

JOSEPH MAZOR TAPES

S-1-a

slw sgs y

Carton

Copy of Chief S. A. M.  
received from R. Hunter.

S-1-b

New York

Transcriptions



11

5-1-6-1a

AFFIDAVIT OF JOSEPH A. MAZOR

1  
2 I, JOSEPH A. MAZOR, depose and state:

3 That I am a Private Investigator, duly licensed in  
4 accordance with and, pursuant to the Business and Professional  
5 Code of the State of California; that I am over eighteen (18)  
6 years of age and a resident of the County of San Mateo, State  
7 of California.

8 That on a date which is unknown to me at this time, but  
9 during the month of November, in the year 1976, I initially  
10 became involved in the matter commonly referred to as; In re:  
11 The Peoples Temple and during said involvement, became aware  
12 of the names Timothy O. Stoen and Grace Stoen, as persons being  
13 personally involved in the hereinabove referred to matter.

14 That during the months of June and July 1977, several  
15 issues regarding the hereinabove referred to matter were brought  
16 to my attention which involved as principles, Timothy O. Stoen  
17 and Grace Stoen, the primary issue being, the legal custody of  
18 a minor male infant alleged by Grace Stoen, to be her sibling  
19 and, the paternity of the same.

20 That on August 4, 1977, an adult female known to me to  
21 be Grace Stoen, accompanied by an adult male identified as one  
22 Walter Jones, met with me at my offices in Suite 904 at 1800  
23 Pacific Avenue, San Francisco, California, at approximately  
24 7:30 pm., for the purpose of discussing the issues of said Grace  
25 Stoen, obtaining custody of her minor child who was at that time  
26 residing in the Republic of Guyana, South America, with one Jim  
27 Jones.

28 That during the course of the interview and discussion,  
29 concerning various ways, or methods of obtaining the child, I  
30 was personally informed by Grace Stoen as to her belief of who  
31 the natural father of her child was and the facts surrounding  
32 the conception.

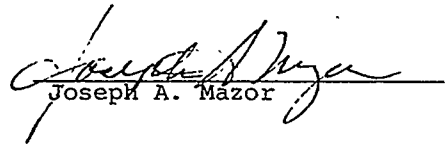
S-1-b-1b

1 During the above referred to discussion, Grace Stoen  
2 stated that; The members of the Peoples Temple often traveled to  
3 various events and revival meetings and utilized as transportation  
4 a fleet of buses owned and operated by the Temple. One of the  
5 buses had been outfitted with a special compartment in the rear  
6 which had a bed and was used exclusively by Jim Jones; and it was  
7 at her request, the she and Jim Jones had sexual intercourse  
8 during one of the frequent trips and it was at this time that  
9 the child in question was conceived.

10 Following the above statements by Grace Stoen, I asked  
11 her what her motives were for having sexual intercourse with  
12 Jim Jones and whether he had forced her psychologically to act  
13 in such a manner and she stated to me that her motives were solely  
14 those of revenge towards her legal husband Timothy O. Stoen and  
15 that there had been no force physically, or psychologically by  
16 Jim Jones, or anyone else for her to undertake such acts.

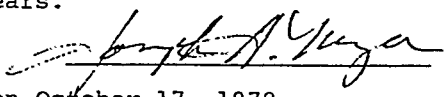
17 The meeting terminated at approximately 9:00 pm., on  
18 August 4, 1977 and since that date, I have seen Grace Stoen on  
19 only one occasion which was several weeks later with Mr. Haase,  
20 her attorney, in the Superior Court Building, Civic Center,  
21 San Francisco, California.

22 Executed on: October 17, 1978, at San Mateo, California

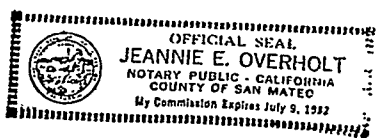
  
Joseph A. Mazor

23  
24  
25 State of California )  
26 ) ss.  
County of San Mateo )

27 JOSEPH A. MAZOR, being duly sworn, deposes and says:  
28 That he is over the age of 18 years and has resided in the State  
of California for more than five years.



29  
30 Subscribed and sworn to before me on October 17, 1978.



  
Jeannie E. Overholt

31  
32



MAZER: SEPT 11th 1978

S-1-b-

ITS REALLY NOTHING I CAN SAY, I BROUGHT YOU INFORMATION WHICH, I THINK OF IF THE PEOPLE HAD GOTTEN 6 MONTHS AGO, YOU MIGHT NOT HAVE GONE THROUGH AS MUCH AS YOU HAVE, BUT SOMETIMES COMMUNICATIONS FALL DOWN. PARTICULARLY IN THE LEGAL FIELD; AS CHARLES CAN TELL YOU, ONE OF THE PROBLEMS WE SEEM TO HAVE IS TRYING TO LOOK AT EVERYONE'S COMPLAINTS AS TEMPLE MEMBERS WHO HAVE MADE COMPLAINTS ON THE PEOPLE WHO ARE SETTING HERE 5,000 MILES AWAY AND NOT MAKE ANY JUDGEMENTS BUT TRY AND GET ALL THE INFORMATION WE CAN AND SO FAR WE HAVE 52,000 PAGES OF DOCUMENTS WHICH WAS PUT TOGETHER OVER 18 MONTHS.

WE HAVE ENOUGH INFORMATION TO CONVICT---PEOPLE OF VARIOUS CRIMES, PURGERY AND SERIOUS THINGS LIKE THAT. IT DOESN'T MEAN THEY'LL GO TO JAIL FOREVER, BUT AT LEAST IT MEANS THAT SOME OF THE THINGS THAT THE TEMPLE MAY HAVE BEEN WRONGLY CHARGED WITH AT LEAST RECORD WILL BE SET STRAIGHT.

5-1-b-3a

SEPTEMBER 14, 1978 (Side #3) Mazor, Paula, Sharon, Gene

- .. Our subject went to London. You and Debbie had control of a certain amount of local funds - is that correct? Approximately how much was the amount of those funds?
- S Stand by and let me think. I would have to go back in my records. I do not remember at all.
- M Can you give an approximation? Was it 5,000 or more?
- P Do you mean in the bank or on hand?
- M I mean on hand, over. Let me ask it this way in a different question. Did any of the on-hand cash between the months of February 1977 and March 1977 come up missing? over
- P Well, the amount of money missing wouldn't have paid for his charter.
- M Okay wouldn't have paid for any charter flight is that correct? over
- S That's a roger
- M Okay now at any time prior to the subject going to London, did you or Debbie cash a check for the subject for any amount of money that you can remember? over
- P No I don't think so, but he had a peculiar habit of sleeping on his billfold which was always quite thick.
- M Okay I copy that. Now I want to go to an entirely different area of conversation. ~~about~~ and that is regard to the G/T house. Do you copy
- P Okay roger, I didn't copy, but I wanted to add that I noticed after he left the first time, what did you say after that?
- M Okay what I asked you was that I want to go to an entirely different subject, I want to talk about the purchase of the G/T house is that a copy? over
- P Roger
- M Alright, were there any negotiations pending on the G/T house prior to subject going to London? over
- P Stand by a minute, I'm not up on that, stand by M Stand by
- P Okay, it was after, as I recall it, it was after the first trip when he came back
- M Okay, it was after he came back that you started the negotiations on the present G/T house is that a copy?
- P Roger roger
- M And therefore it was after his return to London that he met the owner of the G/T house, is that a copy?
- P That's right M Stand by
- P And by the way interestingly enough after he left the second time the banker called our house from Canada asking for him. Do you copy?
- M That's a copy - what bank was the banker connected with.
- M Alright question #2 there was one piece of correspondence with the ex-owner of the residence after he moved to Canada. Do you know what that address was in Canada? over
- P Stand by we're going to try and think of where it is.
- M Thank you very much.

P His name is Michael Banier, do you copy? M That's a copy

P You can check his background, (spelled his name) and you might be (I can't recall his address) but if you check with Barkley's they'll probably have a forwarding address. I met his sister, but I don't remember her address either.

M That's a copy. Alright now - stand by for just a minute..

P I don't remember her name either.

M Who else is there with you besides Mike and yourself? over

P Right now, Gene, Harriet, Terri, Lee, Mike and we're on the field phone with Jim.

M Okay put Gene on the phone.

G Okay go on.

M Okay Gene there is that address book that Mike referred to with may be in S.F.-- it is imperative that the address book be located and we assured that its there and not in JT or GT is that a copy

G Roger

M There is undoubtedly a considerable amount of financial transactions which went through the bank in London which could be connected up to the names in that book. copy

G Roger roger

M On the basis of the information which we are getting together now I will not be leaving until Saturday and therefore, we will try and get all the rest of this cleared up before I leave. Copy

G Roger roger

M We have no further traffic at this end, do you have any traffic.

G Please stand by, please stand by. Oh one thing that might be of interest. Do you copy?

M Go G In G/T we undoubtedly have a copy of the deed and it was signed by the subject banker. You might want to get a specimen signature for whatever purpose.

M I have it in front of me. over

G You're way ahead of me Joe. M I feel that I firmly believe at this point that subject left for London and since he has no available or visibly available funds to get to London from G/T, that subject had a small or medium bank account in Trinidad. Copy.

M Subject got additional funding from telegram of 9-day additional stay and went to London where he did negotiations and additional financial transactions. copy

G Roger roger, its feasible

M Subject then probably in the suitcase along with the clothes, safety deposit box keys or the safe deposit boxes which you show on your little memo without numbers. copy

G Stand by-- okay that's what I thought, stand by-- stand by stand by

E Joe what we did, I never told him that it was my clothes in the suitcase, he assumed it was his and I kept it with me and never told him until the last minute because you know as long as I had the suitcase he had an interest in hanging around.

M At the time what was he doing, or what was his reaction to you when you said hey dummy these are my clothes in the suitcase? Over

P I don't remember the exact words, but he got a very long face.

M You gave the clothes away? P Roger, but he didn't know that either

- M But he knew that the clothes wasn't his didn't he?
- P Yes, when we finally told him.
- M Okay..
- G Joe can you hear me, do you copy Joe.
- M Yes just a minute though
- G By the way, at one time we gave him 5 grand because we thought he was destitute and it might help our situation some and then after that he called and asked us for the suitcase and the clothes back, as a matter fact, he threatened us somewhat about it. M: I threaten you to, he had his goddamned safe deposit key coming in the damn things over.
- G, That's a theory, but I don't know because it might be, but I'm not so sure.
- M Did you turn the suitcase over?
- G We can sure as hell look for it.
- M Of course Gene the pen goes down like this. Your goes down like this, your boy has the money he took over there, he's been dealing with bankers he was short, he isn't going to carry a key to a safe deposit arbound either in G/T or J/T because you people have gone through the damn things, so he leaves them .....Now I don't know who tore that suitcase apart, but unless you tore the lining out of the thing unless you tore the lining out of the clothes, you could have missed every key there was. Over.
- G Roger roger -- we sure weren't that thorough
- M Okay - its nothing we can do about that, obviously he has to make the adjustment of getting new keys for the boxes, if that was the problem. Now tell me when did you give him the "\$5,000."
- G Ask Charles all about that
- M Oh that's long after he came back from London, you gave him that in June or July over
- G Yea yea that's right M Dont confuse me with fact. G Roger
- G We may have the suitcase around here somewhere
- M Well it would be nice if you did, we could take a chance that he might have stuck them in the lining and you people been running around with him. My impression is that your little square box that put on that note that you have there, written by him, is probably that he didn't have the number but he had the key.
- G Yea yea yea yea yes that's probably true. One of the things that bothers us -- after the deal with the Canadian was long over and was long forgotten and the bankers then moved to Canada. He was still trying to reach the subject.
- M Now while we were trying to reach the subject, the subject and the banker had gone together when they left here and the subject had gone off to Trinidad - isn't that correct over
- G Stand by -- we don't know but the telephone we're talking is about was the phone call the banker made long long long after when the banker by that time had left. He sold his house because he was moving his position and taking another position with the bank and it was after he got to Canada that he put

- the phone call back through the subject. Do you copy?
- M I copy, my understanding of the situation is that the banker and the subject both left G/T together, the banker went to Canada and he got off at Trinidad.
- G Roger right -- that should be verifiable through government records you know
- M That's a 104 but if that's the case then that means that the subject and the banker split up at Trinidad and there is no reason to believe that the banker didn't know that the subject had no plans of coming back to G/T. Copy
- P This is Paula again, one thing I recall is that it was not that long after he left that he called back down and it could have been to throw us off, I mean he could have been there with them.
- M Well our information is that when he set up the Myrtle home in December or January 1978 he had come into the U.S. through Canada. Over
- P That's interesting. He took down the name of the brother of the manager of the bank. He took down the name of the brother who is also involved in banking (I believe) and what you say sounds reasonable
- M I don't think we have anything else here today. Does anybody there have any more information that we don't have to drag out of you by tooth and nail and that you've been thinking about while everyone else was talking. Over
- P Let's think for a second here, and we'll hunt that suitcase down -- we think we still have the suitcase because after giving him the \$5,000 we be damned if we were going to give him the suitcase back with all those clothes.
- M That's right around socialistic
- G The problem with the subject is that all the sharing was going in the wrong direction brother.
- P Somebody here says they remember that at one time he claimed he claimed that he had put all of his money, put all of his money into the church, but we checked it out but it was a lie it couldn't have been the case, could not have been the case at all absolutely.
- M Repeat that again P Someone here recalled that he claimed very piously that he had put all of his money into the church, but we checked it out and that was impossible, he did not. It was an absolute lie, but obviously he was trying to make us feel that way - that he had no other income.
- M Well that we know was a fairy story, so see if we can find anything else that has a matter of truth between all you brilliant people. Over
- G One more point, at one point I think we located an account of his in a bank in Colorado near where his parents live. I think the point there was that his father was holding some money for him.
- M Where does his parents live and what are their names and do you have an address, and if you don't where can we get it. Over
- P Stand by -- S.F. has it definitely, S.F. would have it.
- M Who has the bank account, S.F. too. Over

September 14, 1978 (P5)

5-1-b-3c

- P Gene Brown should have a letter from them about the bank account
- M That's 104 -- anyone else have anything.
- P Yes I was just thinking about what he said when I met him. I'm pretty sure it was okay you've found me something like that. I'm sure he said something to the affect get it over with, get it over with.
- M What did he expect you to do, pull your gun and shoot him.
- P I don't know what he thought, but I just remembered his composure, he just turned white. He's obviously a man who had done something very wrong.
- M Roger Roger hard to look at.
- P Well..
- M Keep on broadcasting... you don't know what investigations are
- S Somebody here remembers that one time back when he was still working in S.F. in his office a tape recorder, a tape recorder disappeared and he had claimed he never owned one, but a tape recorder had disappeared and he was very very very nervous about it he was really upset about it.
- M While the papers are at it, he stole it or had a good tape on it or it was from his boyfriend and he didn't want anyone else to hear it. Over  
Roger roger
- M Okay I think that's it from here at least for tonight, but please pass the word to all the people who are in the command position over there, pass the word tonight and tomorrow morning for everybody to think I'm leaving tomorrow evening, I want to go back with as much material as I can possible have, I'm going to have to trace everyone of these bank accounts and by the looks of it, he's got bank accounts in every country in the world, now please everything you can think of about his movements in January, February, March 1977 is that a copy.
- S Roger roger and I have some notes here in his handwriting and we'll go through and Jim says thank you very much for your thoroughness, he appreciates it very very much.
- M If you like my sarcasm as much as my thoroughness, we'll get along just fine....
- S Roger roger, you're okay
- M We have no more traffic on this end, you're clear
- S Negative negative Jim says best of love and best regards, take care of yourself he says
- M Tell him I get 10% on everything I recover.
- S That's alright with us, that's alright with us. Jim says no complaints.
- M We'll talk tomorrow, we'll talk tomorrow
- M If you have any other info let us know
- End of tape

PROKES - Anything being tape where Jim was personally compromised ,he's always been honest about his faults but it could have been something about counseling or maybe something more than our socialist beliefs where people have to share their wealth, or saying that the same rules that apply to the poor have to apply to the rich. And visa-versa but if we can get those back it would make us happy just to show them we could get it done, not that its that important , you know.

MAZOR - Yeah, give us a name and we'll see what we can do, but I'm not going to endanger anything else at this time to bring up another mess.

PROKES - O.K. I MENTIONED did Tim hear who it was with Faith & Janet?

MAZOR \* Thats a Roger.

PROKES - Also do you have any ideas ~~xxxx~~ aboutther spying, that anythi might be pending journalistically, this is something I'm worried about undoubtedly theres a connection between her & New West because one of k reportees found his finger prints on the window of that break-in, and i if you have any ideas on how it could be stopped because they might be getting ready to do something it seems. over

MAZOR - Don't get paranoid, let Charles and I handle the problems down here and you handle the problems up there. You are not now a member of the broadcasting community. over

PROKES - No, I'm not just speaking for myself. But I know what you are s saying, ah but someone just set mentioned to them why is it that we are being hounded, you know because this is what it is like, it could have it's effect.

MAZOR - Why don't youguys wait until it's coming out, youguys are flying off the handle up there and your becoming very counter productive to what we have already very well established as what happened . So what we would like you to do is stop worrying about the CIA, NBA, AAA, and let theAuto Club tow your car and don't sweat it. And then find out for me about what particualr subject in a patticular time spand and let us do the worrying. You don't know what this thing is so do like the grayhound says and leave the driving to us, or something like that. Take care.

PROKES - O.K. The only reason it was mentioned it could add to the prob- lems of something didagain and there is indications that they arepre- paring, because inquirers they have made, direct inquireys both the Enquirer and the New West.

MAZOR - Well wait a minute, you know well people are making inquirers your not letting them in down there, theres nothing they can do and what .. you know I don't know what you people are trying to accompolish down there but you make life pretty rough for the people trying to follow you through. All I'm asking you to do is let your attorney handle it. I don not have anything to do with that, my position is to try and uncover problems and I'm not an attorney so talk to Charles about it. hows that?

PROKES - Well o.k. He's left is that right?

MAZOR - No he went to bed he got tired.

PROKES - O.K. well are you both going out the same time tommorrow? No I will probably be here until saturday, I'm trying to getbt the informati on that you people may have given away in your craniums.

PROKES - Roger, oh I'm ahead of myself, I thought today was friday. O.K then there will be a chance that I'll be able to talk to him tommorrow.

MAZOR - Today is friday. over.

PROKES - Well you know what I mean, ah it's early friday.

MAZOR - Micheal your getting paranoid , relax....

PROKES - No I'm getting sleepy.

MAZOR - That may be one of the things but...

PROKES - One thing that will make us feel secure is if Jim wants to know if you can be ~~xxx~~ employed on a permanent basis? Would that be a conflict?

MAZOR - That might not be a conflict but you can't afford me.

PROKES - Rodger, well we can't afford to go through what we've been going through, that's for sure.

MAZOR - I understand that but there may not be a conflict, but let me explain a few things to you about the city life out here where they have cars, & people and capitalistic ideas and all the rest of that stuff.

# 1 - wait a minute I want Jim to be listening or near by. Is that a 10-4?

PROKES - Wait a minute ,I'll see if it can be done. Stand by.Try it Joe

MAZOR - HELLO THERE.

PROKES - O.K. go ahead.

MAZOR - repeat your question

PROKES - O.K. well give us an idea of what your fee will be as far as that goes.

MAZOR - O.K. Well let me give it to you like this I don't know if that would or would not cause a conflict at this oresent time, If there was that would zero me out, but if there isn't then I don't think you people can afford me. And furthur more I have already planned to come back up there in the next 60-90 days and get the assurance of the proper Stoen Federal order from the leandry here to set up an entire secutiry

MAZOR CON'T - program for you. I'm doing this because I think you need it I'm ~~not~~ doing it out of pro- moral basis , do you understand that?  
PROKES - rodger, stand by. He knows that. but he wants to do something in return in the future.

MAZOR - Good then tell him to go to the hospital.

PROKES - You quite an unusual man he says

MAZOR - Well just remind him I came out here to hang him not to glorify him.

PROKES - He says it may not be much but he will go to the wall for you.

MAZOR - What wall the Berlin wall or the Church wall ?

PROKES - Speaking about walls in the good old American sence, there would be a few thousand with him, ~~xxxxxx~~.

MAZOR - My job as Jim well knows because Charles has well been clarified by Charles. The conflict just lies on where we may go. As I understand it tonight based on the information we put together today, The same information which Jim will be recieving by a tape recording. Copy?

PROKES - yes

MAZOR - Based upon that information that we have put together I will be doing one sole thing . That will be running down the millions of dollars which have been taken from the Temple. That is the total. It may take me days maybe weeks, running down all of this crazy back connection. Copy?

PROKES - Stand by... pause(lenghty)... He couldn't possibly let you work for us and not give you anything for it.

MAZOR - I work.. I don't work for you. I work with Charles, whatever Charles arranges is what we do, you people arrange. over

PROKES - Then you can get a share of that crooks money right?

MAZOR - I don't want it because your never going to see it, all your going to get back whatever he has left. And what you get back your gonna need it because you have expenses yourself. Charles ~~xxxx~~ pays me according to a procedure we arranged at your inquirer. So you discuss it with your attorney not with me. Is that clear? over

PROKES - He understands, He just had the feel he wasn't recieving because he's not a taker.

MAZOR - What I have to say to that I won't because we are on the air.

PROKES - Well you have to understand the stories you were told about the nature of his personality.

MAZOR - Well that may be true but the nature of mine is that I started in this thing and I told you all that I'm only interested in one thing is to clear up this whole mess. And you know It dosen't really matter if you people have been dirty , you have to dry only by hanging the next guy out to dry. Thats the name of the game that I play: I don't pick sides, and I don't defend people who are guilty and I don't prosecute people who are innocent. Do you understand that?

PROKES - He says he knows theres not a whole lot of people like you?

MAZOR - Theres a whole world full but he just has to look.

PROKES - He's looked but never mind he dosen't want to take your time.

MAZOR - You guys just get together, you have now until one o'clock ~~xx~~ on saturday afternoon, when my plane leaves and its between now and then. I want every brain picked out there as to any instances concerning any one prime substance which took place between Jan. 1977 and May 1977. I don't care what he did in 1975 or 1978. I'm interested in that peroid of time , I want to know what he did , when he went to the bathroom, I want to know everything you people can think of because obviously besides the people that were here at P.T. there were people out there. Jean came in as I understand from S.F. and had a long 60 hr. meeting with this guy here. Theres all kind of information that you people are just letting pass over your head. Over

PROKES - Rodger, Well that

MAZOR - Well thats the peroid, I'm interested in, because we have a guy here who has been running around, he's been in England, Trinidad, S.F. South America. I waist time, money, your money which your attorney pays me. And if all you people can get together then we narrow down a two - three period to a 4-5- mths period, and that 4 or 5 monthes period is the time that he went to England for no other reason other than to secrease money wh ch he stole from you. Copy ?

PROKES - He copies, we'll try to get our act together.

MAZOR - Those are the sweetest words I've heard throughr this wholr Q&A. Every once in a while Mike you get a chance to do something right.

PROKES - I'm glad I did something right. And if you ever run into something unexpected don't ever hesitate to call on us.

MAZOR - I hope I do run into something un expected because thats what I exist on.

PROKES - I didn't get that right , We are refering to a child who needs a place or anybody on the out or an animal or something. A child or ever has a place.

MAZOR - Well if everything goes alright in the next 90 days , you can probably get yourself pertaining from this damn mess that your in. But at the same time we may be able to price down a new airplane. How does that grab you?

PROKES - He says that your darling.

MAZOR - No Jim was , I'm not built that way.



PROKES - Your as tuff as ~~males~~ <sup>males</sup> but ~~you~~ <sup>your</sup> an angel of a human being and we sure appreciate it

MAZOR - I'm a capitalist, good-night.

PROKES - So long Joe, talk to you tomorrow.

\*\*\*\* END \*\*\*\*

MAZOR - Next time I come down, I'll be down about ten days to train these kids for their security. Maybe I better have a flush toilet with a light in it. But ~~xxxx~~ forget about flushing, how about a light?

PROKES - A light? Well It makes it more interesting in the dark, Sarah says

MAZOR - Don't have any more cats out at the guest cottage then, because cats you got are gonna get lost because one jumped up there and almost missed.

PROKES - Yeah that happened to me too. ha-ha

~~MAZOR~~

SARAH - Oh yeah one thing on going through this stuff of our friends here we found that when came over here, when he left S.F. on Feb. 16 he stopped over night in Trinidad, cause his entry plursy declaration is the 18th.

MAZOR - You are a dream.

SARAH - ha-ha, I've been trying to convince my friends ~~for~~ of that for yrs

MAZOR - Is this Sarah? Your a dream ~~dear~~. How much stuff do you have out there, that your going through? Do you packages or just a couple little note sheets & a diary.

SARAH - We have the diary and I have a package of a handwritten stuff which I've pretty well been through. Thats basically what we have herel I already talkd to the states about theaddress book and all the other stuff foryou. I think thats about the major thing. Well comb through just to make sure again.

MAZOR - You understand, of course what we are trying to do, were trying to consolidate a exact time where he was at one pacific time. And work from there rather than use the shot-gun method of trying to be all over ~~xxxx~~ track him that way.

SARAH - Rodger, Thats why I think this diary is helpful, because it covers the period of time he was in London.

MAZOR - There seems to be no question in Charles mind or mine ast this time because all the pieces fit as you will hear when you hear the tape that we are sending. With all the pieces fitting in the way they do, he went to London for the sole purpose of moving money.

SARAH - I think there are a couple of names mentioned in the diary, including some rotary club people and the bankers etc. so it could be helpful.

MAZOR - By the way did you find the suit-case that he had?

SARAH - Oh out here? I don't think yet but we'll be looking for it. We'll probab lt tear the place apart, but we will be looking for it.

MAZOR - By any chance ~~is~~ the suitcase may valua ble it will save us a heck of alot of time.

SARAH \* Rodger

PROKES - Are you ~~send~~ bringing the stuff you told me about or are you just sending it.

MAZOR - My dear friend I am bring you ~~the~~ approximately 5 warm lone bodied for 10 days learning how to do what they are suppose to do.

PROKES - You said that will be between 60- & 90?

MAZOR - It might be sooner but it should be about them. However I am sending you immediately next week the pretty blue and yellow vest for your leader to wear.

PROKES - O.K. Thanks alot. The rest will come with you?

MAZOR - 10-4, We picked blue and yellow because he went with his eyes.

PROKES - Ask Thomas if hes still there does he know anything about the tarps yet?

THOMAS - No Neg. No information on the stuff.

KAREN \* O.K. we'll have to trace it, This is Karen.

Good-night Joe Thanks for everything.

~~MAZOR~~ PROKES - Karens going to bed.

MAZOR - Oh thats a shame.

PROKES - She has it coming. Anything else on the crates?

THOMAS \* No nothing else.

THOMAS AND PROKES SMALL TALK, reg . traffic.

SIDE TWO - BLANK

M Gene question? How did you order the two trucks which you purchased from London, and whodid the ordering when?

G I was there, I suppose I'd have to look at my passport but about February of 76, I ordered them, we sent the deposit from the states and ultimately bought the British pounds in the States and sent them over.

M Ok, did at anytime our friendly attorney go over to London to do any purchasing or anything connected with those vehicles?

G Not to my knowledge, he did not.

M Did he to your knowledge or to Jim's knowledge go over there on any other business venture?

G Roger Roger Roger  
he went over there

J Oh yes indeed, and some of our people wanted to see why he went over there and they dropped by and they saw him pass something what was it a letter to a bank, wasn't it --reply: no -- well he passed the letter to somebody, he sure did. Yes he went to London, I don't know what for but he did, over. Okay, but you p

M Okay but you people did not send him there on any business, is that correct, over.

G Roger, Roger Roger, we did not send him there on any business, over.

M That's a 104, thank you very much, hold on a minute.

G Yea I want to talk to you too for a second Joe so hold on.

M - Alright, hold it. Gene do you still copy.

G Roger, Roger

M Charles is sending a tape via plane tonight or tomorrow. It is our belief that the monies Stoen is using at this time and has been using were Temple funds and if there was a conspiracy, that conspiracy was really against Stoen by Grace Stoen and the Myrtles and ultimately the Swinney's and all the pieces fit into line. Do you copy? Over.

G Roger Roger I copy. We're looking forward very much to reading that tape

M We also believe that the total amount of misappropriation was in excess of \$1,000,000. Copy?

G Yea, I copy; I'll be you know what.

September 14, 1978 (Side 1 continued)

- M Alright, you have something for me?
- G Yea, I was just wanting to point out, it may be needless, that you remember a year ago that among other people you met, you met a fellow by the name of Don from the Oakland area?
- M That's a copy.
- G Roger, Roger, you know who I'm talking about?
- M That's a copy, I remember him.
- G Yea and do you remember the fellows he moonlights for and has for a number of years?
- M Vaguely, can you refresh my memory, over.
- G I'm sorry I've got the wrong name, his name is David and he use to moonlight for some folks besides his regular job <sup>you were</sup> and he was telling us about the moonlighting you did over the years.
- M You have to come again you've got interference.
- G Roger Roger I had the wrong name, the fellows name is David - a middleaged fellow gray hair kind of a thin face, David he came from the Oakland area.
- M I vaguely remember someone Gene, but I don't remember where I met him.
- G Well, he was connected with the oil business.
- M Oh, that's a Roger, security on the oil rides in Saudia Arabia copy?
- G Yea, yea, yea, well you remember the fellows he use to moonlight for?
- M Oh, no I don't, I thought it was Bechtel for a minute, but ~~no~~ I don't think so. Over
- G Okay, you remember, yea you remember Dave Kahn?
- M Yes I remember.
- G And you know who he use to moonlight for, he had a part time income producing job. Right.
- M Oh God, got you <sup>yes okay</sup> Danners
- G Right, right, right, I was thinking some of the people ~~who~~ that he use to provide information for ~~that~~ might be interested in this little event in Timonthy's life.
- M That's a copy, that's already in the tape. We would really want to be those type of people, but their money belongs to

September 14, 1978 (Side 1 continued)

M the Temple and first-come-first-serve is an old attic, 'he who gets it gets down first, is that a copy.

G That's a big big big 104. Okay well good, its good to hear from you. Is there anything more right now.

M 803, 803 do you copy 801, over.

G Roger Roger Roger copy go on with your traffic.

J Do you copy, do you copy.

M Yea you copy go ahead.

J Okay we just wanted to see if you did. Do you have any more traffic for us good man?

M Not at this time.

J Okay, I know Im subjective, but that one man, it looks like the one man that isn't the biggest culprit of them all, he's the one that I might say subjectively I have the greatest reaction to; because he's trying to look like Mr. Clean and above everybody else, and maternalistic to all people and acting like he's a Saint, is he clean. over.

M No he is not clean, he is as dirty as that.

J I'm sorry to admit that I have such a feeling but you're an honest man and I like that statement you gave here last night about power. I like you very much, you're a straight-forward man and I'm sorry to say that I would like to see that man gets justice. Some other questions here that Sara wants to ask you.

M We're on top of someone, I think you declare frequency 6F go up 6 you copy.

S Roger, Roger, Roger, 8R1 8R1 do you copy? One thing we wanted to ask you if there's any way that we could be of benefit to you in writing to anyone or getting any letters in on your behalf and any kind of situation that could be helpful to you in anyway, let us know, okay?

M Negative copy, that whole thing was a negative copy

J Do you copy, you copy

M You copy 104 go.

J I know that one chap - Rock, that Rock he is a very devious person, I know that he will probably be writing letters about people who are doing good. Now I've made a couple of contacts as I told you with one author; I'm also a very good friend - another man's been very friendly to us -- how do I say that

- J Who's there with you? - - -
- M Conner, Charles, Joe and Gloria.
- J You know that high governmental official that is coming here and been very friendly?
- M Coming soon, coming soon. .
- J Well yea, after things get settled down - he used to be on the Griffith Show, Griffith Show, does that give you-- use your thinking power there.
- M Roger, Roger Roger.Roger
- J Alright, now it may not be necessary - Mazor may not feel its necessary at all, but I thought a number of good letters from important people might just counterbalance his tactics because I know how he plays, but I don't want to move ahead of what he would want done and that was the essence of that question. .A number of well-placed letters on how proficient the man is in his business, so forth not coming from any church, but from different people. I just wondered how he felt about that. Over.
- M Mr. #1, Mr. C and I both say keep your pen in your pocket, write no letters, have none written, let the thing work its way out our way. There is a tape coming up on the plane for you which is urgent, requires your immediate attention and both of your ears. Over.
- J Okay, I just didn't want him to hurt a kind man in any way and I want you to know that those connections are available if it comes to that, because I know he plays a dirty ballgame. So I'm glad to hear that you've got such an interesting tape, and we'll be looking forward to you. Over.
- M There are no kind men in this room right now, we all fight the same way he does. Have a good evening and read your tape. Over.
- J You're a good man, I like you, take care of yourself, hope to see you again, not too long distant future. Give Chuck/Charles our deep regards, because he's another top of the morning.
- M Roger Roger, he's out of the room I'll pass it on, he just walked out.
- J Will you please, please do that, give him my fondest regards -- I appreciate you, you wondered on to something, eh?

J Is that the case?

M Roger Roger it started just a brainstorm, it started I wondered if

J Our people in London, you copy? He had envelope with the bank name on it, they think its the Royal Bank of London they're not sure. He passed to a clerk and said please see that this is mailed. Do you copy?

M 104, you don't have to go too much further, the Royal Bank it happens to be part of a Canadian Banking team that he is hooked up with.

J The interesting thing, we being pacifists, it would never call for such a statement, he said one thing to us. Do you copy?

M 104

J You caught me why don't you get <sup>it</sup> over with?

M We copy, hold on a minute? -- Can you give us an approximation date on when he made that statement? Over

J Prokes is looking.

M And who was present when he made that statement?

J Prokes heard him.

M That's a Roger.

J Strange question, because he knew our modus operandi was always peaceful, very strange response.

M Was Sandi present when that statement was made? Over.

J I imagine, I imagine.

M 104

J Yes he said she did, she heard it too, and it seem like a very strange response.

M Where was this statement made.

J Heath Row Airport at the baggage collection depot.

M That's a Roger. When he made that statement, what did Sandi or Prokes say? Over.

J I'll have to find out, he's going to get the passports so we'll know the exact date, I'll have to wait if you can wait just a moment.

M That's a Roger, we had suspicion and when you hear the tape, you will find that we had already suspicioned <sup>that it was</sup> the Royal Bank

September 14, 1978 (Side 1 continued) P6

3-1-b-5c(1)

M because that is the London connection to the Canadian Bank Over.

J Yea, yea, yea, and obviously he thought we knew something we didn't know.

M That's a Roger.

J We also have a momentous collection that he left behind, a Royal Bank of London, and the man had no plans to ever go to London that we knew of -- it has a safety deposit number. Stand by

M Roger .

J It seems like you and Charlie have been making a lot of good hay and I can tell you both you've made me feel better than I have for 6 months.

M Well we stopped fighting and started getting together, loving is better than fighting.

J You bet your life and it will always be that way -- note made in late February 1977 while in Guyana, note is Royal Bank, (I can't read my -- what does it say there) Royal Bank one change & a square - 2 safety deposit boxes its outlined in a square but there is no number, but its in his own what's that one up there - get change bank. 2 p.m. change bank and then beneath it is Royal Bank and then beneath that is Royal Bank and beneath is change. Then #2 in a square is safety deposit box.--yea he claimed to me he didn't have a penny one -- you copy.

G When he left here in Guyana in June sometime around the 10th 11th or 12th of 1977, you copy...He was out of our sight for 2 to 3 weeks - you copy?... I kind of suspicioned that he might have taken that time to move his nest egg out of London to some place else in Europe. Is there some way you can follow that down.

M Yea we can follow it down, now lets go back just a minute, over. --you're talking June 1977 is that correct? Over -- Roger - According to the man we read to us moment ago, we were talking early 1977 per the note, is that a Roger.

G Roger, Roger, let me read back the scenario for you copy.

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5-1-b-5d

J I got you, I got you whatever and whenever you and Chuck - to the end, its to the end. I haven't got much, but one thing I have, not looks but I do have a lot of loyalty and I shall never forget what has been done, thank you and over and out.

M That's okay just throw your dam pens away - over and out.

J Well sometimes they've been handy, but I will coordinate, thank you. Get some rest, we love, we all appreciate you very very much. It came at a right time...

September 14, 1978 (Side #2)

M Okay Mike this is Joe do you copy

M Okay I want you to take me back through <sup>your</sup> this episode with Mr. Hunt, do you copy over.

P Repeat the name?

M I want you to take me back through the episode.

P He sent it together, his secretary called, Maria and this was in San Francisco

M Whose secretary? P Mr. Hunts. It said that he had a suitcase.

M Repeat that now Mike, who called in the first place over?

P Mr. Hunt's secretary called Maria at the church. M That's a roger go.

P He said that Mr. Hunt had the suitcase. M That's a copy. Did Mr. Hunt tell Maria where he got the suitcase.

P The person had left it with him.

M Did he leave it at his home or at the office over.

P I believe it was at his-home.

M That's a copy, now did - when Mr. Hunt called Maria, did he tell Maria how he got the suitcase in the first place over.

P I think he said that the person left it there with him.

M That's a copy, now what did Hunt tell Maria?

P We think he said what do you want me to do with it.

M Okay, get Maria there so she can tell us exactly what went on is that a copy?

P We're getting her, we're gettingher over.

M Now go ahead and take me through for this minute what you and Sandi did when you went to get the suitcase over?

P Stand by okay Maria got the suitcase from Mr. Hunt over.

M That's a copy go. P We opened it M Okay you opened the suitcase, what was in the suit case over?

P Stand by, stand by. Jim's calling from the field phone where Maria has the facts first hand so stand by a second.

P Okay she's saying, she's saying that Mr. Hunt called personally, she's saying that it was him personally that called asking how he could get a hold of the man.

M Let me get that right, is this right, Mr. Hunt called Maria personally and asked her how he could reach the subject is that correct P roger roger

M Okay, then what did Maria do over

P Okay then he said he had a suitcase that he had to get it on a flight to him - to the subject.

M Okay he told Maria that he Hunt had a suitcase which he had to get on an airplane flight to the subject.



M Go --

J He came down here to Guyana in February of 77 - Roger -- later that spring sometime in March - in late March - he flew to London

M He flew to where?  
G London, London. From there he met our folks and returned to Georgetown - Copy - he did not expect to meet them there they were a surprise to him - he returned to . with Sandi to Georgetown perhaps from ten days to 2 weeks after after he had left, do you copy-- no repeat that one -- he returned to G/T about ten days to 2 weeks after he had left.

We have reason to believe that he spent his entire time then in London. He again left G/T sometime around June 10, 11 or 12. We lost sight of him until that time and sometime thereafter (2 to 3 weeks later) suspicioned that he was staying at his parents' house on Colorado, copy -- we don't know that exactly, but we somewhat validated it because apparently Haus had some discussion with him there, you may know about that.

J Someone suggested (he was out of the country and we keep on the good side of him.  
G In the meantime, we suspect that he may well have returned to Europe to do his little business, he was familiar with international banking arrangements.

M Right, he was familiar with them, he read the Wallstreet Journal every day.

G Roger, roger roger, I just wanted to lay out the scenario for you in hopes you might be able to do some checking about those events in the later part of June, you copy.

M That's a roger, that's the same scenario we had, but we had one question? How did you know that he was in London when you sent Mike to get him.

G Very amusing story, do you copy -- M No -- J One of his buddies in the office where he worked, he left a suitcase with the man -- repeat.

J One of his close associates, you copy - go - where he formerly worked, you know in the foggy city - by the name of Hunter. Says he got a call to deliver his suitcase to London, do you copy & Hunter thought we were on the best of terms so he gave us the suitcase, do you copy.

M I got it - that's beautiful

J I thought you'd enjoy that--

M Have you got any more traffic for us over here, over.

J March 30, Prokes got there March 30 and left there April 1, 1977 copy -- Roger Roger - Sandi came on with him here and Prokes went on back to the states - copy -- roger -- I'm sure she can verify what was said.

S To put it a little bit closer in time, he sent Paula--Stoen sent Paula a telegram from Trinidad dated March 25th saying he would have to stay in Trinidad for 9 more days - - copy That's a roger -

M So he arrived in London between March 25th and March 30th --  
S And again as we remind you and we don't want to take more of your busy time because you have certainly been busy bees -- He did not leave G/T by commercial flight and its no small penny to fly to Trinidad by charter.

M That's a roger, Mr. C& I have a request, that you cancel - do you copy, cancel --roger -- that you cancel any reprimands of Sandi is that a copy?

J Oh roger, . roger, I'll do that -- certainly, roger roger. She was the motivating force that caused him to move it was just her looks that's all she had, she's good in that department.

M Leaving today with Sir Lionel - do you copy -- roger -- & in that meeting all problems were solved - is that a copy -- beautiful copy -- you are free to return to G/T and go to the hospital, is that a copy --

J That is fantastic news, I think you've already cured me, but that's fantastic news.

G You will be accepted within the next week in G/T for the medical work up your counsel told you to get , is that a copy?

J I heard the order, yes I will copy I will roger to that.

M Will you sendentire scenario of that conversation between your counsel is coming to you by airplane to you tomorrow - make sure both sides of the tape recordings are listened to.

P Roger

M Then what did Maria do.

P She said I can put it on the airlines for him.

M So Maria told him that she would put it on the airlines, now when she got the suitcase, was there any address on the suitcase over

P She thinks there was no address on the suitcase.

M Then how did Maria know what to do with the suitcase after she got it from Hunt over.

P Because Mr. Hunt told her where to send it.

M Because Mr. Hunt told her that the subject had told him where to send it is that correct?

P That's a roger.

M Alright then Maria has the suitcase, did you open the suitcase

P Roger M And what did you find in the suitcase over

P Warm winter clothes, M Warm winter clothes P Yes shirts pants, shoes all warm winter clothes, there was a couple of suits in there too.

M Did you find any keys in the suitcase over?

P We're relaying by field phones that's why its taking a while, there was a roll of locked suitcase and it was opened by combination, trial & error and no keys were found inside.

M That's a roger, what did you then do over

P Unless we missed them inside the clothes, because the clothes weren't gone through that thoroughly so it could have been in the clothes; but then we made reservations and left.

M And you went to the A. Airport is that correct over.

P Roger and we went to where the unclaimed luggage goes. We figured that's where he'd pick it up and that's where he told Mr. Hunt to send it and we waited for him there.

M Stand by. <sup>Did</sup> Mr. Hunt call the subject back and tell him what flight the bag would be on over.

P Mr. Hunt didn't know what flight to put it on so she just sent it so it would go to missing baggage

M That's a roger stand by. .

P She told Mr. Hunt she would take care of it emphatically

M Who told Mr. Hunt they would take care of it emphatically? over

P Maria. M That's a roger P Because she suspected it might be money or something

M Did Mike-Sandi really check the bag well or did they just pat them down over

P Unfortunately they weren't gone through that thoroughly they were mostly padded down M That's a roger stand by

P When he saw us with it he turned white as a sheet and he finally walked in to claim it.

M What did the subject say when he actually saw you face to face over

P He said well do what you're going to do, why don't you get it over with

M If you'll let me repeat - do what you're going to do why don't you get it over with. Is that a copy

P Roger

September 14, 1978 (Side #2 continued)P10

S-1-b-5e(1)

- M How did -- what did you understand the subject to mean by those words over
- P Well he was so taken back that -- stand by -- its really difficult, I didn't really know, I just know he looked surprised, but we didn't know -- we weren't sure what he meant.
- M Did you ask him what he meant
- P No, and you know we've never been of a violent nature so it didn't occur that's what he may have meant
- M Did he know that you had a CPW
- P Repeat
- M Did the subject know that Mike was looking for a CPW permit over
- P Roger roger M Do you feel that that statement which he made could have been in connection with his knowledge of your possession of that permit over
- P Well sure it sounded like a man who had done something and deserved to have that done to him.
- M Did you at any time cause the subject to feel fear from your possession of that permit? over
- P Repeat M Did you ever cause the subject to have fear because of your possession of that permit? over
- P That's negative, never --
- M You....
- P Negative copy M That's a copy -- how did you carry on after you met Stoen, what happened next over
- P He knew Sandi didn't trust him.
- M What did you do after you met Stoen and had talked to him in the airport? What did you do next? over
- P We went and talked to him -- stand by
- M Where did you talk with him?
- P It was a place near by, it was an eating place at the airport.
- M What did you do next, did you go to his apartment, did you go with him anywhere? over
- P Then we got a ride to a hotel and had dinner, copy
- M That's a copy, what did you do next?
- P Stand by, stand by --
- S Stand by a second, Mike is trying to think M Tell him to do it on his own time
- P Okay, after that we had dinner, I was trying to remember whether it was the same night she went with him and I went back to where we stayed the night before and that night she went with him and stayed with him where he was and I went back to where we were and the next day we met at the airport ..... and I went back to the states
- M Alright let me get this one straight. After you had dinner, Sandi went with the subject to the hotel where he was staying and you went back to the hotel where you were staying and the next morning the two of you got together (three of you) got together again and left London, is that correct.
- P I am not sure it is correct Joe, but what I think, she'll know there may have been a day in there when she was with him, it may have not been the next day, stand by, okay I'm trying to piece this from our memories of what she told them and what I remember. He said that he had to meet some of his friends the next day and that he

P did show and they went to a play that night - he didn't say where he was staying at that point (he refused) do you copy.

M Let me go back over that - after you had your dinner, did you go back with him to his hotel copy P Roger M And then the next day the 3 of you met again is that a copy?

P I think we are going to have to get her in on this --stand by See he refused to tell us where he was staying, but he said he would meet the next day, we may have stayed 2 nights at this place and then he met with her the next day and after meeting supposedly meeting with his friends copy so far. M That's a copy - then he put on the dog, for when they met later that afternoon and they went to a play and then I think they went out the following day --as Jim recalls--and it could be wrong. Sandi said for the first time he tried to come on to her, but she looked at him steally-eyed and so the course went on

M That's a copy, let me get this thing right now from remembrance that you have is that you spent a couple of days there running around and he took her out the next day and they went to a play or some place like that and after that he tried to put a make on her and she did not and then things went along as normal is that a copy? What happened next?

P I think I had left that morning and then as I recall she stayed with him that night and they left the following morning - so let me see if the others have that information S and he sweat all the way back to Guyana

P He said he sweat all the way back to Guyana -- she put him on the plane

M Did Sandi or you ever hear of the or hear the names of any of his friends in London? over

P I don't recall any names, but we had a book with some names of people in and around the area that we may still have it.

M What kind of a book? P Its a little address book

M Did that address book have JP or GP over

P SF M That's a copy, can you verify that before midnight tomorrow night? over P You mean that we have the book

M That's correct over P Roger M That book is very important because it may give us the names of the bankers to which deposits were made by subject, over

P Roger roger, M stand by while I try and recompute

P You can see our whole file on it

M When the subject contacted Hunt and Hunt contacted Maria, did Hunt tell Maria how his contact was with the subject, was it by telephone, was it by letter or by telegram or by carrier pigeon? over P Stand by checking

P It could have been a telegram, but it may have been a call too. We didn't count on Hunt being a friend of ours, so we don't know for sure.

M Was his name Hunt or Hunter? over P Hunter M That's Hunter that's a copy.

September 14 1978 (Side #2 continued) P12

M Stand by...

P You know its the same, the same office

End of tape....

S-1-b-5f(1)

①

Mazor + Chaikin on Radio  
Memorandum Side

S-1-b-6a

If you go back to California and try to prosecute him, he has too many friends there in Mendocino and San Francisco for you people to get an honest and fair amount of time for him in the State prison.

Chaikin: "I had visions of a federal jurisdiction on the matter," Mazor, "Well you may be right, but I had visions of the nice little country known as Great Britain demanding extradition because it would probably work easier, and then Guyana extraditing from Great Britain." Chaikin "That is an interesting point of view. I have no way to visualize to what extent if any our English friends would have any kind of vested interest in in this kind of transaction. That is almost that would have to be worked out in terms of comedy with the Guyanese government. That information would have to be developed on your side." Mazor "I can give you this much if money is deposited in bank in Great Britain, which is the proceeds of a criminal act, they immediately, according to their criminal standards, have the right to extradite the criminal." Chaikin "I'm not so much concerned with the technical application of the various statutes because as a generality, most nations have a statutory structures that are plenty broad to to cover us. I'm more concerned with the administrative practicalities and whether the individuals concerned are really going to concern themselves with this problem." Mazor, "I hear you Gene, and I think that you probably have something going on this end. Jim has got a lot of friends here and they may be very willing to take that step out. Particularly if when you look at the political position of Stoens' ATTORNEY, ESPECIALLY IN TERMS OF THOSE in power here.."

Chaikin, "Yeah, I see that very clearly. I'll tell you what. Off o of the top of my head, I would think that we would want to discuss this matter, with some people here. At the time that we had some ammunition, you know, I mean some really well developed ammunition and documentary material." "I'm not even going any farther than what I did. What I'm trying to establish is words of a letter before this. When I was with Sir Lionel, I wanted to make sure that there was a validity because ~~it/it/it~~ if Stoen were to come back to England, I would like to see that maybe his arrest could take place there." said Mazor. Chaikin said, "Well, if our suspicions were anywhere near accurate, He may have to." Mazor, "That's true and I'm sure that the leader of the concerned relatives would all but disappear when as soon as these accusations became public." Chaikin, "I like this as an approach. I wouldn't want to to altogether discard the possibility of a federal jurisdiction. After all, there are elements dealing with Security Exchange division commission involved in the thing. There are all sorts of transactions across interstate and national lines, and there are plenty of grounds for federal jurisdiction in the case."

Mazor, "well, lets leave it at this, you can take it anywhere you want to take it." Chaikin, "Thanks so much Joe, I appreciate the information. and everything you're doing, absolutely delighted with it. I think what we need to do is to develop all the alternatives that we see as feasible at this point and then see how the cookie crumbles."

2

Mayor + Chaikin + Radis  
Memoir Tape

S-1-b-6a(1)

Mazor, "I think with the information that you have, and the ability to go maybe 1, 2 or 3 different ways, you can sit down with Jim, Charles, and everybody else and decide what you want to do, and that matter is solely up to you people, because that is way outside of my jurisdiction." Chaikin, "Yeah, well Terri is going back in a few days, and when she does, she'll go back with a kind of an outline, a written outline, of the way we see things and what our purposes might be." Mazor, "My main thing with the thing this morning is that we was to insure the fact that we get a letter back here that has some some significance, if not official validity, at least significance as to the ability of Jim to travel within the country." Chaikin, "Yeah, I think you're right, but gee, with just in passing, with what I'm a little curious about, gee, with all this cooperation on one side and the lack of concern on the other side, what is the procedural limitation with just formally cancelling the thing?" Mazor, "There is no problem there. The problem is this. Stoen's attorney has notified Stoen that in the best interest of all, the measure be cancelled. The problem is that Stoen hasn't replied yet." Chaikin, "Well, you see, I don't know. The commonwealth procedures are much different than the ones I'm familiar with. If I were sitting back home, on my own turf, what I would do is file a Motion to Quash on all kinds of equitable ~~grounds~~ grounds." Mazor, "that's a 10-4, but here, they don't have a motion to Quash on Equitable grounds. They have a procedure, and the procedure dictates that the attorneys agree, and that the attorneys notify their clients to agree. If Stoen disagrees, he has the ability at that time to proceed with another counsel, or proceeding another way." Chaikin, "well, if I ever get away from my administrative job here, maybe I'll have the opportunity to spend several hours with Sir Lionel and get a cheap course on Commonwealth procedures. It is really kind of an Alice in Wonderland thing for me, not that I ~~don't~~ feel that it isn't a genuine and effective system, but I'm just totally unfamiliar with it and I'm it's almost impossible for me to make a comment on it." Mazor, "The only thing that helped me was that last night, I spent about 2 hours with the presiding Justice of the Supreme court." Chaikin, "I'm sure that he had the ability to explain all that to you. I'll tell you, if you could explain all that to Timothy if he would be so kind as to make a few notes, and send us out a little letter explaining to us how this is, all of us not being at all versed in these procedural things, it is a little hard for us to follow the action." Mazor, "I understand that. One thing that you might be aware of, it is the determination of the presiding judge that if Stoen demands to continue with the action, even after being advised against it by counsel, he will appoint ~~just~~ another Justice to the case. The Justice that has been on it has excused himself from the case." Chaikin, "Yes, we picked that up on the ~~the~~ case. That is really what we anticipated, you know, the PJ has his own position and his own responsibilities." Mazor, "Well, the responsibility in this case is that you can't just file a motion to quash or a Motion to to dismiss or a memorandum pleading, and be damned with the other side. It puts you in kind of a funny legal position, but I'm not going to tell you what that is, or try to tell you what to do. Again, it is way outside of my jurisdiction."

Chaikin, "Yeah, We understand that. We're just kind of gabbing about it. The thing that is most critical for us right now is documenting the various kinds of transactions that we discussed. My notions about this is until they are documented, a lot of what we have done is very meaningful, but we can't take the next step beyond that."

Mazor, "I agree with you. You are giving me information now that I may have had, or may have been given before. The documentation of this material should not be too very difficult. I expect to be leaving for England within the week, and from there to France. I should probably have the answers you're looking for within a week or two, and maybe the answers I'm looking for, shortly thereafter." Chaikin, "Good. We'll probably will certainly hope for the best. In any event we probably won't take any affirmative step until you advise us that either you have located or haven't located the essence of what we're looking for."

Mazor, "10-4, I will be contact with Charles at all times, and I will assume that any action on your part will be through Charles."

Chaikin, "Rodger. Actually in the next few weeks, Charles is going to have his hands full with all the defensive money business we're involved with." The defensive activity that we're forced to engage in."

Mazor, "I will be meeting with your Sandy on Monday, Sandy from SF, and by the time we've picked her brains and by the time we've have talked about the other material, we should be in the position ~~to~~ ~~to~~ ~~to~~ fro Charles to make some fast decisions as to what he wants to do."

