIONER ORTEGA:** -- and
7 specifically more so from the last hearing, which was
8 in 1998.

9 **INMATE VAN HOUTEN:** Okay.

10 **DEPUTY COMMISSIONER RICHARDSON:** Good
11 afternoon.

12 **INMATE VAN HOUTEN:** Hi.

13 **DEPUTY COMMISSIONER RICHARDSON:** What I'm going
14 to do is I'm going to cover both the laudatory chronos
15 that you received, information chronos, as well as
16 some of the vocational work you were doing. The Board
17 file is a little confusing, so I'm actually
18 incorporating a couple of reports because there was
19 one done in April of 2000, but what they did was they
20 referenced the prior one because of the continuance.
21 So I'm going to be referring to one from November 4th
22 as well of 1999, and these were both done by Counselor
23 Alderson. In relationship to what you were doing
24 work-wise, it's my understanding that you were working
25 as a clerk on the third watch.

26 **INMATE VAN HOUTEN:** Yes.

27 **DEPUTY COMMISSIONER RICHARDSON:** Now, when did

1 that actually start?

2 INMATE VAN HOUTEN: That started last August.

3 DEPUTY COMMISSIONER RICHARDSON: Okay. So that
4 started in August of 1999.

5 INMATE VAN HOUTEN: Yes.

6 DEPUTY COMMISSIONER RICHARDSON: And that's a
7 program II clerk?

8 INMATE VAN HOUTEN: Yes.

9 DEPUTY COMMISSIONER RICHARDSON: Okay. I'm
10 going to note for the record that you have remained
11 disciplinary-free, that your classification score is
12 zero, and that from my review has reflected that you
13 have nothing but exceptional grades while you were
14 working -- while you have been working in that
15 capacity. Now I know that there -- that has actually
16 made it difficult for you in some of the participation
17 that you had prior to that as far as self-help groups.

18 INMATE VAN HOUTEN: Yes, and the institution or
19 the prison just passed a rule that you can't work in
20 the same work area for more than two years, and even
21 though I went from the second watch to the third
22 watch, I was in the same area. So now I have day job
23 again and so I'll be able to resume my programs as I
24 was --

25 DEPUTY COMMISSIONER RICHARDSON: Okay.

26 INMATE VAN HOUTEN: -- before.

27 DEPUTY COMMISSIONER RICHARDSON: I am going to

1 note some of the things that you were participating in
2 through that same time frame though. Like I say,
3 that's from the time of your last hearing in 1998 to
4 present. You were commended for participating in May
5 of 1998 for a program called Yes, I Can Too, and that
6 was a tutor program. Now, is that when you're
7 assisting other inmates?

8 INMATE VAN HOUTEN: Yes. And also I continued
9 tutoring people even though I was working at night. I
10 just didn't have the documentation --

11 DEPUTY COMMISSIONER RICHARDSON: Okay.

12 INMATE VAN HOUTEN: -- to present to you.

13 DEPUTY COMMISSIONER RICHARDSON: All right.

14 And that is actually to -- Is that to assist them in
15 achieving GEDs and those types of those goals or
16 just --

17 INMATE VAN HOUTEN: Yes.

18 DEPUTY COMMISSIONER RICHARDSON: -- literacy?

19 INMATE VAN HOUTEN: Yeah. Yes, I Can Too deals
20 with women basically that aren't functioning above
21 sixth grade.

22 DEPUTY COMMISSIONER RICHARDSON: Okay. So it
23 actually addresses their literacy --

24 INMATE VAN HOUTEN: Yes.

25 DEPUTY COMMISSIONER RICHARDSON: -- in
26 particular? All right. I noticed that you were
27 thanked for participation in September of 1998 at the

1 Women's Advisory Council barbecue, and in December of
2 1998 an active participant in the Native American
3 religious service. There are numerous chronos in
4 relationship to participation in the Al-Anon, the
5 AA/NA, and the CODA. Can you just briefly describe
6 these three programs that you've participated in?

7 INMATE VAN HOUTEN: Yes, they were -- What it
8 is is every Wednesday night of the month, each
9 Wednesday there's a different group that comes in and
10 talks to the women. I particularly am involved in
11 Narcotics Anonymous.

12 DEPUTY COMMISSIONER RICHARDSON: Okay.

13 INMATE VAN HOUTEN: And for a while I was a
14 12-step facilitator, which just, you know, means that
15 we would meet and discuss each step.

16 DEPUTY COMMISSIONER RICHARDSON: Okay. So when
17 you say facilitator, you would actually lead the
18 group?

19 INMATE VAN HOUTEN: Yes.

20 DEPUTY COMMISSIONER RICHARDSON: Okay. And
21 these chronos rate -- or actually dated from July of
22 1998 through April of 1999. I'm just going to back up
23 here and make sure there wasn't anything else that I
24 left out. Okay. And this summary in relationship to
25 the counselor's report, he indicates that: "If
26 paroled at this time, Ms. Van Houten would appear to
27 present a low degree of threat to the community.

1 Prior to release, Ms. Van Houten would benefit from
2 continuing her exemplary program efforts." And that
3 was his last comment. At this time what I'm going to
4 do is move into the psychiatric report. This was done
5 by Dr. McDaniel. It's dated May 1st of the year 2000.
6 He again comments about how well you have been
7 programming since you've been at CIW and talks a
8 little bit about your actual job duties on the third
9 watch. This is from 2:00 to 10:00, so many of the
10 late afternoon/early evening classes or groups you
11 were not able to participate in. He indicates a
12 diagnosis -- no diagnosis on Axis I or II. And his
13 comment in relationship to assessment of
14 dangerousness:

15 "I do not believe the inmate would be
16 dangerous if released to the community.
17 This is based upon the internalization
18 of societal norms and her feelings of
19 her shame, guilt, and remorse of her
20 past behavior. In addition, the inmate
21 has a greater understanding of how to
22 maintain her own mental health and deal
23 with issues of loneliness."

24 With that, I'm going to go ahead and return it to the
25 Chair.

26 PRESIDING COMMISSIONER ORTEGA: Thank you.
27 Mrs. Lawin now will cover your parole plans.

1 COMMISSIONER LAWIN: Thank you.

2 ATTORNEY WEBB: May I just remind you again
3 about my confidential request about those --

4 COMMISSIONER LAWIN: Yes, I was just --

5 PRESIDING COMMISSIONER ORTEGA: No, we will --

6 COMMISSIONER LAWIN: -- reading a note about
7 that.

8 ATTORNEY WEBB: Oh, okay.

9 PRESIDING COMMISSIONER ORTEGA: That was
10 what --

11 ATTORNEY WEBB: Thank you.

12 PRESIDING COMMISSIONER ORTEGA: -- the note was
13 in reference to.

14 ATTORNEY WEBB: Oh, okay.

15 PRESIDING COMMISSIONER ORTEGA: I don't think
16 we need to make the ruling --

17 COMMISSIONER LAWIN: As the Chair, he needs to
18 make --

19 ATTORNEY WEBB: Thank you very much.

20 PRESIDING COMMISSIONER ORTEGA: -- simply
21 because they are confidential, and of course of the
22 concerns the notoriety of this case we would deem
23 those to be confidential in terms of addresses and any
24 other things that would --

25 ATTORNEY WEBB: Okay. It's just in the past I
26 think people have inadvertently said the names and I
27 understand that the --

1 **PRESIDING COMMISSIONER ORTEGA:** Yeah, we will
2 honor that request.

3 **COMMISSIONER LAWIN:** Thank you. In terms of
4 notices in the Board report, let me indicate to you
5 that we did not have copies of actual letters. We
6 have a list of support letters that were received.
7 There are 64 in total dating from 19 -- May 4th, 1998,
8 the earliest, up to July 23rd, 1999. So in terms of
9 individual letters, there is actually only one in our
10 Board report and I'll go through that letter in a
11 moment.

12 **ATTORNEY WEBB:** Okay. I actually have -- I
13 think I have actually original signatures and I don't
14 know why because they were forwarded from the Board
15 so -- Well, do we assume that the Board has them?

16 **COMMISSIONER LAWIN:** They're -- Undoubtedly the
17 institution has them, but probably due to the large
18 number, they chose not to include them in our packet.

