

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  
AUGUST 25, 2004  
1:25 P.M.

PANEL PRESENT:

AL ANGELE, Presiding Commissioner  
DIANE LUSHBOUGH, Deputy Commissioner

OTHERS PRESENT:

LESLIE VAN HOUTEN, Inmate  
CHRISTIE WEBB, Attorney for Inmate  
STEVEN KAY, Head Deputy District Attorney  
PATRICK SEQUEIRA, Deputy District Attorney  
TIP KINDEL, Communications Director, BPT  
JOHN DESANTIS, Victim's Next of Kin  
ANGELA CORINNE SMALDINO, Victim's Next of Kin  
LOUIS SMALDINO, Victim's Next of Kin  
ANTHONY DIMARIA, Victim's Next of Kin Support  
DEBRA TATE, Victim's Next of Kin Support  
JUNE JONES, Observer  
MARY ANDERSON, NBC News, Observer  
PETER GARROWE, KNBC News, Observer

CORRECTIONS TO THE DECISION HAVE BEEN MADE

\_\_\_\_\_ No                      See Review of Hearing  
\_\_\_\_\_ Yes                     Transcript Memorandum

**Sandra Triplett**

**Capitol Electronic Reporting**

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P R O C E E D I N G S

1  
2           **DEPUTY COMMISSIONER LUSHBOUGH:** We're on  
3 record.

4           **PRESIDING COMMISSIONER ANGELE:** This is  
5 going to be a Subsequent Parole Consideration  
6 Hearing for Leslie Van Houten. CDC number  
7 W-13378. Today's date, August the 25<sup>th</sup>, 2004. The  
8 time is approximately 1:25 p.m. We're located at  
9 CIW. Inmate received on April the 28<sup>th</sup>, 1971, from  
10 Los Angeles County. The charge of murder in the  
11 first degree and conspiracy to commit murder.  
12 Case number A Adam 253156. Counts number six,  
13 seven, and eight; 187 of the Penal Code, 187 of  
14 the Penal Code, 182.1 of the Penal Code.  
15 Receiving a term of life with a Minimum Eligible  
16 Parole Date of August the 17<sup>th</sup>, 1978.

17 Ms. Van Houten, this hearing is going to be tape-  
18 recorded. For the purpose of voice  
19 identification, each of us state our first name  
20 and last name, spelling our last name. When it  
21 comes to your turn, after you spell your last  
22 name, give us your CDC number. I will go around  
23 the table first. I wish all of us would speak in  
24 a nice, loud voice so the transcriber can  
25 transcribe our names. We'll go to my left. My  
26 name is Al Angele, A-N-G-E-L-E, Commissioner,  
27 Board of Prison Terms.

1           **DEPUTY COMMISSIONER LUSHBOUGH:** Diane  
2 Lushbough, L-U-S-H-B-O-U-G-H, Deputy Commissioner,  
3 Board of Prison Terms.

4           **DEPUTY DISTRICT ATTORNEY KAY:** I'm Steven  
5 Kay, Head Deputy District Attorney, Los Angeles  
6 County. Last name is spelled K-A-Y.

7           **MR. SMALDINO:** Louis Smaldino,  
8 S-M-A-L-D-I-N-O, representing the LaBianca Family.

9           **MR. DESANTIS:** John DeSantis,  
10 D-E-S-A-N-T-I-S, nephew of Leno and Rosemary  
11 LaBianca.

12           **MS. SMALDINO:** Angela Corinne Smaldino,  
13 niece of Leno LaBianca.

14           **PRESIDING COMMISSIONER ANGELE:** Okay.

15           **MR. DIMARIA:** Anthony DiMaria,  
16 D-I-M-A-R-I-A, in support of Louis Smaldino.

17           **MS. TATE:** Debra Tate, T-A-T-E, in support  
18 of Angela Smaldino and John DeSantis.

19           **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Patrick  
20 Sequeira, S-E-Q-U-E-I-R-A, Deputy District  
21 Attorney, County of Los Angeles.

22           **MS. JONES:** June Jones, Victim's  
23 (indiscernible).

24           **MR. KINDEL:** Tip Kindel, K-I-N-D-E-L,  
25 Communications Director, Board of Prison Terms.

26           **MS. ANDERSON:** Mary Anderson, NBC News, Los  
27 Angeles.

1           **MR. GARROWE:** Peter Garrowe, Cameraman, KNBC  
2 News, Los Angeles.

3           **PRESIDING COMMISSIONER ANGELE:** Spell your  
4 last name, please.

5           **MR. GARROWE:** G-A-R-R-O-W-E.

6           **PRESIDING COMMISSIONER ANGELE:** Thank you.

7           **ATTORNEY WEBB:** Christie Webb, Attorney for  
8 Ms. Van Houten. That's W-E-B-B.

9           **INMATE VAN HOUTEN:** Leslie Van Houten,  
10 capital V-A-N, capital H-O-U-T-E-N, W-13378.

11           **PRESIDING COMMISSIONER ANGELE:** Okay. Before  
12 we go any further, Ms. Van Houten, if you'd read  
13 that statement in front of you out loud.

14           **INMATE VAN HOUTEN:** The Americans with  
15 Disabilities Act, ADA, is a law to help people  
16 with disabilities. Disabilities are problems that  
17 make it harder for some people to see, hear,  
18 breathe, talk, walk, learn, think, work, or take  
19 care of themselves than it is for others. Nobody  
20 can be kept out of public places or activities  
21 because of a disability. If you have a  
22 disability, you have the right to ask for help to  
23 get ready for your BPT hearing, get to hear -- get  
24 to the hearing, talk, read forms and papers and  
25 understand the hearing process. BPT will look at  
26 what you asked for to make sure you have a  
27 disability that is covered by the ADA, and that

1 you have asked for the right kind of help. If you  
2 do not get help or if you do not think you got the  
3 kind of help you need, ask for a BPT 1074  
4 Grievance Form. You can also get help to fill out  
5 the form.

6 **PRESIDING COMMISSIONER ANGELE:** Do you  
7 understand what your rights are under the  
8 Americans with Disabilities Act?

9 **INMATE VAN HOUTEN:** Yes.

10 **PRESIDING COMMISSIONER ANGELE:** You do.  
11 Okay. Now the record reflects that you signed BPT  
12 Form 1073 on April the 28<sup>th</sup> of 2004. And that's  
13 the reasonable accommodation notice and request in  
14 accordance with the provisions of the Americans  
15 with Disabilities Act indicating that you do not  
16 have a disability as defined under the ADA. Is  
17 that true?

18 **INMATE VAN HOUTEN:** Yes.

19 **PRESIDING COMMISSIONER ANGELE:** Okay. Do  
20 you have any problems walking up and down stairs  
21 or for distances of 100 yards or more?

22 **INMATE VAN HOUTEN:** No.

23 **PRESIDING COMMISSIONER ANGELE:** Do you need  
24 glasses or a magnifying device in order to see or  
25 read documents?

26 **INMATE VAN HOUTEN:** I wear reading glasses.

27 **PRESIDING COMMISSIONER ANGELE:** Reading

1 glasses. Do you need them to read documents  
2 usually?

3 **INMATE VAN HOUTEN:** Yes.

4 **PRESIDING COMMISSIONER ANGELE:** Small  
5 printing? Because you were able to read what you  
6 were handed.

7 **INMATE VAN HOUTEN:** Small print. Small  
8 print. I do well --

9 **PRESIDING COMMISSIONER ANGELE:** Okay.

10 **INMATE VAN HOUTEN:** -- with the large print.

11 **PRESIDING COMMISSIONER ANGELE:** Okay. Were  
12 those glasses available to you when you did your  
13 Olson Review and when you read your psychological  
14 evaluation and your counselor's report?

15 **INMATE VAN HOUTEN:** Yes.

16 **PRESIDING COMMISSIONER ANGELE:** Okay. Do  
17 you have any hearing impairments?

18 **INMATE VAN HOUTEN:** No.

19 **PRESIDING COMMISSIONER ANGELE:** Have you  
20 ever been included in Triple CMS or EOP Programs?

21 **INMATE VAN HOUTEN:** No.

22 **PRESIDING COMMISSIONER ANGELE:** Do you know  
23 what they are?

24 **INMATE VAN HOUTEN:** Yes.

25 **PRESIDING COMMISSIONER ANGELE:** Ever taken  
26 any psychotropic medications either in custody or  
27 prior to coming to prison?

1           **INMATE VAN HOUTEN:** No.

2           **PRESIDING COMMISSIONER ANGELE:** How far did  
3 you get in school on the outside?

4           **INMATE VAN HOUTEN:** I graduated from high  
5 school.

6           **PRESIDING COMMISSIONER ANGELE:** Okay. While  
7 growing up, did you have to take any special  
8 education classes?

9           **INMATE VAN HOUTEN:** No.

10          **PRESIDING COMMISSIONER ANGELE:** Do you  
11 suffer from any disability that would prevent you  
12 from participating in today's hearing?

13          **INMATE VAN HOUTEN:** No.

14          **PRESIDING COMMISSIONER ANGELE:** This hearing  
15 is being conducted pursuant to Penal Code Sections  
16 3041 and 3042 and the rules and regulations of the  
17 Board of Prison Terms governing Parole  
18 Consideration Hearings for life prisoners. The  
19 purpose of today's hearing is to once again  
20 consider your suitability for parole. In doing  
21 so, we're going to consider the crimes you were  
22 committed for, your prior criminal and social  
23 history, and your behavior and programming since  
24 your commitment. We've had the opportunity to  
25 review your Central File and your prior  
26 transcript. You will have the opportunity to  
27 correct or clarify the record. We're going to



1 consider your progress since your last hearing,  
2 any new psychiatric reports and any other  
3 information which may have a bearing on your  
4 suitability for parole. Any change in parole  
5 plans should be brought to our attention. We're  
6 going to reach a decision today and inform you  
7 whether or not we find you suitable and the  
8 reasons for our decision. If you're found  
9 suitable, the length of your confinement will be  
10 explained to you. Before we recess for  
11 deliberations, the District Attorney, your  
12 attorney, yourself, and the next of kin will have  
13 an opportunity to make a final statement regarding  
14 your parole suitability. Once that is done, we'll  
15 recess, clear the room and deliberate. When we  
16 have completed our deliberations, we will resume  
17 the hearing and announce our decision. The  
18 California Code of Regulations state that a life  
19 inmate, regardless of time served, shall be found  
20 unsuitable for and denied parole, if in the  
21 opinion of this Panel, your release would pose an  
22 unreasonable risk of danger to society or a threat  
23 to public safety. You have certain rights,  
24 Ms. Van Houten. Those rights include a timely  
25 notice of this hearing, a right to review your  
26 Central File; have an Olson Review, and the right  
27 to present relevant documents. Ms. Webb, have

1 those rights been met so far?

2 **ATTORNEY WEBB:** Yes, they have.

3 **PRESIDING COMMISSIONER ANGELE:** An  
4 additional right you have is to be heard by an  
5 impartial Panel. Any objections to either member  
6 of this Panel?

7 **INMATE VAN HOUTEN:** No.

8 **PRESIDING COMMISSIONER ANGELE:** Counsel?

9 **ATTORNEY WEBB:** No, we do not.

10 **PRESIDING COMMISSIONER ANGELE:** You will  
11 receive a copy of our written tentative decision  
12 today. That decision becomes final within 120  
13 days. You'll then receive a copy of the decision  
14 and a copy of the transcript. As of May the 1<sup>st</sup> of  
15 2004, there are major changes limiting your former  
16 right to appeal Board decisions or actions  
17 directly to the Board. Now the rules are  
18 contained in Title XV, the California Code of  
19 Regulations. Sections 2050 to 2056 have been  
20 repealed. Current policy can now be found in the  
21 Board's Administrative Directive, entitled  
22 Administrative Appeals, Correspondence, and  
23 Grievances Concerning Board of Prison Terms  
24 decisions. And that can be found in the prison  
25 law library. Are you familiar with the change in  
26 the law?

27 **INMATE VAN HOUTEN:** Yes, I am.

1           **PRESIDING COMMISSIONER ANGELE:** All right.  
2 Thank you. You're not -- You're not required to  
3 discuss your offense with us. You're not required  
4 to admit your offense. However, this Panel does  
5 accept as true the findings of the court. Do you  
6 understand what that means?

7           **INMATE VAN HOUTEN:** I'm sorry. Would you  
8 repeat it?

9           **PRESIDING COMMISSIONER ANGELE:** Yeah. I  
10 said you're not -- you're not -- you don't have to  
11 discuss your offense with us. Don't have to admit  
12 your offense. However, the Panel does find as  
13 true the findings of the court.

14           **INMATE VAN HOUTEN:** Yes.

15           **PRESIDING COMMISSIONER ANGELE:** Do you  
16 understand? Okay. I have passed a hearing  
17 checklist marked Exhibit One to your attorney to  
18 ensure that we all have the same documents.

19           **ATTORNEY WEBB:** I have -- I have received  
20 all of these. However, just one sort of, you  
21 know, record keeping thing. I didn't get, in my  
22 Board packet I didn't get any of the chronos or  
23 work supervisor's reports in the initial packet.  
24 So I asked the C&PR and then I was provided with  
25 them. I'd just like to make sure that you have  
26 all of them.

27           **DEPUTY COMMISSIONER LUSHBOUGH:** Be happy to

1 have you submit them.

2 **ATTORNEY WEBB:** Okay.

3 **DEPUTY COMMISSIONER LUSHBOUGH:** I did  
4 receive a packet of chronos.

5 **ATTORNEY WEBB:** You did.

6 **DEPUTY COMMISSIONER LUSHBOUGH:** And it may  
7 be that I have them.

8 **ATTORNEY WEBB:** Okay. I have a copy of what  
9 I got that --

10 **DEPUTY COMMISSIONER LUSHBOUGH:** This is --  
11 This is what I have.

12 **ATTORNEY WEBB:** -- I didn't initially have.  
13 None of the work supervisor's reports are there.

14 **DEPUTY COMMISSIONER LUSHBOUGH:** And well we  
15 have some in the C-File. But by all means.

16 **ATTORNEY WEBB:** Okay. I'd like to submit  
17 them.

18 **DEPUTY COMMISSIONER LUSHBOUGH:** Certainly.

19 **ATTORNEY WEBB:** This is the copy that I  
20 received from -- I have more than one copy if  
21 you'd like. No, that's --

22 **DEPUTY COMMISSIONER LUSHBOUGH:** I'll  
23 (inaudible).

24 **ATTORNEY WEBB:** Okay. It may duplicate some  
25 of the things that are -- that you already got,  
26 but I don't think any of the work supervisor's  
27 reports are there.

1           **PRESIDING COMMISSIONER ANGELE:** Would you  
2 pass the hearing checklist to the District  
3 Attorney, please.

4           **DEPUTY DISTRICT ATTORNEY KAY:** I have them.

5           **PRESIDING COMMISSIONER ANGELE:** You have all  
6 the documents? All right.

7           **ATTORNEY WEBB:** Well I -- Yeah, I provided  
8 him with them.

9           **PRESIDING COMMISSIONER ANGELE:** Okay. This  
10 packet.

11           **ATTORNEY WEBB:** Oh, the whole packet? Give  
12 it -- this to him?

13           **PRESIDING COMMISSIONER ANGELE:** It's all  
14 right. He has it.

15           **ATTORNEY WEBB:** Okay. I'm sorry.

16           **PRESIDING COMMISSIONER ANGELE:** Okay. Now  
17 any additional documents to be submitted other  
18 than what you've already submitted?

19           **ATTORNEY WEBB:** I don't think so because I  
20 just had an opportunity -- I have one other  
21 document. I know there was some letters that were  
22 received in the past ten days that I haven't seen  
23 before today.

24           **PRESIDING COMMISSIONER ANGELE:** We have a  
25 stack of those, and as we go along, any of them  
26 that have not been introduced, you can always  
27 (indiscernible).

1           **ATTORNEY WEBB:** Provided that to you. This  
2 is a letter from Ms. Van Houten's nephew; a 14-  
3 year-old nephew, a letter of support.

4           **PRESIDING COMMISSIONER ANGELE:** Okay.

5           **ATTORNEY WEBB:** And that's -- I don't  
6 believe that that had reached here.

7           **PRESIDING COMMISSIONER ANGELE:** It has not.  
8 No, it has not.

9           **ATTORNEY WEBB:** Because I (indiscernible)  
10 letter.

11           **PRESIDING COMMISSIONER ANGELE:** Okay.

12           **ATTORNEY WEBB:** And I think that that was  
13 all that I had that hadn't -- that I thought  
14 hadn't been presented to the Board.