Chaikin, "Rodger right, as long as he lets us in on his thinking, if you copy." Mazor, "The main thing here is that you at least have a letter which will somewhat dispel the fear of a "Right to Consultation" ((Not clear on tape). Chaikin, "Yes, well that will be helpful, and

some sort of explanation from Tim, or whoever as to the procedural difficulties involved will also be helpful, because what no one has ever clearly explained to us that procedurally what we were asking for couldn't be done." Our concern was, that coming from our background, well these things are normally done in stopping them." Mazor, "I understand what you're saying and I agree with you. I think that the biggest

problem that you have in your communication in the thing, Sir Lionel Luckoo represents the Corporate image of Peoples Temple. He does not represent Rev. Jones as an individual." Chaikin, "Well, that's true, there has been no need to represent Rev. Jones as an individual because he has not been formally joined as a party to any of the proceedings."

Mazor, "That's true. But now we're talking about guaranteeing his safe conduct although he hasn't been joined as a party." Chaikin, "roger

right. Whatever arrangements we need to make with Sir Lionel will be made." Mazor, "Well, he has agreed that it has already been taken care

of between him and the registrar and everybody else. So all that I've done is is just gotten a letter that I'll send out to you that will confirm and and reprot what Charles had in the tape recordings and what we talked about today." Chaikin, "Thanks Joe, we sure do appreciate everything you've done. The whole situation is certainly enlightened/

I was saying, needless to say, we do very much appreciate everything you've done and are doing, and the situation is very much enlightened from our point of view.." Mazor, "Everyone is chipper by now. Everyone seems to to have found out who the bad gugs are and who the good guys are. You can tell Jim that I took off the black paint that I had painted on his hat, and and it is now white." Chaikin-"We would have settled for a rainbow color." Mazor, "No, I always- only deal in the specifics of black and white." Chaikin, "Well, it is kind of a relief,



know." Mazor, "not beyond belief, but you've been characterized." Chaikin, "Well, it's good to know that the color of the hat is capable of being changed, Some of us were almost willing to believe that that was the end of it, and that the way ~~y~~ it would always be, you know, for better or worse." Mazor, "Nothing can't be changed as long as you have enough power and push to change it. You people brought mw down here and you showed me what you've got, and that's it, it's all ~~of~~ over, it's done with. Now, I'm going to go back, and I'm going to have a news conference on Tuesday. and God help Tim Stoen." Chaikin, "Oh, wonderful, I'd really kind of like to be there. I owe the fellow a couple myself you know. Mazor, "I'm going to ~~send~~ a tape, I'm going to have my sec'y make a video tape of the thing to be made so that we can have it sent down to you and play it, in the middle of the ampitheater." Chaikin, "Beautiful, you'll be able to hear the cheers all the way back there." Mazor, "Well, I I don't want ~~for~~ you to feel that I'll be saying something bad about you behind your back. I told you to your face that I didnt' like some things, and that I liked others, and you'll hear it right out front when I tell others the same things." Chaikin, "We're not worried about it, we're not worrked about it Joe. We don't don't expect a clack, a person who can't think independently is useless to himself and ~~anyone/else~~ everyone else in this world." Mazor, "Okay, well, that's what you're going to hear, and I think you'll enjoy it. I'm going to be swinging some papers around up there, some forged trustees, some forged notary documentants, whene people said that they didn't sign documents, when \_\_\_\_\_ (ultimately, they did---not clear on tape) I'm going to be swingmg around an original of a grant deed belongint to someones's piece of property which which I just got from Charles.. I think it should be a very interesting situation." Chaikin, "Well, I hope so. I just hope that our media representatives have the courage to be honest and give as much paly to this presentation as they did to the other. Cause, after all, like others in ~~the-field~~-this deal, they have been had." Mazor, "Well, I don't know that we're going to get front page heavy coverage that we got the last time, because that was real scandal, and this isn't. But, I did ask Steve Davis, who has been working on this, and has put alot of time in it, and maybe he might feel that it is scandalist enough because all his time is down the drain. Everybody liked to him. That might just make him mad enough to put it all over everything." Chaikin, "Well, I would think so. I don't know how peopla are up there, in that business. But, I know that when I've been had, and I've been used, I resented it and I have a tendency to make that resentment known in every way that I'm capable at the same time keeping myself out ~~of~~ stir." Mazor, "Right, and when you're digging up vines in the field, you turn them over and dig deeper, and take out your animosity." Chaikin, "Right, so I would think that some of those ~~felks-would~~-guys in the media back there would be just alittle bit resentful about the fact that they were used like they were by those people and and really just on the basis of plain common fairness, and of course there is a fairness doctrine at least applica able to the electronic media. But just on the basis of the plain common fairness, might just want to do something." Mazor, "I think they will give you a fair play, at that you're not going to get the heavy coverage that you got the last time, but you'r going to get fair coverage, I think, and as Timothy Stoen unfolds, I think you'll get more and more fair coverage. Chaikin, you know, talk about a movie, a moving picture, it would be hard to write a script that would have

Mazor+ Chaikin on Radio

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Chaikin, cont'd) a more interesting heavy." Mazor, "Yeah, well if I do anything, it will be a documentary and not a script." Chaikin, "Well, well see, but fact has always been more fascinating than fiction." Mazor, "Yeah, when you've got so many players. Okay, you take care.

As soon as Tim comes back, I'm going to the airport. You'll be hearing from me on Monday nite, via SF." Chaikin, "Have a good trip..." Mazor, "I'll talk to you on Monday nite, and I'll probably be headed for England on Tuesday or Wednesday." Chaikin, "Take care of yourself. I don't know how heavy this thing is, but however it is, we want to keep you in one piece, you know." Mazor, "I don't think it is that heavy. I think you probably have a suicide coming up in the near future." Chaikin, "Oh, my, my, my, well we don't wish that fate on anyone, but nature is going to have to take its course. I'm just saying that nature is going to have to take its course. We wish good for everybody." Mazor. "Okay, take care, and say goodbye to everybody. I'll be talking to you Monday nite."

The first part of tape is messed up so this part is from memory-I arrived at his office/apt. and was introduced by his Secretary. He was sitting at his desk, did not look up, and sat there for about 3 or 4 minutes without a word then he said "You have two children in Guyana" I told him "no I didn't say that, I said I had 4 children in Guyana". He waited a few minutes again then ask me what their ages were. I told him "Marcie-6, Leandra 7, Lowell-11, and Patty 13". (tape) (Carol talking) "He said Oh, you got a girl that is older" and I said "yeah, that's what I told you" He wrote down their ages and then he said "You didn't wish for your children to go to Guyana?" I said "NO" Mazar ask me "when did they go to Guyana?" I told him in August(77) He said "Your mother sent them to Guyana" and I said yeah. He said "What's your mother's name?" and I said "Edith" He said "Edith what" and I said Edith Cordeil. He just looked (My note until that time he had not taken his eyes off of his paper since the time I came in) at me and then back down at his paper then back at me and just looked for about two or three seconds and then he said "Harold or Ricks wife?" I said "neither one, ah, it's their aunt." "Oh" he said. He looked at me and then looked back down. Then he ask me "if I knew what was in the Guardianship papers" and I told him "no that I didn't pay any attention to them, that I trusted Tim". Then he ask me "who made out the Guardianship papers and I said "Tim Stoen did" And he said "where was they made out at?" I said "in Ukiah at his office" He said "you mean the D.A. office?" I told him "if that is where he worked at, I don't even know what office he worked in". Jean Brown "What was his attitude at this point was it kind of testing or cordial what was his attitude?"

Carol) . . . . . He seemed to be more testing than anything. He seemed more trusting than I thought he would be, I figured I would be in for a big long line of questioning. He then went on to ask me if the papers had been notarized" I told him "I don't know I guess" He said "well, was it filed in court?" I said "I don't know, I said the only thing I did was sign the papers". He looked at me kind of funny and he didn't say anything so I decided I better say something. so I said "Well you see it's like this, I have always been one to do what I want, and when I want to do something I just end up doing it, and I don't like anyone to tell me different. I wanted to go back East, and I wanted to leave my kids here, so they told me that I would need to sign papers in case anything happened to the kids while I was gone. So he said "Yeah that's understandable, that's how most of the Temple children . . . and adults have been got. Jean) "Leen Got? By what, by just signing papers. Carol) Yeah, and he said *they* trusted Tim. I told him, I trusted Tim to do whatever was necessary. And he ask me or rather he looked at me as if to say who else could it have been.

Jean Brown ask a question but its to garbled.) Anything else about Tim Stoen? Carol) Uh, No. After he ask the questions about the notary and stuff he didn't say anything for awhile, he just sat there and would look up at me and back down at the paper. When he looked up at me I was just sitting there looking at him. And then he said well, had I looked at the gradianship papers at all and I told him not really but that I had glanced atthem but I couldn't remember what they said. I told him that I didn't really care at the time and that it wasn't that I trusted Jim asmuch as I trusted Tim. I didn't mention Jim's name anymore then what I just had to. (Jean ask a question but tape to garbled)

Carol) Oh, yeah, he ask me had I knew if Mom, if the guardianship papers gave Mom permission to take the children out of the States? I told him I didn't know, but while I was back East the kids had gone to Mexico if that is out of the country and he said "that's out of the country". Jean) That really in fact is true. Carol) Yeah, everything I said was true. Anyway so he said the first thing to do was to find out if the Guradianship had been filed, that he dobuted that Tim.had.. Jean) Did he say that he was going to do that or did he want you to do it? Carol) No he said if I decided to go ahead with it, that the first STEP WAS TO FIND OUT IF they had been filed. If I could get ahold of the papers he could give me alot more information, if he could read them. He said probley more than likely there was clauses in there what I just didn't know about or read which could hurt me like a clause could be in there that Mom had permanent guardianship over the kids and that he was talking about I would have, if the guardianship had been filed then I would have to go to court and mom would have to be served with papers and that the- that I would have to go to court and that Mom would be superioned to go to court therefore Mom would have to find out. She asked "What your saying is that if you ever get them back this what you would have to do? (This part in tape Jean ask a question but I couldn't make out what she ask nor what my reply was) cont'd: He said the first

~~would have to go to court~~ step was to get the guardianship papers and find out if they, CHECK WITH Mendocino County to find out if they had been filed if they was and there was a clause in them that she had parmanent custody of them, then I was in trouble. We would have to go to court and go before a judge and have him clear it(Jean: Have the court nulify it?) yes, and then after I did that, oh I know what I was fixin to say, he said then that I would get my custody rights back. I said what are you talking about get my custody rights back I never gave them up in the first place, I've always had them, and he said no you ain't, you haven't had no custody of them. I said oh well I didn't know that, I thought I was still legally their mom and all of that Lazar said they just more or less let me beleive that, they never clarified the fact that I was giving up custody rights ofthe kids. Then he said from there, after wwe got to court and got these papers nulified then he would take it to the Sate Dept. and get the necessary papers there to set up motions to get the kids back, from Guyana. He said that the only way I was going

The first part of tape is messed up but I can tell by memory of what happened I arrived at his office/apt. and met Mr. Mazar. He was sitting at his desk and never even looked up when I was introduced by his secretary. After a few seconds he said "You said you have two children in Guyana?" I answered No I didn't say that, I have four children in Guyana." He then ask me what their ages was and I told him 6,8,11,13. He said something about me having a girl that old and that I didn't say anything about it when I talked to him on the phone, I told him I did to. (tape) He then wrote down their agas and then he said you didn't give permission for them to go to Guyana? I said no.



That maybe if I ~~waited~~ waited a little while longer that something might come up--and he said "well you're not going to get a miracle, we just can't click our fingers"--I said, Well, I was hoping before I came here that you could because you guys know more of the situation--yeah, I definitely was \_\_\_\_\_ and I told him, "I know that you are a busy man so I don't want to take up anymore of your time--- \_\_\_\_\_ he said, "I wish that I could tell you more and give you more encouragement but I can't. He said \_\_\_\_\_ . Question: Did you say anything about your involvement with deprogramming or anything like that? He talked about brain washing--- I mentioned to him--I heard my kid crying over the phone, "I miss you" and I told him that I heard that my youngest daughter had some medical problems and that I was worried about that and he said "Yeah" <sup>I said that</sup> that they had assured me that it was being taken care of." He said that they don't have any medical facilities over there to take care of any body and I said, Yeah?" Something like that--Most of my conversation consisted of Yeah and something like that--Everything was "I don't know". I don't know if he will He told me too that when he was--it was towards ~~the~~ the end when I was getting ready to go he said, "You are going to have to realize the fact that the only way you are going to get your children back is through charges--he said "That's the only chance you've got--is getting some \_\_\_\_\_ charges on Jones but if you do it any other way, you stand a very good chance of losing your children for good. And the other way you are going to get your children is for you to go back into the temple and stay in that light. But I was really just glad that he didn't ask me no questions about the temple and that I didn't have to go and say anything about Jim. The only thing--I think is that I knew Jim for a long time and when he said something--I said, Yeah , I've known Jim for a long time. That's when he was talking about Jim being smart, being a con man and could con anybody out of anything and I just said, "Yeah, I've known Jim for a long time". I feel that I have to face him again, that I can face him again--

to ever get the kids back would be have charges brought against Jim, but at first he said against the Temple. Then he said that the State Dept would work with him. That is when I brought up the fact that I didn't want to hurt Mom. (Jean ask something about did he say charges would be brought against ~~the~~ Jim Carol) or the Temple) No, what he said was abduction charges would be brought and stopped. I looked at him and said are you trying to tell me that I would have to have my Mom arrested, and he said NO, that it would be Jim Jones. He said that your mom is not there with them and he is. That's when I told him that's why I came to him, I guess looking for an impossible miracle, but that I was hopping there was some way that I could get around it without hurting my mom. That's also when I told him that I had an outside involvement that no one knew about, and that he didn't know where my kids were and that as far as he knew they were staying there (In S.F.) Jean: Did you call it that and outside involvement? Carol) Yeah Jean: Did you tell him here or in L.A? Carol) I didn't say, Well, I lead him to believe that the guy was in L.A. I told him that I met him a year or so ago in L.A. and that I stopped seeing him and then started again and that I feel he can provide me with the kind of life that I really want. I looked around and said "Shit I want something like this someday. I told him I always dreamed of having something like this someday and of my kids having this (talking about his swank apt) and that's what I want. He told me that there was going to be hurt involved he said anytime you work with-\_\_\_\_\_ there's going to be hurt. (Jean: He's a ~~Nazist~~--he said that?) Carol) yeah he said that I just let him talk He said you have to be hurt and to hurt. Whether papers have or have not been filed, you ~~are~~ <sup>mom is</sup> still going to have to find out about it. He said do whatever with your outside involvement but he'll probably still have to know. Jean: Did you say anything about the papers? Carol) He volunteered then he told me you don't need to worry about your name getting in the Chronicle or the Examiner on the front page because it won't be done, I can just about promise you that. JEAN: Did he ask you anything about the husband? Carol) No he never mentioned him.

He said that if papers were filed and in case I didn't read them and there might be a clause giving mom permanent custody then in that case I would have to go to court and once the papers were nullified I could press charges against the Temple and that it would finally come down to the fact that Jim Jones would send the children back rather than being served with abduction charges. That Guyana and United States had extradition terms and that Guyana would eventually extradite him back, if they were forced into it. And therefore before he would come back he would let the children come back, and probably what it would come to in order for me to get my kids back. That's when he more or less kept on talking, he started telling me about how other parents had gone over on their own and had not gotten past GTN June: Did he say why? Carol) He just said they they got



got s...ed in GTN, the parents that had...ne over on their own. He said the govt. is very pro-Jones and that, or most of the govt, is pro-Jones, and therefore nobody can get anywhere. He talked about a guy, he said that he had a person over there that had access to imigration files (June: access to imigration files in Guyana? Carol) Yes) Mazar said that this guy whenever parents like me showup wanting their kids back then he can keep an eye on them and tell them thru the imigration papers where ever they go should they be taken out of the country. (June: Is this out of the U.S. or Guyana? Carol) out of Guyana. This is sending them out of Guyana either back to the Sates or another country. June: What did he sound like when he said that, did he sound like he was sharing a secret or what. Carol: he just sounded like he was sitting there talking It seemed like the more I looked the more he talked. I just sat there like I didn't know shit, any time he would say something I would, like ~~what~~ he told me that this father went over there a couple of weeks or so ago and he was afraid that he had jepordized his getting his children back. He said that some children had already been sent back. I told him really, that I didn't know that to my knowledge no children had ever been sent back, and he said thats a lie, that they want you to beleive, but that there has been <sup>4</sup> children sent back. He said that one was just brought back a week and a half ago, that was a girl. He said that all the parents that have gone over have not gotten passed Gtn. June: parents, like there were several? He said that they had gone with papers and all of that but that they just haven't gotten anywhere He said tht there were several parents. He said papers were posted and torn down. I told him I had read about that in the paper. He said that Jones is very con', and that Jim Jones was very samrt. He said that Jones figures out what they are ging to do so they in turn have to fiure out what hes going to do He says they try to figure out what Jones is going to do so they can do the opposite but that Jones stays ahead of them and they can't get ahead of Jones, but we stay upwith them. Mazar said that this person that works with the imigration papers already has my name, I don't know what he meant by that. He also said that this person can contact Mazar anythime.

He said that I would cost a lot of money and that he wasn't trying to encourage or discourage me He didn't say how much just that it would be a lot of money He wouldn't quote me no prices. He said that if I decide to go thru with it and felt that I would be dump not too He said that he would have to go deeper into the background if I decided to go thru with it. He also brought up the fact that everything had to be done legally and that nothing could be done illegally. He said they had thought of getting a plane together of alot of other parents with children in Guyana, but they decied it wouldn't work out that they wouldn't get no further then GTN and that all it would succed in doing is spending a lot of money that would be better spent in other ways.

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He said that it has already been proven that you can't go over there and whether your two or a dozen, it can't be done. June: In other words it sounds like he is saying it may necessarily mean going over there but rather try to get them back over here? Carol: Yes. He said something (I can't make tape out) about if some one changes and says come on over and get them then we can but until then it would be useless. He said something about if all else fails then of ~~course~~ course one could always go the kidnapping and I just looked at him and said Kidnapping, but how are you going to get in you said you couldn't get in and I read that there are fences and things like that around, and he said Oh there would be a way, but we want to do every thing legally. This is not clear but Carol says that what she was talking about was that Mazar said that he had a tape of Rick and Harold Cordell both threatening somebodies life--but he wouldn't say who it was. He was also talking about seeing movies of Jonestown and that it was actually a Government project and that the photographer who had taken the pictures had proof that this is what it was and it wasn't anything that Jones had built.

SIDE TWO

.....he said that the photographer that had taken the movies had given him a written affidavit but they were \_\_\_\_\_ Agricultural Mission in Port Kiatuma \_\_\_\_\_ he said that there was nothing in Jonestown and that he couldn't see how he was putting people up like he was--and putting a thousand people up--that's what he said and that he must be doing something and he said that he had signed affidavits \_\_\_\_\_ he asked me about my mom and...something about "your mothers \_\_\_\_\_ I guess that you don't know what Harold said--I've got tapes, of when he threatened people". I told him that I didn't know anything about it. he said that passports have been coming up missing--why, he doesn't know but he said that they suspect that they are selling them on the black market-- He said "We suspect that Jones is selling them on the black market--you know you can get \$5 or 6 thousand dollars for an American passport on the Black market"--I told no, that I didn't know that. He said that some names that were on the passports have turned up in different black market countries and that \_\_\_\_\_ said the name of one country and to me it sounded something like Liberia but it sounded like it started with a P. It could possibly been Manzanaria-- and Tangia, something like that and he said "Some other place" but he didn't mention the name of the place. When he got on a talking streak, I didn't break in or anything like that-- I figured I'd just let him talk and I would

just like my head yes or no. and stuff like that and he said--that Jim was quite a con--was really a smart person and a con man--that he could con anybody into anything. He said that: June Crymm : What did he say about staying in the country? Carol: Well, he said that "I don't know, maybe Jim Jones will become leader of the country someday--maybe that's what he wants. He said "eventually he's going to get shot down and we are still going to be without a leader" and didn't say anything for a second and I said "Yes a lot of seniors and a lot of children will be without a leader"--and he said, "I know, especially when they don't have passports, when their passports are all gone you can't get back into this country and he said then they are going to kick them out of that country over there and without Jim Jones around how are they going to succeed?" I just kind of shook my head...and he said he felt that I stood a good chance of being with my kids--I said, "What do you mean "a good chance"? And he said, "Oh about 70%" and I said "Yeah?" I said, "It seems like I would be in that 30% that wouldn't get their kids back--" and he said, "well, you can't ever tell until you try" and I said that I always seem to fall in that lesser percent" and he started giving me a lecture about the kids and being American citizens, \_\_\_\_\_ this country and that Americans might not be all its supposed to be, may not have all the freedoms that it should have but that America was still a better place to bring them up, <sup>then a</sup> country that was A-political and that could change in a moments notice and he said today they might be socialistic and free minded, tomorrow they might be a dictatorship and decide to kill off everybody--that's what he said and he said that--"I wouldn't want my kids brought up in anything like that--he said I don't think anyone else really does either". I said "No I don't like to see my kids brought up like that" ( Someone commented that Mazars kids are on welfare). Oh, he kind of paused after commenting that Guyana is A political and stuff--I asked him, "What does A-political mean?" and so he went on to explain it but I didn't pay any attention to him because I started thinking about getting out of there-- it was getting boring, it was literally getting boring--I decided that he wasn't going to come up with anymore shit and why keep him--I got this feeling after awhile that he was going over the same issues and he had already told me what he could do and we would have to go to court--check out \_\_\_\_\_

He never asked me any questions--that really stumped me, he didn't ask any questions at all--when I got here, where I was born, where I was staying, how long I was going to be, when I was going back to L.A. , had I been around the church since I've been here--he didn't ask me anything--(when you went there did you drive? ) She replied that she took the bus. But it crossed my mind that he was just telling me that shit to -- I felt for the most part that I thought I was being led on--I/ I told him that there were a lot of things I

CASE OF JOSEPH A. MAJOR

(the investigator)

S-1-C

NEW  
5/24/47

5-1-C-1a

REPORT TO ADULT AUTHORITY  
PAGE 7

indicates to Parole Agent that Subject was intending on absconding from this country. In regards to his personal life, Subject, upon release from prison, obtained an independent residence. On 4-16-70 Subject received a dissolution of marriage from his legal wife. The court ordered that Subject pay \$150.00 per month to the Welfare Department for child support. On 11-6-70 Subject married his fiancée from his previous time on parole. She is a 43 year old, twice-divorced woman, with one minor child. She is a highly skilled illustrator and writer, and it is felt that she might exert a positive influence on Subject. However, this was not the case. Subject appeared to have a good relationship with this Parole Agent, as is evidenced by his supplying the Parole Agent with copies of his divorce papers, letters from his employers, requesting in advance to go into business, and keeping in regular contact with the Parole Agent. However, it is now seen that this was all a facade to throw the agent off guard. Subject is an articulate person with a charming personality, who uses these assets to exploit those who help him.

REASONS FOR RECOMMENDATION:

Subject is a smooth "con-man" with an insatiable desire to get ahead. He is bright, well-educated, and so well-versed in law that he had approximately five attorneys in the Pomona area convinced that he had a law degree. He stated to Attorney Jaffee that he was the only man to have ever taken the state bar examination while in state prison. On one occasion, while reporting an alleged crime to the Ontario Police Department, he identified himself as an attorney. (See Addendum Item III) Unfortunately, Subject uses his many assets to manipulate and outwit people for monetary gain. Subject has come close to committing crimes as evidenced by his forging the signature of his fiancée to her income tax refund check, issuing a fictitious bank draft, and writing a check on a closed account. The only two instances that will stand prosecution is payment of a welfare fraud and a charge of failure to provide. It is felt that Subject was about to leave the country at the time he was apprehended, due to many pressures built up by his manipulations. It is felt that Subject is a menace to the community and should be returned to the institution. While in the institution the Subject should receive some form of vocational training, so that he will no longer have to live by his "wits".

ALTERNATIVE PROGRAM:

This agent's alternative program would be to place Subject in a continuing Work Furlough program, where he would be required to pay off all of the debts he has acquired and reimburse all the victims of his manipulations.

5-1-c-1b

REPORT TO ADULT AUTHORITY  
PAGE 8

RECOMMENDATION:

Suspend parole and return to prison for revocation proceedings.

Respectfully submitted,

*Robert J. Sloan*  
Robert J. Sloan  
Parole Agent I  
Riverside, Unit 2

APPROVED:

*J. S. Lydes*  
J. S. Lydes  
Supervisor, Parole Unit

*Fredrick Galloway*  
Fredrick Galloway  
District Parole Administrator

Name, Address and Telephone Number of Attorney(s)

- 5-1-C-2a  
Form for Use of Court Clerk Only

JIFFREY A. HAAS  
Hansen & Haas  
3609 Sacramento  
San Francisco, CA 94118  
(415) 922-6200

ATTORNEY FOR: . . . Petitioner . . . . .

SUPERIOR COURT OF CALIFORNIA, COUNTY OF . . . . .

(City, County and street address of court or branch court)

In re the marriage of:

Petitioner: . GRACE LUCY STORN

and

Respondent: TIMOTHY O. STORN

CASE NUMBER

719-147

SUMMONS (MARRIAGE)

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

¡AVISO! Usted ha sido demandado. El tribunal puede decidir contra Ud. sin audiencia a menos que Ud. responda dentro de 30 días. Lea la información que sigue.

1. To the Respondent (See footnote\*):

- a. The petitioner has filed a petition concerning your marriage. You may file a written response within 30 days of the date that this summons is served on you.
- b. If you fail to file a written response within such time, your default may be entered and the court may enter a judgment containing injunctive or other orders concerning division of property, spousal support, child custody, child support, attorney's fees, costs, and such other relief as may be granted by the court, which could result in the garnishment of wages, taking of money or property, or other relief.
- c. If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be filed on time.

Dated: . . . . . Clerk

(SEAL)

By \_\_\_\_\_, Deputy

\* The response and other permitted papers must be in writing and in the form prescribed by the California Rules of Court. They must be filed in this court with the proper filing fee and proof of service of a copy of each on petitioner. The time when a summons is deemed served on a party may vary depending on the method of service. For example, see CCP 413.10 through 413.40.



S-1-C-2b

Name, Address and Telephone Number of Attorney (1)

Space Below for Use of Court Clerk Only

DANSEN & HAAS  
3009 Sacramento Street  
San Francisco, Ca 94118  
922-6200

RECEIVED  
FEB 27 1976

Attorney(s) for Petitioner

CARL E. CLARK, Clerk  
SUPERIOR COURT OF CALIFORNIA

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

In re the marriage of

CASE NUMBER

Petitioner: GRACE LUCY STOEN  
and  
Respondent: TIMOTHY O. STOEN

710-1071  
PETITION (MARRIAGE)

1. This petition is for:

- Legal separation of the parties pursuant to
  - Civil Code Section 4506(1)
  - Civil Code Section 4506(2)

- Dissolution of the marriage pursuant to:
  - Civil Code Section 4506(1)
  - Civil Code Section 4506(2)

Grace Lucy Stoen has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this petition.  
(Petitioner/Respondent)

- Nullity of the marriage pursuant to:
  - Civil Code Section 4400
  - Civil Code Section 4401
  - Civil Code Section 4425( )

2. Statistical information:

- a. Husband's social security number: unknown Wife's social security number: 563-00-0448
- b. Date and place of marriage: 6/27/70, Redwood Valley, Calif.
- c. Date of separation: 7/3/76 The number of years from date of marriage to date of separation is:        years,        months,        days.
- d. There are one children of this marriage including the following minor children:  
(Number)

Name	Birthdate	Age	Sex
John Victor Stoen	1-25-72	5	Male

5-1-C-2e

3. Property statement:

- There is no property subject to disposition by the court in this proceeding.
- All property otherwise subject to disposition by the court in this proceeding has been disposed of by written agreement of the parties.
- The following described property is subject to disposition by the court in this proceeding:

Residential property  
Respondent's pension & retirement benefits

4. Petitioner requests that the following described property be confirmed as petitioner's separate property:

5. Petitioner requests that:

- a.  Custody of children be awarded: Petitioner  
(Petitioner/Respondent/Other [Specify])
- b.  Support of children be awarded
- c.  Spousal support.....be awarded Petitioner  
(not) (Petitioner/Respondent)
- d.  Property rights be determined as provided by law
- e.  Attorney's fees and costs.....be awarded Petitioner  
(not) (Petitioner/Respondent)

and that the court inquire into the status of the marriage and render such judgments and make such injunctive or other orders as are appropriate.

Petitioner declares under penalty of perjury that the foregoing, including any attachments, is true and correct and that this declaration was executed on 2-17-77 at San Francisco, California.

[Signature]  
(Attorney for Petitioner)

[Signature]  
Grace Lucy Steen (Type/print name) (Signed)

A declaration under penalty of perjury must be executed within California. An affidavit is required if executed outside California.

1 JEFFREY A. HAAS  
2 Attorney at Law  
3 3609 Sacramento Street  
4 San Francisco, CA 94118  
5 (415) 922-6200

6 MARGARET RYAN  
7 Attorney at Law  
8 294 Page Street  
9 San Francisco, CA 94102  
10 (415) 626-0979

11 Attorneys for Petitioner

12 SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
13 IN THE CITY AND COUNTY OF SAN FRANCISCO

14 In re the marriage of ) No. 719-147  
15 Petitioner: GRACE LUCY STOEN )  
16 and )  
17 Respondent: TIMOTHY O. STOEN )  
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29 GOOD CAUSE APPEARING:

- 30 1. Petitioner is awarded custody of JOHN VICTOR STOEN, age
- 31 5, d.o.b. 1/25/72 pending further order of this court.
- 32 2. Petitioner's Order to Show Cause Re Custody is continued
- 33 for further hearing until *November 18,* 1977, Dept. 13 at 9:00 AM.
- 34 3. Good cause appearing, the REV. JIM JONES is ordered
- 35 joined as a party to this action pursuant to Section 5159 of the
- 36 California Civil Code.
- 37 4. Pursuant to Section 5154(1)(d) of the California Civil
- 38 Code, the court directs that service of this order, the summons
- 39 and petition upon Claimant JONES shall be deemed to have been
- 40 effected upon proof of the doing of the following acts: (1) the

1 mailing of a copy of this order, the summons and petition first  
 2 class postage prepaid, to the REVEREND JIM JONES, c/o PEOPLE'S  
 3 TEMPLE, 1851 Geary Street, San Francisco, California. Said  
 4 mailing shall occur no later than September 1, 1977; (2) the  
 5 mailing of this order, the summons and petition airmail postage  
 6 to REV. JIM JONES, c/o THE PEOPLE'S TEMPLE AGRICULTURAL MISSION,  
 7 Guyana. Said mailing shall occur no later than September 1, 1977;  
 8 (3) the mailing of a copy of this order to CHARLES GARRY, Attorney  
 9 at Law, 1256 Market Street, San Francisco, California. Said  
 10 mailing shall occur no later than September 1, 1977; and (4) pub-  
 11 lication of this order in the Recorder, a newspaper of general  
 12 circulation for 4 times in 4 successive weeks as provided in  
 13 Government Code 6064. The last day of publication shall be no  
 14 later than November 11, 1977. In the alternative, REV.  
 15 JONES may be personally served.

16 5. Pursuant to Section 5160(2) of the California Civil Code,  
 17 Claimant REV. JIM JONES is ordered to appear before this court  
 18 on November 18, 1977 Room 481, City Hall, to show  
 19 cause why Petitioner should not be awarded custody to said minor.

20 6. Pursuant to Section 5160(2) of the California Civil Code,  
 21 Claimant REV. JIM JONES is advised that a failure to appear at  
 22 the time and place designated above may result in a decision ad-  
 23 verse to himself.

24 7. Any previous declaration or statement signed by either  
 25 Petitioner or Respondent authorizing Claimant JONES to act as  
 26 guardian of said minor child is hereby declared null and void.

27 8. The parties and their agents are restrained from removing  
 28 said minor from the City and County of San Francisco pending

5-1-C-2+

1 further order of this court.

2 DATED: October 14, 1977

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/s/ DONALD B. KING  
JUDGE OF THE SUPERIOR COURT

S-1-c-2g

Revised Order Re Child Custody.

SUPERIOR COURT FOR THE STATE of California in the City and County of San Francisco.

In re the Marriage of Petitioner: GRACE LUCY STOEN and Respondent: TIMOTHY O. STOEN.—No. 719-147.

Good cause appearing:

1. Petitioner is awarded custody of JOHN VICTOR STOEN, age 5, date of birth January 25, 1972, pending further order of this court.

2. Petitioner's Order to Show Cause Re Custody is continued for further hearing until November 18th, 1977, Dept. 13 at 9:00 a.m.

3. Good cause appearing, the REV. JIM JONES is ordered joined as a party to this action pursuant to Section 5159 of the California Civil Code.

4. Pursuant to Section 5154(1)(d) of the California Civil Code, the court directs that service of this order, the summons and petition upon claimant JONES shall be deemed to have been effected upon proof of the doing of the following acts: (1) the mailing of a copy of this order, the summons and petition first class postage prepaid, to the REV. EREND JIM JONES, c/o PEOPLE'S TEMPLE, 1851 Geary Street, San Francisco, California. Said mailing shall occur no later than September 1, 1977; (2) the mailing of this order, the summons and petition airmail postage to REV. JIM JONES, c/o THE PEOPLE'S TEMPLE AGRICULTURAL MISSION, Guyana. Said mailing shall occur no later than September 1, 1977; (3) the mailing of a copy of this order to Charles Garry, Attorney at Law, 1256 Market Street, San Francisco, California. Said mailing shall occur no later than September 1, 1977; and (4) publication of this order in the Recorder, a newspaper of general circulation for 4 times in four successive weeks as provided in Government Code 6064. The last day of publication shall be no later than November 11th, 1977. In the alternative, REV. JONES may be personally served.

5. Pursuant to Section 5160(2) of the California Civil Code, Claimant REV. JIM JONES is ordered to appear before this court on November 18th, 1977, Room 481, City Hall, to show cause why petitioner should not be awarded custody to said minor.

6. Pursuant to Section 5160(2) of the California Civil Code, Claimant REV. JIM JONES is advised that a failure to appear at the time and place designated above may result in a decision adverse to himself.

7. Any previous declaration or statement signed by either petitioner or respondent authorizing claimant JONES to act as guardian of said minor child is hereby declared null and void.

8. The parties and their agents are restrained from removing said minor from the City and County of San Francisco pending further order of this court.

Dated: October 14, 1977.

DONALD B. KING,

Judge of the Superior Court.

Endorsed: Filed Oct. 14, 1977. CARL M. OLSEN, Clerk. By: SUE WALKER, Deputy Clerk.

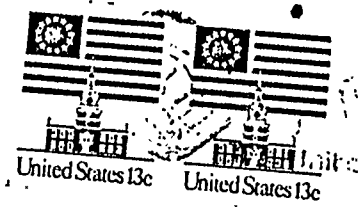
JEFFREY A. HAAS, 3609 Sacramento Street, San Francisco, California, 94118; MARGARET RYAN, 294 Page Street, San Francisco, California 94102, Attorneys for Petitioner.

No. 45652

Oct 18-4t-Tu-R

S-1-C-2h

JEFFREY A. HAAS  
ATTORNEY AT LAW  
3609 SACRAMENTO STREET  
SAN FRANCISCO, CALIFORNIA 94118



Rev. Jim Jones  
c/o Peoples Temple  
1851 Geary Street  
San Francisco, Ca 94115

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Joseph A. Mazor  
P.O. Box 128 E.H.  
Chino, California 91710

FILED  
AUG 26 1971  
C. C. EVENSEN, Clerk

Petitioner in Pro per:

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH A. MAZOR, Petitioner,  
vs.  
THE CALIFORNIA ADULT AUTHORITY,  
et al., Respondents,

Case No. C-71 859 ACW  
PETITION FOR  
REHEARING ON WRIT  
OF HABEAS CORPUS

Petitioner in the abovestated matter petitions the Court for a rehearing of the facts and issues involved brining before the Court issues of fact and material errors made in the presentation of the case. Petitioner brings this belated petition on the grounds that he is blind and has had to search for assistance from others in the preperation of this document, since all of the material has had to be read to petitioner and typing done for him.

I  
PETITIONER WAS NOT GIVEN TIME  
TO TRAVERSE THE MATERIAL PRESENTED  
BY THE ATTORNEY GENERAL:

At the onset of the Petition for Writ of Habeas Corpus, petitioner was repersented by counsel, but when said asked to be substituted out, petitioner wrote to the Clerk of the Court and subsquently followed up said with other letters to the clerk requesting time and also asking what was transpiring since he had not heard from his attorneys. Petitioner also asked his attorneys to request an extension of time. Petitioner refers



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Joseph A. Mazor  
P.O. Box 128 E.H.  
Chino, California 91710

FILED  
AUG 26 1971  
C. C. EVENSEN, Clerk *6*

Petitioner in Pro per:

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JOSEPH A. MAZOR, Petitioner,  
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PETITIONER WAS NOT GIVEN TIME  
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BY THE ATTORNEY GENERAL:

At the onset of the Petition for Writ of Habeas Corpus, petitioner was represented by counsel, but when said asked to be substituted out, petitioner wrote to the Clerk of the Court and subsequently followed up said with other letters to the clerk requesting time and also asking what was transpiring since he had not heard from his attorneys. Petitioner also asked his attorneys to request an extension of time. Petitioner refers

1 to letters written to the court dated, May 7, 1971,  
2 June 10, 1971, and June 18, 1971, and all addressed to  
3 Mr. C.C. Evensen, Clerk of the Court. Therefore, petitioner  
4 feels that not having the chance to traverse was a very great  
5 disadvantage to the presentation of his case to the Court.

6  
7 II  
8 ADEQUATE MEDICAL CARE AS  
9 AGREED UPON BY THE ATTORNEY  
10 GENERAL IS NON-EXSISTANT

11 The Court noted in its order of July 13, 1971, that agree-  
12 ment for adequate medical care had been resolved before the  
13 Honorable Justice Harris, and therefore did not concern its-  
14 self with the matter. Had petitioner been allowed to traverse  
15 this matter would have been brought to the attention of the  
16 Court. Upon petitioner's arrival at the California Institution  
17 for Men, at Chino, California, petitioner was seen by a doctor  
18 and was informed that his medical file concerning his injury  
19 and other material papers were missing and could not be found.  
20 Petitioner has constantly tried to get the officials to get  
21 these files and to send him to a hospital so that he could get  
22 adequate treatment as agreed upon by the Court and the Attorney  
23 General. Petitioner has constantly been refused such medical  
24 treatment by the officials here at this institution to the  
25 extent that they refuse to proceed and petitioner has suffered  
26 further injury to his sight to the extent that he has lost  
27 over ninty percent of the residual vision that he had when he  
28 arrived at said instatution and now there is little hope that  
29 anything can be done. Furthermore, petitioner has not been able  
30 to have proper treatment for his condition which as the court no  
31 noted is precarious, thereby leaving him to suffer without  
such help or adequate care.

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III  
PRECARIOUS HEALTH DOES  
BAR UNDERSTANDING:

The Court noted that the precarious condition of the petitioner's health did not bar understanding. Petitioner refers the Court to the reports of the Adult Authority on the two occasions of March 5, 1971 and April 14, 1971 which clearly indicate that the petitioner was totally unfit for any type of hearing before any board or pannel.

IV  
ELLHAMER v. WILSON NOT  
A HOLDING CASE FOR PETITION

The Court has held that the instant case falls under the holding of Ellhamer v. Wilson. In that case the petitioner was convicted of several crimes, tried and returned to prison as a parole violator and new conviction. In the instant case there was no new violations what-so-ever. The Department of Corrections tried to show a felony violation but there was no such charge and petitioner was not tried or charged with any such violation thereby placing the petitioner acts solely in the statis of parole violations, and even these were reduced when the truth was presented and the Adult Authority could not stall any longer when presented with the facts. Therefore, petitioner feels that there are holding cases such as Hester v. Craven; Hunington v. Department of Corrections and others which clearly give ground for the Order to Show Cause.

As a last and further proximate cause, petitioner is blind and severely ill as the court is well aware of with less than two years left to live according to Department of Corrections doctors, and petitioner sees no earthly reason for the actions of the Adult Authority in denying petitioner months upon months.

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WHEREFORE, petitioner prays that this Court reconsider its former order and allow petitioner a rehearing on the matter at bar.

Respectfully submitted,

Joseph A. Mazor  
*Joseph A. Mazor*

I the undersigned, am the petitioner in the foregoing document and know the foregoing to be true and correct to the best of my knowledge and belief.

Executed on August 23, 1971, at Chino, California  
*Joseph A. Mazor*  
Joseph A. Mazor

FILED

JUL 9 - 1971

C. G. EVENSEN, Clerk

*407*  
*[Signature]*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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JOSEPH A. MAZOR,	) Petitioner	No. C-71 849 ACW
vs		
THE CALIFORNIA ADULT AUTHORITY, et. al.,	) Respondents	SUBSTITUTION OF ATTORNEYS

Please take notice that Petitioner JOSEPH MAZOR substitutes JOSEPH MAZOR in propria persona, California Men's Colony, Chino, California for his present counsel EPHRAIM MARGOLIN and RAMSAY FIFIELD and each of them.

DATED: *July 2, 1971*  
*[Signature]*  
JOSEPH MAZOR

The above substitution accepted and agreed to.

*[Signature]*  
RAMSAY FIFIELD

*[Signature]*  
EPHRAIM MARGOLIN

DATED: *July 6, 1971*

5-10-71

OFFICE OF THE ATTORNEY GENERAL  
STATE OF CALIFORNIA

CERTIFICATE OF SERVICE BY MAIL BY ATTORNEY (C.C.P. 1013A(2) -  
(Must be attached to original or a true copy of paper served.)

No. C-71 849 ACW

RAMSAY FIFIELD certifies that she is  
an active member of the State Bar of California, and not a party to the within action.

That his (her) business address is 445 Sutter Street, Suite 501, San Francisco, CA.

That she served a copy of the attached Substitution of Attorneys

by placing said copy in an envelope addressed to EVELLE J. YOUNGER, Attorney General of the State of California, EDWARD P. O'BRIEN, Deputy Attorney General & GLORIA DeHART, Deputy Attorney General, 6000 State Building, San Francisco, CA. 94102  
at his office (residence) address 6000 State Building, San Francisco, CA. 94102

which envelope was then sealed and postage fully prepaid thereon, and thereafter was on July 8, 1971  
19 71, deposited in the United States mail at San Francisco, CA.

*Ramsay Fifield*

1 EVELLE J. YOUNGER, Attorney General  
of the State of California  
2 EDWARD P. O'BRIEN  
Deputy Attorney General  
3 GLORIA F. DeHART  
Deputy Attorney General  
4 6000 State Bldg.  
San Francisco, Calif. 94102  
5 Telephone: 557-0799

FILED  
MAY 12 1971

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JH

6 Attorneys for Respondents

C. G. EVENSEN, Clerk

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

11 JOSEPH A. MAZOR,

Petitioner,

13 vs.

No. C-71 849 ACW

14 THE CALIFORNIA ADULT AUTHORITY, THE  
15 CALIFORNIA DEPARTMENT OF CORRECTIONS,  
and RAYMOND PROCUNIER and L. J. POPE,  
16 in their respective official capacities,

Respondents.

18 RETURN TO ORDER TO SHOW CAUSE  
19 AND POINTS AND AUTHORITIES IN  
20 SUPPORT THEREOF

21 Come now, the California Adult Authority, the  
22 California Department of Corrections, Raymond K. Procunier,  
23 L. J. Pope, and the People of the State of California and for  
24 a return to the order to show cause heretofore issued on  
May 6, 1971, and returnable on May 10, 1971, state:

25 I

26 That petitioner, Joseph A. Mazor, is properly held  
27 in custody pursuant to the judgment and commitment of the  
28 Superior Court of Los Angeles County entered on June 25, 1965,  
29 following his plea of guilty to violation of Penal Code section  
30 476, sentencing him to imprisonment in the state prison for the  
31 term prescribed by law. (six months to fourteen years). A copy

1.

1 of the Judgment and Commitment is attached hereto as Exhibit A.

2 II

3 That petitioner was paroled on May 22, 1967, with  
4 his term set to expire on July 7, 1970; his parole was  
5 suspended and he was returned to prison on May 2, 1969, his  
6 term reset at maximum; and on June 27, 1969, his parole was  
7 revoked.

8 III

9 That on November 19, 1969, petitioner's term was  
10 reset at seven years, to expire on July 7, 1972; he was  
11 released on parole on February 15, 1970; that his parole was  
12 suspended on January 8, 1971, on the basis of a parole  
13 violation report charging eleven parole violations; that his  
14 parole was revoked on March 5, 1971, after a parole revocation  
15 hearing at which he was found guilty of charges numbered 5, 6,  
16 7 and 11, charges numbered 3, 8, and 10 were submitted for  
17 further investigation, and charges numbered 1, 2, 4 and 9 were  
18 dismissed.

19 IV

20 That petitioner's parole was properly revoked for  
21 cause and thus no constitutional issue is raised.

22 V

23 That treatment for petitioner's medical problems  
24 has been made available both in Department of Corrections  
25 facilities and in outside facilities; that no urgent medical  
26 treatment is presently required; and that future medical  
27 treatment, if required, will be made available as necessary;  
28 thus, no federal question is presented.

29  
30 WHEREFORE, it is respectfully requested that the  
31 petition be denied, that the order to show cause be discharged



5-1-C-3j

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and that the proceedings be dismissed.

Dated: May 10, 1971.

EVELLE J. YOUNGER, Attorney General  
of the State of California

EDWARD P. O'BRIEN  
Deputy Attorney General

*Gloria F. DeHart*  
(Mrs.) GLORIA F. DeHART  
Deputy Attorney General

Attorneys for Respondents

POINTS AND AUTHORITIES

STATEMENT OF FACTS

A. Conviction; Parole and Revocation

Petitioner is presently incarcerated in the California Medical Facility at Vacaville pursuant to the Judgment and Commitment of the Superior Court of Los Angeles County entered on June 25, 1965, sentencing him to state prison for the term prescribed by law (6 months to 14 years), following conviction on his plea of guilty to violation of Penal Code section 476 (Fictitious checks).<sup>1/</sup> Exhibit A. Petitioner was parole on May 22, 1967, with his term set to expire on July 7, 1970. This parole was suspended and his term reset at maximum on May 2, 1969, and he was returned to prison where parole was revoked on June 27, 1969. See Exhibit C (Summary of Sentence Data - 1965 Conviction).

On November 19, 1969, petitioner's term was reset at seven years, to expire on July 7, 1972, and on February 15, 1970, petitioner was paroled to the Riverside Unit, Los Angeles County. See Exhibit C. Petitioner was released to a parole program which included employment as a research law clerk for John C. McCarthy of the law firm of Young, Henrie and McCarthy in Pomona, California. Petitioner's parole release had been advanced from March 10, 1970, to accommodate the needs of this employer. See Exhibit D at 2. At his initial interview with petitioner the parole agent explained to petitioner that he could neither open a checking account nor sign any contracts without permission. Petitioner informed the agent that he intended to divorce his wife and continue his relationship with Madelynn Beth Boyum, also known as Mazor and Williams. Id. at 3. The parole agent's

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1. This offense was committed while petitioner was on parole for a 1963 Los Angeles County conviction for violation of Penal Code section 476a (insufficient funds check). The sentence on this conviction expired as fully served in March, 1968. See Exhibit B (Judgment and Summary of Sentence Data - 1963 Conviction).

1 continuing summary (2-19-70 to 6-30-70) indicates that peti-  
2 tioner received an interlocutory decree of dissolution April 16,  
3 1970.

4 The report further notes that petitioner was, at one  
5 time, considered near totally blind but had received eye  
6 refraction and could read with little or no difficulty.<sup>2/</sup>  
7 Petitioner changed his employment to the law firm of Jaffee and  
8 Mallory on May 5, 1970, and Mr. Jaffee indicated he would sponsor  
9 petitioner in taking the bar exam. Id. at 5. The agent's  
10 summary (7-1-70 to 12-14-70) discloses that petitioner was  
11 arrested on November 30, 1970, at the request of the parole agent.  
12 Id. at 6.

13 On December 16, 1970, a parole violation report was  
14 submitted, recommending parole suspension and revocation on  
15 the basis of eleven charges as follows:

- 16 1. Joseph Allen Mazor violated Condition 10 of the  
17 Conditions of Parole as evidenced by his obtaining a  
18 passport without the knowledge or permission of the  
19 Parole Agent.
- 20 2. Joseph Allen Mazor violated Condition 10 of  
21 the Conditions of Parole as evidenced by his making reser-  
22 vations on a United Airlines flight to New York, without  
23 the knowledge or permission of the Parole Agent.
- 24 3. Joseph Allen Mazor violated Condition 10 of the  
25 Conditions of Parole when he bought a 1965 Jaguar without  
26 the knowledge or permission of the Parole Agent.
- 27 4. Joseph Allen Mazor violated Condition 12 of the  
28 Conditions of Parole as evidenced by his forging the  
29 signature of his fiancée to her income tax refund check

30 \_\_\_\_\_  
31 2. It should also be noted that petitioner obtained an  
automobile for his use and had a valid driver's license.  
Exhibit D at 11.

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in the amount of \$693.62.

5. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by making a fictitious automobile purchase draft in the amount of \$450.00.

6. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by writing and depositing a \$300.00 check on a closed account.

7. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by attempting to sell furniture which he had rented from another firm.

8. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by drawing welfare assistance while he was employed.

9. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by misrepresenting an automobile, and consequently causing his employer a loss of \$1,795.00.

10. Joseph Allen Mazor violated Condition 11 of the Conditions of Parole as evidenced by his being charged by the District Attorney's Office with failure to provide (270 P.C.).

11. Joseph Allen Mazor violated Condition 13a of the Conditions of Parole by establishing numerous credit accounts without the knowledge or permission of the Parole Agent. Id. at 9/10.

The report also set forth supporting evidence for each charge, Id. at 10-13, a resume of parole adjustment, Id. at 14, and reasons for the recommendation, Id. at 15.

On the basis of this report, petitioner's parole was suspended and his term reset at maximum on January 8, 1971. See Exhibit E. Petitioner was returned to prison on January 14, 1971, and was received at the California Medical Facility at Vacaville

1 on January 25, 1971. See Exhibit C. On March 5, 1971, peti-  
 2 tioner appeared at a parole revocation hearing. The panel then  
 3 found him guilty of charges 5, 6, 7, and 11; dismissed charges  
 4 1, 2, 4, and 9, and submitted charges 3, 8 and 10 for investi-  
 5 gation. See Exhibits F and G. On March 10, 1971, additional  
 6 information was submitted pursuant to this investigation. See  
 7 Exhibit H. In addition this report provided supplemental  
 8 information indicating that petitioner cashed a check indorsed  
 9 by the named payee and himself, but the named payee returned  
 10 the check to the firm which cashed it, denying by affidavit,  
 11 that she had indorsed it; and that petitioner had purchased a  
 12 typewriter on a 90-day conditional sales contract, had paid no  
 13 money (one year had elapsed), and was believed to have sold the  
 14 typewriter. See Exhibit H at 2.

15 Subsequently, on April 14, 1971, while at the California  
 16 Institution for Men at Chino, petitioner made an unscheduled  
 17 appearance before an Adult Authority Panel.<sup>3/</sup> As a result, his  
 18 case was submitted for review on April 20, 1971. No change was  
 19 made in his status, the Authority resolved the three charges  
 20 which were submitted, finding him guilty of charge 8, and dis-  
 21 missing charges 3 and 10, and his case was scheduled for con-  
 22 sideration again by the entire board on May 17, 1971. Documents  
 23 relevant to this meeting are, or will be when received, attached  
 24 as Exhibit J.

25 B. Medical Condition and Treatment.

26 As stated above, petitioner was returned to prison on  
 27 January 14, 1971, and on January 25, 1971, was received at the

28  
 29 3. We have been informed that two Deputy Attorneys General  
 30 from the Los Angeles Office were observing Adult Authority hear-  
 31 ings conducted at Chino for informational purposes. They had no  
 particular interest in nor any connection with petitioner's case.  
 Petitioner was informed that they were visitors and gave his  
 consent to their presence.

1 California Medical Facility at Vacaville. By letter dated  
2 January 26, 1971, Riverside General Hospital forwarded a summary  
3 of petitioner's examination and treatment. The report recom-  
4 mended an investigation by neurology staff and consideration  
5 for angiogram studies. The "final diagnosis" set forth in the  
6 report is "Rule out Leptomenigeal cyst, meningioma, vascular  
7 disorder." See Exhibit I.

8 Reports dated March 1, 1971, (Dr. Prout) and March 2,  
9 1971 (Dr. Wright, Consulting Neurosurgeon), see Exhibit I, reveal  
10 that petitioner was under the care of the medical staff almost  
11 immediately upon his arrival at Vacaville. For instance, skull  
12 x-rays were taken on January 27, 1971, an EEG was made, an  
13 ophthalmologist was consulted on February 10, 1971, and a neuro-  
14 surgical consultation took place on March 2, 1971. Dr. Prout's  
15 letter notes "Our consulting radiologist, R. F. Chambers, M.D.,  
16 interprets the recent skull x-rays of January 27, 1971, as  
17 "abnormal skull evidence of atrophy involving the right hemisphere  
18 with probable vascular malformation. Contrast studies would  
19 probably be informative." Subject had contrast studies in  
20 Fall, 1970, at UCLA Hospital but refuses to sign a release for  
21 these records upon advice of his attorney." Dr. Wright's report  
22 also indicates that petitioner refused to make the September  
23 studies available to the doctor despite being told no meaningful  
24 opinion could be rendered without them. Petitioner also refused  
25 to consent to angiography in the institution. Dr. Wright recom-  
26 mended further tests. A report dated March 4, 1971, indicates  
27 that Dr. Prout concurred in this recommendation. See Petition,  
28 Exhibit A.

29 By letter of March 22, 1971, to the California Supreme  
30 Court, Dr. Carter Noland of Riverside General Hospital stated  
31 that petitioner had been scheduled for additional studies and

1 that, "We have since learned that further studies have shown a  
 2 need for immediate surgery in order not to endanger his life."  
 3 Petition, Exhibit B. By letter dated April 1, 1971, addressed  
 4 to the chairman of the Adult Authority, Dr. Prout indicated that  
 5 neurological studies should be undertaken, that they could be  
 6 performed within the Department of Corrections; but only with  
 7 petitioner's consent, which he refused to give, and that peti-  
 8 tioner was willing to be hospitalized at Riverside General  
 9 Hospital. Out of concern for petitioner's health status, the  
 10 doctor recommended that the Adult Authority review his parole  
 11 status and reinstate parole to permit petitioner to return to  
 12 Riverside General Hospital. See Exhibit I; Petition, Exhibit C.  
 13 No change was made in petitioner's parole status, but  
 14 after consultation, the Department of Corrections, pursuant to  
 15 Penal Code section 2690, arranged for his treatment at Riverside  
 16 General Hospital, and on April 9, 1971, transferred him to the  
 17 California Institution for Men at Chino, where he was housed in  
 18 the institution hospital. Petitioner was available for whatever  
 19 studies or surgery staff at Riverside General Hospital wished to  
 20 undertake.