19 **PRESIDING COMMISSIONER ORTEGA:** We will most
20 certainly accept those as valid in terms of letters of
21 support for --

22 **COMMISSIONER LAWIN:** And if you would like, I
23 can read the names into the record. If you would
24 rather not, I think that call should be yours.

25 **INMATE VAN HOUTEN:** I don't -- You have them
26 available to read the letters and to see what the
27 people wrote, right?

1 PRESIDING COMMISSIONER ORTEGA: And I think you
2 also would have that opportunity too.

3 INMATE VAN HOUTEN: If you have that, there's
4 no need to read every name into the record.

5 COMMISSIONER LAWIN: Okay. Because just from
6 my list, I don't have an indication of a relationship
7 or their level of support. That's why I was a little
8 hesitant to just read the names because it really
9 doesn't indicate --

10 ATTORNEY WEBB: It doesn't --

11 INMATE VAN HOUTEN: Yeah.

12 ATTORNEY WEBB: -- mean much.

13 COMMISSIONER LAWIN: No, it doesn't.

14 ATTORNEY WEBB: You know, and I -- certainly
15 I'm disappointed that you don't have the letters
16 because she has letters from professionals in the
17 community, religious leaders. She has a letter from a
18 former CDC -- a 23-year CDC employee who was very
19 supportive of her and talks about the record that he
20 observed, school teachers and other people, including
21 her family members of course. And, you know, these
22 are people who have known her for a long, long time
23 personally known her.

24 PRESIDING COMMISSIONER ORTEGA: All right,
25 thank you.

26 COMMISSIONER LAWIN: Then let me go through the
27 letters that I do have. There's one letter in the

1 Board packet and that's a supportive letter indicating
2 a great deal of support for the release of Ms. Van
3 Houten and that letter is from a R. Poland. The
4 letter talks about the fact that this individual has
5 never met the inmate, however, she has communicated
6 with her verbally. And there is some discussion in
7 here about a website which is supportive of release
8 and the fact that this individual wrote the letter
9 contacted Ms. Van Houten relative to that website and
10 found out that it was a website that was not generated
11 by the inmate and she really had no direct
12 relationship to the website at all. And that's what
13 the letter --

14 INMATE VAN HOUTEN: Me?

15 COMMISSIONER LAWIN: Yes.

16 INMATE VAN HOUTEN: Yeah, since it came up, I
17 hope you all understand I have nothing to do with
18 websites, I never have, and I requested that the woman
19 that had something on there take me off. I don't
20 believe it's appropriate to solicit or communicate in
21 that way in my situation, and just so that's very
22 clear. These letters like from this woman come
23 forward and I don't know who she is and I'm not really
24 sure of her interest in me. And I just want it real
25 clear that I don't solicit support on the Internet.

26 ATTORNEY WEBB: I have the letter, Ms. Van
27 Houten wrote to the person who has the Internet site

1 asking that it be discontinued. I also have the
2 letters of support if you'd like to --

3 PRESIDING COMMISSIONER ORTEGA: Well, what we
4 can do --

5 ATTORNEY WEBB: -- have them.

6 PRESIDING COMMISSIONER ORTEGA: -- Counsel, is
7 with -- if you have no objection, we can review those
8 as we go through.

9 ATTORNEY WEBB: Sure.

10 PRESIDING COMMISSIONER ORTEGA: Then we can
11 consider those for our -- in our deliberations if
12 that's agreeable to you.

13 INMATE VAN HOUTEN: That's fine.

14 PRESIDING COMMISSIONER ORTEGA: Or we can read
15 them on the record. That's up to you. I don't want
16 to -- I want to make sure that we do everything --

17 ATTORNEY WEBB: I understand.

18 PRESIDING COMMISSIONER ORTEGA: -- to preserve
19 Ms. Van Houten's rights.

20 INMATE VAN HOUTEN: I don't -- I don't see
21 (inaudible).

22 ATTORNEY WEBB: Okay. I think I'll give them
23 to you. I don't see any reason to read them on the
24 record.

25 PRESIDING COMMISSIONER ORTEGA: All right,
26 thank you. We will review those --

27 ATTORNEY WEBB: You can take a look at them.

1 PRESIDING COMMISSIONER ORTEGA: Surely.

2 DEPUTY COMMISSIONER RICHARDSON: I have to
3 change the tape.

4 PRESIDING COMMISSIONER ORTEGA: Oh, we're going
5 to turn the tape now because we are running out, so
6 we'll have just a very brief recess.

7 [Thereupon, the tape was turned over.]

8 COMMISSIONER LAWIN: Thank you. In terms of
9 parole plans, it has been indicated that you do have a
10 longstanding job offer --

11 INMATE VAN HOUTEN: Yes, I do.

12 COMMISSIONER LAWIN: -- in Los Angeles County,
13 and that you also have a longstanding offer for a
14 place of residence in Los Angeles County. And due to
15 the confidential nature of that, I will not be
16 revealing the names or locations. Suffice it to say
17 we do have documentation in the file to bolster both
18 of those statements. And is there anything you'd like
19 to add relative to those plans?

20 INMATE VAN HOUTEN: It's my understanding that
21 if the day comes where I am found suitable and parole
22 plans are to be made that they'll be investigated very
23 thoroughly.

24 COMMISSIONER LAWIN: Yes.

25 INMATE VAN HOUTEN: And that I will have a
26 12-step or NA group that I will be able to go to.
27 There are very skeletal, you know. I have a wonderful

1 support network of people who have been in the
2 community as contributing members that I have known
3 for most of them 18 to 30, 40 years, and each of them
4 will offer whatever will be needed. The
5 materialistic, like car, house, food, would be taken
6 care of, but more importantly they'll be there for me
7 in a very supportive way, which I have found in my
8 therapies that is primary that I have people to turn
9 to when I have issues that I'm dealing with. I assume
10 the Board would look up these people and know them and
11 be comfortable with them before I am paroled, so.

12 COMMISSIONER LAWIN: Thank you. Long term
13 goals, I see from the Board report that you would
14 ultimately like to return to college and seek
15 employment in the editorial field. Would you care to
16 elaborate on that?

17 INMATE VAN HOUTEN: Well, I got my Bachelor's
18 degree in English Literature and I felt that -- And I
19 don't know the world out there, but if I could it felt
20 like a good thing for a woman in her fifties to be
21 able to do book editing for maybe a small book company
22 and I could do that from my home and not be in a high
23 profile kind of situation because I -- if that day
24 ever comes, I certainly want to become anonymous and
25 live very quietly if I can.

26 COMMISSIONER LAWIN: Thank you. We send out
27 what are called 3042 notices and those notices go out

1 to the agencies that have an interest in your case,
2 and the District Attorney's office is here and they'll
3 make their own comments at the appropriate time. We
4 received no other written response to those 3042
5 notices. Anything else you'd like to add about parole
6 plans before we move on?

7 INMATE VAN HOUTEN: No.

8 COMMISSIONER LAWIN: Thank you. I will review
9 these letters in the interim. And I'll return to the
10 Chair.

11 PRESIDING COMMISSIONER ORTEGA: Thank you. Any
12 additional questions, Ms. Richardson?

13 DEPUTY COMMISSIONER RICHARDSON: No questions.

14 PRESIDING COMMISSIONER ORTEGA: Mrs. Lawin?

15 COMMISSIONER LAWIN: No, I have no questions.

16 PRESIDING COMMISSIONER ORTEGA: Questions,
17 Mr. Kay?

18 HEAD DEPUTY DISTRICT ATTORNEY KAY: No.

19 PRESIDING COMMISSIONER ORTEGA: Thank you.
20 Questions, Counsel?

21 ATTORNEY WEBB: No.

22 PRESIDING COMMISSIONER ORTEGA: We'll go to
23 closing statement from Mr. Kay.

24 HEAD DEPUTY DISTRICT ATTORNEY KAY: Thank you
25 very much. Although over 30 years have passed since
26 the time of the LaBianca murders, we must never forget
27 the main reason why we're here today. The main reason