15           **PRESIDING COMMISSIONER ANGELE:** Any  
16 preliminary procedural objections?

17           **ATTORNEY WEBB:** I just had a couple things  
18 to say. Do you have this Cross Roads letter?

19           **PRESIDING COMMISSIONER ANGELE:** No, I don't.

20           **ATTORNEY WEBB:** You don't? I thought that  
21 might have been in the ten-day packet. That's --  
22 I think that was all that I had for that. In  
23 terms of the -- what we do here today, I'd just  
24 like to ask that the confidentiality of the people  
25 who are involved in Ms. Van Houten's parole plans  
26 be preserved because of the cameras; in terms of  
27 their names and addresses. That that not be

1 something that's made public. If that's  
2 appropriate, I think we usually have gotten an  
3 agreement on that.

4 **PRESIDING COMMISSIONER ANGELE:** I can -- I  
5 can allude to the offer, but not necessarily who  
6 is offering it.

7 **ATTORNEY WEBB:** Okay.

8 **PRESIDING COMMISSIONER ANGELE:** And I can  
9 just introduce those documents as Exhibits.

10 **ATTORNEY WEBB:** Okay.

11 **PRESIDING COMMISSIONER ANGELE:** That's  
12 sufficient?

13 **ATTORNEY WEBB:** Is that all -- Is that --  
14 That would be sufficient.

15 **PRESIDING COMMISSIONER ANGELE:** It's fine  
16 with me.

17 **ATTORNEY WEBB:** From my point of view, I'd  
18 just like to not have a name and address made  
19 publicly if that's okay.

20 **PRESIDING COMMISSIONER ANGELE:** Okay. I  
21 understand. Okay.

22 **ATTORNEY WEBB:** And just one other objection  
23 for the record and I'm really sorry to have to  
24 make it. And again, it's about Ms. Tate's  
25 presence at the hearing. And I understand she's  
26 here as a support person. But I just think it's  
27 something that again creates some confusion. I

1 don't think in the Board's mind. I know you know  
2 what Ms. Van Houten was convicted of. I just  
3 think that Ms. Tate's presence here today is  
4 confusing out there amongst the public. And I know  
5 from (indiscernible) the letters in opposition,  
6 there certainly is confusion about what  
7 Ms. Van Houten was involved in. And she was not  
8 involved in the terrible deaths at the Tate house.  
9 So I'm making an objection to her presence.

10 **PRESIDING COMMISSIONER ANGELE:** Okay. And  
11 I'll overrule your objection. She is here as a  
12 support person, you know which is allowed by law.

13 **ATTORNEY WEBB:** Will she be speaking today?

14 **PRESIDING COMMISSIONER ANGELE:** No.

15 **ATTORNEY WEBB:** Okay.

16 **PRESIDING COMMISSIONER ANGELE:** Anything  
17 further?

18 **ATTORNEY WEBB:** That's all I have. Thank  
19 you.

20 **PRESIDING COMMISSIONER ANGELE:** All right.  
21 Will the inmate be speaking with us today?

22 **ATTORNEY WEBB:** Yes.

23 **PRESIDING COMMISSIONER ANGELE:** If you could  
24 raise your right hand please, so I can swear you  
25 in. Do you solemnly swear or affirm that the  
26 testimony you give at this hearing will be the  
27 truth, the whole truth, and nothing but the truth?



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

2           **PRESIDING COMMISSIONER ANGELE:** Thank you.  
3 If there's no objections, Ms. Webb, I'd like to  
4 incorporate by reference the Statement of Facts.  
5 I'd like to take this from the Appellate Court  
6 Decision. The one filed March 1<sup>st</sup>, 2004, pages  
7 five, six, seven, and eight.

8           **ATTORNEY WEBB:** Okay. Can I have a moment  
9 to look at that, please? In general we don't  
10 object to that Statement of Facts. I just want to  
11 see what we're talking about. Five, six, seven,  
12 and eight?

13           **PRESIDING COMMISSIONER ANGELE:** Yes, ma'am.

14           **ATTORNEY WEBB:** I'd like to -- We have no  
15 objection to that. I'd like to expand it  
16 slightly.

17           **PRESIDING COMMISSIONER ANGELE:** In what  
18 manner?

19           **ATTORNEY WEBB:** I'd like to add page four  
20 and page nine. I think that gives a more complete  
21 picture.

22           **PRESIDING COMMISSIONER ANGELE:** Okay. We  
23 have no objection to that. That will be  
24 (indiscernible) included.

25           **ATTORNEY WEBB:** Okay.

26           **PRESIDING COMMISSIONER ANGELE:** All right.  
27 All right. Ms. Van Houten, you are serving a life

1 term for the murders of Tony and Rosemary  
2 LaBianca. Is that correct? Leno and Rosemary  
3 LaBianca. Is that true?

4 **INMATE VAN HOUTEN:** Yes.

5 **PRESIDING COMMISSIONER ANGELE:** The crime  
6 occurred on or about the 10<sup>th</sup> day of August 1969.

7 **INMATE VAN HOUTEN:** Yes, it did.

8 **PRESIDING COMMISSIONER ANGELE:** You along  
9 with three crime partners went to the -- actually  
10 four. Went to the LaBianca residence and just  
11 selected out of random.

12 **INMATE VAN HOUTEN:** It appeared as though it  
13 was selected at random.

14 **PRESIDING COMMISSIONER ANGELE:** Mr. Manson  
15 and Mr. Watson went in first. True?

16 **INMATE VAN HOUTEN:** Yes, they did.

17 **PRESIDING COMMISSIONER ANGELE:** Okay. And  
18 they wound up securing or tying both of the  
19 LaBiancas. And Mr. Manson came out and you and  
20 Patricia Krenwinkel went in. Correct?

21 **INMATE VAN HOUTEN:** Yes.

22 **PRESIDING COMMISSIONER ANGELE:** And the  
23 reason for going in to the residence was to murder  
24 these people?

25 **INMATE VAN HOUTEN:** Yes, it was.

26 **PRESIDING COMMISSIONER ANGELE:** Okay. And  
27 why was that?

1           **INMATE VAN HOUTEN:** We were going to start a  
2 war.

3           **PRESIDING COMMISSIONER ANGELE:** Okay. And  
4 you were totally aware that once inside, these  
5 people were to be murdered?

6           **INMATE VAN HOUTEN:** Yes, I was.

7           **PRESIDING COMMISSIONER ANGELE:** And you  
8 participated that -- in that crime. Did you not?

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

10          **PRESIDING COMMISSIONER ANGELE:** And you were  
11 a willing participant?

12          **INMATE VAN HOUTEN:** Yes, I was a willing  
13 participant.

14          **ATTORNEY WEBB:** Can I have a moment? Thank  
15 you.

16          **PRESIDING COMMISSIONER ANGELE:** Now this was  
17 an act that you all prepared for by bringing extra  
18 clothing.

19          **INMATE VAN HOUTEN:** Yes.

20          **PRESIDING COMMISSIONER ANGELE:** Correct?

21          **INMATE VAN HOUTEN:** We had been told the  
22 night that we went that we were to take a change  
23 of clothes and --

24          **PRESIDING COMMISSIONER ANGELE:** You were  
25 told by who?

26          **INMATE VAN HOUTEN:** Manson.

27          **PRESIDING COMMISSIONER ANGELE:** Manson. Did

1 you -- Did you do everything that Charlie Manson  
2 asked you to do?

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

4 **PRESIDING COMMISSIONER ANGELE:** Everything?  
5 Had you committed any other crimes that he had  
6 asked you to commit prior to this crime?

7 **INMATE VAN HOUTEN:** He hadn't asked me to  
8 commit any prior to this.

9 **PRESIDING COMMISSIONER ANGELE:** Never  
10 before?

11 **INMATE VAN HOUTEN:** Not that I can recall at  
12 this -- at that level. No.

13 **PRESIDING COMMISSIONER ANGELE:** Or any  
14 level.

15 **INMATE VAN HOUTEN:** Yeah. Well there were  
16 stolen dune buggies and we lived outside the law.  
17 It's hard to -- When you ask me the questions like  
18 that and I answer yes and no and they're true, it  
19 -- I never feel that it -- I don't feel that I've  
20 been able to open up. I get defensive about it,  
21 you know, and try to protect myself in some kind  
22 of way. And the truth of the matter is that the  
23 older I get, the harder it is for me to discuss, I  
24 guess, that. I guess what I'm saying is is I just  
25 want you to know that I know that what happened  
26 was absolutely horrific. And as an adult woman,  
27 when I look back, I can't help but think of

1 Rosemary and Leno LaBianca and the terror that  
2 they went through. And I'm very aware of the fact  
3 that as a young woman, I was living immorally. I  
4 surrendered my values. In that home I became less  
5 than human. And I've spent my life trying to  
6 redeem myself. Each act that we did in this  
7 house, I take responsibility for.

8 **PRESIDING COMMISSIONER ANGELE:** Let me ask  
9 you. Prior to this occurring, as you know we had  
10 the Tate killings; what's referred to as the Tate  
11 killings. And when Susan and Patricia came back  
12 you had -- they told you what happened. And the  
13 record indicates that you in -- that you had  
14 stated to them that you, you know, you felt bad  
15 that you didn't get to go with them.

16 **INMATE VAN HOUTEN:** Yes.

17 **PRESIDING COMMISSIONER ANGELE:** That you  
18 wanted to get involved in the next -- in the next.

19 **INMATE VAN HOUTEN:** Yes.

20 **PRESIDING COMMISSIONER ANGELE:** Which was  
21 the LaBiancas. Once inside, it was yourself and  
22 Patricia and Tex Watson. Mrs. LaBianca was  
23 removed into the bedroom, at which time,  
24 Mr. Watson began to murder Mr. LaBianca. And you  
25 and Patricia started or attempted to murder  
26 Mrs. LaBianca, but apparently she put up a pretty  
27 good fight. Is that correct?

1           **INMATE VAN HOUTEN:** She was hearing her  
2 husband.

3           **PRESIDING COMMISSIONER ANGELE:** Pardon me.

4           **INMATE VAN HOUTEN:** She was hearing her  
5 husband.

6           **PRESIDING COMMISSIONER ANGELE:** Tearing her  
7 husband?

8           **INMATE VAN HOUTEN:** Hearing.

9           **PRESIDING COMMISSIONER ANGELE:** Hearing.  
10 Okay.

11           **INMATE VAN HOUTEN:** Hearing her husband,  
12 LaBianca.

13           **PRESIDING COMMISSIONER ANGELE:** As he was  
14 being killed.

15           **INMATE VAN HOUTEN:** And she sat up.

16           **PRESIDING COMMISSIONER ANGELE:** And then I  
17 guess they --

18           **INMATE VAN HOUTEN:** She was calling out his  
19 name.

20           **PRESIDING COMMISSIONER ANGELE:** And an  
21 electrical wire I guess was wrapped around her to  
22 try to secure her.

23           **INMATE VAN HOUTEN:** The pillow case.

24           **PRESIDING COMMISSIONER ANGELE:** Pillow case.  
25 As a result, you went out and got Tex Watson and  
26 he came in and started to stab Mrs. LaBianca.

27           **INMATE VAN HOUTEN:** Yes, he did.

1           **PRESIDING COMMISSIONER ANGELE:** And then you  
2 took a knife and stabbed her in the back.  
3 According to the record, anywhere between 14 and  
4 16 times. Correct?

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

6           **PRESIDING COMMISSIONER ANGELE:** And did you  
7 believe she was dead at the time you plunged the  
8 knife into her body?

9           **INMATE VAN HOUTEN:** Yes, I believed she was.

10          **PRESIDING COMMISSIONER ANGELE:** You thought  
11 she was. Okay. Why did you stab her if you  
12 thought she was dead?

13          **INMATE VAN HOUTEN:** Manson had told Watson  
14 to make sure that everyone did something. And  
15 when Tex handed me the knife, I knew he wanted me  
16 to do something. And at that moment, I lost all  
17 sense of my humanity. I couldn't stop. And then  
18 I was able to get a hold of myself and I stopped.  
19 And that's when I began to wipe off fingerprints.

20          **PRESIDING COMMISSIONER ANGELE:** Okay. You  
21 also dressed in the victim's clothing when you  
22 left. Correct?

23          **INMATE VAN HOUTEN:** Yes.

24          **PRESIDING COMMISSIONER ANGELE:** And disposed  
25 of the clothing you had been wearing because it  
26 was blood soaked.

27          **INMATE VAN HOUTEN:** No.

1           **PRESIDING COMMISSIONER ANGELE:** No?

2           **INMATE VAN HOUTEN:** No.

3           **PRESIDING COMMISSIONER ANGELE:** They were  
4 burned?

5           **INMATE VAN HOUTEN:** Watson needed a change  
6 of clothes and I gave him mine. And he threw the  
7 clothes we had been wearing in the trashcan.

8           **PRESIDING COMMISSIONER ANGELE:** I  
9 understand. But the --

10          **INMATE VAN HOUTEN:** And then I burned the  
11 others when we got back to the ranch.

12          **PRESIDING COMMISSIONER ANGELE:** Including  
13 Mrs. LaBianca's clothes.

14          **INMATE VAN HOUTEN:** Those are the ones that  
15 I burned.

16          **PRESIDING COMMISSIONER ANGELE:** This  
17 happened quite a long time ago. And I guess the  
18 question that really needs to be answered is how  
19 do you reconcile the fact that for no reason that  
20 I could gather, you entered a residence just  
21 because it was there and slaughtered the two  
22 people inside?

23          **INMATE VAN HOUTEN:** There had been -- Do you  
24 want me to go back from how I ended up there?

25          **PRESIDING COMMISSIONER ANGELE:** If you want  
26 to. Sure.

27          **INMATE VAN HOUTEN:** I went to the ranch



1 believing that it was a (indiscernible). And I  
2 had a lot of issues with my mother at that time.  
3 And Charles Manson took advantage of my dislike of  
4 my mother. And over the course of about nine  
5 months, he began to -- Well he ended up really  
6 dictating my life. And as a consequence of that,  
7 I believed that he was a man with vision. That he  
8 saw that this war was to happen. I was a very  
9 weak minded person that because he wanted it and  
10 because of the peer pressure, I resorted to that.  
11 There's no excuse for what happened.

12 **PRESIDING COMMISSIONER ANGELE:** Did you --

13 **INMATE VAN HOUTEN:** And it's very difficult  
14 to live with. I mean --

15 **PRESIDING COMMISSIONER ANGELE:** Did you  
16 believe in the -- in his concept of coming to  
17 start a race war?

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

19 **PRESIDING COMMISSIONER ANGELE:** You bought  
20 into the concept all the way?

21 **INMATE VAN HOUTEN:** Yeah, 100 percent.

22 **PRESIDING COMMISSIONER ANGELE:** Okay. Now  
23 he took the wallet of Leno LaBianca and as I  
24 understand, deposited in a section of Los Angeles  
25 hoping that somebody of color would pick it up,  
26 use it, and therefore, pin the murders on somebody  
27 of color. Was that -- Was that the rationale

1 behind that?

2 **INMATE VAN HOUTEN:** Yes.

3 **PRESIDING COMMISSIONER ANGELE:** Okay.

4 **DEPUTY DISTRICT ATTORNEY KAY:** Excuse me.

5 It was Mrs. LaBianca's wallet.

6 **PRESIDING COMMISSIONER ANGELE:** Oh I'm

7 sorry. Thank you.

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

9 **PRESIDING COMMISSIONER ANGELE:** Now there  
10 was some money taken at the house as I recall;  
11 eight dollars and some change.

12 **INMATE VAN HOUTEN:** Some change.

13 **PRESIDING COMMISSIONER ANGELE:** I'm going to  
14 cover your prior criminal history. 1969, you had  
15 an arrest for grand theft auto; insufficient  
16 evidence. Another arrest for grand theft auto  
17 with no disposition. September of '69, a burglary  
18 arrest with no disposition. October '69, this is  
19 a taking a vehicle without the owner's consent and  
20 grand theft auto. No disposition. November '69,  
21 indicted by the grand jury on the current offense.  
22 Your initial trial, you were found guilty and  
23 sentenced to death. That was overturned by the  
24 court. You wound up having your trial turned and  
25 had a second trial, which ended up into a hung  
26 jury. And then we had the third trial, which ended  
27 up in your conviction for two counts of murder,

1 one count of conspiracy. Receiving a life term,  
2 because at that particular time, life without the  
3 possibility of parole was not on the books.

4 Right?

5 **INMATE VAN HOUTEN:** I'm sorry. Am I  
6 interrupting you?