21 The report of the studies conducted at Riverside  
 22 General Hospital indicates that petitioner was uncooperative  
 23 during the physical examination, and, refused to release to the  
 24 hospital the angiograms done at UCLA. The report shows that  
 25 SMA, CBC, and EKG tests or studies were within normal limits.  
 26 Skull films reveal multiple radiolucent defects in the right  
 27 cranial vault, and subtle abnormality, but no gross abnormality.  
 28 Apparently, further surgery was unnecessary because petitioner  
 29 was discharged with the recommendation that skull films be done  
 30 in two years. The report is attached, or will be when received,  
 31 as Exhibit K.

1 Petitioner was returned to Vacaville on April 27, 1971.  
2 He is presently under a "medical hold" which means that he cannot  
3 be transferred to an institution without medical clearance. He  
4 will be transferred back to Chino when approved by that insti-  
5 tution's medical officer as space becomes available.

6 ARGUMENT

7 PETITIONER'S PAROLE WAS PROPERLY REVOKED  
8 AND THERE HAS BEEN NO DENIAL OF ADEQUATE  
9 MEDICAL TREATMENT; THUS, NO CONSTITUTIONAL  
10 QUESTION IS PRESENTED.

11 Petitioner has filed in this Court a petition for writ  
12 of habeas corpus which, although emphasizing his physical con-  
13 dition and apparently objecting to the medical treatment afforded  
14 him, seeks only a determination that California procedures for  
15 revoking parole are unconstitutional, in that/his parole  
16 revocation, he was denied counsel, the right to confrontation,  
17 the right to present witnesses. See Petition at 12.<sup>4/</sup>

18 From the facts as stated above, it is obvious that there  
19 is no present issue concerning petitioner's treatment. Petitioner  
20 does not even suggest what test or procedure is presently necessary  
21 and unavailable. There is simply no federal question presented.  
22 Cf., Haggarty v. Wainwright, 427 F.2d 1137 (5th Cir. 1970).

23 It is also clear from the records submitted herewith  
24 that no federal question is presented by Adult Authority action  
25 in revoking petitioner's parole. There is no right to counsel, to  
26 confrontation of witnesses, or to call witnesses. All that is  
27 constitutionally required is cause for the revocation. See  
28 Allard v. Nelson, 423 F.2d 1216 (9th Cir. 1970); Mead v.  
29 California Adult Authority, 415 F.2d 767 (9th Cir. 1969); Dunn  
30 v. California Department of Corrections, 401 F.2d 340 (9th Cir.  
31 1968); Eason v. Dickson, 390 F.2d 585 (9th Cir.), cert. denied,  
32 392 U.S. 914 (1968). Ample cause is shown here.

4. On March 26, 1971, petitioner filed a nearly identical petition  
in the California Supreme Court. The Court denied the petition on  
April 22, 1971. The Court had been informed that petitioner had  
been transferred for treatment pursuant to Penal Code section 2690,  
and had available the documents submitted herewith as Exhibits A-I.



1 Petitioner was found guilty of five of the eleven  
2 violations charges. The supporting evidence provided for these  
3 charges discloses conduct clearly in violation of parole. (Ex.D 10-13;  
Ex. H.)

4 Petitioner alleges that he was unable to present  
5 documentary evidence of his innocence because of his blindness,  
6 that the Adult Authority would not consider this evidence and  
7 that counsel now have possession of this documentary evidence  
8 of his innocence of all charges.

9 We submit that this record clearly shows that the  
10 Adult Authority did consider most carefully the evidence pre-  
11 sented to it including petitioner's story and his documents,  
12 if any. At the time of the hearing four of the charges were  
13 dismissed. Three charges were submitted for further investi-  
14 gation. This conclusion is supported, even by petitioner's  
15 allegation that Mr. Valachi stated, "I hate this damned paperwork.  
16 We cannot support the charges and we will investigate." See  
17 Petition at 5. It is a mere conclusion unsupported by facts that  
18 because the panel returned the documents they did not consider  
19 them.

20 Although petitioner claims that he has documentary  
21 evidence that he is not guilty of any of the charges, he has not  
22 provided this Court with this evidence nor indicated what it is  
23 or to which specific charges it may be relevant. Moreover,  
24 although the Adult Authority will not permit counsel to be present  
25 at a revocation hearing, counsel is free to present written  
26 argument and documentary support to the Adult Authority for their  
27 consideration. Apparently, no effort has been made even to do  
28 this.

29 Finally, The Adult Authority is routinely provided with  
30 a Readmission Summary which includes a medical report. The report  
31 in this case, we are informed, included information on both

1 petitioner's blindness and possible brain tumor.

2 CONCLUSION

3 It is obvious from this record that the allegation of  
 4 the imminence of petitioner's death is overstated, as is the  
 5 allegation of total blindness. His claim of denial of due  
 6 process in his parole revocation hearing lacks both legal and  
 7 factual substance. In fact, the record shows that petitioner  
 8 has had a most thorough consideration and review of both his  
 9 condition and his status. In the circumstances shown, no  
 10 federal question is presented. We respectfully request that  
 11 the petition for writ of habeas corpus be denied, that the order  
 12 to show cause be discharged, and that the proceedings be  
 13 dismissed.

14 Dated: May 10, 1971.

15 EVELLE J. YOUNGER, Attorney General  
of the State of California

16 EDWARD P. O'BRIEN  
Deputy Attorney General

17 *Gloria F. DeHart*  
18 (Mrs.) GLORIA F. DeHART  
19 Deputy Attorney General

20 Attorneys for Respondents.

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*James*

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

5-1-C-3+

JUDGMENT

Department No. 100

June 25 19 65 Present Hon. DAVID W WILLIAMS Judge

THE PEOPLE OF THE STATE OF CALIFORNIA, vs 304175  
JOSEPH A MAZOR *216-712*

Deputy District Attorney James Johnson and Defendant with counsel  
Deputy Public Defender L. Schoenheit present. Probation denied.  
Sentenced as indicated.

Whereas the said defendant having \_\_\_\_\_ duly pleaded \_\_\_\_\_  
guilty in this court of the crime of ISSUING FICTITIOUS CHECK (Sec 476 PC), a felony,  
as charged in the information

CLM  
1965 JUL -7 AM 10:33  
B. G. ADAMSON, CLERK

It is Therefore Ordered, Adjudged and Decreed that the said defendant be punished by imprison-  
ment in the State Prison for the term prescribed by law.

It is further Ordered that the defendant be remanded into the custody of the Sheriff of the County  
of Los Angeles, to be by him delivered into the custody of the Director of Corrections at the Califor-  
nia State Prison at Chino.

Prob.  Aud. \_\_\_\_\_ DMV \_\_\_\_\_  
LAPD  Csh. \_\_\_\_\_ CYA \_\_\_\_\_  
Co. J.  Juv. \_\_\_\_\_ C. Clk \_\_\_\_\_  
Shor. \_\_\_\_\_ Psyc \_\_\_\_\_ Misc. \_\_\_\_\_

JUDGMENT — State Prison  
(Mon)

163507D-4/63

THIS MINUTE ORDER WAS  
**ENTERED**  
JUN 30 1965  
WILLIAM G. SHARP, COUNTY CLERK  
AND CLERK OF THE SUPERIOR COURT  
*C. A. R. [Signature]*

State of California )  
County of Los Angeles ) ss

I do hereby certify the foregoing to be a true and correct abstract of  
a judgment duly made and entered in the office of the Superior Court  
in the above entitled cause, and that the same is correct and true.  
Witness my hand and seal of office this 1st day of July 1965  
at Los Angeles, California, in and for the  
County of Los Angeles.

JUL 1 - 1965

Deputy  
The Honorable David W. Williams

C. I. M.

5-1-C-3 ✓

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF LOS ANGELES

G. C. ADMITTANCE  
JUDGMENT

Department No. 100

March 8, 1963 Present Hon. DONALD R. WRIGHT Judge

*F. Amick*

THE PEOPLE OF THE STATE OF CALIFORNIA, vs 269+21  
JOSEPH A MAZOR

Deputy District Attorney Malcom Harris and the Defendant in propria persona, present. Each count: Probation denied. Sentenced as indicated.

Whereas the said defendant having duly pleaded guilty in this court of the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS (Sec 476a PC), a felony, as charged in each of the Counts 1, 2 and 3 of the information

It is Therefore Ordered, Adjudged and Decreed that the said defendant be punished by imprisonment in the State Prison for the term prescribed by law, on said Counts. Sentences as to Counts 1, 2 and 3 are ordered to run CONCURRENTLY with each other.

It is further Ordered that the defendant be remanded into the custody of the Sheriff of the County of Los Angeles, to be by him delivered into the custody of the Director of Corrections at the California State Prison at Chino.

original on file in my office.

By WILLIAM G. SHARP, County Clerk  
Dated: MAR 13 1963  
WILLIAM G. SHARP, COUNTY CLERK  
Clerk of the Superior Court of the State of California, in and for the County of Los Angeles.

This Minute Order has been entered on March 13, 1963 by WILLIAM G. SHARP, County Clerk and Clerk of the Superior Court of the State of California, in and for the County of Los Angeles.  
By WILLIAM G. SHARP, Deputy  
JUDGMENT - State Prison  
(Man)

State of California )  
County of Los Angeles ) ss

I do hereby certify the foregoing to be a true and correct abstract of the judgment duly made and entered on the minutes of the Superior Court in the above entitled action as provided by Penal Code Section 1213.

Attest my hand and seal of the said Superior Court this MAR 14 1963  
WILLIAM G. SHARP, County Clerk and Ex-officio Clerk of the Superior Court of the State of California, in and for the County of Los Angeles.



By W. R. Knight Deputy  
The Honorable W. R. Knight  
Judge of the Superior Court of the State of California,  
in and for the County of Los Angeles

	Credits Ded	Restored Credits	Additional Credits	Discharge Date	Parole Effective Date
CRIME: NSF Check 3 Cts CC 476a PC					
TERM: 6mos-14 3 Cts CC					
COUNTY: Los angeles					
County Case No.: 269421					
JUDGE: D R Wright 3/19/63 REC'D RGC CHINO					
MAY 8 1963 TRANS TO CMC-EAST					
MAR 15 1964 T.F.A. 3 YRS. GRANT LAST 1 YRS. & 9 MOS. ON PAR. (MAY)				3-17-66	6-17-64
APR 11 1964 - Noted - (MAY)					
1-19-64 ROP <i>Los Angeles Co.</i>					
1-65 PV WNT REC'D RGC CIM				3-17-77	
15-65 REC'D RGC CMC					
23-65 Parole Canceled					
3 1965 PG all Cts. Rev. Den. P.O. <i>1/27 17R</i>					
APR 21 1965					
APR 18 1967 CTRFA 5 yrs on 3 Cts CC ATFA 5 yrs CC WPT: Granted last 3 yrs on parole.				3-19-68	2nd Term
1-19-67 Action of AO in LA: PD adv. from 7-7-67 to 5-22-67					
1-22-67 Paroled. Riverside Unit San Bernardino Co. Reg. IV					
3-19-68 EXPIRED & REMAINS ON A TERM					
1-20-69 OTC & RET (SAME DATE)					

SUMMARY OF SENTENCE DATA

S-1-C-3 Y

	Forfeited	Restored Credits	Additional Credits	Discharge Date	Effective Parole Date
NAME: Fict Check CC WPT 476 PC					
ERM: 6mo-14 CC WPT					
COUNTY: Los Angeles					
County Case No.: 304175					
JUDGE: D.W. Williams					
7/65 PV WPT REC'D RGC CIM					
15/65 REC'D RGC CMF					
21 1955 CIM					
18 1967 CTRFA 5 yrs. on 9 3cts CC ATFA 5 yrs CC WPT Granted last 3 yrs on parole				7-7-70	7-7-67
-19-67 Action of AD in LA: PD adv from 7-7-67 to 5-22-67					
22-67 Paroled Riverside Unit #1 San Bernardino Co. Region IV					
AY 2 1969 PAROLE SUSPENDED-RETURN TO PRISON FOR REVOCATION PROCEEDINGS. ORDERED			CJ-PUR		
-5-69 PV TFT REC'D RGC CIM	0-0-3		0-0-3	7-7-79	
-15-69 REC'D RGC CMF PB cts 24, 26, 3, PNG cts 1, 4, et. 1 dismissed 7-69 et. 4 submitted. Rev. Con. P.O. 11/63 P.O. 1/67					
JUL 7 '69 rec'd SCC Orient					
-12-68 Rec'd CIM - West					
-22-69 OTC & Ret. (writ)					
-29-69 OTC & Ret.					
-30-69					
-20-69					
-19-69 AREA 7 yrs CC WPT. Granted per off 3-10-70				7-7-72	3-10-70
-12-69 Def. Rec'd and. San Bernardino Co. C 30 1969 CIM					
-13-70 Action of AD in LA: PD adv. from 3-10-70 to 2-15-70					
15-70 Paroled Riverside Unit 26 Co. Region IV					
AN 8 1971 PAROLE SUSPENDED-RETURN TO PRISON FOR REVOCATION PROCEEDINGS. ORDERED			CJ-PUR		
-14-71 PV TFT REC'D RGC CIM	0-0-6		0-0-6	7-7-79	
25-71 REC'D RGC CMF					
AR 5 1971 PNG cts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11. Facts 5, 6, 7, 11. Cts 3, 8, 10 submitted. Cts 1, 2, 4, 9 Dismiss. Rev. Con. P.O. 7/71 RR Cal					
A-77153-A HAZOR, Joseph A.					





5-1-c-4a

CASELOAD # 2811

RELEASE DATE 3-10-70 *	FACILITY CIM
---------------------------	-----------------

OFFICIAL RELEASE AUTHORIZATION
FOR: REGIONAL ADMINISTRATOR PAROLE & COMMUNITY SVCS.
BY: <i>[Signature]</i>

\*Parole Advancement requested to 2-15-70  
 Do Not Release on Weekend or Holidays

RESIDENCE	WITH WHICH, STREET, CITY, STATE Mayfair Hotel, Third & Garay, Pomona					
	NAME, STREET, CITY, PHONE Young, Honrio, & Mc Carthy, Attys. 100 Pomona Mill, West, Pomona	Phone 629-2521				
EMPLOYMENT	TYPE OF EMPLOYMENT, SALARY Research Law Clerk	JOB OFFER OBTAINED BY Inmate				
BUDGET	TOTAL \$ 60.00	ROOM AND BOARD \$ 50.00	INCIDENTALS \$ 10.00	LOCAL TRANS. \$ 0.00	UNION FEE \$ 0.00	OTHER (EXPLAIN IN REMARKS) \$ 0.00
	RELEASE WITH \$ 60.00	PAID TO POMONA	BALANCE TO 00000000 UNIT COST			
CLOTHING	None <input type="checkbox"/> Standard <input type="checkbox"/> Khaki <input type="checkbox"/> White		SOCIAL—SEE PARA			
REPORTING INSTRUCTIONS	PAROLE AGENT UNIT OFFICE, ADDRESS, TIME, DATE Report to residence & employment program. Will be contacted by Parole Agent at employment.					
DEVELOPMENT CONTACTS	PERSONS AND RESOURCES USED TO DEVELOP RPS John C. Mc Carthy, Employer Margaret Mazor, Wife Madelyn Boyum, Former fiancée Subject					

NOTE: IF TOOLS NEEDED ITEMIZE IN "REMARKS" WITH COST BREAKDOWN

REMARKS: After lengthy interview with Subject he finally admitted he has no intention of reconciling with wife. Would have left her after two weeks with claim that he tried, but it wouldn't work. Due to near blindness and no transportation, the Mayfair Hotel is recommended as it is one block from his employment.

Employer requests Subject be at work on 2-16-70, therefore Sunday release of 2-15-70 has been requested.

Maximum budget is requested as Subject's wife is on welfare and can be of no assistance.

*for* *ASA*  
 Robert A. Sison  
 Parole Agent I

No. A-77153 NAME MAZOR, Joseph A. PEGS/RIV-2 jm 2-6-70 Page 1  
 CA 1234 (11/57) F

**EXHIBIT D**

RELEASE PROGRAM STUDY

S-1-C-46

DEPARTMENT OF CORRECTIONS

Report To:  
 From: Parole and Community Services Division Date: February 6, 1970  
 Name: MAZOR, Joseph A (2 T) Number: A-77153  
 Commitment: Fict. Check, CC WPT Term Set: ATRFA 7 yrs, CC WPT  
 Received: 7-7-65 Released: \* Paroled: Suspended: Reinstated: Expires: 7-7-72  
 Present Location: California Institution for Men (Parole Date 3-10-70)

SUBJECT OF REPORT: \* PAROLE ADVANCEMENT

CIRCUMSTANCES: 11-19-69 ATRFA 7 yrs CC WPT. Granted parole effective 3-10-70. Minimum eligible parole date 1-7-66.

Subject has a job offer from John C. McCarthy of the law firm of Young, Henrie, and Mc Carthy, 100 Pomona Mall, West, Pomona, California. Mr. Mc Carthy wishes to employ Subject as a research law clerk at a salary commensurate with one who has a law degree, but is not yet admitted to practice law. Subject obtained this job himself while on a 72 hour pass.

Mr. Mc Carthy states the firm is desperately in need of a research assistant and must fill this position by the middle of February (see attached from the above-mentioned law firm). This agent investigated the above offer for a possible collusion. Mr. Mc Carthy definitely states that he had never met Subject, or heard of him prior to his coming to the law firm regarding a legal matter.

It would appear the program meets policy requirements in that:

1. Advancement originates with the agent at the request of the employer.
2. The opportunity will not be available at the scheduled release date.
3. Request has been investigated and approved by this agent.
4. No collusion appears to be involved.

RECOMMENDATION: That the parole date be advanced from 3-10-70 to 2-15-70, in order to accommodate the employer.

APPROVED: Respectfully submitted,

*J. S. Jones*  
 J. S. Jones, Supervisor, Parole Unit  
*Frederick Galloway*  
 Frederick Galloway, District Parole Admin.

*Robert J. Sloan*  
 Robert J. Sloan  
 Parole Agent I

MAZOR, Joseph A-77153 PEGS/RIV-2 jm 2-6-70 Page 2

## INITIAL INTERVIEW

Released From CIM Date 2-15-70 Time 10:00 A.M. Transportation Auto Family

Reported 2-16-70 Interviewed \_\_\_\_\_ Location \_\_\_\_\_

Balance \_\_\_\_\_ Delivered N/A

Balance \_\_\_\_\_ Delivered N/A

Clothing Issue No. None Acceptable? N/A Number of Pre-Release Classes Attended Unknown

INITIAL PROGRAM  
(If Different From RPS)SUPERVISION: ConditionalRESIDENCE: Mayfair Hotel, Room 203, 3rd & Garvey, PomonaEMPLOYMENT: Young, Henrie, & Mc Carthy, 100 Pomona Mall Status

West, Pomona

Start 2-16-70 Wage \_\_\_\_\_ Position \_\_\_\_\_ Known \_\_\_\_\_

GENERAL EVALUATION - and listing of apparent problems:

TRANSFER SUMMARY From 2-15-70 to 2-19-70

## FACTUAL DATA:

A parole advancement was obtained for Subject on the basis of immediate employment with the law firm of Young, Henrie, & Mc Carthy, who are employing Subject as a research assistant. Most of Subject's work will be conducted at the law library at the Municipal Court's building in Pomona.

On 2-17-70 Subject obtained residence at the Mayfair Hotel for which he pays \$21.00 per week. Subject has no desire for a reconciliation with his wife, who lives in China. However, he will have visitation rights with his six children by her.

Prior to Subject's release he was interviewed at California Institution for Men by this agent. At that time it was thoroughly explained to Subject that he would not be permitted to open a checking account nor sign any contracts without the permission of the Parole Agent.

Subject frankly admits that he intends to divorce his wife as soon as he is financially able to do so. He further intends to continue his romantic relationship with Madelyne Beth Boyum, also known as Mazor, and Williams. Subject has been definitely instructed that he will not be permitted to enter into a common-law relationship with this woman.

MAZOR, Joseph A-77153 P&CS/RIV-2 jm 2-20-70 Page 3

INITIAL INTERVIEW, Continued  
Page 2

There are conflicting statements in the Cumulative Summary, Readmission Summary, Parole Violation Report, and the Pre-release Referral. For the clarification of the agent receiving this case it is to be noted that Subject is not, and has not ever been married to Madelynn. Subject has six children by his legal wife, Peta Margaret Masor. There are no children by Madelynn (whom Subject refers to as Beth). Subject claims to be totally blind in the right eye, and 20-450 vision in the left eye. The dormitory officer at C.I.M. reports to have observed Subject reading a newspaper with only the aid of the colored glasses which he wears at all times.

The receiving agent should read the prior parole violation carefully as it will give a clue to Subject's manipulative abilities.

This case was discussed with Parole Agent Collins of the Eagle Rock Work Unit prior to Subject's release, due to his intended residence in Pomona. Case is hereby transferred to Parole Agent Collins, Case-load 1270, of the Eagle Rock Work Unit.

Subject is not indebted to the Cash Assistance Fund. There will be no 2943 P.C. Report due on Subject until 2-15-72.

ROBERT J. SLOAN, PA I/jm 2-19-70

SUMMARIZATION OF ACTIVITIES From 2-19-70 to 6-30-70

Residence: 150 West Foothill, Apt. 31B, Pomona, California  
Employment: Jaffee & Malloy, Attorneys, 333 West Mission, Pomona  
Supervision: Regular-Open

CASE CONTACTS:

Employment:	3-16	4-4	5-5	5-19	6-24
Phone:	2-16	3-1	6-3		
Collateral:	3-16	5-5	5-18	6-3	
Case Conf:	4-3	6-26			

PRESCRIPTION PROGRAMMING:

Prescription: The prescription in this case is to obtain stable employment, not enter into any business without prior approval of the Parole Agent, and resolve marital problems.

Measurement:

Assess: None.

Residence: Upon release from prison Subject initially resided at the Mayfair Hotel in Pomona. After he became financially solvent Subject rented an apartment in northeast Pomona. Subject never reconciled with his wife after his release. However, he does visit with her and his

CONT. SUMM. OF ACT. From 2-19-70 to 6-30-70

children regularly. Subject filed for a dissolution of marriage on 3-2-70. On 4-16-70 an interlocutory judgement of dissolution of marriage was granted.

Employment: Subject was released to accept work as a legal research assistant for the law firm of Young, Kenzie, and McCarthy. On 5-5-70 Subject moved to the above mentioned law firm of Jaffee and Mallory. Subject is presently receiving \$850.00 a month, plus he does legal research for other attorneys on the side. Mr. Jaffee of the aforementioned law firm feels that it would be beneficial to him and to Subject for Subject to obtain his own business license, and to keep on a retainer by the law firm. They would provide him with free office space and clerical assistance. Mr. Jaffee has written this agent a letter, outlining the foregoing.

Leisure Activities: Subject spends most of his time with his girl friend, Madelynn Beth Boyum. Subject has custody of his children on the weekends, and appears to be a devoted father.

Use of Alcohol and/or Narcotics: No known use of narcotics. Subject admits to an occasional social use of alcohol.

Physical Problems: Subject was, at one time, considered near totally blind. He has received eye refraction and can now read with little or no difficulty.

Financial Matters: Subject's earnings are more than adequate to meet his needs. Subject is paying \$151.00 per month to the welfare department for child support.

CASE EVALUATION AND PLANNING:

Subject has progressed exceedingly fast. The Parole Agent is attempting to watch for manipulations on Subject's behalf. However; all attorneys that Subject has worked for are aware of his criminal record and are aware that he is on parole. Mr. Jaffee has informed this agent that he will sponsor Subject in taking the bar examination, and will accept him as a junior partner in his firm, once he passes the Bar exam. Subject and ex-wife appear to get along well, except when his girl friend appears on the scene. At these times the wife becomes very vindictive and causes a scene. She has admitted to Parole Agent that she still loves Subject and feels that he will eventually return to her. She signed an agreement of non-contestment on the dissolution of marriage, feeling her chances of winning him back are better if she does not fight with him. Subject verbalizes strong feeling for the girl friend, and sees no possibility of a reconciliation with his ex-wife. It is felt program should continue at present supervision level.

Case Conference held on 4-3-70 with Unit Supervisor Dynes who noted: "As we predicted, he is going to require at least Regular supervision. Upgrade accordingly. His letter on firm letterhead to C.I.M. inmate needs follow up."

CONT. SUMM. OF ACT. From 2-19-70 to 6-30-70

Case Conference on 6-26-70 with Assistant Unit Supervisor Fiacco noted: "Good parole adjustment. Continue present program.

ROBERT J. SLOAN, PA I/jm 6-30-70  
SUMMARIZATION OF ACTIVITIES From 7-1-70 to 12-14-70

Residence: Riverside County Jail  
Employment: Riverside County Jail  
Supervision: Regular-Open

CASE CONTACTS:

Home:	10-27	11-24							
Employment:	10-6								
Jail:	11-30	12-1	12-2	12-4	12-11				
Field:	10-22	11-30							
Phone:	8-7	11-13	11-20	11-30					
Collateral:	8-7	8-7	10-2	10-5	10-15	10-21	10-22	10-22	
	10-22	10-22	10-22	10-22	10-22	10-27	10-27	11-6	
	11-23	11-30	11-30	11-30	11-30	11-30	11-30	11-30	
	12-1	12-3	12-3	12-3	12-3	12-4	12-4	12-4	
	12-4	12-4	12-4	12-4	12-4	12-4	12-4	12-4	
	12-4	12-7	12-7	12-11	12-11				
Case Conf:	10-30								

FACTUAL DATA:

Arrests: Subject was arrested on 11-30-70 by the Anaheim Police Department at the request of the Parole Agent on a charge of 3056 P.C. The arrest was the result of the Parole Agent learning that Subject had moved from his apartment, owing 1 1/2 months rent, had three credit cards belonging to his ex-wife, had sold all of his and his wife's furniture, and had airline reservations for New York, instead of Dayton, Ohio. For further details, see attached board report.

Residence: On 4-16-70 Subject was granted an interlocutory judgement of dissolution of marriage from his legal wife, Margaret Mazer. Shortly thereafter Subject moved into a common-law relationship with a Madeline S. Boyum (or Williams). Mrs. Williams is a forty-three year old, twice divorced woman, whom he had been going with on his previous parole. On 11-6-70 Subject and Mrs. Williams were legally married. Throughout the period of this report they resided at the Polynesian Gardens, where they rented a two-bedroom apartment for \$160.00 per month.

Employment: As stated in the previous summarization of activities, Subject went to work for the law firm of Jaffee and Mallory on 5-4-70. On approximately 6-26-70 this agent received a letter from Mr. Jaffee, stating the advantages of Subject maintaining his own identity as a research consultant, and thereby establishing his own business. Mr. Jaffee stated that this would be advantageous to both, as he would not have withholding problems regarding to Subject, and Subject would possibly have more legal deductions from an income tax point of view, plus he might

S-1-C-49

CONT. SUMM. OF ACT. From 7-1-70 to 12-14-70

as being an attorney, they were willing to keep him on and later sponsor him on taking a state bar examination. However, Subject exploited them, their clients, and various businesses in the area. Subject's desire to get ahead, and his need for status, caused him to "burn" almost every person with whom he came in contact. As noted above under Financial Matters, Subject's manipulations will result in a loss of in excess of \$5,000 to various people who trusted him. The amount is such that he cannot make restitution, and the pressure from creditors will only cause him to make further attempts at manipulation. For further details see attached board report.

Case Conference 10-30-70 with Unit Supervisor Dynce noted: "Caught him in time to prevent getting in over his head in business and money. Close scrutiny of his business operation will provide both control and support."

ROBERT J. SLOAN, PA I/jm



5-1-c-5a

DEPARTMENT OF CORRECTIONS

REPORT TO ADULT AUTHORITY

FROM: Parole and Community Services Division

Date: December 16, 19 70

Name: MAZOR, Joseph Allen (2 T)

Number: A-77153-A

Commitment: Fict Check CG WPT (CIM)

Term Set: ATRFA 7 yrs CG WPT

Received: 7-7-65 Paroled: 2-15-70 Suspended: Reinstated: Expires: 7-7-72

Present Location: Riverside County Jail OHO

SUBJECT OF REPORT: VIOLATION - TECHNICAL

REVIEW OF PREVIOUS ACTIONS: 2-13-70 Parole date advanced from 3-10-70 to 2-15-70 to accommodate employer.

REASON FOR REPORT: Subject's manipulations will cause an actual cash loss in excess of \$5,000.00 to victims, plus near accomplishment of criminal acts, and an aborted attempt to abscond.

CHARGES SPECIFIED:

1. Joseph Allen Mazor violated Condition 10 of the Conditions of Parole as evidenced by his obtaining a passport without the knowledge or permission of the Parole Agent.
2. Joseph Allen Mazor violated Condition 10 of the Conditions of Parole as evidenced by his making reservations on a United Airlines flight to New York, without the knowledge or permission of the Parole Agent.
3. Joseph Allen Mazor violated Condition 10 of the Conditions of Parole when he bought a 1965 Jaguar without the knowledge or permission of the Parole Agent.
4. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole as evidenced by his forging the signature of his fiancée to her income tax refund check in the amount of \$693.62.
5. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by making a fictitious automobile purchase draft in the amount of \$450.00.
6. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by writing and depositing a \$300.00 check on a closed account.

MAZOR, Joseph A. A-77153-A P&CS/RIV-2 jm 12-16-70 Page 9

REPORT TO ADULT AUTHORITY  
Page 2

- 7. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by attempting to sell furniture which he had rented from another firm.
- 8. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by drawing welfare assistance while he was employed.
- 9. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by misrepresenting an automobile, and consequently causing his employer a loss of \$1,795.00.
- 10. Joseph Allen Mazor violated Condition 11 of the Conditions of Parole as evidenced by his being charged by the District Attorney's Office with failure to provide (270 P.C.).
- 11. Joseph Allen Mazor violated Condition 13a of the Conditions of Parole by establishing numerous credit accounts without the knowledge or permission of the Parole Agent.

SUPPORTING EVIDENCE:

Charge 1. On 11-23-70 the Parole Agent learned that Subject had obtained a passport, through a collateral resource. On 11-24-70 Subject was confronted with this fact. Subject rationalized this fact by stating he had previously discussed with Parole Agent the possibility of obtaining employment in a foreign country. He had just taken the preliminary steps to being able to accept overseas employment. It was pointed out to Subject that (1) he had not yet received permission to go overseas, (2) as the passport costs \$12.00, this was an unnecessary expenditure, and (3) this is not the act of a rational person.

Charge 2. After Subject had been arrested on 11-30-70, Parole Agent learned from an attorney in Los Angeles that Subject had reservations on a United Airlines plane for New York. On 12-4-70 Parole Agent talked to a Mr. Morris, reservation operating chief, United Airlines. Mr. Morris verified that Subject had reservations on United Airlines, Flight No. 10, Wednesday, December 2nd, for a party of three, going to New York. Subject and his wife were questioned separately regarding this incident, and both adamantly denied any such reservations. Finally, after the wife was confronted with the flight number and the date, she admitted that they had originally planned to fly, but decided that it was too expensive, and forgot to cancel the reservations. Subject stated he remembered talking to the airlines about the cost of the flight, but does not remember making the reservations. Subject further admitted that he had entertained the idea of absconding to Europe, but dismissed the idea.

Charge 3. On 5-1-70 Subject requested permission to purchase an

REPORT TO ADULT AUTHORITY  
PAGE 3

automobile, showing Parole Agent a valid operator's license. Subject was informed of the insurance requirements, and additionally, a limit of \$50.00 a month was set for automobile payments. On 6-24-70 Subject showed the Parole Agent a 1965 Jaguar, with a temporary registration slip on the window registered to the law firm of Jaffee and Malloy. Subject explained that the law firm had purchased this automobile for him to use in his work for them. On 10-22-70, when several other irregularities came to light, Mr. Jaffee informed this agent that Subject was purchasing this automobile with payments of \$105.00 a month, and that it was purchased in their name as Subject's credit would not clear. Due to the various irregularities and the total indebtedness of Subject, Mr. Jaffee took possession of the Jaguar as security.

Charge 4. On 10-21-70 Subject's fiancée, Madeline S. Williams, informed the Parole Agent that they had an argument. She showed Parole Agent Subject's business book, check stubs, and deposits. She further informed the Parole Agent that her income tax refund check had never been received, and she had filed with the Federal Government for a trace or a re-issue of the check. It was noted that on 5-25-70 Subject had made a deposit of \$643.62, which is the exact amount of her refund check, minus \$50.00. On 10-22-70 Subject was confronted with this fact. At first he denied seeing or forging the check. After being informed that a handwriting expert would be called in on the case, Subject admitted forging the check and depositing it to his account. Subject rationalized this by saying it was her investment in the Research Development Corporation, of which she is a partner. Mrs. Williams and Subject were married on 11-6-70, and she withdrew her claim to the government.

Charge 5. On 10-22-70, during an investigation into Subject's activities, Mr. Arthur Jaffee showed Parole Agent two automobile purchase drafts, given to him by Subject as a request for an extension on payment of a draft. One of these drafts was made in the amount of \$1,000 from Tate Motors, which investigation revealed to be a bonafide draft. The other draft was in the amount of \$450.00, allegedly signed by a William Johnson. The Parole Agent recognized the writing to be that of Subject. Additionally a check with the Security First National Bank revealed to not have an account in the name of William Johnson, the alleged maker. On 10-22-70 Subject was confronted with this fictitious draft. Subject at first, strongly denied writing it. Again, when confronted with its being submitted to a handwriting expert, Subject admitted writing the draft. Subject attempted to rationalize his behavior by stating he got himself overextended, depending upon accounts receivable. Subject was reminded he had been counseled on numerous occasions regarding overextending himself. (See Addendum #1)

Charge 6. On 12-4-70, while checking into Subject's banking activities, Parole Agent learned from a Mrs. Tuttle of the North Gary Branch

REPORT TO ADULT AUTHORITY  
PAGE 4

of the Bank of America, that Subject had deposited a \$300.00 check written on a closed account. This check was written on 11-5-70 on the Investment Research Development account at Wells Fargo Bank in Pomona. On 10-22-70 Parole Agent learned that the Wells Fargo account was overdrawn in the amount of \$455.15. At that time Subject was informed that I.R.D. was out of business, and he was not to issue anymore checks, and further he was to make up the overdraws at the bank. Mrs. Tuttle stated that checks had been written on this \$300.00 deposit, which made his account at the Bank of America overdrawn. When confronted with this fact Subject stated that he had "heard" that he still had money in the Wells Fargo Bank, and this was his way of attempting to retrieve it.

Charge 7. On 12-4-70, while talking to a Mr. Jerry Edgar, of Business Interiors, Mr. Edgar informed this agent that Subject had tried to sell his (Mr. Edgar's) rental furniture to Patton Sales. The Parole Agent talked to Eva Miller of Patton Sales. She states Subject called them to sell some furniture to them on or about 10-28-70. The furniture consisted of a large executive desk, a high-backed leather judge's chair, two sofas, a small desk, small occasional tables, lamp, a two drawer legal filing cabinet, and a uni-filer. They gave an extremely low offer of \$300.00. After inquiring at another office, they learned the furniture was rented from Business Interiors, and informed them. At that time Business Interiors came and repossessed their furniture.

Charge 8. On 12-4-70, while investigating Subject's banking activities, it was learned that Subject's wife had deposited a check from the Los Angeles County Welfare Department made out in Subject's name in the amount of \$195.00. Mrs. Mary Anderson of the Department of Public Social Services reported to agent that Subject applied for Aid to the Totally Disabled on 2-12-70, and has been receiving \$195.00 since that date. Inasmuch as Subject received a parole advancement to accept work and was released on 2-15-70, he has been continuously employed or in business for himself during the entire period of his parole, this matter was turned over to the Welfare Fraud Division. They estimate that the amount of Subject's fraud is approximately \$1,950.00. They intend to go through their usual procedures of first attempting to re-claim the money through civil action,

Charge 9. In approximately July, 1970, Subject was employed by the law firm of Jaffee and Malloy. A divorce settlement had been won for one of the firm's clients, a Ruth Ellen Hinze. Mrs. Hinze stated she was looking for a good transportation vehicle. Subject offered to sell her his fiancée's 1966 Thunderbird, and quoted her a price from the Kelly Blue Book of \$2,250.00. Mrs. Hinze bought the automobile. She subsequently learned that the car was not in good running condition and, in addition, had been misquoted in value. She went to the

REPORT TO ADULT AUTHORITY  
PAGE 5

law firm and complained to Mr. Jaffee. Not wanting to destroy the relationship of a client, Mr. Jaffee refunded her money out of his pocket, and returned the car to Subject. The Parole Agent checked the Kelly Blue Book and found the retail value of this car to be \$1,990.00 and the wholesale value of the car, \$1,400.00. When questioned regarding this incident, Subject rationalized his behavior by stating that he must have looked at the wrong blue book. Subject has paid some cash and has done some work for Mr. Jaffee to reduce this amount. At the present time Subject still owes Mr. Jaffee \$1,795.00.

Charge 10. Subject is required by the court to pay \$150.00 per month to his ex-wife for the support of his six children. Subject has made no payments since September, 1970. On November 16, 1970, a criminal subpoena was issued to Subject ordering him to appear in court on 12-22-70 on a charge of 270 P.C. (See Addendum Item II)

Charge 11. Without the Parole Agent's knowledge or permission, Subject established credit at numerous places of business, in connection with both his business and personal life. Additionally, Subject skipped out on rent and telephone bills. See below for a listing of these debts and loss to the victims:

H & H Photo Service	\$ 592.00
Chevron Credit Card	71.00
Arco Credit Card	42.62
Mobile Oil Credit Card	731.36
Pomona Valley Stationary	268.73
Lorenz Jewelers	335.45
Don Meyers (Handwriting Expert)	150.00
United States Exchange Corp.	72.32
Business Interiors	305.00
Terry Yarbrough (Wedding Photos)	76.95
Excelsior - Legal Stationary Co.	32.93
Telephone Company	473.00
Polynesian Gardens (Apt. Rent)	<u>210.00</u>
Sub-Total	\$3,363.26
Arthur Jaffee - Attorney	<u>1,795.00</u>
TOTAL	\$5,158.26

The above does not include Welfare payments Subject received in the amount of \$1,950.00, and three weeks rental of a Hertz Rent-A-Car.

RESUME OF PAROLE ADJUSTMENT:

Subject received a parole advancement from 3-10-70 to 2-15-70 to accept employment with the law firm of Young, Henrie, and McCarthy in Pomona. As this area was under the jurisdiction of Region III, the case was referred to Eagle Rock #2 office immediately. On approximately 3-25-70 the case was returned to the Riverside Office due to the reorganization and regional lines realignment. At that time Subject was found to be working for another law firm by the name of Merriman and Lantor. On 5-4-70 Subject went to work for the law firm of Jaffe and Malloy as a research consultant. On 6-23-70 Mr. Jaffe wrote a letter to this agent, suggesting that Subject be allowed to maintain his own identity as a research consultant for hire. This would be advantageous to both in that, as business men, they would not have withholding problems with funds paid to him, and he would have probably more legal deductions from an income tax point of view. Additionally, he could obtain work from other attorneys. Mr. Jaffe further added that all of his actions and functions would be under his supervision, and that they would provide him with office space in their building. Subject appeared to be making very satisfactory progress in all respects. Unknown to this agent, or to Mr. Jaffe, it would appear that approximately this time, Subject became overly ambitious and overextended himself, and consequently became involved in his various manipulations, which were discovered at a later date. These manipulations involved forgery of a signature to his fiancée's income tax check, purchase of a Jaguar, misrepresentation and fraudulent selling of his fiancée's automobile, and purchase of several items on unapproved credit. Issuing a fictitious bank draft on 10-14-70 and the overdraft of his bank account came to the Parole Agent's attention on 10-22-70. At this time, Subject was put out of business and instructed to work out of his apartment. Subject requested permission to look for a job in a foreign country for himself and his wife, which would pay off some of his debts, and leave him a balance of money to go into business upon returning to the United States. Subject was given permission to look for this type of employment, with very definite instructions that the employer must be aware of his parole status and that the job offer be submitted in writing to this office. On 11-24-70 Subject requested permission to go overseas with his wife if she got a job first. This was denied. On 11-30-70 Subject was given permission to go to Dayton, Ohio, in an automobile on a business trip. Later in the day it was learned Subject had moved from his apartment building, owing one and one-half months rent, and had sold all his furniture. Additionally, it was learned Subject had three credit cards, belonging to his ex-wife, and it was felt that Subject's departure was other than as stated. An intensive search was investigated and Subject was located at his wife's mother's home in Anaheim. Subject was placed in custody. After his arrest his many debts and manipulations came to light. His obtaining a passport and having an airplane reservation to New York, plus selling all of the furniture,

# ADULT AUTHORITY 5-1-C-6a

Meeting of

January 8, 1971

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA. HELD AT LOS ANGELES (P&CS MEETING)

TO WHOM IT MAY CONCERN:

Present were: James H. Hoover, Member; Robert Del Pesco, AA Rep.; Actions reviewed and concurred in by: Manley J. Bowler, Member

\*\*\*\*\*

PAROLES SUSPENDED - RETURN TO PRISON ORDERED:

The Parole and Community Services Division presented reports in writing in each of the below-listed cases (these reports are now on file in the office of the Adult Authority at Sacramento), charging that the below-named prisoners had willfully violated the terms and conditions of their paroles.

The action in each of the following listed cases was "Parole suspended and return to prison ordered for revocation proceedings, for the causes set forth in the report of which this order is a part."

A 77153 A MAZOR, Joseph A. (RIV 2)

Due cause being shown by the Parole and Community Services Division, it is hereby ordered that the paroles heretofore granted the above-named and numbered prisoners be suspended upon the grounds that the above-named and numbered parolees have violated the terms and conditions of their paroles as more particularly set forth in the Parole and Community Services Division charges which are made a part of this order.

It is further ordered, that the Parole and Community Services Division, shall return said prisoners to the custody of the Director of Corrections to abide further action of the Adult Authority.

It is further ordered in accordance with Resolution 171 adopted by the Adult Authority on March 6, 1951, that the above-listed prisoners who have terms fixed at less than the maximum shall be re-fixed at the maximum until further order of the Authority.

In the event any of said prisoners shall be found in any State other than California, an application for a requisition for the return of said prisoners is hereby authorized and the Chief or Deputy Chief, Parole and Community Services Division, is hereby authorized to execute such application for and on behalf of the Adult Authority.

\*\*\*\*\*

A D O P T E D B Y

The affirmative votes of:  
James H. Hoover, Member;  
Robert Del Pesco, AA Rep.;  
Actions reviewed and concurred in by: Manley J. Bowler, Member

(Signed) JOSEPH A. SPANGLER  
Administrative Officer

A T T E S T  
January 8, 1971

A T T E S T April 7, 1971

*Joseph A. Spangler*  
JOSEPH A. SPANGLER  
Administrative Officer

## EXHIBIT B

STATE OF CALIFORNIA  
**ADULT AUTHORITY**

S-1-C-66

Meeting of  
March 5, 1971

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE  
DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF  
THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA,  
HELD AT CALIFORNIA MEDICAL FACILITY-RECEPTION GUIDANCE CENTER  
TO WHOM IT MAY CONCERN:

Present were: Warren Ballachey; Frank O'Brien; Actions  
reviewed and concurred in by: Manley J.  
Bowler; Daniel R. Lopez

\*\*\*\*\*

**ORDER OF THE ADULT AUTHORITY**  
**5 MARCH 1971 PAROLE VIOLATOR CALENDAR**

IT APPEARING THAT THE following named and numbered inmates,  
having been duly charged with wilfully violating the terms  
and conditions of their paroles and Tickets of Leave, and  
the Chief State Parole Officer having presented written  
charges with recommendations that the paroles heretofore  
granted to said inmates be suspended, cancelled, and/or revoked  
and it further appearing that written copies of the charges,  
notices of time of hearings, and notices of consideration  
of revocation of all or a portion of credits earned or to  
be earned, have been duly served in all cases; and the  
Adult Authority, having considered each case, following the  
submission of oral and documentary evidence supporting such  
charges of parole violations, finds that the following in-  
mates have violated the terms and conditions of their  
paroles and Tickets of Leave.

IT IS THEREFORE ORDERED THAT the paroles heretofore granted  
are hereby revoked and/or the credits earned or to be  
earned by each of the below-named and numbered inmates,  
under Section 2920 and 2921 of the Penal Code, shall be, and  
hereby are forfeited, and the specific charges as stated by  
the Chief State Parole Officer are made a part of the  
revocation and/or the forfeiture of credits in the manner  
hereinbelow set forth opposite the inmates' respective names:

A 77153 A MAZOR, Joseph A. (PV TFT 1-14-71) Plead not guilty  
to counts 1,2,3,4,5,6,7,8,9,10,  
11. Found guilty of counts 5,6,  
7,11. Counts 3,8,10 submitted  
for additional information.  
Counts 1,2,4,9 dismissed.  
Revoked. Denied. Place on  
July 1971 RR Calendar.

\*\*\*\*\*

**A D O P T E D B Y**

The affirmative votes of:  
Warren Ballachey; Frank O'Brien;  
Actions reviewed and concurred  
in by: Manley J. Bowler;  
Daniel R. Lopez

(Signed) L. ROBERTSON, Correctional  
Counselor II

**A T T E S T**  
March 5, 1971

**A T T E S T** April 7, 1971

*Joseph A. Spangler*

JOSEPH A. SPANGLER  
Administrative Officer

**EXHIBIT F**



EVALUATION AT TIME OF ADULT ADULTILITY HEARING

1. Observations by Staff Representative: *nearly blind - was led to hearing - claims he had permission - and assistance in getting past - very bitter - claims he only saw the parole agent 4 times in ten months - alleged parole agent was "partner" of best parole agent and didn't want him back in the district - had applied for aid to be blind - fund case dropped - claims credit accounts were with company (I.R. 9) - plays on physical problems - claims he needs operation - the report scheduled for June 71 -*

2. Comments by A.A. Panel: *P.N. 6 - all (11 acts) <sup>act 3-8-10 admitted PG 5-6-7-11</sup> but 1-2-4-9 dismissed July 71 K.A. S. adamantly denies any wrongdoing - He openly claims collusion between past & present Parole agents - although intelligent, skilled and admit he is emotionally disturbed over vision problem & tends to engage in Excessive Rationalizing & Minimizing - However, he did not, according to P.A., come any "closer" to crime than Welfare fraud & Failure to provide. P.A. states also his "coming closer" to crimes include forging financial & Income Tax checks -*

3. Program Considerations: Classification *Special Condition* *ban close acct.*  
Institutional/Release *Priority*  
*Major Problems appear to be O.S. proclivity for manipulating people & situations to his advantage & @ has physical condition - 1d states he needs surgery (crucial) because of*

4. Panel Members: (INT) *Bullbecky* *again* 5. *Stanton*

Co-Signer: (MBR) \_\_\_\_\_ RGC CMF \_\_\_\_\_  
Institution \_\_\_\_\_ Date \_\_\_\_\_

Number: A-77153-A Name: MAZCR, Joseph A. Calendar: \_\_\_\_\_

notes (staff adv in h. will be seen by  
Nursesurgeon this m.)

Name	Number	Location	Send By Teletype Mail

SEND COPY OF CDC 279 FOR CRIME PARTNER'S FILE PER SR 8-03  
TO RECORDS OFFICER:

Date: ..... Place: ..... Signature and Title: .....  
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5-1-C-6c

State of California

Department of Corrections

~~MEMORANDUM~~

To: Dr. L. J. Pope, Superintendent  
Vacaville, California  
95688

Date: March 19, 1971

File No.: A-77153

Attention: L. H. Robertson, CC II

Subject: MAZOR, Joseph A.

From: Parole and Community Services Division  
Riverside, Unit 2  
3759 Elizabeth Street  
Riverside, California 92506

On 3-5-71 a GDC 247 request was submitted to this office for further information regarding parole violation charges 3, 8, and 10, which were submitted on 12-16-70. Results of this investigation are as follows:

Charge 3. See attached letter from law firm of Jaffee & Mallory, dated 3-15-71, signed by Richard Mallory. This letter clearly defines the business arrangement Subject had with the law firm to purchase the car, and fully substantiates this charge. (See Addendum Item #1)

Charge 8. On 3-12-71 this agent contacted James M. Lancaster, Special Investigator, County of Los Angeles, Department of Public Social Services. Mr. Lancaster provided this agent with the following documents which are attached: Computation of Overpayment in amount of \$1926.00; his Special Investigation Report, dated 2-18-71, and Supplemental Investigation Report, dated 2-23-71. In accordance with Departmental policy, the matter has now been referred to the Bureau of Resources and Collections, for reimbursement of aid obtained illegally. Should reimbursement fail, the matter will be referred to the District Attorney's Office for prosecution under the Welfare & Institution Code. (See Addendum Item #2)

Charge 10. On 12-22-70 a hearing was held in Department "A", Municipal Court County of San Bernardino, Judge Roy E. Chapman presiding. People of the State of California vs. Joseph Allen Mazor, Case #93442, on charge of 270 P.C. (Failure to Provide). On motion of the District Attorney, the case was dismissed, due to Subject's being in county jail and District Attorney's knowledge that

EXHIBIT H

Parole Agent had submitted recommendation for PV-TFT.

The foregoing information was obtained from the court clerk.

SUPPLEMENTAL INFORMATION

The following criminal activities have been brought to this agent's attention since Subject's return to prison.

1. On 3-2-71 this agent was contacted by the Montclair Police Department, regarding Joseph A. Mazor. Apparently, on 3-30-70, Subject presented a \$300.00 check to Lorenz Jewelers, for which he received cash and merchandise. This check was made out to a Mrs. Velma Rasha, allegedly endorsed by Mrs. Velma Rasha, and a second endorsement by YRD Corporation, Joseph Mazor.

The check was subsequently returned to Lorenz Jewelers as a forged document. Accompanying this check was a notarized affidavit from Mrs. Velma Rasha, that the check was not endorsed by her nor with her authority endorsed, etc.

The District Attorney declined to issue a complaint, as Mrs. Rasha is presently living in St. Louis, Missouri, and the cost to bring her to California to testify would be too expensive.

It is to be noted at the time the check was dated, Mrs. Rasha was employed at the same law firm as Subject and received her mail there. The check was a child support payment from her husband, who works in Saudi Arabia. (See attached Addendum Item "A")

2. On 2-8-71 this agent was contacted by a Paul Willoughby of Royal Typewriter Company, 1931 South Manchester, Anaheim, California. Mr. Willoughby informed this agent that Subject had purchased a Royal Typewriter on 2-25-70 for \$341.25, on a 90 day conditional Sales Contract, with no money down. The serial number 9383-380. No money had been received as of this date. Mr. Willoughby was informed that Subject had been returned to prison, and it was believed Subject had sold the typewriter on or about 11-30-70, to a used furniture store in Pomona. On or about 3-5-71 the typewriter was located at Hart's Furniture, 835 West Holt Avenue, Pomona. Mr. Willoughby was notified. He stated he intended to file a charge of 487 P.C. with the Pomona Police Department. Complaint was filed 3-12-71.

APPROVED:

*J. S. Dynes*  
 J. S. Dynes, Unit Supervisor

*Robert J. Sloan*  
 Robert J. Sloan, Parole Agent I  
 Riverside, Unit 2

S-1-C-6g



RONALD REAGAN  
GOVERNOR

State of California  
GOVERNOR'S OFFICE  
SACRAMENTO 95814  
MAR 29 10 52 AM '71  
CALIF. MED. FACILITY

March 23, 1971

Re: MAZOR, Joseph A.  
A-77153-A

C  
O  
P  
Y

Superintendent Lester J. Pope, M.D.  
California Medical Facility  
Box 2000  
Vacaville, California 95688

Dear Superintendent Pope:

Please inform your inmate, Joseph A. Mazor, A-77153, that his recent letter to the Governor has been received. Please also inform the subject that the subject matter of his letter is the responsibility of the Department of Corrections and the Adult Authority.

I am informed by the Adult Authority that the subject's parole violation charges are extensive and very criminal in nature. I am also informed by the Adult Authority that the Medical Director of the Department of Corrections, John E. Gorman, M.D., has recently written to the subject in regard to his physical difficulty and that the medical staff of your institution are fully aware of the subject's medical problem.

To the end that you may follow through appropriately, this subject's letter is called to your personal attention.

Sincerely,

Herbert E. Ellingwood  
Legal Affairs Secretary

JAS:deb  
cc: T.M.McDonald, C&PR-CHF

COPIES TO MY MAR 9 1971

EXHIBIT I

S-1-C-7a *Residual File*



RIVERSIDE GENERAL HOSPITAL • UNIVERSITY MEDICAL CENTER  
9851 MAGNOLIA AVENUE • RIVERSIDE, CALIFORNIA • 92503 • TELEPHONE 689-2211

To: Northern Reception Guidance Center  
California Medical Facility  
Vacaville, California 95688

Date: January 26, 1971  
Patient: Mazor, Joseph A.  
Birthdate:  
Your No: A77153  
Our No: ~~190-866~~

Your request concerning the patient named has been received and appropriate action taken as checked below:

. XXX\* The requested information is enclosed. \*NOTE: DR. STELLER ASKED THAT WE SEND THIS INFORMATION ON TO YOUR CENTER IN THE HOPE THAT IT WOULD BENEFIT THE PATIENT BY PROPER TREATMENT.

— This patient is in the hospital. The requested information will be sent after the discharge date.

— Since this patient is a minor, it is necessary that we have an authorization signed by the parents or legal guardian before information can be released.

— We are unable to identify this patient. Please furnish additional information such as: Hospital number, birthdate, approximate dates of admission and discharge, and verify spelling of the name (please type or print).