1 that we're here is not to hear how Ms. Van Houten has
2 done in prison or what psychiatrists or psychologists
3 think about her. The main reason that we're here is
4 because in the early morning hours of August 10th,
5 1969, Ms. Van Houten and her crime partners, led by
6 Charles Manson, viciously and brutally murdered Leno
7 and Rosemary LaBianca in the supposed sanctity of
8 their own home. Leno and Rosemary LaBianca were two
9 decent, hardworking, law-abiding people. They never
10 did anything to Ms. Van Houten or her crime partners.
11 They didn't even know them. They were complete
12 strangers. At the time of his murder, Leno LaBianca
13 was 44 years old. He was the president of a chain of
14 small markets called the Gateway Markets. Rosemary
15 was 40 and she owned her own dress shop, the Carriage
16 Boutique. The motive for these murders is something
17 that should give each one of you great reluctance in
18 ever finding Leslie Van Houten suitable for parole.
19 Leno and Rosemary LaBianca were killed for one reason
20 and that was because Ms. Van Houten and her crime
21 partners wanted to blame their murders on innocent
22 black people in hopes that white people would rise up
23 in anger and go down into the black communities and
24 start indiscriminately murdering black people.
25 Pursuant to this motive, Charles Manson took Rosemary
26 LaBianca's wallet; that's the only thing he took from
27 the house. He had it planted in a gas station of what

1 he felt was a predominantly black area in hopes that a
2 black person would find the wallet, would use the
3 credit card and get blamed for the murders. Now, this
4 motive for the murder wasn't all Mr. Manson's doing.
5 This was a group project. They used to sit around in
6 a house on Gresham Street in Canoga Park and listen to
7 the Beatles White Album and they'd be on LSD and they
8 theorized what the Beatles, the prophets, were saying
9 to the black people to get them to rise up. Because,
10 you see, the beneficiaries of this revolution were not
11 going to be the black people. The black people would
12 kill all non-blacks, but the beneficiaries were going
13 to be the Manson family because they were going to be
14 hiding out in Death Valley and then when the
15 revolution was over, they felt the blacks were too
16 stupid to maintain power so they were going to come
17 back and the blacks would turn over power. Now, the
18 thing that I would like you each to consider when
19 you're deliberating here today that Ms. Van Houten and
20 the others, if their plan came to fruition, none of us
21 would be here today. The LaBianca murders is just the
22 tip of the iceberg. They wanted to start a revolution
23 where literally millions of people would be murdered.
24 The rendition of the facts of Ms. Van Houten's
25 participation in the murders, she always leaves out
26 some very salient points pointing to how active a part
27 she played in these murders. And I know she's taken

1 responsibility, at least she has mentioned those words
2 and I commend her for that, but she did so much more
3 than she told you when she was in the LaBianca house.
4 And Manson came out of the house, had Watson,
5 Krenwinkel, and Ms. Van Houten get out of the car. He
6 didn't tell them to do what Tex tells you to do. He
7 told them that there were a man and woman up in the
8 house, that he had tied them up, that he had told them
9 that it was just a robbery and that he wasn't going to
10 hurt them. He said, don't let the man and woman know
11 that you're going to kill them and don't cause fear
12 and panic like the night before. Now, Ms. Van Houten
13 knew exactly what happened the night before because
14 she and Ms. Krenwinkel, her best friend in the family,
15 spent the day watching news accounts of the murders on
16 TV and Ms. Krenwinkel filled her in on what happened
17 in the murders. When Watson, Van Houten, and
18 Krenwinkel approached the house, when they walked in
19 the front door, Watson was the only one who was armed.
20 He had a bayonet. Krenwinkel immediately went to the
21 kitchen to get kitchen knives for herself and Ms. Van
22 Houten without any direction from Tex Watson. Tex
23 Watson addressed Mr. and Mrs. LaBianca on the sofa,
24 told them that it was just a robbery and asked if they
25 had any money. Mrs. LaBianca said, yes, she had a
26 small box of money, and so Watson untied her hands.
27 Mr. LaBianca still had his hands tied behind his back

1 with leather shoelaces. Mrs. LaBianca went and got
2 the box of money. In the meantime -- Well, when she
3 came back, Van Houten and Krenwinkel took her to the
4 bedroom for the purpose of killing her, just as
5 Ms. Van Houten said today. But what she didn't tell
6 you is what happened when they got in the room. When
7 they got in the room, Ms. Van Houten took a pillowcase
8 off of one of the pillows, put the pillowcase over
9 Rosemary LaBianca's head. She unplugged the lamp cord
10 from the night table, the lamp that was on the
11 nightstand by the bed, wrapped the cord around
12 Mrs. LaBianca's neck and pushed Mrs. LaBianca down to
13 the bed and started to hold her down so that
14 Mrs. Krenwinkel could stab her. At this point,
15 Rosemary could hear Leno getting stabbed to death in
16 the living room and she got a sudden burst of energy
17 and she bolted up from the bed crying out her
18 husband's name. And she reached with the lamp that
19 was at the end of this cord that was around her neck
20 and swung it in the direction of Ms. Van Houten.
21 Ms. Van Houten knocked the lamp out of her hands,
22 wrestled her down to the bed, pinned her down, and at
23 that point Ms. Krenwinkel, with the knife, plunged the
24 knife into Rosemary, hitting her collarbone and
25 bending the knife blade. Now, Ms. Van Houten was
26 together enough to know that maybe these kitchen
27 knives weren't going to work, so -- and she knew that

1 Mr. Watson had the bayonet, so she ran to the hallway,
2 called for Tex, said, Tex, it's not working. Watson
3 comes into the bedroom then and then Watson and
4 Ms. Van Houten proceeded to stab Rosemary LaBianca to
5 death. Rosemary was stabbed 42 times. She had eight
6 fatal stab wounds. That means each of those wounds in
7 and of themselves would have killed her, and seven of
8 those eight fatal stab wounds were in her back.

9 Ms. Van Houten has admitted at prior hearings that she
10 stabbed Mrs. LaBianca 16 times. She admitted, again
11 as she did today, to Board member Rudolph Castro in
12 the '86 and '87 hearings that she did not know whether
13 Mrs. LaBianca was alive or dead at the time. The
14 testimony by Diane Lake that Ms. Van Houten brought up
15 at her trial, she was asked did she say whether or not
16 she enjoyed stabbing this person and Diane Lake said
17 yes. And the question was what did she say? "She
18 said at first she did not want to do it, but that the
19 more she did it the more fun it was." After stabbing
20 Rosemary to death, Ms. Van Houten went around wiping
21 off fingerprints, and she did such a good job that the
22 experts from the LAPD found nothing but wipe marks.
23 They did find lots of wipe marks, but they didn't find
24 any fingerprints, they didn't find Ms. Van Houten's
25 fingerprints, they didn't find Mr. Watson's
26 fingerprints, or Ms. Krenwinkel's fingerprints. Now,
27 Ms. Van Houten tells you a story today about giving

1 her clothes to Tex. The problem is remember that she
2 also said that she brought a change of clothes with
3 her. So which clothes did she give Tex because as I
4 argued at her second and third trial, she changed her
5 clothes because she had blood on those clothes. If
6 she gave Tex clothes, well, did she give Tex the
7 clothes she brought along with her? Did she give Tex
8 the clothes she was wearing? But she could have
9 changed -- If she didn't have any blood on the
10 clothes, she didn't need to change her clothes, but if
11 she gave Tex those clothes she could have changed into
12 the clothes she brought. But, no, she changed into
13 Rosemary LaBianca's clothes. And then one other thing
14 she didn't tell you. That she worked up such an
15 appetite from murdering Rosemary LaBianca that she
16 drank chocolate milk from the LaBianca refrigerator.
17 When she got back to the ranch, again her actions show
18 how together she was that night because the first
19 thing she did, she went to a back house on the ranch,
20 went outside and started collecting firewood. She
21 collected firewood and built a fire in the fireplace
22 and took off Mrs. LaBianca's clothes and burned those
23 clothes, and while the clothes were burning, she was
24 sitting on a bed counting the money from
25 Mrs. LaBianca's box, and it turned out to be a little
26 over eight dollars and change. Ms. Van Houten tends
27 to always minimize what she did, not accepting the