7 **PRESIDING COMMISSIONER ANGELE:** No, go  
8 ahead.

9 **INMATE VAN HOUTEN:** I the -- My life each  
10 day, knowing the senselessness of the murders and  
11 I can't justify them in any way to you. That all  
12 I can say is that I have done everything in my  
13 power to live a life as a person that doesn't hurt  
14 others. I can't -- I can't begin to try to  
15 explain them or place the blame on someone else.  
16 It was me.

17 **PRESIDING COMMISSIONER ANGELE:** I see.

18 **INMATE VAN HOUTEN:** And that's very hard, as  
19 a 55 year old woman, to look back on the behavior  
20 of who I was at 19, with the people that I was.  
21 And if I ever seem as though I'm not, I don't know  
22 what else to say. That I ache inside from this  
23 senselessness.

24 **PRESIDING COMMISSIONER ANGELE:** Okay. Well  
25 let's continue on and we'll talk about this as we  
26 go. Now you were born on August the 23<sup>rd</sup>, 1949.  
27 Is that correct?

1           **INMATE VAN HOUTEN:** Yes.

2           **PRESIDING COMMISSIONER ANGELE:** You were the  
3 second child born to your parents, Paul and Jane  
4 Van Houten.

5           **INMATE VAN HOUTEN:** Yes.

6           **PRESIDING COMMISSIONER ANGELE:** You also had  
7 two younger adopted siblings.

8           **INMATE VAN HOUTEN:** Yes.

9           **PRESIDING COMMISSIONER ANGELE:** Raised in  
10 Los Angeles. You indicate that you were very  
11 close to your father, who was an alcoholic.  
12 Parents divorced when you were about 14 years old.  
13 Your father remarried twice. No abuse in the  
14 family. Apparently a boyfriend introduced you to  
15 LSD about the age of 15. Subsequently, you became  
16 pregnant in your second year of high school. And  
17 at your mother's insistence, had an abortion.  
18 Continued using LSD. You graduated from Monrovia  
19 High School and moved in with your father and  
20 stepmother. You graduated Sawyer's Business  
21 College as a certified secretary. You met Bobby  
22 Boseway in San Francisco. Wound up moving to  
23 Spawn Ranch, where you lived for several years.  
24 At that particular time you became absorbed in  
25 what they refer to as the Manson Cult or culture,  
26 using LSD and marijuana that he supplied to you.  
27 I understand you admitted to about 150 hits of

1 acid.

2 **INMATE VAN HOUTEN:** Yeah.

3 **PRESIDING COMMISSIONER ANGELE:** At that  
4 time.

5 **INMATE VAN HOUTEN:** Yes.

6 **PRESIDING COMMISSIONER ANGELE:** This was on  
7 a daily basis type of a thing.

8 **INMATE VAN HOUTEN:** Weekly, daily, whenever  
9 it was available.

10 **PRESIDING COMMISSIONER ANGELE:** Ever get any  
11 flashbacks at all from it?

12 **INMATE VAN HOUTEN:** No.

13 **PRESIDING COMMISSIONER ANGELE:** Never at  
14 all?

15 **INMATE VAN HOUTEN:** No.

16 **PRESIDING COMMISSIONER ANGELE:** Have you  
17 experimented with any other form of controlled  
18 substance?

19 **INMATE VAN HOUTEN:** Early on with a little  
20 bit of methamphetamine, Benzedrine.

21 **PRESIDING COMMISSIONER ANGELE:** How about  
22 alcohol? Have you abused alcohol at all?

23 **INMATE VAN HOUTEN:** I drank a little, but  
24 that wasn't my addiction.

25 **PRESIDING COMMISSIONER ANGELE:** Maybe  
26 socially?

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

1           **PRESIDING COMMISSIONER ANGELE:** Your primary  
2 addiction was?

3           **INMATE VAN HOUTEN:** Drugs.

4           **PRESIDING COMMISSIONER ANGELE:** Which ones?

5           **INMATE VAN HOUTEN:** Methadrine.

6           **PRESIDING COMMISSIONER ANGELE:** Meth was  
7 yours.

8           **INMATE VAN HOUTEN:** And the hallucinogens.

9           **PRESIDING COMMISSIONER ANGELE:** Okay. When  
10 you say hallucinogens --

11           **INMATE VAN HOUTEN:** I didn't really drink  
12 socially. I was, you know, very young so there in  
13 the beginning I drank a little bit at parties, but  
14 I --

15           **PRESIDING COMMISSIONER ANGELE:** When you  
16 talk about hallucinogens, that sounds plural.  
17 Were you doing anything other than LSD?

18           **INMATE VAN HOUTEN:** Sometimes mushrooms.

19           **PRESIDING COMMISSIONER ANGELE:** Mushrooms  
20 and (indiscernible)?

21           **INMATE VAN HOUTEN:** Yes.

22           **PRESIDING COMMISSIONER ANGELE:** Anything  
23 else? Mescaline?

24           **INMATE VAN HOUTEN:** Yes.

25           **PRESIDING COMMISSIONER ANGELE:** Okay.

26           **INMATE VAN HOUTEN:** All of the '60's  
27 hallucinogen drugs.

1           **PRESIDING COMMISSIONER ANGELE:** Okay. I'm  
2 going to go through your parole plans. Is it  
3 still your intention to reside with a Freddie  
4 Turner in San Gabriel? Are (indiscernible)  
5 options?

6           **INMATE VAN HOUTEN:** That's one of the  
7 options.

8           **PRESIDING COMMISSIONER ANGELE:** Okay.

9           **INMATE VAN HOUTEN:** And then the other now  
10 is the Cross Roads.

11           **PRESIDING COMMISSIONER ANGELE:** The Cross  
12 Roads with Sister Dodge.

13           **INMATE VAN HOUTEN:** Yes.

14           **PRESIDING COMMISSIONER ANGELE:** Over in  
15 Claremont.

16           **INMATE VAN HOUTEN:** Yes.

17           **PRESIDING COMMISSIONER ANGELE:** Okay.  
18 That's a live-in situation there.

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

20           **PRESIDING COMMISSIONER ANGELE:** Gets you  
21 ready to get out into the community and help you  
22 find a job.

23           **INMATE VAN HOUTEN:** Yes. I have been  
24 concerned about going to a friend's house with my  
25 notoriety. That perhaps that's leaving myself a  
26 little too --

27           **PRESIDING COMMISSIONER ANGELE:** I can

1 understand that.

2 **INMATE VAN HOUTEN:** And also her. I worry  
3 for her and so I spoke with Sister Dodge about a  
4 halfway house, and they would be more equipped to  
5 deal with me.

6 **PRESIDING COMMISSIONER ANGELE:** All right.  
7 I'm going to -- In compliance with your attorney's  
8 request, I'll be non-specific.

9 **INMATE VAN HOUTEN:** Okay.

10 **PRESIDING COMMISSIONER ANGELE:** About what  
11 I'm about to put on the record. We have 49  
12 miscellaneous letters of support that come from  
13 numerous states and six other countries. These  
14 are (inaudible) individuals who don't know who you  
15 are, but have read about your (indiscernible) on  
16 TV and they (indiscernible). We also have letters  
17 of support from your sister, your father and your  
18 stepmother and your mother. I have a job offer  
19 for you at a law firm. I also have a job offer  
20 for you at a fabrics company. I have four offers  
21 of residence. Two are out of state and two are  
22 within the state. Both are in Los Angeles  
23 County. In addition, we have 81 letters of  
24 opposition to parole suitability. And again, I  
25 don't want to discuss the job offers or residence  
26 because of your wishes. So we will just leave  
27 that at that. It's maybe difficult for you to



1 answer this question. But have we discussed in --  
2 to enough of your acceptance, the offers and the  
3 residence? Is there anything else you have?

4 **ATTORNEY WEBB:** No, I don't. I think from  
5 just -- For the record, I think there are about 60  
6 to 70 letters of support from family and friends.  
7 And you know, this is -- I'm confused about what  
8 you have already and what I've gotten sort of  
9 piece (inaudible).

10 **PRESIDING COMMISSIONER ANGELE:** Well like I  
11 say --

12 **ATTORNEY WEBB:** It's not that it -- I just  
13 want to make it accurate.

14 **PRESIDING COMMISSIONER ANGELE:** There's a  
15 total of 60. But those include the residence, job  
16 offers and the family. Okay. So I've got 49 that  
17 are just miscellaneous.

18 **ATTORNEY WEBB:** Yeah, I thought there's --  
19 Yeah.

20 **PRESIDING COMMISSIONER ANGELE:** And then I  
21 have the other.

22 **ATTORNEY WEBB:** Yeah. I think those are  
23 some of the ones I got today.

24 **PRESIDING COMMISSIONER ANGELE:** There's  
25 another eight.

26 **ATTORNEY WEBB:** And (indiscernible) slightly  
27 more than that.

1           **PRESIDING COMMISSIONER ANGELE:** That's all I  
2 have. Okay. Anything further in regards to  
3 parole plans?

4           **ATTORNEY WEBB:** I don't know. Would you  
5 like to add anything, Leslie, to what was  
6 (indiscernible)?

7           **INMATE VAN HOUTEN:** I've always been of the  
8 belief that if and when I get to that place, that  
9 the Parole Department would work with me on making  
10 the best selections.

11           **PRESIDING COMMISSIONER ANGELE:** I'm sure.

12           **INMATE VAN HOUTEN:** And I am employable.

13           **PRESIDING COMMISSIONER ANGELE:** I would  
14 think you are with the skills that you have.

15           **INMATE VAN HOUTEN:** So okay.

16           **PRESIDING COMMISSIONER ANGELE:** All right.  
17 Then go to post-conviction factors, please,  
18 Commissioner Lushbough.

19           **DEPUTY COMMISSIONER LUSHBOUGH:** Thank you.  
20 Good afternoon, Ms. Van Houten.

21           **INMATE VAN HOUTEN:** Hello.

22           **DEPUTY COMMISSIONER LUSHBOUGH:** You were  
23 received August 17<sup>th</sup>, 1978. And your last hearing  
24 was June 28<sup>th</sup>, 2002, at which time you were denied  
25 parole for two years. And that was here at CIW.  
26 And the period that I'm going to be covering is  
27 from June 28<sup>th</sup>, 2002 to the present time. You've

1 been at zero, in terms of Classification points  
2 since 1989. Does that meet with your  
3 understanding?

4 **INMATE VAN HOUTEN:** Yes.

5 **DEPUTY COMMISSIONER LUSHBOUGH:** And you're  
6 currently 28 points. But that's the mandatory  
7 placement score. And that was imposed in 2003.

8 **INMATE VAN HOUTEN:** Yes.

9 **DEPUTY COMMISSIONER LUSHBOUGH:** You have one  
10 115, in June of 1976. Certainly not within this  
11 period of review. And in fact you have been free  
12 of 115's for 28 years.

13 **INMATE VAN HOUTEN:** Yes.

14 **DEPUTY COMMISSIONER LUSHBOUGH:** I did see a  
15 128(a), January 11<sup>th</sup>, 1981. So you've been free of  
16 those for a considerable period of time. There is  
17 a 128(b) in the file dated May 20<sup>th</sup>, 2004. It has  
18 to do with possession of narcotic paraphernalia.  
19 But my understanding is that a 115 was written and  
20 then dismissed and taken out of your file because  
21 there was no search of your room before you moved  
22 in.

23 **INMATE VAN HOUTEN:** Yes.

24 **DEPUTY COMMISSIONER LUSHBOUGH:** Is that  
25 correct?

26 **INMATE VAN HOUTEN:** Yes.

27 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

1           **ATTORNEY WEBB:** But I think we should  
2 clarify that a little bit more because it's dated  
3 2004, but it's something that happened a long time  
4 ago. And I think maybe Leslie can explain it. It  
5 happened in the 1980's.

6           **DEPUTY COMMISSIONER LUSHBOUGH:** I saw that  
7 date too.

8           **ATTORNEY WEBB:** And I think that -- I think  
9 -- Didn't Ms. Hall who did that, explain to you  
10 why she put it in there?

11           **DEPUTY COMMISSIONER LUSHBOUGH:** Go ahead if  
12 you'd --

13           **INMATE VAN HOUTEN:** Yeah, she --

14           **DEPUTY COMMISSIONER LUSHBOUGH:** -- like to  
15 talk about it.

16           **INMATE VAN HOUTEN:** Well she said that the  
17 incident packet of the incident had been left in  
18 my file. And when she cleaned up my file, she put  
19 it in I guess Board files or something like that.  
20 But at that time, she removed the incident pack  
21 and had to write a formal 128(b) for having, you  
22 know, the incident pack. So the incident pack I  
23 guess had been in there all this time.

24           **DEPUTY COMMISSIONER LUSHBOUGH:** Yeah,  
25 apparently it has been. But it wasn't in the file  
26 when I went through the four files.

27           **ATTORNEY WEBB:** Even though nothing came of

1 that and it was something that was determined not  
2 to be her -- in her possession. It was something  
3 that was in that room before she moved in.

4 **DEPUTY COMMISSIONER LUSHBOUGH:** Well I --

5 **ATTORNEY WEBB:** There was no discipline  
6 about it.

7 **DEPUTY COMMISSIONER LUSHBOUGH:** Yeah. I  
8 didn't see the write-up in October 1983. The only  
9 thing I can say is that it was dismissed because  
10 it was apparently it was verified that the room  
11 hadn't been searched before she moved in. That's  
12 all that I have on that.

13 **ATTORNEY WEBB:** That's correct, but I don't  
14 believe Ms. Van Houten ever received any kind of  
15 disciplinary on that.

16 **DEPUTY COMMISSIONER LUSHBOUGH:** No.

17 **ATTORNEY WEBB:** No, that's --

18 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

19 **INMATE VAN HOUTEN:** Yeah.

20 **ATTORNEY WEBB:** Maybe that's what we're  
21 talking about.

22 **DEPUTY COMMISSIONER LUSHBOUGH:** The  
23 suggestion of the 128(b) was that a 115 was  
24 written, but then withdrawn or dismissed.

25 **ATTORNEY WEBB:** And I think that was  
26 Ms. Hall's way of record keeping to get it in and  
27 clear it out.

1           **DEPUTY COMMISSIONER LUSHBOUGH:** All right.  
2 Well I know in your discussion with Commissioner  
3 Angele, you talked about high school. And I saw  
4 that you had also gone to Sawyer's Business  
5 College before --

6           **INMATE VAN HOUTEN:** Yes.

7           **DEPUTY COMMISSIONER LUSHBOUGH:** -- you came  
8 into prison. And that you have a Bachelor's  
9 Degree.

10          **INMATE VAN HOUTEN:** Yes.

11          **DEPUTY COMMISSIONER LUSHBOUGH:** Got that in  
12 '81. That was in English Literature. Is that  
13 right?

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

15          **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.  
16 You've completed vocational data processing. You  
17 were in that course from '94 to '96. Is that  
18 approximately right in terms of the time?

19          **INMATE VAN HOUTEN:** Yes.

20          **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. And  
21 clearly from what I saw in the C-File, you've been  
22 applying those skills for quite some time in your  
23 positions as clerks. But during this period of  
24 review, I saw that you had been in November 16<sup>th</sup>,  
25 2002, there was a chrono having to do with your  
26 being a program clerk in the Catholic Chapel.

27          **INMATE VAN HOUTEN:** Yes.

1           **DEPUTY COMMISSIONER LUSHBOUGH:** With the --  
2 Go ahead. I'm sorry.

3           **INMATE VAN HOUTEN:** No, I'm just saying yes.

4           **DEPUTY COMMISSIONER LUSHBOUGH:** All right.  
5 With exceptional work reports. You were briefly  
6 in the culinary staff. I got the sense that that  
7 was a transition between two positions. Is that  
8 right?

9           **INMATE VAN HOUTEN:** Well I had done clerical  
10 work for 30 years and I wanted something  
11 different. Something more physical. And I had  
12 never worked in the kitchen, and so I asked to go  
13 in there. And it ended up being a little more  
14 physical than my body could handle; some of the  
15 lifting and all of that.

16           **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

17           **INMATE VAN HOUTEN:** And then a job came open  
18 where I could be working for the Canine Support  
19 Team. I do -- I just make sure that --

20           **DEPUTY COMMISSIONER LUSHBOUGH:** Well I'm not  
21 quite there yet. But yes, I'm aware of that. I  
22 think what I was going to with this point was that  
23 you were a Lieutenant's clerk as of May 6<sup>th</sup>, 2003.  
24 Is that correct?

25           **INMATE VAN HOUTEN:** Yes.

