

SUBSEQUENT PAROLE CONSIDERATION HEARING
STATE OF CALIFORNIA
BOARD OF PRISON TERMS

In the matter of the Life)
Term Parole Consideration) CDC Number W-13378
Hearing of:)
)
LESLIE VAN HOUTEN)
_____)

CALIFORNIA INSTITUTION FOR WOMEN

CORONA, CALIFORNIA

JUNE 28, 2002

10:30 A.M.

PANEL PRESENT:

SHARON LAWIN, Presiding Commissioner
BILL KEENAN, Deputy Commissioner

OTHERS PRESENT:

LESLIE VAN HOUTEN, Inmate
CHRISTIE WEBB, Attorney for Inmate
STEPHEN KAY, Deputy District Attorney
ANGELA SMALDINO, Victim Next of Kin
LOUIS SMALDINO, Victim Next of Kin
JOHN DESANTIS, Victim Next of Kin
DEBRA TATE, Victim Support
ROBERT SEBALD, Observer
REBECCA FISHER, Observer
LARRY AARON, Observer
KORTAN WADDELL, Observer
TIM GRENDA, Observer
JENNIFER WARREN, Observer
PEGGY HOLTER, Observer
FELICIA CARDONA, Observer
LINDA DEUTSCH, Observer
DAMIEN DOVARGANES, Observer

CORRECTIONS TO THE DECISION HAVE BEEN MADE

 X No
 Yes See Errata Sheet

Karin R. Lewis, Capitol Electronic Reporting

INDEX

	<u>Page</u>
Proceedings	1
Case Factors	21
Pre-Commitment Factors	38
Post-Commitment Factors	56
Parole Plans	45
Closing Statements	83
Recess	139
Decision	140
Adjournment	146
Transcriber Certification	147

--oOo--

P R O C E E D I N G S

1
2 **PRESIDING COMMISSIONER LAWIN:** This is
3 a Subsequent Parole Consideration Hearing for
4 Leslie Van Houten, CDC number W-13378. Today
5 is June 28, 2002. We're located at CIW and
6 the time is 10:30 a.m. Ms. Van Houten was
7 received in CDC August 17th, 1978, from Los
8 Angeles County, case number A253156, for
9 violation of Penal Code Sections 187 and
10 182.1. That's murder first, count numbers six
11 and seven, and conspiracy to commit murder,
12 count number eight. Terms of life, with a
13 minimum eligible parole date of August 17th,
14 1978. As you know, Ms. Houten, these hearings
15 are tape-recorded -- I'm sorry, Van Houten,
16 these hearings are tape-recorded. So for
17 voice identification purposes, we'll go around
18 the room and identify ourselves for the
19 transcriber. Each of us at the table will
20 indicate our first and last name, spell our
21 last name, and when we come to you, if you
22 would do that, plus also give us your CDC
23 number. And for the rest of the folks,
24 that's why I have a sign-in sheet. I'm not
25 sure the recorder can pick up your names, so
26 I'll read them into the record when we get
27 there. I'll begin and go to my left. Sharon

1 Lawin, L-A-W-I-N, Commissioner.

2 **DEPUTY COMMISSIONER KEENAN:** Bill
3 Keenan, K double E-N-A-N, Deputy Commissioner.

4 **DEPUTY DISTRICT ATTORNEY KAY:** Stephen
5 Kay, K-A-Y, a Deputy District Attorney of Los
6 Angeles County.

7 **MS. SMALDINO:** Angela Smaldino,
8 daughter of Stella LaBianca, niece of Leno
9 LaBianca.

10 **PRESIDING COMMISSIONER LAWIN:** Spell
11 your last name.

12 **MS. SMALDINO:** Smaldino, S-M-A-L-D as
13 in David I-N-O.

14 **MR. SMALDINO:** Louis Smaldino,
15 S-M-A-L-D-I-N-O.

16 **MR. DESANTIS:** John DeSantis,
17 D-E-S-A-N-T-I-S.

18 **PRESIDING COMMISSIONER LAWIN:** And
19 you're also victim next of kin?

20 **MR. DESANTIS:** Yes. My mother was Leno
21 LaBianca's sister.

22 **OBSERVER TATE:** Debra Tate, T-A-T-E,
23 Victim Support.

24 **OBSERVER SEBALD:** Lieutenant Robert
25 Sebald, S-E-B-A-L-D, Public Information
26 Officer.

27 **OBSERVER FISHER:** Rebecca Fisher,

1 F-I-S-H-E-R, Victim Services (indiscernible).

2 **OBSERVER AARON:** Lieutenant Larry
3 Aaron, A-A-R-O-N, PIO in training.

4 **PRESIDING COMMISSIONER LAWIN:** Thank
5 you. And then we have, representing various
6 aspects of the media, is it Kory Wadden?

7 **OBSERVER WADDELL:** (Inaudible) last
8 name.

9 **PRESIDING COMMISSIONER LAWIN:** Pardon
10 me, I'm sorry.

11 **OBSERVER WADEELL:** It's Kortan.

12 **PRESIDING COMMISSIONER LAWIN:** You're
13 close enough. The microphone will pick you
14 up, if you could --

15 **OBSERVER WADDELL:** Kortan Waddell,
16 that's K-O-R-T-A-N W-A-D-D-E-L-L, with
17 Dateline, NBC.

18 **PRESIDING COMMISSIONER LAWIN:** Tim
19 Grenda, G-R-E-N-D-A.

20 **OBSERVER GREENDA:** Right.

21 **PRESIDING COMMISSIONER LAWIN:**
22 Jennifer Warren, W-A-R-R-E-N, Peggy Holter,
23 H-O-L-T-E-R, Felicia Cardona, C-A-R-D-O-N-A,
24 Linda --

25 **OBSERVER DEUTSCH:** Deutsch.

26 **PRESIDING COMMISSIONER LAWIN:** Is it
27 Deutsch, D-E-U-T-S-C-H, and Damien --

1 **OBSERVER DOVARGANES:** Dovarganes.

2 **PRESIDING COMMISSIONER LAWIN:** Last
3 name D-O-V-A-R-G-A-N --

4 **OBSERVER DOVARGANES:** E-S.

5 **PRESIDING COMMISSIONER LAWIN:** -- E-S.
6 Thank you. Did I identify everyone? I'm
7 sorry.

8 **ATTORNEY WEBB:** My name is Christie
9 Webb.

10 **PRESIDING COMMISSIONER LAWIN:** I was
11 coming back around.

12 **ATTORNEY WEBB:** Oh, okay. I'm the
13 attorney for the inmate, Ms. Van Houten.

14 **PRESIDING COMMISSIONER LAWIN:** And it's
15 W-E-B-B?

16 **ATTORNEY WEBB:** W-E-B-B.

17 **PRESIDING COMMISSIONER LAWIN:** Yes,
18 Ms. Van Houten.

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

22 **PRESIDING COMMISSIONER LAWIN:** Thank
23 you. And that does identify all parties in
24 the room, with the exception of a correctional
25 officer, who is here for security purposes.
26 The reason for today's hearing is to again
27 consider your suitability for parole. In

1 arriving at a decision, we will consider the
2 number and nature of crimes that brought you
3 to state prison, any prior criminal history,
4 your social history, as well as your post-
5 conviction factors, or your behavior since
6 your incarceration. We'll then go to your
7 progress since the last hearing, utilizing the
8 counselor's report, psychological report, and
9 any other information that has a bearing on
10 your suitability for parole. We have reviewed
11 your Central Files and prior hearing
12 transcripts and we'll give you and Ms. Webb
13 the opportunity to make corrections and
14 clarifications to the record as we go. The
15 law and the Board of Prison Terms' rules state
16 that our purpose is to decide on your
17 suitability for parole today. And in
18 rendering our decision, we will consider
19 whether or not your release would pose an
20 unreasonable risk of danger to others. If we
21 conclude that your release would pose a danger
22 to others or a risk to public safety, you will
23 be denied a parole date. You're not required
24 today to discuss the commitment offense with
25 the Panel and you're not required to admit to
26 the offense. And if you choose not to speak
27 to the Panel about it, it will not be held

1 against you. We do accept as true the
2 findings of the court. We're not here today
3 to retry your case. We're here today to
4 decide on your suitability for parole only.
5 On May 28th, 2002, you signed BPT form 1073 and
6 on that form, you indicated that do not have a
7 disability, as defined by the Americans with
8 Disabilities Act. Is that still correct?

9 **INMATE VAN HOUTEN:** Yes.

10 **PRESIDING COMMISSIONER LAWIN:** Thank
11 you. Counsel, any comment regarding ADA?

12 **ATTORNEY WEBB:** No.

13 **PRESIDING COMMISSIONER LAWIN:** Thank
14 you. And as far as procedural rights go, have
15 your client's rights been met thus far, to the
16 best of your knowledge?

17 **ATTORNEY WEBB:** Thus far, to my
18 knowledge.

19 **PRESIDING COMMISSIONER LAWIN:** One
20 additional right you have is to a fair and
21 impartial Panel. Now that you've seen the two
22 Panel members before you, do you have any
23 objection to the Panel?

24 **INMATE VAN HOUTEN:** No.

25 **PRESIDING COMMISSIONER LAWIN:** Counsel?

26 **ATTORNEY WEBB:** I do have an objection.

27 **PRESIDING COMMISSIONER LAWIN:** Okay.

1 **ATTORNEY WEBB:** Not to the Panel but I
2 do have --

3 **PRESIDING COMMISSIONER LAWIN:** First to
4 the Panel --

5 **ATTORNEY WEBB:** No objection to the
6 Panel.

7 **PRESIDING COMMISSIONER LAWIN:** No
8 objection to the Panel. Then you have
9 preliminary objections?

10 **ATTORNEY WEBB:** Yes, I do. Is this the
11 appropriate time --

12 **PRESIDING COMMISSIONER LAWIN:** It is
13 the time.

14 **ATTORNEY WEBB:** -- for that? I want to
15 -- I want to first make sure that I
16 understand. This is a regularly scheduled
17 subsequent hearing.

18 **PRESIDING COMMISSIONER LAWIN:** It is
19 indeed.

20 **ATTORNEY WEBB:** And not a hearing
21 pursuant to Judge Krug's order.

22 **PRESIDING COMMISSIONER LAWIN:** That's
23 correct.

24 **ATTORNEY WEBB:** And that means that
25 Ms. Van Houten would still have available to
26 her, a hearing pursuant to the judge's order,
27 within 60 days of that order?

1 **PRESIDING COMMISSIONER LAWIN:** Yes.

2 Today is the subsequent and the execution of
3 the additional hearing would be separate from
4 today's hearing.

5 **ATTORNEY WEBB:** Okay, thank you. I do
6 have one objection and I'm sorry to have to
7 make it. With all due respect to Ms. Tate,
8 who is here today, I have great sympathy for
9 all of the victims' family members and what
10 they've been through, but I'm going to have to
11 object to her presence at the hearing. I
12 received a notice that she was going to attend
13 as victims' next of kin and when I received
14 that, I did file my objection with the Board.
15 Because my client is not convicted of the
16 murder of Sharon Tate or of conspiracy in
17 connection with those murders. But there's
18 been continuing confusion over the years, in
19 the public, the media, and, in fact, in -- by
20 this Board about that. And even in June of
21 2000, the Board was still confused about what
22 my client is convicted of and that she was
23 convicted of conspiracy in the Tate murders,
24 the so-called Tate House murders, which she
25 was not. Especially, with the cameras
26 present, I think that Ms. Tate's presence here
27 in any capacity is prejudicial to my client.

1 It's a bad faith, abuse of discretion, by the
2 Board, that will continue -- unfortunately,
3 continue the confusion about what my client's
4 convicted of. And she does have a right to
5 individual consideration. Not based on her
6 part as part of the Manson Family or her
7 status as one of the so-called Tate/LaBianca
8 defendants. That's what we're trying to avoid
9 here.

10 **PRESIDING COMMISSIONER LAWIN:** Thank
11 you. Ms. Tate may have been improperly
12 notified through the victims' process.

13 **ATTORNEY WEBB:** Uh-hmm.

14 **PRESIDING COMMISSIONER LAWIN:** I'll
15 certainly grant you that. However, she has
16 the ability to attend as support, as the law
17 allows for support of victims' next of kin.
18 And her presence here is authorized by the
19 Board through that language, through the
20 3043.1, I believe. And she is support to the
21 victim next of kin. She will not be speaking
22 today. She will make no presentation today.
23 She is here to support the family at their
24 choosing. Therefore, her presence has already
25 been approved and she will be allowed to
26 remain. And her present does not -- presence
27 does not prejudice either Commissioner in any

1 way. Therefore, I'm going to overrule your
2 objection.

3 **ATTORNEY WEBB:** Okay. I want my
4 objection to stand and I think it may not
5 prejudice this Panel, I'm -- you know, I'll
6 see about that. But I think it certainly does
7 prejudice my client in the eye of the public.
8 And that's --

9 **PRESIDING COMMISSIONER LAWIN:** Your
10 objection is certainly --

11 **ATTORNEY WEBB:** That's unfortunate with
12 the cameras present here. I have one more
13 technical note about that.

14 **PRESIDING COMMISSIONER LAWIN:**
15 Certainly.

16 **ATTORNEY WEBB:** Could we make sure, I
17 think, if it was an error, her notice about,
18 as a victim next of kin, that must mean that
19 Ms. Van Houten's C-File is marked in some way
20 that that notice should go out. And I'd like
21 to make sure that that doesn't happen again.

22 **PRESIDING COMMISSIONER LAWIN:** We will
23 --

24 **ATTORNEY WEBB:** And that --

25 **PRESIDING COMMISSIONER LAWIN:** -- do
26 our best.

27 **ATTORNEY WEBB:** -- the notice is taken

1 (inaudible).

2 **PRESIDING COMMISSIONER LAWIN:** We're
3 not -- we are unable to remove anything or
4 even place anything in Ms. Van Houten's
5 Central File. But we will certainly request
6 CDC make sure that it is properly addressed.

7 **ATTORNEY WEBB:** Okay, thank you.

8 **PRESIDING COMMISSIONER LAWIN:** Thank
9 you. Any other objections?

10 **ATTORNEY WEBB:** Just a couple of notes,
11 in terms of the confidential parole plans for
12 work and living arrangements. I just would
13 like to remind the Panel, when we get there,
14 if we could keep those names and addresses
15 confidential. In terms of those two
16 individuals who have made firm plans to offer
17 Ms. Van Houten those.

18 **PRESIDING COMMISSIONER LAWIN:** I intend
19 to do that. I do have the list of the support
20 letters that were received. I was going to
21 treat the employment offers separately and not
22 reveal the names.

23 **ATTORNEY WEBB:** Okay.

24 **PRESIDING COMMISSIONER LAWIN:** I don't
25 --

26 **ATTORNEY WEBB:** That's all I'm asking
27 about.

1 **PRESIDING COMMISSIONER LAWIN:** I would
2 ask you to do one thing for me.

3 **ATTORNEY WEBB:** Uh-hmm.

4 **PRESIDING COMMISSIONER LAWIN:** Because
5 I don't recall seeing an offer of residency.
6 So I'd ask you to look --

7 **ATTORNEY WEBB:** Uh-hmm.

8 **PRESIDING COMMISSIONER LAWIN:** -- at my
9 list and if it is one of the letters listed
10 here, that you --

11 **ATTORNEY WEBB:** Okay.

12 **PRESIDING COMMISSIONER LAWIN:** --
13 indicate so. So, I can treat it
14 confidentially, as well.

15 **ATTORNEY WEBB:** Okay. It's the same
16 offer of residency that she's had in the past.
17 And that, I don't know, maybe it's not
18 reflected in the letters. If so, it's
19 probably my fault, since I was gathering the
20 letters. I don't see the name here
21 immediately. Is it referenced in the
22 counselor's report? It is the same parole
23 plans --

24 **PRESIDING COMMISSIONER LAWIN:** Yes, it
25 does.

26 **ATTORNEY WEBB:** -- that have been in
27 the past few years.

1 **PRESIDING COMMISSIONER LAWIN:** I did
2 report those parole plans two years ago, so
3 I'm --

4 **ATTORNEY WEBB:** Right.

5 **PRESIDING COMMISSIONER LAWIN:** --
6 familiar with them.

7 **ATTORNEY WEBB:** Okay. Well, that
8 remains the same, in terms of the living
9 arrangement and I don't know what happened to
10 that letter. I do have some more letters too
11 and I have copies for everyone, just in terms
12 of completeness.

13 **PRESIDING COMMISSIONER LAWIN:** Are
14 these in addition to the --

15 **ATTORNEY WEBB:** They are and they're
16 things that have come in subsequently. And
17 obviously, that's something beyond my control,
18 but I'd still like to present them.

19 **PRESIDING COMMISSIONER LAWIN:**
20 Certainly.

21 **ATTORNEY WEBB:** This is an original.
22 This a curriculum vitae of Dr. Michael Colburn
23 that was inadvertently part of the package
24 submitted with his letter, and I intended to
25 do that. This is another copy of that. I'm
26 assuming that you got a copy of the other
27 letters that were submitted?

1 **DEPUTY DISTRICT ATTORNEY KAY:** No.

2 **ATTORNEY WEBB:** Okay. I was told that
3 the prison would take care of them. I don't
4 know (inaudible). Sorry about that.

5 **PRESIDING COMMISSIONER LAWIN:** There is
6 one more copy. We thought they were
7 originals. If you could pass this to Mr. Kay.

8 **DEPUTY DISTRICT ATTORNEY KAY:** Thank
9 you.

10 **PRESIDING COMMISSIONER LAWIN:** Anything
11 else to submit, Counsel?

12 **ATTORNEY WEBB:** Just that I've noticed
13 a pattern in the past, and especially in the
14 last few parole hearings, that there seems to
15 be, in talking about the facts of the crime,
16 there are some leading questions by the Panel
17 to move things along. And that requires yes
18 no answers by my client, Ms. Van Houten. It
19 sometimes doesn't allow for the time to
20 elaborate and explore her feelings about the
21 crime and her -- all of the facts about her
22 involvement. I want to make it clear that
23 although she doesn't have to talk about the
24 crime, she is here today, fully willing to
25 talk about all the facts with you. And to
26 talk very openly and honestly about the facts,
27 as she remembers them. It's an unusual case,

1 in many respects. And one of them is that we
2 have her -- the defendant's trial testimony
3 from her trials in 1977 and '78, which began
4 her testimony about the facts. And since that
5 time, we have 13 parole hearings where she has
6 talked at quite length and in detail about the
7 facts. But I want -- what I want to avoid, if
8 that's going to be the way the questionings
9 go, I don't want her later to be accused of
10 shading the truth or not talking about all the
11 details. She is here to do that. Please ask
12 her questions if you think something isn't
13 being covered. And I would invite the
14 District Attorney to do the same.

15 **PRESIDING COMMISSIONER LAWIN:** So
16 noted. Thank you.

17 **ATTORNEY WEBB:** Okay.

18 **PRESIDING COMMISSIONER LAWIN:** Any
19 other documents for us to review? Any chronos
20 or anything that didn't get into the file that
21 you noticed?

22 **ATTORNEY WEBB:** I think I submitted
23 with the second submission --

24 **PRESIDING COMMISSIONER LAWIN:** We did
25 receive --

26 **ATTORNEY WEBB:** -- some additional
27 chronos.

1 **PRESIDING COMMISSIONER LAWIN:** We did
2 receive those.

3 **ATTORNEY WEBB:** That, I think, some of
4 them were duplicates but some were not in the
5 file.

6 **PRESIDING COMMISSIONER LAWIN:** Thank
7 you.

8 **ATTORNEY WEBB:** Other than that, no, I
9 don't have anything.

10 **PRESIDING COMMISSIONER LAWIN:** Okay. I
11 have passed over a documents' checklist, which
12 I marked Exhibit one, so that we're working
13 with the same set of documents. Did you
14 receive all of the documents on that
15 checklist?

16 **ATTORNEY WEBB:** Is it the same
17 checklist as in the front?

18 **PRESIDING COMMISSIONER LAWIN:** It is.

19 **ATTORNEY WEBB:** Because I seem to have
20 lost it. I did receive all of those
21 documents, yeah.

22 **PRESIDING COMMISSIONER LAWIN:** Thank
23 you. Actually, I'll need to generate another
24 one then, so Mr. Kay can also make sure. May
25 I have your checklist? Let me see the
26 checklist. Okay, let me pass this to you,
27 Ms. Webb, so that we can make sure. And I

1 will mark it Exhibit one, just to make sure
2 that --

3 **ATTORNEY WEBB:** That's the same.