1 full story, the true story of what she did. I think
2 one of the clearest examples of this was in the
3 psychological report done by the UCLA psychologist. I
4 was a little amused to find that he said that he was
5 nominated by Ms. Van Houten to do the report like
6 somebody would be nominated for an Academy Award or
7 something. But anyway, in the report he concluded
8 that Ms. Van Houten was reduced to an unthinking
9 person at the time of the murders. Well, nothing
10 could be further from the truth. Not only the actions
11 that I've gone over, calling for Tex, wiping
12 fingerprints, burning clothes, but at her 1977 trial
13 on cross examination I asked Ms. Van Houten, I said
14 before the time of the LaBianca murders, before that
15 night, did you think about whether or not you could
16 participate in murder, and her response to me was, you
17 mean how long did I weigh it in my head, and I said,
18 yes, how long did you weigh it in your head, and she
19 said for two days. She weighed it in her head for two
20 days. Now I know that you're going to come across
21 people in your hearings that you're lucky if they
22 thought about it for five seconds before they
23 committed murder, but Ms. Van Houten weighed and
24 considered it for two days. She said that -- Further
25 on cross examination, she admitted that she decided to
26 participate in murder before Manson or any other
27 member of the family asked her to do so. And as

1 Mr. Ortega brought up, she was upset when she found
2 out that the night before that people had gone out
3 without her. She knew fully what they had done. By
4 the time she went out on the LaBianca murders she knew
5 that it was wrong to commit murders. She had given it
6 a lot of thought, but she did it anyway. Well, her
7 desire got fulfilled on the evening of August 9th and
8 the early morning hours of August 10th. She got to go
9 along. And for her participation in these brutal
10 murders with this unimaginable motive, probably the
11 worst motive that you can come across in any of your
12 hearings, I feel Ms. Van Houten should again be found
13 unsuitable for parole and should be found unsuitable
14 for a minimum of two years. Thank you very much.

15 PRESIDING COMMISSIONER ORTEGA: Thank you.
16 Ms. Webb.

17 ATTORNEY WEBB: Thank you. I have just a brief
18 rebuttal of some of his -- the prosecutor's factual
19 statement. First, I think Ms. Van Houten is at a
20 little bit of a disadvantage here because after so
21 many years of going over the facts, she'd asked
22 questions in a way that doesn't seem to require the
23 recitation of all the facts that Mr. Kay seems to
24 require. And I've just read all the past Board
25 transcripts and she's gone over her participation in
26 great, great detail. And I feel that if Mr. Kay feels
27 that she can be more explicit about her participation,

1 I wish he would ask her questions that he feels that
2 the Board perhaps hasn't elicited response from her
3 adequately. And, you know, I think it's not something
4 that's easy for her to talk about, but I feel that her
5 expression today of responsibility for what she did is
6 very genuine and very clear about how she feels about
7 her participation. I note that Mr. Kay says that
8 seven of the eight fatal stabs were to Mrs. LaBianca's
9 back and Ms. Van Houten has admitted stabbing her 14
10 times in the lower back and that's true, but that
11 leaves in inaccurate implication from the record that
12 Ms. Van Houten inflicted the fatal stab wounds.
13 Mr. Kay doesn't say that the medical examiner's
14 testimony shows that the fatal wounds were inflicted
15 with a bayonet that Tex Watson had and not the smaller
16 kitchen knife that Ms. Van Houten had. I think
17 Section 2030(d) requires the prosecutor to cite
18 supporting documentation for his factual statement.
19 Ms. Van Houten certainly, as she said, takes
20 responsibility for all her actions on the night of the
21 murders. I'm sure at this stage, at this time after
22 30 years, the Board doesn't want her to take
23 responsibility for something that she didn't do and
24 which the trial transcript confirms that she didn't
25 do. I'm correcting the facts. I'm not diminishing
26 her responsibility at all for the deaths of the
27 LaBiancas.

1 PRESIDING COMMISSIONER ORTEGA: All right.

2 ATTORNEY WEBB: Okay. I'd also like to make
3 one other point. When Mr. Kay says that motive was a
4 group project, I think the evidence also supports that
5 what the group did while listening to the White Album
6 on Gresham Street on LSD was to try to find messages
7 for Charies Manson to fit in with his plan, and I
8 think the Board's Statement of Facts reflects that
9 this was his plan, that they went out that night under
10 his orders, and that the -- to instigate, I think the
11 words are, to instigate or to trigger his helter
12 skelter plan. So I don't think we can revisit the
13 facts now to show that this was some kind of a group
14 project because it just wasn't. I think one other
15 thing about the Dr. Wellish (phonetic) report that you
16 have, that's the UCLA doctor, that was an independent
17 report and I don't see that Ms. Van Houten had any
18 reason to shave the truth in that report because she
19 knew it was coming here and I think it's -- you know,
20 it's -- If they have made mis-statements about her
21 recitation of the facts or used certain words to
22 describe what she told them, then that's certainly not
23 her responsibility. And I think that you'll see also
24 in support of the fact that Ms. Van Houten is pretty
25 explicit about her understanding of what her role was
26 in these murders in the June 1999 psych report --
27 psychiatric report from the Board psychiatrist,

1 Dr. McDaniel, she describes in quite great detail
2 holding Ms. LaBianca down, and calling to Tex Watson
3 in the living room, holding her again and then
4 stabbing her in the back. So I don't think that she
5 shirks responsibility at all for the particulars about
6 what she did. In terms of suitability, the question
7 for the Panel is who is Ms. Van Houten today and is
8 she suitable for parole. Suitability is based solely
9 on the question of whether this woman is going to be a
10 danger to the public if released. It's not based on
11 who her crime partners were or what they may have
12 done. The Board must look at what she did, the
13 motivation for the crime, what's happened since, and
14 who she is today, and all the evidence you have shows
15 that Ms. Van Houten would not be a danger to the
16 public if released today. Dr. McDaniel, the Board
17 psychiatrist, says two things very eloquently in his
18 current report. He says: "I do not believe the
19 inmate would be dangerous if released to the
20 community." What's important is why Dr. McDaniel says
21 this. He says because he sees her internalization of
22 society's norms, her feelings of her shame, guilt, and
23 remorse for past behavior. In addition, Dr. McDaniel
24 says: "The inmate has a greater understanding of how
25 to maintain her own mental health and deal with issues
26 of loneliness." This is not Dr. McDaniel's first
27 report. I think that's very significant. He said in

1 his 1996 report that he needed to see more of Ms. Van
2 Houten to assess if she's internalized society's
3 external controls and now he sees that she has.
4 Dr. McDaniel also says that Ms. Van Houten now knows
5 how to deal with the issue of loneliness which was a
6 part of her situation here, that she has a strong
7 desire for self-preservation so that she can see
8 detrimental behavior and act upon it before it gets
9 out of control. I think he puts to rest any lingering
10 doubt about her judgments about relationships and her
11 ability to function in a situation here within the
12 prison where she encounters a lot of dangerous people
13 and she certainly knows how to live responsibly in
14 this community. She's never gotten into any trouble
15 with other inmates. One of her support letters, a
16 23-year employee of the CDC says there have been many
17 volatile situations, major riots, lockdowns, sit-down
18 strikes, racial incidents, escapes, and other lesser
19 situations, but that she has had the good judgment
20 never to get into any trouble like that here in 30
21 years. Dr. McDaniel has also found that Ms. Van
22 Houten is much more of a leader than a follower now.
23 One factor alone has gone against her in the past, the
24 nature of the commitment offenses, and no one denies
25 that these were terrible, horrible crimes. I've now
26 read thousands of pages of transcript, as I said, and
27 I found that going back to her trial, Ms. Van Houten

1 has never denied that she owed a good portion of her
2 life for what she did and that she deserved to be
3 punished. We've presented the opinion to the Board
4 this year, leading cult expert, Dr. Margaret Singer,
5 to answer questions the Board has asked in the past.
6 Questions like how could Ms. Van Houten have gotten
7 involved in this considering her background and why
8 didn't she leave. The cult evaluation also answers
9 the question of whether there's something about
10 Ms. Van Houten's moral base that's askew. The answers
11 to these questions go directly to the issue of whether
12 she would or would not be a danger to the public
13 today. Dr. Singer's opinion also goes to the Panel's
14 consideration of suitability because it goes to
15 motivation for the crime and truly explains how
16 Ms. Van Houten came to believe in the motive helter
17 skelter, although it was not her motive, and how that
18 created an enormous amount of stress leading up to the
19 time of the murders because she truly believed that
20 there was going to be a terrible Armageddon. The cult
21 report is not an excuse for what she did. It's not a
22 legal defense. But it explains how a vulnerable,
23 naive, idealistic teenage girl in the 1960s, who like
24 a lot of kids was searching for something, could be
25 taken in and her belief system turned upside down so
26 that wrong was right. By the night of the murders,
27 Ms. Van Houten's motive was to be a good soldier. She

1 believed she had to do what Manson ordered for helter
2 skelter. Dr. Singer's report says:

3 "While in no way minimizing the horror
4 of the crimes, it is important to
5 realize that Leslie Van Houten was not
6 acting with free will at that time.
7 Unbeknownst to her, Manson had
8 successfully broken down her
9 personality, substituting his sick world
10 view in its place and taught her that
11 his way was the right way and that what
12 he said was tantamount to a directive
13 from God."