— Since medical information is confidential by law, it may be released only on written consent of the patient. Please return the enclosed authorization form after it has been dated and signed in ink by the patient or his authorized representative. Below the signature, please type or print the patient's name.

— The charge for copying the enclosed medical record is \$ . Please make your check payable to the Riverside General Hospital.

Sincerely,

*[Signature]*  
Richard M. Butler  
Records Management Supervisor

1b

S-1-C-7h

RIVERSIDE GENERAL HOSPITAL  
University Medical Center  
Riverside - California

CITY GENERAL HOSPITAL  
TELEPHONE

DISCHARGE SUMMARY

Dr. Dictating: Robert Staller, MD Signature:

Patient's Name: MAZOR, Joseph A.  
PV Number: 190-866  
Admitted: 1-5-71 - outpatient clinic visit  
Discharged: 1-23-71  
Dictated: 1-23-71

Trans: 1-25-71/aw

Final diagnosis: Rule out Leptomenigeal cyst, meningioma, vascular disorder.

**HISTORY:** This patient was first seen in the Ophthalmology Clinic at Riverside General Hospital on 1-5-71 with chief complaint of pain and sensitivity to light in the left eye for approximately one month. The patient is a 36 year old Caucasian male with history of macular degeneration in both eyes since 1955, which has limited his vision to count fingers vision at 3 feet. The patient's main problem now is pain in the left side of his head which patient seems to localize in his left eye which is accentuated by light and motion. He further states that the vision in his left eye has decreased over the last month.

**FAMILY HISTORY:** The patient has a 9 year old daughter who also has macular degeneration and count fingers vision since approximately 6 years of age.

**PHYSICAL EXAMINATION:** Patient had marked photophobia in both eyes, but more so in the left eye and shows moderate pain on movement in the left eye. Brows, lids and lashes clear. Cornea and conjunctiva media clear. Lens clear. Extra ocular muscles exotropia, left eye dominant; approximately 30 prism diopters. Pupils equal, round, regular and react to light and accommodation. Fundus - vessels 2-3, discs clear; <sup>herpetic</sup> mottling was present. Impression was macular degeneration both eyes, possible optic neuritis in the left eye.

**HOSPITAL COURSE:** Patient was put on Prednisone 8 tablets q.o.d. and given a retrobulbar injection of 1/2 cc. of steroids. On 1-7-71, the patient returned to the clinic essentially unchanged and was reviewed by the staff who could see no objective reason for the patient's pain at that time. Routine skull series was ordered with views of the orbit and the patient was felt to have a large degree of psychological overlay and was put on Valium 10 mg. daily. Consequently the skull x-rays were reviewed by Radiology and Neurology staff and there was noted to be a large, radiolucent area in the right side of the brain and it was felt that this could be Leptomenigeal cyst, meningioma, a vascular disorder and the Neurology Staff felt that the patient deserved the following workup:  
1. Investigation by the Neurology staff. 2. Consideration for angiogram studies.

(continued on next page)

MAZOR, Joseph A.  
190-866

S-1-C-7c

RIVERSIDE GENERAL HOSPITAL  
University Medical Center  
Riverside California

SUMMARY

cont'd

HAZOR, Joseph A.

page 2

Although our acquaintance with Mr. Hazor was brief, he proved to be an alert and cooperative patient and I believe further investigation in his case is warranted.

cc: Prison where patient is  
now confined.

HAZOR, Joseph A.

190-866



84-4286-2018

CONSULTANT'S RECORD

HOSPITAL...CMF: RGC.....

5-1-C-7J

me ...MAZOR, Joseph G..... No. A-77153..... Date March 1, 1971

Reason for Consultation: Interview for medical evaluation.

CENTRAL FILE CHRONO

CONSULTANT'S REPORT

R. E. Prout, M. D.

(Signature of Referring Doctor)

This 36 year old MRGC inmate was interviewed in B-2 Doctor's office at my request, in response to his letter to the Superintendent, Dr. Pope, of February 10, 1971, and his letter to me of February 18, 1971, both of which are filed in the central file. The patient is bitter in attitude, and is frank in expressing his plans of litigation against the Department of Corrections for sending him to a camp center following his last guidance center processing. He states that he fell down stairs on July 11, 1969, while at Sierra Conservation Center and that his condition has been aggravated because of this. His current diagnosis is hereditary Macular degeneration involving primarily the left eye for which there is no known treatment. I quote our consulting ophthalmologist, Dr. Frank Hull, M. D., in his consultation of February 10, 1971, "No therapy indicated other than wearing a patch over left eye". This is being carried out. There is also a history of abnormality on skull X-rays and the possibility of cyst, tumor, or vascular disorder have been considered by neurologists in the past. In conversation with our consulting neurologist, Robert Herrick, M. D., who interpreted Mazor's recent EEG, Dr. Herrick tells me that other CNS congenital abnormalities sometimes accompany this disorder, and that it is unlikely that the skull X-ray changes represent a complication of his alleged fall. Our consulting radiologist, R. F. Chambers, M. D., interprets the recent skull X-rays of January 27, 1971, as "abnormal skull evidence of atrophy involving the right hemisphere with probable vascular malformation". Contrast studies would probably be informative". Subject had contrast studies in fall, 1970, at UCLA Hospital but refuses to sign a release for these records upon advise of his attorney. It is highly unlikely, in my judgment, that a surgically correctable lesion is present, since in all likelihood they would have proceeded upon such a course at UCLA if such had been the case. He is to be seen by our consulting neurosurgeon Dr. John Wright, M. D., tomorrow, but has pointedly stated that he will not consent to any arteriograms or similiar procedures, here or anywhere in the Department of Corrections. In summary, his medical condition is stable, and although he is not camp qualified by medical reasons, he can be adequately cared for at other institutions. His needs are mainly domiciliary type care due to his visual limitations.

cc: Medical Jacket  
 Mr. Kane  
 MRGC Case Manager  
 Neuro Dept., Dr. Wright  
 B-2 File

*R E Prout, M.D.*  
 R. E. Prout, M. D., M.D.

(Consultant's Signature)

R. E. Prout, M. D.  
 Chief Medical Officer

CONSULTANT'S RECORD

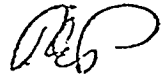
HOSPITAL CMC: RGC

S-1-C-2c

Name MAZOR, Joseph G. No. A-77153 Date March 1, 1971

Reason for Consultation: Interview for medical evaluation.

CENTRAL FILE CHRG:O



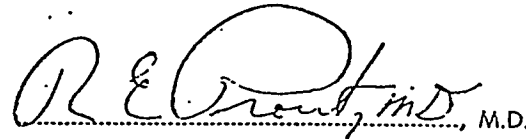
CONSULTANT'S REPORT

R. E. Prout, M. D.

(Signature of Referring Doctor)

This 36 year old NRCG inmate was interviewed in B-2 Doctor's office at my request, in response to his letter to the Superintendent, Dr. Pope, of February 10, 1971, and his letter to me of February 18, 1971, both of which are filed in the central file. The patient is bitter in attitude, and is frank in expressing his plans of litigation against the Department of Corrections for sending him to a camp center following his last guidance center processing. He states that he fell down stairs on July 11, 1969, while at Sierra Conservation Center and that his condition has been aggravated because of this. His current diagnosis is hereditary Macular degeneration involving primarily the left eye for which there is no known treatment. I quote our consulting ophthalmologist, Dr. Frank Hull, M. D., in his consultation of February 10, 1971, "No therapy indicated other than wearing a patch over left eye". This is being carried out. There is also a history of abnormality on skull X-rays and the possibility of cyst, tumor, or vascular disorder have been considered by neurologists in the past. In conversation with our consulting neurologist, Robert Herrick, M. D., who interpreted Mazor's recent EEG, Dr. Herrick tells me that other CNS congenital abnormalities sometimes accompany this disorder, and that it is unlikely that the skull X-ray changes represent a complication of his alleged fall. Our consulting radiologist, R. F. Chambers, M. D., interprets the recent skull X-rays of January 27, 1971, as "abnormal skull evidence of atrophy involving the right hemisphere with probable vascular malformation". Contrast studies would probably be informative". Subject had contrast studies in fall, 1970, at UCLA Hospital but refuses to sign a release for these records upon advise of his attorney. It is highly unlikely, in my judgment, that a surgically correctable lesion is present, since in all likelihood they would have proceeded upon such a course at UCLA if such had been the case. He is to be seen by our consulting neurosurgeon Dr. John Wright, M. D., tomorrow, but has pointedly stated that he will not consent to any arteriograms or similiar procedures, here or anywhere in the Department of Corrections. In summary, his medical condition is stable, and although he is not camp qualified by medical reasons, he can be adequately cared for at other institutions. His needs are mainly domiciliary type care due to his visual limitations.

cc: Medical Jacket *SM*  
Mr. Kane  
NRGC Case Manager  
Neuro Dept., Dr. Wright  
B-2 File



(Consultant's Signature)

R. E. Prout, M. D.  
Chief Medical Officer

S-1-C-7-f

NEUROSURGICAL CONSULTATION

MAZOR, Joseph A-77153

REC

Nov 2, 1971

The patient is Caucasian male, 36 years old, who is seen in consultation for the following symptoms. Long standing visual difficulty beginning in 1956 or 1957, for which he first saw an ophthalmologist and was not told of any particular diagnosis and no specific therapy was offered until 1963 at which time an ophthalmological examination did reveal what was felt to be macular degeneration involving both eyes and the patient was told that he had a degenerative condition that would not be benefited by specific treatment. He had at that time noticed progressively falling vision. In July of 1969 the patient, who at that time was at Sierra Conservation Camp, having previously been told by ophthalmological consultation as he recalls, that he had 20/200 vision in his left eye and 10X in the right eye and not feeling he was visually able to negotiate stairs, however, was assigned to second floor quarters and while negotiating the stairs downward slipped on some wet stairs and fell head long down approximately ten stairs striking his head believing he was for a very short period of time unconscious and then being assailed to his feet at which time he felt he did not have any broken bones or obvious injuries. He states that shortly following this episode, not within the next day, but within the next 90 days, he noticed further deterioration in his visual acuity. The patient, however, was then 2 to 3 days following the fall did have severe headaches. These headaches were vertex and sub-occipital in location. At this time the patient was hospitalized and he continued to have headaches on a daily basis and the patient states that these headaches have continued in the intervening two years, not on a daily basis, but two to three times a week lasting several hours at a time. There's been no associated dizziness, vertigo or vomiting or other neurological signs with the headaches. The patient states that thereafter there was some litigation attempt, but that physicians were unable to associate any progression in his visual loss with trauma. The patient does state that prior to his fall in 1968 he was examined by a private physician in Los Angeles an electroencephalogram was obtained as were skull films. The patient was told that these examinations were perfectly normal. Then in September of 1970 he went on parole. The patient had re-examination and again by a private physician in Los Angeles in September of 1970 and at this time he had skull x-rays, electroencephalogram, and a left sided paravenous carotid angiogram. The patient states he does not have a family history of hereditary retinal problems, however, he has four children, the youngest a girl age seven years and she is blind at the present time presumably from macular degeneration.

Physical examination at this time reveals the patient to be alert and coherent to give a reasonably detailed history. The general physical examination reveals the patient to wear a patch over the left eye because of increased light sensitivity in the left eye manifested by blepharospasm tearing and apparent discomfort when light impinges upon the retina from this side. As far as vision in the left eye is concerned the patient can count fingers at two feet and vision in the right eye appears to be even less than finger counting at two feet. The patient perceiving motion and larger objects than the finger at one to two feet. Examination of the optic fundi do not indicate papilloedema or vascular abnormalities. Palpation of the cranium revealed relative bony prominence in the right frontal parietal approximately 7 cm superior to the pterion. This was relatively localized about 3 to 4 cm in diameter and was non tender. The prominence appeared to be smooth and bony hard. Auscultation of the skull and neck reveal no bruits. The extra ocular movements were intact with nystagmoid movements present in the straight ahead gaze position probably secondary to the decreased visual acuity. There did not appear to be marked diminution in gaze direction. The patient was able to elevate and depress the eyes into adduct and abduct well. Hearing was grossly intact. Facial sensation was grossly intact. There appeared to be full range of motion of the cervical spine. The examination of the peripheral sensory modality and reflexes, gait, and ability to stand on one foot at a time and ability to perform rapid alternating movements was all within normal limits. There appeared to be no limb ataxia. The reflexes were symmetrical and intact. Review of the patient's most

J. G. M. C.

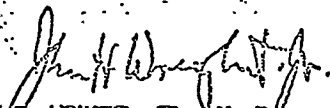
MAZOR, Joseph: A-77153

(Continued)

March 2, 1971

recent electroencephalogram report available to me as interpreted by Dr. Maxrick, indicated no focal abnormality rather some increase in artifact from high movement plus general slowing centrally and temporally, low voltage theta. There is nothing specifically interpreted concerning this EEG. The review of the skull films and the report by Dr. Richard Chambers indicates some definite cranial abnormalities. These consist of apparent asymmetry of the skull contours with prominence on the right with also appearance of enlarged areas of decreased bone density in the right frontal parietal area with contours suggesting vascular channels, the above is the radiologist's interpretation. My own impression is that such dull appearance is abnormal and I would think it very important to have previous skull films for comparison but that if this abnormality did indeed develop in the intervening few years from what was otherwise normal skull films before that this probably represents either an intracalvaria AV fistula perhaps on a traumatic basis or it might represent a leptomeningeal cyst. The possibility of congenital abnormality of the skull and dura is certainly something to consider but without previous skull films for comparison I can not be sure about this. Not having the report and not having direct information from the angiography that the patient's states was performed on the left side, I am unable to be fully sure that no traumatic lesion exist. I have made the patient fully aware of this and he is at present reluctant to undergo further angiography here although he readily admits he was told he had a lesion which needed surgical correction he believes on the left side of his head but he is not sure about the location. He was told this lesion was some type of a cyst which might lead to his demise if surgical correction were not undertaken. At the present time in his examination I am unable to confirm the presence of any space occupying mass causing compression of neuro tissues. At least from the standpoint of gross neurological examination. I do not feel that his visual difficulty represents any intra-cranial pathology, however, macular degeneration is a condition which may be associated with other conditions not traumatic etiology.

The problem as I interpreted it at this time particularly involves the question of what the patient's studies as recently as September of 1970 showed and if the patient is unwilling to allow this information to be presented to me specifically then I can only advise him that I am unable to render a meaningful opinion at this time on the basis of the information presented to me but that I would recommend to him from the standpoint of treatment as long as he is presently in this institution that such information be made available to me. Pending this and since he will not consent to angiography I could only recommend one further thing--I do believe that the present skull films, although they are quite definitely abnormal, might be further amplified by a repeat examination of the skull with a basal view to show vascular channels in the base to be added as well as more attention paid to appropriate positioning because I notice there is some mild degree of rotation on his present skull films. This makes it difficult for me to interpret completely the skull contours and calcifications.

  
JOHN H. WRIGHT, JR., M.D.  
Consulting Neurosurgeon

JHW:reb/jg

cc: Usual  
Dr. Prout

S-1-C-7h

RL7

WZOR, Joseph 1-77153

(Continued)

March 2, 1971

recent electroencephalogram report available to me as interpreted by Dr. Horvick, indicated no focal abnormality rather some increase in activity when high frequency gamma stimuli elicited, especially but temporarily, low voltage theta. There is nothing specifically interpreted concerning this EEG. The review of the skull films and the report by Dr. Richard Chambers indicates some definite cranial abnormalities. These consist of apparent asymmetry of the skull contours with prominence on the right with also appearance of enlarged areas of decreased bone density in the right frontal parietal area with contours suggesting vascular channels, the above is the radiologists interpretation. My own impression is that such dull appearance is abnormal and I would think it very important to have previous skull films for comparison but that if this abnormality did indeed develop in the intervening few years from what was otherwise normal skull films before that this probably represents either an intracalvarian AV fistula perhaps on a traumatic basis or it might represent a leptomeningeal cyst. The possibility of congenital abnormality of the skull and dura is certainly something to consider but without previous skull films for comparison I can not be sure about this. Not having the report and not having direct information from the angiography that the patients states was performed on the left side, I am unable to be fully sure that no traumatic lesion exist. I have made the patient fully aware of this and he is at present reluctant to undergo further angiography here although he readily admits he was told he had a lesion which needed surgical correction he believes on the left side of his head but he is not sure about the location. He was told this lesion was some type of a cyst which might lead to his demise if surgical correction were not undertaken. At the present time in his examination I am unable to confirm the presence of any space occupying mass causing compression of neuro tissue. At least from the standpoint of gross neurological examination. I do not feel that his visual difficulty represents any intra-cranial pathology, however, macular degeneration is a condition which may be associated with other conditions not traumatic etiology.

The problem as I interpreted it at this time particularly involves the question of what the patient's studies as recently as September of 1970 showed and if the patient is unwilling to allow this information to be presented to me specifically then I can only advise him that I am unable to render a meaningful opinion at this time on the basis of the information presented to me but that I would recommend to him from the standpoint of treatment as long as he is presently in this institution that such information be made available to me. Pending this and since he will not consent to angiography I could only recommend one further thing—I do believe that the present skull films, although they are quite definitely abnormal, might be further simplified by a repeat examination of the skull with a basal view to show vascular channels in the base to be added as well as more attention paid to appropriate positioning because I notice there is some mild degree of rotation on his present skull films, this makes it difficult for me to interpret completely the skull contours and calcifications.

*John H. Wright, Jr.*  
 JOHN H. WRIGHT, JR., M.D.  
 Consulting Neurosurgeon

JHW:at/fg

cc: Usual  
Dr. Front

S-1-C-7

FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
CALIFORNIA MEDICAL FACILITY  
SAC, SAC, CALIFORNIA STATE

August 1, 1972

Mr. W. K. Kerr, Chairman  
California State Board of  
Prisons  
1000 West 4th Street  
Sacramento, CA 95834

Re: WILLIAM SPANGLER (A-77153) CDR  
Request for information  
pertaining to medical records

Attention: Mr. Joseph Spangler

Dear Mr. Kerr:

Pursuant to a telephone conversation with Mr. Spangler this subject's record in the California State Board of Prisons is being reviewed. A medical report was received from the Adult Authority when the subject was heard before the parole board in March 1972.

These notes were sent this morning in follow-up of neurological consultation with neurologist, Robert Ferrick, M.D. Dr. Ferrick and I reviewed the man's neurological condition at the present time, along with a review of his current and accumulated medical records to date at this institution. The subject is a 45-year-old, but appears to be in his 30s due to bilateral cataract degeneration of several years standing, complicated by a ray and neuro-vascular findings of an intracranial lesion in the right occipital. On January 5, 1972, he was seen for this problem at the Lakeside General Hospital, Livermore, California and plans were to proceed for his hospitalization there with investigation by the neurology staff and consideration for a shunt (diagnostic neurosurgical) and so. These studies are to be performed within the Department of Corrections, in accordance with the subject's request to continue to reside in the State Prison at Livermore General Hospital, and has received written assurance from the California State Board of Prisons that they are willing to assist in the subject's hospitalization should his parole be recommended.

I am sure a decision to continue on the subject, to be recommended of further review of the subject's case and treatment in the Department of Corrections, to be made by the California State Board of Prisons, and that the subject's medical records will be made available to the subject's medical staff. The subject has been advised of the medical staff's findings and has agreed to the subject's hospitalization in his case. It is for this reason that the California State Board of Prisons is hereby requested to request that his

S-1-C-7j

Mr. Henry W. Kerr, Chairman  
Adult Authority  
4/1/71  
Page #2

case be reviewed, with the hope that the Adult Authority will see fit to re-instate his parole and release him to the Riverside General Hospital for medical care.

If there are any further questions which I have not covered in this case please feel free to phone me.

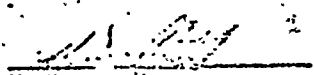
Yours very truly,

*R. E. Prout, M.D.*

R. E. PROUT, M.D.  
Chief Medical Officer

REP:ld  
cc: Central File ✓  
CSIP  
Medical Jacket

APPROVED:

  
K. L. [unclear]  
Acting Superintendent



S-1-C-7K

C E R T I F I C A T I O N

I hereby certify that my name is D. H. Francisco and that I am employed in the Capacity of Records Officer at the California Medical Facility at Vacaville, California, an institution of the California Department of Corrections; by virtue of such capacity I am custodian of the official records of said institution; that the attached documents bearing the official seal of the Department of Corrections are true and correct photocopies of the official records of said institution for:

JOSEPH A, MAZOR      A-77153-A

Done at Vacaville California, County of Solano,  
California on this 6th day of April, 1971.

*D.H. Francisco*  
D. H. FRANCISCO  
RECORDS OFFICER III

ADULT AUTHORITY 5-1-C-2  
Meeting

April 14, 1971

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE  
DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF  
THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA.  
HELD AT CALIFORNIA INSTITUTION FOR MEN

TO WHOM IT MAY CONCERN:

Present were: Leland M. Edman, Member; Robert R. Miller, Rep.;  
Actions reviewed and concurred in by: James H.  
Hoover, Member

\*\*\*\*\*

A-77153-A MAZOR, Joseph A.      Submit to Adult Authority En  
Banc for discussion.

\*\*\*\*\*

A D O P T E D B Y      The affirmative votes of:  
  
Leland M. Edman, Member;  
Robert R. Miller, Rep.; Actions  
reviewed and concurred in by:  
James H. Hoover, Member

(Signed)      C. M. BRETT, Classification &  
Parole Representative

A T T E S T  
April 14, 1971

A T T E S T      May 7, 1971

*Joseph A. Spangler*  
JOSEPH A. SPANGLER  
Administrative Officer

EXHIBIT I

ADULT AUTHORITY

Meeting of

April 20, 1971

571-C-86

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA. HELD AT SACRAMENTO (SPECIAL MEETING) TO WHOM IT MAY CONCERN:

Present were: Curtis Lynum, Vice-Chairman; Leland M. Edman, Member

\*\*\*\*\*

A 77153 MAZOR, Joseph A. (CIM) Parole violation charges 3 and 10 in report dated December 16, 1970 dismissed. Found guilty charge #3.

\*\*\*\*\*

A D O P T E D B Y The affirmative votes of: Curtis Lynum, Vice-Chairman Leland M. Edman, Member

(Signed) JOSEPH A. SPANGLER Administrative Officer

A T T E S T April 20, 1971

A T T E S T May 7, 1971

*Joseph A. Spangler*

JOSEPH A. SPANGLER Administrative Officer

EVALUATION OF TIME OF ADULT AUTHORITY HEARING

M.B. Rosen

Name: MAZOR Number: A-77153 Calendar: 1/14/71

1. Observations by Staff Representative: Was informed of visitors by C.S.P.R. No. 110. Visitors of his trouble talking. ~~From~~ unavailable. Panel expressed his hope to resolve 3 counts of P.V. & N.C. & Con. new looking him from he worked for owned car welfare regarding. No. Co. not points out investigation was made & evidence will be interpreted when panel decides. Boy never worked for Jaffee & Malson. He worked for separate corporation F.R.D. He explains his corporation worked and his pay. Men's guilt to fracture on records. Panel says a complaint of PC 270 has been filed. Boy H.A. office did order him to make welfare payment to wife & children.

2. Comments by A.A. Panel:

3. Program Considerations: Classification Institutional/Release Special Condition  Priority

4. Panel Members: (INT) EDNA W. MILLER  
 5. Travis Staff Representative  
 Co-Signer: (MBR) E. J. M. Institution Date: 1-14-71

6. Post-Hearing Follow-Up: \_\_\_\_\_

Date: \_\_\_\_\_ Place: \_\_\_\_\_ Signature and Title: \_\_\_\_\_

to assist he made payments to wife altho has no receipts. Shows knowledge of scheduled hearings which culminated in complaint of PC 270. asks panel to explain why he is here at CIM, in the guidance center. Panel says info will be given & clarified in near future. Panel informs they heard he wanted treatment at Riverside Hospital. He wishes to discuss medical problems. Panel says they do not handle medical problems. Says Mr. Voller told him he belonged in the "Main Line".

S-1-C-F-e  
RETURNED TO...  
CMF 4-27-71

RIVERSIDE GENERAL HOSPITAL  
University Medical Center

DISCHARGE SUMMARY

Dr. Dictating: Fred M. Favre, M.D. Signature: *Joseph A. Spangher*  
Patient's Name: Mazor, Joseph A.  
P.F. Number: 19-08-66  
Date Admitted: 4-21-71  
Date Discharged: 4-23-71  
Date Dictated: 4-23-71 Date Trans: 4-23-71 m.r.

- Final diagnosis: (1) Radiolucent area, right side of skull, etiology undetermined.  
(2) Headaches, etiology undetermined.  
(3) Macular degeneration, probably Best's.  
(4) Aggressive paranoid personality disorder.  
(5) No definite progressive abnormalities of nervous system.  
(Skull films in two years recommended.)

The patient is a 36 year old Caucasian lawyer presently confined in prison with abnormal skull films and history of macular degeneration x 15 years with decreased vision in both eyes and history of right headache for the past two years.

The patient states he had an episode of paralysis on the left side six weeks ago which lasted three days and left residual weakness of left leg. The patient's daughter is blind and several ophthalmology consultations in the past have stated that his visual defect is probably secondary to a hereditary type macular degeneration. The patient fell while in prison in 1969. He had angiograms done at U.C.L.A. in 1970 and he refuses to have these released. He had a thorough neurology work-up by Dr. Harris, Dr. Prout and Dr. Wright which are also on this chart, done in the prison with a probable diagnosis of probable left meningeal cyst; rule out vascular abnormality; rule out tumor.

The patient fell down the stairs while at Sierra Conservation Center on 7-11-69 and is apparently suing the ~~Attorney~~ Department of Corrections for sending him to a camp center following his last guidance center processing. I think he feels that he should not have been sent there after a camp-incurred injury.

The physical examination revealed a man with a patch over his left eye who was quite uncooperative, throughout. Both fundi were visualized eventually, although he claimed marked photophobia of the left eye and the ophthalmology consultant noted some physical findings of macular degeneration, although these were not apparent on my examination. The ophthalmology consultant could not explain his photophobia on the basis of the physical findings. The patient refused to stand up for me, but on other examinations by Dr. Peterson he was able to stand and able to walk, although part of the time he dragged his left leg. No evidence of actual weakness was noted by Dr. Peterson, although the findings were definitely variable on the motor examination. The Romberg was also quite variable. The patient was able to stand and do finger-to-nose with eyes closed, but when told his balance was being tested he promptly fell over when the formal Romberg was done. His visual acuity was counting fingers, only at approximately one foot. The sensory examination was also quite variable. Reflexes and arteries were intact throughout and equal, bilaterally. Sensory examination was also extremely variable.

Mazor Joseph A. 19-08-66

EXHIBIT K

S-1-C-87

(cont. disch. sum. on Mazor, Joseph A. 19-08-66)

(2)

X-ray and laboratory examinations: The SMA was entirely within normal limits, done fasting. The CBC was within normal limits. The hemoglobin was 16. The urinalysis was normal and the electrolytes were normal. The EKG was interpreted as within normal limits. Skull film report is not on the chart at present, but was reported to show multiple radiolucent defects in the right cranial vault. The chest film was within normal limits.

A cerebral angiography was done for vessel study from the right femoral approach with no immediate complications. The findings were subtle abnormality, only, if any except for mild ventricular dilatation, greater on the left but without shift to midline structures. No gross abnormality was present. This was done at Loma Linda University.

Hospital course - the patient tolerated the studies well and was discharged back to jail with recommendation to use Codeine for pain, only when extreme pain was noted, and the above diagnosis. It was recommended a skull film be done in two years.

\*\*\*\*\*

Mazor Joseph A. 19-08-66

5-7-C-9a

FILED

MAY 6 1971

C. D. EVENSEN, Clerk

*2/2*

IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JOSEPH A. MAZOR,  
Petitioner,

vs.

THE CALIFORNIA ADULT AUTHORITY, THE  
CALIFORNIA DEPARTMENT OF CORRECTIONS,  
and RAYMOND PROCUNIER and L. J. POPE,  
in their respective official capacities,  
Respondents.

No. C-71 849 ACW

ORDER TO SHOW CAUSE

Based upon the petition filed herein and good cause appearing:

IT IS HEREBY ORDERED that respondents file a return with this Court on or before the 10th day of May, 1971, to show cause, if any there be, why a writ of habeas corpus should not be issued herein;

IT IS FURTHER HEREBY ORDERED that counsel for petitioner shall forthwith serve a copy of this order upon respondents.

IT IS FURTHER HEREBY ORDERED that respondents or counsel for respondents appear in person before this Court on the 10th day of May, 1971, at 11:00 a.m. to complete compliance with this order to show cause.

DATED: MAY 6, 1971.

*[Signature]*  
United States District Judge



FILED

1971

E. G. EVENSEN, D. J.

in proc. of

1/9

IN THE UNITED STATES DISTRICT COURT FOR

THE NORTHERN DISTRICT OF CALIFORNIA

C-71 849 ACW

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JOSEPH A. MAZOR,

Petitioner,

vs.

THE CALIFORNIA ADULT AUTHORITY, THE CALIFORNIA DEPARTMENT OF CORRECTIONS, and RAYMOND PROCUNIER and L.J. POPE, in their respective official capacities,

Respondents.

No.

IN THE MATTER OF THE APPLICATION OF JOSEPH MAZOR FOR A WRIT OF HABEAS CORPUS

1. JOSEPH A. MAZOR, on whose behalf this application for Writ of Habeas Corpus is filed, is illegally and unconstitutionally confined and restrained of his liberty at the California Medical Facility at Vacaville, California, by the Adult Authority of the State of California and by Raymond Procunier, Director of the Department of Corrections and L. J. Pope, Superintendent of the California Medical Facility at Vacaville.

2. Name and location of court which imposed sentence:  
Los Angeles Superior Court, Los Angeles, California.

3. The offense or offenses for which sentence was imposed:  
(a) criminal case;  
(b) the indictment numbers are not known.

4. The date upon which sentence was imposed and the terms of the sentence:

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(a) March 8, 1963;

(b) Petitioner confined to Department of Corrections for period provided by law.

5. Check whether a finding of guilty was made:

(a) after a plea of guilty   x  

(1) Petitioner entered a plea of guilty to two counts of P.C. 476(a) in the Municipal Court which pleas were certified to the Superior Court for sentencing as above.

(b) after a plea of not guilty;

(c) after a plea of nolo contendere.

6. Check whether hearing was by:

       Jury

  X   Judge without jury.

7. Did you appeal from the judgment of conviction or the imposition of sentence? No.

8. Not applicable.

9. If the answer to (7) was "no" state the reasons for not so appealing: Petitioner did not and does not now challenge any aspect of the trial or preconviction hearing procedures.

10. State concisely the grounds on which you base your contention that you are being held in custody unlawfully:

(a) On or about June 27, 1969, Petitioner was declared by the State of California to be 100% legally blind. Thereafter, while in the custody of the Department of Corrections, Petitioner was ordered to work in the California Conservation Center at Jamestown, California. This order was issued by the Department of Corrections over the contrary recommendation of the Department's medical officer who examined Petitioner prior to such assignment. While at the Jamestown facility and on or about July 11, 1969, Petitioner sustained a fall, aggravating a pre-existing congenital brain condition and proximately resulting in injuries variously diagnosed as a cystic clot which formed at the base of Petitioner's

1 brain and appeared to endanger his life, or as a "radio-lucent"  
2 area of unknown etiology on the right side of his skull. Enclosed  
3 herewith and marked Exhibit A is an extract from Petitioner's  
4 medical file in Vacaville substantiating the fact that Petitioner  
5 needed exploratory surgery long before the time when Habeas Corpus  
6 proceedings were brought in the State Supreme Court.

7           Prior to the filing of a Petition for Habeas Corpus  
8 in the Supreme Court of California, Petitioner was informed that  
9 in the absence of immediate exploratory brain surgery, his then  
10 life expectancy was approximately six months. Petitioner advised  
11 the medical authorities at Vacaville of this fact. The medical  
12 authorities at Vacaville acknowledged that there were no medical  
13 facilities within the correctional system available for such  
14 exploratory test. (See Exhibit B.) Since Petitioner was unwilling  
15 to have brain surgery performed on him at Vacaville, prior to  
16 the filing of the Habeas Corpus petition in the Supreme Court of  
17 California, Petitioner was simply wasting away in anticipation of  
18 death.

19           Four days after the filing of said Petition for Habeas  
20 Corpus, the medical authorities at Vacaville again examined  
21 Petitioner's medical file and recommended immediate release of  
22 Petitioner and his restoration to parole on medical grounds.  
23 (See letter of Dr. Prout dated April 1, 1971, attached hereto  
24 and marked Exhibit C.) Insofar as Exhibit C states that testing  
25 on Petitioner could be performed within the correction system of  
26 California, it contradicts the statement of Exhibit B, suggesting  
27 that such testing be carried out in San Francisco.

28           Following the filing of Dr. Prout's letter (Exhibit C),  
29 and in consonance with the Pendentia Litae relief required by  
30 Petitioner, Respondents transferred Petitioner to Chino, Califor-  
31 nia, from where Petitioner was taken to a private facility at  
32 Riverside General Hospital for exploratory testing and surgical

1 brain and appeared to endanger his life, or as a "radio-lucent"  
 2 procedures. Said testing resulted in three different diagnoses.  
 3 The common denominator underlying all the diagnoses is that the  
 4 etiology of Petitioner's condition remains uncertain, his condition  
 5 is extremely serious and further tests and close medical observa-  
 6 tion of Petitioner will be required. Petitioner was then returned  
 7 to Vacaville prior to the filing of a Petition for Habeas Corpus  
 8 in the Superior Court. Petitioner's parole was formally suspended by the  
 9 Parole and Community Service Division of the Adult Authority on  
 10 November 30, 1970, and was subsequently revoked by the Adult  
 11 Authority on or about March 5, 1971, after Petitioner had been  
 12 confined for a period of approximately 90 days in various penal  
 13 institutions pursuant to the order suspending his parole. While  
 14 in said penal institutions, Petitioner brought his medical  
 15 condition to the attention of the authorities, who <sup>sought</sup> ~~sought~~ to  
 16 confirm his diagnosis, and did nothing further other than placing  
 17 a medical hold on Petitioner. At no time during said period was  
 18 Petitioner afforded a hearing or an opportunity to convey to the  
 19 Adult Authority the urgency that his need for surgery and possibly  
 20 imminent death lent to the proceedings. The State of California  
 21 does not have provisions to expedite hearings of revocation of  
 22 parole so that every arbitrary action of any parole officer who  
 23 "violates" a parole automatically results in incarceration for  
 24 approximately ninety days. Petitioner was given a list of eleven allegations on  
 25 which the revocation hearing was based, but the actual revocation  
 26 was made on the grounds that Petitioner has violated one or more  
 27 of the conditions of his parole--which condition was not made  
 28 known to Petitioner for approximately 45 days after said hearing.  
 29 This determination of revocation pursuant to Penal  
 30 Code Section 3060 and Adult Authority Resolution 279 was made  
 31 summarily, in violation of Petitioner's right to counsel and due  
 32 process provided by the Fifth, Sixth and Fourteenth Amendments to

1 the United States Constitution.

2 The common (c) Petitioner's sentence was redetermined auto-

3 matically at the maximum, pursuant to P.C. 3020 and Adult

4 Authority Resolution 171 and in violation of Petitioner's rights

5 to due process and counsel as aforesaid.

6 (d) Because Petitioner was denied counsel, a full and

7 fair hearing, opportunity to present witnesses in support of his

8 contentions, and the right to confront his accusers (particularly

9 under circumstances where Petitioner was at the time of the

10 purported hearing blind and in pain), a material error was made

11 in the proceedings, namely: Petitioner presented to the Adult

12 Authority representative documentary and other evidence conclu-

13 sively exonerating him from the eleven violations brought against

14 him. In response to the tender of the documentary evidence, Mr.

15 Valachi of the Adult Authority stated: "I hate this damned

16 paperwork. We cannot substantiate the charges and we will

17 investigate." There was no parole officer present to explain the

18 charges to the hearing officer, or to attempt to substantiate

19 them. Petitioner was unable to read this documentary evidence

20 to the representatives due to his blindness. Petitioner's

21 evidence was thereupon returned to the Petitioner and was not

22 examined by the Adult Authority. Despite the statement that the

23 Adult Authority will "investigate" the charges, they did not

24 retain copies of evidence which would have exonerated the

25 Petitioner. This evidence is at present in possession of

26 Petitioner's present counsel who stands ready to present it to

27 and to call witnesses before the Adult Authority in a proper

28 hearing.

29 Even while the Petition for Habeas Corpus was pending

30 in the Supreme Court of California, Respondents conducted another

31 parole hearing at Chino, at which two Deputy Attorney Generals

32 were present. Petitioner's counsel was neither advised of the

1 hearing nor invited to attend it, although all the evidence of  
2 Petitioner's innocence was in counselor's possession, and both  
3 the Adult Authority and the Attorney General of California had  
4 knowledge thereof by virtue of a statement to that effect in the  
5 Petition for Habeas Corpus in the California Supreme Court.

6 11. State concisely the facts supporting each of the  
7 grounds set forth in (10).

8 One central fact in the case of this Petitioner is his  
9 medical condition. His illness and imminent death colors both  
10 the present urgency of the relief sought in this matter and the  
11 impropriety of the time and form of hearing afforded to Petitioner  
12 by the Adult Authority.

13 Petitioner was originally convicted in 1963 on the basis  
14 of his plea of guilty to one count of P. C. 476(a) which provides  
15 a sentence of not more than fourteen years. He was paroled from  
16 that conviction in 1964, was in 1965 charged with a second count  
17 arising out of the same transaction. Petitioner was again  
18 paroled in 1966. At no time since the 1965 conviction has  
19 Petitioner been charged with or convicted of the commission of  
20 any criminal act. In 1969, Petitioner's parole was violated on  
21 the basis of technical charges of non-cooperation with his  
22 parole officer. At that time, Petitioner's sentence was  
23 summarily reset to the maximum and he was returned to the  
24 California Medical Facility at Vacaville, California. There he  
25 was examined and because of his blindness, the examining physician  
26 Dr. Hull, ordered a white cane for Petitioner and recommended  
27 that he be sent to the California Men's Colony West or Chino,  
28 which had facilities to provide safe care for a blind prisoner.  
29 In spite of this recommendation, Petitioner was sent to the Sierra  
30 Conservation Camp on or about July 7, 1969. Upon arrival  
31 Petitioner reported his medical condition to the persons in charge  
32 of said facility but they refused to take any steps for his

1 hearing not invited to attend it, although all the evidence of  
 2 safety. On or about July 11, 1969, Petitioner fell and was  
 3 Petitioner's innocents was in counselor's possession, and both  
 4 injured, as above stated.  
 5 the Adult Authority and the Attorney General of California had  
 6 Petitioner attempted repeatedly to obtain proper medical  
 7 knowledge through by virtue of a statement to that effect in the  
 8 care through the Department of Corrections, but was unable to do  
 9 Petitioner for Habeas Corpus in the California Supreme Court.  
 10 so. This deprivation led to his filing of actions both in the  
 11 United States District Court for violation of his civil rights  
 12 and in the San Luis Obispo County Superior Court, petitioning  
 13 --One central fact in the case of this Petitioner is his  
 14 for investigation. After the hearing on this action and while  
 15 medical condition. His illness and imminent death colors both  
 16 the decision therein was under submission, Petitioner was advised  
 17 the present urgency of the relief sought in this matter and the  
 18 by CMC West that his parole would be reinstated if he dropped the  
 19 proceedings of the time and hour of hearing afforded to Petitioner  
 20 pending cases. On the basis of this representation, Petitioner  
 21 to the Adult Authority.  
 22 did file a dismissal and was in fact forthwith restored to parole.  
 23 Petitioner was originally convicted in 1968 of the title  
 24 Upon being paroled, Petitioner sought private treatment  
 25 of his plea of guilty to one count of P. C. 4761a, which provides  
 26 for what at the time had manifested itself as severe headaches and  
 27 dizziness. In or after September of 1970, this condition was  
 28 medically diagnosed as a cystic clot apparently resulting from the  
 29 during one of the safe transactions. Petitioner was again  
 30 fall described hereinabove. Petitioner was told by a qualified  
 31 physician in 1971. At no time since the 1968 conviction has  
 32 his life expectancy in the absence of immediate  
 33 exploratory surgery was approximately six months. Petitioner was  
 34 in the process of consultation of specialists and preparing for  
 35 surgery when his parole was violated.  
 36 The violating charges involved no criminal activity on  
 37 the part of the petitioner. Their falseness would be easily  
 38 demonstrable in an impartial hearing.  
 39 Petitioner was picked up "for investigation" of parole  
 40 violations on or about November 30, 1970. He was confined to  
 41 the Riverside County Jail from December 1, 1970, to January 4,  
 42 1971. Thereafter, he was transferred to the Medical Facility at  
 43 Vacaville, whence he was transferred to the California Men's  
 44 Colony at Chino, and then returned to the Medical Facility at  
 45 Vacaville, where he is presently in custody. Approximately 90  
 46 days after Petitioner had first been picked up he met for the

1 first time with representatives of the Adult Authority. At that  
 2 meeting, Petitioner entered pleas of not guilty to all charges and  
 3 requested the aid of counsel since the factual issues to be deter-  
 4 mined were numerous and complex, and particularly since Petition-  
 5 er's condition made it difficult, if not impossible, to present  
 6 a complete case within the time allowed for his own defense.  
 7 At that meeting, in March of 1971, the representatives of the  
 8 Adult Authority were still unaware of Petitioner's physical  
 9 condition, although the staff at Vacaville had ordered a medical  
 10 hold placed on him with the intention of performing exploratory  
 11 brain surgery at the earliest possible date. Petitioner's  
 12 medical jacket was not made available to the Board representa-  
 13 tives nor was Petitioner able to present any further evidence in  
 14 substantiation of his medical condition despite the fact that  
 15 Petitioner had requested in writing two weeks before the hearing  
 16 that the Vacaville doctors provide said information to the hearing  
 17 officers.

18 . . . . . Petitioner did attempt to present documentary and other  
 19 evidence of his complete innocence of the violations charged  
 20 against him. This evidence is presently in the hands of counsel  
 21 retained by Petitioner for the purposes of this writ. Upon  
 22 presentation of the evidence, Mr. Valachi, one of the board  
 23 representatives, stated, "I hate this damned paperwork. We  
 24 cannot substantiate the charges and will investigate." Since the  
 25 evidence was returned to Petitioner, it is unclear how this  
 26 "investigation" was to proceed. Petitioner's blindness precluded  
 27 his reading and explaining the evidence to the Board representa-  
 28 tives within the time allotted for this hearing. The hearing  
 29 procedure was additionally handicapped by the absence of the  
 30 parole officer to substantiate or at least explain the charges to  
 31 the hearing officer--and to your Petitioner. At the conclusion  
 32 of the 23 minute hearing, Petitioner was told to wait in the



1 hallway, which he did. His tendered evidence was returned  
2 unaccepted by the hearing officer and unread by him. Petitioner  
3 was not advised of the specific findings of the Adult Authority  
4 as to his guilt or innocence of the charges. He has been advised  
5 only that his parole was revoked and denied, and that he is to  
6 be placed on the July, 1971, parole calendar. On the basis of  
7 knowledge then available to the Adult Authority, this resulted in  
8 a life sentence as to your Petitioner; this sentence was imposed  
9 by the Adult Authority without full knowledge by the hearing  
10 officer either of the exonerating evidence tendered by Petitioner  
11 or of the fact that the sentence as in fact re-set by the Board  
12 was unwittingly set at a term of life.

13 12. Have any other applications, motions or petitions  
14 been made or filed in regard to this same detention or restraint?

15 Petitioner filed two actions after the initial revocation  
16 of his parole and prior to the revocation proceedings on which  
17 the within Petition is based; Petitioner has also filed one action  
18 in the Superior Court of California challenging the present parole  
19 revocation.

20 13. If you answered "yes" to any part of (12), list with  
21 respect to each petition, motion or application:

- 22 (a) the specific nature thereof:
  - 23 (1) Civil Rights Action
  - 24 (2) Petition for investigation
  - 25 (3) Application for Writ of Habeas Corpus.
- 26 (b) Name and location of court in which each was  
27 filed:
  - 28 (1) Federal District Court of the Central  
29 District of California at Los Angeles, California
  - 30 (2) Superior Court of the State of California  
31 in and for the County of San Luis Obispo
  - 32 (3) Supreme Court of the State of California.

1 railway, which (c) The disposition thereof was returned ...  
 2 unaccepted by the (1) The case was dismissed on the motion of  
 3 defendants based on the specific findings of the Adult Authority  
 4 on his side or (2) The case was dismissed by Petitioner on  
 5 the basis of a representation made by the Adult Authority that  
 6 if he dismissed the action, parole would be forthwith restored.  
 7 Upon dismissal of said action, parole was in fact restored in  
 8 a life sentence as (3) The application was denied on a four to  
 9 two vote (see Exhibit B), upon full knowledge by the hearing  
 10 officer either (d) The date of each disposition was by Petitioner  
 11 or of the fact that (1) September 22, 1969 as set by the Board  
 12 was unwisely set (2) February 6, 1970

13 11. Have (3) April 22, 1971 actions of petitioner  
 14 been made or (e) Citations of any written opinions been made

15 Petitioner None: two actions after the initial revocation  
 16 of his (14) Has any ground in this Petition been presented before  
 17 to any court? See below: Petitioner has also filed one action  
 18 in the (15) If you answered "yes" to (14), identify the basis  
 19 of revocation.

20 (a) Which grounds have been previously presented:  
 21 Petitioner's physical condition was the basis of the  
 22 1969-70 actions, which were specifically directed at his inability  
 23 to obtain medical aid within the institution to which he was then  
 24 confined. At the time of said actions, however, petitioner's  
 25 condition (other than blindness) had not been diagnosed, nor was  
 26 he aware of the terminal nature of his injury in the absence of  
 27 prompt corrective surgery. The grounds set forth in the within  
 28 petition were presented only to the California Supreme Court.

29 16. If any ground set forth in (10) has not previously  
 30 been presented to any court, state or federal, set forth the  
 31 ground and state concisely the reasons why such ground has not  
 32 previously been presented: not applicable.

17. In the proceeding resulting in confinement was

1 there representation by an attorney at any time during the course

2 of: (1) The case was dismissed on the motion of

3 defendants. (a) proceedings prior to trial No.

4 (b) trial or hearing, dismissed by Petitioner No.

5 on the basis of (c) sentencing, made by the Adult Authority No.

6 if he dismiss (d) appeal, if any, made or forsworn No.

7 Upon dismissal (e) preparation, presentation, or restoration,

8 consideration of any petitions, motions or applications a four to

9 tions with respect to this conviction, which you filed No.

10 18. Name and address of each such attorney:

11 None. (1) September, 1961

12 19. Is the person in custody presently represented by

13 an attorney in any way relating to this confinement?

14 Yes. Ephraim Margolin and Ramsay Fifield, 445

15 Sutter Street, Suite 501, San Francisco, California.

16 20. Has any ground in this Petition been presented before

17 the Court? 20. Petitioner has no plain, adequate or speedy remedy

18 other than by this application for a Writ of Habeas Corpus.

19 There is no appeal from the decision of the Adult Authority and,

20 unless the said decision is set aside, Petitioner will be subjected

21 to what amounts to a life sentence.

22 21. By reference the accompanying Brief is made a part

23 hereof.

24 WHEREFORE, Petitioner respectfully prays:

25 1. That a Writ of Habeas Corpus issue out of this

26 Court to Raymond Procunier, Director of the Department of

27 Corrections and L. J. Pope, Superintendent of the California

28 Medical Facility at Vacaville, commanding them to bring Joseph

29 Mazor before this Court and to show cause at a time and place

30 to be set by this Court why the said JOSEPH MAZOR is so detained,

31 all in accordance with the requirements of Penal Code Section

32 1480;

1 2. Petitioner be restored to his liberty. In the  
2 alternative,

3 3. A hearing be held to examine all the records and  
4 proceedings in this case and to inquire into the cause and  
5 legality of the imprisonment of Petitioner;

6 4. Petitioner be admitted to bail, or released on his  
7 own recognizance pending a final determination of the issues  
8 raised in this Petition;

9 5. The Adult Authority be required to hear the issue  
10 of Petitioner's suspension and revocation of parole, providing  
11 him with full constitutional protections including a speedy  
12 hearing, due process and counsel under the Fifth, Sixth and  
13 Fourteenth Amendments to the United States Constitution;

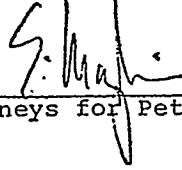
14 6. The medical hold placed on Petitioner be dissolved;

15 7. The Court declare whether the present California  
16 system of parole revocations is constitutional on its face and  
17 as applied to this Petitioner;

18 8. Petitioner be granted such other and further relief as  
19 to the Court seems just.

20 Dated: May 4, 1971.

22 EPHRAIM MARGOLIN  
23 RAMSAY FIFIELD

24 By   
25 Attorneys for Petitioner  
26  
27  
28  
29  
30  
31  
32

51-C-10a

Memorandum

To: E. P. McLarney, M.D., Chief Medical Officer  
 California Mens Colony West, Box A.W., San Luis Obispo, California 93401  
 Date: November 17, 1969  
 File No.: JAZOR A-77153  
 Subject: Requested Transfer of Petitioner to State Medical Examination and Retention Facility

From: California Medical Facility, Vacaville - 95688  
 raised in this Petition:

The adult authority be required to meet the request. I am in receipt of your memo of November 10, 1969 requesting neurological examination, electroencephalogram, and electroretinogram examination on the above-named inmate of your institution. We do have facilities for neurological examination and electroencephalogram at this institution, and I would be glad to receive the inmate on a medical and return basis for these examinations. We do not have facilities for performing an electroretinogram, but I have discussed this subject with our ophthalmologic consultant, Frank W. Hull, M.D., who advises me that the closest hospital for this examination is in San Francisco. The necessity for this examination can be re-evaluated here, after the neurological examination and EEG are performed.

The Court declare whether the present California system of parole revocations is constitutional on its face and as applied to these Petitioners.

*E. Prout M.D.*

Permittees be granted K. E. PROUT, M.D. Surgeon called as Chief Medical Officer

REP:ld  
 cc: Dr. Gordon  
 Central File  
 Medical Jacket

EXHIBIT A

MAZOR, Joseph A-77153-A NRC Central File

This supersedes my previous recommendations. Inmate was seen by our consulting neurosurge Dr. Wright, who feels that further studies and previous records should be obtained. Inmate possibly (or probably) will refuse these recommendations, but for the completion of our neurological evaluation they should be offered to him. If an institutional disposition decision is necessary to be made at this time, I recommend C or category D neuro.

REP: id  
cc: Medical Jacket  
Mr. Eane  
Neurology Dept. (Dr. Wright)  
Mr. Boling  
From: California Medical Facility, Vacaville - 95685

R. N. PROUT, M.D.  
Chief Medical Officer

March 4, 1971

I am in receipt of your memo of November 11, 1970, requesting that I be consulted regarding the possibility of performing an EEG on this subject with out the inmate's consent. I have advised you that the necessity for this examination can only be determined after a physical examination and EEG are performed.

REP: id  
cc: Mr. Boling  
Central File  
Medical Jacket

EXHIBIT A

S-1-C-10c



RIVERSIDE GENERAL HOSPITAL • UNIVERSITY MEDICAL CENTER  
9851 MAGNOLIA AVENUE • RIVERSIDE, CALIFORNIA • 92503 • TELEPHONE 689-2211

March 22, 1971

RE: MAZOR, JOSEPH A.  
PF 19-08-66

To the Supreme Court of California:

The records disclose that Joseph Mazor was seen in the Riverside General Hospital Out-Patient Clinic. A possible diagnosis of leptomenigeal cyst or hemangioma was made and the patient was scheduled for additional studies because of the probability of a surgical condition which would require prompt attention. We have since learned that further studies have shown a need for immediate surgery in order not to endanger his life. The medical staff at Riverside General Hospital are willing to give the patient the necessary medical treatment if the court will so allow.

• The above statement is signed on pain of perjury at Riverside General Hospital, March 22, 1971.

CN:pwj

Carter NoLand, M.D.

EXHIBIT 9

MENT OF CORRECTIONS  
 ORNIA MEDICAL FACILITY  
 HE, CALIFORNIA 95688

5-1-C-102



April 1, 1971

Mr. Henry W. Kerr, Chairman  
 Adult Authority  
 Department of Corrections  
 714 P Street, Room 523  
 Sacramento, CA 95814.

Re: MAZOR, Joseph (A-77153) CMZ  
 Request for consideration of  
 parole for medical reasons

Attention: Mr. Joseph Spangler.

Dear Mr. Kerr:

Pursuant to my telephone conversation with Mr. Spangler this morning concerning this CMZ inmate, I am writing to bring to your attention medical information which was not available to the Adult Authority when his case was heard here by the Parole Violator's Board on March 5, 1971.

Inmate Mazor was seen this morning in follow-up neurological consultation with our consulting neurologist, Robert Herrick, M.D. Dr. Herrick and I reviewed the man's neurological condition at the present time, along with a review of his x-rays and accumulated medical data to date at this institution. The medical history is complicated, but briefly he has blindness in both eyes due to bilateral macular degeneration of several years standing, complicated by x-ray and neurological findings of an intracranial lesion of the right skull. On January 5, 1971 he was seen for this problem at the Riverside General Hospital, Riverside, California and plans were in progress for his hospitalization there with investigation by the neurology staff and consideration for angiogram (diagnostic neurosurgical) studies. These studies can be performed within the Department of Corrections, but only with his consent, which he is unwilling to give. He is willing and able to be hospitalized at Riverside General Hospital and has received written assurance from Carter Noland, M.D. of that hospital that they are willing to admit him to the hospital there. Inmate Mazor has hospitalization insurance and is willing to assume the financial obligation of this hospitalization, should his parole be reinstated.