4 **PRESIDING COMMISSIONER LAWIN:** -- that
5 you received the same.

6 **ATTORNEY WEBB:** All right. If I could
7 get a little more water? Thanks. Yes.

8 **PRESIDING COMMISSIONER LAWIN:** Thank
9 you. Just pass that to Mr. Kay.

10 **DEPUTY DISTRICT ATTORNEY KAY:** Yes, I
11 have everything.

12 **PRESIDING COMMISSIONER LAWIN:** Thank
13 you very much. You've indicated that your
14 client will be speaking to the Panel today.

15 **INMATE VAN HOUTEN:** Yes.

16 **PRESIDING COMMISSIONER LAWIN:** So I'll
17 need to swear you in, if you would raise your
18 right hand as best you can. Do you solemnly
19 swear or affirm that your testimony at this
20 hearing will be the truth, the whole truth and
21 nothing but the truth?

22 **INMATE VAN HOUTEN:** Yes, I do.

23 **PRESIDING COMMISSIONER LAWIN:** Thank
24 you. You will receive a copy of the
25 tentative, written decision today and that
26 decision becomes effective after it's reviewed
27 by Decision Review Unit of the Board in

1 Sacramento. And once they have reached a
2 final decision, as they have done in the past,
3 they will send a copy of that to you, along
4 with a transcript from this hearing. And you
5 have 120 days from the date that's sent to
6 you, in which to file an appeal, if you wish
7 to do so.

8 **INMATE VAN HOUTEN:** Yes.

9 **PRESIDING COMMISSIONER LAWIN:** Okay?
10 All right, is there any confidential to be
11 used today?

12 **DEPUTY COMMISSIONER KEENAN:** There's a
13 confidential file, not for consideration
14 today, letters in opposition.

15 **PRESIDING COMMISSIONER LAWIN:** Thank
16 you. Okay, Counsel, I'm going to read the
17 Statement of Facts, taking it from the
18 decision of the hearing held on January 31st,
19 1979, if you have no objection.

20 **ATTORNEY WEBB:** I may have an objection
21 to that, only because the Statement of Facts
22 that's been being used is the Statement of
23 Facts from the appellate decision and that's
24 been stipulated to. So I'm not sure what --

25 **PRESIDING COMMISSIONER LAWIN:** Well,
26 this --

27 **ATTORNEY WEBB:** -- Statement of Facts

1 that is.

2 **PRESIDING COMMISSIONER LAWIN:** This
3 Statement of Facts that's in your Board packet
4 --

5 **ATTORNEY WEBB:** Uh-hmm. Okay.

6 **PRESIDING COMMISSIONER LAWIN:** -- under
7 prior decisions and it is a short --
8 essentially one paragraph, on page three. It
9 would be under Prior Decisions, the very last
10 document.

11 **ATTORNEY WEBB:** And what year was that?

12 **PRESIDING COMMISSIONER LAWIN:** Nineteen
13 seventy-nine, January.

14 **ATTORNEY WEBB:** I have something that's
15 incorporated by reference from '79.

16 **PRESIDING COMMISSIONER LAWIN:** It must
17 be just after that one.

18 **ATTORNEY WEBB:** Yeah, this is all the
19 same thing.

20 **PRESIDING COMMISSIONER LAWIN:** The
21 Statement of Facts I'll use begins on page
22 three, beginning with a date.

23 **ATTORNEY WEBB:** It begins on page
24 three?

25 **PRESIDING COMMISSIONER LAWIN:** Yes,
26 with a date, right there. I think right where
27 your fingers are --

1 **ATTORNEY WEBB:** Oh, oh, you're not --
2 okay. I think this is it. Is it like the
3 second --

4 **PRESIDING COMMISSIONER LAWIN:** Uh-hmm,
5 that's --

6 **ATTORNEY WEBB:** So, like, one, two,
7 three, four pages --

8 **PRESIDING COMMISSIONER LAWIN:** Yes.

9 **ATTORNEY WEBB:** -- from the back of
10 that section?

11 **PRESIDING COMMISSIONER LAWIN:** Yes,
12 right there.

13 **ATTORNEY WEBB:** Thank you. I want to
14 just make sure (inaudible).

15 **INMATE VAN HOUTEN:** It's kind of
16 different, I think, (inaudible).

17 **ATTORNEY WEBB:** It is a little
18 different from the -- than the one you've been
19 using. I don't (inaudible).

20 **PRESIDING COMMISSIONER LAWIN:** Do you
21 have any objection to using this?

22 **ATTORNEY WEBB:** I don't. I thought the
23 other was a slightly more full rendition of
24 the underlying facts but --

25 **PRESIDING COMMISSIONER LAWIN:** Thank
26 you. Well, let me read this and then we'll
27 get into a discussion.

1 **ATTORNEY WEBB:** Okay.

2 **PRESIDING COMMISSIONER LAWIN:** On
3 August 10th, 1969, the prisoner, having full
4 knowledge that her co-conspirators and crime
5 partners had killed five people on August 9th,
6 1969, set out to kill more people. The group
7 drove around for about four hours, randomly
8 selecting and discarding targets until they
9 settled on the LaBianca house. They entered
10 the residence, tied up the victims, covered
11 their heads with pillowcases, and killed
12 them. The prisoner was an active participant
13 in the murders. She held Mrs. LaBianca down
14 so that crime partner, Krenwinkle, that's
15 K-R-E-N-W-I-N-K-L-E, could stab her. When
16 Krenwinkle's knife bent during her attempt to
17 stab the victim, the prisoner called for
18 Watson to come in and assist with the killing.
19 The prisoner also stabbed the victim. After
20 the murders, the prisoner wiped off
21 fingerprints, took property from the location,
22 and upon her return to Spahn Ranch, which is
23 S-P-A-H-N, burned evidence which could
24 possibly tie her into the murders. Leno
25 LaBianca died of multiple stab wounds to the
26 neck and abdomen. Rosemary LaBianca's death
27 was ascribed to multiple stab wounds to the

1 neck and trunk. And I'll conclude the
2 Statement of Facts there.

3 **ATTORNEY WEBB:** I would like to add
4 just one thing from the statement that we've
5 been stipulating to in the past years. And
6 that's from the Court of Appeals decision, the
7 statement. It says, both sets of killings
8 were instigated by Charles Manson to trigger
9 off his so-called Helter Skelter revolution.
10 And that was, I think, an important statement
11 that had been included in the past few years.

12 **PRESIDING COMMISSIONER LAWIN:** Thank
13 you.

14 **ATTORNEY WEBB:** Thank you.

15 **PRESIDING COMMISSIONER LAWIN:** Ms. Van
16 Houten, did you -- are you responsible for the
17 deaths of Leno and Rosemary LaBianca?

18 **INMATE VAN HOUTEN:** Yes.

19 **PRESIDING COMMISSIONER LAWIN:** Did you
20 stab Mrs. LaBianca?

21 **INMATE VAN HOUTEN:** Yes, I did.

22 **PRESIDING COMMISSIONER LAWIN:** And are
23 the facts basically as I read them?

24 **INMATE VAN HOUTEN:** Yes.

25 **PRESIDING COMMISSIONER LAWIN:** I don't
26 want to be accused of not allowing you to
27 elaborate on your statement. So please, if

1 there's something more you wish to add besides
2 yes or no, please feel free to do so. Now,
3 the case is obviously very detailed and it
4 covered, essentially, a longer period of time
5 than August 10th, 1969, in terms of your
6 involvement and what led up to this particular
7 action. You -- the night before, there had
8 been the multiple murders that had been
9 committed by some of your crime partners and
10 others who were not at the scene of the
11 LaBiancas. And you did not participate in
12 that. Is that correct?

13 **INMATE VAN HOUTEN:** No, I did not.

14 **PRESIDING COMMISSIONER LAWIN:** But you
15 wanted -- you felt left out? As I read the
16 records, would that be an accurate reflection?

17 **INMATE VAN HOUTEN:** I knew that, after
18 the next day, I found out that it had
19 happened. And up -- leading up to that time,
20 Manson had spoke a lot of being willing to
21 sacrifice ourselves and give ourselves over to
22 the beginning of the Helter Skelter war. And
23 my loyalty to him and my need to please him
24 made me want to go the second night.

25 **PRESIDING COMMISSIONER LAWIN:** Did you
26 actually indicate to someone that you wanted
27 to go?

1 **INMATE VAN HOUTEN:** I might have said
2 to Pat or someone. I didn't ask him
3 personally, could I go, but I'm sure that my
4 demeanor and my body language made it appear
5 that way. Also, at the ranch, Pat was like my
6 --

7 **PRESIDING COMMISSIONER LAWIN:** And
8 Pat's last name --

9 **INMATE VAN HOUTEN:** Krenwinkle.

10 **PRESIDING COMMISSIONER LAWIN:** -- for
11 the record? Thank you.

12 **INMATE VAN HOUTEN:** Yeah. She was
13 like, assigned to keep me -- keep an eye on
14 me. And I kept very close to her. And so,
15 when I realized she had gone, it was important
16 to me also to go.

17 **PRESIDING COMMISSIONER LAWIN:** Did you
18 know in advance what the plan was for the
19 night of August 10th?

20 **INMATE VAN HOUTEN:** You mean, that
21 morning?

22 **PRESIDING COMMISSIONER LAWIN:** Did you
23 know -- yes, I'm sorry. Did you know that --
24 essentially, that they were going to find a
25 target or they had targeted someone and they
26 were going to again commit murder, as they had
27 the night before?

1 **INMATE VAN HOUTEN:** Yes. I think that
2 it was more, probably early evening. I'm not
3 sure when I knew exactly whether it would be
4 the second night --

5 **PRESIDING COMMISSIONER LAWIN:** But it
6 was --

7 **INMATE VAN HOUTEN:** -- from that
8 morning.

9 **PRESIDING COMMISSIONER LAWIN:** --
10 before you went?

11 **INMATE VAN HOUTEN:** Oh yeah,
12 definitely. I knew at the ranch.

13 **PRESIDING COMMISSIONER LAWIN:** Okay.
14 And you willingly participated. You went
15 along with this group --

16 **INMATE VAN HOUTEN:** Yes.

17 **PRESIDING COMMISSIONER LAWIN:** -- of
18 people in a car. And didn't you drive around
19 for some length of time, looking at potential
20 targets and deciding not -- they weren't the
21 ones and --

22 **INMATE VAN HOUTEN:** Right.

23 **PRESIDING COMMISSIONER LAWIN:** -- until
24 finally the LaBianca residence was --

25 **INMATE VAN HOUTEN:** Yes. Linda
26 Kasabian was driving the car and Manson was in
27 the front seat with her, having her drive

1 around the LA area.

2 **PRESIDING COMMISSIONER LAWIN:** And were
3 you in the back seat?

4 **INMATE VAN HOUTEN:** I was in the back
5 seat with Steve Grogan and Susan Atkins and
6 Pat and probably, Tex was in the backseat too.
7 I don't remember these years later.

8 **PRESIDING COMMISSIONER LAWIN:** Then you
9 finally arrived at the LaBiancas. And who
10 went in first?

11 **INMATE VAN HOUTEN:** Manson.

12 **PRESIDING COMMISSIONER LAWIN:** And did
13 you stay in the car?

14 **INMATE VAN HOUTEN:** Yes.

15 **PRESIDING COMMISSIONER LAWIN:** When he
16 came out, what did he say?

17 **INMATE VAN HOUTEN:** He looked in the
18 window and told Pat Krenwinkle and I to get
19 out and Tex Watson. I'm going to be honest
20 with you. I'm not really sure, like, did Tex
21 go in with him first or whatever. I just
22 remember that he looked in and told us to get
23 out. And he talked to Tex and he said to make
24 sure everyone did something. And I don't
25 remember if I heard it or if I have read it so
26 many times over the years, that he asked that
27 the people not be frightened.

1 **PRESIDING COMMISSIONER LAWIN:** Okay.

2 When you went into the home, where were

3 Mr. and Mrs. LaBianca?

4 **INMATE VAN HOUTEN:** Mr. and

5 Mrs. LaBianca were on the sofa.

6 **PRESIDING COMMISSIONER LAWIN:** Just

7 sitting there?

8 **INMATE VAN HOUTEN:** Tied up.

9 **PRESIDING COMMISSIONER LAWIN:** Tied up.

10 **INMATE VAN HOUTEN:** Their hands.

11 **PRESIDING COMMISSIONER LAWIN:** Okay.

12 And then what happened?

13 **INMATE VAN HOUTEN:** Tex said for Pat

14 and I to take Mrs. LaBianca into the bedroom.

15 And Pat went into the kitchen, and I believe I

16 was with her when we went into the kitchen and

17 she got some kitchen knives. But I don't

18 remember if she handed me a knife or not,

19 because I used both hands in the bedroom when

20 I tried to hold Mrs. LaBianca down.

21 **PRESIDING COMMISSIONER LAWIN:** Okay.

22 You -- when you held her down, that's when

23 Ms. Krenwinkle attempted to stab her?

24 **INMATE VAN HOUTEN:** Yes.

25 **PRESIDING COMMISSIONER LAWIN:** Or did

26 stab her and the knife bent, as we read

27 earlier.

1 **INMATE VAN HOUTEN:** Yes.

2 **PRESIDING COMMISSIONER LAWIN:** All
3 right.

4 **INMATE VAN HOUTEN:** And then, I
5 couldn't hold Mrs. LaBianca down and I went to
6 the bedroom door and I called out for Tex.
7 And I told Tex that we couldn't kill her. And
8 Tex went into the bedroom and Pat Krenwinkle
9 left the bedroom. And I stood in the hallway
10 and I -- at the bedroom door and I stared out
11 into the hallway. And Tex turned me around
12 and handed me a knife and he said, do
13 something. And she was laying on the bedroom
14 floor dead. Or, I assumed dead.

15 **PRESIDING COMMISSIONER LAWIN:** Okay.
16 You -- did you check her to see if she was
17 breathing?

18 **INMATE VAN HOUTEN:** No. No, I did not.

19 **PRESIDING COMMISSIONER LAWIN:** And
20 during the course of that, of the stabbing of
21 Mrs. LaBianca, that initial stabbing, where
22 was Mr. LaBianca? Do you know?

23 **INMATE VAN HOUTEN:** He was in the
24 living room and Tex was already killing him or
25 he was already dead.

26 **PRESIDING COMMISSIONER LAWIN:** And you
27 heard noises, as I recall.

1 **INMATE VAN HOUTEN:** Yes, I did.

2 **PRESIDING COMMISSIONER LAWIN:** Coming
3 from the living room?

4 **INMATE VAN HOUTEN:** Yes.

5 **PRESIDING COMMISSIONER LAWIN:** So you
6 assumed that's what was happening?

7 **INMATE VAN HOUTEN:** Yes.

8 **PRESIDING COMMISSIONER LAWIN:** And
9 those noises were moans or --

10 **INMATE VAN HOUTEN:** They were the
11 sounds of him dying, the gurgling sounds of
12 him dying. And Mrs. LaBianca heard them and I
13 heard them.

14 **PRESIDING COMMISSIONER LAWIN:** And then
15 after you were told to do something, did you,
16 in turn, then stab Mrs. LaBianca?

17 **INMATE VAN HOUTEN:** Yes, I did. In the
18 lower torso, approximately 14 to 16 times. I
19 didn't know at that time.

20 **PRESIDING COMMISSIONER LAWIN:** Do you
21 remember doing that?

22 **INMATE VAN HOUTEN:** Yes, I do.

23 **PRESIDING COMMISSIONER LAWIN:** And
24 after that, what happened?

25 **INMATE VAN HOUTEN:** I told Pat that I
26 had touched the lamp and I began wiping off
27 fingerprints in the bedroom. And I wiped off

1 fingerprints for as long as I could --

2 **PRESIDING COMMISSIONER LAWIN:** Just in
3 the bedroom?

4 **INMATE VAN HOUTEN:** -- to be
5 distracted.

6 **PRESIDING COMMISSIONER LAWIN:** Or did
7 you go in other places in the house?

8 **INMATE VAN HOUTEN:** No. I stayed in
9 the bedroom until we left. And Tex was in
10 taking a shower.

11 **PRESIDING COMMISSIONER LAWIN:** At some
12 point, you went looking for a change of
13 clothes. Is that correct?

14 **INMATE VAN HOUTEN:** Yes. We had been
15 told to take a change of clothes. And I had
16 no blood on me and Tex needed the pants that I
17 had brought, or that I had on. I don't
18 remember the -- I don't remember the details
19 of this.

20 **PRESIDING COMMISSIONER LAWIN:** It's
21 okay.

22 **INMATE VAN HOUTEN:** But I know that
23 when I spoke to Marvin Park right -- who was
24 my attorney right after the crime and when I
25 testified eight years later, in 1978, I told
26 the truth as best as I remembered. So if I
27 say something contrary, it's not that I'm

1 trying to change something. It's 33 years and
2 I don't remember some of the conversations.
3 But Tex ended up wearing the jeans that I
4 think I had on.

5 **PRESIDING COMMISSIONER LAWIN:** Okay.
6 So you went through the closet or a dresser?

7 **INMATE VAN HOUTEN:** Yes, I did. I went
8 through her closet and I found a pair of
9 shorts and put them on.

10 **PRESIDING COMMISSIONER LAWIN:** And then
11 did you leave after that or -- I guess,
12 instead the question should be, how long after
13 that did you leave? Were you in the house for
14 a matter of minutes or --

15 **INMATE VAN HOUTEN:** Time is hard to
16 tell. Long enough for Tex to take a shower.

17 **PRESIDING COMMISSIONER LAWIN:** And
18 during the course of that time, you were
19 wiping fingerprints.

20 **INMATE VAN HOUTEN:** Yes.

21 **PRESIDING COMMISSIONER LAWIN:** Changing
22 clothes.

23 **INMATE VAN HOUTEN:** Yeah.

24 **PRESIDING COMMISSIONER LAWIN:** Anything
25 else? Any other activities that you conducted
26 in the house?

27 **INMATE VAN HOUTEN:** No.

1 **PRESIDING COMMISSIONER LAWIN:** And what
2 else did you observe in the house?

3 **INMATE VAN HOUTEN:** On the way out,
4 when were leaving and I passed through the
5 living room, I saw that there was writing on
6 the wall. And when we went out of the
7 kitchen, I saw that there was writing on the
8 refrigerator.

9 **PRESIDING COMMISSIONER LAWIN:** You
10 didn't see that happen?

11 **INMATE VAN HOUTEN:** No.

12 **PRESIDING COMMISSIONER LAWIN:** And did
13 you take anything else out of the home or use
14 anything else?

15 **INMATE VAN HOUTEN:** On the way out, we
16 stopped at the refrigerator and took cheese
17 and chocolate milk.

18 **PRESIDING COMMISSIONER LAWIN:** That you
19 took with you.

20 **INMATE VAN HOUTEN:** Yes.

21 **PRESIDING COMMISSIONER LAWIN:** Then,
22 did you hitchhike back to the ranch?

23 **INMATE VAN HOUTEN:** Yes. We stayed and
24 hid in the bushes in the area until dawn and
25 then we hitchhiked back to the ranch.

26 **PRESIDING COMMISSIONER LAWIN:** Okay.
27 Anything else to tell us about the commitment

1 offense?

2 **INMATE VAN HOUTEN:** Other than -- other
3 than I'm deeply ashamed of it. That living
4 with the acts of that night is difficult.
5 That I take very seriously, not just the
6 murders in the house, but what in me made
7 myself so available to someone like Manson.
8 That over the years, I've come to understand
9 how what I did affected more people than I
10 ever would have imagined. I take very
11 seriously what happened. That I, in no way,
12 because of the circumstance or my particular
13 involvement, I carry full responsibility for
14 what occurred. That I have lived with that in
15 a very real way. That, I guess it's important
16 to me, that you understand that it's not
17 something I just deal with when I come to the
18 hearings. That each day I wake up, I know why
19 I'm waking up where I am. And I've done my
20 best to carry myself and live my life in a way
21 that other people aren't harmed. And that's
22 part of what I have felt is one of the only
23 ways I can make up for the loss of life. It's
24 one of the hardest things in dealing with
25 having contributed to murder, is that there's
26 no restitution. And there's no making it
27 right. And I have lived my life feeling very

1 deeply ashamed for the beliefs I adhered to by
2 following Manson and his small-minded,
3 prejudicial ways. And that I contributed by
4 never questioning him. I have always tried to
5 speak openly and honestly about what happened
6 in the house. I'm very sorry for what
7 happened and I just hope that my file and my
8 life reflect that I take very seriously the
9 responsibility of, not just what I did, but
10 what I do on a daily basis with the people
11 that I come in contact with. But I don't --
12 my heart aches with words but I'm -- there
13 don't seem to be any that really can convey
14 living with the amount of pain caused. I
15 don't know what else to say.