14 PRESIDING COMMISSIONER ORTEGA: One moment
15 please.

16 HEAD DEPUTY DISTRICT ATTORNEY KAY: I'm sorry.
17 I hate to interrupt, Counsel, but I was not provided
18 with Dr. Singer's report so, you know, I just --

19 PRESIDING COMMISSIONER ORTEGA: That is true.

20 HEAD DEPUTY DISTRICT ATTORNEY KAY: -- have to
21 objection.

22 PRESIDING COMMISSIONER ORTEGA: We did not
23 receive it, Counsel, until today.

24 HEAD DEPUTY DISTRICT ATTORNEY KAY: I would --

25 ATTORNEY WEBB: I provided it --

26 HEAD DEPUTY DISTRICT ATTORNEY KAY: -- object

27 PRESIDING COMMISSIONER ORTEGA: Well, we never

1 got it --

2 ATTORNEY WEBB: -- you know, ahead of time to
3 the --

4 PRESIDING COMMISSIONER ORTEGA: And it was
5 never given to the District Attorney --

6 ATTORNEY WEBB: I provided the prison with a
7 copy to give to him.

8 PRESIDING COMMISSIONER ORTEGA: Well,
9 apparently --

10 ATTORNEY WEBB: You know --

11 PRESIDING COMMISSIONER ORTEGA: -- he never --

12 HEAD DEPUTY DISTRICT ATTORNEY KAY: I object
13 since I wasn't given it ten days before the hearing.

14 ATTORNEY WEBB: I'm not -- I don't know that
15 the rules require that he be given that. I thought we
16 had to be given a ten day notice, but I did provide --

17 PRESIDING COMMISSIONER ORTEGA: That is
18 correct --

19 ATTORNEY WEBB: -- the copies through the Board
20 to give to him.

21 PRESIDING COMMISSIONER ORTEGA: That is
22 correct.

23 ATTORNEY WEBB: I can't, you know --

24 PRESIDING COMMISSIONER ORTEGA: Let me move on
25 that, Counsel, before you --

26 ATTORNEY WEBB: Oh.

27 PRESIDING COMMISSIONER ORTEGA: -- go any

1 further.

2 ATTORNEY WEBB: Okay.

3 PRESIDING COMMISSIONER ORTEGA: That is
4 correct, the ten day rule applies only to documents
5 that come to --

6 ATTORNEY WEBB: Um-hmm.

7 PRESIDING COMMISSIONER ORTEGA: -- the inmate.
8 They don't cover that, Mr. Kay. We have a copy of
9 that. We will most certainly make that available to
10 you if you wish to look at that, but the Counsel is
11 correct. They gave it to the institution. The
12 institution had a responsibility. They didn't get it
13 to you. I will make a -- I'll get the copy for you
14 now and you can follow along if you wish.

15 HEAD DEPUTY DISTRICT ATTORNEY KAY: Okay. I'd
16 appreciate that.

17 PRESIDING COMMISSIONER ORTEGA: You're welcome.
18 Continue, Counsel.

19 ATTORNEY WEBB: Okay, thank you. According to
20 Dr. Singer, a methodical process of cult
21 indoctrination took place. Ms. Van Houten was no
22 match for Manson, a 34-year-old con man. He used
23 classic cult techniques: geographical and emotional
24 isolation from her past and from her family. He used
25 intimidation. He made Ms. Van Houten feel stupid,
26 ridiculing her past beliefs, totally controlling her
27 environment. Family members couldn't even have their

1 own clothes or toothbrushes. He stripped away her
2 identity. He also promoted an us versus them
3 mentality which worked with what was already going on
4 in the 1960s. Manson convinced Ms. Van Houten that
5 they had to prepare for imminent race war. And by the
6 way, that was a war that they believed was going to
7 happen anyway, but that -- And in the late sixties,
8 you can imagine why they might have believed that war
9 was going to happen. But that Manson came to believe
10 that his group had to start the war and that's what
11 happened with helter skelter and that's why he sent
12 them out to do the murders when he did. Manson
13 convinced Ms. Van Houten also that to leave him would
14 be to die, just like the 913 people who died at
15 Jonestown couldn't leave with Congressman Ryan when
16 given a chance. During countless LSD sessions, Manson
17 preached the Armageddon he called helter skelter and
18 wouldn't even let any of his followers leave the room
19 during those sessions. LSD was one of his most
20 effective tools and it was really working against her
21 without her knowledge. According to Dr. Singer's
22 report, LSD can induce personality changes,
23 depersonalization, magical thinking, and
24 suggestibility. Now, I'm not saying she hadn't taken
25 LSD before meeting Charles Manson because that -- she
26 had many, many times, but he used it to effectuate his
27 change in her personality and certainly the

1 suggestibility part of it worked with what he was
2 doing. Since 1969 we know more about the power of a
3 charismatic cult leader. We've seen Jonestown where
4 mothers killed their own children and Jones' followers
5 killed Congressman Ryan and other observers and that
6 was in 1978, just to put it in a perspective
7 historically, just after Ms. Van Houten's third trial.
8 Since then we've seen David Koresh, and Heaven's Gate,
9 and the Japanese Solar Temple, and I think just last
10 month in Uganda hundreds of people were murdered.
11 These cults all mix violence and Armageddon in a
12 lethal mix. And it should be obvious by now in the
13 year 2000 that even normal, good people under a cult
14 leader's influence do horrible things. At Jonestown
15 even medical doctors passed out the poison drink that
16 they took. By the time Ms. Van Houten weighed in her
17 mind if she could participate in murder for Manson, in
18 Dr. Singer's clinical judgment, she was fully
19 indoctrinated into the cult and into his warped belief
20 system. She acted that night not in a daze or a
21 trance. She did know what she was doing, but she was
22 in a state of depersonalization and when in a state of
23 depersonalization, according to Dr. Singer, people are
24 capable of going through the motions of an activity
25 without fully realizing what they are doing. What
26 Ms. Van Houten did in the LaBianca's house and what
27 she takes responsibility for was horrible, but it was

1 not done without some conflict on her part, and
2 Dr. Singer explains about that as well. Ms. Van
3 Houten has testified in the past about feeling guilty
4 at the time that she wasn't able to be a better
5 soldier. She participated, but there were some things
6 like turning away and looking into the hall that's
7 she's always testified about, there was something
8 comfortable that situation. A part of her didn't want
9 to obey Manson. Dr. Singer says:

10 "This is like a soldier who knows his
11 duties but feels a momentary conflict
12 the first time he's asked to kill after
13 being -- a lifetime of being taught that
14 killing is wrong. Ms. Van Houten
15 believed in helter skelter because she
16 had been brainwashed. She acted not out
17 of motivation, the cause of revolution;
18 her motive was to do what Manson
19 ordered."

20 **PRESIDING COMMISSIONER ORTEGA:** Let me stop you
21 just a moment, Counsel. You're not going to read this
22 whole report are you? We do have it --

23 **ATTORNEY WEBB:** No, I'm not.

24 **PRESIDING COMMISSIONER ORTEGA:** All right,
25 because it's getting --

26 **ATTORNEY WEBB:** And I've --

27 **PRESIDING COMMISSIONER ORTEGA:** -- rather

1 lengthy.