I am not in a position to comment on the wisdom, or lack thereof, of inmate Mazor's refusal to accept further diagnosis and treatment in the Department of Corrections. However, I do have an overriding concern for his health status, and feel that this is one of those rare instances where the inmate's delicate medical and surgical problems can best be handled by those doctors who have previously cared for him, and in whom he has the confidence and willingness to agree to whatever neurosurgical procedures are indicated in his case. It is for this reason that I request that the Adult Authority favorably consider my request that his

EXHIBIT C



Mr. Kerr, Chairman  
Adult Authority FACILITY

S-1-C-10e

4/1/71  
Page 32

Case be reviewed, with the hope that the Adult Authority will see fit to re-instate his parole and release him to the Riverside General Hospital for medical

Carement of Counselors

Est. 10000; Branch 40-77153; CDR

If there are any further questions which I have not covered in this case of please feel free to phone me.

Attention: Mr. Joseph Spangler

Yours very truly,

*R. E. Prout, M.D.*

Dear Mr. Kerr:

Pursuant to my telephone conversation with you regarding the case of the inmate, I am writing to you regarding the information which was furnished to the Adult Authority by the Riverside Hospital's Board on March 5, 1971.

REP: id

cc: Central File

the Medical Jacket

Dr. Gorman, Medical Director of Riverside Hospital, Riverside, California, advised that the patient, who was admitted to the hospital on January 5, 1971, was seen for this problem at the Riverside General Hospital, Riverside, California, and plans were in progress for his hospitalization there with investigation of the cause of his symptoms and possible treatment.

APPROVED: [Signature] Medical Director

*H. S. Britt*

K. D. BRITT  
Acting Superintendent

It is noted that a decision by the Adult Authority regarding the inmate's parole is pending and that the Adult Authority is currently reviewing the case.

Mr. [redacted] Mr., Chairman  
Adult Authority  
4/1/72  
Page 42

1  
2

case be reviewed, with the hope that the Adult Authority will see fit to re-  
instate his parole and release him to the Invercreek General Hospital for medical  
care.

If there are any further questions which I have not covered in this case  
please feel free to phone me.

SS:

Yours very truly,

*Joseph G. Mason*

being first sworn under oath,  
presents that he has subscribed to the foregoing petition and  
does state that the information therein is true and correct to  
the best of his knowledge and belief.  
Chief Medical Officer

*Joseph G. Mason*  
Signature of Affiant

cc: Central File  
COP  
Medical Section  
Dr. Gordon, Medical Director  
Ms. Eshraim Margolin  
SUBSCRIBED and SWORN to  
before me this 4<sup>th</sup> day  
of May, 1971.  
(month) (year)

*Mary Ann Neal*  
Notary Public  
My commission expires:

4-22-72  
(Month, day & year)



6.

31  
32

Mr. Henry Kerr, Chairman  
Adult Authority  
4/1/71

S-1-C-709

Page 2

April 1, 1971

case be reviewed, with the hope that the Adult Authority will see fit to re-instate his parole and release him to the Riverside General Hospital for medical care.

If there are any further questions which I have not covered in this case of please feel free to phone me.

Yours very truly,

R. E. Provt, M.D.

H. E. PROVT, M.D., Chief Medical Officer - Inpatient

Attention: Mr. Joseph Spangler

Dear Mr. Kerr:

Reference is made to the above captioned case, which was heard by the Adult Authority on March 1, 1971. The Adult Authority's decision was to deny parole to the inmate, who was held in the Riverside General Hospital for medical care.

cc: Central File. The inmate was seen by a neurologist, who advised that the inmate has a medical jacket. The inmate was seen by Dr. Gorman, Medical Director of the hospital, who advised that the inmate has a medical jacket. The inmate was seen by Dr. Ephraim Margolin, who advised that the inmate has a medical jacket.

APPROVED: [Signature] K. D. BRITT, Acting Superintendent

[Additional text, mostly illegible]

[Additional text, mostly illegible]

S-1-6-11c

ORDER DENYING WRIT OF HABEAS CORPUS

Criminal No. 15486

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA  
IN BANK

FILED

In re MAZOR

APR 22 1971

G. E. BISHEL, Clerk

on Habeas Corpus.

S. F. Deputy

Wright, C.J., did not participate.

Petition for writ of habeas corpus DENIED.

Peters, J., and Tobriner, J., are of the opinion that the respondent should be ordered to show cause why the relief prayed for should not be granted.

I, G. E. BISHEL, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court, as shown by the records of my office.

Witness my hand and the seal of the Court this

22<sup>nd</sup> day of April A.D. 1971

By *[Signature]*  
Deputy Clerk

*[Signature]*  
Acting Chief Justice

EXHIBIT D

1 EPHRAIM MARGOLIN  
RAMSAY FIFIELD  
2 445 Sutter Street, Suite 501  
San Francisco, California 94108  
3 Telephone: (415) 421-4347  
4  
5

6  
7  
8 IN THE UNITED STATES DISTRICT COURT FOR  
9 THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 JOSEPH MAZOR,  
12 Petitioner,  
13 vs.  
14 THE CALIFORNIA ADULT AUTHORITY, THE  
15 CALIFORNIA DEPARTMENT OF CORRECTIONS,  
16 and RAYMOND PROCUNIER and L. J. POPE,  
17 in their respective official capacities,  
Respondents:

No.

18  
19 BRIEF IN SUPPORT OF THE APPLICATION  
20 OF JOSEPH MAZOR FOR A WRIT OF HABEAS  
CORPUS  
21  
22  
23  
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TEXTS

Discretionary Justice, K.C. Davis  
Baton Rouge, 1969

3-1-c-119

1 EPHRAIM MARGOLIN  
RAMSAY FIFIELD  
2 445 Sutter Street, Suite 501  
San Francisco, California 94108  
3 Telephone: (415) 421-4347

4 Joseph v. Commonwealth  
5 1975

6 Marshall M. Gerner  
7 2 F.Supp.

8 Joseph v. P.H.C.

9 IN THE UNITED STATES DISTRICT COURT FOR  
10 THE NORTHERN DISTRICT OF CALIFORNIA

11 JOSEPH MAZOR,

12 Petitioner,  
13 vs.

14 THE CALIFORNIA ADULT AUTHORITY, THE  
15 CALIFORNIA DEPARTMENT OF CORRECTIONS,  
and RAYMOND PROCUNIER and L. J. POPE,  
16 in their respective official capacities,

17 Respondents.

No.

BRIEF IN SUPPORT OF  
THE APPLICATION OF  
JOSEPH MAZOR FOR A  
WRIT OF HABEAS CORPUS

18 I. INTRODUCTION

19 Having stated his facts in the verified petition  
20 herein, petitioner will make no extensive effort to re-state  
21 them in this brief. As to the law petitioner seeks to apply to  
22 these facts, we draw this court's particular attention to the  
23 following cases of recent vintage: Judge Zirpoli's square  
24 holding on right to counsel in Ellhamer v. Wilson, 312 F.Supp.  
25 1245, Sept. 12, 1969; and Mays v. Nelson, N.D. Calif. No.  
26 C-70-1029, February 16, 1971. See also: Hinnington v. Department  
27 of Corrections, N.D. Cal., C-69-149, April 17, 1970; Wilburn  
28 v. Nelson, N.D. Cal., C-70-1402, November 25, 1970, and Judge  
29 Warren Feynson's square holding on right of confrontation in  
30 Hester v. Craven, C.D. Cal., 70-832-F, February 17, 1970;

31 ///

///

32 ///

///

1 Scarpelli v. Gagnon, 317 F.Supp. 72; Commonwealth v. Tinson  
2 247 A 2d 549 (Pennn.); Copy of the as yet unpublished opinions  
3 in Mays and Hester cases are enclosed herein for the convenience  
4 of the court.

5 II. LEGAL CONSEQUENCES OF REVOCATION OF PAROLE

6 In 1871, the Virginia Court stated that a prisoner  
7 "is for the time being the slave of the State." Ruffin v.  
8 Commonwealth, 62 Va. 790, 1871. During the succeeding century  
9 it became axiomatic that prisoners retain a core of fundamental  
10 rights, e.g. In re Brown, 67 Cal. 2d 339 (1967) holding that a  
11 revocation of parole cannot be based on a subsequent conviction  
12 found to be illegal; Cooper v. Pate, 378 U.S. 546--deprivation  
13 of religious freedom. Nolan v. Scafati, 430 F.2d 548 (1st  
14 Circ. 1970); U.S. ex rel Schuster v. Herold, 410 F.2d 1071  
15 (2d Circ. 1969) cert. den. 396 U.S. 847 (1970); Jackson v. Bishop,  
16 404 F.2d 571 (8 circ. 1968). Compare: Revocation of probation  
17 based on violations of illegal condition of probation: In re  
18 Allen, 71 AC 409 (1969); In re Scarborough, 76 C.A.2d, 648;  
19 Hewett v. North Carolina, 415 F.2d 1316. Parolees are a class  
20 of citizens whose freedoms have been conditioned, but whatever  
21 the State's obligation on granting a parole in the first place,  
22 once parole is granted it cannot be revoked or suspended "without  
23 a cause" (P.C. Sec. 3063) and California courts will scrutinize  
24 such a "cause" on habeas corpus and release the prisoner if the  
25 "cause" is nonexistent (In re O'Malley, 101 C.A.2d 80) or  
26 inadequate (In re Brown, 67 Cal.2d 339; In re Schoongarth, 66

1 Cal.2d 295, 302 (1967).) See also, generally, K.C. Davis,  
2 Discretionary Justice, Baton Rouge 1969, pp. 126-133.

3 We submit that the petitioner did not have a right to  
4 have his sentence reduced to less than the maximum, once it is  
5 so reduced he acquired a right to have his sentence terminate on  
6 the earlier date established absent some change which justifies  
7 redetermination. In the language of In re McLain, 55 Cal.2d  
8 78 (1960),

9 "Even though a legally convicted person has no  
10 vested right to the determination of his sentence  
11 at less than maximum, his liberty, or denial  
12 thereof, may not be made to turn upon mere whim,  
13 caprice, or rumor. Thus in redetermining sentence,  
14 although no 'cause' need be stated in the order,  
15 the conclusion is inescapable that such action  
16 cannot be taken in the absence of good cause."  
17 55 Cal.2d at 87 (citations omitted).

18 and again, in Cafeteria Workers v. McElroy, 367 U.S. 886 (1961)  
19 --a case involving summary denial of access to plaintiff's place  
20 of former employment--the court stated that:

21 "This question cannot be answered by easy assertion  
22 that, because she has no constitutional right  
23 to be there in the first place, she was not  
24 deprived of liberty or property by the  
25 Superintendent's action. One may not have a  
26 constitutional right to go to Baghdad, but the

1 Government may not prohibit one from going  
2 there unless by means consonant with due process  
3 of law." 367 U.S. at 894.

4 This position was reaffirmed in Goldberg v. Kelly, 397 U.S.  
5 254, 262 (1970), when the Court stated that "[t]he constitu-  
6 tional challenge cannot be answered by an argument that  
7 public assistance benefits are a "privilege" and not a "right."  
8 See also, Shapiro v. Thompson, 394 U.S. 618, 627 n.6 (1969).

9 It is important to keep in mind that termination of  
10 continuance of a "conditional freedom" is not the only conse-  
11 quence of a parole revocation hearing in California.

12 The first thing which happens after an alleged  
13 parole violation is reported and a decision is made to "suspend"  
14 the parole and take the parolee in custody pending a revocation  
15 hearing is that his term is refixed at maximum. See In re Brown,  
16 67 Cal.2d 339 (1967). This procedure, we submit, has so many  
17 of the attributes of the "sentencing" at which counsel is  
18 required under Mempa v. Rhay, supra, discussed infra, as to  
19 require re-examination of due process rights at revocation  
20 proceedings.

21 It should also be noted that determination of sentence  
22 at less than the maximum is the almost universal disposition  
23 in cases involving indeterminate sentences. Far from being an  
24 unusual, special favor granted to a particular individual by a  
25 forgiving government, it is the usual mode of disposition and  
26 the penal system depends upon it as much as the inmates do.

1 The weakness of relying upon the right-privilege  
2 distinction in deciding due process questions was pointed out  
3 by the Supreme Court in Cafeteria Workers v. McElroy, 367 U.S.  
4 886.

5 Before we move to the requirements of due process of  
6 law in parole revocation hearings we wish to make clear one  
7 matter which we are not arguing. We do not contend in this case  
8 that there must be a due process hearing. (by this term we  
9 encompass representation by counsel, confrontation of evidence  
10 and the right to present witnesses) on the question of whether  
11 parole should be granted or not granted to a person in prison.  
12 This is a decision as to whether parole, once granted, should  
13 be revoked. The former decision involves the judgment of  
14 intangibles of human character and behavior. We are not being  
15 critical but merely descriptive when we describe the decision to  
16 grant parole as an amorphous process. However, revocation of  
17 parole is a matter of entirely different character. A factual  
18 decision must be made as to whether a specific condition of  
19 parole has been violated. A decision in this area will almost  
20 always be made on factual evidence. In other words, the  
21 revocation decision is exactly that kind of decision which is best  
22 made within the truth-finding safeguards of those procedures gen-  
23 erally characterized as the basic guarantee of due process of  
24 law. Specht v. Patterson, 385 U.S. 605 (1967).

25 The facts of the present case involve an ill man,  
26 possibly dying for lack of surgery, who must wait 90 days before

1 anyone passes on whether or not he ought to have been pulled in  
 2 to custody immediately prior to planned hospitalization; the  
 3 facts of his illness were not presented to the representative  
 4 of the Adult Authority despite his timely written request that  
 5 they be made available. His evidence--exonerating him of any  
 6 wrongdoing, appeared incomprehensible to the representative of  
 7 Adult Authority, who then decided to rule against the petitioner  
 8 until he could ascertain the meaning of petitioner's defenses;  
 9 yet, neither originals nor copies are retained by the Adult  
 10 Authority, petitioner's request for counsel to prepare and  
 11 present his testimony is denied; petitioner was incapable of  
 12 reading aloud his contentions to the Adult Authority representa-  
 13 tive; the witnesses against him cannot be questioned by him at  
 14 any point. The whole "hearing" is a mechanistic exercise in  
 15 subterfuge in which what we don't know becomes a cause for  
 16 violation of parole so that "investigation" can be had but no  
 17 one cares to examine what is known, what conceivably could  
 18 exonerate the petitioner on the spot. When the Adult Authority  
 19 acts not because it is convinced that petitioner acted in a  
 20 manner requiring revocation but because it did not bother to check  
 21 whether he so acted; when the Adult Authority postpones a matter  
 22 "for investigation" (on top of the original delay of 90 days)  
 23 without considering petitioner's health condition--clearly  
 24 injustice is done.

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1 ANYONE PLACED IN THE PAROLE REVOCATION DECISION AND HELD IN  
 2 FALLS WITHIN THE CATEGORY OF DECISIONS  
 3 TO CUSTODY WHICH REQUIRING A DUE PROCESS HEARING. TWO  
 4 TWO elements must be present for the Fourteenth Amendment  
 5 Due Process Clause to apply. There must be both state action and  
 6 a deprivation of "life, liberty, or property." Since the  
 7 redetermination of sentence clearly involves state action, the  
 8 only question is whether the procedure followed by California  
 9 deprived the parolee of a protected right. The defendant's defense  
 10 on the right to counsel in Gideon v. Wainwright, 372 U.S. 335  
 11 (1963), the Court has extended the right to counsel and other  
 12 procedural guarantees of a fair hearing to several proceedings  
 13 other than the criminal trial itself. These proceedings  
 14 include: all pre-trial interrogation, Escobedo v. Illinois,  
 15 378 U.S. 478 (1964), Massiah v. United States, 377 U.S. 201  
 16 (1964), Miranda v. Arizona, 384 U.S. 436 (1966); any proceedings  
 17 in juvenile court which might result in incarceration, In Re  
 18 Gault, 387 U.S. 1; (see below) and sentencing, even when deferred  
 19 and handled at the time of revocation of parole, Mempa v. Rhay,  
 20 supra; McConnell v. Rhay, 393 U.S. 2 (1968). See also Goldberg  
 21 v. Kelly, 397 U.S. 234 (1970), right to continuing welfare  
 22 payments, and Wisconsin v. Constantineau, 39 USLW 4128, January  
 23 19, 1971, right to keep one's name off the list of excessive  
 24 drinkers. See also Scarpelli v. Gagnon, 317 F.Supp. 72 (right  
 25 to counsel at parole revocation hearing) and Commonwealth v.  
 26 Finson, Supra, to the same effect.



III. THE BARGAIN CONCEPT

1 Many of these decisions, we believe, may be traced to  
 2 language of the United States Supreme Court in a case involving  
 3 another formerly well-established proceeding which was thought  
 4 to allow the denial of due process of law, a one-man grand jury.  
 5 This language occurs in In re William Oliver, 333 U.S. 257, 273:

6 A person's right to reasonable notice of a charge  
 7 only against him, and an opportunity to be heard in his  
 8 defense - a right to his day in court - are basic  
 9 elements in our system of jurisprudence; and those rights  
 10 include, as a minimum, a right to examine the  
 11 witnesses against him, to offer testimony, and  
 12 to be represented by counsel.

13 This language was echoed in a case involving an administrative  
 14 proceeding, Hannah v. Larche, 363 U.S. 420, 442:

15 [W]hen governmental agencies adjudicate or make  
 16 binding determinations which directly affect the  
 17 legal rights of individuals, it is imperative  
 18 that those agencies use the procedures which have  
 19 traditionally been associated with the judicial  
 20 process.

21 In another decision involving administrative rights, the right to  
 22 a security clearance for access to classified information, the  
 23 United States Supreme Court held:

24 [W]here governmental action seriously injures an  
 25 individual, and the reasonableness of the action  
 26 depends on fact findings, the evidence used to  
 prove the government's case must be disclosed to  
 the individual so that he has an opportunity to  
 show that it is untrue. Greene v. McElroy, 360  
 U.S. 474, 496 (1959) (emphasis added)

See also Willner v. Committee on Character and Fitness, 373 U.S.  
 96, 103. And see Jenkins v. McKeithen, \_\_\_ U.S. \_\_\_, 23 L.Ed.  
 2d, 404 (1969); Townsend v. Burke, 334 U.S. 736, 741 (1946);  
William v. New York, 337 U.S. 241 (1949).

1 In California our courts have evidenced an increasing  
 2 concern with procedural due process rights in administrative  
 3 hearings. The right to telephone service may not be removed  
 4 without a due process hearing including confrontation, cross-  
 5 examination and counsel. See Sokol v. Public Utilities Commission,  
 6 65 Cal.2d 247. In Endler v. Schutzbank, 68 Cal.2d 162 (1968),  
 7 the court had before it a claim to a due process hearing on the  
 8 basis that the Commissioner of Corporations was injuring the  
 9 plaintiff's right to make a living. The court upheld this right  
 10 to a hearing, stating:

11 Fundamental fairness requires that an indivi-  
 12 dual be permitted to defend himself publicly  
 13 against official charges, however informal,  
 14 which threaten to stain his personal and profes-  
 15 sional future. 68 Cal.2d at 180.

16 Any person whose freedom to pursue his profes-  
 17 sion is seriously restricted by an official  
 18 action or course of conduct designed to dis-  
 19 courage his employment may compel the government  
 20 to afford him a hearing complying with the  
 21 traditional requirements of due process. Id. at 178.

22 Procedural due process requires notice, confron-  
 23 tation and a full hearing whenever action by a  
 24 state significantly impairs an individual's  
 25 freedom to pursue a private occupation. Id. at 172.

26 We submit that the concern with due process rights  
 in the cases we have described must influence and be applied in  
 the revocation of parole proceedings since these are of equal if  
 not greater significance than the proceedings which have already  
 been accorded the benefit of due process hearings.

1           In the case of In re Gault, 387 U.S. 1 (1967), the  
2 court pierced the benevolent venter of parens patriae, looked  
3 at the substance of juvenile court proceedings and their con-  
4 sequences, and determined that the "[f]ailure to observe the  
5 fundamental requirements of due process has resulted in instances,  
6 which might have been avoided, of unfairness to individuals and  
7 inadequate or inaccurate findings of fact and unfortunate  
8 prescriptions of remedy." 387 U.S. at 19-20.

9           The impact of Gault in analogous areas was emphasized  
10 by the Tenth Circuit's decision in Heryford v. Parker, 396  
11 F.2d 393 (10th Cir. 1968). This case involved a habeas corpus  
12 proceeding brought by a mother on behalf of her son who had  
13 been committed to a state training school for the feeble-minded  
14 and epileptic. The court noted that:

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"[W]e have a situation in which the liberty of an individual is at stake, and we think the reasoning in Gault emphatically applies. It matters not whether the proceedings be labeled 'civil' or 'criminal' or whether the subject matter be mental instability or juvenile delinquency. It is the likelihood of involuntary incarceration -- whether for punishment as an adult for a crime, rehabilitation as a juvenile for delinquency, or treatment and training as a feeble-minded or mental incompetent -- which commands observance of the constitutional safeguards of due process. Where, as in both proceedings for juveniles and mentally deficient persons, the state undertakes to act in parens patriae, it has the inescapable duty to vouchsafe due process, . . ." 396 F.2d at 396.

This statement is illuminated by the concurring opinion of Judge Browning in Sturm v. California Adult Authority, 395 F.2d 446, 449 (9th Cir. 1967):

"No doubt the State of California may adopt a system of indeterminate sentencing and create a non-judicial agency to administer the system without violating the Constitution of the United States. But the existence of this power does not imply a further power in the State to immunize its acts, through its administrative agency, from the strictures of the Fourteenth Amendment.

The judicial imposition of a life sentence upon appellant is no more than a legislatively mandated device for transferring the sentencing function from the state court to the State administrative agency with a grant of jurisdiction over appellant's person for a period sufficiently long to enable the agency to perform its functions under the State's indeterminate sentencing law. Use of that device cannot be seized upon as a means to validate whatever action the administrative agency might subsequently choose to take, no matter how seriously the appellant might be injured, and without regard to whether the agency's action was arbitrary, basically unfair, or individually discriminatory.

When the California Adult Authority entered its order of July 3, 1962, refixing appellant's sentence at ten and one-half years, it substantially extended

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the prison term which appellant would be required to serve. Appellant's challenge to the constitutionality of that order cannot be answered by pretending that nothing really occurred, merely because a state court, five years earlier, had entered an order fixing appellant's maximum term at life. The action of the Board was State action. It deprived appellant of liberty; if it did so 'without due process of law,' or denied appellant 'the equal protection of the laws,' it offended the Fourteenth Amendment."

It must be noted that the Supreme Court refuses to decide constitutional questions such as this on the basis of "labels". Instead, the Court looks at the following elements:

"The precise nature of the interest that has been adversely affected, the manner in which this was done, the reasons for doing it, the available alternatives to the procedure which was followed, . . . and the balance of hurt complained of and good accomplished . . . ." Anti-Fascist Committee v. McGrath, 341 U.S. 123, 163, (1951) Justice Frankfurter, concurring).

There can be no question that the precise interests involved here are life and liberty. But for the Adult Authority's action the Petitioner would not now be incarcerated, nor would his sentence have been reset to a longer term, based upon a factual determination of events which occurred outside the prison. The Adult Authority should not isolate from judicial review the decision to redetermine sentences by the procedural device of making it an automatic occurrence upon the happening of some other event, namely parole revocation.

We would like once again to turn to Mempa v. Rhay, supra. The Washington procedure there under scrutiny required the trial judge to sentence the convicted felon to the maximum term provided

1 by law in every case. Since this was the judge's only function at  
 2 sentencing, and since this could well be described as ministerial,  
 3 the state argued in the U.S. Supreme Court that the right to counsel  
 4 at this proceeding was a mere formality. The U.S. Supreme Court  
 5 rejected this argument, pointing out that the sentencing judge made  
 6 a recommendation to the Board of Parole as to the actual maximum  
 7 term and, for the effect it would have on this decision alone,  
 8 counsel was advantageous and required to be appointed for an  
 9 indigent. If Mempa is correct it cannot be argued that counsel is  
 10 not required where a decision is made re-fixing a sentence at  
 11 maximum and revoking a conditional freedom previously granted.

12 See also: Burns v. U.S., 287 U.S. 216 (1932)-revocation of  
 13 probation; and Eleanor v. Hammond, 116 F.2d 982 (5th Circ. 1941)-  
 14 revocation of conditional pardon by a Governor. See also,  
 15 Scarpelli v. Gagnon, supra, Commonwealth v. Tinson, supra.

16 In Wilburn v. Nelson, N.D. Calif. No. C-70 1402,  
 17 conviction of the use of a stolen card while on parole did not  
 18 justify re-setting of Wilburn's sentence, the Court holding that:

19 " . . . any proceedings which, in essence may  
 20 [ . . . ] enhance the possibility of incarceration  
 21 must be attendant with principles of due process,  
 including representations of counsel." (At. p. 2)

22 In Mays v. Nelson, N.D. Calif. No. C-70 1029, Feb. 16,  
 23 1971, defendant was convicted of a misdemeanor while on parole and  
 24 pleaded guilty to one charge of violating his parole conditions but  
 25 the Court found that the Adult Authority had before it erroneous  
 26 information concerning the petitioner, and stated:

1 . . . Had petitioner been afforded basic procedural  
2 safeguards including right to counsel, he could have  
3 advised the Adult Authority that he had not been  
4 charged with assault with a deadly weapon, could have  
argued that although a technical violation of his  
parole contract, the altercation was really in the  
nature of a family dispute . . ." (At p. 2).

5 In Elhamar v. Wilson, 312 F.Supp. 1245 (1969) defendant  
6 was accused of commission of a robbery while on parole. The Court  
7 set aside the revocation of his parole stating that California's  
8 arguments to the contrary "partake of the mystical . . . if sub-  
9 stance is to have any influence on legal conclusions, then the  
10 extension of a previously fixed sentence to life must be deemed  
11 a penalty." (Note 5).

12 By contrast, in the present case, Petitioner was not  
13 convicted of any act done during his parole. Thus, it could not  
14 be argued that he had a "trial" establishing his guilt of an offense  
15 which would also suffice to cause revocation of his parole. Further  
16 Petitioner did not plead guilty to the charges. Petitioner had  
17 physical evidence refuting and explaining all of the charges. He  
18 had witnesses to prove his case where his documentary evidence was  
19 not conclusive. In the words of Mempa v. Rhay, 389 U.S. 128, at  
20 137, his predicament resulted in " . . . imposition of sentence  
21 . . . based on the alleged commission of offenses for which the  
22 accused [was] never tried."

23 In Hoster v. Craven, supra, evidence against petitioners  
24 consisted solely of a written report submitted by a parole officer  
25 (p. 4) (We do not know whether in the present case, even that was  
26 available against Petitioner. Only a list of charges was given

1 to him) The court characterized the issue:

2 "Whether the California Adult Authority, consistent  
3 with the Due Process Clause of the Fourteenth  
4 Amendment, can redetermine the sentence of a  
5 parolee to a longer term based upon a factual  
6 determination of events which occurred outside  
7 the prison without giving the parolee the  
8 right to confront and cross-examine the witnesses  
9 against him." (p. 5)

7 There, as here, petitioner challenges the procedure invoked to  
8 arrive at the re-determination; the factual determination of  
9 events upon which the decision was based and the right to a  
10 due process hearing. The court cited Green v. McElroy, 360  
11 U.S. 474, 496 (1959) as follows:

12 "Certain principles have remained relatively  
13 immutable in our jurisprudence. One of these  
14 is that where governmental action seriously in-  
15 jures an individual, and the reasonableness of  
16 the action depends on fact findings, the evidence  
17 used to prove the Government's case must be dis-  
18 closed to the individual so that he has an  
19 opportunity to show that it is untrue. While  
20 this is important in the case of documentary  
21 evidence, it is even more important where the  
22 evidence consists of the testimony of individuals  
23 whose memory might be faulty or who, in fact,  
24 might be perjurers or persons motivated by  
25 malice, vindictiveness, intolerance, prejudice,  
26 or jealousy. We have formalized these protec-  
27 tions in the requirements of confrontation and  
28 cross-examination."

21 To similar effect is Workman v. Turner, D. Utah No. C-23068,  
22 August 12, 1969, holding that "a parolee has constitutional  
23 rights to examine witnesses under oaths," be confronted by his  
24 accusers and to have a subpoena power during parole revocation  
25 hearings--and to have public hearing rather than star chamber  
26 proceedings.



1           Lastly, under this section we wish to deal with the  
2 argument that a due process hearing on parole revocation would be  
3 impracticable. This is frequently the only excuse put forward to  
4 block procedural rights and is particularly inadequate in the con-  
5 text of parole revocation hearings since federal prisoners and  
6 those of a number of states now have due process hearing rights in  
7 revocation of parole proceedings. The development of the federal  
8 law is particularly illuminating. Congress enacted a scheme very  
9 similar to that which we have in California stating that a parolee  
10 who is alleged to have violated a condition of his parole "shall  
11 be given an opportunity to appear before said Board [of parole]."  
12 In the case of Reed v. Butterworth, 297 F.2d 776 (1961 D.C. Cir.),  
13 the Court held that this wording means that the appearance right  
14 mentioned in the statute means an "effective appearance" and since  
15 this was a fact-finding process the parolee had the right to  
16 appear with counsel and had the right to present witnesses. Ever  
17 since this decision the federal parole proceedings have operated  
18 within this procedure, and no particular complaint has been heard  
19 concerning the difficulty in managing federal parolees. The claim  
20 of rights of confrontation, cross-examination and compulsory  
21 process for witnesses resulted in a split decision in Hyser v.  
22 Reed, 318 F.2d 255 (D.C. Cir.), but appears vindicated in Hester  
23 v. Craven, Supra, decided only last month. The State of Michigan  
24 allows full procedural rights to a person accused of a parole  
25 violation (Michigan Statutes Annot. Sec. 28.2310 (1954)) and still  
26 has one of the highest rates of parole of all states. See Sklar,

1 Law and Practice in Probation and Parole Revocation Hearings,  
 2 55 Journal of Criminal Law 175 (1964). Among other states  
 3 allowing full procedural rights in such hearings is Alaska  
 4 (Hoffman v. State, 404 P.2d 739). The Report of the President's  
 5 Commission on Law Enforcement and Administration of Justice titled  
 6 "The Challenge of Crime in a Free Society" states at P. 150:

7 The criminal trial process is not the only one  
 8 in which a person may be deprived of his liberty.  
 9 The revocation of probation and parole presents  
 10 an equal threat, and though the legal issues in  
 11 such proceedings are seldom complicated, the  
 12 factual issues may be . . . legal assistance should  
 13 be provided in parole and probation revocation  
 14 proceedings. . . .

15 For a thorough discussion of current law in the area see the  
 16 dissenting opinion of Judge Celebrezze in Rosa v. Haskins, 388  
 17 F.2d 91 (1968).

CONCLUSION

18 At his parole revocation hearing petitioner was  
 19 entitled to those basic procedural rights which insure the  
 20 integrity of the fact-finding process. Petitioner was entitled  
 21 to counsel, the right to a speedy hearing, the right effectively  
 22 to present evidence and to compel testimony and documents,  
 23 the right to confront accusers by hearing evidence against  
 24 him and cross-examining his accusers, and the right to a  
 25 reasoned basis for the decision to revoke his paroles.

26 These basic rights were not accorded petitioner, who  
 was placed in grave danger by reason of this denial. Accordingly,  
 petitioner respectfully submits that the relief prayed for should

S-1-C-11x

1 be granted.

2 DATED: May 4, 1971.

3 Respectfully submitted,

4 EPHRAIM MARGOLIN  
5 RAMSAY FIFIELD

6 By Ramsay Fifield  
7 RAMSAY FIFIELD

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J. MAZOR RECORDS

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DEW signed

1 Joseph A. Mazor  
2 P.O. Box 128 E.H.  
3 Chino, California 91710

FILED  
AUG 26 1971  
C. C. EVENSEN, Clerk

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11/15

4 Petitioner in Pro per:

6 IN THE UNITED STATES DISTRICT COURT FOR THE  
7 NORTHERN DISTRICT OF CALIFORNIA

9 JOSEPH A. MAZOR,  
10 Petitioner,  
11 vs.  
12 THE CALIFORNIA ADULT AUTHORITY,  
13 et al.,  
14 Respondents,

Case No. C-71 859 ACW

PETITION FOR  
REHEARING ON WRIT  
OF HABEAS CORPUS

15 Petitioner in the abovestated matter petitions the Court for a  
16 rehearing of the facts and issues involved bringing before the  
17 Court issues of fact and material errors made in the presenta-  
18 tion of the case. Petitioner brings this belated petition on  
19 the grounds that he is blind and has had to search for assist-  
20 ance from others in the preperation of this document, since all  
21 of the material has had to be read to petitioner and typing done f  
22 for him.

23 I  
24 PETITIONER WAS NOT GIVEN TIME  
25 TO TRAVERSE THE MATERIAL PRESENTED  
26 BY THE ATTORNEY GENERAL:

27 At the onset of the Petition for Writ of Habeas Corpus,  
28 petitioner was represented by counsel, but when said asked to  
29 be substituted out, petitioner wrote to the Clerk of the Court  
30 and subsequently followed up said with other letters to the clerk  
31 requesting time and also asking what was transpiring since he  
had not heard from his attorneys. Petitioner also asked his  
attorneys to request an extension of time. Petitioner refers

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Joseph A. Mazor  
P.O. Box 128 E.H.  
Chino, California 91710

FILED  
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C. C. EVENSEN, Clerk

Petitioner in Pro per:

IN THE UNITED STATES DISTRICT COURT FOR THE  
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JOSEPH A. MAZOR, Petitioner,  
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et al., Respondents,

Case No. C-71 859 ACW  
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REHEARING ON WRIT  
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Petitioner in the abovestated matter petitions the Court for a rehearing of the facts and issues involved brining before the Court issues of fact and material errors made in the presentation of the case. Petitioner brings this belated petition on the grounds that he is blind and has had to search for assistance from others in the preperation of this document, since all of the material has had to be read to petitioner and typing done for him.

I  
PETITIONER WAS NOT GIVEN TIME  
TO TRAVERSE THE MATERIAL PRESENTED  
BY THE ATTORNEY GENERAL:

At the onset of the Petition for Writ of Habeas Corpus, petitioner was repersented by counsel, but when said asked to be substituted out, petitioner wrote to the Clerk of the Court and subsquently followed up said with other letters to the clerk requesting time and also asking what was transpiring since he had not heard from his attorneys. Petitioner also asked his attorneys to request an extension of time. Petitioner refers

1 to letters written to the court dated, May 7, 1971,  
2 June 10, 1971, and June 18, 1971, and all addressed to  
3 Mr. C.C. Evensen, Clerk of the Court. Therefore, petitioner  
4 feels that not having the chance to traverse was a very great  
5 disadvantage to the presentation of his case to the Court.  
6

7 II  
8 ADEQUATE MEDICAL CARE AS  
9 AGREED UPON BY THE ATTORNEY  
GENERAL IS NON-EXSISTANT

10 The Court noted in its order of July 13, 1971, that agree-  
11 ment for adequate medical care had been resolved before The  
12 Honorable Justice Harris, and therefore did not concern its-  
13 self with the matter. Had petitioner been allowed to traverse  
14 this matter would have been brought to the attention of the  
15 Court. Upon petitioner's arrival at the California Institution  
16 for Men, at Chino, California, petitioner was seen by a doctor  
17 and was informed that his medical file concerning his injury  
18 and other material papers were missing and could not be found.  
19 Petitioner has constantly tried to get the officials to get  
20 these files and to send him to a hospital so that he could get  
21 adequate treatment as agreed upon by the Court and the Attorney  
22 General. Petitioner has constantly been refused such medical  
23 treatment by the officials here at this institution to the  
24 extent that they refuse to proceed and petitioner has suffered  
25 further injury to his sight to the extent that he has lost  
26 over ninty percent of the residual vision that he had when he  
27 arrived at said insttution and now there is little hope that  
28 anything can be done. Furthermore, petitioner has not been able  
29 to have proper treatment for his condition which as the court no  
30 noted is precarious, thereby leaving him to suffer without  
31 such help or adequate care.

III  
PRECARIOUS HEALTH DOES  
BAR UNDERSTANDING:

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The Court noted that the precarious condition of the petitioner's health did not bar understanding. Petitioner refers the Court to the reports of the Adult Authority on the two occasions of March 5, 1971 and April 14, 1971 which clearly indicate that the petitioner was totally unfit for any type of hearing before any board or pannel.

IV  
ELLHAMER v. WILSON NOT  
A HOLDING CASE FOR PETITION

The Court has held that the instant case falls under the holding of Ellhamer v. Wilson. In that case the petitioner was convicted of several crimes, tried and returned to prison as a parole violator and new conviction. In the instant case there was no new violations what-so-ever. The Department of Corrections tried to show a felony violation but there was no such charge and petitioner was not tried or charged with any such violation thereby placing the petitioner acts solely in the statis of parole violations, and even these were reduced when the truth was presented and the Adult Authority could not stall any longer when presented with the facts. Therefore, petitioner feels that there are holding cases such as Hester v. Craven; Hunington v. Department of Corrections and others which clearly give ground for the Order to Show Cause.

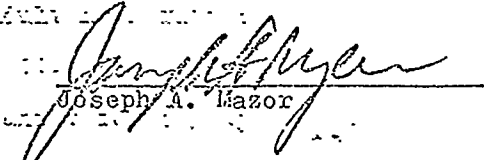
As a last and further proximate cause, petitioner is blind and severely ill as the court is well aware of with less than two years left to live according to Department of Corrections doctors, and petitioner sees no earthly reason for the actions of the Adult Authority in denying petitioner months upon months.



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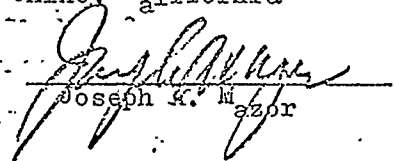
WHEREFORE, petitioner prays that this Court reconsider its former order and allow petitioner a rehearing on the matter at bar.

Respectfully submitted,

  
Joseph A. Mazor

I the undersigned, am the petitioner in the foregoing document and know the foregoing to be true and correct to the best of my knowledge and belief.

Executed on August 23, 1971, at Chino, California

  
Joseph A. Mazor

FILED

JUL 9 - 1971

C. C. EVENSEN, Clerk

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*[Signature]*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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JOSEPH A. MAZOR,

Petitioner

No. C-71 849 ACW

vs

THE CALIFORNIA ADULT AUTHORITY,  
et. al.,

Respondents

SUBSTITUTION OF  
ATTORNEYS

Please take notice that Petitioner JOSEPH MAZOR substitutes  
JOSEPH MAZOR in propria persona, California Men's Colony, Chino,  
California for his present counsel EPHRAIM MARGOLIN and RAMSAY  
FIFIELD and each of them.

DATED:

*July 2, 1971*

*Joseph Mazor*  
\_\_\_\_\_  
JOSEPH MAZOR

The above substitution accepted and agreed to.

*Ramsay Fifield*  
\_\_\_\_\_  
RAMSAY FIFIELD

*Ephraim Margolin*  
\_\_\_\_\_  
EPHRAIM MARGOLIN

DATED:

*July 6, 1971*

S-1-d-1 (?)

CERTIFICATE OF SERVICE BY MAIL BY ATTORNEY (C.C.P. 1013A(2) -  
(Must be attached to original or a true copy of paper served.)

No. C-71 849 ACW

RAMSAY FIFIELD certifies that she is  
an active member of the State Bar of California, and not a party to the within action.

That his (her) business address is 445 Sutter Street, Suite 501, San Francisco, CA.

That she served a copy of the attached Substitution of Attorneys

by placing said copy in an envelope addressed to EVELLE J. YOUNGER, Attorney General of the State of California, EDWARD P. O'BRIEN, Deputy Attorney General & GLORIA DeHART, Deputy Attorney General, 6000 State Building, San Francisco, CA. 94102 at his office (residence) address 6000 State Building, San Francisco, CA. 94102

which envelope was then sealed and postage fully prepaid thereon, and thereafter was on July 8, 1971 19 71, deposited in the United States mail at San Francisco, CA.

*Ramsay Fifield*

1 EVELLE J. YOUNGER, Attorney General  
 of the State of California  
 2 EDWARD P. O'BRIEN  
 Deputy Attorney General  
 3 GLORIA F. DeHART  
 Deputy Attorney General  
 4 6000 State Bldg.  
 San Francisco, Calif. 94102  
 5 Telephone: 557-0799

FILED  
 JUN 10 1971

3  
 [Signature]

6 Attorneys for Respondents

C. C. EVANSLEY Clerk

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

11 JOSEPH A. MAZOR,

Petitioner,

13 vs.

No. C-71 849 ACW

14 THE CALIFORNIA ADULT AUTHORITY, THE  
 15 CALIFORNIA DEPARTMENT OF CORRECTIONS,  
 and RAYMOND PROCUNIER and L. J. POPE,  
 16 in their respective official capacities,

Respondents.

18 RETURN TO ORDER TO SHOW CAUSE  
 19 AND POINTS AND AUTHORITIES IN  
 20 SUPPORT THEREOF

21 Come now, the California Adult Authority, the  
 22 California Department of Corrections, Raymond K. Procunier,  
 23 L. J. Pope, and the People of the State of California and for  
 24 a return to the order to show cause heretofore issued on  
 May 6, 1971, and returnable on May 10, 1971, state:

25 I

26 That petitioner, Joseph A. Mazor, is properly held  
 27 in custody pursuant to the judgment and commitment of the  
 28 Superior Court of Los Angeles County entered on June 25, 1965,  
 29 following his plea of guilty to violation of Penal Code section  
 30 476, sentencing him to imprisonment in the state prison for the  
 31 term prescribed by law (six months to fourteen years). A copy

1.

1 of the Judgment and Commitment is attached hereto as Exhibit A.

2 II

3 That petitioner was paroled on May 22, 1967, with  
4 his term set to expire on July 7, 1970; his parole was  
5 suspended and he was returned to prison on May 2, 1969, his  
6 term reset at maximum; and on June 27, 1969, his parole was  
7 revoked.

8 III

9 That on November 19, 1969, petitioner's term was  
10 reset at seven years, to expire on July 7, 1972; he was  
11 released on parole on February 15, 1970; that his parole was  
12 suspended on January 8, 1971, on the basis of a parole  
13 violation report charging eleven parole violations; that his  
14 parole was revoked on March 5, 1971, after a parole revocation  
15 hearing at which he was found guilty of charges numbered 5, 6,  
16 7 and 11, charges numbered 3, 8, and 10 were submitted for  
17 further investigation, and charges numbered 1, 2, 4 and 9 were  
18 dismissed.

19 IV

20 That petitioner's parole was properly revoked for  
21 cause and thus no constitutional issue is raised.

22 V

23 That treatment for petitioner's medical problems  
24 has been made available both in Department of Corrections  
25 facilities and in outside facilities; that no urgent medical  
26 treatment is presently required; and that future medical  
27 treatment, if required, will be made available as necessary;  
28 thus, no federal question is presented.

29  
30 WHEREFORE, it is respectfully requested that the  
31 petition be denied, that the order to show cause be discharged

1 and that the proceedings be dismissed.

2 Dated: May 10, 1971.

3 EVELLE J. YOUNGER, Attorney General  
4 of the State of California

5 EDWARD P. O'BRIEN  
6 Deputy Attorney General

7 *Gloria F. DeHart*  
8 (Mrs.) GLORIA F. DeHART  
9 Deputy Attorney General

10 Attorneys for Respondents

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## POINTS AND AUTHORITIES

STATEMENT OF FACTSA. Conviction; Parole and Revocation

Petitioner is presently incarcerated in the California Medical Facility at Vacaville pursuant to the Judgment and Commitment of the Superior Court of Los Angeles County entered on June 25, 1965, sentencing him to state prison for the term prescribed by law (6 months to 14 years), following conviction on his plea of guilty to violation of Penal Code section 476 (Fictitious checks).<sup>1/</sup> Exhibit A. Petitioner was parole on May 22, 1967, with his term set to expire on July 7, 1970. This parole was suspended and his term reset at maximum on May 2, 1969 and he was returned to prison where parole was revoked on June 27, 1969. See Exhibit C (Summary of Sentence Data - 1965 Conviction).

On November 19, 1969, petitioner's term was reset at seven years, to expire on July 7, 1972, and on February 15, 1970, petitioner was paroled to the Riverside Unit, Los Angeles County. See Exhibit C. Petitioner was released to a parole program which included employment as a research law clerk for John C. McCarthy of the law firm of Young, Henrie and McCarthy in Pomona, California. Petitioner's parole release had been advanced from March 10, 1970, to accommodate the needs of this employer. See Exhibit D at 2. At his initial interview with petitioner the parole agent explained to petitioner that he could neither open a checking account nor sign any contracts without permission. Petitioner informed the agent that he intended to divorce his wife and continue his relationship with Madelynn Beth Boyum, also known as Mazar and Williams. Id. at 3. The parole agent's

1. This offense was committed while petitioner was on parole for a 1963 Los Angeles County conviction for violation of Penal Code section 476a (insufficient funds check). The sentence on this conviction expired as fully served in March, 1968. See Exhibit B (Judgment and Summary of Sentence Data - 1963 Conviction).

1 continuing summary (2-19-70 to 6-30-70) indicates that peti-  
2 tioner received an interlocutory decree of dissolution April 16,  
3 1970.

4 The report further notes that petitioner was, at one  
5 time, considered near totally blind but had received eye  
6 refraction and could read with little or no difficulty.<sup>2/</sup>  
7 Petitioner changed his employment to the law firm of Jaffee and  
8 Mallory on May 5, 1970, and Mr. Jaffee indicated he would sponsor  
9 petitioner in taking the bar exam. Id. at 5. The agent's  
10 summary (7-1-70 to 12-14-70) discloses that petitioner was  
11 arrested on November 30, 1970, at the request of the parole agent.  
12 Id. at 6.

13 On December 16, 1970, a parole violation report was  
14 submitted, recommending parole suspension and revocation on  
15 the basis of eleven charges as follows:

16 1. Joseph Allen Mazor violated Condition 10 of the  
17 Conditions of Parole as evidenced by his obtaining a  
18 passport without the knowledge or permission of the  
19 Parole Agent.

20 2. Joseph Allen Mazor violated Condition 10 of  
21 the Conditions of Parole as evidenced by his making reser-  
22 vations on a United Airlines flight to New York, without  
23 the knowledge or permission of the Parole Agent.

24 3. Joseph Allen Mazor violated Condition 10 of the  
25 Conditions of Parole when he bought a 1965 Jaguar without  
26 the knowledge or permission of the Parole Agent.

27 4. Joseph Allen Mazor violated Condition 12 of the  
28 Conditions of Parole as evidenced by his forging the  
29 signature of his fiancée to her income tax refund check

30 2. It should also be noted that petitioner obtained an  
31 automobile for his use and had a valid driver's license.  
Exhibit D at 11.



1 in the amount of \$693.62.

2 5. Joseph Allen Mazor violated Condition 12 of the  
3 Conditions of Parole by making a fictitious automobile  
4 purchase draft in the amount of \$450.00.

5 6. Joseph Allen Mazor violated Condition 12 of the  
6 Conditions of Parole by writing and depositing a \$300.00  
7 check on a closed account.

8 7. Joseph Allen Mazor violated Condition 12 of the  
9 Conditions of Parole by attempting to sell furniture which  
10 he had rented from another firm.

11 8. Joseph Allen Mazor violated Condition 12 of the  
12 Conditions of Parole by drawing welfare assistance while  
13 he was employed.

14 9. Joseph Allen Mazor violated Condition 12 of the  
15 Conditions of Parole by misrepresenting an automobile, and  
16 consequently causing his employer a loss of \$1,795.00.

17 10. Joseph Allen Mazor violated Condition 11 of the  
18 Conditions of Parole as evidenced by his being charged by  
19 the District Attorney's Office with failure to provide  
20 (270 P.C.).

21 11. Joseph Allen Mazor violated Condition 13a of the  
22 Conditions of Parole by establishing numerous credit  
23 accounts without the knowledge or permission of the Parole  
24 Agent. Id. at 9/10.

25 The report also set forth supporting evidence for each charge,  
26 Id. at 10-13, a resume of parole adjustment, Id. at 14, and  
27 reasons for the recommendation, Id. at 15.

28 On the basis of this report, petitioner's parole was  
29 suspended and his term reset at maximum on January 8, 1971. See  
30 Exhibit E. Petitioner was returned to prison on January 14, 1971,  
31 and was received at the California Medical Facility at Vacaville

1 on January 25, 1971. See Exhibit C. On March 5, 1971, peti-  
 2 tioner appeared at a parole revocation hearing. The panel then  
 3 found him guilty of charges 5, 6, 7, and 11; dismissed charges  
 4 1, 2, 4, and 9, and submitted charges 3, 8 and 10 for investi-  
 5 gation. See Exhibits F and G. On March 10, 1971, additional  
 6 information was submitted pursuant to this investigation. See  
 7 Exhibit H. In addition this report provided supplemental  
 8 information indicating that petitioner cashed a check indorsed  
 9 by the named payee and himself, but the named payee returned  
 10 the check to the firm which cashed it, denying by affidavit,  
 11 that she had indorsed it; and that petitioner had purchased a  
 12 typewriter on a 90-day conditional sales contract, had paid no  
 13 money (one year had elapsed), and was believed to have sold the  
 14 typewriter. See Exhibit H at 2.

15 Subsequently, on April 14, 1971, while at the California  
 16 Institution for Men at Chino, petitioner made an unscheduled  
 17 appearance before an Adult Authority Panel.<sup>3/</sup> As a result, his  
 18 case was submitted for review on April 20, 1971. No change was  
 19 made in his status, the Authority resolved the three charges  
 20 which were submitted, finding him guilty of charge 8, and dis-  
 21 missing charges 3 and 10, and his case was scheduled for con-  
 22 sideration again by the entire board on May 17, 1971. Documents  
 23 relevant to this meeting are, or will be when received, attached  
 24 as Exhibit J..

25 B. Medical Condition and Treatment.

26 As stated above, petitioner was returned to prison on  
 27 January 14, 1971, and on January 25, 1971, was received at the

28  
 29 3. We have been informed that two Deputy Attorneys General  
 30 from the Los Angeles Office were observing Adult Authority hear-  
 31 ings conducted at Chino for informational purposes. They had no  
 particular interest in nor any connection with petitioner's case.  
 Petitioner was informed that they were visitors and gave his  
 consent to their presence.

1 California Medical Facility at Vacaville. By letter dated  
2 January 26, 1971, Riverside General Hospital forwarded a summary  
3 of petitioner's examination and treatment. The report recom-  
4 mended an investigation by neurology staff and consideration  
5 for angiogram studies. The "final diagnosis" set forth in the  
6 report is "Rule out Leptomenigeal cyst, meningioma, vascular  
7 disorder." See Exhibit I.

8 Reports dated March 1, 1971, (Dr. Prout) and March 2,  
9 1971 (Dr. Wright, Consulting Neurosurgeon), see Exhibit I, reveal  
10 that petitioner was under the care of the medical staff almost  
11 immediately upon his arrival at Vacaville. For instance, skull  
12 x-rays were taken on January 27, 1971, an EEG was made, an  
13 ophthalmologist was consulted on February 10, 1971, and a neuro-  
14 surgical consultation took place on March 2, 1971. Dr. Prout's  
15 letter notes "Our consulting radiologist, R. F. Chambers, M.D.,  
16 interprets the recent skull x-rays of January 27, 1971, as  
17 "abnormal skull evidence of atrophy involving the right hemisphere  
18 with probable vascular malformation. Contrast studies would  
19 probably be informative." Subject had contrast studies in  
20 Fall, 1970, at UCLA Hospital but refuses to sign a release for  
21 these records upon advice of his attorney." Dr. Wright's report  
22 also indicates that petitioner refused to make the September  
23 studies available to the doctor despite being told no meaningful  
24 opinion could be rendered without them. Petitioner also refused  
25 to consent to angiography in the institution. Dr. Wright recom-  
26 mended further tests. A report dated March 4, 1971, indicates  
27 that Dr. Prout concurred in this recommendation. See Petition,  
28 Exhibit A.

29 By letter of March 22, 1971, to the California Supreme  
30 Court, Dr. Carter Noland of Riverside General Hospital stated  
31 that petitioner had been scheduled for additional studies and

1 that, "We have since learned that further studies have shown a  
2 need for immediate surgery in order not to endanger his life."  
3 Petition, Exhibit B. By letter dated April 1, 1971, addressed  
4 to the chairman of the Adult Authority, Dr. Prout indicated that  
5 neurological studies should be undertaken, that they could be  
6 performed within the Department of Corrections; but only with  
7 petitioner's consent, which he refused to give, and that peti-  
8 tioner was willing to be hospitalized at Riverside General  
9 Hospital. Out of concern for petitioner's health status, the  
10 doctor recommended that the Adult Authority review his parole  
11 status and reinstate parole to permit petitioner to return to  
12 Riverside General Hospital. See Exhibit I; Petition, Exhibit C.  
13 No change was made in petitioner's parole status, but  
14 after consultation, the Department of Corrections, pursuant to  
15 Penal Code section 2690, arranged for his treatment at Riverside  
16 General Hospital, and on April 9, 1971, transferred him to the  
17 California Institution for Men at Chino, where he was housed in  
18 the institution hospital. Petitioner was available for whatever  
19 studies or surgery staff at Riverside General Hospital wished to  
20 undertake.

21 The report of the studies conducted at Riverside  
22 General Hospital indicates that petitioner was uncooperative  
23 during the physical examination, and, refused to release to the  
24 hospital the angiograms done at UCLA. The report shows that  
25 SMA, CBC, and EKG tests or studies were within normal limits.  
26 Skull films reveal multiple radiolucent defects in the right  
27 cranial vault, and subtle abnormality, but no gross abnormality.  
28 Apparently, further surgery was unnecessary because petitioner  
29 was discharged with the recommendation that skull films be done  
30 in two years. The report is attached, or will be when received,  
31 as Exhibit K.



1 Petitioner was found guilty of five of the eleven  
2 violations charges. The supporting evidence provided for these  
3 charges discloses conduct clearly in violation of parole. (Ex.D 10-13;  
Ex. H.)

4 Petitioner alleges that he was unable to present  
5 documentary evidence of his innocence because of his blindness,  
6 that the Adult Authority would not consider this evidence and  
7 that counsel now have possession of this documentary evidence  
8 of his innocence of all charges.