26           **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. And  
27 had exceptional work reports. Your Counsel has

1 provided three work supervisor's reports; all  
2 signed by M.J. Krinock, K-R-I-N-O-C-K, a  
3 Correctional Lieutenant, who has very nice things  
4 to say about your work ethics. You're an  
5 exceptional worker, self-motivated team worker,  
6 trustworthy, works well with others, reliable,  
7 efficient and reliable, excellent work habits.  
8 There are also chronos that are again, by the  
9 Correctional Lieutenant discussing your work and  
10 thanking you for your help. And that you've been  
11 maintaining a very high level of work performance.  
12 Those are dated May 6<sup>th</sup>, 2003, and February 16<sup>th</sup>,  
13 2003, and November 16<sup>th</sup>, 2002. There were -- The  
14 other thing I wanted to talk about and you've  
15 already alluded to it was the Puppy Program.

16 **INMATE VAN HOUTEN:** Yes.

17 **DEPUTY COMMISSIONER LUSHBOUGH:** I'm aware  
18 that you've been in it for awhile. I saw that you  
19 had chronos, October of 2003, giving you  
20 exceptional work reports in that area. And also  
21 in April of 2004. Tell me something about it. Do  
22 you have -- Are you assigned a puppy at this time?

23 **INMATE VAN HOUTEN:** No, I'm not.

24 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

25 **INMATE VAN HOUTEN:** No. I just make sure  
26 that the women that have the assignment have all  
27 that they need so that they can do their job



1 assignments and also have the dogs.

2 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

3 **INMATE VAN HOUTEN:** I don't know how long  
4 I'll be staying in it. But it's been very nice to  
5 be able to be supportive of that program.

6 **DEPUTY COMMISSIONER LUSHBOUGH:** Had you ever  
7 trained a puppy yourself or have --

8 **INMATE VAN HOUTEN:** No.

9 **DEPUTY COMMISSIONER LUSHBOUGH:** -- just been  
10 supportive in the program?

11 **INMATE VAN HOUTEN:** I've just been  
12 supporting the program.

13 **DEPUTY COMMISSIONER LUSHBOUGH:** Well B.  
14 Cheateam, C-H-E-A-T-E-A-M, a Sergeant, on April  
15 15<sup>th</sup>, 2004, describes your work as hardworking,  
16 good problem solving abilities and a good asset to  
17 the program. Also in January 2004, describes you  
18 as trustworthy and able to work with others. It  
19 sounds like a pretty important program. Have you  
20 enjoyed being a part of it?

21 **INMATE VAN HOUTEN:** I've enjoyed it very  
22 much and I think it's a wonderful program. The  
23 training program has been up scaled. Originally  
24 it was just getting the puppies, and now the  
25 training is for the actual turning off and on of  
26 the lights and the more sophisticated aspects of  
27 the training. So I'm pleased.

1           **DEPUTY COMMISSIONER LUSHBOUGH:** It's got to  
2 be on socialization.

3           **INMATE VAN HOUTEN:** Yes.

4           **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

5           **INMATE VAN HOUTEN:** Yeah.

6           **DEPUTY COMMISSIONER LUSHBOUGH:** All right.  
7 Well let's talk about your self-help. And there's  
8 quite a bit here that we need to talk about. Let  
9 me check the tape.

10           **[Thereupon, the tape was turned over.]**

11           **DEPUTY COMMISSIONER LUSHBOUGH:** We're back  
12 on record.

13           **INMATE VAN HOUTEN:** I'm sorry.

14           **DEPUTY COMMISSIONER LUSHBOUGH:** That's all  
15 right. That's all right. Again, Counsel has  
16 given me a number of chronos. I think most of  
17 these I do have, but I tried to (indiscernible)  
18 that together. And we'll go through it. In terms  
19 of AA and NA, I know you've been attending two  
20 meetings per month. And the most recent chrono  
21 was in July of this year.

22           **INMATE VAN HOUTEN:** Yes.

23           **DEPUTY COMMISSIONER LUSHBOUGH:** When did you  
24 first start AA and NA?

25           **INMATE VAN HOUTEN:** In 1985, I believe.

26           **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

27           **INMATE VAN HOUTEN:** When I got off of Close

1 Custody. I think it was in '85.

2 **DEPUTY COMMISSIONER LUSHBOUGH:** It looks as  
3 if your participation has been pretty consistent  
4 throughout the period of time that you've been  
5 involved. Have there been times when you couldn't  
6 go for some reason?

7 **INMATE VAN HOUTEN:** Yes, there were times I  
8 couldn't go because of my working at night. And  
9 then I began to also attend this drug awareness  
10 counseling.

11 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

12 **INMATE VAN HOUTEN:** And so it's -- I look at  
13 that more as like my whole meeting. The large  
14 meetings, the AA and NA large meetings are  
15 hospitals and institutions, which means that  
16 outside people come in and they tell their story.  
17 And it's geared for getting the message out.  
18 Where the drug awareness counseling group are  
19 women that have been attending the large meetings  
20 and the individual Twelve Step groups for a longer  
21 period of time. So it's more like a whole meeting  
22 where different women run the session for that  
23 week or that month. And I think it's where we  
24 really do some hands on day to day relapse  
25 prevention.

26 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

27 **INMATE VAN HOUTEN:** And if something is

1 happening, I can take it to that meeting and talk  
2 about it. So I -- Sometimes I have not always  
3 been at the large meetings. But I have maintained  
4 the home meeting.

5 **DEPUTY COMMISSIONER LUSHBOUGH:** Well let's  
6 talk about it. I see your drug awareness  
7 counseling and relapse and prevention program.

8 **INMATE VAN HOUTEN:** Yes.

9 **DEPUTY COMMISSIONER LUSHBOUGH:** That's what  
10 you were referring to?

11 **INMATE VAN HOUTEN:** Yes. Yes.

12 **DEPUTY COMMISSIONER LUSHBOUGH:** Because I  
13 have chronos indicating you were participating  
14 April of 2003 through October of 2003. And also  
15 there was a chrono from March 2001 to October  
16 2003, having to do with your attendance and  
17 facilitation of the African American Women  
18 Prisoner's Association.

19 **INMATE VAN HOUTEN:** They're the ones that  
20 sponsor it. They are -- That group's sponsors, the  
21 one that is the outside person that sits with us  
22 when we meet. And so the drug awareness  
23 counseling comes under the umbrella of the African  
24 American Women's Prison Association.

25 **DEPUTY COMMISSIONER LUSHBOUGH:** October 2000  
26 to March 2002, your attendance was noted for  
27 Convicted Women Against Abuse Seminars. Were you

1 -- Did you act as a facilitator there or just a  
2 participant?

3 **INMATE VAN HOUTEN:** I just -- I was a --  
4 just a member of the audience listening.

5 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.  
6 February 19<sup>th</sup>, 2002 to April 9<sup>th</sup>, 2002, Victim  
7 Impact. How many hours a week did that involve?  
8 Did you have a series of meetings for instance  
9 that you went to?

10 **INMATE VAN HOUTEN:** I believe that those  
11 were weekly. It mainly was watching videos and  
12 becoming more acutely aware of the impact of the  
13 violence on the people that loved those that were  
14 affected.

15 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.  
16 August 6<sup>th</sup>, 2002, Domestic Abuse class. That was a  
17 completion. And also noted in here that you have  
18 a year and a half of one-on-one treatment with a  
19 Doctor Janesh, J-A-N-E-S-H. I'm not sure I'm  
20 saying that right.

21 **INMATE VAN HOUTEN:** Yes.

22 **DEPUTY COMMISSIONER LUSHBOUGH:** How did that  
23 go? Was that helpful to you?

24 **INMATE VAN HOUTEN:** Yes, that's -- At my  
25 last hearing, I was asked to continue therapy.  
26 And the prison does not see that I qualify for  
27 therapy. Doctor Janesh had been employed here

1 about seven years ago and we had been working  
2 one-on-one when they stopped one-on-one. And she  
3 had always said that if I wanted to continue on,  
4 that I could. And so what I did was I wrote her.  
5 One of the findings at the last Board was that I  
6 did not demonstrate remorse. And that hurt me  
7 deeply that I had not found a way to express the  
8 pain that I feel.

9 **DEPUTY COMMISSIONER LUSHBOUGH:** Well are you  
10 still --

11 **INMATE VAN HOUTEN:** And so she comes into  
12 the visiting room.

13 **DEPUTY COMMISSIONER LUSHBOUGH:** That was  
14 going to be the next question.

15 **INMATE VAN HOUTEN:** Yeah.

16 **DEPUTY COMMISSIONER LUSHBOUGH:** Is she still  
17 coming?

18 **INMATE VAN HOUTEN:** Yeah, she comes once a  
19 month.

20 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. Okay.  
21 So you continue with that.

22 **INMATE VAN HOUTEN:** Ongoing. Yes.

23 **DEPUTY COMMISSIONER LUSHBOUGH:** Good. There  
24 was a chrono of appreciation in March of 2002,  
25 authored by Blanche Batiz, B-A-T-I-Z. Apparently  
26 your hobby craft manager. And appreciating you  
27 and the fact that you had instructed a class on

1 quilting. Also October 3<sup>rd</sup>, 2002, again, an  
2 appreciative chrono. You taught a class in  
3 Japanese origami fish purse.

4 **INMATE VAN HOUTEN:** Yeah.

5 **DEPUTY COMMISSIONER LUSHBOUGH:** I'm sorry  
6 you didn't bring it today. I would like to look  
7 at that. October 9<sup>th</sup>, 2002, a chrono of thanks  
8 from the Warden for your participation in the  
9 Crazy Quilt Project. My understanding is that the  
10 quilt is now on display.

11 **INMATE VAN HOUTEN:** Yes.

12 **DEPUTY COMMISSIONER LUSHBOUGH:** Is it  
13 displayed?

14 **INMATE VAN HOUTEN:** Yes.

15 **DEPUTY COMMISSIONER LUSHBOUGH:** How many  
16 people worked on that?

17 **INMATE VAN HOUTEN:** About nine women. Nine  
18 or ten.

19 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. It  
20 sounded like a really large project. Was it a  
21 large quilt?

22 **INMATE VAN HOUTEN:** It's a wall hanging  
23 size.

24 **DEPUTY COMMISSIONER LUSHBOUGH:** December  
25 5<sup>th</sup>, 2002, AA/NA Banquet. You assisted in serving  
26 150 people and your work was very much  
27 appreciated. December 31<sup>st</sup>, 2002, 41 hours of

1   Voices From Within and there's another one;  
2   December 2003, 28 hours, Voices From Within. My  
3   understanding is that you read books on tape so  
4   that others can hear the books if they're not able  
5   to read. Is that the project or is that what  
6   that's about?

7           **INMATE VAN HOUTEN:** Yes. Yes. And also  
8   reading for local schools. Sometimes the text  
9   books are so the children can, if they're having  
10  trouble learning to read they can follow along.

11           **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. Are  
12  you still involved with that?

13           **INMATE VAN HOUTEN:** That program has been  
14  temporarily put on hold I think because of the  
15  financial situation.

16           **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.  
17  December 31<sup>st</sup>, 2002, a chrono of appreciation for  
18  your participation in the Christmas holiday season  
19  Interfaith Chapel, including and then another one  
20  appreciating your volunteering during the time you  
21  were preparing to get the new carpet. Apparently  
22  you did a lot of physical work moving things  
23  around and getting ready for that.

24           **INMATE VAN HOUTEN:** Yes.

25           **DEPUTY COMMISSIONER LUSHBOUGH:** Right? May  
26  1<sup>st</sup>, 2003, it states Sharing Our Stitches, the SOS  
27  Program. Also saw chronos in 2002, as well. Is



1 that the lap blanket and baby quilts program?

2 **INMATE VAN HOUTEN:** Yes, I started it  
3 actually in the '80's.

4 **DEPUTY COMMISSIONER LUSHBOUGH:** Did you?

5 **INMATE VAN HOUTEN:** It was the community  
6 resource manager had asked me to try to put  
7 together the program and so I designed it, and  
8 it's sewing quilts for the homeless. It's also  
9 sewing -- They give a lot of the quilts to the  
10 homes that battered women stay at. And there's a  
11 lot of baby quilts being or afghans being  
12 crocheted now for probably hospices. I haven't  
13 been really active in it, you know, in the last  
14 year or two.

15 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. Let's  
16 see. June 30<sup>th</sup>, 2004, Pathways to Wholeness. That  
17 was a chrono authored by Chaplain Lois Woodward,  
18 W-O-O-D-W-A-R-D, talking about your participation  
19 and what you brought to the program, which I  
20 thought was -- Tell me, how did that help you?

21 **INMATE VAN HOUTEN:** It is anything that has  
22 to do with discovering forgiveness of myself, a  
23 relationship with my spirituality and sharing it  
24 with others has been helpful to me.

25 **DEPUTY COMMISSIONER LUSHBOUGH:** Well you've  
26 also received thanks again from the African  
27 American Women Prisoner's Association in June of

1 this year, for the work you did with drug  
2 awareness counseling and also with the Relapse  
3 Program. And then going back in time a little,  
4 you completed your drug awareness counseling and  
5 relapse prevention yourself in November of 2002.  
6 So have you been teaching and facilitating since  
7 then?

8 **INMATE VAN HOUTEN:** Well everyone takes  
9 turns throughout it. Every time there is a  
10 session, I do something in it. I get up and  
11 facilitate.

12 **DEPUTY COMMISSIONER LUSHBOUGH:** I hope I've  
13 covered everything. What I would say at this  
14 point, if there is anything that I haven't  
15 mentioned in terms of your post-conviction  
16 progress from June 28<sup>th</sup>, 2002 to the present time,  
17 please bring it to the Panel's attention at this  
18 time if you would. Have I left anything out?

19 **INMATE VAN HOUTEN:** Not that -- Not on the  
20 documentation. But you know, I can only say that  
21 I live my life in here in accordance with the  
22 Twelve Step Program and that when there's a need,  
23 I try to be available to help with it. I do some  
24 tutoring when I can. And I've recently started  
25 that back up with some English as a Second  
26 Language. And I've had the training from the  
27 Literacy For America. And that program is

1 (indiscernible) and I'm rejoining that. And I try  
2 to help some of the young women who are so lost  
3 and be an example to them and be candid and honest  
4 with what my life was at that time and what I have  
5 done with it. As I said before, it's a privilege  
6 to work with the Dodd Program. And there's not  
7 many ways that a human being can try to make up  
8 for losses of life, which I'm responsible for.  
9 And so I have done what I've could.

10 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

11 **INMATE VAN HOUTEN:** Within a very limited  
12 environment.

13 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. Well  
14 before I move on to the psych evaluations, is  
15 there anything else, Counsel, in terms of post-  
16 conviction that we should cover before we move  
17 there?

18 **ATTORNEY WEBB:** I have just one point. And  
19 that's just to clear up something from last year  
20 that I noticed reading that over. And there was a  
21 suggestion that Ms. Van Houten had only started  
22 being a leader and facilitator in AA/NA in the  
23 late 1990's. And I found that she had actually  
24 been vice-chairman and very often was facilitating  
25 in that group from 1990 on. And that was a very  
26 active part of her participation in AA and NA all  
27 through the '90's. And that was I just wanted to

1 clarify that.

2 **DEPUTY COMMISSIONER LUSHBOUGH:** Certainly.  
3 Thank you. Anything else before I go to the psych  
4 evaluations?

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

6 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. Well  
7 the most recent psych evaluation was prepared by  
8 Peter Hu, H-U, a Staff Psychiatrist. And the  
9 date is June 21<sup>st</sup>, 2004. And the Doctor comments  
10 on page two. He mentions that you're still  
11 getting private psychology twice monthly. Also  
12 that you've been a regular participant in NA and  
13 AA. And he feels that you've mastered --  
14 demonstrated a mastery of the abstinence skills  
15 that would be necessary for you to lead a  
16 continual abstinent life. And he also notes no  
17 serious 115's or 128(a)'s over the last past  
18 interval. And under the mental status  
19 examination, the Doctor says though content, the  
20 inmate was preoccupied with the amount of  
21 discomfort that her friend will experience if she  
22 was granted a parole. You've communicated that to  
23 us today. Have you been able to talk to your  
24 friend about it?

25 **INMATE VAN HOUTEN:** Yes, and she feels  
26 confident that it would be all right. But I have  
27 real reservations about that. I really think that

1 to -- I didn't believe that a house would even  
2 take me, because of the amount of attention that  
3 it would bring. But Sister Terri Dodge seemed  
4 very comfortable that they could handle that. And  
5 so I feel much better about that.