16 **PRESIDING COMMISSIONER LAWIN:** Thank
17 you. A couple of other areas that we didn't
18 touch on. And that was, after you got back to
19 the ranch, you burned clothing.

20 **INMATE VAN HOUTEN:** Yes.

21 **PRESIDING COMMISSIONER LAWIN:** What
22 clothing did you burn?

23 **INMATE VAN HOUTEN:** The shorts.

24 **PRESIDING COMMISSIONER LAWIN:** Just the
25 shorts?

26 **INMATE VAN HOUTEN:** I -- it seems like
27 I burned other things, but I can't remember

1 what they were. Things that would have tied
2 us to the house.

3 **PRESIDING COMMISSIONER LAWIN:** There
4 was a period of time then after that, when you
5 moved a couple of times, or you moved around.
6 You went to the desert. You went --

7 **INMATE VAN HOUTEN:** Yes.

8 **PRESIDING COMMISSIONER LAWIN:** -- a
9 couple of places.

10 **INMATE VAN HOUTEN:** Manson got Pat and
11 I out of the ranch area shortly after the
12 murders. And he told us to go stay at a place
13 called Fountain of the World, which was an
14 abandoned religious site in Box Canyon. And
15 we stayed there for, I don't know how long,
16 and then we ended up in the desert.

17 **PRESIDING COMMISSIONER LAWIN:** And why
18 did you leave the ranch?

19 **INMATE VAN HOUTEN:** Because he told us
20 to. On hindsight, I think it was because it
21 was our belief that we were all in it together
22 and that what one of use did, everyone did.
23 And suddenly, he didn't want us talking about
24 it. And I think he wanted us away from the
25 others who hadn't participated. That's my
26 own, putting it together.

27 **PRESIDING COMMISSIONER LAWIN:** Your own

1 conclusion.

2 **INMATE VAN HOUTEN:** Years later, yes.

3 **PRESIDING COMMISSIONER LAWIN:** Okay.

4 Now, you said just a moment ago, that you
5 contributed to murder. Did you murder
6 Mrs. LaBianca? Did you kill Mrs. LaBianca or
7 contribute to her death?

8 **INMATE VAN HOUTEN:** I feel I
9 contributed to her death. It's difficult to
10 answer that, because the autopsy reports have
11 shown that it was Tex that wielded the fatal
12 wounds, but I contributed. I attempted to
13 hold her down for Pat. I called to Tex,
14 because we couldn't kill her. You know, it's
15 -- morally, I feel as though I did and --

16 **PRESIDING COMMISSIONER LAWIN:** And were
17 you certain that she was dead when you then
18 stabbed her?

19 **INMATE VAN HOUTEN:** I felt she was. I
20 didn't think in terms of absolutes at that
21 time.

22 **PRESIDING COMMISSIONER LAWIN:** Also,
23 Ms. Webb added the statement from the
24 appellate court opinion regarding Mr. Manson's
25 plan of this Helter Skelter. And regardless
26 of whose plan it was initially, as late as in
27 the seventies, you made a statement, I know,

1 in -- to one of the counselors that you and
2 your crime partners carried out this to
3 perpetuate this racial war that you believed
4 would happen. And that you would ultimately
5 be the surviving victors.

6 **INMATE VAN HOUTEN:** Uh-hmm.

7 **PRESIDING COMMISSIONER LAWIN:** Was that
8 what you believed?

9 **INMATE VAN HOUTEN:** Yes.

10 **PRESIDING COMMISSIONER LAWIN:** And
11 somehow these murders would cause this race
12 war to begin and how would you -- did -- were
13 you in a position where you thought out the
14 end of it? Did you --

15 **INMATE VAN HOUTEN:** No.

16 **PRESIDING COMMISSIONER LAWIN:** -- think
17 how you were going to become the victors?

18 **INMATE VAN HOUTEN:** No. That was --
19 that was Manson's -- you know, I believed that
20 he was Jesus Christ. And it was his view and
21 belief that all of this would happen. And
22 part of his thing was not to -- not to have
23 individual thinking and don't ask questions.
24 And I bought into it lock, stock and barrel.
25 So I never -- I never asked him, well, how is
26 that going to happen. I took it at face
27 value.

1 **PRESIDING COMMISSIONER LAWIN:** These
2 were his ideas and beliefs but you then
3 believed them yourself?

4 **INMATE VAN HOUTEN:** Yes.

5 **PRESIDING COMMISSIONER LAWIN:** Thank
6 you. I don't have any other questions right
7 now about the commitment offense. So we'll
8 move on, unless there's something you wish to
9 add right now regarding the commitment
10 offense.

11 **INMATE VAN HOUTEN:** No.

12 **PRESIDING COMMISSIONER LAWIN:** Okay.
13 There will probably be other questions later,
14 but let's move on. The record is a little
15 difficult to follow, but I know at the last
16 hearing, we talked about your background, in
17 terms of any prior arrests. And apparently,
18 there had been a couple of arrests for grand
19 theft auto --

20 **INMATE VAN HOUTEN:** Yes.

21 **PRESIDING COMMISSIONER LAWIN:** -- or
22 auto theft. How many were there?

23 **INMATE VAN HOUTEN:** I don't -- two or
24 three.

25 **PRESIDING COMMISSIONER LAWIN:** Two or
26 three. And were you ever convicted of any of
27 them?

1 **INMATE VAN HOUTEN:** No, usually it was
2 a sweep of the ranch and then they would take,
3 maybe 10 or 12 of us to the jail and then
4 release us before the arraignment.

5 **PRESIDING COMMISSIONER LAWIN:** Okay.
6 Did you have any other arrests, prior to that?

7 **INMATE VAN HOUTEN:** No. But I had one
8 other arrest that dealt with a credit card
9 that I also wasn't arraigned on. I was with
10 someone that was signing the credit card.

11 **PRESIDING COMMISSIONER LAWIN:** Okay,
12 and that -- actually, it was charged as a
13 burglary?

14 **INMATE VAN HOUTEN:** Yes, because it was
15 a stolen credit card.

16 **PRESIDING COMMISSIONER LAWIN:** Any
17 other arrests?

18 **INMATE VAN HOUTEN:** In Indio County, I
19 think I had an aiding and concealing stolen
20 property, that ultimately led to this crime.
21 I'm not -- I --

22 **PRESIDING COMMISSIONER LAWIN:** You
23 don't have a clear recollection of it.

24 **INMATE VAN HOUTEN:** But prior to --
25 prior to arriving at Spahn's Ranch, I had no
26 arrests.

27 **PRESIDING COMMISSIONER LAWIN:** Thank

1 you. Let's go to your background. We're told
2 that you're the second of two natural
3 children, born to your parents, Paul and Jane?

4 **INMATE VAN HOUTEN:** Yes.

5 **PRESIDING COMMISSIONER LAWIN:** And then
6 your parents apparently adopted, after that,
7 two orphans.

8 **INMATE VAN HOUTEN:** Yes.

9 **PRESIDING COMMISSIONER LAWIN:** Your
10 parents divorced when you were about 14 years
11 old and you continued to live with your mother
12 in Monrovia after the divorce, going to high
13 school, ultimately graduating from Monrovia
14 High School.

15 **INMATE VAN HOUTEN:** Yes.

16 **PRESIDING COMMISSIONER LAWIN:** And
17 we're told that you were active during high
18 school and outside of school, including
19 Homecoming Queen, class secretary. You also
20 were involved with Job's Daughters, Campfire
21 Girls, and Bluebirds. I don't think Bluebirds
22 was in high school.

23 **INMATE VAN HOUTEN:** No.

24 **PRESIDING COMMISSIONER LAWIN:** Probably
25 a little earlier. And also, you then, at some
26 point, moved in with your father. Is that
27 accurate? When you went to live with your

1 father?

2 **INMATE VAN HOUTEN:** Oh, after high
3 school, I went to --

4 **PRESIDING COMMISSIONER LAWIN:** It was
5 after high school.

6 **INMATE VAN HOUTEN:** Yes.

7 **PRESIDING COMMISSIONER LAWIN:** And you
8 lived with your father and his wife then --

9 **INMATE VAN HOUTEN:** Yes.

10 **PRESIDING COMMISSIONER LAWIN:** -- for a
11 period of time. And went on to Sawyer's
12 Business College. Spent about a year there.

13 **INMATE VAN HOUTEN:** Yes.

14 **PRESIDING COMMISSIONER LAWIN:** We also
15 have information about your -- about age 15
16 when you became pregnant and had a
17 miscarriage.

18 **INMATE VAN HOUTEN:** Yes, that's 17.

19 **PRESIDING COMMISSIONER LAWIN:** Is that
20 -- you were 17 years old?

21 **INMATE VAN HOUTEN:** Yeah. It said -- I
22 know the documents say 15, and I'm not sure
23 how that happened.

24 **PRESIDING COMMISSIONER LAWIN:** Okay.
25 Then you also became acquainted with Bobby
26 Beausoleil at some point, had a common-law
27 relationship for about five months. Was it

1 during that five months that you traveled
2 around with him?

3 **INMATE VAN HOUTEN:** With Robert
4 Beausoleil?

5 **PRESIDING COMMISSIONER LAWIN:** Uh-hmm.

6 **INMATE VAN HOUTEN:** Yes. Yes.

7 **PRESIDING COMMISSIONER LAWIN:** And was
8 that how you were introduced to Mr. Manson,
9 was through your association with him?

10 **INMATE VAN HOUTEN:** Yes, and Catherine
11 Share. Actually, Catherine Share was with
12 Robert Beausoleil when I was with him. And
13 she would spend hours talking about Manson and
14 that she and I should leave Robert Beausoleil
15 and go be with Manson.

16 **PRESIDING COMMISSIONER LAWIN:** Is that
17 ultimately what you did?

18 **INMATE VAN HOUTEN:** Yes, it is.

19 **PRESIDING COMMISSIONER LAWIN:** Is there
20 anything else about your background, that you
21 would like for the Panel to know?

22 **INMATE VAN HOUTEN:** It doesn't really
23 discuss my high school years of drug use.

24 **PRESIDING COMMISSIONER LAWIN:** No.
25 Thank you. That's another area to get into.

26 **INMATE VAN HOUTEN:** Oh, you're -- are
27 you going to get into that?

1 **PRESIDING COMMISSIONER LAWIN:** Uh-hmm.

2 **INMATE VAN HOUTEN:** Okay.

3 **PRESIDING COMMISSIONER LAWIN:** But
4 that's fine, go ahead.

5 **INMATE VAN HOUTEN:** No, that's -- I'll
6 wait.

7 **PRESIDING COMMISSIONER LAWIN:** I did --
8 I did see that you had begun to use drugs in
9 high school. And marijuana, Methedrine,
10 mescaline and Benzedrine, as well as LSD and
11 began, at some point, you had taken, what I
12 would consider a considerable amount of LSD
13 over a period of a couple of years?

14 **INMATE VAN HOUTEN:** Yes.

15 **PRESIDING COMMISSIONER LAWIN:** Some
16 reports say 150 times, others say 300 times.
17 It's hard to --

18 **INMATE VAN HOUTEN:** I think all of that
19 is probably -- I took it, like on weekends, in
20 high school. So I don't really know how many
21 times. It was my regular high, you know, was
22 taking LSD.

23 **PRESIDING COMMISSIONER LAWIN:** At the
24 time of the commitment offense, the period
25 prior to the commitment offense, were you
26 taking drugs?

27 **INMATE VAN HOUTEN:** Yes.

1 **PRESIDING COMMISSIONER LAWIN:** And on
2 the day of the commitment offense, had you
3 used any drugs?

4 **INMATE VAN HOUTEN:** If I did, I would
5 have just smoked some marijuana. I was not on
6 LSD at the time.

7 **PRESIDING COMMISSIONER LAWIN:** Did you
8 also drink alcohol during this time frame or --

9 **INMATE VAN HOUTEN:** No.

10 **PRESIDING COMMISSIONER LAWIN:** You
11 didn't. Okay. Anything else about your
12 background?

13 **INMATE VAN HOUTEN:** No. Technically, I
14 wasn't a homecoming queen. I was a princess.

15 **PRESIDING COMMISSIONER LAWIN:** Okay.

16 **INMATE VAN HOUTEN:** Sometimes I feel
17 like I have to be a little careful of all the
18 little technical details. And so, that's a
19 small thing, but --

20 **PRESIDING COMMISSIONER LAWIN:** I
21 appreciate your accuracy. We're going to
22 change the tape. And I'm sorry folks, I
23 know --

24 [Thereupon, the tapes
25 were turned over.]

26 **INMATE VAN HOUTEN:** My attorney
27 mentioned something that I had overlooked, and

1 that's that you referred to the losing of the
2 baby as a miscarriage and it was an abortion.
3 It was an induced miscarriage.

4 **PRESIDING COMMISSIONER LAWIN:** Okay.

5 **INMATE VAN HOUTEN:** Okay.

6 **PRESIDING COMMISSIONER LAWIN:** Thank
7 you for that clarification. Anything else
8 about your background before we move on?

9 **INMATE VAN HOUTEN:** No, not that I can
10 think of.

11 **PRESIDING COMMISSIONER LAWIN:** Thank
12 you. We'll move then to your plans. And the
13 Counselor's report states that, essentially,
14 your plans remain the same as in the previous
15 Board report, from the year 2000 hearing. And
16 that report told us that your plans would be
17 to reside with a friend in Los Angeles County
18 and that you have been offered employment in a
19 fabric store in the Los Angeles area. That
20 you wish to further your education, college
21 education, and ultimately work in the
22 editorial field. You also will continue
23 participation in the NA and seek mental health
24 counseling to assist in a successful reentry.
25 Are those still your plans?

26 **INMATE VAN HOUTEN:** Yes.

27 **PRESIDING COMMISSIONER LAWIN:** Okay.

1 Let me go to the letters that we have. We
2 have a number of support letters. First of
3 all, I will say that we do have two offers of
4 employment. The first is in a fabric store
5 and the second is working for a film company.
6 Then we have other letters of support. There
7 are a total of 44 of them. From your father,
8 Paul Van Houten. Your -- his wife, rather,
9 Kay Van Houten. Your mother, Jane, as well as
10 your brother, Paul. Then we have a number of
11 other letters. Some seem to know you and
12 others didn't, have not met you, but have
13 followed your case. From William Pelkey,
14 Linda Grippy, Connie Turner, Carlene Faith,
15 Nancy Stoller, Albert Erstness, Dan Mortek,
16 M-O-R-T-E-K, Mickey --

17 **ATTORNEY WEBB:** Okay, excuse me,
18 Ms. Lawin?

19 **PRESIDING COMMISSIONER LAWIN:** Uh-hmm.

20 **ATTORNEY WEBB:** Are you going to read
21 the names in or are you going to read from any
22 excerpts from the letters and (inaudible).

23 **PRESIDING COMMISSIONER LAWIN:** I was
24 going to read the names. There are too many
25 to read the letters.

26 **ATTORNEY WEBB:** Okay. You're not
27 planning to read any excerpts. That's how

1 it's happened in the past. I just wondered.

2 **DEPUTY DISTRICT ATTORNEY KAY:** Dan
3 Morteck, by the way, was her attorney for a
4 number of years, that appeared at the parole
5 hearings.

6 **PRESIDING COMMISSIONER LAWIN:** Thank
7 you. And I was going to note that former
8 counsel.

9 **DEPUTY DISTRICT ATTORNEY KAY:** Yes.

10 **PRESIDING COMMISSIONER LAWIN:** Thank
11 you very much. Flo Conway and Jim Siegelman,
12 who are authors and researchers, have dealt
13 with the inmate for a number of years, worked
14 with her. Reverend Monsignor Timothy Lawler,
15 John Waters, Michael Picanek (phonetic), Laura
16 Leigh, David Moon, James Gabrielson, Jan
17 Nishita, Christopher Albregeni (phonetic),
18 Anthony and Marie Kratchy (phonetic), Steven
19 Godfried, Edward Baker, Anna Ruth Thies,
20 T-H-I-E-S, Regina Able, Georgianne Calhoun,
21 Marianne Haberle, H-A-B-E-R-L-E, Dr. Michael
22 Colburn, Susan Talbot, Walter Strandberg,
23 Candy Mulholland, Robin Allen, Kelly Millar,
24 Judy Shane, Carolyn Johnson, James McGrew,
25 Mike Chessler, Charles Brown, Betty Anderson,
26 Lana McMaster, Gerald Gumbleton, Vera Newman
27 and Danny Murray. The letters from your

1 family, I did -- I was going to touch on.
2 There are a couple of letters from your
3 father. Of course, all of them are very
4 supportive and these are the new ones. I'm
5 going to add these.

6 **ATTORNEY WEBB:** There's a letter from
7 her sister who is (inaudible).

8 **PRESIDING COMMISSIONER LAWIN:** Okay,
9 thank you. And I'll do that.

10 **ATTORNEY WEBB:** I think the total of
11 letters comes to about 60 with all of the ones
12 we've added.

13 **PRESIDING COMMISSIONER LAWIN:** Okay,
14 thank you.

15 **ATTORNEY WEBB:** And that one on top is
16 from her sister.

17 **PRESIDING COMMISSIONER LAWIN:** And I'll
18 go to those in just a moment.

19 **ATTORNEY WEBB:** Uh-hmm.

20 **PRESIDING COMMISSIONER LAWIN:** As I
21 indicated, this is a mixture of people who
22 knew you growing up, people who have continued
23 to remain in contact with you, as well as
24 people who have never personally met you, but
25 have followed you. There are those amongst
26 the group who have done work with you or have
27 worked with you over the years and have

1 provided various services. There are those
2 who have been counselors to you and have been
3 involved in different aspects of your life. I
4 wanted the ones from her family.
5 Unfortunately, we have these letters in a
6 number of different locations. I wanted to
7 touch on a couple of your family letters, as I
8 indicated. The -- your brother's letter,
9 which is dated June of 2002, talks about the
10 years that you have spent incarcerated. He
11 says that:

12 "It can be a powerfully crushing
13 experience. But I don't believe
14 there is any punishment that is
15 greater than the sorrow and guilt
16 that Leslie will carry with her
17 for her whole life from her role
18 in the crime she was convicted
19 of."

20 If she were paroled today, he writes, she
21 would never be free.

22 "She will always carry the burden
23 of her crime, its legacy, its
24 impact on all of the families,
25 including her own, and her
26 lifetime in prison."

27 And he says he knows that you can handle this

1 burden. He goes on to say that prison life
2 can also be a transforming experience, time
3 for reflection and change, and he has seen you
4 develop in many positive ways. He goes on to
5 talk about your imprisonment and what it has
6 meant. He concludes by stating:

7 "Despite all of the Boards over
8 the years, I still have hope that
9 someday, some Board will give
10 Leslie a parole date. And I hope
11 that you are the Board that has
12 the courage to do it."

13 And your father had written two letters, both
14 equally supportive, talking about your past
15 and your parole. What you would do and the
16 contributions that you would make. Your
17 mother's letter states, she expresses her
18 sincere conviction that you are no longer a
19 danger to society, and you are suitable for
20 parole. She writes:

21 "All these many years, I have
22 lived and prayed for her
23 rehabilitation, that she might
24 recreate within herself and live
25 the life that should have been,
26 except for some very poor
27 judgments when she was a

1 teenager."

2 Your stepmother, in her support letter, talks

3 about the fact that the crime was 33 years ago

4 and it will not change. However, people can

5 and do change, she writes, and that you're not

6 the same person that you were when you were

7 19. And forgiveness is as important for the

8 person forgiving, as for the person to be

9 forgiven, she writes. And then your father,

10 Paul, writes in his letter, and he talks about

11 the background. The fact that when the death

12 penalty was overturned, there were five women

13 on death row. Two were released after seven

14 years, and that the judge in your third trial

15 said that you were rehabilitated, but she

16 needed more punishment, and says that was 24

17 years ago. And he believes that you are

18 certainly suitable for parole and if you're

19 not given a date, that it would be cruel and

20 inhuman treatment. Then the additional

21 letters that were handed to me, the first is

22 Leslie Van Houten -- I'm sorry, is Elizabeth

23 Van Houten, your sister. And she writes that,

24 the time that you were out -- well, you've

25 been a model prisoner and while you were out

26 during one of your trials, that you did no

27 harm to anyone. You waited until after

1 Christmas, she writes, to be released, so as
2 not to bother the LaBianca family with news of
3 your release. She goes on to talk about her
4 son, 12-year-old son, and the loving and
5 caring relationship that you have with him.
6 Has watched you grow through the years and
7 through the ordeal. And she implores us to
8 release you where she believes you will make a
9 positive contribution. She talks about the
10 victims, how there have been victims on both
11 sides, she writes, and this has been so
12 painful for all of us. Next is a letter from
13 Chris Chesser, C-H-E-S-S-E-R. I think that's
14 a duplication, if I'm not mistaken. And --

15 **ATTORNEY WEBB:** I don't think so.