9 We submit that this record clearly shows that the  
10 Adult Authority did consider most carefully the evidence pre-  
11 sented to it including petitioner's story and his documents,  
12 if any. At the time of the hearing four of the charges were  
13 dismissed. Three charges were submitted for further investi-  
14 gation. This conclusion is supported, even by petitioner's  
15 allegation that Mr. Valachi stated, "I hate this damned paperwork.  
16 We cannot support the charges and we will investigate." See  
17 Petition at 5. It is a mere conclusion unsupported by facts that  
18 because the panel returned the documents they did not consider  
19 them.

20 Although petitioner claims that he has documentary  
21 evidence that he is not guilty of any of the charges, he has not  
22 provided this Court with this evidence nor indicated what it is  
23 or to which specific charges it may be relevant. Moreover,  
24 although the Adult Authority will not permit counsel to be present  
25 at a revocation hearing, counsel is free to present written  
26 argument and documentary support to the Adult Authority for their  
27 consideration. Apparently, no effort has been made even to do  
28 this.

29 Finally, The Adult Authority is routinely provided with  
30 a Readmission Summary which includes a medical report. The report  
31 in this case, we are informed, included information on both

84-4286-2018

1 petitioner's blindness and possible brain tumor.

2 CONCLUSION

3 It is obvious from this record that the allegation of  
 4 the imminence of petitioner's death is overstated, as is the  
 5 allegation of total blindness. His claim of denial of due  
 6 process in his parole revocation hearing lacks both legal and  
 7 factual substance. In fact, the record shows that petitioner  
 8 has had a most thorough consideration and review of both his  
 9 condition and his status. In the circumstances shown, no  
 10 federal question is presented. We respectfully request that  
 11 the petition for writ of habeas corpus be denied, that the order  
 12 to show cause be discharged, and that the proceedings be  
 13 dismissed.

14 Dated: May 10, 1971.

15 EVELLE J. YOUNGER, Attorney General  
of the State of California

16 EDWARD P. O'BRIEN  
17 Deputy Attorney General

18 *Gloria F. DeHart*  
19 (Mrs.) GLORIA F. DeHART  
Deputy Attorney General

20 Attorneys for Respondents.

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State of California )  
County of Los Angeles ) 56

I do hereby certify the foregoing to be a true and correct abstract of  
the judgment duly entered and recorded in the office of the Superior Court  
in the above entitled cause, and that the same is correct and true.  
WITNESSE MY HAND AND SEAL OF OFFICE this 1st day of JULY 1985  
at Los Angeles, California, this 1st day of July, 1985. Superior  
Court of the State of California, County of Los Angeles, and for the

Deputy  
Honorable David W. Williams

C. I. M.

S-1-d-1 (22)

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF LOS ANGELES

G.C. ADMITTANCE  
JUDGMENT

Department No. 100

March 8 1963 Present Hon. DONALD R. WRIGHT Judge

THE PEOPLE OF THE STATE OF CALIFORNIA, vs 26421  
JOSEPH A MAZOR

Deputy District Attorney Malcom Harris and the Defendant in propria persona, present. Each count: Probation denied. Sentenced as indicated.

Whereas the said defendant having duly pleaded guilty in this court of the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS (Sec 476a PC), a felony, as charged in each of the Counts 1, 2 and 3 of the information

It is Therefore Ordered, Adjudged and Decreed that the said defendant be punished by imprisonment in the State Prison for the term prescribed by law, on said Counts. Sentences as to Counts 1, 2 and 3 are ordered to run CONCURRENTLY with each other.

It is further Ordered that the defendant be remanded into the custody of the Sheriff of the County of Los Angeles, to be by him delivered into the custody of the Director of Corrections at the California State Prison at Chino.

MAR 13 1963  
WILLIAM G. SHARP, COUNTY CLERK  
Clerk of the Superior Court of the County of Los Angeles

This Minute Order has been entered on the files by WILLIAM G. SHARP, County Clerk and Clerk of the Superior Court of the State of California, in and for the County of Los Angeles.

original on file in my office.

Dated:

WILLIAM G. SHARP, Deputy Clerk

162507B-7/61

*H. Am...*  
628

State of California )  
County of Los Angeles ) ss

I do hereby certify the foregoing to be a true and correct abstract of the judgment duly made and entered on the minutes of the Superior Court in the above entitled action as provided by Penal Code Section 1213.

Attest my hand and seal of the said Superior Court this MAR 14 1968  
WILLIAM G. SHARP, County Clerk and Ex-officio Clerk of the Superior Court of the State of California, in and for the County of Los Angeles.



By [Signature] Deputy  
The Honorable [Signature]  
Judge of the Superior Court of the State of California,  
In and for the County of Los Angeles

CRIME:	Credits Forfeited	Restored Credits	Additional Credits	Discharge Date	Parole Effective Date
NSF Check 3 Cts CC 476a PC					
TERM: 6mos-14 3 Cts CC					
COUNTY: Los Angeles					
County Case No.: 269421					
JUDGE: D R Wright 3/19/63 REC'D RGC CHINO					
MAY 8 1963 TRANS TO CMC-EAST					
MAY 15 1964 T.F.A. 3 YRS. GRANT LAST 1 YRS. & 9 MOS. ON PAR. (7-4)				3-17-66	6-17-64
MAY 11 1964 - <i>Noted - 1/11/64</i>					
<i>-19-64 POP Hillside Es, Los Angeles County</i>					
6-65 PV WNT REC'D RGC CIM				3-19-77	
15-65 REC'D RGC CMF					
23-65 Parole Canceled					
8 1965 PG all Cts. Rev. Den. P.O. <i>127 11K</i>					
21 1965 <i>with</i>					
MAY 18 1967 OTRFA 5 yrs on 14 3 Cts CC ATFA 5 yrs CC WPT: granted last 3 yrs on parole.				3-19-68	3/19/68 <i>See in Trans</i>
<i>-19-67 Action of AO in LA: PD adv. from 7-7-67 to 5-22-67</i>					
<i>-22-67 Paroled. Riverside Unit 1 San Bernardino Co. Reg. 1/1/67</i>					
3-19-68 EXPIRED & REMAINS ON A-TERM <i>2-2-68</i>					
<i>-20-68 OTC &amp; RET (SAME DATE)</i>					

SUMMARY OF SENTENCE DATA

5-1-d-1 (35)

	Credits Forfeited	Restored Credits	Additional Credits	Discharge Date	Effective Parole Date
RIME: Fict Check CC WPT 476 PC					
ERM: 6mo-14 CC WPT					
COUNTY: Los Angeles					
County Case No.: 304175					
JUDGE: D.W. Williams					
7/65 PV WRIT REC'D RGC CIM					
15/65 REC'D RGC CMF					
21 1355 CIA					
18 1567 C.T.R.F.A 5 yrs on cc w 3 yrs CC A.T.F.A 5 yrs CC WPT Granted last 3 yrs on parole					
-19-67 Action of A.A. in L.A. P.D. adv from 7-7-67 to 5-22-67				7-7-70	7-7-67
22-67 Paroled Riverside Unit #1 San Bernardino Co. Region IV					
AY 2 1969 PAROLE SUSPENDED-RETURN TO (IN CUSTODY) PRISON FOR REVOCATION PROCEEDINGS ORDERED			0-0-3	7-7-79	
-5-69 PV TFT REC'D RGC CIM	0-0-3		0-0-3	7-7-79	
-15-69 REC'D RGC CMF					
7-69 PG cts 2, 2b, 3, 4, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 7-69 et al submitted. Rev. Com. P.O. 11/63 P.P. vol 10 JUL 1 '69 rec'd SCC Orient					
-12-69 Rec'd CMF - West					
-22-69 OTC & Ret. (writ)					
-29-69 OTC & Ret.					
-30-69 L - L - L					
-20-69 L - L - L					
-19-69 A.T.F.A 7 yrs CC WPT. Parole per off 3-10-70				7-7-72	3-10-70
-12-69 Dep. Rec'd and San Bernardino Co C 30 1359 CIM					
-13-70 Action of A.A. in L.A. P.D. adv from 3-10-70 to 2-15-70					
15-70 Paroled Riverside Unit L.A. Co Region IV					
AN 8 1971 PAROLE SUSPENDED-RETURN TO (IN CUSTODY) PRISON FOR REVOCATION PROCEEDINGS ORDERED			0-0-6	7-7-79	
-14-71 PV TFT REC'D RGC CIM	0-0-6		0-0-6	7-7-79	
25-71 REC'D RGC CMF					
AR 5 1971 PNG cts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, Facts 5, 6, 7, 11, cts 3, 8, 10 submitted. cts 1, 2, 4, 9 dom. Rev. Com. P.D. 7/71 R.R. cal					
A-77153-A HAZOR, Joseph A.					



5-1-d-1(27)

DEPARTMENT OF CORRECTIONS

PAROLE & COMMUNITY SERVICES DIVISION

CASELOAD # 2811

RELEASE DATE: 3-10-70 \* FACILITY: CIM

OFFICIAL RELEASE AUTHORIZATION FOR: REGIONAL ADMINISTRATOR PAROLE & COMMUNITY SVCS. BY: [Signature]

\*Parole Advancement requested to 2-15-70 [ ] Do Not Release on Weekend or Holidays

Form with sections: RESIDENCE (Mayfair Hotel, Third & Garoy, Pomona), EMPLOYMENT (Research Law Clerk, Irate), BUDGET (TOTAL \$60.00, ROOM AND BOARD \$50.00, INCIDENTALS \$10.00), CLOTHING (None, Standard, Khaki, White), REPORTING INSTRUCTIONS (Report to residence & employment program), DEVELOPMENT CONTACTS (John C. Mc Carthy, Employer; Margaret Mazer, Wife; Madelyn Boyum, Former fiancée; Subject).

NOTE: IF TOOLS NEEDED LISTEN IN "REMARKS" WITH COST BREAKDOWN

REMARKS: After lengthy interview with Subject he finally admitted he has no intention of reconciling with wife. Would have left her after two weeks with claim that he tried, but it wouldn't work. Due to near blindness and no transportation, the Mayfair Hotel is recommended as it is one block from his employment.

Employer requests Subject be at work on 2-16-70, therefore Sunday release of 2-15-70 has been requested.

Maximum budget is requested as Subject's wife is on welfare and can be of no assistance.

for [Signature] Robert W. Sloan Parole Agent I

No. A-77153

NAME MAZOR, Joseph A. P&CS/RIV-2

jm 2-6-70 Page 1

CA 1254 (11-77) F

EXHIBIT D

RELEASE PROGRAM STUDY



DEPARTMENT OF CORRECTIONS

Report To:

From: Parole and Community Services Division

Date: February 6, 1970

Name: MAZOR, Joseph A (2 T)

Number: A-77153

Commitment: Flat. Check, CC WPT

Term Set: ATFA 7 yrs, CC WPT

Received: 7-7-65 Released: :: Paroled: Suspended: Reinstated: Expires: 7-7-72

Present Location: California Institution for Men (Parole Date 3-10-70)

SUBJECT OF REPORT: \* PAROLE ADVANCEMENT

CIRCUMSTANCES: 11-19-69 ATFA 7 yrs CC WPT. Granted parole effective 3-10-70. Minimum eligible parole date 1-7-66.

Subject has a job offer from John C. McCarthy of the law firm of Young, Henrie, and Mc Carthy, 100 Pomona Mall, West, Pomona, California. Mr. Mc Carthy wishes to employ Subject as a research law clerk at a salary commensurate with one who has a law degree, but is not yet admitted to practice law. Subject obtained this job himself while on a 72 hour pass.

Mr. Mc Carthy states the firm is desperately in need of a research assistant and must fill this position by the middle of February (see attached from the above-mentioned law firm). This agent investigated the above offer for a possible collusion. Mr. Mc Carthy definitely states that he had never met Subject, or heard of him prior to his coming to the law firm regarding a legal matter.

It would appear the program meets policy requirements in that:

- 1. Advancement originates with the agent at the request of the employer.
- 2. The opportunity will not be available at the scheduled release date.
- 3. Request has been investigated and approved by this agent.
- 4. No collusion appears to be involved.

RECOMMENDATION: That the parole date be advanced from 3-10-70 to 2-15-70, in order to accommodate the employer.

APPROVED:

Respectfully submitted,

*J. B. Jones*  
J. B. Jones, Supervisor, Parole Unit  
*Frederick Galloway*  
Frederick Galloway, District Parole Admin.

*Robert J. Sloan*  
Robert J. Sloan  
Parole Agent I

MAZOR, Joseph

A-77153

PCGS/RIV-2

jm

2-6-70

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INITIAL INTERVIEW

Released From GIM Date 2-15-70 Time 10:00 A.M. Family Transportation Auto

Reported 2-16-70 Interviewed \_\_\_\_\_ Location \_\_\_\_\_

License Fees \$60.00 Balance Delivered N/A

Clothing Issue No. None Acceptable? N/A Number of Pre-Release Classes Attended Unknown

INITIAL PROGRAM (if Different from RPS)

SUPERVISION: Conditional

RESIDENCE: Mayfair Hotel - Room 203, 3rd & Garvey, Pomona

EMPLOYMENT: Young, Henrie, & Mc Carthy, 100 Pomona Mall West, Pomona Status Known

Start 2-16-70 Wage \_\_\_\_\_ Position \_\_\_\_\_

INITIAL EVALUATION - and listing of apparent problems:

TRANSFER SUMMARY From 2-15-70 to 2-19-70

FACTUAL DATA:

A parole advancement was obtained for Subject on the basis of immediate employment with the law firm of Young, Henrie, & Mc Carthy, who are employing Subject as a research assistant. Most of Subject's work will be conducted at the law library at the Municipal Court's building in Pomona.

On 2-17-70 Subject obtained residence at the Mayfair Hotel for which he pays \$21.00 per week. Subject has no desire for a reconciliation with his wife, who lives in China. However, he will have visitation rights with his six children by her.

Prior to Subject's release he was interviewed at California Institution for Men by this agent. At that time it was thoroughly explained to Subject that he would not be permitted to open a checking account nor sign any contracts without the permission of the Parole Agent.

Subject frankly admits that he intends to divorce his wife as soon as he is financially able to do so. He further intends to continue his romantic relationship with Madolynne Beth Boyum, also known as Mazor, and Williams. Subject has been definitely instructed that he will not be permitted to enter into a common-law relationship with this woman.

INITIAL INTERVIEW, Continued  
Page 2

There are conflicting statements in the Cumulative Summary, Readmission Summary, Parole Violation Report, and the Pre-Release Referral. For the clarification of the agent receiving this case it is to be noted that Subject is not, and has not ever been married to Madelyana. Subject has six children by his legal wife, Peta Margaret Masor. There are no children by Madelyana (whom Subject refers to as Beth). Subject claims to be totally blind in the right eye, and 20-450 vision in the left eye. The dormitory officer at C.I.M. reports to have observed Subject reading a newspaper with only the aid of the colored glasses which he wears at all times.

The receiving agent should read the prior parole violation carefully as it will give a clue to Subject's manipulative abilities.

This case was discussed with Parole Agent Collins of the Eagle Rock Work Unit prior to Subject's release, due to his intended residence in Pomona. Case is hereby transferred to Parole Agent Collins, Case-load 1270, of the Eagle Rock Work Unit.

Subject is not indebted to the Cash Assistance Fund. There will be no 2943 P.C. Report due on Subject until 2-15-72.

ROBERT J. SLOAN, PA I/jm 2-19-70

SUMMARIZATION OF ACTIVITIES From 2-19-70 to 6-30-70

Residence: 150 West Foothill, Apt. 31B, Pomona, California  
Employment: Jaffee & Malloy, Attorneys, 333 West Mission, Pomona  
Supervision: Regular-Open

CASE CONTACTS:

Employment:	3-16	4-4	5-5	5-19	6-24
Phone:	2-16	3-1	6-3		
Collateral:	3-15	5-5	5-18	6-3	
Case Conf:	4-3	6-26			

PRESCRIPTION PROGRAMMING:

Prescription: The prescription in this case is to obtain stable employment, not enter into any business without prior approval of the Parole Agent, and resolve marital problems.

MEASUREMENT:

Assets: None.

Residence: Upon release from prison Subject initially resided at the Kayfala Hotel in Pomona. After he became financially solvent Subject rented an apartment in northwest Pomona. Subject never reconciled with his wife after his release. However, he does visit with her and his

CONT. SUMM. OF ACT. From 2-19-70 to 6-30-70

children regularly. Subject filed for a dissolution of marriage on 3-2-70. On 4-16-70 an interlocutory judgment of dissolution of marriage was granted.

**Employment:** Subject was released to accept work as a legal research assistant for the law firm of Young, Merric, and McCarthy. On 5-5-70 Subject moved to the above mentioned law firm of Jaffee and Malloy. Subject is presently receiving \$850.00 a month, plus he does legal research for other attorneys on the side. Mr. Jaffee of the above-mentioned law firm feels that it would be beneficial to him and to Subject for Subject to obtain his own business license, and be kept on a retainer by the law firm. They would provide him with free office space and clerical assistance. Mr. Jaffee has written this agent a letter, outlining the foregoing.

**Leisure Activities:** Subject spends most of his time with his girl friend, Madelyne Beth Boyum. Subject has custody of his children on the weekends, and appears to be a devoted father.

**Use of Alcohol and/or Narcotics:** No known use of narcotics. Subject admits to an occasional social use of alcohol.

**Physical Problems:** Subject was, at one time, considered near totally blind. He has received eye refraction and can now read with little or no difficulty.

**Financial Matters:** Subject's earnings are more than adequate to meet his needs. Subject is paying \$151.00 per month to the welfare department for child support.

#### CASE EVALUATION AND PLANNING:

Subject has progressed exceedingly fast. The Parole Agent is attempting to watch for manipulations on Subject's behalf. However, all attorneys that Subject has worked for are aware of his criminal record and are aware that he is on parole. Mr. Jaffee has informed this agent that he will sponsor Subject in taking the bar examination, and will accept him as a junior partner in his firm, once he passes the bar exam. Subject and ex-wife appear to get along well, except when his girl friend appears on the scene. At these times the wife becomes very vindictive and causes a scene. She has admitted to Parole Agent that she still loves Subject and feels that he will eventually return to her. She signed an agreement of non-contestment on the dissolution of marriage, feeling her chances of winning him back are better if she does not fight with him. Subject verbalizes strong feeling for the girl friend, and sees no possibility of a reconciliation with his ex-wife. It is felt program should continue at present supervision level.

Case Conference held on 4-3-70 with Unit Supervisor Dyace who noted: "As we predicted, he is going to require at least Regular supervision. Upgrade accordingly. His letter on firm letterhead to C.I.M. state needs follow up."

CONT. SUMM. OF ACT. From 2-19-70 to 6-30-70

Case Conference on 6-26-70 with Assistant Unit Supervisor Flacco noted: "Good parole adjustment. Continue present program."

ROBERT J. SLOAN, PA I/jm 6-30-70  
SUMMARIZATION OF ACTIVITIES From 7-1-70 to 12-14-70

Residence: Riverside County Jail  
Employment: Riverside County Jail  
Supervision: Regular-Open

CASE CONTACTS:

Home:	10-27	11-24							
Employment:	10-6								
Jail:	11-30	12-1	12-2	12-4	12-11				
Field:	10-22	11-30							
Phone:	8-7	11-13	11-20	11-30					
Collateral:	8-7	8-7	10-2	10-5	10-15	10-21	10-22	10-22	
	10-22	10-22	10-22	10-22	10-22	10-27	10-27	11-6	
	11-23	11-30	11-30	11-30	11-30	11-30	11-30	11-30	
	12-1	12-3	12-3	12-3	12-3	12-4	12-4	12-4	
	12-4	12-4	12-4	12-4	12-4	12-4	12-4	12-4	
	12-4	12-7	12-7	12-11	12-11				
Case Conf:	10-30								

FACTUAL DATA:

Arrests: Subject was arrested on 11-30-70 by the Anaheim Police Department at the request of the Parole Agent on a charge of 3056 P.C. The arrest was the result of the Parole Agent learning that Subject had moved from his apartment, owing 1 1/2 months rent, had three credit cards belonging to his ex-wife, had sold all of his and his wife's furniture, and had airline reservations for New York, instead of Dayton, Ohio. For further details, see attached board report.

Residence: On 4-16-70 Subject was granted an interlocutory judgement of dissolution of marriage from his legal wife, Margaret Mazer. Shortly thereafter Subject moved into a common-law relationship with a Madeline S. Boyum (or Williams). Mrs. Williams is a forty-three year old, twice divorced woman, whom he had been going with on his previous parole. On 11-6-70 Subject and Mrs. Williams were legally married. Throughout the period of this report they resided at the Polynesian Gardens, where they rented a two-bedroom apartment for \$160.00 per month.

Employment: As stated in the previous summarization of activities, Subject went to work for the law firm of Jaffee and Mallory on 5-4-70. On approximately 6-26-70 this agent received a letter from Mr. Jaffee, stating the advantages of Subject maintaining his own identity as a research consultant, and thereby establishing his own business. Mr. Jaffee stated that this would be advantageous to both, as he would not have withholding problems regarding to Subject, and Subject would possibly have more legal deductions from an income tax point of view, plus he might

CONT. SUMM. OF ACT. From 7-1-70 to 12-14-70

as being an attorney, they were willing to keep him on and later sponsor him on taking a state bar examination. However, Subject exploited them, their clients, and various businesses in the area. Subject's desire to get ahead, and his need for status, caused him to "burn" almost every person with whom he came in contact. As noted above under Financial Matters, Subject's manipulations will result in a loss of in excess of \$5,000 to various people who trusted him. The amount is such that he cannot make restitution, and the pressure from creditors will only cause him to make further attempts at manipulation. For further details see attached board report.

Case Conference 10-30-70 with Unit Supervisor Dyrce noted: "Caught him in time to prevent getting in over his head in business and money. Close scrutiny of his business operation will provide both control and support."

ROBERT J. SLOAN, PA I/jm

## DEPARTMENT OF CORRECTIONS

## REPORT TO ADULT AUTHORITY

FROM: Parole and Community Services Division

Date: December 16, 19 70

Name: MAZOR, Joseph Allen (2 T)

Number: A-77153-A

Commitment: First Check CC WPT  
(CIM)Term  
Set: ATRFA 7 yrs CC WPT

Received: 7-7-65 Paroled: 2-15-70 Suspended: Reinstated: Expires: 7-7-72

Present location: Riverside County Jail OHO

SUBJECT OF REPORT: VIOLATION - TECHNICAL

REVIEW OF PREVIOUS ACTIONS: 2-13-70 Parole date advanced from 3-10-70 to 2-15-70 to accommodate employer.

REASON FOR REPORT: Subject's manipulations will cause an actual cash loss in excess of \$5,000.00 to victims, plus near accomplishment of criminal acts, and an aborted attempt to abscond.

## CHARGES SPECIFIED:

1. Joseph Allen Mazor violated Condition 10 of the Conditions of Parole as evidenced by his obtaining a passport without the knowledge or permission of the Parole Agent.
2. Joseph Allen Mazor violated Condition 10 of the Conditions of Parole as evidenced by his making reservations on a United Airlines flight to New York, without the knowledge or permission of the Parole Agent.
3. Joseph Allen Mazor violated Condition 10 of the Conditions of Parole when he bought a 1965 Jaguar without the knowledge or permission of the Parole Agent.
4. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole as evidenced by his forging the signature of his fiancée to her income tax refund check in the amount of \$693.62.
5. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by making a fictitious automobile purchase draft in the amount of \$450.00.
6. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by writing and depositing a \$300.00 check on a closed account.

MAZOR, Joseph A.

A-77153-A

P&amp;CS/RIV-2

jm

12-16-70

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## REPORT TO ADULT AUTHORITY

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7. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by attempting to sell furniture which he had rented from another firm.
8. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by drawing welfare assistance while he was employed.
9. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by misrepresenting an automobile, and consequently causing his employer a loss of \$1,795.00.
10. Joseph Allen Mazor violated Condition 11 of the Conditions of Parole as evidenced by his being charged by the District Attorney's Office with failure to provide (270 P.C.).
11. Joseph Allen Mazor violated Condition 13a of the Conditions of Parole by establishing numerous credit accounts without the knowledge or permission of the Parole Agent.

## SUPPORTING EVIDENCE:

Charge 1. On 11-23-70 the Parole Agent learned that Subject had obtained a passport, through a collateral resource. On 11-24-70 Subject was confronted with this fact. Subject rationalized this fact by stating he had previously discussed with Parole Agent the possibility of obtaining employment in a foreign country. He had just taken the preliminary steps to being able to accept overseas employment. It was pointed out to Subject that (1) he had not yet received permission to go overseas, (2) as the passport costs \$12.00, this was an unnecessary expenditure, and (3) this is not the act of a rational person.

Charge 2. After Subject had been arrested on 11-30-70, Parole Agent learned from an attorney in Los Angeles that Subject had reservations on a United Airlines plane for New York. On 12-4-70 Parole Agent talked to a Mr. Morris, reservation operating chief, United Airlines. Mr. Morris verified that Subject had reservations on United Airlines, Flight No. 10, Wednesday, December 2nd, for a party of three, going to New York. Subject and his wife were questioned separately regarding this incident, and both adamantly denied any such reservations. Finally, after the wife was confronted with the flight number and the date, she admitted that they had originally planned to fly, but decided that it was too expensive, and forgot to cancel the reservations. Subject stated he remembered talking to the airlines about the cost of the flight, but does not remember making the reservations. Subject further admitted that he had entertained the idea of absconding to Europe, but dismissed the idea.

Charge 3. On 5-1-70 Subject requested permission to purchase an



REPORT TO ADULT AUTHORITY  
PAGE 3

automobile, showing Parole Agent a valid operator's license. Subject was informed of the insurance requirements, and additionally, a limit of \$50.00 a month was set for automobile payments. On 6-24-70 Subject showed the Parole Agent a 1965 Jaguar, with a temporary registration slip on the window registered to the law firm of Jaffee and Malloy. Subject explained that the law firm had purchased this automobile for him to use in his work for them. On 10-22-70, when several other irregularities came to light, Mr. Jaffee informed this agent that Subject was purchasing this automobile with payments of \$105.00 a month, and that it was purchased in their name as Subject's credit would not clear. Due to the various irregularities and the total indebtedness of Subject, Mr. Jaffee took possession of the Jaguar as security.

Charge 4. On 10-21-70 Subject's fiancée, Madeline S. Williams, informed the Parole Agent that they had an argument. She showed Parole Agent Subject's business book, check stubs, and deposits. She further informed the Parole Agent that her income tax refund check had never been received, and she had filed with the Federal Government for a trace or a re-issue of the check. It was noted that on 5-25-70 Subject had made a deposit of \$643.62, which is the exact amount of her refund check, minus \$50.00. On 10-22-70 Subject was confronted with this fact. At first he denied seeing or forging the check. After being informed that a handwriting expert would be called in on the case, Subject admitted forging the check and depositing it to his account. Subject rationalized this by saying it was her investment in the Research Development Corporation, of which she is a partner. Mrs. Williams and Subject were married on 11-6-70, and she withdrew her claim to the government.

Charge 5. On 10-22-70, during an investigation into Subject's activities, Mr. Arthur Jaffee showed Parole Agent two automobile purchase drafts, given to him by Subject as a request for an extension on payment of a draft. One of these drafts was made in the amount of \$1,000 from Tate Motors, which investigation revealed to be a bonafide draft. The other draft was in the amount of \$450.00, allegedly signed by a William Johnson. The Parole Agent recognized the writing to be that of Subject. Additionally a check with the Security First National Bank revealed to not have an account in the name of William Johnson, the alleged maker. On 10-22-70 Subject was confronted with this fictitious draft. Subject at first, strongly denied writing it. Again, when confronted with its being submitted to a handwriting expert, Subject admitted writing the draft. Subject attempted to rationalize his behavior by stating he got himself overextended, depending upon accounts receivable. Subject was reminded he had been counseled on numerous occasions regarding overextending himself. (See Addendum #1)

Charge 6. On 12-4-70, while checking into Subject's banking activities, Parole Agent learned from a Mrs. Tuttle of the North Gary Branch

REPORT TO ADULT AUTHORITY  
PAGE 4

of the Bank of America, that Subject had deposited a \$300.00 check written on a closed account. This check was written on 11-5-70 on the Investment Research Development account at Wells Fargo Bank in Pomona. On 10-22-70 Parole Agent learned that the Wells Fargo account was overdrawn in the amount of \$455.15. At that time Subject was informed that I.R.D. was out of business, and he was not to issue anymore checks, and further he was to make up the overdrafts at the bank. Mrs. Tuttle stated that checks had been written on this \$300.00 deposit, which made his account at the Bank of America overdrawn. When confronted with this fact Subject stated that he had "heard" that he still had money in the Wells Fargo Bank, and this was his way of attempting to retrieve it.

Charge 7. On 12-4-70, while talking to a Mr. Jerry Edgar, of Business Interiors, Mr. Edgar informed this agent that Subject had tried to sell his (Mr. Edgar's) rental furniture to Patton Sales. The Parole Agent talked to Eva Miller of Patton Sales. She states Subject called them to sell some furniture to them on or about 10-28-70. The furniture consisted of a large executive desk, a high-backed leather judge's chair, two sofas, a small desk, small occasional tables, lamp, a two drawer legal filing cabinet, and a uni-filer. They gave an extremely low offer of \$300.00. After inquiring at another office, they learned the furniture was rented from Business Interiors, and informed them. At that time Business Interiors came and repossessed their furniture.

Charge 8. On 12-4-70, while investigating Subject's banking activities, it was learned that Subject's wife had deposited a check from the Los Angeles County Welfare Department made out in Subject's name in the amount of \$195.00. Mrs. Mary Anderson of the Department of Public Social Services reported to agent that Subject applied for Aid to the Totally Disabled on 2-12-70, and has been receiving \$195.00 since that date. Inasmuch as Subject received a parole advancement to accept work and was released on 2-15-70, he has been continuously employed or in business for himself during the entire period of his parole, this matter was turned over to the Welfare Fraud Division. They estimate that the amount of Subject's fraud is approximately \$1,950.00. They intend to go through their usual procedures of first attempting to re-claim the money through civil action,

Charge 9. In approximately July, 1970, Subject was employed by the law firm of Jaffee and Malloy. A divorce settlement had been won for one of the firm's clients, a Ruth Ellen Hinze. Mrs. Hinze stated she was looking for a good transportation vehicle. Subject offered to sell her his fiancée's 1966 Thunderbird, and quoted her a price from the Kelly Blue Book of \$2,250.00. Mrs. Hinze bought the automobile. She subsequently learned that the car was not in good running condition and, in addition, had been misquoted in value. She went to the

REPORT TO ADULT AUTHORITY  
PAGE 5

law firm and complained to Mr. Jaffee. Not wanting to destroy the relationship of a client, Mr. Jaffee refunded her money out of his pocket, and returned the car to Subject. The Parole Agent checked the Kelly Blue Book and found the retail value of this car to be \$1,990.00 and the wholesale value of the car, \$1,400.00. When questioned regarding this incident, Subject rationalized his behavior by stating that he must have looked at the wrong blue book. Subject has paid some cash and has done some work for Mr. Jaffee to reduce this amount. At the present time Subject still owes Mr. Jaffee \$1,795.00.

Charge 10. Subject is required by the court to pay \$150.00 per month to his ex-wife for the support of his six children. Subject has made no payments since September, 1970. On November 16, 1970, a criminal subpoena was issued to Subject ordering him to appear in court on 12-22-70 on a charge of 270 P.C. (See Addendum Item II)

Charge 11. Without the Parole Agent's knowledge or permission, Subject established credit at numerous places of business, in connection with both his business and personal life. Additionally, Subject skipped out on rent and telephone bills. See below for a listing of these debts and loss to the victims:

H & H Photo Service	\$ 592.00
Chevron Credit Card	71.00
Arco Credit Card	42.62
Mobile Oil Credit Card	731.36
Pomona Valley Stationary	268.73
Lorenz Jewelers	335.45
Don Meyers (Handwriting Expert)	150.00
United States Exchange Corp.	72.32
Business Interiors	306.00
Terry Yarbrough (Wedding Photos)	76.95
Excelsior - Legal Stationary Co.	32.93
Telephone Company	473.00
Polynesian Gardens (Apt. Rent)	<u>210.00</u>
Sub-Total	\$3,363.26
Arthur Jaffee - Attorney	<u>1,795.00</u>
TOTAL	\$5,158.26

The above does not include Welfare payments Subject received in the amount of \$1,950.00, and three weeks rental of a Hertz Rent-A-Car.

5-1-d-1 (39)

RESUME OF PAROLE ADJUSTMENT:

Subject received a parole advancement from 3-10-70 to 2-15-70 to accept employment with the law firm of Young, Henrie, and McCarthy in Pomona. As this area was under the jurisdiction of Region III, the case was referred to Eagle Rock #2 office immediately. On approximately 3-25-70 the case was returned to the Riverside Office due to the reorganization and regional linea realignment. At that time Subject was found to be working for another law firm by the name of Merriman and Landoz. On 5-8-70 Subject went to work for the law firm of Jaffee and Maloney as a research consultant. On 6-23-70 Mr. Jaffee wrote a letter to this agent, suggesting that Subject be allowed to maintain his own identity as a research consultant for hire. This would be advantageous to both in that, as business men, they would not have withholding problems with funds paid to him, and he would have probably more legal deductions from an income tax point of view. Additionally, he could obtain work from other attorneys. Mr. Jaffee further added that all of his actions and functions would be under his supervision, and that they would provide him with office space in their building. Subject appeared to be making very satisfactory progress in all respects. Unknown to this agent, or to Mr. Jaffee, it would appear that approximately this time, Subject became overly ambitious and overextended himself, and consequently became involved in his various manipulations, which were discovered at a later date. These manipulations involved forgery of a signature to his fiancée's income tax check, purchase of a Jaguar, misrepresentation and fraudulent selling of his fiancée's automobile, and purchase of several items on unapproved credit. Issuing a fictitious bank draft on 10-14-70 and the overdraw of his bank account came to the Parole Agent's attention on 10-22-70. At this time, Subject was put out of business and instructed to work out of his apartment. Subject requested permission to look for a job in a foreign country for himself and his wife, which would pay off some of his debts, and leave him a balance of money to go into business upon returning to the United States. Subject was given permission to look for this type of employment, with very definite instructions that the employer must be aware of his parole status and that the job offer be submitted in writing to this office. On 11-24-70 Subject requested permission to go overseas with his wife if she got a job first. This was denied. On 11-30-70 Subject was given permission to go to Dayton, Ohio, in an automobile on a business trip. Later in the day it was learned Subject had moved from his apartment building, owing one and one-half months rent, and had sold all his furniture. Additionally, it was learned Subject had three credit cards, belonging to his ex-wife, and it was felt that Subject's departure was other than as stated. An intensive search was instigated and Subject was located at his wife's mother's home in Anaheim. Subject was placed in custody. After his arrest his many debts and manipulations came to light. His obtaining a passport and having an airplane reservation to New York, plus selling all of the furniture,

S-1-d-1 (40)

REPORT TO ADULT AUTHORITY  
PAGE 7

indicates to Parole Agent that Subject was intending on absconding from this country. In regards to his personal life, Subject, upon release from prison, obtained an independent residence. On 4-16-70 Subject received a dissolution of marriage from his legal wife. The court ordered that Subject pay \$150.00 per month to the Welfare Department for child support. On 11-6-70 Subject married his fiancée from his previous time on parole. She is a 43 year old, twice-divorced woman, with one minor child. She is a highly skilled illustrator and writer, and it is felt that she might exert a positive influence on Subject. However, this was not the case. Subject appeared to have a good relationship with this Parole Agent, as is evidenced by his supplying the Parole Agent with copies of his divorce papers, letters from his employers, requesting in advance to go into business, and keeping in regular contact with the Parole Agent. However, it is now seen that this was all a facade to throw the agent off guard. Subject is an articulate person with a charming personality, who uses these assets to exploit those who help him.

REASONS FOR RECOMMENDATION:

Subject is a smooth "con-man" with an insatiable desire to get ahead. He is bright, well-educated, and so well-versed in law that he had approximately five attorneys in the Pomona area convinced that he had a law degree. He stated to Attorney Jaffee that he was the only man to have ever taken the state bar examination while in state prison. On one occasion, while reporting an alleged crime to the Ontario Police Department, he identified himself as an attorney. (See Addendum Item III) Unfortunately, Subject uses his many assets to manipulate and outwit people for monetary gain. Subject has come close to committing crimes as evidenced by his forging the signature of his fiancée to her income tax refund check, issuing a fictitious bank draft, and writing a check on a closed account. The only two instances that will stand prosecution is payment of a welfare fraud and a charge of failure to provide. It is felt that Subject was about to leave the country at the time he was apprehended, due to many pressures built up by his manipulations. It is felt that Subject is a menace to the community and should be returned to the institution. While in the institution the Subject should receive some form of vocational training, so that he will no longer have to live by his "wits".

ALTERNATIVE PROGRAM:

This agent's alternative program would be to place Subject in a continuing Work Furlough program, where he would be required to pay off all of the debts he has acquired and reimburse all the victims of his manipulations.

5-1-d-1(4)

REPORT TO ADULT AUTHORITY  
PAGE 8

RECOMMENDATION:

Suspend parole and return to prison for revocation proceedings.

Respectfully submitted,

*Robert J. Sloan*  
Robert J. Sloan  
Parole Agent I  
Riverside, Unit 2

APPROVED:

*J. S. Dyer*  
J. S. Dyer  
Supervisor, Parole Unit

*Fredrick Galloway*  
Fredrick Galloway  
District Parole Administrator

# ADULT AUTHORITY

5-1-d-1(43)

Meeting of

January 8, 1971

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA. HELD AT LOS ANGELES (P&CS MEETING)

TO WHOM IT MAY CONCERN:

Present were: James H. Hoover, Member; Robert Del Pesco, AA Rep.; Actions reviewed and concurred in by: Manley J. Bowler, Member

\*\*\*\*\*

**PAROLES SUSPENDED - RETURN TO PRISON ORDERED:**

The Parole and Community Services Division presented reports in writing in each of the below-listed cases (these reports are now on file in the office of the Adult Authority at Sacramento), charging that the below-named prisoners had willfully violated the terms and conditions of their paroles.

The action in each of the following listed cases was "Parole suspended and return to prison ordered for revocation proceedings, for the causes set forth in the report of which this order is a part."

A 77153 A MAZOR, Joseph A. (RIV 2)

Due cause being shown by the Parole and Community Services Division, it is hereby ordered that the paroles heretofore granted the above-named and numbered prisoners be suspended upon the grounds that the above-named and numbered parolees have violated the terms and conditions of their paroles as more particularly set forth in the Parole and Community Services Division charges which are made a part of this order.

It is further ordered, that the Parole and Community Services Division, shall return said prisoners to the custody of the Director of Corrections to abide further action of the Adult Authority.

It is further ordered in accordance with Resolution 171 adopted by the Adult Authority on March 6, 1951, that the above-listed prisoners who have terms fixed at less than the maximum shall be refixed at the maximum until further order of the Authority.

In the event any of said prisoners shall be found in any State other than California, an application for a requisition for the return of said prisoners is hereby authorized and the Chief or Deputy Chief, Parole and Community Services Division, is hereby authorized to execute such application for and on behalf of the Adult Authority.

\*\*\*\*\*  
A D O P T E D B Y The affirmative votes of:  
James H. Hoover, Member;  
Robert Del Pesco, AA Rep.;  
Actions reviewed and concurred  
in by: Manley J. Bowler, Member

(Signed) JOSEPH A. SPANGLER  
Administrative Officer

A T T E S T  
January 8, 1971

A T T E S T April 7, 1971

*Joseph A. Spangler*  
JOSEPH A. SPANGLER  
Administrative Officer

## EXHIBIT E

STATE OF CALIFORNIA  
**ADULT AUTHORITY**

S-1-d-1(43)

Meeting of  
March 5, 1971

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE  
DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF  
THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA,  
HELD AT CALIFORNIA MEDICAL FACILITY-RECEPTION GUIDANCE CENTER  
TO WHOM IT MAY CONCERN:

Present were: Warren Ballachey; Frank O'Brien; Actions  
reviewed and concurred in by: Manley J.  
Bowler; Daniel R. Lopez

\*\*\*\*\*

ORDER OF THE ADULT AUTHORITY  
5 MARCH 1971 PAROLE VIOLATOR CALENDAR

IT APPEARING THAT THE following named and numbered inmates,  
having been duly charged with wilfully violating the terms  
and conditions of their paroles and Tickets of Leave, and  
the Chief State Parole Officer having presented written  
charges with recommendations that the paroles heretofore  
granted to said inmates be suspended, cancelled, and/or revoked  
and it further appearing that written copies of the charges,  
notices of time of hearings, and notices of consideration  
of revocation of all or a portion of credits earned or to  
be earned, have been duly served in all cases; and the  
Adult Authority, having considered each case, following the  
submission of oral and documentary evidence supporting such  
charges of parole violations, finds that the following in-  
mates have violated the terms and conditions of their  
paroles and Tickets of Leave.

IT IS THEREFORE ORDERED THAT the paroles heretofore granted  
are hereby revoked and/or the credits earned or to be  
earned by each of the below-named and numbered inmates,  
under Section 2920 and 2921 of the Penal Code, shall be, and  
hereby are forfeited, and the specific charges as stated by  
the Chief State Parole Officer are made a part of the  
revocation and/or the forfeiture of credits in the manner  
hereinbelow set forth opposite the inmates' respective names:

A 77153 A MAZOR, Joseph A. (PV TFT 1-14-71) Plead not guilty  
to counts 1,2,3,4,5,6,7,8,9,10,  
11. Found guilty of counts 5,6,  
7,11. Counts 3,8,10 submitted  
for additional information.  
Counts 1,2,4,9 dismissed.  
Revoked. Denied. Place on  
July 1971 RR Calendar.

\*\*\*\*\*

A D O P T E D B Y

The affirmative votes of:  
Warren Ballachey; Frank O'Brien;  
Actions reviewed and concurred  
in by: Manley J. Bowler;  
Daniel R. Lopez

(Signed)

L. ROBERTSON, Correctional  
Counselor II

A T T E S T  
March 5, 1971

A T T E S T April 7, 1971

*Joseph A. Spangler*  
JOSEPH A. SPANGLER  
Administrative Officer

**EXHIBIT F**



EVALUATION AT TIME OF ADULT AUTISM HEARING

1. Observations by Staff Representative: nearly blind - was led to hearing - claims he had permission - and accusations in getting post - part - very bitter - claims he only saw the parole agent 4 times in ten months - alleged parole agent was "partner" of best parole agent and didn't want him back in the district - had applied for aid to the blind - fund case dropped - claims credit accounts were with company (I.R. D.) - plays on physical problems - claims he not operation - the rehab scheduled for June 71 -

2. Comments by A.A. Panel: P.N. 6 - all (11 counts) <sup>at 3-9-10 admitted P.E. 5-6-7-11</sup> but 1-2-4-9 dismissed July 71. He adamantly denies any wrongdoing - He openly claims collusion between past & present parole agents - although intelligent, skilled and admit he is emotionally disturbed over vision problem & tends to engage in excessive rationalizing & Minimizing - However, he did NOT, according to P.A., come any "closer" to crime than Welfare fraud & Failure to provide. P.A. states also his "coming closer" to crimes include forging finance & income tax checks - just Borse Draft & Working check

3. Program Considerations: Classification - Institutional/Release Special Condition  
Priority  
Major problems appear to be O.S. priority for manipulation of people & situations to his advantage & O has physical condition - 1st States he needs surgery (Cranial) because of

4. Panel Members: (INT) Callahan  
5. <sup>Callahan</sup>  
Co-Signer: (MBR) RGC CMF  
Institution: MAR 5 1971  
Date: Staff Representative

Number: A-77153-A Name: MAZOR, Joseph A. Calendar:

S-1-d-1 (45)

6. Post-Hearing Follow-up: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Place: \_\_\_\_\_ Signature and Title: \_\_\_\_\_

TO RECORDS OFFICER:  
SEND COPY OF CDC 279 FOR CRIME PARTNER'S FILE PER SR 8-03

Name	Number	Location	Send By	
			Teletype	Mail

*Handwritten notes:*  
... (with ... in ...)  
... ..

State of California

Department of Corrections

~~MEMORANDUM~~

To: Dr. L. J. Pope, Superintendent  
 Vacaville, California  
 95688

Date: March 19, 1971

File No: A-77153

Attention: L. H. Robertson, CC II

Subject: MAZOR, Joseph A.

From: Parole and Community Services Division  
 Riverside, Unit 2  
 3759 Elizabeth Street  
 Riverside, California 92506

On 3-5-71 a GDC 247 request was submitted to this office for further information regarding parole violation charges 3, 8, and 10, which were submitted on 12-16-70. Results of this investigation are as follows:

- Charge 3. See attached letter from law firm of Jaffee & Mallory, dated 3-15-71, signed by Richard Mallory. This letter clearly defines the business arrangement Subject had with the law firm to purchase the car, and fully substantiates this charge. (See Addendum Item #1)
- Charge 8. On 3-12-71 this agent contacted James M. Lancaster, Special Investigator, County of Los Angeles, Department of Public Social Services. Mr. Lancaster provided this agent with the following documents which are attached: Computation of Overpayment in amount of \$1926.00; his Special Investigation Report, dated 2-18-71, and Supplemental Investigation Report, dated 2-23-71. In accordance with Departmental policy, the matter has now been referred to the Bureau of Resources and Collections, for reimbursement of aid obtained illegally. Should reimbursement fail, the matter will be referred to the District Attorney's Office for prosecution under the Welfare & Institution Code. (See Addendum Item #2)
- Charge 10. On 12-22-70 a hearing was held in Department "A", Municipal Court County of San Bernardino, Judge Roy E. Chapman presiding. People of the State of California vs. Joseph Allen Mazor, Case #93442, on charge of 270 P.C. (Failure to Provide). On motion of the District Attorney, the case was dismissed, due to Subject's being in county jail and District Attorney's knowledge that

EXHIBIT H

Parole Agent had submitted recommendation for PV-TFT.

The foregoing information was obtained from the court clerk.

#### SUPPLEMENTAL INFORMATION

The following criminal activities have been brought to this agent's attention since Subject's return to prison.

1. On 3-2-71 this agent was contacted by the Montclair Police Department, regarding Joseph A. Mazor. Apparently, on 30-30-70, Subject presented a \$300.00 check to Lorenz Jewelers, for which he received cash and merchandise. This check was made out to a Mrs. Velma Raso, allegedly endorsed by Mrs. Velma Raso, and a second endorsement by IRD Corporation, Joseph Mazor.

The check was subsequently returned to Lorenz Jewelers as a forged document. Accompanying the check was a notarized affidavit from Mrs. Velma Raso, that the check was not endorsed by her nor with her authority endorsed, etc.

The District Attorney declined to issue a complaint, as Mrs. Raso is presently living in St. Louis, Missouri, and the cost to bring her to California to testify would be too expensive.

It is to be noted at the time the check was dated, Mrs. Raso was employed at the same law firm as Subject and received her mail there. The check was a child support payment from her husband, who works in Saudi Arabia. (See attached Addendum Item "A")

2. On 2-8-71 this agent was contacted by a Paul Willoughby of Royal Typewriter Company, 1931 South Manchester, Anaheim, California. Mr. Willoughby informed this agent that Subject had purchased a Royal Typewriter on 2-25-70 for \$341.25, on a 90 day conditional Sales Contract, with no money down. The serial number 9383-380. No money had been received as of this date. Mr. Willoughby was informed that Subject had been returned to prison, and it was believed Subject had sold the typewriter on or about 11-30-70, to a used furniture store in Pomona. On or about 3-5-71 the typewriter was located at Hart's Furniture, 835 West Holt Avenue, Pomona. Mr. Willoughby was notified. He stated he intended to file a charge of 487 P.C. with the Pomona Police Department. Complaint was filed 3-12-71.

APPROVED:

*J. S. Dynes*  
J. S. Dynes, Unit Supervisor

*Robert J. Sloan*  
Robert J. Sloan, Parole Agent I  
Riverside, Unit 2

5-1-d-1(48)



RONALD REAGAN  
GOVERNOR

State of California: RECEIVED  
GOVERNOR'S OFFICE, MAR 29 10 52 AM '71  
SACRAMENTO 95814  
CALIF. MED. FACILITY

March 23, 1971

Re: MAZOR, Joseph A.  
A-77153-A

C

Superintendent Lester J. Pope, M.D.  
California Medical Facility  
Box 2000  
Vacaville, California 95688

O

Dear Superintendent Pope:

Please inform your inmate, Joseph A. Mazor, A-77153, that his recent letter to the Governor has been received. Please also inform the subject that the subject matter of his letter is the responsibility of the Department of Corrections and the Adult Authority.

P

I am informed by the Adult Authority that the subject's parole violation charges are extensive and very criminal in nature. I am also informed by the Adult Authority that the Medical Director of the Department of Corrections, John E. Gorman, M.D., has recently written to the subject in regard to his physical difficulty and that the medical staff of your institution are fully aware of the subject's medical problem.

Y

To the end that you may follow through appropriately, this subject's letter is called to your personal attention.

Sincerely,

Herbert E. Ellingwood  
Legal Affairs Secretary

JAS:deb  
cc: T.M.McDonald, C&PR-CMF

COPIES TO MY MARQUEZ

EXHIBIT I

S-12-1 (49)  
essential file



RIVERSIDE GENERAL HOSPITAL • UNIVERSITY MEDICAL CENTER  
9851 MAGNOLIA AVENUE • RIVERSIDE, CALIFORNIA • 92503 • TELEPHONE 689-2211

To: Northern Reception Guidance Center  
California Medical Facility  
Vacaville, California 95688

Date: January 26, 1971  
Patient: Mazor, Joseph A.  
Birthdate: \_\_\_\_\_  
Your No: A77153  
Our No: ~~190-866~~

Your request concerning the patient named has been received and appropriate action taken as checked below:

XXX\* The requested information is enclosed. \*NOTE: DR. STELLER ASKED THAT WE SEND THIS INFORMATION ON TO YOUR CENTER IN THE HOPE THAT IT WOULD BENEFIT THE PATIENT BY PROPER TREATMENT.

— This patient is in the hospital. The requested information will be sent after the discharge date.

— Since this patient is a minor, it is necessary that we have an authorization signed by the parents or legal guardian before information can be released.

— We are unable to identify this patient. Please furnish additional information such as: Hospital number, birthdate, approximate dates of admission and discharge, and verify spelling of the name (please type or print).

— Since medical information is confidential by law, it may be released only on written consent of the patient. Please return the enclosed authorization form after it has been dated and signed in ink by the patient or his authorized representative. Below the signature, please type or print the patient's name.

— The charge for copying the enclosed medical record is \$ . Please make your check payable to the Riverside General Hospital.

Sincerely,

  
Richard M. Butler  
Records Management Supervisor

1b

RIVERSIDE GENERAL HOSPITAL  
University Medical Center  
Riverside California

CITY GENERAL HOSPITAL  
TELEPHONE

DISCHARGE SUMMARY

Dr. Dictating: Robert Steller, MD Signature:

Patient's Name: HAZOR, Joseph A.  
P.F. Number: 190-366  
Admitted: 1-5-71 - outpatient clinic visit  
Discharged: 1-23-71  
Dictated: 1-23-71

Trans: 1-25-71/aw

Final diagnosis: Rule out Leptomenigeal cyst, meningioma, vascular disorder.

HISTORY:

This patient was first seen in the Ophthalmology Clinic at Riverside General Hospital on 1-5-71 with chief complaint of pain and sensitivity to light in the left eye for approximately one month. The patient is a 36 year old Caucasian male with history of macular degeneration in both eyes since 1955, which has limited his vision to count fingers vision at 3 feet. The patient's main problem now is pain in the left side of his head which patient seems to localize in his left eye which is accentuated by light and motion. He further states that the vision in his left eye has decreased over the last month.

FAMILY HISTORY:

The patient has a 9 year old daughter who also has macular degeneration and count fingers vision since approximately 6 years of age.

PHYSICAL EXAMINATION:

Patient had marked photophobia in both eyes, but more so in the left eye and shows moderate pain on movement in the left eye. Brows, lids and lashes clear. Cornea and conjunctiva media clear. Lens clear. Extra ocular muscles exotropia, left eye dominant; approximately 30 prism diopters. Pupils equal, round, regular and react to light and accommodation. Fundus - vessels 2-3, discs clear; papillo - no phobia light reflex was noted and mottling was present. Impression was macular degeneration both eyes, possible optic neuritis in the left eye.

HOSPITAL COURSE:

Patient was put on Prednisone 8 tablets q.o.d. and given a retrobulbar injection of 1/2 cc. of steroids. On 1-7-71, the patient returned to the clinic essentially unchanged and was reviewed by the staff who could see no objective reason for the patient's pain at that time. Routine skull series was ordered with views of the orbit and the patient was felt to have a large degree of psychological overlay and was put on Valium 10 mg. daily. Consequently the skull x-rays were reviewed by Radiology and Neurology staff and there was noted to be a large, radiolucent area in the right side of the brain and it was felt that this could be Leptomenigeal cyst, meningioma, a vascular disorder and the Neurology Staff felt that the patient deserved the following workup:  
1. Investigation by the Neurology staff. 2. Consideration for angiogram studies.

(continued on next page)

HAZOR, Joseph A.  
190-366

S-1-d-1 (51)

RIVERSIDE GENERAL HOSPITAL  
University Medical Center  
Riverside California

SUMMARY

cont'd

MAZOR, Joseph A.

page 2

Although our acquaintance with Mr. Mazor was brief, he proved to be an alert and cooperative patient and I believe further investigation in his case is warranted.

cc: Prison where patient is  
now confined.

MAZOR, Joseph A.

190-866



5-1-2-1 (52)

CONSULTANT'S RECORD

HOSPITAL...CMF...RGC.....

Name ...MAZOR, Joseph G..... No. A-77153..... Date ...March 1, 1971.....

Reason for Consultation: Interview for medical evaluation.