2 **ATTORNEY WEBB:** Okay. Well, I'll speed it up
3 then. Ms. Van Houten's belief in that motive 30 years
4 ago should not prevent her parole today. The cult
5 report does not shift responsibility for her violent
6 acts, it only explains how she could have done what
7 she did and not be an inherently evil human being or a
8 danger today. According to all the psychiatric
9 reports over the past 26 years, the psychological
10 tests you have by Dr. Wellish and Dr. Singer's
11 evaluation, Ms. Van Houten now understands what
12 happened to her, and with the help of correctional
13 facility personnel and through her own determination
14 to understand how she could have fallen under Manson's
15 influence, she has regained her personality and the
16 moral view that was taught to her by her parents. And
17 we see that in everything she's done over the past 30
18 years, and I think that is a large part of your
19 consideration today. Those same tests also confirm
20 one other thing, and that's very important to the
21 Board. In Dr. McDaniel's report: "There's no
22 evidence that Ms. Van Houten will be prone to
23 involvement with another cult or with people who will
24 harm her or others." And according to Dr. McDaniel,
25 he sees that her desire for self-preservation is part
26 of the reason for that. Ms. Van Houten was never a
27 person without a moral base and there's nothing flawed

1 about her morality. She has now and for over 26 years
2 regained that morality and kept true to it ever since.
3 Today the Board's rules apply equally to her as to any
4 other prisoner appearing before you, and that's not
5 easy because her case is not one that no one knows
6 about and it also involves Charles Manson. The
7 Panel's role, however, is to see Ms. Van Houten as an
8 individual. Your decision to release her on parole
9 would not open the flood gates to Charles Manson as he
10 has 56 more years or something like that to serve in
11 enhancements alone. In terms of all the other
12 suitability factors, all of them support her release.
13 She has no juvenile record at all. She has a stable
14 social history. And I think you have those letters
15 now. She has an enormous network of long-term friends
16 and family, including friends from high school who
17 have known her for 30 or 40 years and they see today
18 in this nearly 51-year-old woman the girl they knew
19 before Manson and drugs. She has support from a lot
20 of people I said before: religious leaders,
21 psychiatrists, and other people who have been on the
22 staff here, all who knew her personally and do not
23 believe that she is a danger. In terms of signs of
24 remorse, all the psychiatric reports confirm that her
25 remorse is genuine, but I'm going to let Ms. Van
26 Houten talk about that. The motivation for the crime,
27 I've talked about that in terms of the cult

1 indoctrination, but it's important to distinguish the
2 Manson cult from a gang of criminals I think. A gang
3 of criminals are out for personal gain, but a cult
4 member's motivation is to fulfill the vision of the
5 leader, however warped, after being indoctrinated and
6 brainwashed. Lack of criminal history, you've gone
7 through that. There's no history of convictions and
8 all occurred while she was with Manson, her minor
9 arrest record. In terms of age, the next category,
10 there's nothing really to say about that except that
11 no one is the same person at 51 as at age 19,
12 especially not someone who's had years of therapy and
13 self-reflection. I think her institutional behavior,
14 the record speaks for itself and you've gone over that
15 too. And the parole plans also, I think they are in
16 place and they're not that sketchy. She does have a
17 definite job plan and she does have a place to live
18 with someone that she's known for 20 years. After 30
19 years, the gravity of the offense is outweighed by the
20 suitability factors and the lack of any evidence of
21 danger to the public if released. She can be
22 considered for parole not just because of all she's
23 done here, but because of your regulations. In terms
24 of the matrix, what kind of a term are we talking
25 about? It looks like you have her on C-3 of the
26 matrix and that's realistic. Ms. Van Houten's former
27 attorney, Dan Rotech (phonetic) went into the

1 calculations under the matrix in great detail in the
2 past and I won't repeat that except to summarize.
3 Under C-3, she has a base term of 14, 16, or 18 years.
4 With enhancements under Section 2286, that adds 14
5 years. Mitigation outweighs the aggravating factors.
6 I believe it's -- we've shown it's an unusual
7 situation not likely to reoccur. And the cult expert
8 opinion is not an excuse, but it certainly suggests
9 that there were extenuating circumstances which do not
10 amount to a legal defense. Ms. Van Houten had no
11 apparent pre-disposition to commit the crime, but was
12 induced by others to participate. That takes us to
13 around 30 years without good time credits.
14 Calculation of the credits takes us to 22 to 24 years.
15 What we're talking about is punishment and how much is
16 enough. I don't think it's reasonable to use the
17 commitment offenses as the justification for more time
18 given that it's been 30 years and the law says the
19 punishment she should serve is what the law and the
20 matrix says she should serve and that has been
21 satisfied. To summarize, is Ms. Van Houten suitable
22 for parole? You have plenty of evidence of that. You
23 have 30 years of evidence from CDC authorities. You
24 have the Board psychiatrist this year and over 12
25 other psychiatrists going back to before 1978 who find
26 that she would not be a danger if released. You have
27 no acts of violence before or since that one night of

1 horrible violence. The work Ms. Van Houten has done
2 here to understand and to change and to make up for
3 what she did has been going on for 30 years and it
4 will continue. She'll just be starting the next stage
5 of the corrections process when you give her a date.
6 No one could live a lie for 30 years under the
7 scrutiny of guards and counselors. Her true character
8 and her heart is revealed in her everyday life. She
9 is the woman you see and the woman all the evidence
10 says is not a danger to the public. She's a nearly
11 51-year-old woman who lives every day with remorse and
12 who is now the decent, good, law-abiding woman she
13 would have been if not for drugs and Charles Manson's
14 cult. We respectfully request that you find her
15 suitable and give her a date in the year 2000. Thank
16 you.

17 PRESIDING COMMISSIONER ORTEGA: Thank you.
18 Ms. Van Houten, is there anything you would like to
19 add?

20 INMATE VAN HOUTEN: Yes, very briefly. It's
21 important to me that the Board of Prison Terms knows
22 that I accept responsibility. And I know that this
23 year there were a lot of documents and that is as my
24 attorney said to explain the behavior. I don't excuse
25 what I did. I know that what I did is inexcusable.
26 And it's important that you all know that, that I
27 don't try to skirt my responsibility. I've been asked

1 in the past if I had written letters of amends to
2 those -- the family of Mr. and Mrs. LaBianca and I
3 responded that I had not because I felt to do so would
4 be very presumptuous on my part. And I had no
5 indicator one way or the other how the family felt,
6 both Mr. -- Well, to be perfectly honest, I had never
7 even know of Mr. LaBianca's family, only
8 Mrs. LaBianca's from her prior marriage. And I've
9 often thought how would I feel had it been my own
10 mother and father, and I'm not so sure that I would
11 have wanted the perpetrator to try and contact me.
12 I'm relieved that family members have come forward.
13 It's really hard to live with the murder, and when
14 there was no one there, it was an incomplete dealing
15 with it. My years have been trying to find how you
16 live with taking a life because you can never make it
17 right. And I sincerely apologize for all the pain
18 that the family went through. I apologize for the
19 sadness and the loneliness, and I feel that it's very
20 important that the family know that I live with this
21 in a true and real way. I would want to know that if
22 it were my mother and father. I would want to know
23 that the person knew. I try not to be dramatic up
24 here because it's always subject to everyone else's --
25 This isn't a private hearing. And I don't want to --
26 I don't want to do what I'm starting to do. I just
27 want to say that I apologize deeply for what I did. I

1 also want to say that if the family works with the
2 institution that I certainly would welcome the
3 opportunity to apologize to them in a more personal
4 way. That's all I have to say, thank you.

5 **PRESIDING COMMISSIONER ORTEGA:** Thank you.
6 Mr. John DeSantis, sir, if you would.

7 **MR. DESANTIS:** I am John DeSantis, nephew of
8 Leno and Rosemary LaBianca. My family has suffered a
9 great emotional, financial strain as a result of the
10 brutal killings of my aunt and uncle. My dad had to
11 go to the morgue to identify their bodies. This has
12 tormented me and him even to this day. He was also
13 considered a suspect at the time and had to take a
14 polygraph test, which was very upsetting to him and
15 all of us. With the death of my uncle and aunt, the
16 family business suffered a financial loss and was
17 eventually sold, causing great burden for the entire
18 family. My mom, the sister of Leno, has silently
19 mourned the loss of her brother and sister-in-law and
20 her health suffered. She is now in a nursing home,
21 unable to take care of herself. The damage done to my
22 family emotionally keeps multiplying. I feel Ms. Van
23 Houten should remain in prison without parole due to
24 the violent nature of her crimes. I thank you for
25 giving me this opportunity to speak.