16 **PRESIDING COMMISSIONER LAWIN:** No,
17 okay. Thank you.

18 **ATTORNEY WEBB:** It wasn't in the
19 initial packet.

20 **PRESIDING COMMISSIONER LAWIN:** And
21 Chris is a friend of yours?

22 **INMATE VAN HOUTEN:** Yes.

23 **PRESIDING COMMISSIONER LAWIN:** And
24 writes a very supportive letter. Sent one too
25 -- also sent us a copy of one that was written
26 in 1991. Gerald Marugg, M-A-R-U-G-G, a former
27 prosecutor, went on to private practice. And

1 he's the editor of the privately established
2 Palau, P-A-L-A-U, National Code Annotated, and
3 a legal publication office. He writes as your
4 friend, believes that you are suitable for
5 parole. He came to California to work as a
6 public school teacher. He says he first got
7 to know you as a seventh grader at Clifton
8 Junior High School --

9 **INMATE VAN HOUTEN:** Yes.

10 **PRESIDING COMMISSIONER LAWIN:** -- in
11 Monrovia, so I guess he has known you for
12 awhile. He says he was student body president
13 and you, vice president, and you were close
14 friends. He goes on to talk about your
15 relationship, your background together and
16 that he believes that you are suitable for
17 parole and urges us to grant you parole.
18 Seniel Lucien, that's S-E-N-I-E-L, last name
19 L-U-C-I-E-N, has known you for over 20 years.
20 A former teacher at Antioch University West.
21 Worked with you in a group involved in that
22 university and supports your release. Noel
23 Grippy --

24 **INMATE VAN HOUTEN:** Yes.

25 **PRESIDING COMMISSIONER LAWIN:** --
26 apparently knows you as Auntie Leslie.

27 **INMATE VAN HOUTEN:** Yes.

1 **PRESIDING COMMISSIONER LAWIN:** Refers
2 to you as Auntie Leslie. It says that you've
3 been a pillar of strength, a model prisoner,
4 and a picture of stability with and
5 rehabilitation. You have been a great
6 influence, a positive influence on her life.
7 Joseph Fiore, F-I-O-R-E. It says he went to
8 school with you and that you have lived with
9 your mistake for 30 years and you deserve to
10 be released from prison, as does Merideth
11 Fiore, M-E-R-I-D-E-T-H. Then we have one from
12 Cheryl Edwards that is supportive. You have
13 made a positive influence on her life, as
14 well. All right. You obviously have a good
15 deal of support. You have two offers of
16 employment. Anything else you want to tell us
17 about parole plans?

18 **INMATE VAN HOUTEN:** When that day
19 comes, I look forward to living quietly and
20 being able to help take care of my mother, who
21 is aging. And come to meet the nieces and
22 nephews that I have, that I don't really know,
23 because I've been away. And actually be a
24 part of my family.

25 **PRESIDING COMMISSIONER LAWIN:** Okay.
26 We send out 3042 notices to the agencies that
27 have an interest in your case. Mr. Kay will

1 make the comments from the District Attorney's
2 Office or present the views of the District
3 Attorney's Office at the appropriate time. We
4 did receive no other written responses to 3042
5 notices. However, as we indicated earlier, we
6 received, and they are placed in your
7 confidential file, letters of opposition. And
8 there are 30 letters of opposition. They come
9 from a variety of locations and they all
10 oppose your parole. Okay, I think we should
11 take a short break. It's awfully warm in here
12 and let everybody get a chance to stretch for
13 a moment. So we'll take a short recess. And
14 we can turn the air on in the interim so it
15 will cool down a little bit when we come back.

16 **ATTORNEY WEBB:** Thank you.

17 [Off the record.]

18 **PRESIDING COMMISSIONER LAWIN:** We're
19 back on record and all parties have returned
20 to the room in the hearing for Leslie Van
21 Houten. Before we move on to post-conviction,
22 is there anything else that you may have
23 thought of that you wish to add to the first
24 portion of the hearing?

25 **INMATE VAN HOUTEN:** No.

26 **PRESIDING COMMISSIONER LAWIN:** Thank
27 you.

1 **INMATE VAN HOUTEN:** Not right now.

2 **PRESIDING COMMISSIONER LAWIN:** Let's go
3 then to post-conviction.

4 **DEPUTY COMMISSIONER KEENAN:** All right,
5 Ms. Van Houten, I see per your Central File,
6 you have a classification score of zero.

7 **INMATE VAN HOUTEN:** Yes.

8 **DEPUTY COMMISSIONER KEENAN:** It's been
9 that way since 10/6/87. And at your last
10 hearing on 6/6/00, we recommended that you
11 remain disciplinary free, participate in self-
12 help and therapy, as available, and cooperate
13 with any clinicians, in the completion of
14 their reports. Looking at your disciplinary
15 history, I see that you have never had a 115.
16 And you have had one 128(a). That was back on
17 1/11/81, for communicating with women in
18 detention. Sound accurate so far?

19 **INMATE VAN HOUTEN:** I had a 115, in, I
20 think, 1976. And it was -- I think it was
21 probably purged out of my file. It was right
22 before I had the reversal on my first
23 conviction and it was for possession of
24 marijuana.

25 **PRESIDING COMMISSIONER LAWIN:** It's
26 probably on microfiche.

27 **INMATE VAN HOUTEN:** It might be.

1 **DEPUTY COMMISSIONER KEENAN:** Okay, '76?

2 **INMATE VAN HOUTEN:** Yeah, around there.

3 **DEPUTY COMMISSIONER KEENAN:** Okay. All
4 right, thank you. Everything else sound accurate?

5 **INMATE VAN HOUTEN:** Yes.

6 **DEPUTY COMMISSIONER KEENAN:** All right.
7 And focusing on the Board report prepared for
8 your hearing by R. Aguirre, A-G-U-I-R-R-E,
9 Correctional Counselor I, that person states
10 in the report, under the section Post-
11 Conviction Factors:

12 "Documents from previous hearings
13 have been considered and that
14 information remains valid. Since
15 her last Board of Prison Terms'
16 hearing on 6/6/00, Ms. Van Houten
17 has remained disciplinary free,
18 continued in her clerical
19 assignment, Chapel Clerk, with
20 exceptional evaluations. She
21 continued participating in self-
22 help groups, Convicted Women
23 Against Abuse, African American
24 Prisoners Association and
25 religious workshops. No medical
26 or psychological concerns noted."

27 And then he refers over to the Post-Conviction

1 Progress reports, which I will do at this
2 point. And those start on 6/7/00, noting
3 again, your work as the Catholic Chapel Clerk
4 with exceptional work evaluations. And then
5 there are several informational chronos and
6 some of these, I've corrected the dates on.
7 On 2/6/01, and I see chronos that go back to
8 the Board file that match up with these. On
9 2/6/01, Voices From Within, thanking you for
10 your volunteering and your skills for the
11 production of audio tapes. That was signed by
12 Alexandra Paeff.

13 **INMATE VAN HOUTEN:** Yes.

14 **DEPUTY COMMISSIONER KEENAN:** P-A-E-F-F.

15 And 4/12/01 -- 4/12/01, you attended a seven-
16 hour class, in a ribbon folding class. That
17 was signed by Blanche Batiz, B-A-T-I-Z, also,
18 4/12/01. On 2/10/01, Hobby Craft Manager,
19 thanked you for helping other inmates in a
20 Basic Sewing Technique class, and that's
21 again, by Blanche Batiz. Self-help groups
22 noted during that time frame, 11/2/00,
23 attended the Convicted Women Against Abuse
24 seminar on 10/30/00. That's signed by
25 R. Guerara, G-U-E-R-A-R-A, and L. Quevada,
26 Q-U-E-V-A-D-A. And 5/4/01, it notes,
27 participated in the African American Women's

1 Prisoners Association from 3/2/01 to 5/4/01
2 and specifically, that was a Drug Awareness
3 Counseling and Relapse Prevention program.
4 And that's signed by M. Culverson, the
5 sponsor, C-U-L -- C-U-L-E-R-S-O-N. Culerson,
6 I guess that is.

7 **INMATE VAN HOUTEN:** It's Culverson.

8 **DEPUTY COMMISSIONER KEENAN:** Culverson?

9 **INMATE VAN HOUTEN:** Someone left out a
10 V.

11 **DEPUTY COMMISSIONER KEENAN:** Okay. And
12 also, I noted there was another chrono on
13 6/22/01, detailing your participation during
14 that same time frame. There's mention here in
15 the Post-Conviction Progress report of work
16 supervisors' reports. On 1/2/01, chapel,
17 exceptional, does excellent work, it says. On
18 4/1/01, the chapel, exceptional, continues to
19 be efficient. Moving on to the time frame for
20 7/1/01, in the Post-Conviction Progress
21 reports, he again notes, in the Catholic
22 Chapel Clerk, exceptional work supervisor
23 evaluations. Under the section Informational
24 Chronos, 128(b)s, 8/14/01, does not meet
25 criteria for Close custody designation. On
26 8/28/01, the Catholic Chaplain thanks her for
27 participating in the production of What is

1 Life. That was signed by Neil Fuller, the
2 Catholic Chaplain, last name F-U-L-L-E-R.
3 Also, 1/16/02, the Catholic Chaplain again,
4 thanks her for participating in the Native
5 American religious services. On 1/31/02,
6 Community Resource Manager, thanks her for
7 participating in Voices from Within. That's
8 signed by R. Samson, S-A-M-S-O-N. And listed
9 under self-help groups, 9/21/01, participated
10 in the African American Women's Prisoners
11 Association, Drug Awareness. And this is a
12 continuation of the program I've already
13 referenced. And it lists the dates of June,
14 September of '01. And that's again, signed by
15 M. Culverson. On 3/6/02, attended a two-hour
16 seminar sponsored by Convicted Women Against
17 Abuse. And then, work supervisors' reports,
18 2/1/02, chapel, has exceptional, excellent
19 work habits, it says. And I saw, in the
20 chronos that you have in the Board file, three
21 extra chronos that I didn't see mentioned in
22 the Post-Conviction Progress report. On
23 3/20/02, again, thanks from Blanche Batiz,
24 for, I guess, it looks like helping with
25 instruction in the class on quilting. And
26 3/6/02, again it says, noting attendance at a
27 two-hour seminar sponsored by Convicted Women

1 Against Abuse, titled Domestic Violence, How
2 to Become Better Educated. And that's from
3 Rosie Gutierrez, G-U-T-I-E-R-R-E-Z. And
4 finally, on 4/5/02, again with that same
5 program, the Drug Awareness and Counseling and
6 Relapse Prevention Program, this is for the
7 time period, November '01 to four of '02, and
8 that's again, signed by M. Culverson. And
9 focusing on your education, it was already
10 mentioned that you have a high school degree
11 at Monrovia. Is that right?

12 **INMATE VAN HOUTEN:** Yes.

13 **DEPUTY COMMISSIONER KEENAN:** Okay. And
14 I also noted in the file that you participated
15 in some college courses in business and
16 ultimately, you wound up getting your
17 Bachelor's in English, while in custody. Is
18 that right?

19 **INMATE VAN HOUTEN:** Yes.

20 **DEPUTY COMMISSIONER KEENAN:** English
21 Literature.

22 **INMATE VAN HOUTEN:** Yes.

23 **DEPUTY COMMISSIONER KEENAN:** Okay.
24 That was back in '81?

25 **INMATE VAN HOUTEN:** It might be '85.

26 **DEPUTY COMMISSIONER KEENAN:** Eighty-
27 five?

1 **INMATE VAN HOUTEN:** I'm not sure when.

2 **DEPUTY COMMISSIONER KEENAN:** The
3 eighties.

4 **INMATE VAN HOUTEN:** Yes.

5 **DEPUTY COMMISSIONER KEENAN:** Okay. All
6 right. And is there anything that's been left
7 out in -- I'm sorry, let me -- let me back up
8 a little. In the Summary, R. Aguirre notes in
9 your report:

10 "Considering the commitment
11 offense, prior record, and
12 positive prison adjustment, this
13 writer believes the prisoner would
14 probably pose a low degree of
15 threat to the public at this time,
16 if released from prison."

17 And prior to release, recommends that you
18 continue your exemplary program efforts and
19 remain disciplinary free. Anything you want
20 to say about his report or is there anything
21 that's been left out?

22 **INMATE VAN HOUTEN:** No, not that I --
23 that sounds about right. The Relapse
24 Prevention is an ongoing, twice a month. We
25 meet on Friday evenings and it has, mainly an
26 attendance of people that have been in the 12-
27 Step Program for quite a long time. And so

1 the African American Women's Prison Group
2 sponsors it, and so, just so you --

3 **DEPUTY COMMISSIONER KEENAN:** Okay.

4 **INMATE VAN HOUTEN:** -- kind of
5 understand when you --

6 **DEPUTY COMMISSIONER KEENAN:** Yeah, and
7 I saw that --

8 **INMATE VAN HOUTEN:** -- read off the
9 names of all of that. And then, Voices From
10 Within, right now is my service work. I used
11 to work with the sewing quilts for the
12 homeless. And my job hours change from time
13 to time and so right now, that's what those
14 are. And they give the chronos out
15 periodically. But that's basically what I do,
16 is service work right now.

17 **DEPUTY COMMISSIONER KEENAN:** Okay.

18 **INMATE VAN HOUTEN:** So --

19 **DEPUTY COMMISSIONER KEENAN:** All right.

20 **ATTORNEY WEBB:** I have one thing. I'm
21 not sure, I know that you have these
22 additional chronos but I'm not sure that you
23 talked about the additional chronos from the
24 Victim Services, Victim Impact seminars that
25 she attended. I did provide copies of those.

26 **DEPUTY COMMISSIONER KEENAN:** Okay.

27 **ATTORNEY WEBB:** I'm not sure you

1 mentioned those. They are not in the
2 counselor's summary.

3 **DEPUTY COMMISSIONER KEENAN:** Okay. And
4 let me see here, there's one from Blanche
5 Batiz again, indicating you instructed a class
6 in quilting. And that I believe I may have
7 mentioned.

8 **ATTORNEY WEBB:** I think you may have
9 mentioned that one, yes.

10 **DEPUTY COMMISSIONER KEENAN:** Okay. And
11 the work supervisor's report, showing
12 excellent performance, and that's from Neil
13 Fuller, 10/1/00. And a 128(b) informational
14 chrono on -- let's see, the Victim Services
15 Coordinator, participation in Victim Impact
16 that was held on February 19th, 2002. On
17 4/9/02, again, Victim Impact seminar. And
18 4/9/02 was the date of that seminar and that
19 was signed by the Victim Services Coordinator.
20 I can't quite make out the name, Tishner?

21 **INMATE VAN HOUTEN:** Fisher.

22 **DEPUTY COMMISSIONER KEENAN:** Fisher?

23 **INMATE VAN HOUTEN:** It's Fisher.

24 **DEPUTY COMMISSIONER KEENAN:** Fisher,
25 okay.

26 **INMATE VAN HOUTEN:** Yes.

27 **DEPUTY COMMISSIONER KEENAN:** All right.

1 And then again, the African American Women's
2 Prisoners Association, Drug Awareness
3 Counseling, and this one I did speak to, April
4 5th, 2002. It talks about your participation
5 from November '01 to April '02. Okay, thank
6 you. All right, and then focusing on the
7 psychiatric evaluations prepared for today's
8 hearing, and the most recent one we have is
9 dated 5/16/02, by Robert McDaniel,
10 M-C-D-A-N-I-E-L, MD, Staff Psychiatrist. And
11 let me just observe right up front that he
12 makes reference to prior reports, and so I'll
13 also go back to some prior reports. But
14 starting with the most recent report, he notes
15 in his section on Relevant History, he states:
16 "My last report reflected an
17 interview on 4/27/00. I concluded
18 that there was no current
19 psychiatric diagnosis. I also
20 concluded that she did not present
21 a danger, based upon her
22 internalization of societal norms
23 and based, additionally, upon the
24 depth of her feelings of shame,
25 guilt and remorse for her past
26 behavior."
27 In the section under Plans if Granted Release,

1 he states:

2 "The inmate reports no change in
3 her parole plans. In the past and
4 present, her prognosis for
5 community living has been
6 considered good."

7 In the section under Mental Status Evaluation,
8 he states, in part:

9 "Insight and judgment continue to
10 be good. She is particularly
11 insightful regarding issues of
12 sobriety. She has an awareness of
13 her shortcomings and appears not
14 to let them dominate her life.
15 She believes that therapy has
16 given greater balance to her life
17 and that she can be of help to
18 others without getting too
19 emotionally wrapped up or
20 involved. And is able to maintain
21 appropriate boundaries."

22 And under Current Level of Care, he notes your
23 participation in the Drug Relapse Prevention
24 Group and that you have good technical
25 knowledge of maintenance of sobriety. In the
26 section under Review of Life Crime, he
27 indicates that there is nothing new to add at

1 this time. There is a section on Assessment
2 of Dangerousness, where he states:

3 "The inmate has not demonstrated
4 herself to be dangerous within a
5 controlled setting. In past
6 reports, I have described various
7 events in which she has been in
8 some ways tested. She has
9 approached these events in a
10 highly analytical way. This
11 discussion was rather brief,
12 however, I concluded that the
13 inmate has attempted to achieve a
14 careful balance between the guilt
15 of her past actions and living
16 responsibly. As before, I do not
17 see anything currently that would
18 indicate that she would represent
19 a danger, if released to the
20 community."

21 He then goes on to state, significant risk
22 factors were described in my last report and
23 will continue to recede with the passing of
24 time. Okay. And then moving back to his past
25 report, on 5/1/00, I'll note again, under Axis
26 I and Axis II diagnoses, he lists no
27 diagnoses. And referring to his Assessment of

1 Dangerousness section, in the prior report, he
2 referenced the significant risk factors and so
3 I'll go ahead and focus on that initially. It
4 says:

5 "Significant risk factors in the
6 past were a vulnerability to
7 adhering to a bizarre world of
8 manipulation and murder. I have
9 commented in the past evaluations
10 that I saw her as less malleable,
11 but expressed concerns regarding
12 repetitive relationships in her
13 life that seemed to end
14 disastrously. In this context, I
15 note a psychological report done
16 in June of '99, from an evaluator
17 from UCLA. When asked, the inmate
18 points out that issues of
19 loneliness showed up in her
20 extensive battery of psychological
21 testing. We discussed the
22 implications for this and the way
23 that she has adapted and coped.
24 The inmate was most emotional when
25 discussing this particular issue.
26 The inmate verbalizes that she is
27 prone to leaving herself open, due

1 to her desires to end her
2 loneliness, but that she knows
3 at what point to stop an
4 interaction."

5 And he also notes in this report, he does not
6 believe she would be dangerous, if released to
7 the community. Moving back in time to
8 6/18/99, the prior report by that same doctor,
9 Dr. McDaniel, he makes reference to a
10 relationship you had with a parolee. That was
11 back in your thirties, I think it was?

12 **INMATE VAN HOUTEN:** The man I married?

13 **DEPUTY COMMISSIONER KEENAN:** Right.

14 **INMATE VAN HOUTEN:** Yeah, that was
15 (inaudible).

16 **DEPUTY COMMISSIONER KEENAN:** Six
17 months, in the early eighties.

18 **INMATE VAN HOUTEN:** Yes.

19 **DEPUTY COMMISSIONER KEENAN:** And at the
20 time, she turned 30, decided to become married
21 to man she evidently knew very little about.
22 She indicates that she did not know that he
23 was a parolee and that he was emotionally --
24 essentially, emotionally disturbed, and then
25 you wound up divorcing him.

26 **INMATE VAN HOUTEN:** Right. But I knew
27 he was a parolee.

1 **DEPUTY COMMISSIONER KEENAN:** You did.

2 **INMATE VAN HOUTEN:** Yeah.

3 **DEPUTY COMMISSIONER KEENAN:** Okay.

4 **ATTORNEY WEBB:** That was corrected on
5 the next report. I think that was a mistake.

6 **DEPUTY COMMISSIONER KEENAN:** Okay.

7 **ATTORNEY WEBB:** And it was corrected by
8 Ms. Van Houten after she saw that report.