CENTRAL FILE CHECK


CONSULTANT'S REPORT

  
R. E. Prout, M. D.

(Signature of Referring Doctor)

This 36 year old MRCC inmate was interviewed in B-2 Doctor's office at my request, in response to his letter to the Superintendent, Dr. Pope, of February 10, 1971, and his letter to me of February 18, 1971, both of which are filed in the central file. The patient is bitter in attitude, and is frank in expressing his plans of litigation against the Department of Corrections for sending him to a camp center following his last guidance center processing. He states that he fell down stairs on July 11, 1969, while at Sierra Conservation Center and that his condition has been aggravated because of this. His current diagnosis is hereditary macular degeneration involving primarily the left eye for which there is no known treatment. I quote our consulting ophthalmologist, Dr. Frank Hull, M. D., in his consultation of February 10, 1971, "No therapy indicated other than wearing a patch over left eye". This is being carried out. There is also a history of abnormality on skull X-rays and the possibility of cyst, tumor, or vascular disorder have been considered by neurologists in the past. In conversation with our consulting neurologist, Robert Herrick, M. D., who interpreted Mazor's recent EEG, Dr. Herrick tells me that other CNS congenital abnormalities sometimes accompany this disorder, and that it is unlikely that the skull X-ray changes represent a complication of his alleged fall. Our consulting radiologist, R. F. Chambers, M. D., interprets the recent skull X-rays of January 27, 1971, as "abnormal skull evidence of atrophy involving the right hemisphere with probable vascular malformation". Contrast studies would probably be informative". Subject had contrast studies in fall, 1970, at UCLA Hospital but refuses to sign a release for these records upon advice of his attorney. It is highly unlikely, in my judgment, that a surgically correctable lesion is present, since in all likelihood they would have proceeded upon such a course at UCLA if such had been the case. He is to be seen by our consulting neurosurgeon Dr. John Wright, M. D., tomorrow, but has pointedly stated that he will not consent to any arteriograms or similiar procedures, here or anywhere in the Department of Corrections. In summary, his medical condition is stable, and although he is not camp qualified by medical reasons, he can be adequately cared for at other institutions. His needs are mainly domiciliary type care due to his visual limitations.

cc: Medical Jacket *SK*  
Mr. Kane  
NRCC Case Manager  
Neuro Dept., Dr. Wright  
B-2 File

  
R. E. Prout, M.D., M.D.

(Consultant's Signature)

R. E. Prout, M. D.  
Chief Medical Officer

NEUROSURGICAL CONSULTATION

NIZOR, Joseph A-77153

833

March 2, 1971

The patient is Caucasian male, 36 years old, who is seen in consultation for the following symptoms. Long standing visual difficulty beginning in 1956 or 1957, for which he first saw an ophthalmologist and was not told of any particular diagnosis and no specific therapy was offered until 1963 at which time an ophthalmological examination did reveal what was felt to be macular degeneration involving both eyes and the patient was told that he had a degenerative condition that would not be benefited by specific treatment. He had at that time noticed progressively falling vision. In July of 1963 the patient, who at that time was at Sierra Conservation Camp, having previously been told by ophthalmological consultation as he recalls, that he had 20/200 vision in his left eye and 10X in the right eye and not feeling he was visually able to negotiate stairs, however, was assigned to second floor quarters and while negotiating the stairs downward slipped on some wet stairs and fell head long down approximately ten stairs striking his head believing he was for a very short period of time unconscious and then being assisted to his feet at which time he felt he did not have any broken bones or obvious injuries. He states that shortly following this episode, not within the next day, but within the next 90 days, he noticed further deterioration in his visual acuity. The patient, however, was then 2 to 3 days following the fall did have severe headaches. These headaches were vertex and sub-occipital in location. At this time the patient was hospitalized and he continued to have headaches on a daily basis and the patient states that these headaches have continued in the intervening two years, not on a daily basis, but two to three times a week lasting several hours at a time. There's been no associated dizziness, nausea or vomiting or other neurological signs with the headaches. The patient states that thereafter there was some litigation attempt, but that physicians were unable to associate any progression in his visual loss with trauma. The patient does state that prior to his fall in 1963 he was examined by a private physician in Los Angeles an electroencephalogram was obtained as were skull films. The patient was told that these examinations were perfectly normal. Then in September of 1970 he went on parole. The patient had re-examination and again by a private physician in Los Angeles in September of 1970 and at this time he had skull x-rays, electroencephalogram, and a left sided percutaneous carotid angiogram. The patient states he does not have a family history of hereditary retinal problems, however, he has four children, the youngest a girl age seven years and she is blind at the present time presumably from macular degeneration.

Physical examination at this time reveals the patient to be alert and coherent to give a reasonably detailed history. The general physical examination reveals the patient to wear a patch over the left eye because of increased light sensitivity in the left eye manifested by blepho spasm tearing and apparent discomfort when light impinges upon the retina from this side. As far as vision in the left eye is concerned the patient can count fingers at two feet and vision in the right eye appears to be even less than finger counting at two feet. The patient perceiving motion and larger objects than the finger at one to two feet. Examination of the optic fundi do not indicate papilloedema or vascular abnormalities. Palpation of the cranium revealed relative bony prominence in the right frontal parietal approximately 7 cm superior to the pterion. This was relatively localized about 3 to 4 cm in diameter and was non tender. The prominence appeared to be smooth and bony hard. Auscultation of the skull and neck reveal no bruits. The extra ocular movements were intact with nystagmoid movements present in the straight ahead gaze position probably secondary to the decreased visual acuity. There did not appear to be marked diminution in gaze direction. The patient was able to elevate and depress the eyes into adduct and abducting well. Hearing was grossly intact. Facial sensation was grossly intact. There appeared to be full range of motion of the cervical spine. The examination of the peripheral sensory modality and reflexes, gait, and ability to stand on one foot at a time and ability to perform rapid alternating movements was all within normal limits. There appeared to be no limb ataxia. The reflexes were symmetrical and intact. Review of the patient's most

→ J.C. [Signature]

RGC

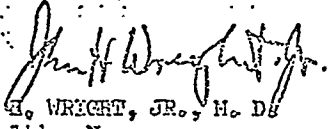
HAZOR, Joseph. A-77153

(Continued)

March 2, 1971

recent electroencephalogram report available to me as interpreted by Dr. Howrick, indicated no focal abnormality rather some increase in artifact from high movement plus general slowing centrally and temporally, low voltage theta. There is nothing specifically interpreted concerning this EEG. The review of the skull films and the report by Dr. Richard Chambers indicates some definite cranial abnormalities. These consist of apparent asymmetry of the skull contours with prominence on the right with also appearance of enlarged areas of increased bone density in the right frontal parietal area with contours suggesting vascular channels, the above is the radiologists interpretation. My own impression is that such dull appearance is abnormal and I would think it very important to have previous skull films for comparison but that if this abnormality did indeed develop in the intervening few years from what was otherwise normal skull films before that this probably represents either an intracalvaria AV fistula perhaps on a traumatic basis or it might represent a leptomeningeal cyst. The possibility of congenital abnormality of the skull and dura is certainly something to consider but without previous skull films for comparison I can not be sure about this. Not having the report and not having direct information from the angiography that the patients states was performed on the left side, I am unable to be fully sure that no traumatic lesion exist. I have made the patient fully aware of this and he is at present reluctant to undergo further angiography here although he readily admits he was told he had a lesion which needed surgical correction he believes on the left side of his head but he is not sure about the location. He was told this lesion was some type of a cyst which might lead to his demise if surgical correction were not undertaken. At the present time in his examination I am unable to confirm the presence of any space occupying mass causing compression of neuro tissues. At least from the standpoint of gross neurological examination. I do not feel that his visual difficulty represents any intra-cranial pathology, however, macular degeneration is a condition which may be associated with other conditions not traumatic etiology.

The problem as I interpreted it at this time particularly involves the question of what the patient's studies as recently as September of 1970 showed and if the patient is unwilling to allow this information to be presented to me specifically then I can only advise him that I am unable to render a meaningful opinion at this time on the basis of the information presented to me but that I would recommend to him from the standpoint of treatment as long as he is presently in this institution that such information be made available to me. Pending this and since he will not consent to angiography I could only recommend one further thing--I do believe that the present skull films, although they are quite definitely abnormal, might be further amplified by a repeat examination of the skull with a basal view to show vascular channels in the base to be added as well as more attention paid to appropriate positioning because I notice there is some mild degree of rotation on his present skull films. This makes it difficult for me to interpret completely the skull contours and calcifications.

  
JOHN H. WRIGHT, JR., M.D.  
Consulting Neurosurgeon

JHW:reb/jg

cc: Usual  
Dr. Prout

MEZOR, Joseph 4-77153

(Continued)

March 2, 1971

recent electroencephalogram report available to me as interpreted by Dr. Linsley, indicated no focal abnormality either over increase in activity over high voltage prior general slowing, generally and especially, low voltage waves. There is nothing specifically interpreted concerning this EEG. The review of the skull films and the report by Dr. Richard Chambers indicates some definite cranial abnormalities. There consist of apparent asymmetry of the skull contours with prominence on the right with also appearance of enlarged areas of decreased bone density in the right frontal parietal area with contours suggesting vascular channels, the above is the radiologists interpretation. My own impression is that such dull appearance is abnormal and I would think it very important to have previous skull films for comparison but that if this abnormality did indeed develop in the intervening few years from what was otherwise normal skull films before that this probably represents either an intracranial or AV fistula perhaps on a traumatic basis or it might represent a leptomeningeal cyst. The possibility of congenital abnormality of the skull and dura is certainly something to consider but without previous skull films for comparison I can not be sure about this. Not having the report and not having direct information from the angiography that the patients status was performed on the left side, I am unable to be fully sure that no traumatic lesion exist. I have made the patient fully aware of this and he is at present reluctant to undergo further angiography here although he readily admits he was told he had a lesion which needed surgical correction he believes on the left side of his head but he is not sure about the location. He was told this lesion was some type of a cyst which might lead to his demise if surgical correction were not undertaken. At the present time in his examination I am unable to confirm the presence of any space occupying mass causing compression of neuro tissue. At least from the standpoint of gross neurological examination. I do not feel that his visual difficulty represents any intra-cranial pathology, however, macular degeneration is a condition which may be associated with other conditions not traumatic etiology.

The problem as I interpreted it at this time particularly involves the question of what the patient's studies as recently as September of 1970 showed and if the patient is unwilling to allow this information to be presented to me specifically then I can only advise him that I am unable to render a meaningful opinion at this time on the basis of the information presented to me but that I would recommend to him from the standpoint of treatment as long as he is presently in this institution that such information be made available to me. Pending this and since he will not consent to angiography I could only recommend one further thing—I do believe that the present skull films, although they are quite definitely abnormal, might be further emphasized by a repeat examination of the skull with a basal view to show vascular channels in the base to be added as well as more attention paid to appropriate positioning because I notice there is some mild degree of rotation on his present skull films. This makes it difficult for me to interpret completely the skull contours and calcifications.

*John W. Wright, Jr.*  
 JOHN W. WRIGHT, JR., M.D.  
 Consulting Neurosurgeon

JW:rcf/sg

cc: Usual  
 Dr. Front

... MEDICAL FACILITY

April 1, 1954

Mr. ...

...

Attention: Mr. Joseph ...

Dear Mr. ...

Reference to my telephone conversation with you ...

... of ...

... of ...

... of ...

...

Mr. Henry W. Farr, Chairman  
Adult Authority  
4/1/71  
Page 2

case be reviewed, with the hope that the Adult Authority will see fit to re-instate his parole and release him to the Riverside General Hospital for medical care.

If there are any further questions which I have not covered in this case please feel free to phone me.

Yours very truly,

*R. E. Roub, M.D.*  
R. E. Roub, M.D.  
Chief of Staff

REP:td  
cc: Control File ✓  
COP  
Medical Jacket

APR 1 1971

*[Signature]*  
K. E. [Name]  
Acting Superintendent

5-1-d-1(56)

C E R T I F I C A T I O N

I hereby certify that my name is D. H. Francisco and that I am employed in the Capacity of Records Officer at the California Medical Facility at Vacaville, California, an institution of the California Department of Corrections; by virtue of such capacity I am custodian of the official records of said institution; that the attached documents bearing the official seal of the Department of Corrections are true and correct photocopies of the official records of said institution for:

JOSEPH A, MAZOR      A-77153-A

Done at Vacaville California, County of Solano,  
California on this 6th day of April, 1971.

*D.H. Francisco*  
D. H. FRANCISCO  
RECORDS OFFICER III

ADULT AUTHORITY

5-1-d-1 (5?)

Meeting

April 14, 1971

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA. HELD AT CALIFORNIA INSTITUTION FOR MEN

TO WHOM IT MAY CONCERN:

Present were: Leland M. Edman, Member; Robert R. Miller, Rep.; Actions reviewed and concurred in by: James H. Hoover, Member

\*\*\*\*\*

A-77153-A MAZOR, Joseph A. Submit to Adult Authority En Banc for discussion.

\*\*\*\*\*

A D O P T E D B Y The affirmative votes of:

Leland M. Edman, Member; Robert R. Miller, Rep.; Actions reviewed and concurred in by: James H. Hoover, Member

(Signed) C. M. BRETT, Classification & Parole Representative

A T T E S T April 14, 1971

A T T E S T May 7, 1971

Joseph A. Spangler JOSEPH A. SPANGLER Administrative Officer

EXHIBIT I



ADULT AUTHORITY

Meeting of

April 20,

S-12-1(58)

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA. HELD AT SACRAMENTO (SPECIAL MEETING) TO WHOM IT MAY CONCERN:

Present were: Curtis Lynum, Vice-Chairman; Leland M. Edman, Member

\*\*\*\*\*

A 77153 MAZOR, Joseph A. (CIM) Parole violation charges 3 and 10 in report dated December 16, 1970 dismissed. Found guilty charge #8.

\*\*\*\*\*

A D O P T E D B Y The affirmative votes of: Curtis Lynum, Vice-Chairman Leland M. Edman, Member

(Signed) JOSEPH A. SPANGLER Administrative Officer

A T T E S T April 20, 1971

A T T E S T May 7, 1971

*Joseph A. Spangler*

JOSEPH A. SPANGLER Administrative Officer



Post-hearing Follow-Up: \_\_\_\_\_  
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\_\_\_\_\_

atc: \_\_\_\_\_ Place \_\_\_\_\_ Signature and Title: \_\_\_\_\_  
says he made payments to wife altho has no receipts. Does not know of scheduled hearings which culminated in complaint of PC 270. asks panel to explain why he is here at CIM, in the guidance center. Panel says info will be given + clarified in near future. Panel informs they heard he wanted treatment at Riverside Hospital. He wishes to discuss medical problems. Panel says they do not handle medical problems. Says Mr. Volle told him he belonged in the "Main Line".

S-1-d-1(61)  
RETURNED TO  
CMF 4-27-71

RIVERSIDE GENERAL HOSPITAL  
University Medical Center

DISCHARGE SUMMARY

Dr. Dictating: Fred M. Fauvre, M.D. Signature:  
Patient's Name: Mazor, Joseph A.  
P.F. Number: 19-08-66  
Date Admitted: 4-21-71  
Date Discharged: 4-23-71  
Date Dictated: 4-23-71

From:  
*Joseph A. Spangher*

Date Trans: 4-23-71 m.r.

- Final diagnosis: (1) Radiolucent area, right side of skull, etiology undetermined.  
(2) Headaches, etiology undetermined.  
(3) Macular degeneration, probably Best's.  
(4) Aggressive paranoid personality disorder.  
(5) No definite progressive abnormalities of nervous system.

(Skull films in two years recommended.)

The patient is a 36 year old Caucasian lawyer presently confined in prison with abnormal skull films and history of macular degeneration x 15 years with decreased vision in both eyes and history of right headache for the past two years.

The patient states he had an episode of paralysis on the left side six weeks ago which lasted three days and left residual weakness of left leg. The patient's daughter is blind and several ophthalmology consultations in the past have stated that his visual defect is probably secondary to a hereditary type macular degeneration. The patient fell while in prison in 1969. He had angiograms done at U.C.L.A. in 1970 and he refuses to have these released. He had a thorough neurology work-up by Dr. Harris, Dr. Prout and Dr. Wright which are also on this chart, done in the prison with a probable diagnosis of probable left meningeal cyst; rule out vascular abnormality; rule out tumor.

The patient fell down the stairs while at Sierra Conservation Center on 7-11-69 and is apparently suing the ~~Attorney~~ Department of Corrections for sending him to a camp center following his last guidance center processing. I think he feels that he should not have been sent there after a camp-incurred injury.

The physical examination revealed a man with a patch over his left eye who was quite uncooperative, throughout. Both fundi were visualized eventually, although he claimed marked photophobia of the left eye and the ophthalmology consultant noted some physical findings of macular degeneration, although these were not apparent on my examination. The ophthalmology consultant could not explain his photophobia on the basis of the physical findings. The patient refused to stand up for me, but on other examinations by Dr. Peterson he was able to stand and able to walk, although part of the time he dragged his left leg. No evidence of actual weakness was noted by Dr. Peterson, although the findings were definitely variable on the motor examination. The Romberg was also quite variable. The patient was able to stand and do finger-to-nose with eyes closed, but when told his balance was being tested he promptly fell over when the formal Romberg was done. His visual acuity was counting fingers, only at approximately one foot. The sensory examination was also quite variable. Reflexes and arteries were intact, throughout and equal, bilaterally. Sensory examination was also extremely variable.

Mazor Joseph A. 19-08-66

EXHIBIT K

5-1-2-1(62)

(cont. disch. sum. on Mazor, Joseph A. 19-08-66)

(2)

X-ray and laboratory examinations: The SMA was entirely within normal limits, done fasting. The CBC was within normal limits. The hemoglobin was 16. The urinalysis was normal and the electrolytes were normal. The EKG was interpreted as within normal limits. Skull film report is not on the chart at present, but was reported to show multiple radiolucent defects in the right cranial vault. The chest film was within normal limits.

A cerebral angiography was done for vessel study from the right femoral approach with no immediate complications. The findings were subtle abnormality, only, if any except for mild ventricular dilatation, greater on the left but without shift to midline structures. No gross abnormality was present. This was done at Loma Linda University.

Hospital course - the patient tolerated the studies well and was discharged back to jail with recommendation to use Codeine for pain, only when extreme pain was noted, and the above diagnosis. It was recommended a skull film be done in two years.

\*\*\*\*\*

Mazor Joseph A. 19-08-66

5-1-d-1(63)  
**FILED**  
MAY 6 1971  
C. C. EVENSEN, Clerk

*2/2*

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH A. MAZOR,  
Petitioner,  
  
vs.  
  
THE CALIFORNIA ADULT AUTHORITY, THE  
CALIFORNIA DEPARTMENT OF CORRECTIONS,  
and RAYMOND PROCUNIER and L. J. POPE,  
in their respective official capacities,  
Respondents.

No. C-71 849 ACW  
ORDER TO SHOW CAUSE

Based upon the petition filed herein and good cause appearing:

IT IS HEREBY ORDERED that respondents file a return with this Court on or before the 10th day of May, 1971, to show cause, if any there be, why a writ of habeas corpus should not be issued herein;

IT IS FURTHER HEREBY ORDERED that counsel for petitioner shall forthwith serve a copy of this order upon respondents.

IT IS FURTHER HEREBY ORDERED that respondents or counsel for respondents appear in person before this Court on the 10th day of May, 1971, at 11:00 a.m. to complete compliance with this order to show cause.

DATED: MAY 5, 1971.

*[Signature]*  
United States District Judge

5-1-2-1(64)

FILED

MAY 2 1971

E. A. EVENSEN, C.L. #  
in proc. Hef

U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT FOR

THE NORTHERN DISTRICT OF CALIFORNIA

11 JOSEPH A. MAZOR,

12 Petitioner,

13 vs.

14 THE CALIFORNIA ADULT AUTHORITY, THE  
15 CALIFORNIA DEPARTMENT OF CORRECTIONS,  
16 and RAYMOND PROCUNIER and L.J. POPE,  
17 in their respective official capacities,

18 Respondents.

C-71 849 ACW

No.

IN THE MATTER OF THE  
APPLICATION OF JOSEPH  
MAZOR FOR A WRIT OF  
HABEAS CORPUS

(12)

19 1. JOSEPH A. MAZOR, on whose behalf this application for  
20 Writ of Habeas Corpus is filed, is illegally and unconstitutionally  
21 confined and restrained of his liberty at the California Medical  
22 Facility at Vacaville, California, by the Adult Authority of the  
23 State of California and by Raymond Procunier, Director of the  
24 Department of Corrections and L. J. Pope, Superintendent of the  
25 California Medical Facility at Vacaville.

26 2. Name and location of court which imposed sentence:  
27 Los Angeles Superior Court, Los Angeles, California.

28 3. The offense or offenses for which sentence was imposed:

29 (a) criminal case;

30 (b) the indictment numbers are not known.

31 4. The date upon which sentence was imposed and the terms  
32 of the sentence:

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(a) March 8, 1963;

(b) Petitioner confined to Department of Corrections for period provided by law.

5. Check whether a finding of guilty was made:

(a) after a plea of guilty x

(1) Petitioner entered a plea of guilty to two counts of P.C. 476(a) in the Municipal Court which pleas were certified to the Superior Court for sentencing as above.

(b) after a plea of not guilty;

(c) after a plea of nolo contendere.

6. Check whether hearing was by:

     Jury

  X   Judge without jury.

7. Did you appeal from the judgment of conviction or the imposition of sentence? No.

8. Not applicable.

9. If the answer to (7) was "no" state the reasons for not so appealing: Petitioner did not and does not now challenge any aspect of the trial or preconviction hearing procedures.

10. State concisely the grounds on which you base your contention that you are being held in custody unlawfully:

(a) On or about June 27, 1969, Petitioner was declared by the State of California to be 100% legally blind. Thereafter, while in the custody of the Department of Corrections, Petitioner was ordered to work in the California Conservation Center at Jamestown, California. This order was issued by the Department of Corrections over the contrary recommendation of the Department's medical officer who examined Petitioner prior to such assignment. While at the Jamestown facility and on or about July 11, 1969, Petitioner sustained a fall, aggravating a pre-existing congenital brain condition and proximately resulting in injuries variously diagnosed as a cystic clot which formed at the base of Petitioner's



1 brain and appeared to endanger his life, or as a "radio-lucent"  
2 area of unknown etiology on the right side of his skull. Enclosed  
3 herewith and marked Exhibit A is an extract from Petitioner's  
4 medical file in Vacaville substantiating the fact that Petitioner  
5 needed exploratory surgery long before the time when Habeas Corpus  
6 proceedings were brought in the State Supreme Court.

7           Prior to the filing of a Petition for Habeas Corpus  
8 in the Supreme Court of California, Petitioner was informed that  
9 in the absence of immediate exploratory brain surgery, his then  
10 life expectancy was approximately six months. Petitioner advised  
11 the medical authorities at Vacaville of this fact. The medical  
12 authorities at Vacaville acknowledged that there were no medical  
13 facilities within the correctional system available for such  
14 exploratory test. (See Exhibit B.) Since Petitioner was unwilling  
15 to have brain surgery performed on him at Vacaville, prior to  
16 the filing of the Habeas Corpus petition in the Supreme Court of  
17 California, Petitioner was simply wasting away in anticipation of  
18 death.

19           Four days after the filing of said Petition for Habeas  
20 Corpus, the medical authorities at Vacaville again examined  
21 Petitioner's medical file and recommended immediate release of  
22 Petitioner and his restoration to parole on medical grounds.  
23 (See letter of Dr. Prout dated April 1, 1971, attached hereto  
24 and marked Exhibit C.) Insofar as Exhibit C states that testing  
25 on Petitioner could be performed within the correction system of  
26 California, it contradicts the statement of Exhibit B, suggesting  
27 that such testing be carried out in San Francisco.

28           Following the filing of Dr. Prout's letter (Exhibit C),  
29 and in consonance with the Pendenta Litae relief required by  
30 Petitioner, Respondents transferred Petitioner to Chino, Califor-  
31 nia, from where Petitioner was taken to a private facility at  
32 Riverside General Hospital for exploratory testing and surgical

1 brain and appeared to endanger his life, or as a "radio-lucent"  
 2 procedures. Said testing resulted in three different diagnoses.  
 3 The common denominator underlying all the diagnoses is that the  
 4 etiology of Petitioner's condition remains uncertain, his condition  
 5 is extremely serious and further tests and close medical observa-  
 6 tion of Petitioner will be required. Petitioner was then returned  
 7 to Vacaville prior to the filing of a Petition for Habeas Corpus  
 8 in the Superior Court. Petitioner's parole was formally suspended by the  
 9 Parole and Community Service Division of the Adult Authority on  
 10 November 30, 1970, and was subsequently revoked by the Adult  
 11 Authority on or about March 5, 1971, after Petitioner had been  
 12 confined for a period of approximately 90 days in various penal  
 13 institutions pursuant to the order suspending his parole. While  
 14 in said penal institutions, Petitioner brought his medical  
 15 condition to the attention of the authorities, who <sup>sought</sup> ~~sought~~ to  
 16 confirm his diagnosis, and did nothing further other than placing  
 17 a medical hold on Petitioner. At no time during said period was  
 18 Petitioner afforded a hearing or an opportunity to convey to the  
 19 Adult Authority the urgency that his need for surgery and possibly  
 20 imminent death lent to the proceedings. The State of California  
 21 does not have provisions to expedite hearings of revocation of  
 22 parole so that every arbitrary action of any parole officer who  
 23 "violates" a parole automatically results in incarceration for  
 24 approximately ninety days. Petitioner was given a list of eleven allegations on  
 25 which the revocation hearing was based, but the actual revocation  
 26 was made on the grounds that Petitioner has violated one or more  
 27 of the conditions of his parole--which condition was not made  
 28 known to Petitioner for approximately 45 days after said hearing.  
 29 This determination of revocation pursuant to Penal  
 30 Code Section 3060 and Adult Authority Resolution 279 was made  
 31 summarily, in violation of Petitioner's right to counsel and due  
 32 process provided by the Fifth, Sixth and Fourteenth Amendments to

1 the United States Constitution.  
2 The common (c) Petitioner's sentence was redetermined auto-  
3 matically at the maximum, pursuant to P.C. 3020 and Adult  
4 Authority Resolution 171 and in violation of Petitioner's rights  
5 to due process and counsel as aforesaid.

6 (d) Because Petitioner was denied counsel, a full and  
7 fair hearing, opportunity to present witnesses in support of his  
8 contentions, and the right to confront his accusers (particularly  
9 under circumstances where Petitioner was at the time of the  
10 purported hearing blind and in pain), a material error was made  
11 in the proceedings, namely: Petitioner presented to the Adult  
12 Authority representative documentary and other evidence conclu-  
13 sively exonerating him from the eleven violations brought against  
14 him. In response to the tender of the documentary evidence, Mr.  
15 Valachi of the Adult Authority stated: "I hate this damned  
16 paperwork. We cannot substantiate the charges and we will  
17 investigate." There was no parole officer present to explain the  
18 charges to the hearing officer, or to attempt to substantiate  
19 them. Petitioner was unable to read this documentary evidence  
20 to the representatives due to his blindness. Petitioner's  
21 evidence was thereupon returned to the Petitioner and was not  
22 examined by the Adult Authority. Despite the statement that the  
23 Adult Authority will "investigate" the charges, they did not  
24 retain copies of evidence which would have exonerated the  
25 Petitioner. This evidence is at present in possession of  
26 Petitioner's present counsel who stands ready to present it to  
27 and to call witnesses before the Adult Authority in a proper  
28 hearing.

29 Even while the Petition for Habeas Corpus was pending  
30 in the Supreme Court of California, Respondents conducted another  
31 parole hearing at Chino, at which two Deputy Attorney Generals  
32 were present. Petitioner's counsel was neither advised of the

1 hearing nor invited to attend it, although all the evidence of  
2 Petitioner's innocence was in counselor's possession, and both  
3 the Adult Authority and the Attorney General of California had  
4 knowledge thereof by virtue of a statement to that effect in the  
5 Petition for Habeas Corpus in the California Supreme Court.

6 11. State concisely the facts supporting each of the  
7 grounds set forth in (10).

8 One central fact in the case of this Petitioner is his  
9 medical condition. His illness and imminent death colors both  
10 the present urgency of the relief sought in this matter and the  
11 impropriety of the time and form of hearing afforded to Petitioner  
12 by the Adult Authority.

13 Petitioner was originally convicted in 1963 on the basis  
14 of his plea of guilty to one count of P. C. 476(a) which provides  
15 a sentence of not more than fourteen years. He was paroled from  
16 that conviction in 1964, was in 1965 charged with a second count  
17 arising out of the same transaction. Petitioner was again  
18 paroled in 1966. At no time since the 1965 conviction has  
19 Petitioner been charged with or convicted of the commission of  
20 any criminal act. In 1969, Petitioner's parole was violated on  
21 the basis of technical charges of non-cooperation with his  
22 parole officer. At that time, Petitioner's sentence was  
23 summarily reset to the maximum and he was returned to the  
24 California Medical Facility at Vacaville, California. There he  
25 was examined and because of his blindness, the examining physician  
26 Dr. Hull, ordered a white cane for Petitioner and recommended  
27 that he be sent to the California Men's Colony West or Chino,  
28 which had facilities to provide safe care for a blind prisoner.  
29 In spite of this recommendation, Petitioner was sent to the Sierra  
30 Conservation Camp on or about July 7, 1969. Upon arrival  
31 Petitioner reported his medical condition to the persons in charge  
32 of said facility but they refused to take any steps for his

1 hearing not invited to attend it, although all the evidence of  
 2 safety. On or about July 11, 1969, Petitioner fell and was  
 3 Petitioner's innocence was in counselor's possession, and was  
 4 injured, as above stated.  
 5 the Adult Authority and the Attorney General of California had  
 6 Petitioner attempted repeatedly to obtain proper medical  
 7 knowledge thereof by virtue of a statement to that effect in the  
 8 care through the Department of Corrections, but was unable to do  
 9 so. This deprivation led to his filing of actions both in the  
 10 United States District Court for violation of his civil rights  
 11 grounds set forth in 1970  
 12 and in the San Luis Obispo County Superior Court, petitioning  
 13 --One central fact in the case of this Petitioner is his  
 14 for investigation. After the hearing on this action and while  
 15 medical condition. His illness and imminent death colors both  
 16 the decision therein was under submission, Petitioner was advised  
 17 the present urgency of the relief sought in this matter and the  
 18 by CMC West that his parole would be reinstated if he dropped the  
 19 proceedings of the time and form of hearing afforded to Petitioner  
 20 pending cases. On the basis of this representation, Petitioner  
 21 by the Adult Authority.  
 22 did file a dismissal and was in fact forthwith restored to parole.  
 23 Petitioner was originally convicted in 1965 of the crime  
 24 Upon being paroled, Petitioner sought private treatment  
 25 of his plea of guilty to one count of P. C. 4761a, which provides  
 26 for what at the time had manifested itself as severe headaches and  
 27 dizziness. In or after September of 1970, this condition was  
 28 medically diagnosed as a cystic clot apparently resulting from the  
 29 bursting out of the safe transference. Petitioner was again  
 30 fall described hereinabove. Petitioner was told by a qualified  
 31 physician that his life expectancy in the absence of immediate  
 32 exploratory surgery was approximately six months. Petitioner was  
 33 in the process of consultation of specialists and preparing for  
 34 surgery when his parole was violated.  
 35 The violating charges involved no criminal activity on  
 36 the part of the petitioner. Their falseness would be easily  
 37 demonstrable in an impartial hearing.  
 38 Petitioner was picked up "for investigation" of parole  
 39 violations on or about November 30, 1970. He was confined to  
 40 the Riverside County Jail from December 1, 1970, to January 4,  
 41 1971. Thereafter, he was transferred to the Medical Facility at  
 42 Vacaville, whence he was transferred to the California Men's  
 43 Colony at Chino, and then returned to the Medical Facility at  
 44 Vacaville, where he is presently in custody. Approximately 90  
 45 days after Petitioner had first been picked up he met for the

1 first time with representatives of the Adult Authority. At that  
 2 meeting, Petitioner entered pleas of not guilty to all charges and  
 3 requested the aid of counsel since the factual issues to be deter-  
 4 mined were numerous and complex, and particularly since Petition-  
 5 er's condition made it difficult, if not impossible, to present  
 6 a complete case within the time allowed for his own defense.  
 7 At that meeting, in March of 1971, the representatives of the  
 8 Adult Authority were still unaware of Petitioner's physical  
 9 condition, although the staff at Vacaville had ordered a medical  
 10 hold placed on him with the intention of performing exploratory  
 11 brain surgery at the earliest possible date. Petitioner's  
 12 medical jacket was not made available to the Board representa-  
 13 tives nor was Petitioner able to present any further evidence in  
 14 substantiation of his medical condition despite the fact that  
 15 Petitioner had requested in writing two weeks before the hearing  
 16 that the Vacaville doctors provide said information to the hearing  
 17 officers.

18 . . . . . Petitioner did attempt to present documentary and other  
 19 evidence of his complete innocence of the violations charged  
 20 against him. This evidence is presently in the hands of counsel  
 21 retained by Petitioner for the purposes of this writ. Upon  
 22 presentation of the evidence, Mr. Valachi, one of the board  
 23 representatives, stated, "I hate this damned paperwork. We  
 24 cannot substantiate the charges and will investigate." Since the  
 25 evidence was returned to Petitioner, it is unclear how this  
 26 "investigation" was to proceed. Petitioner's blindness precluded  
 27 his reading and explaining the evidence to the Board representa-  
 28 tives within the time allotted for this hearing. The hearing  
 29 procedure was additionally handicapped by the absence of the  
 30 parole officer to substantiate or at least explain the charges to  
 31 the hearing officer--and to your Petitioner. At the conclusion  
 32 of the 23 minute hearing, Petitioner was told to wait in the

1 hallway, which he did. His tendered evidence was returned  
2 unaccepted by the hearing officer and unread by him. Petitioner  
3 was not advised of the specific findings of the Adult Authority  
4 as to his guilt or innocence of the charges. He has been advised  
5 only that his parole was revoked and denied, and that he is to  
6 be placed on the July, 1971, parole calendar. On the basis of  
7 knowledge then available to the Adult Authority, this resulted in  
8 a life sentence as to your Petitioner; this sentence was imposed  
9 by the Adult Authority without full knowledge by the hearing  
10 officer either of the exonerating evidence tendered by Petitioner  
11 or of the fact that the sentence as in fact re-set by the Board  
12 was unwittingly set at a term of life.

13 12. Have any other applications, motions or petitions  
14 been made or filed in regard to this same detention or restraint?

15 Petitioner filed two actions after the initial revocation  
16 of his parole and prior to the revocation proceedings on which  
17 the within Petition is based; Petitioner has also filed one action  
18 in the Superior Court of California challenging the present parole  
19 revocation.

20 13. If you answered "yes" to any part of (12), list with  
21 respect to each petition, motion or application:

- 22 (a) the specific nature thereof:  
23 (1) Civil Rights Action  
24 (2) Petition for investigation  
25 (3) Application for Writ of Habeas Corpus.  
26 (b) Name and location of court in which each was

- 27 filed:  
28 (1) Federal District Court of the Central  
29 District of California at Los Angeles, California  
30 (2) Superior Court of the State of California  
31 in and for the County of San Luis Obispo  
32 (3) Supreme Court of the State of California.

1 advisory, which (c) The disposition thereof: was returned  
 2 unaccepted by the (1) The case was dismissed on the motion of  
 3 defendants based on the specific findings of the Adult Authority  
 4 in his favor. (2) The case was dismissed by Petitioner on  
 5 the basis of a representation made by the Adult Authority that  
 6 if he dismissed the action, parole would be forthwith restored.  
 7 Upon dismissal of said action, parole was in fact restored and  
 8 a life sentence as (3) The application was denied on a four to  
 9 two vote (see Exhibit B) without full knowledge by the hearing

10 officer. (d) The date of each disposition:  
 11 of the fact that (1) September 11, 1969 returned by the Court  
 12 was unavailing. (2) February 6, 1970  
 13 and (3) April 22, 1971.

14 Section 147(e) Citations of any written opinions or

15 Petitioner None. Two actions after the initial revocation

16 of the (14) Has any ground in this Petition been presented before  
 17 to any court? See below. Petitioner has also filed one action

18 in the (15) If you answered "yes" to (14), identify:

19 revocation. (a) Which grounds have been previously presented:

20 Petitioner's physical condition was the basis of the  
 21 1969-70 actions, which were specifically directed at his inability  
 22 to obtain medical aid within the institution to which he was then  
 23 confined. At the time of said actions, however, petitioner's  
 24 condition (other than blindness) had not been diagnosed, nor was  
 25 he aware of the terminal nature of his injury in the absence of  
 26 prompt corrective surgery. The grounds set forth in the within  
 27 petition were presented only to the California Supreme Court.

28 16. If any ground set forth in (10) has not previously  
 29 been presented to any court, state or federal, set forth the  
 30 ground and state concisely the reasons why such ground has not  
 31 previously been presented: not applicable.

32 17. In the proceeding resulting in confinement was



1 there representation by an attorney at any time during the course  
 2 of: (1) The case was dismissed on the motion of  
 3 defendants. (a) proceedings prior to trial No.  
 4 (b) trial or hearing dismissed by Petitioner on  
 5 the basis of (c) sentencing made by the Adult Authority No. that  
 6 if he dismiss (d) appeal, if any: made by court with No. of  
 7 Upon dismissal (e) preparation, presentation, or restored.  
 8 consideration of any petitions, motions or applica- a four to  
 9 tions with respect to this conviction, which you filed No.

10 18. Name and address of each such attorney:  
 11 None. (1) September , 1961  
 12 19. Is the person in custody presently represented by  
 13 an attorney in any way relating to this confinement?  
 14 Yes. Ephraim Margolin and Ramsay Fifield, 445  
 15 Sutter Street, Suite 501, San Francisco, California.

16 20. Has any ground in this Petition been presented before  
 17 any court? Petitioner has no plain, adequate or speedy remedy  
 18 other than by this application for a Writ of Habeas Corpus.  
 19 There is no appeal from the decision of the Adult Authority and,  
 20 unless the said decision is set aside, Petitioner will be subjecte  
 21 to what amounts to a life sentence.  
 22 21. By reference the accompanying Brief is made a part  
 23 hereof.

24 WHEREFORE, Petitioner respectfully prays:  
 25 1. That a Writ of Habeas Corpus issue out of this  
 26 Court to Raymond Proconier, Director of the Department of  
 27 Corrections and L. J. Pope, Superintendent of the California  
 28 Medical Facility at Vacaville, commanding them to bring Joseph  
 29 Mazor before this Court and to show cause at a time and place  
 30 to be set by this Court why the said JOSEPH MAZOR is so detained,  
 31 all in accordance with the requirements of Penal Code Section  
 32 1480;

1           2. Petitioner be restored to his liberty. In the  
2 alternative,

3           3. A hearing be held to examine all the records and  
4 proceedings in this case and to inquire into the cause and  
5 legality of the imprisonment of Petitioner;

6           4. Petitioner be admitted to bail, or released on his  
7 own recognizance pending a final determination of the issues  
8 raised in this Petition;

9           5. The Adult Authority be required to hear the issue  
10 of Petitioner's suspension and revocation of parole, providing  
11 him with full constitutional protections including a speedy  
12 hearing, due process and counsel under the Fifth, Sixth and  
13 Fourteenth Amendments to the United States Constitution;

14           6. The medical hold placed on Petitioner be dissolved;

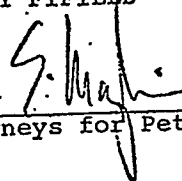
15           7. The Court declare whether the present California  
16 system of parole revocations is constitutional on its face and  
17 as applied to this Petitioner;

18           8. Petitioner be granted such other and further relief as  
19 to the Court seems just.

20           Dated: May 4, 1971.

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EPHRAIM MARGOLIN  
RAMSAY FIFIELD

By   
Attorneys for Petitioner

5-1-d-1(75)

Memorandum

To: E. P. McLarney, M.D., Chief Medical Officer  
 California Men's Colony West, Box A-W, San Luis Obispo, California 93401  
 Date: November 17, 1969  
 File No.: MAZOR A-77153  
 Subject: Requested Transfer for Medical Examination and Return

From: California Medical Facility, Vacaville - 95688  
 I am in receipt of your memo of November 10, 1969 requesting neurological examination, electroencephalogram, and electroretinogram examination on the above-named inmate of your institution. We do have facilities for neurological examination and electroencephalogram at this institution, and I would be glad to receive the inmate on a medical and return basis for these examinations. We do not have facilities for performing an electroretinogram, but I have discussed this subject with our ophthalmologic consultant, Frank W. Kull, M.D., who advises me that the closest hospital for this examination is in San Francisco. The necessity for this examination can be re-evaluated here, after the neurological examination and EEG are performed.

*E. P. McLarney M.D.*  
 Chief Medical Officer

REP: id  
 cc: Dr. Gorman  
 Central File  
 Medical Jacket

EXHIBIT A

5-1-2-1 (76)

MAZOR, Joseph A-77153-A NRCC Central File

This supersedes previous recommendations. Inmate was seen by our consulting neurosurge Dr. Wright, who feels that further studies and previous records should be obtained. Inmate possibly (or probably) will refuse these recommendations, but for the completion of our neurological evaluation they should be offered to him. If an institutional disposition decision is necessary to be made at this time, I recommend C or category D neuro.

REP: id  
cc: Medical Jacket  
Mr. Kane  
Neurology Dept. (Dr. Wright)  
Mr. Boling  
From: California Medical Facility, Vacaville - 93608

R. N. PROUT, M.D.  
Chief Medical Officer

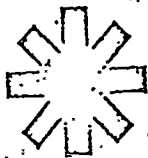
March 4, 1971

I am in receipt of your report of November 11, 1970, regarding the inmate's request for an electroencephalogram (EEG) and electroconvulsive therapy (ECT). Inmate's request for an EEG and ECT is being reviewed. I will advise you of the results of this review. The necessity for this examination and EEG are indicated.

REP: id  
cc: Mr. Kane  
Neurology Dept.  
Mr. Boling

EXHIBIT A

S-1-d-1(2?)



RIVERSIDE GENERAL HOSPITAL • UNIVERSITY MEDICAL CENTER  
9851 MAGNOLIA AVENUE • RIVERSIDE, CALIFORNIA • 92503 • TELEPHONE 689-2211

March 22, 1971

RE: MAZOR, JOSEPH A.  
PF-19-08-66

To the Supreme Court of California:

The records disclose that Joseph Mazor was seen in the Riverside General Hospital Out-Patient Clinic. A possible diagnosis of leptomenigeal cyst or hemangioma was made and the patient was scheduled for additional studies because of the probability of a surgical condition which would require prompt attention. We have since learned that further studies have shown a need for immediate surgery in order not to endanger his life. The medical staff at Riverside General Hospital are willing to give the patient the necessary medical treatment if the court will so allow.

The above statement is signed on pain of perjury at Riverside General Hospital, March 22, 1971.

Carter Noland, M.D.

CN:pwj

EXHIBIT B

DEPARTMENT OF CORRECTIONS  
CALIFORNIA MEDICAL FACILITY  
SACRAMENTO, CALIFORNIA 95834

S-1-d-1-77 (a)

April 1, 1971

Mr. Henry W. Kerr, Chairman  
Adult Authority  
Department of Corrections  
714 P Street, Room 523  
Sacramento, CA 95814

Re: MAZOR, Joseph (A-77153) CWF  
Request for consideration of  
parole for medical reasons

Attention: Mr. Joseph Spangler

Dear Mr. Kerr:

Pursuant to my telephone conversation with Mr. Spangler this morning concerning this CWF inmate, I am writing to bring to your attention medical information which was not available to the Adult Authority when his case was heard here by the Parole Violator's Board on March 5, 1971.

Inmate Mazor was seen this morning in follow-up neurological consultation with our consulting neurologist, Robert Herrick, M.D. Dr. Herrick and I reviewed the man's neurological condition at the present time, along with a review of his x-rays and accumulated medical data to date at this institution. The medical history is complicated, but briefly he has blindness in both eyes due to bilateral macular degeneration of several years standing, complicated by x-ray and neurological findings of an intracranial lesion of the right skull. On January 5, 1971 he was seen for this problem at the Riverside General Hospital, Riverside, California and plans were in progress for his hospitalization there with investigation by the neurology staff and consideration for angiogram (diagnostic neurosurgical) studies. These studies can be performed within the Department of Corrections, but only with his consent, which he is unwilling to give. He is willing and able to be hospitalized at Riverside General Hospital and has received written assurance from Carter Noland, M.D. of that hospital that they are willing to admit him to the hospital there. Inmate Mazor has hospitalization insurance and is willing to assume the financial obligation of this hospitalization, should his parole be reinstated.

I am not in a position to comment on the wisdom, or lack thereof, of inmate Mazor's refusal to accept further diagnosis and treatment in the Department of Corrections. However, I do have an overriding concern for his health status, and feel that this is one of those rare instances where the inmate's delicate medical and surgical problems can best be handled by those doctors who have previously cared for him, and in whom he has the confidence and willingness to agree to whatever neurosurgical procedures are indicated in his case. It is for this reason that I request that the Adult Authority favorably consider my request that his

EXHIBIT C



Mr. [Name], Chairman  
Adult Authority  
4/1/72  
Page 12

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case be reviewed, with the hope that the Adult Authority will see fit to re-  
instate the parole and release him to the Serrano General Hospital for medical  
care.

If there are any further questions which I have not covered in this case  
please feel free to phone me.

SS:

Yours very truly,

*Joseph A. Mason*

, being first sworn under oath,  
presents that he has subscribed to the foregoing petition and  
does state that the information therein is true and correct to  
the best of his knowledge and belief.

cc: Central File  
COP  
Medical Jacket

Dr. Gerson, Medical Director  
Ms. Ephraim Morgelin

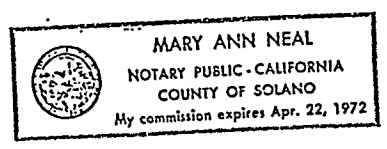
SUBSCRIBED and SWORN to  
before me this 4<sup>th</sup> day  
of May, 1971.  
(month) (year)

*Joseph A. Mason*  
Signature of Affiant

*Mary Ann Neal*  
Notary Public

My commission expires:

4-22-72  
(Month, day & year)



6.

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Mr. Henry W. Kerr, Chairman  
Adult Authority  
4/1/71  
Page 52



case be reviewed, with the hope that the Adult Authority will see fit to re-  
instate his parole and release him to the Riverside General Hospital for medical  
care. If there are any further questions which I have not covered in this case of  
please feel free to phone me.

Ref. 10000; March (77-153) etc  
before and medical reasons

Attention: Mr. Joseph Spangler

Yours very truly,

*R. E. Provt, M.D.*

R. E. PROVT, M.D., is serving as  
Chief Medical Officer - Information

Persons to be interviewed with  
this case, in an attempt to obtain  
such was also checked the Adult Authority  
state hospital's record on March 2, 1971.

cc: Central File  
with a CSIF Medical Jacket  
no Medical Jacket  
Dr. Gorman, Medical Director  
Dr. Ephraim Margolin  
APPROVED:  
K. D. BRITT  
Acting Superintendent

I am not in a position to provide you with a copy of the medical  
records of the patient mentioned in the above captioned case. The records  
of the patient are maintained at the Riverside General Hospital and  
are not available to the Adult Authority. If you wish to obtain a  
copy of the records, you should contact the Riverside General Hospital  
at Riverside, California.

84-4286-2018

ORDER DENYING WRIT OF HABEAS CORPUS

Criminal No. 15486

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA  
IN BANK

FILED

In re MAZOR

APR 22 1971

G. E. BISHEL, Clerk

on Habeas Corpus.

S. F. Deputy

Wright, C.J., did not participate.

Petition for writ of habeas corpus DENIED.

Peters, J., and Tobriner, J., are of the opinion that the respondent should be ordered to show cause why the relief prayed for should not be granted.

I, G. E. BISHEL, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court, as shown by the records of my office.

Witness my hand and the seal of the Court this

22<sup>nd</sup> day of April A.D. 1971

By *[Signature]*  
Deputy Clerk

*[Signature]*  
Acting Chief Justice

EXHIBIT D

1 EPHRAIM MARGOLIN  
RAMSAY FIFIELD  
2 445 Sutter Street, Suite 501  
San Francisco, California 94108  
3 Telephone: (415) 421-4347  
4  
5

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7  
8 IN THE UNITED STATES DISTRICT COURT FOR  
9 THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 JOSEPH MAZOR,  
12 Petitioner,

13 vs.

No.

14 THE CALIFORNIA ADULT AUTHORITY, THE  
15 CALIFORNIA DEPARTMENT OF CORRECTIONS,  
and RAYMOND PROCUNIER and L. J. POPE,  
16 in their respective official capacities,

17 Respondents:

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19 BRIEF IN SUPPORT OF THE APPLICATION  
20 OF JOSEPH MAZOR FOR A WRIT OF HABEAS  
CORPUS  
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TEXTS

Discretionary Justice, K.C. Davis  
Baton Rouge, 1969



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~~State v. Contreras~~

~~State v. Geron~~

~~State v. P.H.C.~~

BRIDGE IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH MAZOR,

Petitioner,

Vs.

THE CALIFORNIA ADULT AUTHORITY, THE  
CALIFORNIA DEPARTMENT OF CORRECTIONS,  
and RAYMOND PROCUNIER and L. J. POPE,  
in their respective official capacities,

Respondents.

No.

BRIEF IN SUPPORT OF  
THE APPLICATION OF  
JOSEPH MAZOR FOR A  
WRIT OF HABEAS CORPUS

I. INTRODUCTION

Having stated his facts in the verified petition herein, petitioner will make no extensive effort to re-state them in this brief. As to the law petitioner seeks to apply to these facts, we draw this court's particular attention to the following cases of recent vintage: Judge Zirpoli's square holding on right to counsel in Ellhamer v. Wilson, 312 F.Supp. 1245, Sept. 12, 1969; and Mays v. Nelson, N.D. Calif. No. C-70-1029, February 16, 1971. See also: Hinnington v. Department of Corrections, N.D. Cal., C-69-149, April 17, 1970; Wilburn v. Nelson, N.D. Cal., C-70-1402, November 25, 1970, and Judge Warren Feynson's square holding on right of confrontation in Hester v. Craven, C.D. Cal., 70-832-F, February 17, 1970;

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///

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///

1 Scarpelli v. Gagnon, 317 F.Supp. 72; Commonwealth v. Tinson  
2 247 A 2d 549 (Penna.); Copy of the as yet unpublished opinions  
3 in Mays and Hester cases are enclosed herein for the convenience  
4 of the court.

5 II. LEGAL CONSEQUENCES OF REVOCATION OF PAROLE

6 In 1871, the Virginia Court stated that a prisoner  
7 "is for the time being the slave of the State." Ruffin v.  
8 Commonwealth, 62 Va. 790, 1871. During the succeeding century  
9 it became axiomatic that prisoners retain a core of fundamental  
10 rights, e.g. In re Brown, 67 Cal. 2d 339 (1967) holding that a  
11 revocation of parole cannot be based on a subsequent conviction  
12 found to be illegal; Cooper v. Pate, 378 U.S. 546--deprivation  
13 of religious freedom. Nolan v. Scafati, 430 F.2d 548 (1st  
14 Circ. 1970); U.S. ex rel Schuster v. Herold, 410 F.2d 1071  
15 (2d Circ. 1969) cert den. 396 U.S. 847 (1970); Jackson v. Bishop,  
16 404 F.2d 571 (8 circ. 1968). Compare: Revocation of probation  
17 based on violations of illegal condition of probation: In re  
18 Allen, 71 AC 409 (1969); In re Scarborough, 76 C.A.2d, 648;  
19 Hewett v. North Carolina, 415 F.2d 1316. Parolees are a class  
20 of citizens whose freedoms have been conditioned, but whatever  
21 the State's obligation on granting a parole in the first place,  
22 once parole is granted it cannot be revoked or suspended "without  
23 a cause" (P.C. Sec. 3063) and California courts will scrutinize  
24 such a "cause" on habeas corpus and release the prisoner if the  
25 "cause" is nonexistent (In re O'Malley, 101 C.A.2d 80) or  
26 inadequate (In re Brown, 67 Cal.2d 339; In re Schoongarth, 66

1 Cal.2d 295, 302 (1967).) See also, generally, K.C. Davis,  
2 Discretionary Justice, Baton Rouge 1969, pp. 126-133.

3 We submit that the petitioner did not have a right to  
4 have his sentence reduced to less than the maximum, once it is  
5 so reduced he acquired a right to have his sentence terminate on  
6 the earlier date established absent some change which justifies  
7 redetermination. In the language of In re McLain, 55 Cal.2d  
8 78 (1960),

9 "Even though a legally convicted person has no  
10 vested right to the determination of his sentence  
11 at less than maximum, his liberty, or denial  
12 thereof, may not be made to turn upon mere whim,  
13 caprice, or rumor. Thus in redetermining sentence,  
14 although no 'cause' need be stated in the order,  
15 the conclusion is inescapable that such action  
16 cannot be taken in the absence of good cause."  
17 55 Cal.2d at 87 (citations omitted).

18 and again, in Cafeteria Workers v. McElroy, 367 U.S. 886 (1961)  
19 --a case involving summary denial of access to plaintiff's place  
20 of former employment--the court stated that:

21 "This question cannot be answered by easy assertion  
22 that, because she has no constitutional right  
23 to be there in the first place, she was not  
24 deprived of liberty or property by the  
25 Superintendent's action. One may not have a  
26 constitutional right to go to Baghdad, but the

1 Government may not prohibit one from going  
2 there unless by means consonant with due process  
3 of law." 367 U.S. at 894.

4 This position was reaffirmed in Goldberg v. Kelly, 397 U.S.  
5 254, 262 (1970), when the Court stated that "[t]he constitu-  
6 tional challenge cannot be answered by an argument that  
7 public assistance benefits are a "privilege" and not a "right."  
8 See also, Shapiro v. Thompson, 394 U.S. 618, 627 n.6 (1969).

9 It is important to keep in mind that termination of  
10 continuance of a "conditional freedom" is not the only conse-  
11 quence of a parole revocation hearing in California.

12 The first thing which happens after an alleged  
13 parole violation is reported and a decision is made to "suspend"  
14 the parole and take the parolee in custody pending a revocation  
15 hearing is that his term is refixed at maximum. See In re Brown,  
16 67 Cal.2d 339 (1967). This procedure, we submit, has so many  
17 of the attributes of the "sentencing" at which counsel is  
18 required under Mempa v. Rhay, supra, discussed infra, as to  
19 require re-examination of due process rights at revocation  
20 proceedings.

21 It should also be noted that determination of sentence  
22 at less than the maximum is the almost universal disposition  
23 in cases involving indeterminate sentences. Far from being an  
24 unusual, special favor granted to a particular individual by a  
25 forgiving government, it is the usual mode of disposition and  
26 the penal system depends upon it as much as the inmates do.