26 **PRESIDING COMMISSIONER ORTEGA:** Thank you, sir.
27 Mr. Louis Smaldino.

1 **COMMISSIONER LAWIN:** We need to change the
2 tape.

3 **PRESIDING COMMISSIONER ORTEGA:** Oh, we're going
4 to change the tapes, Mr. Smaldino. Just take the
5 chair. That's okay.

6 [Thereupon, the tapes were changed.]

7 **MR. SMALDINO:** I'm the nephew of Leno and
8 Rosemary LaBianca and the oldest of the grandchildren.
9 My mother was Stella LaBianca Smaldino, and I have not
10 spoken out during any of the Manson family hearings
11 for parole as it was my firm belief that such heinous
12 crimes would never allow these convicted, cold-blooded
13 murderers to see freedom again. If not for the
14 erroneous thinking of the Bird court, the Manson
15 family would be on death row awaiting execution for
16 some of the most tragic and despicable murders of our
17 century. I cannot begin to express what these murders
18 did to our loving family. Excuse me. I saw my
19 grandmother, Karina, suffer and finally die of a
20 broken heart. She was always such a joyful and loving
21 image for me and this crime destroyed her emotionally.
22 My mother, Stella, suffered many years of depression,
23 and my dad, Peter, was called to identify the
24 brutalized bodies and lost much of his joy for life
25 after that. The family grocery business, over 50
26 years old, never recovered from the loss of its
27 family, from its leader and CEO, Leno. The family's

1 hard earned net worth was destroyed by these savage
2 acts. LaBianca children, Leno and Rosemary's
3 individually, were emotionally and financially
4 handicapped from that day forward. Our entire family
5 is forever damaged beyond repair. We lost a vital
6 part of our existence because of these murders. As a
7 child with all my cousins and siblings, the Waverly
8 home was our family sanctuary where we grew up as a
9 true Italian family in the best sense of the term. We
10 laughed, played, cried, and loved each other as only
11 family can. One of the murder weapons used was the
12 carving knife and fork that was used for our holiday
13 festivities. I saw as a youngster my grandfather,
14 then Leno and my father use these instruments of joy
15 turned into tools of torture and death. These
16 murderers, including Leslie Van Houten, desecrated our
17 family home and sanctuary. Our family has never
18 recovered from this outrage to humanity. We are all
19 stained for life. These offenses affect all of us
20 daily forever. The idea that Leslie Van Houten has
21 rehabilitated and paid society's debt is outrageous
22 and absurd. She can never repay in this life what she
23 and her accomplices did to our family. The
24 responsibilities for these acts rest squarely with
25 each and every participant. Society cannot allow
26 notorious murderers onto the street ever again.
27 Never. You would have to know Leno and Rosemary to

1 understand my outrage at any suggestion of parole.
2 These were two of the kindest, nicest, loving and
3 generous people I have ever known. Leslie Van Houten
4 and her clan brutally murdered these gentle people for
5 no other purpose than a thrill. It will be a travesty
6 of the highest order if any Manson family is ever let
7 out of prison. They are all responsible for their
8 vicious and selfish acts, and a just society must hold
9 them accountable. I pray that you understand the
10 terrible and unrectified damage done to our family by
11 Leslie Van Houten. She committed murder and still
12 lives. Our society is truly merciful. Leno and
13 Rosemary cry out through our voices for justice.
14 Thank you for your consideration of our plea for no
15 parole ever.

16 PRESIDING COMMISSIONER ORTEGA: Thank you,
17 Mr. Smaldino. Angela Smaldino.

18 MS. SMALDINO: I was 21 at the time of the
19 murder. I lived through the same times you did,
20 Leslie. I encountered the many people as you did. I
21 turned away and walked --

22 PRESIDING COMMISSIONER ORTEGA: Ma'am, I want
23 you to direct your statements your statements to the
24 Board, not to the inmate.

25 MS. SMALDINO: I was a college student at the
26 time of the murder. I was 21. At the time of the
27 murder, I got in my car and ran. I ran out of the

1 city, I ran out of the state. I was terrified and
2 traumatized, which I did not realize at the time.
3 Only recently have I been diagnosed with bipolar manic
4 depression. Apparently I'm finding out through my own
5 research that trauma causes such a condition. I have
6 to live with that for the rest of my life. I'm going
7 to be getting therapy and I am being medicated. My
8 uncle Leno, as my brother said, and my aunt Rosemary
9 were the sweetest people I've ever met. Rosemary was
10 like a butterfly. I truly loved her. I feel like we
11 went through a bit of a retrial today. I don't see
12 any reason to do that because she was tried and
13 convicted and sentenced to execution. And I don't
14 personally support execution, but I feel that life in
15 prison is an adequate punishment for what was done. I
16 don't know whether she has met the necessary criteria
17 for being excused for what she did. I feel life in
18 prison without parole would be adequate. Thank you.

19 PRESIDING COMMISSIONER ORTEGA: Thank you for
20 your comments. We're going to recess at this time,
21 ladies and gentlemen, and we'll call you back with our
22 decision. The time now is approximately 4:45 p.m.

23 R E C E S S

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27

CALIFORNIA BOARD OF PRISON TERMS

D E C I S I O N

1
2
3 PRESIDING COMMISSIONER ORTEGA: Okay, we're
4 back on the record. The time now is approximately
5 5:05 p.m. The Panel has reviewed all the information
6 received from the public and has relied on the
7 following circumstances in concluding that the
8 prisoner is not suitable for parole and that she would
9 pose an unreasonable risk of danger to society or a
10 threat to public safety if released from prison at
11 this time: And the number one and most compelling
12 reason was the commitment offense. It was carried out
13 in an especially cruel and callous manner. Multiple
14 victims were killed in the same incident. And the
15 motive for the crime was inexplicable or very trivial
16 in relation to the offense. And the victims in this
17 case were mutilated during the offense. These
18 conclusions are drawn from the Statement of Facts
19 wherein the prisoner, along with her crime partners
20 who were part of a cult group I guess we would call
21 it, were known as the Manson clan, had gone to the
22 residence of the LaBianca family. At that time during
23 the course of that crime, the -- both victims were
24 repeatedly stabbed to death. The mother,
25 Mrs. LaBianca, was stabbed repeatedly. I believe it
26 was in excess of 40 times.

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1 HEAD DEPUTY DISTRICT ATTORNEY KAY: Forty-two.

2 PRESIDING COMMISSIONER ORTEGA: Forty-two times
3 she was stabbed. And there was an intent on the part
4 of the inmate and her crime partners to make this look
5 like if it was a racial killing and that was done by
6 writing comments on the walls to make it look as if
7 blacks had committed this crime in order to perpetuate
8 the helter skelter as it was described by Charles
9 Manson, who was the leader of this group. Under
10 previous record, the inmate had a number of arrests.
11 They all appeared to be included in this particular --
12 during this particular time when she was a part of the
13 Manson group. She had several arrests for grand theft
14 auto and she had one arrest for burglary, however,
15 there were never any charges filed on that. She did
16 indicate she had an unstable social history. She had
17 become pregnant while in high school. Had an
18 abortion. This seemed to deepen her problems. She
19 got into using drugs heavily, was using marijuana and
20 LSD a great deal of the time. And at approximately 19
21 years of age -- 18 to 19 years of age, became involved
22 with Charles Manson and his group. Institutionally,
23 she has not sufficiently participated in beneficial
24 self-help and therapy programs and needs more time to
25 complete that. We do note that the psychiatric report
26 is favorable in terms of what was written for this
27 LESLIE VAN HOUTEN W-13378 DECISION PAGE 2 06/06/00