9 **DEPUTY COMMISSIONER KEENAN:** Okay. And
10 in this report, he indicates no diagnoses
11 again, on Axis I and Axis II. In his section
12 under Clinical Assessment and Current Level of
13 Care, he notes:

14 "As before, I find no evidence to
15 diagnose any psychiatric condition
16 at this time. Obviously, this
17 individual has a history of
18 dependent behavior and severe drug
19 abuse, as well as antisocial
20 orientation."

21 And he talks a little bit about the causative
22 factors, as they relate to the commitment
23 offense. That's on page eight.

24 "Causative factors would appear to
25 be the inmate's initial proclivity
26 toward drug abuse, toward
27 abandoning her identity to mold in

1 with a group and carrying out
2 murderous instructions at the
3 request of the group leader. The
4 inmate will point out that had
5 there been no followers, the
6 events could not have happened as
7 they did."

8 And he goes on, in the next paragraph, to talk
9 about another relationship you had while in
10 prison.

11 "I asked the inmate about
12 relationships, both past and
13 present. At this juncture,
14 however, I focused more on current
15 relationships. The inmate does
16 recall, when asked about a
17 particular relationship that ended
18 badly, this inmate had a roommate
19 whom she attempted to mother. The
20 inmate explains that she was going
21 through menopausal symptoms and
22 was waiting on her roommate hand
23 and foot. She indicates, she
24 would ask her if she wanted
25 something to eat and was somewhat
26 hovering around the inmate.
27 Later, however, this inmate turned

1 on her. She indicates the inmate
2 became demanding to the point of
3 extortion."

4 And he goes on to state that he briefly
5 discussed the issues of knowing when a
6 relationship needed to be terminated. And
7 under the section on Assessment of
8 Dangerousness, he talks about drug abuse as
9 being one of the risk factors. And then he
10 goes on to state, in the last paragraph on
11 page nine:

12 "I believe a more significant risk
13 factor, however, is falling into a
14 destructive relationship. The
15 inmate points out, had Charles
16 Manson had no followers, these
17 crimes could not have been as they
18 were."

19 And then he talks about a pattern emerging in
20 that same paragraph and makes reference to a
21 boyfriend who abandoned you when you became
22 pregnant. And in his Clinical Observations,
23 Comments, and Recommendations section, he
24 states:

25 "The inmate has a tendency to wish
26 to present herself in a favorable
27 light and others have commented

1 upon how well she presents
2 herself. I believe, however, that
3 there may yet exist a part of her
4 that could benefit from further
5 treatment. While she is adept at
6 presenting herself favorably, as
7 evidence -- as evidenced by the
8 numerous favorable reports in her
9 file, it is perhaps unfortunate
10 that she has not had a forum or
11 particularly recent therapy that
12 would allow her to be more self-
13 disclosing regarding whatever
14 difficulty she has in forming
15 appropriate relationships."

16 And moving back in time with the same doctor,
17 Dr. McDaniel, this is 3/26 of '98, he again
18 indicates for the diagnoses, Axis I and Axis
19 II, no diagnoses. In his Psychiatric
20 Conclusions section, he states, in part:

21 "Violence potential outside a
22 controlled setting has been
23 considered to have been greater
24 than average in the past, now has
25 decreased."

26 And the final report that I'll look at is the
27 report, again by Dr. McDaniel. That's on

1 2/29/96. And he made several observations
2 that I'll focus on. First, again, no
3 diagnoses on Axis I and Axis II. On the last
4 paragraph of page five, he states:

5 "Ms. Van Houten possesses a degree
6 of personal charm and verbal
7 acumen that is very convincing.
8 The obvious question is whether
9 this represents true emotional
10 change and a restructuring of her
11 personality. Or of someone who is
12 so smooth in their manipulations
13 that they are barely perceptible."

14 Page six, fourth paragraph, he's talking about
15 your background and leading up to the
16 commitment offense, he says:

17 "Thereafter, she fell into the
18 grips of a cult with a very
19 devious and evil leader. Under
20 this control, she adapted and
21 became proficient as it is -- as
22 it was necessary for their
23 purposes. Under the tutorage of a
24 monstrous mind, she was able to
25 commit crimes that are
26 inconceivable to the average
27 person. Thereafter, during

1 incarceration, she has adapted yet
2 again, and has almost perfectly
3 fit the idea of the ideal inmate,
4 achieving almost every avenue of
5 self-improvement available to her.
6 It appears as though she has
7 tremendous powers of adaptation
8 and can excel at whatever
9 purpose she sets herself to.
10 Unfortunately, historically, she
11 has required an external control
12 placed upon her, in order to do
13 so."

14 Skipping down a paragraph, he says:

15 "At the core of this is a desire
16 to please those in positions of
17 authority. She has attempted to
18 please authority, no matter if it
19 is good or evil."

20 Skipping down to the last paragraph:

21 "To what degree she has
22 internalized external controls, I
23 am uncertain. I still have the
24 feeling that she is attempting to
25 please others, although in her
26 present situation, it must only
27 seem logical that she must please

1 those who are evaluating her. My
2 diagnosis reflects no abnormal
3 psychopathology at this time.
4 Obviously, at the time of her
5 crime, there was an issue of
6 polysubstance abuse, of adult
7 antisocial behavior, and dependent
8 personality. I do not, however,
9 see this in effect at the present
10 time."

11 And finally, in his section under Psychiatric
12 Conclusions, he states, in part, on item
13 three:

14 "In a less controlled setting,
15 such as a return to the community,
16 Ms. Van Houten can be considered
17 to continue improvement if, in
18 fact, she has completely
19 internalized external controls. I
20 have lingering doubts as to
21 whether this process has been
22 completed."

23 Is there anything you would like to say, with
24 respect to the psychological evaluations?

25 **INMATE VAN HOUTEN:** Well, that the -- I
26 would just like to say that the one that you
27 just finished reading was my first evaluation

1 with him. And that over the years of his
2 evaluating me, that that lingering doubt has
3 been addressed in our -- in our time together,
4 as he evaluated me. And that the current
5 report, I believe, reflects that he does
6 believe that I have internalized my external
7 controls by finding that my risk of
8 dangerousness is low. What he meant by that
9 was, because I went back and I asked him. And
10 he said that for a person to live in a healthy
11 way, that they have to be able to understand
12 that it's not always best to always make sure
13 that everyone else gets what they need first
14 and whatever is left is fine. I think that as
15 part of learning to live -- or a manifestation
16 of living with the murders, it caused me, for
17 many, many years, to always make sure that
18 everyone was tended to and whatever was left
19 was fine with me. And he stated to me that
20 that was not a healing sign. But that, when a
21 person is healed, they also have a good sense
22 of self-esteem. And so I addressed those and
23 I worked on those during the time period
24 between that initial report. Because I wasn't
25 certain what internalizing my external
26 controls meant. And he said that I put myself
27 at equal standing with those that I care

1 about, so --

2 **DEPUTY COMMISSIONER KEENAN:** Okay.

3 **INMATE VAN HOUTEN:** -- I feel that
4 those issues were addressed.

5 **DEPUTY COMMISSIONER KEENAN:** Okay. In
6 his current report, he mentions significant
7 risk factors that were described in the last
8 report will continue to recede with the
9 passing of time. He seems to imply that they
10 are still present. Did you have a chance to
11 ask him about that?

12 **INMATE VAN HOUTEN:** I didn't talk to
13 him since he wrote that report. I like to
14 talk to him after the Board hearings, but I
15 took that to mean that I'll just continue to
16 become a stronger person.

17 **DEPUTY COMMISSIONER KEENAN:** All right.
18 Is there anything else you would like to say
19 about the reports?

20 **INMATE VAN HOUTEN:** No.

21 **DEPUTY COMMISSIONER KEENAN:** Your
22 psychological evaluations?

23 **INMATE VAN HOUTEN:** No.

24 **DEPUTY COMMISSIONER KEENAN:** Okay.
25 I'll turn it back to the Chairperson then.

26 **PRESIDING COMMISSIONER LAWIN:** Thank
27 you. We'll go to questions then from the

1 Panel. In this regard, in terms of your
2 strength of character and your relationships,
3 which are sort of two different issues that he
4 talks about in the various reports, and he
5 refers back to the 1999 relationship that you
6 had that turned out badly.

7 **INMATE VAN HOUTEN:** Which one was that?
8 With my roommate?

9 **PRESIDING COMMISSIONER LAWIN:** Yes.

10 **INMATE VAN HOUTEN:** Yes.

11 **PRESIDING COMMISSIONER LAWIN:** Where
12 you were catering to your roommate in an
13 attempt to assist her.

14 **INMATE VAN HOUTEN:** Yes.

15 **PRESIDING COMMISSIONER LAWIN:** And it
16 turned out -- the relationship turned out
17 badly. Now, that's 1999. From, you first
18 started with Dr. McDaniel in '96. Is that
19 correct?

20 **INMATE VAN HOUTEN:** Yes.

21 **PRESIDING COMMISSIONER LAWIN:** Okay.
22 And what have you done since 1999, to insure
23 that that sort of relationship is not going to
24 occur again? Because this -- apparently, this
25 woman got, I mean, it got to a point where she
26 was attempting to extort you to some degree
27 and --

1 **INMATE VAN HOUTEN:** Well, I -- yeah,
2 okay, go ahead.

3 **PRESIDING COMMISSIONER LAWIN:** So what
4 have you -- what have you done to attempt to
5 minimize the ability for that to occur again?

6 **INMATE VAN HOUTEN:** Well, number one,
7 when that happened, I did everything
8 appropriate that I was supposed to. You know,
9 I went to the correctional people and it was
10 resolved. And I think that --

11 **PRESIDING COMMISSIONER LAWIN:** But that
12 was -- excuse me for interjecting, but that
13 was after it had gotten to this rather bad
14 stage. You didn't see it getting it to that
15 point?

16 **INMATE VAN HOUTEN:** Yes, and I
17 attempted at certain points, that when it came
18 to the point where it alarmed me, then I did
19 the appropriate things. Since then, I've left
20 -- I've learned that some things are better
21 left to the professionals. And that the needs
22 that she had as a human being and her own
23 childhood were not things that I should have
24 been trying to help her work out. That some
25 people's needs go much deeper. And that, I
26 believe that all of that was part of my need
27 to not see other people hurt. That that's

1 been an ongoing issue for me, because of the
2 murders and the pain that those people that
3 loved the LaBiancas have endured and seeing it
4 in my own family, in my not being there. I
5 would say that it's been a real issue for me
6 to not try to make sure that everyone is happy
7 all the time. And so that, in answer to your
8 question, I've learned to disengage, you know,
9 when I see some of the unhappiness. I just
10 know that I can't fix it all and that's life.

11 **PRESIDING COMMISSIONER LAWIN:** Thank
12 you. Then, in the context of the psychiatric
13 reports as well, there's discussion about your
14 wanting to please people, and it's somewhat
15 the same -- the same discussion. But it sort
16 of goes to the area of your continuing to be a
17 follower. And I noticed that in a 1998 Board
18 report, that a counselor wrote that you had
19 been elected to the executive body of AA/NA.

20 **INMATE VAN HOUTEN:** Yes.

21 **PRESIDING COMMISSIONER LAWIN:** And you
22 had been elected as secretary. And this
23 position, the counselor wrote, required you to
24 facilitate AA/NA 12-Step Programs on a regular
25 basis. And then he writes -- he or she
26 writes, this is a positive step forward for
27 Ms. Van Houten, because in the past, she has

1 always avoided leadership positions of any
2 sort. And these meetings that you co-
3 facilitated, or study groups, began in mid 19
4 -- or early to mid 1997. Do you see that as
5 the first time you emerged from this, what
6 seems to have been a pattern of, essentially
7 following and not taking a leadership role?

8 **INMATE VAN HOUTEN:** No. I think that I
9 avoided leadership roles because I lived under
10 someone that took great advantage of that.
11 And I -- and I just didn't want to have people
12 looking at me in that way, as a leader. But I
13 certainly carry myself in an independent way,
14 even inside this environment. And if -- I
15 don't really see myself seeking out leadership
16 roles, but I certainly have many, many women
17 that come to me and want to do more of the
18 private, like fifth step. I prefer that. I
19 prefer the one-on-one discussions with people.
20 But I have no problem being a leader. I'm
21 just not comfortable. You know, if someone
22 asks me to take charge of something, I'll
23 gladly do it. But I don't particularly like
24 the pressures of being in a leadership role.

25 **PRESIDING COMMISSIONER LAWIN:** Thank
26 you. Commissioner, any questions?

27 **DEPUTY COMMISSIONER KEENAN:** Nothing,

1 thank you.

2 **PRESIDING COMMISSIONER LAWIN:** Mr. Kay,
3 any questions?

4 **DEPUTY DISTRICT ATTORNEY KAY:** No.

5 **PRESIDING COMMISSIONER LAWIN:**
6 Ms. Webb, any questions of your client?

7 **ATTORNEY WEBB:** No.

8 **PRESIDING COMMISSIONER LAWIN:** Then
9 we'll go to closing from Mr. Kay.

10 **DEPUTY DISTRICT ATTORNEY KAY:** Thank
11 you. Why should Leslie Van Houten, who
12 terrorized and tried to destroy our society,
13 be released from prison, back into society?
14 Make no mistake about it. That Leslie Van
15 Houten, when she participated in the LaBianca
16 murders, her motive, along with the motive of
17 the other participants, was to have the
18 LaBianca murders blamed on blacks, in hope
19 that white people would, in retaliation, start
20 indiscriminately killing black people, thereby
21 triggering a race war. Now, this was not to
22 be a Rodney King type race war that was
23 confined to the county of Los Angeles, or to
24 the city of Los Angeles. This was to be the
25 race war to end all race wars, to go across
26 the United States. And basically, they
27 envisioned that the white race, with exception

1 of Manson and the Family, would be annihilated
2 --

3 **DEPUTY COMMISSIONER KEENAN:** Excuse me.

4 [Thereupon, the tapes
5 were changed.]

6 **DEPUTY COMMISSIONER KEENAN:** We're back
7 on record, side one, tape two.

8 **DEPUTY DISTRICT ATTORNEY KAY:** So this
9 race war that they would start would go across
10 the United States. The white race would be
11 annihilated, except for Manson and the Family.
12 The only survivors would be the Black Muslims,
13 who would eventually take over power and
14 Manson and the Family felt that the blacks
15 would not be able to maintain power. So in
16 the end, the remaining blacks, the Black
17 Muslims, would turn over power to them, and
18 they would at least rule the United States.
19 Can you -- can you ever really have confidence
20 that someone who believed in that motive
21 enough, that she would go out and participate
22 in the murder of two innocent strangers in the
23 supposed sanctity of their own home, would
24 ever not present an unreasonable risk of harm
25 to society? And remember again, when you're
26 deliberating on this case, the LaBianca
27 murders, as terrible as they were, were only

1 the tip of the iceberg here, as far as Van
2 Houten and the others were concerned. They
3 were just a motive to the end of the -- of the
4 race war. This was not a rash and unthinking
5 act but, on the part of Leslie Van Houten, she
6 knew exactly what was going on. She admitted
7 in her 1982 parole hearing, that she made a
8 conscious decision to stay with the Family
9 when she knew that they were turning towards
10 murder. She knew that, at the end of July,
11 that certain members of the family
12 participated in the murder of Gary Hinman, a
13 rock musician. She testified at her trial in
14 1977, that Susan Atkins came back from the
15 murder grinning and saying, we killed him.
16 And then Susan Atkins spent most of her time
17 afterwards sharpening knives. She testified,
18 Ms. Van Houten testified at her trial, that
19 Tex Watson started holding training classes
20 on murder, how to stab people. On cross-
21 examination at the trial, I asked her, if
22 before the LaBianca murders, if she thought
23 about whether or not she could kill someone.
24 And her response to me is, you mean, how long
25 did I weigh it in my head? And I said, yes,
26 how long did you weigh it in your head? And
27 she said, for two days. And she admitted that

1 she decided that she could and would
2 participate in murder before Manson or anyone
3 else asked her to do so. When she found out
4 about the Tate murders, and yes, she was not a
5 participant in the -- in the Tate murders, and
6 to not be held responsible for those. She was
7 convicted of conspiracy, but she joined the
8 conspiracy after the Tate murders. When she
9 found out about the Tate murders, she was very
10 upset that she didn't get to go and she was
11 hoping that if they went out again, that she
12 could go. Now, the Tate murders occurred in
13 the early morning hours of August 9th, shortly
14 after midnight. Later that day, Van Houten,
15 Krenwinkle, and Atkins spent a lot of time
16 watching TV news accounts of the Tate murders.
17 And Patricia Krenwinkle, Ms. Van Houten has
18 admitted, told her all of the gory details.
19 Told her that they killed young people and
20 that it was wrong. But that didn't dissuade
21 Ms. Van Houten from participating. They had a
22 meeting later that evening in the bunkhouse of
23 Spahn Ranch. Manson said that there had been
24 too much fear and panic the night of the -- or
25 at the time of the Tate murders and so he was
26 going to go out and show them how to do it.
27 Ms. Van Houten and the others she mentioned,

1 Linda Kasabian, Susan Atkins, Tex Watson,
2 Manson, and Steve Grogan, went along. And
3 they basically drove around Los Angeles County
4 for a period of about four hours, looking at
5 random for people to murder. Even stopping in
6 front of a congregational church in South
7 Pasadena. And they were looking for the
8 minister because they were going to crucify
9 him upside down to the cross in front of his
10 church, like St. Peter had been crucified.
11 Fortunately, it was late and the minister was
12 not there. No one was there. They ended up
13 at the house next door to the LaBiancas. Now,
14 Manson, Watson, Atkins, and Krenwinkle were
15 familiar with that house, because they had
16 actually spent the night there when a graduate
17 student at UCLA by the name of Harold True
18 rented that house. The LaBiancas were not at
19 home at the time. You know, we looked into
20 that and that didn't -- that didn't pan out.
21 But what Manson did is, he walked up the
22 driveway of Harold True -- Harold True did not
23 live there at that time. He had rented
24 someplace else after that, but Manson walked
25 up the driveway, crossed over to the LaBiancas
26 house. The LaBiancas just returned home,
27 probably about 20 minutes before. They had

1 been on a water ski trip, a family water ski
2 trip and had just got back. Mr. LaBianca was
3 in his pajamas on the sofa in the living room,
4 reading the Sunday paper. Mrs. LaBianca was
5 getting for bed, in her nightgown. Manson
6 came in. He had a gun. He got the drop on
7 them. He tied them up, tied their hands, but
8 assured them that he was not going to harm
9 them. Of course, he didn't say anything about
10 whether somebody else was going to harm them,
11 but he said he was not going to harm them.
12 Then he left. He only took one thing from the
13 LaBianca house and that was Mrs. LaBianca's
14 wallet that he got out of her purse. And the
15 reason he took the wallet was because it was
16 his plan to have that wallet planted in an
17 area where blacks lived, in hopes that a black
18 person would find the wallet, would use the
19 credit cards and would get blamed for the
20 murders. In actuality, his geography was a
21 little bit off and he thought the wallet was
22 going to be planted in Pacoima, which at that
23 time was predominantly a black area. But it
24 ended up being planted in a gas station
25 restroom in Sylmar, right on the border. And
26 the restroom wasn't cleaned for awhile and it
27 was found about three months later, but not

1 used by anyone. Manson came out and then, as
2 Ms. Van Houten said, met with them, asked
3 Watson, Van Houten, and Krenwinkle to get out
4 of the car. Told them that there was a man
5 and woman up in the house, that he had left
6 them tied up on the sofa. And he said, don't
7 cause fear and panic like last night and
8 don't let them know that you're going to kill
9 them. And then hitchhike back to the ranch.
10 And Manson and the others drove off, leaving
11 Ms. Van Houten and her two cohorts there. The
12 three of them walked up Harold True's old
13 driveway, crossed over, entered the front
14 door. Apparently, the LaBiancas had left a
15 patio door unlocked and that's how Manson got
16 in. But they -- these three went in the front
17 door. Krenwinkle immediately went to the
18 kitchen to get knives for herself and for
19 Ms. Van Houten. Tex Watson had a bayonet, so
20 he was the only one who was armed when they --
21 when they entered. Watson went over, talked
22 to Mr. and Mrs. LaBianca, asked them if they
23 had any money. Rosemary said that she had
24 some money in a small box. It turned out to
25 be just change, and under 10 dollars worth of
26 change. Watson untied her hands, had her get
27 the box of money. She did. When she came