6 **DEPUTY COMMISSIONER LUSHBOUGH:** Well that  
7 is --

8 **INMATE VAN HOUTEN:** I feel that --

9 **DEPUTY COMMISSIONER LUSHBOUGH:** I'm sorry.

10 **INMATE VAN HOUTEN:** Well I just --

11 **DEPUTY COMMISSIONER LUSHBOUGH:** Go ahead.

12 **INMATE VAN HOUTEN:** Many, many people have  
13 been hurt and I don't want to continue that. And  
14 I feel that my friend is not having a real clear  
15 picture of what that might mean with me living  
16 there.

17 **DEPUTY COMMISSIONER LUSHBOUGH:** You're on  
18 regular communication with your friend so that you  
19 can continue to discuss it?

20 **INMATE VAN HOUTEN:** Yes.

21 **DEPUTY COMMISSIONER LUSHBOUGH:** Good.

22 **INMATE VAN HOUTEN:** She understood. You  
23 know she just disagrees a little bit.

24 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. Well  
25 she has a right to her opinion.

26 **INMATE VAN HOUTEN:** Yes.

27 **DEPUTY COMMISSIONER LUSHBOUGH:** But you're

1 making an effort to --

2 **INMATE VAN HOUTEN:** Yes.

3 **DEPUTY COMMISSIONER LUSHBOUGH:** -- make sure  
4 that she does understand.

5 **INMATE VAN HOUTEN:** Yeah.

6 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay. Well  
7 the Doctor goes on to say that your insight and  
8 judgment were appropriate and did not offer a  
9 diagnosis on Axis I or Axis II. And all -- Then  
10 I'm just going to quote the Doctor's statements  
11 from there on. "The inmate has not demonstrated  
12 herself to be dangerous within a controlled  
13 setting. I concur with Doctor McDaniel's  
14 assessments that the inmate has been able to  
15 utilize all the necessary self-help programs --  
16 self-help groups." Excuse me. "Plus other  
17 resources that was offered within this institution  
18 as well as support from the community to grow and  
19 mature into a person that is different from who  
20 she was at the time of the commission of the  
21 instant offense. She was able to demonstrate her  
22 ability to recognize people who may have secondary  
23 gains, and also the warning signs of the predatory  
24 and sociopathic interactions. She was also able  
25 to demonstrate that during the time of crisis or  
26 stressful situations, she is able to utilize the  
27 support systems that she has available within the

1 institution and also from the community in order  
2 to formulate in a healthy way to extract herself  
3 from such situations. It is my impression that  
4 she has continued this self-improvement, not as a  
5 motivation to parole, but as a genuine interest in  
6 bettering herself." And the Doctor then goes on  
7 to say, "It is my opinion that the inmate would  
8 not be dangerous if she were released to the  
9 community. This is based upon her ability to  
10 internalize the societal norms and her  
11 demonstration of her responsibility, remorse, and  
12 regret of her past criminal behavior. In  
13 addition, she has gained an appreciable  
14 understanding regarding the importance of  
15 maintaining abstinence and utilizing the support  
16 that is available to her, both within this  
17 institution and in the community to maintain her  
18 sense of peace and contentment. She's able to  
19 look at her behavior, at her own behavior and  
20 formulate a number of different options to avoid  
21 conflict and/or violence in other settings and  
22 situations. It is my belief that she has learned  
23 to look at the motivation behind her decision  
24 making process and she's able to successfully  
25 assess each situation in a realistic manner and  
26 make informed and thoughtful choices." The Doctor  
27 does not offer any significant risk factors in his

1 report. Counsel, at this point, do you or your  
2 client care to make comments about the psych  
3 evaluation or would you prefer to defer it to  
4 closing?

5 **INMATE VAN HOUTEN:** I would like to say that  
6 I agree when he said that all that I do is not so  
7 much to impress you, but to truly learn about  
8 myself. And I am very aware and I know that the  
9 LaBianca family will always see me as a cold and  
10 calculating monster; and I was. And I have taken  
11 very, very seriously these years to rectify what  
12 happened and to be able to express that in a way  
13 that it's understood. And I just hope that Doctor  
14 Hu's report, you know, verifies that I have used  
15 all resources available to me to learn how to live  
16 with myself in a very positive way. To separate  
17 shame from guilt and to live a life that enhances  
18 other human beings, because there's no making up  
19 for what I did. And I've worked very hard at  
20 understanding my shortcomings and using my  
21 strengths to balance them out. And I guess that's  
22 what I have to say about that.

23 **DEPUTY COMMISSIONER LUSHBOUGH:** All right.

24 **INMATE VAN HOUTEN:** Thank you.

25 **DEPUTY COMMISSIONER LUSHBOUGH:** Thank you.

26 Thank you for your attention. I am going to  
27 return it to the Chair at this time.



1           **PRESIDING COMMISSIONER ANGELE:** Thank you.  
2 There's a section of the Appellate Decision where  
3 they talk about the stabbing of Mrs. LaBianca.  
4 And it basically says that you thought she might  
5 have been dead when you stabbed her, but you  
6 really weren't sure. Do you remember that?

7           **INMATE VAN HOUTEN:** Yes.

8           **PRESIDING COMMISSIONER ANGELE:** Okay. So  
9 you didn't know if she was dead or not then.

10          **INMATE VAN HOUTEN:** I assumed she was. And  
11 there's been at every Board hearing, there has  
12 been discussion.

13          **PRESIDING COMMISSIONER ANGELE:** Okay.

14          **INMATE VAN HOUTEN:** And earlier in my  
15 incarceration, in my sobriety, in my coming to  
16 terms with what I had done, I used to find a bit  
17 of relief in thinking that she were dead. But  
18 really honestly looking at it, it's of no  
19 consequence whether she was or not. The action was  
20 reprehensible.

21          **PRESIDING COMMISSIONER ANGELE:** I  
22 understand. But the fact of it is that you really  
23 didn't know for sure. Right?

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

25          **PRESIDING COMMISSIONER ANGELE:** You were on  
26 bail for a while?

27          **INMATE VAN HOUTEN:** Yes, I was.

1           **PRESIDING COMMISSIONER ANGELE:** And it  
2           seemed like maybe about six months; December '77  
3           to July '78.

4           **INMATE VAN HOUTEN:** Yes.

5           **PRESIDING COMMISSIONER ANGELE:** You worked  
6           for an attorney at that particular time in the San  
7           Bernardino Valley. Is that true?

8           **INMATE VAN HOUTEN:** Yes.

9           **PRESIDING COMMISSIONER ANGELE:** Okay. And I  
10          have no other questions. Any questions,  
11          Commissioner Lushbough?

12          **DEPUTY COMMISSIONER LUSHBOUGH:** Just  
13          briefly. Ms. Van Houten, we've gone over the most  
14          recent psych evaluation. One of the things that  
15          concerned me a bit was -- and we'll go back to May  
16          of 2000, Doctor McDaniel's' report. He does list  
17          significant risk factors in the past, which were  
18          your vulnerability and to adhering to the bizarre  
19          world of manipulation and murder. And he  
20          commented in past evaluations that he saw you as  
21          less (indiscernible), but expressed concerns  
22          regarding your (indiscernible) relationships in  
23          your life that seemed to end disastrously. And  
24          then I'm going to jump over a little bit to where  
25          he says that you verbalized that you're prone to  
26          leaving yourself open due to your desire to end  
27          your loneliness, but that you know what point to

1 stop an interaction. And you believe that your  
2 desire for self-preservation is strong enough now  
3 that he can see detrimental behavior before it  
4 goes out of control. When you talked to Doctor  
5 McDaniel in May of 2002, he noted that significant  
6 risk factors, as I briefly went over, were  
7 described in his last report and will continue to  
8 recede with the passing of time. And as you know,  
9 Doctor Hu was not specific on risk factors. How  
10 do you see your progress in terms of being  
11 vulnerable to perhaps people who would try to  
12 control or manipulate you and your sense of  
13 loneliness or needing that relationship?

14 **INMATE VAN HOUTEN:** Well I feel that I'm  
15 doing really well with that. And I -- Are you  
16 asking me what tools do I have or?

17 **DEPUTY COMMISSIONER LUSHBOUGH:** That would  
18 be good to hear.

19 **INMATE VAN HOUTEN:** Okay. I've been -- I  
20 have actually a good set of boundaries. I have my  
21 own standards. For a long time because of the  
22 murders, I never really spoke of my own personal,  
23 moral standards that I have, which are good and  
24 intact. I am able to -- The loneliness is not as  
25 acute anymore. I don't know if that's because I'm  
26 aging and being more comfortable with who I am  
27 now. When I was a younger woman, loneliness was

1 more of an issue. I have my network of friends  
2 that I turn to on the -- really in the community.  
3 I have a good spiritual foundation. I have a good  
4 radar. I've done a lot of introspection as to  
5 those things that made me available to Manson.  
6 And I feel that when I came here, I -- there were  
7 nothing but bad choices. And over the last 35  
8 years, I have learned to make good choices.

9 **DEPUTY COMMISSIONER LUSHBOUGH:** Okay.

10 **INMATE VAN HOUTEN:** And the main thing was I  
11 used to always put other people before me and make  
12 sure that they weren't hurt. And now I make sure  
13 that I'm okay and that I'm safe. It's been very  
14 hard for me to have any sense of self-forgiveness.  
15 And when I did not have that, that I think that  
16 that left me vulnerable, when I acted more from a  
17 (indiscernible) base. And I am learning to live  
18 with the past in a way that it does not leave me  
19 vulnerable to predators. I feel very good about  
20 who I am as a human being today and what I have  
21 done.

22 **DEPUTY COMMISSIONER LUSHBOUGH:** All right.  
23 Thank you. I have no other questions.

24 **PRESIDING COMMISSIONER ANGELE:** Any  
25 questions from the District Attorney?

26 **DEPUTY DISTRICT ATTORNEY KAY:** I have none.

27 **PRESIDING COMMISSIONER ANGELE:** Any

1 questions of your client, Ms. Webb?

2           **ATTORNEY WEBB:** I have a -- just a couple.  
3 Ms. Van Houten, I know you're somewhat reluctant  
4 to talk about Manson's role in all of this and to  
5 put any making excuses for your behavior. But can  
6 you -- I think that it would help us and the Board  
7 if you could just talk a little bit about the  
8 living arrangement with Manson. And although that  
9 was unusual, did you consider that your family at  
10 that time?

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

12           **ATTORNEY WEBB:** And in another context, in  
13 talking I think with Doctor Singer who did a cult  
14 report for the Board, you indicated that you lived  
15 under the constant threat of verbal or physical  
16 punishment or psychological punishment. What did  
17 you mean when you talked about that?

18           **INMATE VAN HOUTEN:** That if -- like when we  
19 would take LSD, we would all sit together and make  
20 an agreement not to leave the room. And if  
21 someone stood up, they would have their hair  
22 pulled. There was always the threat that if you  
23 didn't follow, that there would be some sort of  
24 violent reaction from him.

25           **ATTORNEY WEBB:** And did you actually witness  
26 any violence by Manson to these people?

27           **INMATE VAN HOUTEN:** Yes. But I made sure

1 that I always did what was expected so I wouldn't  
2 get the violence.

3 **ATTORNEY WEBB:** And do you feel that that  
4 occurred was something that occurred over a period  
5 of time?

6 **INMATE VAN HOUTEN:** It didn't start out that  
7 way. It started off like a commune. And then the  
8 more he would measure how much we believed in him,  
9 then the violence would become more acute until at  
10 the end when it was very, very prevalent.

11 **ATTORNEY WEBB:** And can you explain a little  
12 bit more about that.

13 **INMATE VAN HOUTEN:** Well that's when he  
14 would slap people more for questioning him and  
15 become more abusive verbally. And my role there  
16 was that I was the dumb one that didn't know  
17 anything.

18 **ATTORNEY WEBB:** And how did he -- how did he  
19 make you feel that way?

20 **INMATE VAN HOUTEN:** He would humiliate me in  
21 front of the group and call me stupid and everyone  
22 else would also.

23 **ATTORNEY WEBB:** And did he make you question  
24 all the values you'd learned from your parents?

25 **INMATE VAN HOUTEN:** He poked fun of them and  
26 over a process and a period of time where he  
27 defined our values so that they became his, by

1 making fun of the ones I had been raised with.  
2 And that's what I was talking about when I was  
3 talking about the abortion and my mom. I didn't  
4 want the abortion and so when she arranged for me  
5 to have it, I harbored tremendous anger at my mom.  
6 And when I met Katherine Share, I'd talk with her  
7 about it. And that became the foot in the door  
8 for him. And I just didn't know I wasn't  
9 sophisticated enough. I didn't know.

10 **ATTORNEY WEBB:** Was there an incident that  
11 you discussed in the psychiatric records with the  
12 psychiatrist in 1985, when Manson took you to the  
13 edge of a cliff?

14 **INMATE VAN HOUTEN:** I wanted to leave and I  
15 told him I was going to leave. And he took me to  
16 the edge of a cliff and he told me that I may as  
17 well just jump because if I left, I would die.  
18 And I -- Now you know, when you say something like  
19 that years and years and years and years and years  
20 later, and it seems so small. But at the time, I  
21 believed him. I believed that if I left him, that  
22 I would be -- Well that if I left him, the very  
23 same thing that happened to Leno and Rosemary  
24 LaBianca would happen to me. And now I carry the  
25 responsibility of that. When I think back on the  
26 night of August 10<sup>th</sup>, all I think about is the  
27 horror that those two very, very innocent human

1 beings were subjected to. And it really makes me  
2 uncomfortable to discuss anything that has to do  
3 with what led me to that situation because I just  
4 simply -- I'm so sorry. I'm so sorry. I was  
5 raised to be a decent human being. I turned into  
6 a monster and I have spent these years going back  
7 to a decent human being, and I just don't know  
8 what else to say. I feel that the chances about  
9 fixing this and doing that are very small.  
10 They're just small. I find it very, very  
11 difficult to live with myself a great deal of the  
12 time. That's what I work with with Doctor Janesh.  
13 That's what Doctor Hu saw; that I take so  
14 seriously what happened. That I have a very  
15 strong foundation, because it is based on  
16 something that was so senseless and so tragic,  
17 against everything I believed in. If you look at  
18 my file there's no violence. No violence. That  
19 one night, that one night has just tormented me.  
20 I am not a person that corrects problems through  
21 violence. I don't confront. And it has been  
22 really, really difficult to live with. And I hope  
23 that the family understands that. Truly, I think  
24 to myself, what could I possibly do. I know that  
25 you loved them and I know they were wonderful  
26 people. They didn't deserve it and you didn't  
27 deserve it. Not a bit of it. All I can tell you



1 is that I am so sorry. I'm sorry.

2 **ATTORNEY WEBB:** I have no other questions.

3 **PRESIDING COMMISSIONER ANGELE:** All right.