1 hearing, as well as she does have parole plans. And
2 we did have the opportunity, Counsel, to review those
3 letters. We did see the letters of support for jobs
4 as well as place to live, and as we stated earlier, we
5 will maintain that as confidential. Also, in response
6 to 3042 notices the Hearing Panel notes that responses
7 to P.C. 3042 notices indicate opposition to a finding
8 of parole suitability, specifically from the District
9 Attorney's office of Los Angeles County as well as
10 comments made here by family members of the LaBiancas.
11 The Panel makes the following findings: That the
12 prisoner needs therapy in order to face, discuss,
13 understand, and cope with stress in a nondestructive
14 manner. Until progress is made, the prisoner
15 continues to be unpredictable and a threat to others.
16 Nevertheless, the prisoner should be commended for her
17 extremely positive programming. She has been in
18 charge -- or been part of the Yes, I Can Too program.
19 That's a tutoring program for inmates trying to gain
20 more education. She has been a member of the WAC
21 Council, W-A-C. That's the Women's Advisory Council.
22 Also participating in the Native American religious
23 services. She was the chairperson of AA and NA, had
24 very positive work chronos related to her job as a
25 relief lieutenant clerk. She has been a facilitator
26 for the NA 12-step program as well, and has been very
27 LESLIE VAN HOUTEN W-13378 DECISION PAGE 3 06/06/00

1 active in the Al-Anon and 12-step programs. However,
2 these positive aspects of her behavior do not outweigh
3 the factors of unsuitability. This will be a two year
4 denial. In a separate decision, the Hearing Panel
5 finds that it's not reasonable to expect that parole
6 would be granted at a hearing during the following two
7 years, and the specific reasons for this finding are
8 as follows: One, the prisoner committed the offense
9 in an especially cruel manner. Specifically, she and
10 her crime partners, with the sole intent of going out
11 and murdering individuals, had gone to the LaBianca
12 residence. At that time she and her crime partners,
13 Charles Tex Watson and Patricia Krenwinkel accompanied
14 by Charles Manson, had gone into the residence of the
15 victims. At that time, they were tied up. They were
16 then stabbed repeatedly, Mrs. LoBianca -- or
17 Mrs. LaBianca stabbed 42 times. And the offense again
18 was carried out in a dispassionate and calculated
19 manner. The victims were mutilated during the
20 offense. And we also note that the motive for the
21 crime was inexplicable or very trivial in relation to
22 the offense. We also note that the prisoner has not
23 completed the necessary programming which is essential
24 to her adjustment and needs additional time to gain
25 such programming and gain further insight into her
26 involvement in this crime. And the recommendations of
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 4 06/06/00**

1 the Panel are that the inmate remain disciplinary-
2 free, if available participate in self-help and
3 therapy programming, and cooperate with any clinicians
4 in the completions of any clinical evaluations that
5 may be done. That is a two year denial. Anything
6 you'd like to add, Mrs. --

7 COMMISSIONER LAWIN: No.

8 PRESIDING COMMISSIONER ORTEGA: -- Lawin?

9 COMMISSIONER LAWIN: Nothing.

10 PRESIDING COMMISSIONER ORTEGA: Ms. Richardson?

11 DEPUTY COMMISSIONER RICHARDSON: Good luck to
12 you.

13 PRESIDING COMMISSIONER ORTEGA: That will
14 conclude the hearing at this time. Thank you. We'll
15 have the inmate leave first, if you don't mind.

16 --o0o--

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25 PAROLE DENIED TWO YEARS

26 EFFECTIVE DATE OF THIS DECISION

JUL 0 6 2000

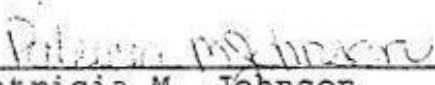
27 LESLIE VAN HOUTEN W-13378 DECISION PAGE 5 06/06/00

CERTIFICATE AND
DECLARATION OF TRANSCRIBER

I, PATRICIA M. JOHNSON, a duly designated transcriber, CAPITOL ELECTRONIC REPORTING, do hereby declare and certify under penalty of perjury that I have transcribed tape(s) which total two in number and cover a total of pages numbered 1 through 87, and which recording was duly recorded at CALIFORNIA INSTITUTION FOR WOMEN, at FRONTERA, CALIFORNIA, in the matter of the SUBSEQUENT PAROLE CONSIDERATION HEARING of LESLIE VAN HOUTEN, CDC No. W-13378, on JUNE 6, 2000, and that the foregoing pages constitute a true, complete, and accurate transcription of the aforementioned tape(s) to the best of my ability.

I hereby certify that I am a disinterested party in the above-captioned matter and have no interest in the outcome of the hearing.

Dated June 29, 2000, at Folsom, California.



Patricia M. Johnson
Transcriber
CAPITOL ELECTRONIC REPORTING

LIFE PRISONER DECISION FACE SHEET

PERIOD OF CONFINEMENT

(RECORDS OFFICER USE ONLY)

YR MO DAY

Adjusted Period of Confinement
Date Life Term Begins
At Large Time
PAROLE DATE

MISCELLANEOUS

Panel recommendations and requests:
Become / Remain disciplinary free.
Work towards reducing his/her custody level.
Upgrade / vocationally / educationally.
Participate in / self-help (and) / therapy.
Transfer to / Cat. X / Cat. T.

2 YR. DENIAL

PENAL CODE SECTION 3042 NOTICES [X] SENT (Date) 5/3/00

COMMITMENT OFFENSE
PC 187 MURDER 1ST, MURDER 1ST, CONSPIRACY TO COMMIT MURDER
(Code Section) (Title)
A253156 6,7 & 8
(Case Number) (Count Number)

Date Received by CDC 8/17/78 Date Life Term Begins Controlling MEPD 8/17/78

Type of Hearing [X] INITIAL [X] SUBSEQUENT (Hearing No.) 14 If Subsequent Hearing, Date of Last Hearing

Department Representative J. ALDERSON, CCI

Counsel for Prisoner CHRISTIE E. WEBB Address 5959 CENTURY BLVD LOS ANGELES, CA 90045

District Attorney Representative STEPHEN KAY County LOS ANGELES

PAROLE HEARING CALENDAR

This form and the panel's statement at the conclusion of the hearing constitute a proposed decision and order of the Board of Prison Terms. The decision becomes effective when issued following the decision review process.

By:
Presiding (Name) [Signature] Date 6/6/00
Concurring (Name) [Signature] Date 6/6/00
Concurring (Name) Sharon Lawin Date 6/6/00

NAME VAN HOUTEN, LESLIE CDC NUMBER W-13378 INSTITUTION CIW CALENDAR JUNE HEARING DATE 6/6/00

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**LIFE PRISONER: PAROLE CONSIDERATION
PROPOSED DECISION (BPT §2041)**

I. PAROLE DENIED *J.R.S.*

If this proposed decision denying parole is approved, the Board will send you a copy of the approved decision, including the reasons for denial of parole, within 30 days of the hearing.

II. PAROLE GRANTED

A. Base Period of Confinement Months

Case No.	Count No.	Offense

B. Firearm Enhancement.....+ Months

C. Other Crimes Total.....+ Months

Case No.	Count No.	Offense	_____ mos.

Case No.	Count No.	Offense	_____ mos.

Case No.	Count No.	Offense	_____ mos.

D. Total Term= Months

E. Postconviction Credit From _____ To _____ Months
(Date) (Date)

F. Total Period of Confinement.....= Months

The period of confinement indicated is a tentative decision proposed by this panel. The decision will be reviewed pursuant to BPT §2041, and, if approved, a copy of the approved decision will be sent to you within 30 days. At that time appropriate pre-prison credits will be applied and a parole release date computed.

You will not engage in any conduct specified in BPT §2451. Such conduct may result in rescission or postponement of your parole date.

III. If the proposed decision denying or granting parole is disapproved, you will receive a copy of the proposed decision and the reasons for disapproval. You will then receive a copy of the modified decision or will be scheduled for a new hearing, as appropriate.

PANEL HEARING CASE

Name <i>[Signature]</i>	Date <i>[Signature]</i>
Name <i>[Signature]</i>	Date <i>[Signature]</i>
Name <i>[Signature]</i>	Date <i>[Signature]</i>

NAME	CDC NUMBER	INSTITUTION	HEARING DATE
VAN INSURE, JAMES	21111	NEW	1/6/80

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