1 back to the living room, Ms. Van Houten and
2 Ms. Krenwinkle took her into the bedroom for
3 the sole purpose of killing her. Once they
4 got in the bedroom, Ms. Van Houten took a
5 pillowcase off a pillow, put the pillowcase
6 over Mrs. LaBianca's head and neck, unplugged
7 a lamp from a nightstand next to the bed, took
8 the cord and tied it around the outside of the
9 pillowcase, around Mrs. LaBianca's neck. And
10 pushed her down on the bed and started to hold
11 her so that Krenwinkle could stab her. At
12 that time, however, Rosemary heard Leno
13 getting stabbed to death in the living room by
14 Tex Watson. She bolted up from the bed,
15 crying out her husband's name, reached for the
16 lamp, took it, and swung it in the area of
17 Ms. Van Houten. Ms. Van Houten knocked the
18 lamp out of her hands, wrestled her down to
19 the bed, pinned her down on the bed, and
20 Patricia Krenwinkle then, with all her might,
21 stabbed Rosemary, but the knife hit her
22 collarbone and the knife blade bent. Ms. Van
23 Houten, knowing that Watson had the bayonet
24 and that the kitchen knives might not do the
25 job, went to the hallway, called for Watson to
26 come in. Watson came in and then Watson and
27 Ms. Van Houten proceeded to stab Rosemary

1 LaBianca to death. Rosemary LaBianca was
2 stabbed 42 times. She had eight wounds that
3 would have been fatal, in and of themselves.
4 Seven of the eight wounds were in her back.
5 Ms. Van Houten admitted in the 1989 parole
6 hearing, under the questioning of Board member
7 Rudolph Castro, that she stabbed Mrs. LaBianca
8 in the back. The Coroner's report later
9 showed that 14 of the wounds were, in the --
10 in the lower back, were post-mortem. Ms. Van
11 Houten said that she stabbed Mrs. LaBianca 16
12 times and that she admitted to Commissioner
13 Castro that she did not know whether Rosemary
14 was alive or dead at the time that she stabbed
15 her. So I don't think she gets any credit for
16 that. That maybe some of the stab wounds that
17 she inflicted were post-mortem, because she
18 didn't know that. She didn't know whether
19 Rosemary was alive or dead. She told Diane
20 Lake, a family member, that she felt like a
21 shark, just stabbing Rosemary over and over
22 and over again. Now today, she says that she
23 was wiping off fingerprints and she just
24 stayed in the bedroom. She's never said that
25 before. She said before that she went all
26 around the house wiping off fingerprints and
27 the fingerprint experts, when they looked for

1 fingerprints, all they found were wipe marks,
2 all around the house. Ms. Van Houten has
3 said before that she wiped off places where
4 she thought maybe the others would have
5 touched. She didn't know whether they had
6 touched or not, but she went around wiping off
7 fingerprints. Again, showing the thought
8 processes that were going on. This is not
9 somebody -- oh, and by the way, she admitted
10 at her trial, she was not on drugs at the time
11 of trial. This, maybe she smoked marijuana
12 that she brings up today, that's the first
13 time she's ever said that. She was not on
14 drugs. The only one, on either night of
15 murder, that was on drugs was Watson and he
16 said that he had taken speed the second night,
17 because he was so tired from the first night.
18 None of the others were on drugs. Ms. Van
19 Houten also worked up an appetite with this
20 and took -- she admitted that she drank
21 chocolate milk. She admitted that to
22 Commissioner Castro and she said that to Diane
23 Lake, the family member, before she was
24 arrested for the murders. Today she's added
25 cheese. You know, how anybody, after
26 participating in these awful crimes, could do
27 other than go into the bathroom and throw up,

1 is beyond my comprehension. But yet, she
2 drank chocolate milk out of the victims'
3 refrigerator. Chocolate milk that they had
4 been drinking. Cheese that they had been
5 eating. She changed into Mrs. LaBianca's
6 clothes afterwards. Now, she says today, oh,
7 that's because Watson wanted my pants or
8 something. Well, I think it can be very
9 credibly argued that she changed clothes
10 because she had blood on her clothes. There
11 wasn't any other reason for her to change
12 clothes. Tex Watson is a big guy. They don't
13 wear the same size pants. Watson was a state
14 high hurdle champion in Texas. And he's 6'1".

15 **ATTORNEY WEBB:** Excuse me. Excuse me,
16 Mr. Kay. I'm going to have to impose, you
17 know, and to pose an objection on 2030(d).
18 Because, I mean, that -- I just want to make
19 sure that everybody understands, that is
20 purely speculation. And that Ms. Van Houten's
21 testimony about that has been consistent all
22 along. And if you have some other
23 documentation that reflects something contrary
24 about whether she had blood on her clothes or
25 not, I'd like to have you comply with the rule
26 and make it available to me and to the Board.

27 **DEPUTY DISTRICT ATTORNEY KAY:** I think

1 that that is something that I argued at the
2 trial. It's something that the jury believed.
3 And nobody believes that she is taking off her
4 pants to give to some guy who is 6'1". That's
5 just incredible.

6 **ATTORNEY WEBB:** Okay. I don't know
7 what the jury believed, but there has never
8 been any --

9 **DEPUTY DISTRICT ATTORNEY KAY:** I'll
10 move on.

11 **ATTORNEY WEBB:** -- testimony or
12 evidence.

13 **PRESIDING COMMISSIONER LAWIN:** Thank
14 you.

15 **DEPUTY DISTRICT ATTORNEY KAY:** I'll
16 move on.

17 **PRESIDING COMMISSIONER LAWIN:** I
18 appreciate that.

19 **DEPUTY DISTRICT ATTORNEY KAY:** Anyway,
20 she and the others hitchhiked back to Spahn
21 Ranch and the very first thing she does, is
22 she goes to a back house at the ranch and
23 collects firewood. You know, this isn't
24 somebody who is, you know, pining for the
25 LaBiancas, what a terrible thing that she did.
26 All she's thinking about is herself and how
27 not to get caught. I mean, wiping off

1 fingerprints at the LaBiancas house and then
2 she collects firewood and in the fireplace,
3 sets a fire and burns Mrs. LaBianca's clothes.
4 And she even said today that she wanted to get
5 rid of anything that would connect her with
6 the murder. Now, while the clothes are
7 burning, she admitted at her trial that she
8 was sitting on the bed, counting the change
9 from Mrs. LaBianca's box. So again, not a
10 very concerned person, with the enormity of
11 the evil that she and the others had done.
12 Another thing that I want to address is her
13 unstable social history. You know, Ms. Van
14 Houten, at times, looks great. You know, if
15 you looked at her today and you listened to
16 her and you're probably thinking, well, how
17 could a person who speaks so well do these
18 awful things. And she's articulate, she's
19 smart. She actually has the highest IQ of
20 anyone in the Manson family. She's been
21 tested to have an IQ of 121, which would put
22 her in the top five percent of people in the
23 United States. She had a wonderful childhood.
24 She had two parents who loved her. She had,
25 as has been pointed out, Bluebirds, Campfire
26 Girls, she was a member of Job's Daughters.
27 She was very active in the local Presbyterian

1 Church. She sang in the -- in the church
2 choir. She certainly knew the difference
3 between right and wrong. And yet, this person
4 who looked like the model child, became so
5 rebellious at age 14 that her parents had to
6 seek psychiatric intervention. And then after
7 that, she got her act together.

8 **ATTORNEY WEBB:** I'm going to have to
9 object to that too.

10 **DEPUTY DISTRICT ATTORNEY KAY:** Yes?

11 **ATTORNEY WEBB:** Because I don't think
12 that's accurate, Mr. Kay. From my reading of
13 the past parole hearings, I think that was
14 cleared up. And I think her mother took the
15 family for family counseling after their
16 parents' divorce. And I don't think it was
17 specifically related to Ms. -- any acting out
18 on the part of Ms. Van Houten.

19 **DEPUTY DISTRICT ATTORNEY KAY:** Well, my
20 understanding is, that it was because she was
21 so rebellious.

22 **INMATE VAN HOUTEN:** No, it was cleared
23 up.

24 **ATTORNEY WEBB:** It was cleared up.

25 **INMATE VAN HOUTEN:** We have it
26 somewhere, where we worked that out.

27 **PRESIDING COMMISSIONER LAWIN:** So --

1 **ATTORNEY WEBB:** And I'm just saying
2 that that wasn't --

3 **PRESIDING COMMISSIONER LAWIN:**
4 (Inaudible) if you can show me the --

5 **INMATE VAN HOUTEN:** It was --

6 **PRESIDING COMMISSIONER LAWIN:** -- where
7 it was cleared up. So let's move off of that.

8 **ATTORNEY WEBB:** Okay.

9 **INMATE VAN HOUTEN:** I can find it. It
10 was --

11 **DEPUTY DISTRICT ATTORNEY KAY:** Anyway,
12 when she gets to high school, again she looks
13 like the model student. She's getting good
14 grades. Class officer, twice elected to
15 Homecoming princess. But what does she do?
16 She admitted at her trial that she wanted to
17 get into her drugs but her peers were not
18 taking drugs. So she had to look for a small
19 group of people at Monrovia High School that
20 were into drugs and sought them out and
21 started taking drugs with them. She said at
22 her trial that her brother was the first one
23 to give her marijuana. And then, apparently,
24 that got her interest up. And she had to
25 forsake her peer group to find others to take
26 drugs. And one of the things that she did,
27 which I find just incredible, is she took up

1 with a young man who had been kicked out of
2 another high school and sent to Monrovia High.
3 Now, we've all been through high school and,
4 you know, thinking back to the girls that were
5 Homecoming princesses and all that, there's no
6 way in the world that they're going to take up
7 with some boy who's kicked out of another high
8 school. But yet, Ms. Van Houten always -- she
9 goes along at a good clip and then does
10 something that's self-destructive. Well, this
11 kid ends up getting her pregnant and then as
12 she discussed earlier she had the -- she had
13 the abortion. And her grades, of course, went
14 way down, but she did manage to graduate from
15 high school. After high school, she enrolls
16 in Sawyer's Business College. And she
17 graduates number one in her class as a
18 certified legal secretary. But does she want
19 to work afterwards? No. She goes to San
20 Francisco and she calls her mother. And she
21 tells her mother to stop loving her. That
22 she's going to drop out and she won't ever
23 see her mother again and that her mother
24 should just forget about her. That is so
25 heartless and cruel, but that's the other side
26 of Ms. Van Houten. And she -- you have to
27 understand, when you look at her, that she has

1 these two sides. So she told her mother this.
2 She meets Robert Beausoleil and Catherine
3 Share one day and then leaves with them the
4 next day. And they live a nomadic existence
5 and kind of a ménage à trois for months and
6 then they end up going down to Spahn Ranch and
7 meet Charles Manson. Now, Ms. Van Houten was
8 not a hippie. Hippies were flower children.
9 They believed in, make love, not war. A lot
10 of hippies came into contact with Mr. Manson
11 and members of the Family and they heard what
12 he was saying and hightailed it away as fast
13 as they could. Because what Mr. Manson was
14 saying was what, how Adolf Hitler was his hero
15 for what he did to the Jews in World War II.
16 And Mr. Manson would not allow minorities in
17 the Family and he would tell different people
18 who could get together and have babies,
19 because he wanted the babies to look a certain
20 way. Now, something with, inside Leslie Van
21 Houten responded to this and allowed her to
22 stay, where others would leave. And I think
23 that should be taken into consideration. She
24 also knew, when she stayed with Manson, that
25 he was an ex-con. That was not -- that was
26 not hidden from her. And Manson talked about
27 that there were no laws. There was no right

1 or wrong and it was okay to commit murder. So
2 then she commits the murders. We've talked
3 about those. Then in the late seventies, she
4 looks like a model prisoner again. In the
5 early eighties, she's doing fine in prison.
6 And then she marries William Cywin, C-Y-W-I-N.
7 Mr. Cywin was an ex-con and she knew that he
8 was an ex-con when she married him. And
9 Mr. Cywin, fortunately was caught, before he
10 could break her out of prison. And that was
11 his intention, because when he got arrested,
12 he was caught with a female prison guard's
13 uniform, the type of uniform worn right here
14 at CIW. Ms. Van Houten divorced him later
15 that year, and you know, now is back to being
16 a good prisoner. And I commend her for her
17 work in prison. And I think it is good that
18 she has not been a trouble to the prison.
19 However, I am concerned about Dr. McDaniel's
20 report, which was alluded to here, the one in
21 1996, which was only six years ago. And
22 remember, that's a report that was done after
23 she had been incarcerated for 26 years. And
24 six years ago, in the scheme of things with
25 her incarceration, is not a long period of
26 time. And it talks about, he talks about,
27 under the control of evil she flourished, and

1 under the external control of rules and
2 regulation, she has flourished in prison. And
3 he's worried about this. And now, you know,
4 the current psychiatric report is favorable.
5 But again, this is six years ago, where he's
6 worried that she is -- she can adapt very
7 easily to any situation. And she looked like
8 a model child, a model high school student, a
9 model prisoner in the late seventies, a model
10 prisoner now. But there seems to be something
11 inside her that always leads to either a path
12 of self-destruction or, like in this case,
13 with the LaBiancas, the destruction of others.
14 The circumstances that tend to show
15 unsuitability, in Title 15, California Code of
16 Regulations, Division 2, Chapter 3, Article 5,
17 under Section 2281, it says:

18 "The importance attached to any
19 circumstance or combination of
20 circumstances in a particular case
21 is left to the judgment of the
22 Panel."

23 And I just hope, with things that have
24 happened on the outside, that you are not
25 going to abandon that. That you realize that
26 you are the ones to make the determination and
27 give the weight to these things, like the

1 commitment offense, the troubled -- past
2 troubled relationships with others. And of
3 course, weighing them against the favorable
4 factors. And she does have favorable factors
5 of her activity in prison. But I ask this
6 question, and I look at the fact that she has
7 been, basically discipline free in CIW. She
8 has done a lot of participation, especially in
9 the -- in the nineties in AA/NA. She has lots
10 of laudatory chronos, buying participation in
11 various institutional programs, helped out
12 other inmates. But if you take a scale and
13 you take these things, her stitchery, her --
14 the fact that she's a good worker in the -- in
15 the Catholic Chapel. That she's attended
16 AA/NA, which of course, the Board recommended
17 that she do. When you add all these things up
18 against the vicious murders of two innocent
19 strangers in the supposed sanctity of their
20 own home, how could anyone in their right
21 mind, possibly think that these nice chronos
22 and participation in AA/NA outweigh what she
23 did? And never forgetting about what the
24 motive was. That it was going to be a lot
25 more than the LaBiancas. There were
26 basically, if she succeeded, millions of
27 people would have lost their lives. That was

1 -- that was the intent of all of it. And so,
2 I think from the -- from the record here, what
3 we've gone over today and what we've said, it
4 can be determined factually why the gravity of
5 the crime outweighs her good behavior while in
6 prison. And I'm not saying, don't take into
7 consideration her good behavior and I commend
8 her for that. She got her life, when the
9 California Supreme Court overturned the death
10 penalty. She had been given the death penalty
11 originally. She got her life. That's
12 something that the LaBiancas never will have a
13 chance for. And I think that she should be
14 happy with that and I think that she should be
15 denied parole. I think she should be found
16 unsuitable and given a two-year denial. Thank
17 you very much.

18 **PRESIDING COMMISSIONER LAWIN:** Your
19 side.

20 **ATTORNEY WEBB:** I just want to try to
21 put a lot of what Mr. Kay says in a context
22 that can maybe help you understand how a good
23 girl from a good family in Monrovia could get
24 involved in something so horrible. And could
25 participate in and be guilty of such horrible
26 murders. And first of all, I just want to
27 talk about whether, you know, Mr. Kay says

1 that Ms. Van Houten was not a hippie. And you
2 know, I don't know exactly how to define that.
3 But I would say that her life in the 1960s
4 leading up to that clearly supports the fact
5 that she was a hippie. That she was looking
6 for some kind of spiritual high and certainly,
7 it did involve drugs and there is no denying
8 that. There were a lot of kids, young people
9 in the 1960s, who were alienated from their
10 parents and from society and that wasn't
11 uncommon. What was, what differentiated her
12 from them was that she had the misfortune to
13 meet Charles Manson. I'm certainly not
14 blaming it on the 1960s or, you know, and I
15 certainly understand that there were a lot of
16 young people who came out of that time
17 unscathed. But what happened here was a
18 totally different situation. And again, let's
19 talk about something Ms. Van Houten said
20 earlier, in terms of that context. She said
21 that she believed Charles Manson was Jesus
22 Christ. She wasn't the only one in that group
23 who came to believe that. And he worked very
24 hard to create that illusion. And I think
25 even the prosecutor, Mr. Bugliosi, at the
26 first trial in 1971, in his closing argument,
27 there had been testimony, apparently from Paul

1 Watkins, who was a prosecution witness. Who
2 said that when he was with the Family, he
3 testified that he actually and sincerely
4 believed that Charles Manson was Jesus Christ.
5 Mr. Watkins was fortunate enough to get away
6 from that group because he met an outsider who
7 helped him deprogram from what was, and I
8 think it's understood by now, that this was a
9 cult. And Paul Watkins was fortunate enough
10 to get outside and meet someone who could get
11 him out of there. But he had believed that
12 Charles Manson was Jesus Christ. When Ms. Van
13 Houten went there, she was recruited,
14 essentially by Catherine Share, the woman with
15 Bobby Beausoleil. And Catherine Share said to
16 her, you have to meet this amazing man. He's
17 just like Jesus Christ. And Ms. Van Houten
18 went there to meet that person. She wasn't
19 looking for violence. Someone searching for
20 Jesus Christ and willing to meet him is
21 certainly not about a search for, or an
22 attraction to violence or murder. That became
23 very perverted by Manson over the next year
24 that Ms. Van Houten was with him. And that
25 leads me into something that, I think I want
26 to talk about again, presenting the cult
27 report to you once again, by Dr. Singer and

1 Dr. Welsh's report. And I did that in June of
2 2000. And I want to talk about something that
3 I felt, it was a risk to do that. And I felt
4 it was a risk because it could be perceived as
5 Ms. Van Houten trying to shift responsibility
6 for what she did onto Charles Manson. And
7 I'll say that this Board, in the past, and one
8 of the reasons we submitted it, is that this
9 Board in the past has asked for -- has asked
10 the question how this -- how could this happen
11 to you. But then some of the Board members in
12 the past haven't wanted to talk about Charles
13 Manson. In 1989, the Panel members said, I
14 don't want to talk about him at all. And
15 that's just unrealistic, in terms of
16 understanding Ms. Van Houten's motivation.
17 For example, Mr. Kay says that this was her
18 motive, to kill all of the white people in the
19 United States. Well, that certainly was not
20 her motive at all. Her motive was to please
21 Charles Manson after this indoctrination.
22 Brainwashing, mind control, whatever you want
23 to call it. And I'll say first, just as an
24 aside, the California Supreme Court, in an
25 opinion back in 1988, in a cult case, that's
26 *Molko v. Holy Spirit Association*, recognized
27 Dr. Singer as an expert on coercive

1 persuasion. And said that coercive
2 persuasion, mind control, and brainwashing are
3 terms that they would use interchangeably.
4 So, it's not something that is, you know, out
5 of the realm craziness, to suggest to you that
6 this is what happened to Leslie Van Houten in
7 1969. In terms of the things leading up to
8 that time, an unstable social history. You
9 know, she was a girl who got pregnant in high
10 school. That's happened to other people and
11 she had an abortion. This followed a family
12 disintegration and a divorce and I -- you
13 know, I don't know whether that can qualify,
14 35 years later, as an unstable social history.
15 I don't know whether that compelled her into
16 her drug use in high school. I really don't
17 know. But I think it was a long time ago to
18 -- so to call that happening an unstable
19 social history that affects dangerousness
20 today, I think is really unrealistic. But in
21 terms of the cult report, I think that it was
22 offered, and I just want to make this clear,
23 to explain, and not to excuse her behavior and
24 her conduct and her participation in the
25 murders. I think that whether you call it
26 brainwashing, coercive persuasion, mind
27 control, it's a difficult concept to grasp.