4 Mr. Kay, closing please.

5 **DEPUTY DISTRICT ATTORNEY KAY:** Yes, thank  
6 you. I find it really disturbing that after all  
7 these years and after all the Parole Hearings,  
8 Ms. Van Houten still tends to minimize what she  
9 did, what she thought at the time of the crimes.  
10 And now she's trying to make herself into a  
11 victim. She was not a victim. And she says here  
12 that oh that she was weak-minded at the time.  
13 Absolutely the opposite was true. She has a very  
14 high IQ that would quite certain the top five  
15 percent of people in the United States. She  
16 admitted under my cross examination in the trial  
17 in 1977, that she weighed in her mind for two days  
18 the question of whether or not she could kill  
19 anyone. And she decided that she could and that  
20 she would if asked. And that was before Manson or  
21 Watson or Davis or anyone else asked her to  
22 participate in murder. In the 1982 hearing, under  
23 cross examination by one of the Board members,  
24 Ms. Van Houten said she made -- when she knew The  
25 Family was turning towards murder, she made a  
26 conscious decision to stay. She could have left  
27 any time she wanted to. Lots of hippies came into

1 contact with Manson and The Family and they heard  
2 what Manson was saying and they hiked it  
3 (indiscernible) away as fast as they could because  
4 what Manson was saying was that his hero was Adolf  
5 Hitler for what he did to Jews in World War II.  
6 And Manson wouldn't allow any minorities in The  
7 Family and would tell different people who could  
8 get together and have babies, because he wanted  
9 the babies to have a certain look. Something  
10 inside of her responded to this and she stayed.  
11 Now she says under questioning today, oh well  
12 yeah, I didn't -- no crimes or anything before the  
13 murders. Well in her trial she admitted that she  
14 went out and did nighttime burglaries. They  
15 called them creepy crawlers. And that she  
16 participated in these residential nighttime  
17 burglaries as well as did other members of The  
18 Family, stealing credit cards or checks or  
19 whatever that they could find to use.  
20 Ms. Van Houten, when she weighed in her mind about  
21 participating in murder, that was before the Tate  
22 murders. And after the Tate murders happened,  
23 that day, Krenwinkel and Atkins filled her in on  
24 all the gory details about how terrible it was.  
25 And so she had this knowledge. She spent much of  
26 the day with Atkins and Krenwinkel watching news,  
27 TV news reports about what happened at the -- at

1 the murder. So she -- Whereas the people the  
2 night before, when they went out on the Tate  
3 murders, the women, Manson told them well do what  
4 Tex tells you to do, because Manson and Watson had  
5 been to that residence before and new the layout.  
6 Ms. Van Houten had all that knowledge about what  
7 was going to happen and she knew from the moment  
8 that she left the Spawn Ranch, that she was going  
9 to participate in murdering people. And that was  
10 okay with her. She was sorry that she got left  
11 out the night before. And you know, I'm glad you  
12 came back and questioned her about the stabbing  
13 Mrs. LaBianca because it was actually in her 1986  
14 hearing with cross examination by Board member  
15 Rudolph Castro that he got her to admit that she  
16 didn't know whether Mrs. LaBianca was dead or  
17 alive at the time that she was stabbing her. When  
18 she got to -- back to the ranch, she told Diane  
19 Lake, one of The Family members that the more she  
20 stabbed Mrs. LaBianca, the more fun it was. And  
21 that she felt just like a shark. Well she was  
22 like a shark that night. She knew before she went  
23 into the LaBianca house, again reinforced by  
24 Manson, there was a man and a woman tied up on the  
25 sofa. That he had told them that he wasn't going  
26 to hurt them. That it was only going to be a  
27 robbery and not to -- not to worry. And he told

1 Ms. Van Houten and Ms. Krenwinkel, don't let them  
2 know that you're going to kill them, because I  
3 don't want fear and panic like the night before.  
4 And even though Ms. Van Houten did not participate  
5 in the night before, she knew about the fear and  
6 panic that was caused at the Sharon Tate home. So  
7 with that in mind, she enters the residence.  
8 Krenwinkel immediately goes to the kitchen to get  
9 knives. One for Ms. Van Houten and one for  
10 herself. When they get in, Watson has a bayonet  
11 pointed at Mr. and Mrs. LaBianca, who were tied  
12 with their hands tied behind their back. And  
13 Watson was asking them if they have any money.  
14 And Mrs. LaBianca says she has a small box where  
15 she keeps money. And so Watson untied her hands;  
16 not Mr. LaBianca's, but Mrs. LaBianca's, and she  
17 gets this moneybox. And then at that point,  
18 Van Houten and Krenwinkel take Mrs. LaBianca into  
19 the bedroom for the sole purpose of murdering her.  
20 And Van Houten was such an active participant. By  
21 what she's saying today, you would think she was a  
22 frightened little kitty cat. That she was afraid  
23 of Manson. Manson never did anything to her. He  
24 never hit her. She could have left any time she  
25 wanted. People came and went all the time. She  
26 wasn't chained up. (Indiscernible) there. She  
27 stayed there because she wanted to. Because there

1 was something inside her that reacted to what  
2 Manson was saying. And by the way, the -- what  
3 historians say -- describe this group as a band of  
4 hippies. That is so far from the truth. They  
5 hated hippies. They referred to themselves as  
6 slip-pies, because they said they were going to  
7 slip under the awareness of society. That society  
8 would think that they were peace-loving hippies.  
9 But hippies were flower children. Make love, not  
10 war; here's a flower for you. These people were  
11 talking about murder. Tex Watson used to hold  
12 training classes at Spawn Ranch on how to stab  
13 people. That you just didn't put the knife in  
14 directly. That you put the knife -- put the knife  
15 in and then jerked up on it because you could do  
16 more damage. So she's the one --

17 **[Thereupon, a new tape began.]**

18 **DEPUTY COMMISSIONER LUSHBOUGH:** We're back  
19 on record. Side three.

20 **DEPUTY DISTRICT ATTORNEY KAY:** Thank you.

21 **DEPUTY COMMISSIONER LUSHBOUGH:** Sorry.

22 **DEPUTY DISTRICT ATTORNEY KAY:** Thank you.

23 Ms. Van Houten is actually the one who had the  
24 most contact with Mrs. LaBianca. When they went in  
25 the bedroom, Ms. Van Houten was the one who got a  
26 pillowcase and put it over Mrs. LaBianca's head.  
27 Ms. Van Houten unplugged the lamp on the night

1 table by the bed and wrapped the cord around  
2 Mrs. LaBianca's neck and then pushed her down on  
3 the bed and started holding her. And at that  
4 point, Mrs. LaBianca heard the guttural sounds  
5 being made by Mr. LaBianca getting stabbed in the  
6 living room. And she got this superhuman strength  
7 and was able to pop up from the bed. And even  
8 though she couldn't see it, she took the cord and  
9 swung the lamp at the direction of Ms. Van Houten.  
10 Ms. Van Houten, not wanting Mrs. LaBianca to go  
11 out and help her husband, knocked the lamp out of  
12 Mrs. LaBianca's hand and wrestled her down to the  
13 bed and pinned her down so that Krenwinkel could  
14 stab her. And Krenwinkel stabbed her so hard,  
15 that when the kitchen knife hit Mrs. LaBianca's  
16 collarbone, it bent. Well Ms. Van Houten knew, of  
17 course, that Watson had a bayonet. That wasn't  
18 going to bend. So she goes to the hallway, calls  
19 for Watson. Watson comes in, starts stabbing  
20 Mrs. LaBianca. And she -- Between Watson, the one  
21 stab wound from Patricia Krenwinkel and the 16  
22 from Ms. Van Houten. And she's gone back and  
23 forth. It's 14 or 16. But again, under  
24 Mr. Castro's cross-examination, she admitted then  
25 it was 16. Mrs. LaBianca was stabbed 42 times.  
26 She suffered eight fatal stab wounds. Seven of  
27 the eight in her back. And those fatal stab

1 wounds, that means in and of themselves, they  
2 would have killed her. She was basically on the  
3 bedroom floor and she was paralyzed from the  
4 wounds to her spinal cord, so she couldn't fight  
5 back or do anything. And she was on her stomach  
6 and so that's why she had most of the stab wounds  
7 in her back. Now while Ms. Van Houten and  
8 Mr. Watson were doing this, Krenwinkel went out to  
9 the living room, saw the condition of  
10 Mr. LaBianca, then went to the kitchen, got a  
11 carving fork. A big, you know, like a  
12 Thanksgiving carving fork with long tines, and a  
13 knife. And she carved in Mr. LaBianca's abdomen,  
14 the words, "War", W-A -- the word "War", W-A-R,  
15 because that's what this was supposed to be; war.  
16 And then with another kitchen knife, she ran it  
17 through his neck, where the handle stuck out at  
18 one end; the blade traversed his neck, severing a  
19 carotid artery. And part of the blade was  
20 sticking out of the side of his neck. And then  
21 she wrote in blood under the -- above the upper  
22 part of the front door, the word "Rise" in  
23 Mr. LaBianca's blood. And on the living room  
24 wall, "Death to Pigs." And on the refrigerator,  
25 the word, "Helter Skelter", misspelling helter.  
26 But this was supposed to be messages to the Black  
27 people that they were supposed to rise up in this

1 -- in this revolution. And Mr. and Mrs. LaBianca  
2 were picked out for the sole reason that they were  
3 White. And they wanted to blame these murders on  
4 innocent Black people. And yes, the --  
5 Mrs. LaBianca's wallet was planted in a gas  
6 station restroom in what Manson thought was  
7 Pacoima, which was predominately a Black area at  
8 the time. Well he got his jurisdiction of Whites  
9 (indiscernible) attended. It was Sylmar, which  
10 was not a Black area. But I guess the restroom  
11 wasn't clean that much and it wasn't found until  
12 December. But you know, he wanted a Black person  
13 to find the wallet, use the credit cards, and then  
14 get blamed for the murders, and then in  
15 retaliation, the Whites would start killing the  
16 Blacks. And he thought the Blacks would win and  
17 it was -- it was craziness. It was. And to think  
18 that these people -- And she thought about this.  
19 This wasn't an unthinking act by Van Houten. She  
20 thought about this. She bought into the program.  
21 And to just slaughter really nice people. I mean  
22 the more you would hear about Leno and Rosemary  
23 LaBianca, they were wonderful people. They had no  
24 enemies. Mr. LaBianca was the owner and chairman  
25 of a chain of small markets and Mrs. LaBianca had  
26 a dress store. They were very happily married and  
27 you know, that house was a collecting place for



1 the family; for family dinners. The relatives and  
2 everything; Lou and John and Angela have spent,  
3 I'm sure, many Thanksgivings there and  
4 Christmases. And these people, to die the way  
5 that they did, it's -- it just defies  
6 comprehension. But it certainly defies  
7 Ms. Van Houten making herself into a victim. The  
8 -- And again, to show you how together  
9 Ms. Van Houten was, is that after the murders, the  
10 first thing she does is she goes around and wipes  
11 off fingerprints, figuring out every place that  
12 they could have touched. And she did such a good  
13 job that when the fingerprint experts came in  
14 there and tried to find, you know, latent prints  
15 that the defendants had left, they found none.  
16 They found wipe marks and no fingerprints that  
17 were identifiable to any of the defendants. She  
18 then worked up an appetite and drank chocolate  
19 milk from the LaBianca's refrigerator. Because  
20 her clothes had blood on them, she changed into  
21 Mrs. LaBianca's clothes. And interestingly  
22 enough, when she got back to Spawn Ranch, the very  
23 first thing that she did was to collect firewood.  
24 She collected firewood and then built a fire in  
25 the fireplace at that house on the ranch, and took  
26 off Mrs. LaBianca's clothes and burned them.  
27 That's what she was burning. And as she was

1 burning the clothes, she had taken the box of  
2 money; what Mrs. LaBianca got, and it turned out  
3 there was about eight dollars in change in it.  
4 But she was sitting on the bed, counting out the  
5 money as Mrs. LaBianca's clothes were burning. No  
6 remorse. No crying. You know this is so  
7 terrible, I have to get away from these -- this  
8 awful man, Manson, and these other people who are  
9 participating in murder. She didn't leave. And  
10 she went with them out to the desert in Death  
11 Valley when they wanted to get out of town because  
12 it was getting too hot for them with the Sheriff's  
13 Department, because the Sheriff's Department was  
14 interested in the stolen dune buggies that they  
15 had. I thought from the last hearing, and this  
16 was cited in the opinion, where he wrote  
17 (inaudible) recent opinion by the Court of  
18 Appeals. This is at page 31. And it's very  
19 brief. It says contrary to the contention that  
20 quote, "No mention of the cult domination bearing  
21 on motivation as a suitability factor", end quote,  
22 is made. The Board specifically asked Van Houten  
23 yet you were -- what you are saying is Mr. Manson  
24 had such control over you that you're saying he  
25 was more responsible for the crime than you were.  
26 And Van Houten responds, I certainly believe that  
27 whatever he became was equally my responsibility

1 for allowing him to become that. You know people  
2 can pull reins in on other people and I never did  
3 that. People would think from hearing in these  
4 Parole Hearings that it was Charles Manson who  
5 came up with all these ideas about Helter Skelter  
6 and everything. It was a group thing. They would  
7 sit around, listening to the Beatles while  
8 (indiscernible) acid and they would all come up  
9 with things that they heard. A lot of this stuff  
10 was other members of The Family coming up with  
11 ideas. Oh the Beatles are saying this to the  
12 Black people to rise up and start a revolution.  
13 It wasn't all Manson. It was group input. And  
14 certainly Ms. Van Houten was a part of that. And  
15 I can understand her wanting to distance herself  
16 from all of that at this time, but the problem is  
17 she can't because she participated in this  
18 horrible, unthinkable butchering of two people in  
19 the supposed sanctity of their own home. Now this  
20 opinion points out that the -- that you two, in  
21 your decision, can base a denial of parole based  
22 on the offense itself, assuming that there are  
23 particularly egregious elements. And in this  
24 decision, they point out, yes there are. And the  
25 offense itself can be the basis of a denial of  
26 parole. And the three -- they state three  
27 particularly egregious facts that are -- go above

1 and beyond the minimum required for a conviction  
2 of Van Houten for this crime. And this crime,  
3 they equate to a first-degree murder with  
4 eligibility for parole. And they say that the  
5 three particularly egregious facts are one, the  
6 fact that there are multiple murders here. And  
7 that is now a special circumstance in the Penal  
8 Code. It certainly wasn't at that time, but it is  
9 a particularly egregious fact, because now if a  
10 person commits two first-degree murders, they'll  
11 either get death or life without possibility of  
12 parole. The second one they cite is that the --  
13 this was a robbery murder that Ms. Van Houten was  
14 an accomplice in the robbery of Mrs. LaBianca's  
15 wallet. And of course, directly with taking the  
16 box of change. The third thing was that this was  
17 a murder for racial motivation. And the court  
18 points out, well you know, it's a little strange  
19 because the defendants are White and the victims  
20 are White. But of course, that's what it was all  
21 about. They weren't out to kill Black people.  
22 They were out to kill White people because they  
23 wanted to anger the White community. But not only  
24 do you have the commitment offense to find her  
25 unsuitable for parole, but you have so much more  
26 in this case. You have her unstable social  
27 history. And Ms. Van Houten had all the benefits

1 of the world growing up. She was a Campfire girl,  
2 a member of Job's Daughters. She sang in the  
3 Presbyterian choir at her church. She went to  
4 church youth fellowship meetings. She was a  
5 homecoming princess at Monrovia High School. She  
6 was a class secretary at Monrovia High School.  
7 But what did she do? She admitted at her trial  
8 under cross-examination that her peer group wasn't  
9 into taking drugs. That she had to seek out  
10 others who were taking drugs outside of her peer  
11 group. And that she took up with a fellow who had  
12 gotten kicked out of another high school and got  
13 pregnant at 15, and an abortion at 16. And then  
14 by the time she was 19, she's admitted anywhere  
15 from 150 to over 200 LSD trips. I'm sure she  
16 wasn't counting up as she did them, but there was  
17 just so much. And so after graduating high  
18 school, she goes to Sawyer's Business College,  
19 finishes number one in her class as a certified  
20 legal secretary and then decides she doesn't want  
21 to work. So she goes out, up to San Francisco,  
22 calls home to her mother and tells her mother to  
23 stop loving her; that she was going to drop out  
24 and wouldn't see her mother again. And I can just  
25 imagine the anguish that her poor mother, who is a  
26 very nice lady, went through with that phone call.  
27 That very hurtful phone call. But she dropped out

1 and then got together with Bobby Boseway, who you  
2 might recognize that name since he's in prison for  
3 the murder of Gary Hinman. And went down to the  
4 -- where the Manson Family was staying and liked  
5 them and stayed. And so now she's here today.  
6 After she was in prison for a number of years;  
7 actually in 1982, she marries an ex-con named  
8 William Sywin (phonetic), again falling in with an  
9 unsavory person. And fortunately, the prison  
10 served a search warrant on his place and found  
11 that he had a female prison guard's uniform. He  
12 was going to try and break her out of prison. And  
13 she ended up divorcing him. But just a very  
14 unstable social history. Yes, she has done well  
15 in prison and I commend her for that. But you  
16 just have to worry about what was inside her that  
17 let her respond to what Manson and others were  
18 saying so that she would stay there. And can we  
19 ever be sure that that is no longer there? And I  
20 say we can't. And I respectfully ask the Board to  
21 find her unsuitable and give her a denial for two  
22 years. Thank you.

23 **PRESIDING COMMISSIONER ANGELE:** Ms. Webb,  
24 closing please.

25 **ATTORNEY WEBB:** Thank you. Just a couple of  
26 things in response to Mr. Kay first. I agree with  
27 him. The facts are horrible in these murders.