1 And people under a cult leader's influence
2 aren't in a trance or a daze. It's not as
3 simple as saying someone becomes a puppet or a
4 zombie. Although, I will say that in
5 describing Manson's influence over the people
6 in his cult, Vince Bugliosi, at the first
7 trial in 1970, also called Ms. Van Houten and
8 her codefendants, robots, slaves, and
9 automatons. And he said, at that time also,
10 in his closing argument, I also -- I have
11 copies of the argument, if you'd like me to
12 present it, that Manson alone, had an
13 incredibly bizarre motive for these murders.
14 The motives of the others was not bizarre.
15 They killed because Charlie told them to,
16 after months and years of indoctrination and
17 coercive persuasion. Cult influence is very
18 complex. It takes place over time, gradually.
19 I think that psychological manipulation is
20 harder for us to understand than something
21 like a gun to the head. In terms of making
22 someone do something that they would not
23 ordinarily do, that they know is wrong, or
24 they have known is wrong, in the context of
25 their prior value system. His manipulation
26 was aided by drugs like LSD. A lot of use of
27 LSD. And in terms of that, just let me say,

1 Ms. Van Houten has never claimed that she was
2 on drugs at the time of the murders and she
3 didn't today in this hearing. She talked
4 about marijuana. They -- maybe she had smoked
5 it earlier in the day. I don't know, I think
6 she was trying to tell you that they did it so
7 often, she doesn't remember. But she has
8 never claimed that she smoked either marijuana
9 or took LSD or any other drugs at the time of
10 the murders. Cult mind control is aided by
11 isolation, at a place like Spahn's Ranch,
12 where they were cut off from their former
13 friends and family. Ms. Van Houten was
14 already alienated from her family and this cut
15 off her ties even further. And her former
16 belief system was denigrated and ridiculed
17 constantly by Manson, who told her that what
18 her parents had taught her was stupid. Again,
19 in that context, in the 1960s, believing that
20 your parents were the establishment or had
21 wrong values was something that wasn't too
22 farfetched. Some people are more vulnerable
23 than others to this. That's true. It doesn't
24 mean that Ms. Van Houten is inherently evil or
25 that there is some giant flaw in her. And
26 certainly if there was back then, she's had 35
27 years to deal with it and learn about it.

1 Some people were able to leave and others were
2 not. But in a cult, as the report indicates,
3 the cult leader controls a lot of that. If
4 it's not someone he can use, if it's not
5 someone that he can manipulate, if it's
6 someone who doesn't have any more to give, any
7 more money or whatever, he got rid of people.
8 What's most significant, I think, in
9 understanding some of what Ms. Van Houten did
10 that night, is that mind control by a cult
11 leader doesn't mean that the cult members are
12 not aware of society's morals and laws. And
13 another cult expert, noted Socialist Richard
14 Ofshe, says the following:

15 "Cults are able to get otherwise
16 law-abiding individuals to perform
17 violent acts because they have
18 established a morality that's
19 higher and more powerful than
20 secular law. These people still
21 know what's right in the secular
22 world, but it doesn't stop them
23 from responding to the special
24 world in which they are enmeshed."

25 And that might provide a little bit of
26 understanding as to why Ms. Van Houten could
27 weigh and consider committing murder. Because

1 she thought she had to for a higher purpose.
2 It might explain, in part, why she went around
3 the house wiping off fingerprints. And I
4 think she's never denied she wiped off
5 fingerprints everywhere in that house,
6 including places they hadn't even touched.
7 She wiped off things in drawers that they
8 hadn't even touched. In part, as she's
9 testified in the past, because she wanted to
10 keep busy so that she wouldn't be asked to
11 commit any other act. Because I think, in
12 that house, she was in conflict about what was
13 happening. And that's not uncommon in cult
14 brainwashing, that there can still be a part
15 of you that knows what's happening is totally
16 wrong. Even when you're totally enmeshed in
17 it, feel it's necessary. I'd also like to
18 say, she is a highly intelligent person.
19 That's not something to be ashamed of. It has
20 nothing to do with cult mind control. The Aum
21 Shinrikyo cult in Tokyo, as you'll see in the
22 report and you may have read about, are people
23 who killed subway riders on the Tokyo subway
24 with sarin gas and they were doctors and
25 lawyers and professionals. And at Jonestown,
26 where 900 people died, even though they had
27 been given the chance to leave the night

1 before, when Congressman Leo Ryan was there.
2 Doctors made the poison Kool-Aid. And those
3 people all stayed. They not only committed
4 suicide, they also killed their own children.
5 And that was under a diabolical cult leader's
6 influence. We're not here to retry the case.
7 And I just want to make sure you understand
8 why we offered that evidence. It's
9 information relevant to understanding what
10 happened. And it's information relevant to
11 mitigation for the crime. I hope it gives you
12 some insight into what happened, to get
13 Ms. Van Houten, who was a good girl from a
14 good family, to give that up. And get to the
15 point in 1969, where she could participate in
16 these terrible murders and cause horrible pain
17 to families. And do something that she could
18 never take back when she's in her right --
19 when she's in her right mind, as she has been
20 since about 1973, after getting out of Charles
21 Manson's influence. It's also important, I
22 think, to understand the cult report and the
23 role that phenomena played in these murders.
24 Because in assessing the gravity of the crime
25 and the public safety today, which is one of
26 your requirements, it's important to
27 understanding why Ms. Van Houten, who is no

1 longer that vulnerable 19-year-old, should be
2 found not to be a current danger and
3 therefore, suitable for parole. We also
4 presented it for another reason, and that's
5 that you have all often found that the motive,
6 the Helter Skelter -- excuse me, the Helter
7 Skelter Revolution, Manson's motive, which the
8 Board has, in the past, found inexplicable and
9 trivial as an unsuitability factor. That was
10 not Ms. Van Houten's motive. I think that's
11 confirmed by the testimony at her trial and in
12 all 14 Board hearings. She did follow him.
13 She did come to believe it was necessary. But
14 she didn't think it up and it wasn't her idea,
15 initially. After, you know, the group sat
16 around at Gresham Street and listened to the
17 White Album, it sounds crazy, I know, they
18 listened to the Beatles White Album and
19 thought that this is what was going to happen.
20 In fact, they thought it was -- the race war
21 was going to happen anyway. It wasn't
22 something that Charles Manson initiated. He
23 helped it along. He thought he had to move it
24 along. But what made him so dangerous is that
25 he looked into the streets of Watts and other
26 places in the United States in 1969, and he
27 thought that it was going to happen. That

1 there was going to be a black/white race war
2 and that the blacks would get their rightful
3 place. And then, he had to come in. He was a
4 racist. I think he was. He may be today.
5 Ms. Van Houten was not. And he knew better
6 than to talk to her, in fact, about some of
7 those kind of things, about a motivation, in
8 terms of anything that would be racially
9 prejudiced, because that was not where she
10 came from. It goes to motivation. That's why
11 we offered it, under 2281(d)(4), of Title 15.
12 That's an important suitability factor. It's
13 a -- it gives some understanding in mitigation
14 as well, again, about how she could
15 participate in this. And if we reach the
16 matrix in this case, as we should at some
17 point, it will provide evidence of mitigation.
18 A situation that's totally, totally unlikely
19 to reoccur. And let me tell you a little bit
20 about that, about why it was a total
21 aberration in Ms. Van Houten's life. And that
22 goes, again, to dangerousness too. It was a
23 total aberration because none of the factors
24 that existed in 1969 exist today. Number one,
25 she's no longer 19. She's almost 53 years
26 old. Secondly, drugs, that played such a role
27 in what happened at that time, in which LSD

1 was something that, certainly Manson used to
2 manipulate the perception of reality. That's
3 what it does. I think that's something that
4 was a contributing factor. Ms. Van Houten has
5 spent a lot of years now, since 1985, I think,
6 or '86, when she came out of Close custody and
7 could participate in AA and NA. She's done
8 that to understand the role that her addiction
9 and that drugs played in leading up to these
10 murders. She lives her life by the 12-Steps
11 because she knows how important that is. I
12 think there's been some, you know, certainly
13 discussion about how she was a follower then
14 and how she is much more of a leader now. And
15 I don't know that that's necessarily totally,
16 you know, has to be reflected in formal
17 leadership roles here in the prison, but it
18 certainly has been. And I think she explained
19 to you a little bit about how that's not
20 really her role in life. I think there a lot
21 of people who aren't comfortable with that.
22 But I think Dr. McDaniel certainly made clear
23 that he sees her as much more of a leader now,
24 not in a formal way, but in a way that
25 reflects how she has come to have more self-
26 esteem and to be able to make choices,
27 independent choices for herself. He wrote in

1 1999, with the passage of time, she's become
2 much less a follower and much more a leader.
3 And I think that her -- what's more important,
4 in addition to the psych reports, you have her
5 prison behavior, that reflects that as well.
6 I want to address what, in terms of
7 dangerousness -- and I think there's really no
8 evidence of that in the record. But I want to
9 address some concerns that have been raised
10 today about that. And in the psychiatric
11 reports, particularly.

12 **DEPUTY COMMISSIONER KEENAN:** Excuse me
13 a moment.

14 **ATTORNEY WEBB:** Sure.

15 **DEPUTY COMMISSIONER KEENAN:** I just
16 want to shift over to the next side of the
17 tape.

18 [Thereupon, the tapes
19 were turned over.]

20 **DEPUTY COMMISSIONER KEENAN:** Back on
21 record, tape two, side two.

22 **ATTORNEY WEBB:** I think, if we start
23 out with Dr. McDaniel in 1996, and I want to
24 point out that before that, there were 11
25 other psychiatrists and psychologists who had
26 examined Ms. Van Houten over the years. Some
27 of them quite involved in therapy groups with

1 her and other kinds of therapy that were
2 available to her at that time, who concluded
3 that she would not be dangerous, if released
4 to the community. And then, Dr. McDaniel
5 comes in 1996. And I think he, justifiably,
6 had some question about whether she had
7 internalized external controls here at the
8 prison. I think that was, for someone seeing
9 her for the first time, I think that was
10 appropriate, to wonder about that. And
11 certainly, over the next six years he's seen
12 evidence that it seems quite persuasively
13 convincing that she had, in fact, done so. He
14 says it in his last report. And when he
15 concludes that she is -- she would not be a
16 danger if released, he's concluding that based
17 on his assessment of her over time. And what
18 he's seen as some, you know, evidence of
19 something that he was certainly, as a careful
20 practitioner, as a careful psychiatrist
21 assessing someone, was -- wanted to see more
22 evidence of. And he has -- he has certainly
23 done so. And, I'll say, in terms of her being
24 in this prison environment and able to live
25 without getting into trouble, that's not an
26 easy thing to do. I think that you probably
27 see plenty of women who come before you who

1 take drugs or commit offenses or commit
2 violent acts or break the rules. But there
3 hasn't been any of that in Ms. Van Houten's
4 life for a very long time. And I think that
5 her true character is revealed in that, as
6 well as in these other reports that you have
7 about her, her activities in prison, and the
8 way she consistently maintains a good and
9 excellent, actually, exceptional work reports.
10 That's not something that she could feign or
11 pretend about over all these years. I just --
12 I think that that certainly does reflect that
13 she can internalize external controls. Also,
14 in terms of Dr. McDaniel's reports and in
15 noting some risk factors that he evaluated to
16 exist in the past, you know, I certainly agree
17 that Ms. Van Houten showed poor judgment about
18 Charles Manson and getting involved with him
19 at that time. But again, let's keep that in
20 context. But in terms of her high school
21 boyfriend and that having any validity, you
22 know, I don't know what to say about that.
23 That also was 35 years ago. She got involved,
24 she got pregnant, she wanted him to marry her,
25 and he didn't. And that has happened to a lot
26 of young women, unfortunately. And then have
27 the marriage to her husband, Bill Cywin, at a

1 time when she was in her early thirties. And
2 I think, that certainly has a limited pool of
3 applicants at that time, who would want to be
4 involved with her in that way. I think it was
5 a human mistake, to want to get involved with
6 him. But more than that mistake, what's
7 important about that incident is that she got
8 rid of him immediately, when she knew who he
9 really was. She was never involved in any of
10 his, whatever activities he intended with the
11 woman's uniform. She -- they certainly
12 investigated here. There's nothing in the
13 record and she was not included in that in any
14 legal or in any real, practical sense at all,
15 any attempt to break her out. That just
16 didn't exist and there's no evidence of it.
17 And what's more important about it, she got
18 rid of him. She divorced him immediately.
19 That showed good judgment on her part. Again,
20 that was 20 years ago. And then we have the
21 incident with the -- a roommate here at CIW,
22 who, I would also say that the pool of
23 roommates might include some people who are
24 unstable, who have drug and alcohol problems,
25 and I think that was the case with this
26 individual. And I think Ms. Van Houten has
27 certainly elaborated on her mistake in that

1 situation, was to try to do her 12-Steps, try
2 to do her drug intervention, try to do her
3 mothering of that individual in an informal
4 way. When that person, finally, Ms. Van
5 Houten certainly did have to refer her to the
6 authorities and she did so. So that also is
7 some evidence of good judgment about that.
8 And I think Dr. McDaniel acknowledges in his
9 latest reports that he perceives that she has
10 now, a different kind of an attitude about
11 herself and preservation of herself and her
12 boundaries. That that's not something that's
13 going to happen again. In fact, none of those
14 situations involved Ms. Van Houten engaging in
15 any kind of violent behavior or doing anything
16 to jeopardize any other individual. I think
17 that's another point to be made. So I don't
18 know that we can assess that as being -- as
19 really being evidence that she would be
20 dangerous on the outside. Especially when we
21 have Dr. McDaniel's conviction and his
22 conclusion that's quite strong, that she would
23 not be. And he's a person who has seen all of
24 this and seen all this progress and we have
25 the last two reports. He's unequivocal about
26 that. Certainly recognizing that Ms. Van
27 Houten, who would probably be the first person

1 to agree to this, would certainly want to
2 continue therapy on the outside. Because I
3 think it would be something, certainly to help
4 with reentry, and to continue to maintain her
5 progress and her total, you know, ability now
6 to maintain her mental health. To maintain
7 her good judgment about people and to maintain
8 her boundaries. I think there is one other
9 thing that we probably should discuss. It's
10 in the -- in Dr. McDaniel's reports and he
11 says that Ms. Van Houten doesn't qualify for
12 treatment through the Psychology Department,
13 as she does not meet C-3 MS criteria. She has
14 no thought disorder, no psychiatric diagnosis,
15 and no psychiatric medication is needed. So,
16 I'm not sure what therapy groups, other than
17 all of those that she participates in, in
18 terms of self-help, including the NA, the AA,
19 and the other maintenance groups that she
20 continues to be involved in. I don't know
21 what else is available to her at this point.
22 But she certainly has a record over the last
23 25 years, 30 years, of participating in all of
24 the therapy groups that are available to her.
25 I think that in terms of the gravity of the
26 crime, I'd just like to say a little bit about
27 the matrix. And I think that that's something

1 that the Board itself, in response to the
2 statutory mandate, has created a way to assess
3 gravity of the crime in relation to other
4 crimes. That's something that's been created
5 in Section 2282 of Title 15, to establish
6 guidelines for setting uniform terms. The
7 matrix takes into account the gravity of the
8 crime in comparison to other first-degree
9 murders and measures how much punishment is
10 enough. On that matrix, Ms. Van Houten would
11 be on the upper end, with enhancements and no
12 good time credits. It appears she's on
13 Category C-III, which has a range of 14, 16 or
14 18 years. With enhancements added, it comes
15 to a term of about 30 years. And even without
16 good time credits, if you put her at the top
17 end of the matrix and you calculated 22 years
18 for each of the lives taken, with her good
19 time credits, she's served her term at this
20 point. So I would just suggest to you that
21 the gravity of the offense has been taken into
22 consideration, in light of the regulations of
23 this Board. And she's already done more time
24 than it's assessed under the matrix. In terms
25 of the facts of the murders that Mr. Kay
26 recited and that you are aware of and that
27 Ms. Van Houten has tried to talk about over

1 the past 13 parole hearings. And I think
2 she's done her best today, to try to recall
3 those facts honestly, to the best of her
4 ability. Her memory is not a videotape
5 recorder and I think that it gets changed over
6 time, by things that are heard and things that
7 are said. But I think she was quite accurate
8 today about what -- in describing what
9 happened. After 33 years, the crime itself is
10 not evidence of current dangerousness. And
11 again, the gravity of that crime will never
12 change. But we've presented something showing
13 mitigation. We've talked about something
14 that's changed in Ms. Van Houten over 33
15 years. That is something that is reflected in
16 her institutional behavior. And I'll talk
17 about, finally, the facts of the -- I mean,
18 the factors, the suitability factors in
19 2281(d). And how that's something that the
20 Board, how she meets all of those factors, is
21 something that this Board should give careful
22 consideration to, in weighing those factors in
23 favor of her suitability finding. She had no
24 juvenile record at all. In terms of stable
25 social history, I think the letters -- I just
26 want to say that, from my reading of those
27 letters and of who those people are in the

1 letters, in addition to her family, they are,
2 for the most part, people who do know her.
3 Obviously, some people who don't, feel
4 compelled to write and I certainly welcome
5 their letters, as I'm sure you do. But most
6 of those letters are from people who Ms. Van
7 Houten has had consistently in her life. Some
8 of them since grade school, some of them since
9 high school and many of them for 30 or 40
10 years. They see who she really is in her
11 dealings with them. Her true character is
12 revealed to them in her honest relationships
13 with them. They're good and decent people.
14 They are also professionals in the community.
15 And I think that they -- certainly their
16 letters reflect that knowledge about her and
17 that feeling about who she really is. I think
18 you also have here, the way she conducts
19 herself in this institution, reveals who she
20 really is. And her significant lack of
21 disciplinaries over all these years is
22 something that, again, is not that easy to
23 achieve in this institution, where even the
24 smallest thing -- I think she got that one,
25 the -- for waving in 1981 to someone in
26 detention, for waving hello. That's
27 certainly, a stable history that she has for

1 30 years, is in marked contrast to what was
2 going on in the 1960s, in terms of her
3 alienation from her parents and society that
4 contributed to this crime. Signs of remorse,
5 I -- certainly, the psychiatric reports
6 confirm. Not, perhaps, delve into too much in
7 the last few, but certainly all of the ones
8 prior to that. And Dr. McDaniel's I think, in
9 1966 [sic] and '68 [sic] goes into that in
10 detail. That her expressions of remorse are
11 genuine. I think it's difficult here, with
12 the cameras, for that to be communicated. I
13 think it would be difficult for anyone. But I
14 certainly feel that the psychiatric reports
15 gives credence to that. And Dr. McDaniel, in
16 his report, comments carefully on her balance
17 of shame and guilt and remorse, with a desire
18 to live a healthy life and be of service to
19 others. And that's also a part of how Ms. Van
20 Houten atones for her past wrongs, here in the
21 institution. In terms of motivation for the
22 crime, I've talked about that. And again, her
23 motivation can only be understood in the
24 context of the cult report and her belief in
25 Manson's Helter Skelter. It's a suitability
26 factor, I think, because it led to her
27 involvement in a crime that wasn't a garden-

1 variety murder. It wasn't something for
2 personal gain. It wasn't because a criminal
3 gang leader told her to do it. It wasn't
4 calculated motives of her own. But it was to
5 fulfill the cult leader, Charles Manson's
6 warped vision. And therefore, it's totally
7 unlikely to reoccur in Ms. Van Houten's
8 personal life. I think that is a factor in
9 favor of suitability. She has a lack of
10 criminal history of violence. I think a
11 history of violent crime would be relevant.
12 There hasn't been any violence before or since
13 the murders. The arrests were things all
14 while she was with Charles Manson and there
15 were no convictions on any of those. That was
16 also part of what was going on at the time.
17 In terms of age, I think someone said it
18 eloquently in the letters. No one is the same
19 at 52 as at age 19. And again, there have
20 been no other criminal acts since the age of
21 19 to age 52. If someone is a sociopath,
22 they're going to repeat this kind of behavior
23 and you would see it in the record. So a
24 passage of time itself indicates an enhanced
25 suitability for parole. Institutional
26 behavior, the record speaks for itself, and
27 I've talked about that. But I think it's hard

1 to imagine that any inmate could present a
2 better picture than she has, a better record.
3 She has definite parole plans. You have those
4 indications in your file, about work and a
5 home situation and that's with, also with
6 people who are upstanding members of the
7 community, who have known her for a long time
8 and are very happy and willing to offer that.
9 If there's a finding of unsuitability, I would
10 request that you articulate, consistent with
11 the laws under which this hearing is being
12 conducted, that you articulate what Ms. Van
13 Houten can do to make herself suitable for
14 parole. I have one final thing to talk about
15 and that's whether justice has been served in
16 this case. I think that's a difficult
17 question. But part of our system of justice
18 is punishment. That's true, and we've had 33
19 years of incarceration, which is a very large
20 portion of a life. I think that fulfills
21 something that's sometimes called measured
22 retribution, in terms of punishment. Part of
23 our system of justice is also rehabilitation
24 and parole and that's in the law. Justice is
25 defined by some legal authorities as the
26 proper administration of the law. So there
27 can be no justice without following the law in

1 this case. And the law is in the statutes and
2 regulations that govern parole and compel
3 parole for a prisoner who has fulfilled all
4 the requirements to be paroled. I'm not
5 asking the Board to create the law, but to
6 recognize it, and apply it in a fair and just
7 way. I think, still in our society, one of
8 our fundamental beliefs is that there's
9 recognition that a criminal can be corrected
10 and become, once again, a productive member of
11 society. That's a goal that benefits all of
12 us. Ms. Van Houten has shown that she meets
13 these goals of our system of justice. And
14 that her contribution to society can continue
15 to be a way for her to atone for her crime. I
16 think it's important to understand one more
17 thing, on a philosophical and a personal
18 level, and that may also have been talked
19 about in one of the letters today. Ms. Van
20 Houten will carry the punishment for what she
21 did for the rest of her life. She's -- I
22 think she's almost branded by her association
23 with Charles Manson. And she certainly will
24 live with her conviction for a terrible murder
25 for the rest of her life. That continues her
26 punishment, beyond the walls of this prison.
27 Parole is also the way that our society

1 recognizes the human capacity for change,
2 rehabilitation, and redemption. I believe
3 that and I think it is still a part of what
4 our society believes. We request that you
5 follow the law and give true meaning to
6 Ms. Van Houten's sentence, which is life with
7 the possibility of parole and grant her a
8 date. Thank you.