1 The facts have been horrible for 35 years. But  
2 when he talks about them, the way he talks about  
3 them, it really takes them out of context.  
4 There's nothing that talks about led up to these  
5 murders. There's nothing that puts them in the  
6 context of the -- what the Court of Appeals  
7 described as Manson's total domination and  
8 manipulation of the members of The Family. And  
9 the Court of Appeals goes on and talks about that  
10 a little bit more. It's sort of a short hand. I  
11 presented to you the cult report and I know that  
12 Ms. Van Houten today didn't want to talk a lot  
13 about that. Didn't want to make any excuses for  
14 what happened, what she participated in, and  
15 wanted to take full responsibility for that. But  
16 I think it's important and I -- and I talk about  
17 it again because I'd like to feel that you, as the  
18 Board of Prison Terms, that you've considered it  
19 and what led up to this. It's a report by Doctor  
20 Margaret Singer, who just died in this past year.  
21 But she's a nationally known cult expert and  
22 another (indiscernible) person, Patrick O'Reilly.  
23 And I just ask you, the last ten pages of that  
24 really explain this process specific to  
25 Ms. Van Houten. The other part of it explained  
26 what we've all learned, along with her, of the  
27 dangers of cult manipulation in the past 35 years.

1 And that includes, you know, the Jonestown  
2 Massacre of 700 people and David Koresh and lots  
3 of other cults that where there's a -- monstrous  
4 things can happen. I think the -- just as a  
5 shorthand, the Court of Appeals on page four talks  
6 about that all of this domination and manipulation  
7 happened within the context of isolation,  
8 dependence, fear, drugs, sex, and indoctrination  
9 of The Family experience. The members became  
10 convinced of Manson's peculiar apocalyptic  
11 fantasies and goals. And that's just a caption of  
12 what happens in a cult. I agree with Mr. Kay when  
13 he says it was craziness. It was craziness. And  
14 that's the reason that we have to take a look at  
15 what happened to Ms. Van Houten. We can see what  
16 happened to her when she was a teenager that made  
17 her vulnerable to that craziness. It made her  
18 vulnerable to Manson's manipulation. This wasn't  
19 someone who went from prom queen and made a  
20 choice, I'm going to become a vicious, violent  
21 murderer. That wasn't what happened here. There  
22 were things in her life that had occurred that  
23 made that life, that maybe from outside looked  
24 like it was in, you know, that it was all  
25 positive. That made that life not so great as it  
26 was -- as she was growing up. That was a divorce  
27 that was devastating to her. That was the



1 beginning of her drug use. There was a boyfriend  
2 she wanted to marry when she became pregnant, but  
3 her mother intervened and there was an abortion  
4 that created a terrible emotional wedge with her  
5 mother. That made her then susceptible to what  
6 happened next. And I think we can't underestimate  
7 -- we can't underestimate the drug use in all of  
8 this. Hallucinogenic drugs are very strong. And  
9 in -- even in 1971, Doctor Fishman in the early  
10 psychiatric reports, and you see this all through  
11 it. They talk about how that is a drug that  
12 causes the loss of ego controls. And if you have  
13 a diabolic cult leader like Manson, controlling  
14 every session you have with LSD, something  
15 monstrous can happen. And he can twist and he can  
16 turn your value systems around. You know Timothy  
17 Leary, whatever you think about him, he was a  
18 Harvard professor. And he talked in the 1960's  
19 about LSD. And I think he is maybe responsible,  
20 and I don't know if he took responsibility later  
21 in his life, but he may be responsible for what  
22 happened to young people in the 1960's like  
23 Ms. Van Houten. But there was a study in  
24 Massachusetts where they used LSD to essentially  
25 reprogram criminals in Walfall (phonetic) State  
26 Prison. They could re-imprint their value  
27 systems. That they could change them from a life

1 of crime. And those people, I happen to know,  
2 came out with much lower recidivism rates than  
3 people who hadn't been treated with LSD. But  
4 that's because they were having someone control  
5 those sessions with a positive purpose. I just  
6 would invite you to look at that cult report,  
7 please, and try to understand what went on here.  
8 Nothing I think that Ms. Van Houten said today  
9 indicates that she minimizes. In fact, the  
10 opposite is true. With accepting certainly the  
11 facts in that Court of Appeals opinion; and all  
12 the horrible facts are there. She's tried not to  
13 make any excuses. And what I'm talking about now  
14 is an explanation that I offer to you. I think  
15 she's owned all that she did. And when Mr. Kay  
16 talks about that she weighed in her mind, let's go  
17 back and consider again, the process of cult  
18 indoctrination and it had already taken place. We  
19 have the psychiatrist at her second and third  
20 trial talking about at that point she didn't have  
21 a mind that was capable of really making a  
22 decision that was capable of making judgments like  
23 the rest of us do. That's why she got the hung  
24 jury in the second trial. That jury didn't  
25 believe that she was capable of premeditating and  
26 deliberating, and five of them didn't want to  
27 convict her of first-degree murder, but only of

1 manslaughter. So then we add felony murder  
2 instructions. The Court of Appeals agrees. The  
3 third jury probably only convicted her of felony  
4 murder because they didn't believe she had the  
5 mental capacity to premeditate and deliberate. And  
6 you have that in the Court of Appeals opinion. So  
7 I mean that's the history of that. And I think it  
8 tells you a lot about her mind at the time in  
9 1969. That doesn't exist anymore. I'd just  
10 invite the Board to learn some more about that  
11 process. I think Mr. Kay adds some facts in and  
12 you know, he's offering his closing argument here.  
13 It's not evidence. You know there are some things  
14 he says that she changed her clothes because she  
15 had blood on them. There's never been any  
16 evidence of that. She did it because she was  
17 ordered to do it. They brought a change of  
18 clothes. So looking back on it, when you say she  
19 takes responsibility for not pulling reins in on  
20 Manson, well that's from someone who is not an  
21 expert in cults. That's from someone who's trying  
22 to explain, you know, her part in this to take  
23 responsibility for her role in all of this. But  
24 she wasn't capable of pulling reins in on him. He  
25 was the leader. Nobody disobeyed him. Vincent  
26 Bugliosi talked about it in the closing arguments  
27 in the 1971 trial. No one dared to disobey

1 Charles Manson. So you know, people came and  
2 went. Well some of them were fortunate enough to  
3 have a way that they could get rescued. Okay. In  
4 terms of unstable social history, I would just say  
5 let's put it in the context of the time. It's 40  
6 years ago when she was a troubled teenager. We  
7 talked about that. Since then, and I say that to  
8 look at those things that were evidence of  
9 unstable social history way back then. I don't  
10 think it's -- has evidentiary value anymore in  
11 terms of unsuitability. I think it gives us a  
12 window into why she became involved with Manson.  
13 That's what it does. It shows us why she was  
14 vulnerable. But it's not unstable social history  
15 as an unsuitability factor any longer. I think  
16 what you have that shows a stable social history  
17 is the 60 to 70 letters from people who have known  
18 her; many of them who have been childhood friends,  
19 who have consistently been in her life. And she  
20 gets lots of letters of support from people;  
21 respected members of the community who've stood by  
22 her all these years. And I think that that says a  
23 lot about who she is. They know, if you look at  
24 those letters, the people who know her know that  
25 she lives with remorse and that she takes  
26 responsibility for all that she did and the pain  
27 she caused the victim's family. So that's a

1 record of stable social history. So I'd suggest  
2 to you that unstable social history no longer  
3 exists partly because that was 40 to 45 years ago  
4 before the murders. I'd just like to say  
5 something about the records that you have in terms  
6 of the 35 years of documentation. And you don't  
7 have that often with people. You don't have that  
8 when you're making a judgment about people you  
9 meet on the streets. But you found out about  
10 Ms. Van Houten. And what you have in the Central  
11 File over these 35 years, shows how she reacts to  
12 all kinds of situations here in prison; negative  
13 situations that occur because of the inmate  
14 population that you have here. And none of that  
15 reflects any violence. So when she says that she  
16 is a person who is not a person who chooses  
17 violence as a way to operate in her life, that's  
18 true. That's true for the normal Ms. Van Houten.  
19 Not for who she was in 1969, when there was one  
20 night of violence. There's no contacts with the  
21 police before or after being with Manson. There  
22 were those minor criminal events. That was all a,  
23 you know, a car theft when they raided the ranch.  
24 That was all while she was with him. None of that  
25 -- None of those other things were violent acts.  
26 I think you can judge her by her affiliations here  
27 at the prison. There's no evidence that she has

1 been attracted to any group as a follower or any  
2 person as a follower. She's lived her own life.  
3 She's lived her own life as a leader in AA/NA and  
4 she's been a chairperson of Saving Our Stitches.  
5 And I hope -- It doesn't sound like you denigrate  
6 that kind of involvement in her life. You know  
7 some people might say well you know, making  
8 quilts. Okay. Big deal. Or doing, you know,  
9 teaching other women how to make a purse. But  
10 that's something that she loves and she likes to  
11 share it with people. And that's who she is.  
12 She's a teacher. She shares her knowledge. She  
13 shares her knowledge in AA and NA too with the  
14 younger inmates. She's done everything she can to  
15 create the person that she is today. And I think  
16 you see that in these records and in the letters  
17 of support. I'd just ask you, in terms of the  
18 factor and motivation, to take a look again at  
19 that cult report, please. This was not something  
20 that she thought up. She takes responsibility for  
21 her role in it. This was Charles Manson's  
22 apocalyptic fantasy. She bought into it because  
23 she was taking the drugs and because of the cult  
24 domination. I think the fact that there's been  
25 only one night of violence in her life raises a  
26 question that something happened to her under the  
27 influence and abuse of Charles Manson. She

1 certainly bears criminal and moral responsibility  
2 for what she does -- did. And she takes on that  
3 responsibility. She owns it. Just to get a total  
4 picture, you have to talk about Charles Manson's  
5 domination and manipulation. I think that the  
6 definition in your regulations, in Title XV of  
7 abused women's syndrome, would give you something  
8 that's a very similar process. It talks about how  
9 the Board can evaluate the kind of mental and  
10 psychological abuse as it relates to motivation  
11 for crime. And it talks about the events -- the  
12 evidence of the effects of physical, emotional or  
13 mental abuse upon the beliefs, perceptions or  
14 behavior of the inmate. I think that applies also  
15 to help understand what happened to her and the  
16 real abuse by Manson, and that manipulation,  
17 domination played in her criminal conduct. I  
18 think those cult abuse factors give us a reference  
19 for seeing why she's no longer dangerous. Those  
20 vulnerabilities no longer exist. This was an  
21 unusual situation. It's not going to reoccur with  
22 all the evidence of her mental stability, her  
23 growth, her maturity. I think that's what Doctor  
24 Hu recognized in his conclusions in the  
25 psychiatric report when he said -- All the  
26 experts, by the way, the cult experts -- Where you  
27 have a psych report from Doctor (Indiscernible) as

1 well, and it includes tests that show that there's  
2 nil evidence of violence potential in the  
3 objective and subjective psychological tests that  
4 were done back in 1999. The cult expert agrees,  
5 Doctor Hu agrees she's not prone to that kind of  
6 situation. She knows the danger signs. She has  
7 none of the factors that made her vulnerable and  
8 she's now emotionally mature. Her critical  
9 thinking is intact and she has internalized  
10 external controls. Doctor Hu said it's his belief  
11 she learned to look at the motivation behind her  
12 decision making process. And she's able to  
13 successfully assess each situation in a realistic  
14 manner and make informed and thoughtful choices.  
15 And I'd say that's how she lives her life. On the  
16 Board's matrix, after 35 years, the gravity of the  
17 crime alone is not enough to deny her a parole  
18 date. I think that matrix takes into  
19 consideration already the factors in aggravation  
20 and mitigation of the crime. And I talked about  
21 the mitigation. The matrix presupposes that a  
22 person who commits even a heinous crime will be  
23 found suitable and granted parole. This has been  
24 an ongoing process for Ms. Van Houten. And even in  
25 1985, the Commissioner said to her that she was  
26 closer than she thought to getting a date. But  
27 the evidence today of suitability is stronger than



1 it was almost 20 years ago. I'm asking the Board  
2 to look beyond the horrible facts of the crime, to  
3 see what happened that led up to these murders.  
4 And I'm asking the Board to see the evidence of a  
5 woman who is totally rehabilitated, who is someone  
6 who knows herself, knows her boundaries, knows how  
7 to problem solve and deal with all the situations  
8 she encounters here in the prison without hurting  
9 anyone else or doing violence. She's a person who  
10 lives her life the way she would live it on the  
11 outside as a highly functioning member of society  
12 who is a leader with caring and concern for  
13 others. She has a place to live, a strong support  
14 network, and a job to allow her to live quietly.  
15 And I'm asking you to give her a chance to do  
16 that. We'd ask you after 35 years to find her  
17 suitable and grant a parole date. Thank you.

18 **PRESIDING COMMISSIONER ANGELE:** Thank you.  
19 Ms. Van Houten, now it's your turn, if you wish,  
20 to tell this Panel why you believe you're suitable  
21 for parole unless you'd like to end this hearing  
22 with what your attorney has said on your behalf.

23 **INMATE VAN HOUTEN:** I feel like I already  
24 spoke when she was asking me the questions. I  
25 would like to sincerely apologize to the family.  
26 And at 19, there were a lot of factors that  
27 disassociated me from what I had done. And as I

1 became sober and began to truly integrate myself  
2 back into society's norms, as I participated in  
3 therapy groups and re-established my own value  
4 system, I think it's important that the family  
5 know that more than ever and with each passing  
6 year, I am acutely aware of the pain that I  
7 caused. And as life goes on, it's more difficult  
8 for me to live with that. I think that if it had  
9 been my aunt and uncle, I would want to know that.  
10 If it had been my brother or mom and dad, whatever  
11 the family relationship was. It just seems like  
12 it would be very important to me that they know  
13 that the person that did that knows and lives with  
14 it in a very real way. I'm not sure, other than  
15 saying it here and leaving myself available for  
16 any kind of private conversation, to let the  
17 family know that. I would hope that my behavior  
18 over the last 35 years -- As I said, I went from  
19 bad decision-making and I began to learn how to  
20 make good decisions. I believe that I am a  
21 rehabilitated woman. It doesn't mean it's any  
22 easier to live with myself and what I did. But I  
23 certainly could function in society. I also have  
24 to speak out for my own family. And my mom is  
25 getting old and she waits for me. The tragedy is  
26 is I have nieces and nephews too, that cry and  
27 wonder when I'm coming home. It's all very

1 complicated.

2           **PRESIDING COMMISSIONER ANGELE:** I'm sure it  
3 is. However, I wish you would let me know why you  
4 think you're suitable.

5           **INMATE VAN HOUTEN:** I'm suitable because I  
6 have taken responsibility for what I have done. I  
7 have employable skills. I'm a low risk to  
8 society. I understand what caused my choices when  
9 I was young. I'm a 55-year-old woman now. I'm  
10 not 19. My guilt never diminishes; no matter  
11 where I am. I believe I could be a benefit to  
12 young people in telling my story. And I think  
13 that I could be an asset to the community as far  
14 as service work. It's hard for me to answer that,  
15 because a part of me understands that there's a  
16 huge part of society that believes that what I  
17 did, I should never be given a chance. But I'm  
18 asking for one. And I believe that in good faith,  
19 I've applied myself to where I have the right to  
20 ask that.

21           **PRESIDING COMMISSIONER ANGELE:** Okay. I  
22 appreciate your comments. We'll go now to --

23           **ATTORNEY WEBB:** May I say one thing? I'm  
24 sorry. Excuse me. I want to explain to the  
25 family members and to you and to the television  
26 cameras and the people out there that  
27 Ms. Van Houten doesn't look at the victims because

1 she's been admonished not to do that in the past.  
2 And I think that that's something that's been set  
3 up as a -- you know I don't know if it's your rule  
4 or whose rule that is, but that's been something  
5 that's been enforced in the past and I'm not sure  
6 that if it continues to exist. But --

7 **PRESIDING COMMISSIONER ANGELE:** Well  
8 (indiscernible) properly address (inaudible) and I  
9 don't think it's anything that needs to be  
10 addressed to the cameras at all.

11 **ATTORNEY WEBB:** Well okay. I just -- I  
12 think people will comment about that is -- you  
13 know, in another way, I want the family especially  
14 to know the reasons (inaudible) not.

15 **PRESIDING COMMISSIONER ANGELE:** All right.  
16 Thank you, Counsel. We have -- Who will be going  
17 first? (Inaudible). Please identify yourself one  
18 more time, please, for the record.

19 **MR. DESANTIS:** Yes. My name is John  
20 DeSantis. I'm the nephew of Leno and Rosemary  
21 LaBianca. I've been asked today to read a letter  
22 from my cousin, Corey LaBianca, the eldest child  
23 of Leno LaBianca. This is (inaudible). I have  
24 asked my cousin, John DeSantis, to read this for  
25 me at the hearing. My name is Corey LaBianca, and  
26 I'm a -- I am the eldest daughter of Leno  
27 LaBianca. Rosemary LaBianca was my stepmother of

1 11 years. I was 21 years old at the time of their  
2 deaths, and I loved them both dearly. It was only  
3 by a twist of fate that I was not home the night  
4 they died. It was my father's birthday and we had  
5 always been together on his birthday. But in my  
6 last conversation with him, my father suggested we  
7 get together the following weekend instead. If  
8 not for that change in tradition, I would have  
9 been sleeping on the couch in the living room,  
10 where they found him murdered. And I would have  
11 died beside him. That was 30 years ago and you  
12 may wonder why I haven't attended these hearings.  
13 Let me tell you why. When confronted with this  
14 nightmare at the time, I decided to put my faith  
15 in the legal system, choosing purposely not to be  
16 drawn into the endless legal proceedings. I  
17 tended to my wounds privately, knowing that if I  
18 let my parents' deaths define the rest of my life,  
19 then those who killed them would have gotten me  
20 too. I knew that dad and Rosemary would not want  
21 that to happen. It's been nearly a lifetime now  
22 since that horrible August night in 1969. I am  
23 proud to say that I have been busy raising happy,  
24 healthy children and living a productive,  
25 meaningful life. But the events that took place  
26 in our home so many years ago aren't over for our  
27 family yet. Here's one example. I was having an

1 innocent conversation with my five-year-old  
2 grandson a few weeks ago. I was trying to explain  
3 to him that his daddy was my son. My little boy.  
4 I was his daddy's mommy. At first I wasn't sure  
5 that he followed my meaning, but then knew he  
6 understood me very well when he asked who is --  
7 who is your dad. A lump formed in my throat and  
8 tears welled in my eyes. My daddy died. I  
9 thought that would be enough for an answer for  
10 him, but I was wrong. He's a smart kid, full of  
11 questions, like any five year old. And his next  
12 question (inaudible) tell (inaudible). That's  
13 sad, Nana, how did he die. Well what would you  
14 have said to your grandson if you were in my  
15 shoes. I was speechless. Why am I telling this  
16 story? I believe it is important for those of you  
17 making the decision here today to realize that  
18 what happened 35 years ago is still happening.  
19 Your role -- Your ruling will not only have an  
20 emotional impact on those of us who lived through  
21 this tragedy, but it will have a powerful impact  
22 on the descendants of Leno and Rosemary LaBianca,  
23 who are only now beginning to live their lives.  
24 Sincerely, Corey LaBianca. That's all I got to  
25 say.

26 **PRESIDING COMMISSIONER ANGELE:** Thank you.  
27 Mr. Smaldino.

1           **DEPUTY COMMISSIONER LUSHBOUGH:** Might be a  
2 good time to change the tapes.

3           **PRESIDING COMMISSIONER ANGELE:** All right.

4           **[Thereupon, the tape was turned over.]**

5           **DEPUTY COMMISSIONER LUSHBOUGH:** We're on  
6 record.

7           **MR. SMALDINO:** I'm Lou Smaldino, and I want  
8 to thank you for allowing our family to speak here  
9 today. I am here to represent the LaBianca family  
10 and to voice our thoughts and sentiments  
11 concerning the parole of Leslie Van Houten. We  
12 ask ourselves many times why we are required to  
13 present our case to the Board on such frequent  
14 intervals. As you can see, it's always a painful  
15 process for all in our family to be here and to  
16 revisit the terrible acts that Ms. Van Houten and  
17 her gang visited on our dear (indiscernible) Leno  
18 and Rosemary. There were two -- These were two  
19 vibrant and generous people in the middle of their  
20 lives with five children and loved by all who knew  
21 them. Ms. Van Houten was sentenced to death for a  
22 senseless murder. But due to an aberration in the  
23 law, it was commuted to life with the possibility  
24 of parole. But I remind you today that this was  
25 not a guarantee of parole. Ms. Van Houten in her  
26 cynical manner and without regard to the fairness  
27 of a life sentence for these senseless and

1   horrific murders, persists in trying to get  
2   paroled for her own self-satisfaction, instead of  
3   accepting a more than just sentence of life in  
4   prison. Her acts that fateful day were not  
5   impassioned or with revenge, but were for the  
6   thrill of the kill and to start a race war. In  
7   today's nomenclature, they'd be called terrorists.  
8   I've been to several hearings and hear no  
9   substantive remorse or real responsibility for  
10  what she did. The gist of the argument is always  
11  Charlie Manson made her do it, because he  
12  controlled her. I grew up at the same time she  
13  did and learned about free will and choice. Where  
14  was hers? Our family is yet to hear from  
15  Ms. Van Houten, except in this hearing room and  
16  before this Board. Frankly, it is a travesty and  
17  totally self-serving. If I had done what she did,  
18  I would be acting totally different and realize  
19  that my punishment is just and actually quite  
20  merciful. All I see is words and manipulation and  
21  lawyers; not real contrition or real remorse. We,  
22  the LaBianca family, are a barrier to her freedom  
23  and are to be viewed as the enemy instead of  
24  people who have been forever marred by her callous  
25  disregard of the sanctity of life. We suffer a  
26  loss that cannot be made whole. As you saw today,  
27  many children and grandchildren will never see



1 their parents again. Leno and Rosemary will never  
2 share our holidays and life together again. A  
3 family business, which was very successful, is  
4 forever gone. In Ms. Van Houten's own words on a  
5 previous occasion, she can never repay for what  
6 she has done. I totally agree and ask her to  
7 really understand those words; she cannot repay.  
8 Therefore, accept her just punishment and pray for  
9 the Good Lord's forgiveness in the hereafter. I  
10 thank the Board for it's indulgence and ask that  
11 you see that Ms. Van Houten has never really  
12 accepted her accountability in this matter or  
13 shown true remorse. Her only interest here today  
14 is to get out of prison. Please do not let this  
15 happen or occur. Society deserves better. Thank  
16 you.

17 **PRESIDING COMMISSIONER ANGELE:** Thank you,  
18 Mr. Smaldino. We're going to recess for  
19 deliberations. The time is approximately 3:37  
20 p.m.

21 **R E C E S S**

22 --oOo--

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1                   **CALIFORNIA BOARD OF PRISON TERMS**2                                   **D E C I S I O N**

3                   **DEPUTY COMMISSIONER LUSHBOUGH:** We're on  
4 record.

5                   **PRESIDING COMMISSIONER ANGELE:** It's in the  
6 matter of Leslie Van Houten. CDC number W-13378.  
7 Back on record. Time approximately 4:12 p.m.  
8 Ms. Van Houten, there's obviously a number of  
9 reports, letters that have been read in regards to  
10 your case, and you've done a great job in prison  
11 as far as your programming. But this Panel has  
12 reviewed all of the information and we have come  
13 to the conclusion that you are not yet suitable  
14 for parole and would pose an unreasonable risk of  
15 danger to society or a threat to public safety if  
16 released from prison. First, we have the instant  
17 offense, which was carried out in a vicious and a  
18 brutal manner. There were multiple victims  
19 attacked and killed in the same incident. The  
20 offense was carried out in a calculated manner,  
21 such as an execution style murder. The victims  
22 were abused and mutilated during the offense. The  
23 offense was carried out in a manner which  
24 demonstrates an exceptionally callous disregard  
25 for human suffering. The motive for the crime was  
26 senseless, committed for the sole purpose of

27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 1 8/25/04**

1 starting a race war. These conclusions were drawn  
2 from the Statement of Facts, wherein the inmate  
3 and the crime partners, on or about the 10<sup>th</sup> day of  
4 August 1969, did enter the home of Leno and  
5 Rosemary LaBianca. And Mr. LaBianca, 44 years of  
6 age and Mrs. LaBianca, 38 years of age. They were  
7 tied, set on the couch. The crime partners,  
8 Manson and Watson were in the house at first.  
9 Mr. Manson left the residence. The inmate and her  
10 crime partner, Patricia Krenwinkel, entered the  
11 residence. The wife was brought into the bedroom,  
12 and while she was in the bedroom, she obviously  
13 heard her husband being slaughtered in the living  
14 room. She struggled, attempted to get away. She  
15 was subdued. Mr. Watson then was called into the  
16 bedroom, where he proceeded to stab Mrs. LaBianca.  
17 She was also stabbed by crime partner of the -- of  
18 the inmate, Ms. Krenwinkel, and stabbed between 14  
19 and 16 times by the inmate herself in the back,  
20 who made a statement that she really wasn't sure  
21 if she was dead at the time she inflicted her stab  
22 wounds. Both Mr. and Mrs. LaBianca lost their  
23 lives as a result of this incident. The inmate  
24 has no prior criminality. She's programmed in an  
25 outstanding manner. We acknowledge that during  
26 her incarceration, involving AA, NA Twelve Steps,  
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 2 8/25/04**

1 Breaking Barriers, just many, many, many programs.  
2 She's also done a lot of volunteer work and had  
3 work assignments where she was given better than  
4 average work reports. Her volunteer work includes  
5 a quilting class, Crazy Quilts Program, the Walk-  
6 a-Thon barbeque. She's involved in the Puppy  
7 Program, Christmas Program, Children at Risk Walk-  
8 a-Thon. During her period of time in  
9 incarceration, she has received minor  
10 disciplinaries. I guess there was one 115 that  
11 was later withdrawn. So she has been disciplinary  
12 free for almost the total term of her  
13 incarceration. Psychological evaluation is dated  
14 6/21/04, by Doctor Peter Hu. To this Panel, is  
15 inconclusive. And I'll explain the reasons why.  
16 Doctor McDaniel, in 2000, refers to the risk  
17 factors preceding and draws his -- our attention  
18 to this report of May the 1<sup>st</sup> of 2001. In that  
19 particular report, the Doctor states in the risk  
20 factors, include the -- she'd be vulnerable to  
21 adhering to a bizarre world of manipulation and  
22 murder. In 2002, this report doesn't state these  
23 same facts are gone; instead that they have  
24 receded. What's troublesome to this Panel is that  
25 Doctor Hu, in 2002, makes no mention of them  
26 whatsoever.

27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 3 8/25/04**

1           **DEPUTY COMMISSIONER LUSHBOUGH:** In 2004.

2           **PRESIDING COMMISSIONER ANGELE:** I'm sorry. In  
3 2004. Thank you. The 2004 report by Doctor Hu  
4 does not mention them whatsoever. So I have no  
5 idea if he even considered them. And that does  
6 bring us some concern. Now the inmate does have  
7 acceptable parole plans. I won't go into those as  
8 requested on behalf of inmate's attorney. She  
9 does have places to live and she does have  
10 acceptable employment plans. The Hearing Panel  
11 notes that responses to 3042 notices indicate  
12 opposition to a finding of parole suitability.  
13 Specifically, the District Attorney of Los Angeles  
14 County and the next of kin of the victims who were  
15 present today to voice their opposition to parole  
16 suitability. Once again, the inmate should be  
17 commended for the program she has done during her  
18 incarceration. However, all the positive aspects  
19 of her behavior do not outweigh the factors of  
20 unsuitability. In a separate decision, the  
21 Hearing Panel finds that it's not reasonable to  
22 expect that parole would be granted at a hearing  
23 during the following two years. The specific  
24 reasons for these findings are as follows: The  
25 prisoner committed the offense in an exceptionally  
26 violent and brutal manner. Specifically, on or  
27 **LESLIE VAN HOUTEN W-13378 DECISION 4 8/25/04**

1 about the 10<sup>th</sup> day of August 1969, she did  
2 participate in the murders of Leno LaBianca, age  
3 44, and Rosemary LaBianca, age 38. The crime  
4 occurred at their residence, which was picked for  
5 random. Her crime partners, Watson and Manson  
6 entered the residence, tied the victims.  
7 Mr. Manson left the residence. Ms. Krenwinkel and  
8 the inmate then entered the residence and  
9 (indiscernible) slaughtered this couple who were  
10 expecting themselves to be safe in the sanctuary  
11 of their residence; free from assault. Instead I  
12 can only imagine what Mr. LaBianca thought when  
13 his wife was removed from the living room and  
14 moved to a bedroom and what Mrs. LaBianca thought  
15 when she heard the sounds of her husband being  
16 murdered. There were multiple victims attacked  
17 and killed in the same incident. The offense was  
18 carried out in a dispassionate manner, a  
19 calculated manner. Both victims were abused and  
20 mutilated. The offense was carried out in a  
21 manner which demonstrates an exceptionally callous  
22 disregard for human suffering and life. And the  
23 motive for the crime once again was senseless;  
24 committed for the sole purpose of trying to start  
25 a race war. We do want to read into the record a  
26 statement that was made by the Trial Judge at the  
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 5 8/25/04**

1 time of this -- at the (indiscernible) of the  
2 inmate where he speaks to the issue in a most  
3 articulate manner. The people at the LaBianca  
4 residence were singled out for killing by a kind  
5 of choice that looks like it wasn't even a choice  
6 at all. The anarchic nature by which the house  
7 was picked, that's the real fright and terror in  
8 these offenses. That's why the ludicrous efforts  
9 of the Manson Family to start the war and to  
10 attain their end are so frightening. The fact  
11 that the people were taken unaware and almost by  
12 chance. But this case is a special one. It will  
13 burn on the public consciousness for a long period  
14 of time; not merely in the memories of the  
15 families that have been disseminated by them or  
16 decimated by them or in the memories of the people  
17 who are still alive and have been hurt, either  
18 closely or incidentally by the destruction of all  
19 of the families that have been destroyed in this  
20 case are simply the kind of case where I, as a  
21 Trial Judge, not a Parole Board member, but a  
22 Trial Judge, with at least an initial  
23 responsibility of saying yes or no, feel that in  
24 my conscience I have to draw the balance in a  
25 certain way. And that in this case, even though  
26 progress has been made, the balance must, in my  
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 6 8/25/04**

1 judgment, be drawn on the side of punishment.  
2 This crime will always be married to the Tate  
3 murders. For the sole purpose, for the sole  
4 reason that when Ms. Atkins and Ms. Krenwinkel  
5 returned from that slaughter and told you what had  
6 happened, your response was that you felt left out  
7 and wanted to make sure you were included in the  
8 next set of murders. Nobody was there standing  
9 next to you at that particular time to encourage  
10 you or to manipulate you. And you were included  
11 in the next set of murders and participated freely  
12 and willingly. And as a result, you took the  
13 lives of two innocent people who didn't deserve to  
14 die. The District Attorney of Los Angeles County  
15 and next of kin were present at this hearing to  
16 voice opposition to parole suitability.  
17 Therefore, a longer period of observation and  
18 evaluation of the prisoner is required before the  
19 Board should find that she be released from  
20 prison. The Panel recommends that the prisoner  
21 remain disciplinary free; continue what you're  
22 doing. And we want you to cooperate with  
23 clinicians in the completion of a new clinical  
24 evaluation as we'll be seeking a new evaluation  
25 for the specific purpose of discussing your risk  
26 factors contained in the 2001 report, addressed  
27 **LESLIE VAN HOUTEN W-13378 DECISION PAGE 7 8/25/04**



1 very lightly in the 2002 report and not addressed  
2 at all in the 2004 report. That does conclude  
3 this hearing. Any comments, Commissioner  
4 Lushbough?

5 **DEPUTY COMMISSIONER LUSHBOUGH:** No, thank you.  
6 No comments.

7 **PRESIDING COMMISSIONER ANGELE:** The time is  
8 approximately 4 --

9 **ATTORNEY WEBB:** May I make objection for the  
10 record?

11 **PRESIDING COMMISSIONER ANGELE:** What? Pardon  
12 me?

13 **ATTORNEY WEBB:** May I make one objection for  
14 the record?

15 **PRESIDING COMMISSIONER ANGELE:** Go ahead.

16 **ATTORNEY WEBB:** I just want to -- Well it's  
17 really not an objection. It's just pointing out  
18 some things about re-interpretation of the psych  
19 reports. And I think Doctor McDaniel may have  
20 raised risk factors, but he found conclusively in  
21 2000 and 2002 that Ms. Van Houten would not be a  
22 danger if released.

23 **PRESIDING COMMISSIONER ANGELE:** But he also  
24 found in 2002 that the risk factors had receded  
25 and not had ended. But I accept what you're  
26 saying.

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**CERTIFICATE AND  
DECLARATION OF TRANSCRIBER**

I, SANDRA TRIPLETT, a duly designated transcriber, CAPITOL ELECTRONIC REPORTING, do hereby declare and certify under penalty of perjury that I have transcribed tape(s) which total one in number and cover a total of pages numbered 1 through 104, 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 AUGUST 25, 2004, 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 September 10, 2004, at Sacramento County, California.



Sandra Triplett  
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