9 **PRESIDING COMMISSIONER LAWIN:** Thank
10 you. Ms. Van Houten, this is your opportunity
11 to --

12 **INMATE VAN HOUTEN:** Yes.

13 **PRESIDING COMMISSIONER LAWIN:** -- make
14 a statement.

15 **INMATE VAN HOUTEN:** I -- in looking
16 back on that day, I want to make it very clear
17 to the Parole Board that I accept
18 responsibility of both Mr. and Mrs. LaBiancas
19 deaths and I understand my participation and
20 my role in the crime. I believe that both,
21 not just legally, but also morally, that I am
22 responsible for both of their deaths and I
23 live with that and I accept it fully. In the
24 past, it was easier for me to believe that she
25 was dead. And somehow, that relieved me of
26 the moral burden. But as I've grown older and
27 looked at life in different ways that happen

1 as you grow older, I understand that that
2 really was not important, as far as my moral
3 responsibility. So I just want to make that
4 clear today. Another thing I want to say is
5 that, it seems that the 1996 evaluation got a
6 lot of attention and not the 2002, and all of
7 those that went before the 1996. I think that
8 Dr. McDaniel's had concerns about me. And the
9 more he evaluated me and got to know me, that
10 those concerns were ebbed. I live in prison,
11 which is pretty obvious. But when you think
12 of it, I think I've done a very good job of
13 minimizing my contact with people that could
14 end up in very destructive or threatening, to
15 me, situations. And so I would ask you, that
16 you keep that in mind. That when Mr. Kay
17 comes up with his theories of who I am as a
18 human being and develops his own patterns of
19 how I deal with people, that my Central File
20 does not really reflect that. When you
21 consider I'm 52 years old. He talks about
22 three or four relationships, which are not
23 that many when you consider I deal with
24 thousands of women every day. And I have many
25 friends that write the letters and the
26 majority of those people have known me 15 to
27 20 years. And they still believe in me and

1 they stand by me and they have helped me
2 become the human being that I am today. It's
3 a very difficult thing to live with what I did
4 when I was 19 years old and be able to carry
5 myself with any form of dignity as a woman of
6 52. And I'm very proud of who I've turned
7 myself into. And I'm very proud of the fact
8 that many women who are torn and broken as
9 human beings come to me because they know that
10 I have faced myself honestly and forthrightly.
11 And so, while others may try to define me to
12 you, I stand before you as a woman who feels
13 very strongly that I have done all that I can.
14 I would hope that we would work together
15 toward my common goal of being released. I
16 know that I have shattered other people and
17 that they will never want me to go home. And
18 that's part of the decision-making that you
19 have. But I would hope that if you find
20 something in my file that warrants my not
21 being found suitable, that you would truly let
22 me know what it is so that I can work on it.
23 I've done that steadfastly from my very first
24 Board hearing. Everything the Board ever
25 required of me, I have done my very best. But
26 lately, it's been difficult because there is
27 no therapy available anymore. And so I do my

1 self-help groups. I maintain my NA
2 attendance, which I will do for the rest of my
3 life. But I would just ask that you help me
4 in meeting the common goal of my eventual
5 freedom. Thank you.

6 **PRESIDING COMMISSIONER LAWIN:** Thank
7 you. Before we move on, do we have enough
8 tape?

9 **DEPUTY COMMISSIONER KEENAN:** We have
10 about half a tape.

11 **PRESIDING COMMISSIONER LAWIN:** Okay.
12 Thank you. Which of you would like to speak
13 first? Thank you. And for the transcriber,
14 could you identify yourself again?

15 **MS. SMALDINO:** Angela Smaldino, niece
16 of Leno LaBianca. I have sat here and
17 listened to this parole hearing and the entire
18 thing, it seems to me, has been based on what
19 Leslie has done for Leslie. And I'm glad. Of
20 course, I am, that she has managed to recreate
21 herself. The night of the murder I will never
22 forget, as long as I live. I remember every
23 detail. I had just returned from my summer
24 vacation with my family. I was in between
25 college. I was in my -- between my junior and
26 senior year. I was 20 years old. We had just
27 returned from this vacation and I had gone to

1 bed early. And I was awoken in the middle of
2 the night by my second brother, Sis, Sis, wake
3 up, Uncle Leno has been murdered. Of course,
4 I jolted out of bed, ran into the living room
5 to watch TV, to see if there was anything on
6 it. At the time, it didn't occur to me what
7 trauma was or what effect it might have on me.
8 That came later. I didn't realize that it
9 would have an effect on my brain and its
10 functioning. Sooner or later, I figured out
11 that I had something called post-traumatic
12 stress. And I lived in that situation for a
13 very long time and nobody offered me
14 counseling or therapy or drugs or any such
15 thing, so I just dealt with it and lived part
16 of a life. Sooner or later, I decided to
17 confront this, because I wasn't living a full
18 life. So I decided to come face to face with
19 Ms. Van Houten and the whole situation, not
20 just her. And the day I started to do that,
21 my life started to change. I started to get
22 better. I am teacher by profession. I spend
23 my days working with small children. They
24 have situations every day that are similar to
25 what Ms. Van Houten encountered. They fight.
26 They argue. One kid hits another and I have
27 to deal with that. I not only teach them to

1 read, write, and do math, I have to deal with
2 their morality and their sense of virtue. On
3 the wall is a list of rules of the classroom,
4 in every class I teach in. And next to that
5 are the consequences, if you don't follow
6 them. They expect to follow those rules. The
7 whole class expects everybody to follow those
8 rules and if one person does not follow those
9 rules and if they are not punished, therefore,
10 everybody is upset. So I, as a teacher, have
11 to make sure that happens. If they do a minor
12 infraction, they write standards, or whatever.
13 And it goes right up to the end, which is
14 maybe a suspension or possible expulsion. And
15 that's what the children expect. What am I
16 teaching them then? I can't teach them if we
17 don't have the sense of rules. Because I
18 think it's more important than learning math
19 and writing and reading. When they argue with
20 each other, I make them stand there and tell
21 each other how they feel. You did this to me
22 and I didn't like it. Well then, what does
23 the other person say? I'm sorry. Does that
24 -- is that acceptable to you? Yes, it is.
25 And he has to make up for it. You don't just
26 say you're sorry. That's not the end of it.
27 In this situation, Ms. Van Houten has never

1 ever once said she's sorry to me. I've never
2 heard from her by phone, e-mail or letter.
3 I've never made an effort to hide. Everybody
4 always knows where I am. I've never heard
5 from any of these members of this Family, not
6 one. And I don't think anybody here has. So
7 I think the next situation to address is yes,
8 she's managed to recreate herself, but what
9 about when you commit such a sin, you have to
10 make repentance. You have to make restitution
11 to the family. That has not been done, in my
12 opinion. We are here because of a group of
13 words and loopholes in those words. Because
14 originally, she was sentenced to execution and
15 that was put aside and she was given life in
16 prison. And I have to say that my opinion is,
17 with the rest of my family, that the fact that
18 her life was spared was well enough. So I
19 don't really say I can support the idea of
20 getting out of jail. And I would like to see
21 her make some restitution to me. Let me tell
22 you what happened to me. I did not graduate
23 from college that year. I got in my car and
24 ran away. It took me a year to come back and
25 I changed my whole profession and I did
26 something entirely different. I never got my
27 college degree. I never got my credential. I

1 became a Montessori teacher instead, so I
2 didn't get that. I -- it just changed my
3 whole life and I do remember every minute of
4 every day. I have not forgotten a single
5 thing. So that is my feelings. Thank you
6 very much.

7 **PRESIDING COMMISSIONER LAWIN:** Thank
8 you. Mr. Smaldino?

9 **MR. SMALDINO:** My name is Louis
10 Smaldino. I'm the son, the son of Stella
11 LaBianca Smaldino, which was Leno's older
12 sister. First of all, I'd like to thank the
13 Board for allowing me the time to express my
14 thoughts today. I'm here to represent the
15 LaBianca family. At a previous hearing, I
16 read a letter to you and I would now ask you
17 to review it, it's painful contents and
18 sentiments, rather than taking an extensive
19 amount of time today. I am here today and
20 will continue to be here, as long as the
21 process requires it, to express our family's
22 concern that Ms. Houten [sic] is ever paroled.
23 Her callous disregard for human life, her
24 brutal participation in murder and total
25 disregard for the sanctity of life should
26 forever seal her fate as a lifetime prisoner.
27 These murders of my aunt and uncle were

1 carried out for no other reason than a thrill
2 for killing. There was no passion or
3 mitigating circumstances. She and her cohorts
4 snuffed out two loving people in the prime of
5 their lives. To kind of illustrate that, I
6 brought a picture from the family album that
7 shows them at a party that my parents held a
8 few years before that. As you can see,
9 they're young and vibrant. These were
10 innocent people who bore no malice toward
11 anyone and should be a model for all of us on
12 how to live and treat others. Leno and
13 Rosemary were, to say the least, a very
14 handsome and loving couple, devoted to their
15 family. I don't know if I can go on. With
16 this in mind, I would like to again remind
17 this Panel that Leslie Van Houten is a vicious
18 and uncaring killer who was sentenced to die
19 for her evil deeds and was saved by an errant
20 court, to life in prison. To this -- to this
21 day, there has been no remorse shown. Only a
22 manipulation of the system to get a free pass.
23 Yes, she has educated herself and worked
24 within the prison system. But these actions
25 are self-serving actions and in no way address
26 the destruction and devastation caused to our
27 family. I ask you, what has Ms. Van Houten

1 done to address the anguish caused to our
2 family? What single -- what single act has
3 she done to assuage our pain and grief? For
4 her, we do not exist and are merely obstacles
5 to her goal of being released from prison for
6 murders that many consider the worst of our
7 time. It is inconceivable for me to believe
8 that Ms. Van Houten can ever be rehabilitated.
9 Like her, I grew up in the San Gabriel Valley,
10 the Pasadena area, about the same time. While
11 I was literally living happy days at the Malt
12 Shop, she and her clan were plotting murder,
13 doing drugs and trying to initiate race wars.
14 It's just impossible to believe that we lived
15 in the same time. There is an evil here that
16 no one seems to be addressing. What spiritual
17 awakening or enlightenment has taken place
18 within her? There is none that I'm aware of,
19 other than, you know, serving some duties in
20 the chapel, which is not the same as, you
21 know, enlightenment. Her goal her today is to
22 say and do anything to get out. But I believe
23 that this Panel should look at the facts. No
24 remorse, no coming clean on her participation
25 in the murders, no spiritual renewal. Ms. Van
26 Houten should already be dead for her part in
27 these vicious and unprovoked slayings. I

1 believe society has been most merciful, by
2 allowing -- excuse me, by allowing her to live
3 with all of her needs cared for. Leno and
4 Rosemary have been deprived of this and their
5 family has lost the joy and support of their
6 presence in our lives. I ask again, in the
7 name of our family, and that of a decent and
8 honorable society, that you deny parole to
9 Leslie Van Houten. Now, and for a
10 considerable time into the future. Because,
11 in her own words, murder, there is no
12 restitution, there's no making it up. I would
13 say there is a way to make it right though.
14 Serve your life sentence with acceptance and a
15 sense of remorse for what you have done.

16 **PRESIDING COMMISSIONER LAWIN:** Thank
17 you all. We're going to take a recess now.
18 We'll call you all back in when we have a
19 decision.

20 **R E C E S S**

21 --oOo--

22

23

24

25

26

27

1 CALIFORNIA BOARD OF PRISON TERMS

2 D E C I S I O N

3 PRESIDING COMMISSIONER LAWIN: We're

4 back on record and all parties have returned to
5 the room in the hearing for Leslie Van Houten.6 The Panel has reviewed all information received
7 today from the public, from your attorney, from
8 CDC, from all sources, and have relied on the
9 following circumstances in concluding that10 you're not suitable for parole. And would pose
11 an unreasonable risk of danger to society or a
12 threat to public safety, if released from13 prison. The commitment offense was the brutal
14 murders of Rosemary and Leno LaBianca. They
15 were murdered in their home. The inmate16 participated, specifically in the murder of
17 Mrs. LaBianca, Rosemary LaBianca, by stabbing
18 her, the inmate believes, 14 to 16 times. The
19 murders were carried out in an attempt,20 apparently, which the inmate stated, she and
21 her crime partners believed would lead to a
22 race war. They were innocent victims who were
23 targeted in an attempt to further this cause.24 The inmate and her crime partners entered
25 their home. The inmate put a pillowcase over
26 Mrs. LaBianca's head, put a cord around it to27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 1 6/28/02**

1 secure it. They -- her crime partner then
2 attempted to stab her. This didn't work. She
3 brought in another crime partner, Mr. Watson,
4 who did stab her and then the inmate again, or
5 then, stabbed her as well. This was a cruel
6 and calculated murder and a matter -- a manner
7 -- excuse me, carried out in a manner that
8 demonstrates a disregard for human suffering.
9 The inmate also, while she was in the home,
10 wiped off fingerprints. She went to lengths,
11 some lengths, to hide her participation in the
12 crime. After getting back to the ranch where
13 she was living, she burned evidence which could
14 have tied her into the murders. She had no
15 previous convictions. She, however, had been
16 arrested for auto theft. They were not,
17 apparently, prosecuted. But she did have prior
18 criminality, in that she was a drug user,
19 including LSD, marijuana, Methedrine,
20 mescaline, and Benzedrine. And this drug use
21 had been going on for at least a couple of
22 years. The psychiatric -- in terms of
23 psychiatric factors, Dr. McDaniel's report of
24 May 16th, 2002, appears to be supportive.
25 However, he does draw the reader to the May
26 1st, 2000 report where he lists risk factors,
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 2 6/28/02**

1 which include vulnerability to adhering to a
2 bizarre world of manipulation and murder. In
3 2002, his -- in his report, he doesn't state
4 these risk factors are gone. Instead, he
5 states, they will continue to recede with the
6 passing of time. Thus, the Panel concludes
7 there remains the possibility that these risk
8 factors for dangerousness still exist to some
9 degree. The inmate does have adequate parole
10 plans. She has a great deal of family and
11 support amongst friends, longtime friends. She
12 also has employment plans. The hearing Panel
13 notes that PC 3042 notices were sent out and
14 the Los Angeles County District Attorney's
15 Office responded. They oppose parole. The
16 victims' next of kin spoke today and they are
17 in opposition to parole. And there are some 30
18 letters received from the public in opposition
19 to parole. The Panel makes the following
20 findings: That the prisoner needs continued
21 therapy to further understand the enormity of
22 her life crime, her participation in the crime,
23 and the impact this crime has had on the
24 victims. The Panel feels that she has not
25 fully explored and accepted these issues, as
26 evidenced by her minimization and superficial
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 3 6/28/02**

1 expressions of remorse at today's hearing.
2 Nevertheless, she is to be commended for the
3 fact that she has been participating in a
4 number of groups. Including Hobby Craft
5 classes, Convicted Women Against Abuse, African
6 American Women's Prisoners Association, various
7 courses and ongoing self-help program,
8 including Relapse Prevention, Native American
9 Religious Services, Voices From Within, Victim
10 Impact seminar and has assisted in the
11 production of audio tapes. She has received
12 laudatory chronos for her work as Chapel Clerk,
13 and exceptional work reports. She also is to
14 be commended for the fact that she has only one
15 115 since her incarceration and that was in
16 1976. These positive aspects of her behavior,
17 however, do not yet outweigh the factors of
18 unsuitability. In a separate decision, the
19 hearing Panel finds it is not reasonable to
20 expect that parole would be granted at a
21 hearing during the following two years. And
22 the specific reasons for this two-year denial
23 are as follows: The first reason is the
24 commitment offense, which was carried out in a
25 manner that demonstrates a disregard for human
26 suffering. It was carried out in a calculated,
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 4 6/28/02**

1 preplanned manner. Where the victims of this
2 crime, Mr. and Mrs. LaBianca were murdered in
3 their homes. A pillowcase put over
4 Mrs. LaBianca's head and secured. The inmate
5 participated in the stabbing death of
6 Mrs. LaBianca. The inmate participated to the
7 extent that apparently, when her crime partner
8 was stabbing her and the knife bent, she went
9 out to get assistance to continue this attack.
10 And then, when a third crime partner, or
11 another crime partner came in and stabbed her,
12 the inmate, after that, stabbed her as well, an
13 additional 14 to 16 times. And these murders
14 were for the purpose of starting a race war,
15 according to the inmate's remarks, the
16 testimony. That they were part of a plan that
17 was put together and was being carried out by
18 members of the so-called Manson Family. The
19 second reason, is the inmate has a history of
20 criminal behavior, which included drug use and
21 of course, participation in the antisocial
22 conduct associated with the Manson Family.
23 Number third reason are psychiatric. Her --
24 primarily, her ability to remain independent of
25 destructive relationships and influences is of
26 significant concern to this Panel. What gains
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 5 6/28/02**

1 she has made appear to be recent. As late as
2 1996, Dr. McDaniel's indicated his own
3 concerns, although he does now write that those
4 concerns have been limited. The Panel makes
5 the following recommendations: That you remain
6 disciplinary free. And when available,
7 participate in self-help and therapy programs.
8 And we cannot recommend specific groups,
9 because we do not control what groups are
10 offered to you or what therapy is offered to
11 you. The fact is, that you have programmed
12 very well. But then, you're expected to.
13 You're expected to follow the rules of the
14 institution and you've been doing that and
15 you're to be commended for that. This Panel
16 ultimately concluded, however, that your crime
17 and the risk factors associated, outweigh that
18 positive programming. And I hope that you will
19 consider our remarks as the direction we hope
20 you will take in further delving into the
21 causative factors for your participation in
22 this life crime. And we wish you good luck.

23 **INMATE VAN HOUTEN:** Thank you. I would
24 like to say that there's no therapy available.
25 As you know, it was stated in my psychiatric
26 evaluation. So I just want you to know that
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 6 6/28/02**

1 you just recommended something that they don't
2 offer. But I'll do what I can to try and meet
3 other things.

4 **PRESIDING COMMISSIONER LAWIN:** That's
5 all you can do.

6 **INMATE VAN HOUTEN:** That's right.

7 **PRESIDING COMMISSIONER LAWIN:** And we
8 appreciate it. Thank you very much it.

9 **INMATE VAN HOUTEN:** And that's all I can
10 do. Okay, thank you.

11 **PRESIDING COMMISSIONER LAWIN:**
12 Commissioner?

13 **DEPUTY COMMISSIONER KEENAN:** Good luck.

14 **PRESIDING COMMISSIONER LAWIN:** That
15 concludes the hearing at 3:12.

16 --o0o--

17
18
19
20
21
22
23
24
25 **PAROLE DENIED TWO YEARS**

26 **EFFECTIVE DATE OF THIS DECISION July 10, 2002**

27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 7 6/28/02**

**CERTIFICATE AND
DECLARATION OF TRANSCRIBER**

I, KARIN R. LEWIS, 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 146, and which recording was duly recorded at CALIFORNIA INSTITUTION FOR WOMEN, at CORONA, CALIFORNIA, in the matter of the SUBSEQUENT PAROLE CONSIDERATION HEARING of LESLIE VAN HOUTEN, CDC No. W-13378, on JUNE 28th, 2002, 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 July 7th, 2002, at Sacramento County, California.



Karin R. Lewis
Transcriber
CAPITOL ELECTRONIC REPORTING