The weakness of relying upon the right-privilege distinction, in deciding due process questions was pointed out by the Supreme Court in Cafeteria Workers v. McElroy, 367 U.S. 886.

Before we move to the requirements of due process of law in parole revocation hearings we wish to make clear one matter which we are not arguing. We do not contend in this case that there must be a due process hearing. (by this term we encompass representation by counsel, confrontation of evidence and the right to present witnesses) on the question of whether parole should be granted or not granted to a person in prison. This is a decision as to whether parole, once granted, should be revoked. The former decision involves the judgment of intangibles of human character and behavior. We are not being critical but merely descriptive when we describe the decision to grant parole as an amorphous process. However, revocation of parole is a matter of entirely different character. A factual decision must be made as to whether a specific condition of parole has been violated. A decision in this area will almost always be made on factual evidence. In other words, the revocation decision is exactly that kind of decision which is best made within the truth-finding safeguards of those procedures generally characterized as the basic guarantee of due process of law. Specht v. Patterson, 386 U.S. 605 (1967).

The facts of the present case involve an ill man, possibly dying for lack of surgery, who must wait 90 days before

1 anyone passes on whether or not he ought to have been pulled in  
2 to custody immediately prior to planned hospitalization; the  
3 facts of his illness were not presented to the representative  
4 of the Adult Authority despite his timely written request that  
5 they be made available. His evidence--exonerating him of any  
6 wrongdoing, appeared incomprehensible to the representative of  
7 Adult Authority, who then decided to rule against the petitioner  
8 until he could ascertain the meaning of petitioner's defenses;  
9 yet, neither originals nor copies are retained by the Adult  
10 Authority, petitioner's request for counsel to prepare and  
11 present his testimony is denied; petitioner was incapable of  
12 reading aloud his contentions to the Adult Authority representa-  
13 tive; the witnesses against him cannot be questioned by him at  
14 any point. The whole "hearing" is a mechanistic exercise in  
15 subterfuge in which what we don't know becomes a cause for  
16 violation of parole so that "investigation" can be had but no  
17 one cares to examine what is known, what conceivably could  
18 exonerate the petitioner on the spot. When the Adult Authority  
19 acts not because it is convinced that petitioner acted in a  
20 manner requiring revocation but because it did not bother to check  
21 whether he so acted; when the Adult Authority postpones a matter  
22 "for investigation" (on top of the original delay of 90 days)  
23 without considering petitioner's health condition--clearly  
24 injustice is done.

25 ---

26 ---

1 anyone else. III. THE PAROLE REVOCATION DECISION FALLS WITHIN THE CATEGORY OF DECISIONS  
 2 TO CUSTODY WHICH REQUIRE A DUE PROCESS HEARING. Two elements must be present for the Fourteenth Amendment  
 3 Due Process Clause to apply. There must be both state action and  
 4 a deprivation of life, liberty, or property. Since the  
 5 redetermination of sentence clearly involves state action, the  
 6 only question is whether the procedure followed by California  
 7 deprived the parolee of a protected right. Since the United States Supreme Court's decision  
 8 on the right to counsel in Gideon v. Wainwright, 372 U.S. 335  
 9 (1963), the Court has extended the right to counsel and other  
 10 procedural guarantees of a fair hearing to several proceedings  
 11 other than the criminal trial itself. These proceedings  
 12 include: all pre-trial interrogation, Escobedo v. Illinois,  
 13 378 U.S. 478 (1964), Massiah v. United States, 377 U.S. 201  
 14 (1964), Miranda v. Arizona, 384 U.S. 436 (1966); any proceedings  
 15 in juvenile court which might result in incarceration, In re  
 16 Gault, 387 U.S. 1; (see below) and sentencing, even when deferred  
 17 and handled at the time of revocation of parole, Mempa v. Rhay,  
 18 supra; McConnell v. Rhay, 393 U.S. 2 (1968). See also Goldberg  
 19 v. Kelly, 397 U.S. 234 (1970), right to continuing welfare  
 20 payments, and Wisconsin v. Constantineau, 39 USLW 4128, January  
 21 19, 1971, right to keep one's name off the list of excessive  
 22 drinkers. See also Scarpelli v. Gagnon, 317 F.Supp. 72 (right  
 23 to counsel at parole revocation hearing) and Commonwealth v.  
 24 Tinson, Supra, to the same effect.

III. THE DUE PROCESS CLAUSE

Many of these decisions, we believe, may be traced to

language of the United States Supreme Court in a case involving another formerly well-established proceeding which was thought to allow the denial of due process of law, a one-man grand jury. This language occurs in In re William Oliver, 333 U.S. 257, 273:

A person's right to reasonable notice of a charge against him, and an opportunity to be heard in his defense - a right to his day in court - are basic principles in our system of jurisprudence; and those rights include, as a minimum, a right to examine the witnesses against him, to offer testimony, and to be represented by counsel.

This language was echoed in a case involving an administrative proceeding, Hannah v. Larche, 363 U.S. 420, 442:

[W]hen governmental agencies adjudicate or make binding determinations which directly affect the legal rights of individuals, it is imperative that those agencies use the procedures which have traditionally been associated with the judicial process.

In another decision involving administrative rights, the right to a security clearance for access to classified information, the United States Supreme Court held:

[W]here governmental action seriously injures an individual, and the reasonableness of the action depends on fact findings, the evidence used to prove the government's case must be disclosed to the individual so that he has an opportunity to show that it is untrue. Greene v. McElroy, 360 U.S. 474, 496 (1959) (emphasis added)

See also Willner v. Committee on Character and Fitness, 373 U.S. 96, 103. And see Jenkins v. McKeithen, \_\_\_ U.S. \_\_\_, 23 L.Ed. 2d, 404 (1969); Townsend v. Burke, 334 U.S. 736, 741 (1946); William v. New York, 337 U.S. 241 (1949).



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In California our courts have evidenced an increasing concern with procedural due process rights in administrative hearings. The right to telephone service may not be removed without a due process hearing including confrontation, cross-examination and counsel. See Sokol v. Public Utilities Commission, 65 Cal.2d 247. In Endler v. Schutzbank, 68 Cal.2d 162 (1968), the court had before it a claim to a due process hearing on the basis that the Commissioner of Corporations was injuring the plaintiff's right to make a living. The court upheld this right to a hearing, stating:

Fundamental fairness requires that an individual be permitted to defend himself publicly against official charges, however informal, which threaten to stain his personal and professional future. 68 Cal.2d at 180.

Any person whose freedom to pursue his profession is seriously restricted by an official action or course of conduct designed to discourage his employment may compel the government to afford him a hearing complying with the traditional requirements of due process. Id. at 178.

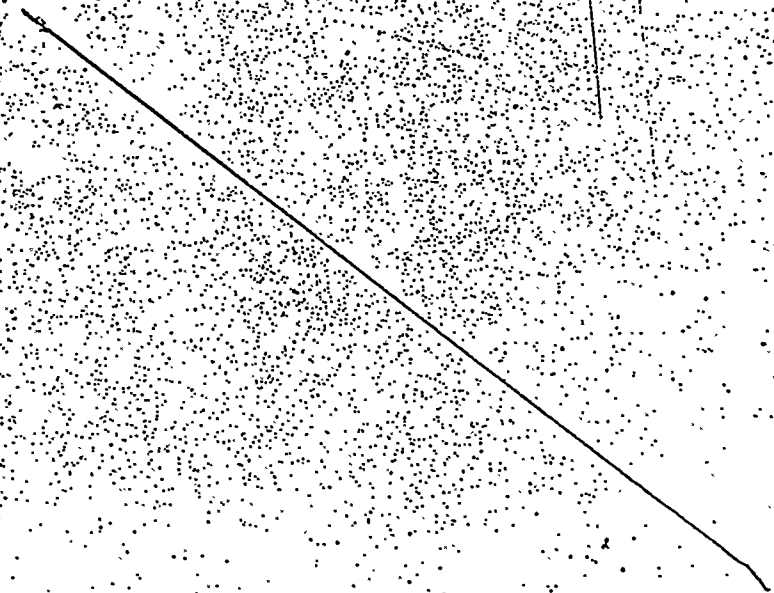
Procedural due process requires notice, confrontation and a full hearing whenever action by a state significantly impairs an individual's freedom to pursue a private occupation. Id. at 172.

We submit that the concern with due process rights in the cases we have described must influence and be applied in the revocation of parole proceedings since these are of equal if not greater significance than the proceedings which have already been accorded the benefit of due process hearings.

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In the case of In re Gault, 387 U.S. 1 (1967), the court pierced the benevolent venter of parens patriae, looked at the substance of juvenile court proceedings and their consequences, and determined that the "[f]ailure to observe the fundamental requirements of due process has resulted in instances, which might have been avoided, of unfairness to individuals and inadequate or inaccurate findings of fact and unfortunate prescriptions of remedy." 387 U.S. at 19-20.

The impact of Gault in analogous areas was emphasized by the Tenth Circuit's decision in Herford v. Parker, 396 F.2d 393 (10th Cir. 1968). This case involved a habeas corpus proceeding brought by a mother on behalf of her son who had been committed to a state training school for the feeble-minded and epileptic. The court noted that:



1 "[W]e have a situation in which the liberty of an  
 2 individual is at stake, and we think the reasoning  
 3 in Gault emphatically applies. It matters not  
 4 whether the proceedings be labeled 'civil' or  
 5 'criminal' or whether the subject matter be mental  
 6 instability or juvenile delinquency. It is the  
 7 likelihood of involuntary incarceration -- whether  
 8 for punishment as an adult for a crime, rehabilitation  
 9 as a juvenile for delinquency, or treatment and  
 10 training as a feeble-minded or mental incompetent--  
 11 which commands observance of the constitutional  
 12 safeguards of due process. Where, as in both proceedings  
 13 for juveniles and mentally deficient persons, the  
 14 state undertakes to act in parens patriae, it has the  
 15 inescapable duty to vouchsafe due process, . . ."  
 16 396 F.2d at 396.

17 This statement is illuminated by the concurring opinion  
 18 of Judge Browning in Sturm v. California Adult Authority, 395  
 19 F.2d 446, 449 (9th Cir. 1967):

20 "No doubt the State of California may adopt  
 21 a system of indeterminate sentencing and create a  
 22 non-judicial agency to administer the system without  
 23 violating the Constitution of the United States.  
 24 But the existence of this power does not imply a  
 25 further power in the State to immunize its acts,  
 26 through its administrative agency, from the strictures  
 of the Fourteenth Amendment.

The judicial imposition of a life sentence upon  
 appellant is no more than a legislatively mandated  
 device for transferring the sentencing function from  
 the state court to the State administrative agency  
 with a grant of jurisdiction over appellant's  
 person for a period sufficiently long to enable the  
 agency to perform its functions under the State's  
 indeterminate sentencing law. Use of that device  
 cannot be seized upon as a means to validate whatever  
 action the administrative agency might subsequently  
 choose to take, no matter how seriously the appellant  
 might be injured, and without regard to whether the  
 agency's action was arbitrary, basically unfair,  
 or individually discriminatory.

When the California Adult Authority entered its  
 order of July 3, 1962, refixing appellant's sentence  
 at ten and one-half years, it substantially extended

1 the prison term which appellant would be required  
 2 to serve. Appellant's challenge to the constitutionality  
 3 of that order cannot be answered by pretending that  
 4 nothing really occurred, merely because a state court,  
 5 five years earlier, had entered an order fixing  
 6 appellant's maximum term at life. The action of the  
 7 Board was State action. It deprived appellant of  
 8 liberty; if it did so 'without due process of law,'  
 9 or denied appellant 'the equal protection of the laws,'  
 10 it offended the Fourteenth Amendment."

11 It must be noted that the Supreme Court refuses to  
 12 decide constitutional questions such as this on the basis of  
 13 "labels". Instead, the Court looks at the following elements:

14 "The precise nature of the interest that has been  
 15 adversely affected, the manner in which this was  
 16 done, the reasons for doing it, the available  
 17 alternatives to the procedure which was followed,  
 18 . . . and the balance of hurt complained of and  
 19 good accomplished . . ." Anti-Fascist Committee  
 20 v. McGrath, 341 U.S. 123, 163, (1951) Justice  
 21 Frankfurter, concurring).

22 There can be no question that the precise interests in-  
 23 volved here are life and liberty. But for the Adult Authority's  
 24 action the Petitioner would not now be incarcerated, nor would  
 25 his sentence have been reset to a longer term, based upon a  
 26 factual determination of events which occurred outside the prison.  
 The Adult Authority should not isolate from judicial review the  
 decision to redetermine sentences by the procedural device of  
 making it an automatic occurrence upon the happening of some other  
 event, namely parole revocation.

We would like once again to turn to Mempa v. Rhay, supra  
 The Washington procedure there under scrutiny required the trial  
 judge to sentence the convicted felon to the maximum term provided

1 by law in every case. Since this was the judge's only function at  
 2 sentencing, and since this could well be described as ministerial,  
 3 the state argued in the U.S. Supreme Court that the right to counsel  
 4 at this proceeding was a mere formality. The U.S. Supreme Court  
 5 rejected this argument, pointing out that the sentencing judge made  
 6 a recommendation to the Board of Parole as to the actual maximum  
 7 term and, for the effect it would have on this decision alone,  
 8 counsel was advantageous and required to be appointed for an  
 9 indigent. If Mempa is correct it cannot be argued that counsel is  
 10 not required where a decision is made re-fixing a sentence at  
 11 maximum and revoking a conditional freedom previously granted.

12 See also: Burns v. U.S., 287 U.S. 216 (1932)--revocation of  
 13 probation; and Eleanor v. Hammond, 116 F.2d 982 (6th Circ. 1941)--  
 14 revocation of conditional pardon by a Governor. See also,  
 15 Scarpelli v. Gagnon, supra, Commonwealth v. Tinson, supra.

16 In Wilburn v. Nelson, N.D. Calif. No. C-70 1402,  
 17 conviction of the use of a stolen card while on parole did not  
 18 justify re-setting of Wilburn's sentence, the Court holding that:

19 " . . . any proceedings which, in essence may  
 20 [ . . . ] enhance the possibility of incarceration  
 21 must be attendant with principles of due process,  
 22 including representations of counsel." (At: p. 2)

23 In Mays v. Nelson, N.D. Calif. No. C-70 1029, Feb. 16,  
 24 1971, defendant was convicted of a misdemeanor while on parole and  
 25 pleaded guilty to one charge of violating his parole conditions but  
 26 the Court found that the Adult Authority had before it erroneous  
 information concerning the petitioner, and stated:

1 . . . Had petitioner been afforded basic procedural  
 2 safeguards including right to counsel, he could have  
 3 advised the Adult Authority that he had not been  
 4 charged with assault with a deadly weapon, could have  
 argued that although a technical violation of his  
 parole contract, the altercation was really in the  
 nature of a family dispute . . ." (At p. 2).

5 In Ellhamer v. Wilson, 312 F.Supp. 2245 (1969) defendant  
 6 was accused of commission of a robbery while on parole. The Court  
 7 set aside the revocation of his parole stating that California's  
 8 arguments to the contrary "partake of the mystical . . . if sub-  
 9 stance is to have any influence on legal conclusions, then the  
 10 extension of a previously fixed sentence to life must be deemed  
 11 a penalty." (Note 5).

12 By contrast, in the present case, Petitioner was not  
 13 convicted of any act done during his parole. Thus, it could not  
 14 be argued that he had a "trial" establishing his guilt of an offense  
 15 which would also suffice to cause revocation of his parole. Further  
 16 Petitioner did not plead guilty to the charges. Petitioner had  
 17 physical evidence refuting and explaining all of the charges. He  
 18 had witnesses to prove his case where his documentary evidence was  
 19 not conclusive. In the words of Menna v. Rhay, 389 U.S. 128, at  
 20 137, his predicament resulted in " . . . imposition of sentence  
 21 . . . based on the alleged commission of offenses for which the  
 22 accused [was] never tried."

23 In Hoster v. Craven, supra, evidence against petitioners  
 24 consisted solely of a written report submitted by a parole officer  
 25 (p. 4) (We do not know whether in the present case, even that was  
 26 available against Petitioner. Only a list of charges was given

1 to him) The court characterized the issue:

2 "Whether the California Adult Authority, consistent  
3 with the Due Process Clause of the Fourteenth  
4 Amendment, can redetermine the sentence of a  
5 parolee to a longer term based upon a factual  
6 determination of events which occurred outside  
7 the prison without giving the parolee the  
8 right to confront and cross-examine the witnesses  
9 against him." (p. 5)

7 There, as here, petitioner challenges the procedure invoked to  
8 arrive at the re-determination; the factual determination of  
9 events upon which the decision was based and the right to a  
10 due process hearing. The court cited Green v. McElroy, 360  
11 U.S. 474, 496 (1959) as follows:

12 "Certain principles have remained relatively  
13 immutable in our jurisprudence. One of these  
14 is that where governmental action seriously in-  
15 jures an individual, and the reasonableness of  
16 the action depends on fact findings, the evidence  
17 used to prove the Government's case must be dis-  
18 closed to the individual so that he has an  
19 opportunity to show that it is untrue. While  
20 this is important in the case of documentary  
21 evidence, it is even more important where the  
22 evidence consists of the testimony of individuals  
23 whose memory might be faulty or who, in fact,  
24 might be perjurers or persons motivated by  
25 malice, vindictiveness, intolerance, prejudice,  
26 or jealousy. We have formalized these protec-  
27 tions in the requirements of confrontation and  
28 cross-examination."

21 To similar effect is Workman v. Turner, D. Utah No. C-23968,  
22 August 12, 1969, holding that "a parolee has constitutional  
23 rights to examine witnesses under oaths," be confronted by his  
24 accusers and to have a subpoena power during parole revocation  
25 hearings--and to have public hearing rather than star chamber  
26 proceedings.

1           Lastly, under this section we wish to deal with the  
2 argument that a due process hearing on parole revocation would be  
3 impracticable. This is frequently the only excuse put forward to  
4 block procedural rights and is particularly inadequate in the con-  
5 text of parole revocation hearings since federal prisoners and  
6 those of a number of states now have due process hearing rights in  
7 revocation of parole proceedings. The development of the federal  
8 law is particularly illuminating. Congress enacted a scheme very  
9 similar to that which we have in California stating that a parolee  
10 who is alleged to have violated a condition of his parole "shall  
11 be given an opportunity to appear before said Board [of parole]."  
12 In the case of Reed v. Butterworth, 297 F.2d 776 (1961 D.C. Cir.),  
13 the Court held that this wording means that the appearance right  
14 mentioned in the statute means an "effective appearance" and since  
15 this was a fact-finding process the parolee had the right to  
16 appear with counsel and had the right to present witnesses. Ever  
17 since this decision the federal parole proceedings have operated  
18 within this procedure, and no particular complaint has been heard  
19 concerning the difficulty in managing federal parolees. The claim  
20 of rights of confrontation, cross-examination and compulsory  
21 process for witnesses resulted in a split decision in Hyser v.  
22 Reed, 318 F.2d 255 (D.C. Cir.), but appears vindicated in Hester  
23 v. Craven, Supra, decided only last month. The State of Michigan  
24 allows full procedural rights to a person accused of a parole  
25 violation (Michigan Statutes Annot. Sec. 28.2310 (1954)) and still  
26 has one of the highest rates of parole of all states. See Sklar,



1 Law and Practice in Probation and Parole Revocation Hearings,  
 2 55 Journal of Criminal Law 175 (1964). Among other states  
 3 allowing full procedural rights in such hearings is Alaska  
 4 (Hoffman v. State, 404 P.2d 739). The Report of the President's  
 5 Commission on Law Enforcement and Administration of Justice titled  
 6 "The Challenge of Crime in a Free Society" states at P. 150:  
 7 The criminal trial process is not the only one  
 8 in which a person may be deprived of his liberty.  
 9 The revocation of probation and parole presents  
 10 an equal threat, and though the legal issues in  
 11 such proceedings are seldom complicated, the  
 12 factual issues may be . . . legal assistance should  
 13 be provided in parole and probation revocation  
 14 proceedings. . . .

12 For a thorough discussion of current law in the area see the  
 13 dissenting opinion of Judge Celebrezze in Roe v. Waskins, 368  
 14 F.2d 91 (1968).

CONCLUSION

16 At his parole revocation hearing petitioner was  
 17 entitled to those basic procedural rights which insure the  
 18 integrity of the fact-finding process. Petitioner was entitled  
 19 to counsel, the right to a speedy hearing, the right effective  
 20 to present evidence and to compel testimony and documents,  
 21 the right to confront accusers by hearing evidence against  
 22 him and cross-examining his accusers, and the right to a  
 23 reasoned basis for the decision to revoke his parole.

24 These basic rights were not accorded petitioner, who  
 25 was placed in grave danger by reason of this denial. According  
 26 petitioner respectfully submits that the relief prayed for should

1 be granted.

2 DATED: May 4, 1971.

3 Respectfully submitted,

4 EPHRAIM MARGOLIN  
5 RAMSAY FIFIELD

6 By Ramsay Fifield  
7 RAMSAY FIFIELD

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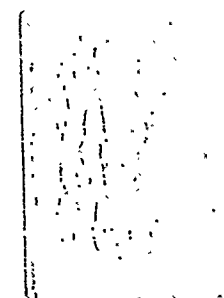
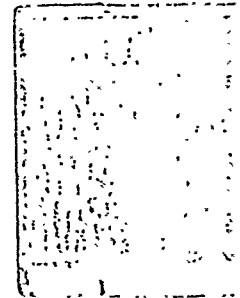
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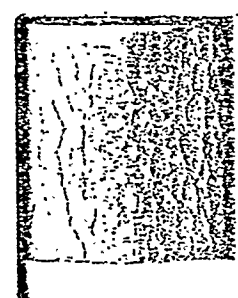
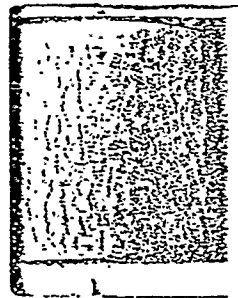
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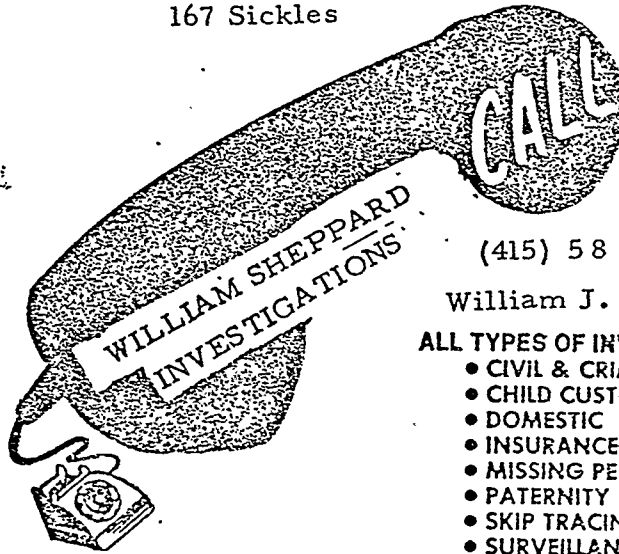
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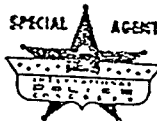
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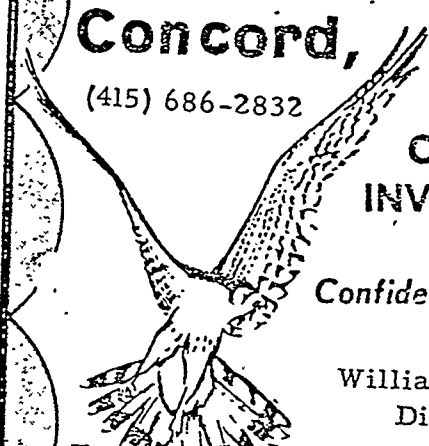
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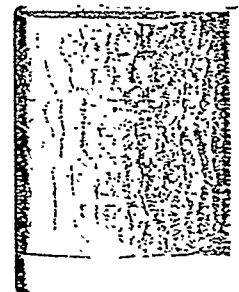
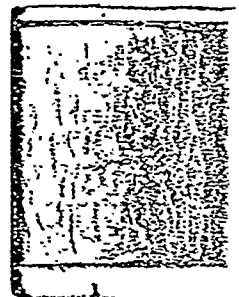
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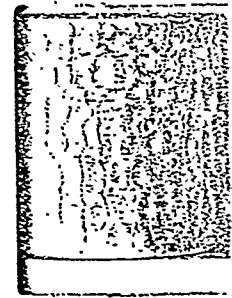
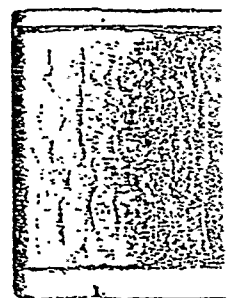
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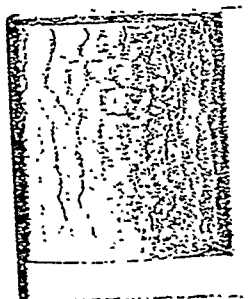
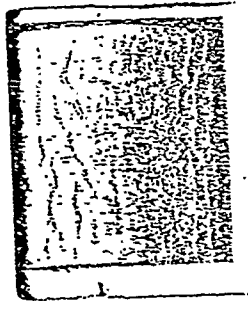
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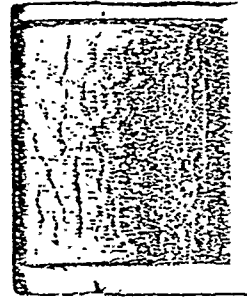
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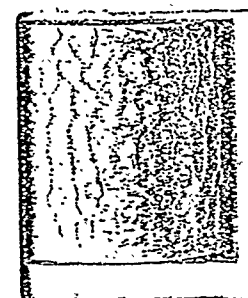
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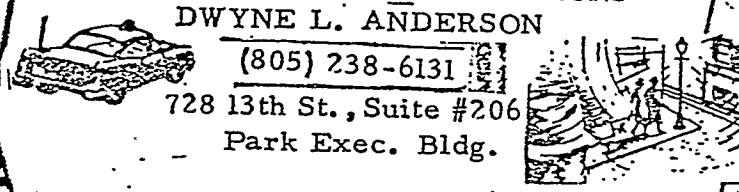
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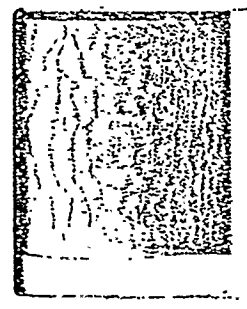
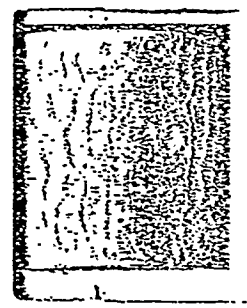
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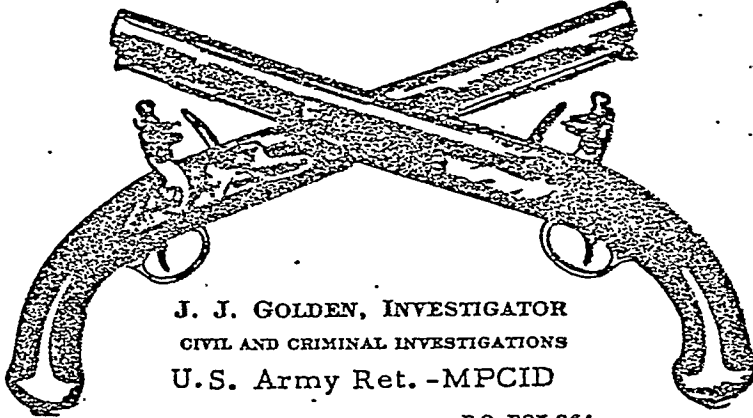
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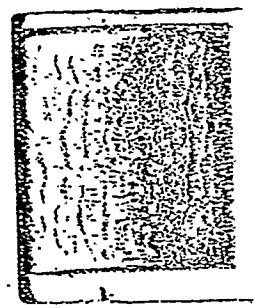


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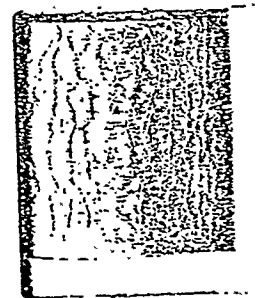


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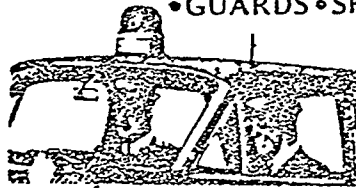


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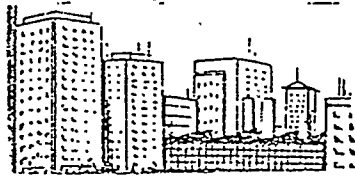
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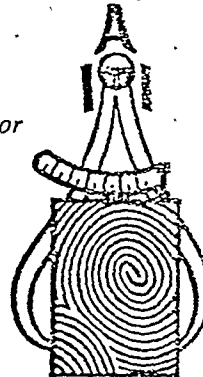
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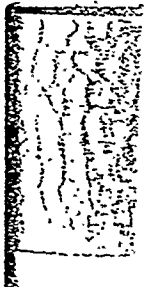
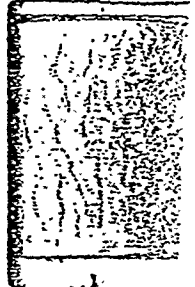
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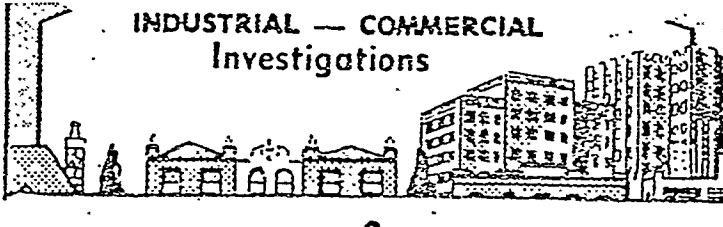
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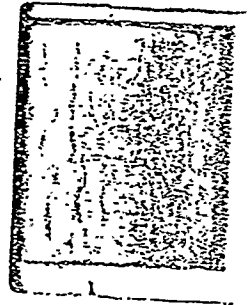


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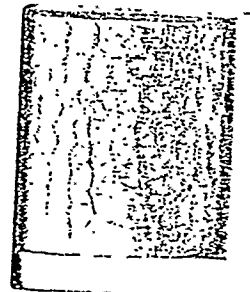
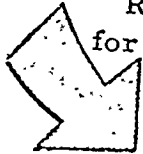
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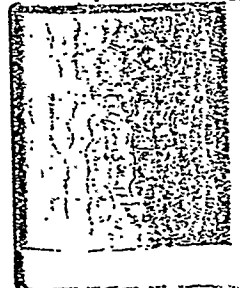
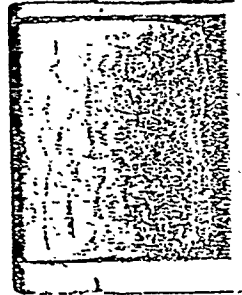
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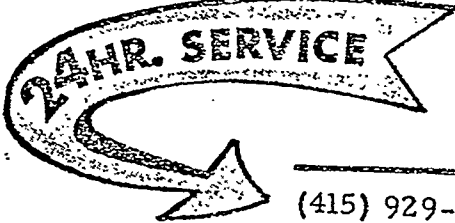
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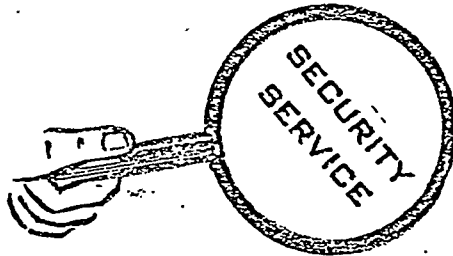


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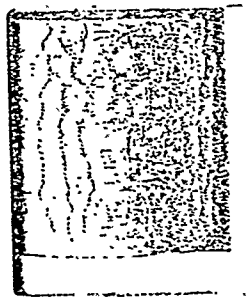
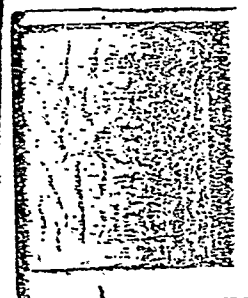
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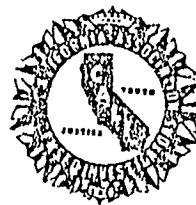
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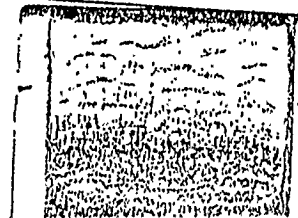
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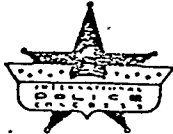
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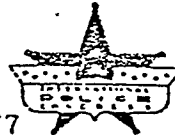
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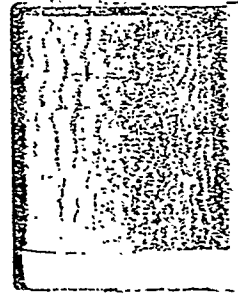
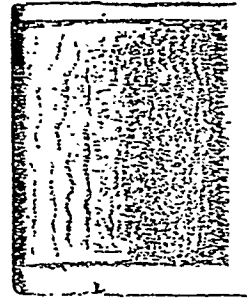
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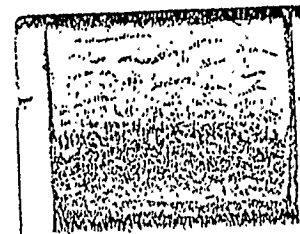
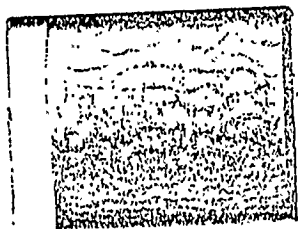


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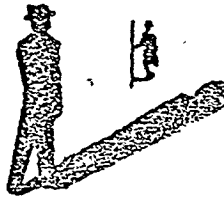
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INVESTIGATIONS

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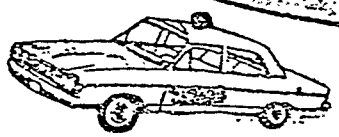


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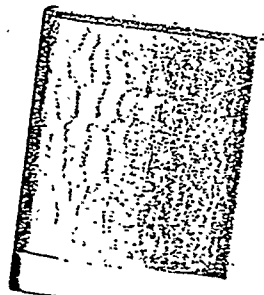
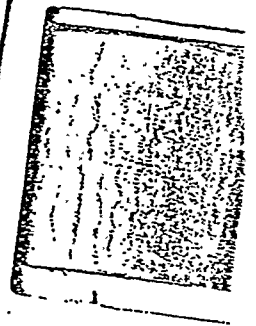
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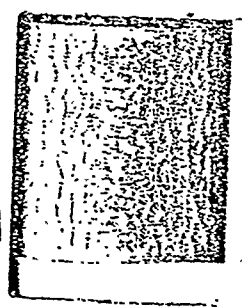
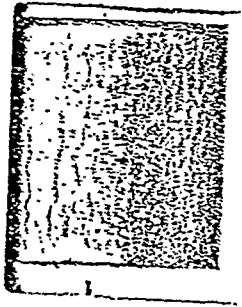
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102-B

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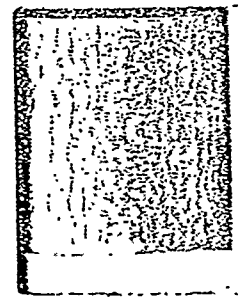
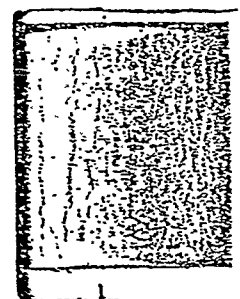
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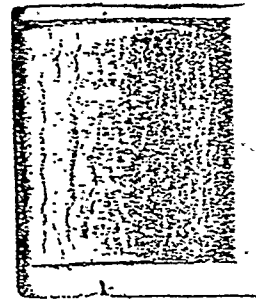
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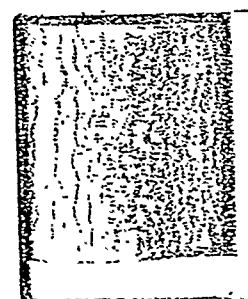
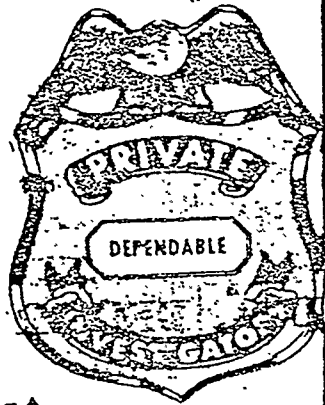
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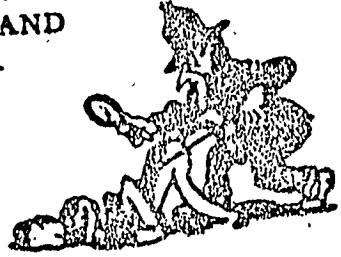
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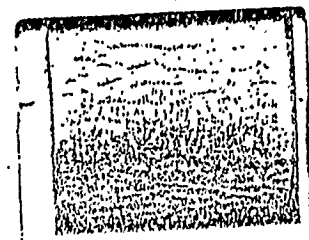
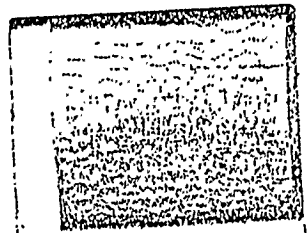
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Correction to ad bottom page 145

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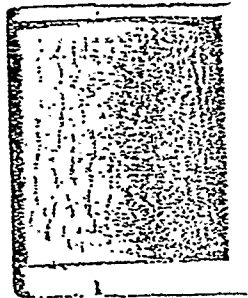
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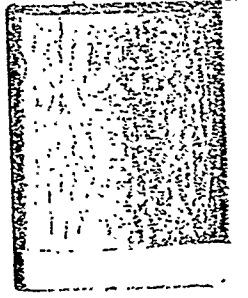
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Correction to Page 147  
132.-B

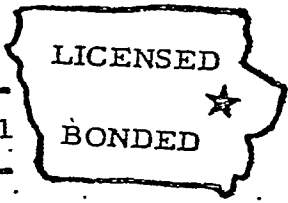
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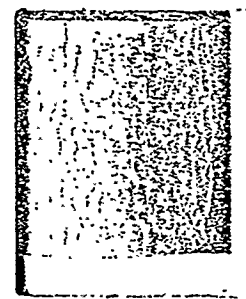
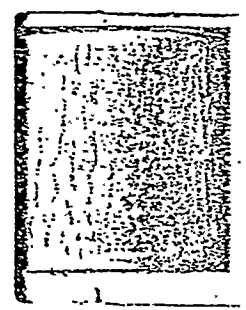
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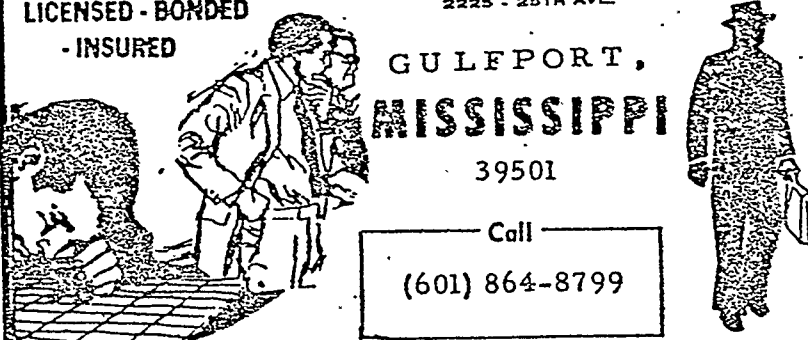
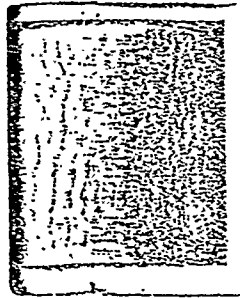
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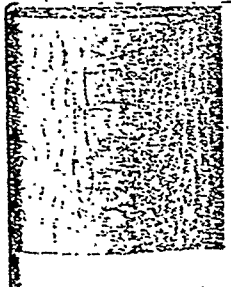
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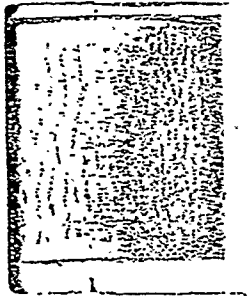
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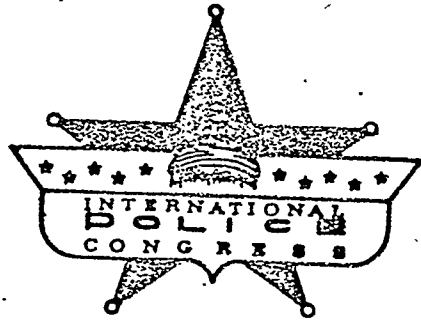
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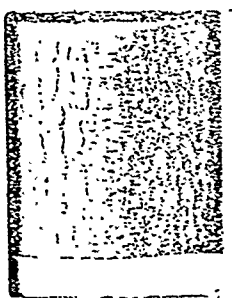
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Correction to ad top page 266-A

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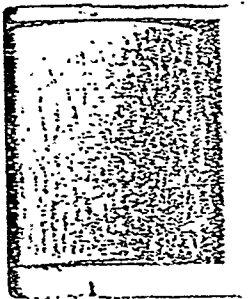
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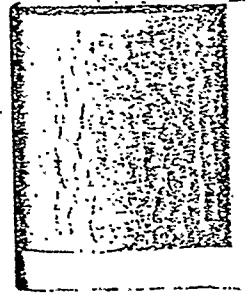
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212

**871-0117-18**




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244-A

5-1-E-1  
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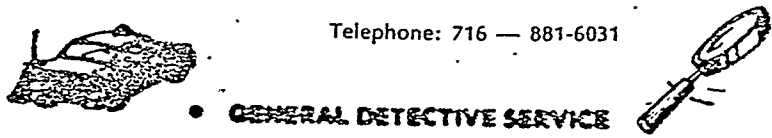
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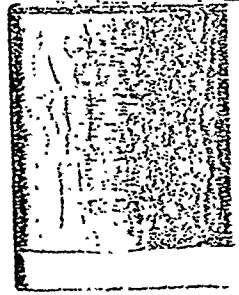
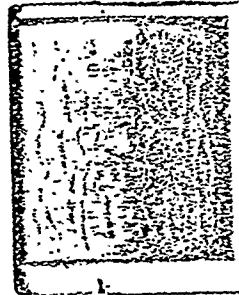


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320-A



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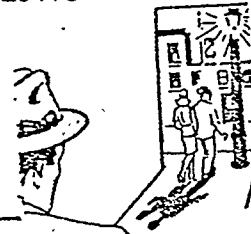


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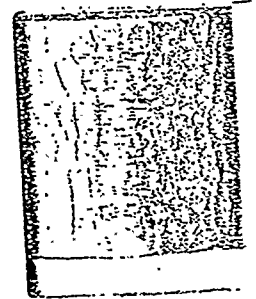
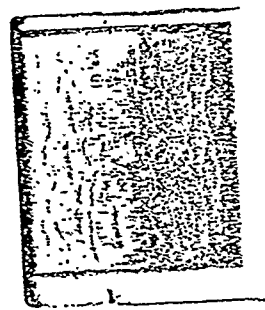
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320-A



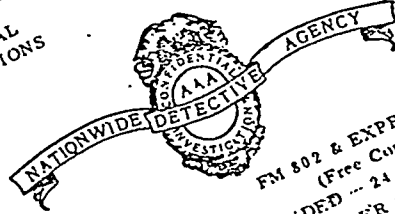
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Houston, Texas

370-B

S-1-E-1

(48a)

UKA ALL BOOKS

ORIGINAL

S-1-E-1  
(49)

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Deputy Attorney General  
3 GLORIA F. DeHART  
Deputy Attorney General  
4 6000 State Bldg.  
San Francisco, Calif. 94102  
5 Telephone: 557-0799

6 Attorneys for Respondents

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 JOSEPH A. MAZOR,

12 Petitioner,

13 vs.

No. C-71 849 ACW

14 THE CALIFORNIA ADULT AUTHORITY, THE  
15 CALIFORNIA DEPARTMENT OF CORRECTIONS,  
and RAYMOND PROCUNIER and L. J. POPE,  
16 in their respective official capacities,

17 Respondents.

18 RETURN TO ORDER TO SHOW CAUSE  
19 AND POINTS AND AUTHORITIES IN  
SUPPORT THEREOF

20 Come now, the California Adult Authority, the  
21 California Department of Corrections, Raymond K. Procunier,  
22 L. J. Pope, and the People of the State of California and for  
23 a return to the order to show cause heretofore issued on  
24 May 6, 1971, and returnable on May 10, 1971, state:

25 I

26 That petitioner, Joseph A. Mazor, is properly held  
27 in custody pursuant to the judgment and commitment of the  
28 Superior Court of Los Angeles County entered on June 25, 1965,  
29 following his plea of guilty to violation of Penal Code section  
30 476, sentencing him to imprisonment in the state prison for the

1 of the Judgment and Commitment is attached hereto as Exhibit A.

2 II

3 That petitioner was paroled on May 22, 1967, with  
4 his term set to expire on July 7, 1970; his parole was  
5 suspended and he was returned to prison on May 2, 1969, his  
6 term reset at maximum; and on June 27, 1969, his parole was  
7 revoked.

8 III

9 That on November 19, 1969, petitioner's term was  
10 reset at seven years, to expire on July 7, 1972; he was  
11 released on parole on February 15, 1970; that his parole was  
12 suspended on January 8, 1971, on the basis of a parole  
13 violation report charging eleven parole violations; that his  
14 parole was revoked on March 5, 1971, after a parole revocation  
15 hearing at which he was found guilty of charges numbered 5, 6,  
16 7 and 11, charges numbered 3, 8, and 10 were submitted for  
17 further investigation, and charges numbered 1, 2, 4 and 9 were  
18 dismissed.

19 IV

20 That petitioner's parole was properly revoked for  
21 cause and thus no constitutional issue is raised.

22 V

23 That treatment for petitioner's medical problems  
24 has been made available both in Department of Corrections  
25 facilities and in outside facilities; that no urgent medical  
26 treatment is presently required; and that future medical  
27 treatment, if required, will be made available as necessary;  
28 thus, no federal question is presented.

29  
30 WHEREFORE, it is respectfully requested that the  
31 petition be denied, that the order to show cause be discharged

1 and that the proceedings be dismissed.

2 Dated: May 10, 1971.

3 EVELLE J. YOUNGER, Attorney General  
4 of the State of California

5 EDWARD P. O'BRIEN,  
6 Deputy Attorney General

7 *Gloria F. DeHart*  
(Mrs.) GLORIA F. DeHART  
8 Deputy Attorney General

9 Attorneys for Respondents

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S-1-E-1  
(51)

POINTS AND AUTHORITIES

STATEMENT OF FACTS

A. Conviction; Parole and Revocation

Petitioner is presently incarcerated in the California Medical Facility at Vacaville pursuant to the Judgment and Commitment of the Superior Court of Los Angeles County entered on June 25, 1965, sentencing him to state prison for the term prescribed by law (6 months to 14 years), following conviction on his plea of guilty to violation of Penal Code section 476 (Fictitious checks).<sup>1/</sup> Exhibit A. Petitioner was parole on May 22, 1967, with his term set to expire on July 7, 1970. This parole was suspended and his term reset at maximum on May 2, 1969 and he was returned to prison where parole was revoked on June 27, 1969. See Exhibit C (Summary of Sentence Data - 1965 Conviction)

On November 19, 1969, petitioner's term was reset at seven years, to expire on July 7, 1972, and on February 15, 1970, petitioner was paroled to the Riverside Unit, Los Angeles County See Exhibit C. Petitioner was released to a parole program which included employment as a research law clerk for John C. McCarthy of the law firm of Young, Henrie and McCarthy in Pomona, California. Petitioner's parole release had been advanced from March 10, 1970, to accommodate the needs of this employer. See Exhibit D at 2. At his initial interview with petitioner the parole agent explained to petitioner that he could neither open a checking account nor sign any contracts without permission. Petitioner informed the agent that he intended to divorce his wife and continue his relationship with Madelynn Beth Boyum, also known as Mazor and Williams. Id. at 3. The parole agent's

1. This offense was committed while petitioner was on parole for a 1963 Los Angeles County conviction for violation of Penal Code section 476a (insufficient funds check). The sentence on conviction expired as fully served in March, 1968. See

1 continuing summary (2-19-70 to 6-30-70) indicates that peti-  
2 tioner received an interlocutory decree of dissolution April 16,  
3 1970.

4 The report further notes that petitioner was, at one  
5 time, considered near totally blind but had received eye  
6 refraction and could read with little or no difficulty.<sup>2/</sup>

7 Petitioner changed his employment to the law firm of Jaffee and  
8 Mallory on May 5, 1970, and Mr. Jaffee indicated he would sponsor  
9 petitioner in taking the bar exam. Id. at 5. The agent's  
10 summary (7-1-70 to 12-14-70) discloses that petitioner was  
11 arrested on November 30, 1970, at the request of the parole agent.  
12 Id. at 6.

13 On December 16, 1970, a parole violation report was  
14 submitted, recommending parole suspension and revocation on  
15 the basis of eleven charges as follows:

16 1. Joseph Allen Mazor violated Condition 10 of the  
17 Conditions of Parole as evidenced by his obtaining a  
18 passport without the knowledge or permission of the  
19 Parole Agent.

20 2. Joseph Allen Mazor violated Condition 10 of  
21 the Conditions of Parole as evidenced by his making reser-  
22 vations on a United Airlines flight to New York, without  
23 the knowledge or permission of the Parole Agent.

24 3. Joseph Allen Mazor violated Condition 10 of the  
25 Conditions of Parole when he bought a 1965 Jaguar without  
26 the knowledge or permission of the Parole Agent.

27 4. Joseph Allen Mazor violated Condition 12 of the  
28 Conditions of Parole as evidenced by his forging the  
29 signature of his fiancée to her income tax refund check

30 2. It should also be noted that petitioner obtained an

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in the amount of \$693.62.

5. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by making a fictitious automobile purchase draft in the amount of \$450.00.

6. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by writing and depositing a \$300.00 check on a closed account.

7. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by attempting to sell furniture which he had rented from another firm.

8. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by drawing welfare assistance while he was employed.

9. Joseph Allen Mazor violated Condition 12 of the Conditions of Parole by misrepresenting an automobile, and consequently causing his employer a loss of \$1,795.00.

10. Joseph Allen Mazor violated Condition 11 of the Conditions of Parole as evidenced by his being charged by the District Attorney's Office with failure to provide (270 P.C.).

11. Joseph Allen Mazor violated Condition 13a of the Conditions of Parole by establishing numerous credit accounts without the knowledge or permission of the Parole Agent. Id. at 9/10.

The report also set forth supporting evidence for each charge, Id. at 10-13, a resume of parole adjustment, Id. at 14, and reasons for the recommendation, Id. at 15.

On the basis of this report, petitioner's parole was suspended and his term reset at maximum on January 8, 1971. See Exhibit E. Petitioner was returned to prison on January 14, 1971, and was received at the California Medical Facility at Vacaville

1 on January 25, 1971. See Exhibit C. On March 5, 1971, peti-  
 2 tioner appeared at a parole revocation hearing. The panel then  
 3 found him guilty of charges 5, 6, 7, and 11, dismissed charges  
 4 1, 2, 4, and 9, and submitted charges 3, 8 and 10 for investi-  
 5 gation. See Exhibits F and G. On March 10, 1971, additional  
 6 information was submitted pursuant to this investigation. See  
 7 Exhibit H. In addition this report provided supplemental  
 8 information indicating that petitioner cashed a check indorsed  
 9 by the named payee and himself, but the named payee returned  
 10 the check to the firm which cashed it, denying by affidavit,  
 11 that she had indorsed it; and that petitioner had purchased a  
 12 typewriter on a 90-day conditional sales contract, had paid no  
 13 money (one year had elapsed), and was believed to have sold the  
 14 typewriter. See Exhibit H at 2.

15 Subsequently, on April 14, 1971, while at the California  
 16 Institution for Men at Chino, petitioner made an unscheduled  
 17 appearance before an Adult Authority Panel.<sup>3/</sup> As a result, his  
 18 case was submitted for review on April 20, 1971. No change was  
 19 made in his status, the Authority resolved the three charges  
 20 which were submitted, finding him guilty of charge 8, and dis-  
 21 missing charges 3 and 10, and his case was scheduled for con-  
 22 sideration again by the entire board on May 17, 1971. Documents  
 23 relevant to this meeting are, or will be when received, attached  
 24 as Exhibit J.

25 B. Medical Condition and Treatment.

26 As stated above, petitioner was returned to prison on  
 27 January 14, 1971, and on January 25, 1971, was received at the

28  
 29 3. We have been informed that two Deputy Attorneys General  
 30 from the Los Angeles Office were observing Adult Authority hear-  
ings conducted at Chino for informational purposes. They had no  
particular interest in nor any connection with petitioner's case.  
Petitioner was informed that they were visitors and gave his

1 California Medical Facility at Vacaville. By letter dated  
2 January 26, 1971, Riverside General Hospital forwarded a summary  
3 of petitioner's examination and treatment. The report recom-  
4 mended an investigation by neurology staff and consideration  
5 for angiogram studies. The "final diagnosis" set forth in the  
6 report is "Rule out Leptomenigeal cyst, meningioma, vascular-  
7 disorder." See Exhibit I.

8 Reports dated March 1, 1971, (Dr. Prout) and March 2,  
9 1971 (Dr. Wright, Consulting Neurosurgeon), see Exhibit I, reveal  
10 that petitioner was under the care of the medical staff almost  
11 immediately upon his arrival at Vacaville. For instance, skull  
12 x-rays were taken on January 27, 1971, an EEG was made, an  
13 ophthalmologist was consulted on February 10, 1971, and a neuro-  
14 surgical consultation took place on March 2, 1971. Dr. Prout's  
15 letter notes "Our consulting radiologist, R. F. Chambers, M.D.,  
16 interprets the recent skull x-rays of January 27, 1971, as  
17 "abnormal skull evidence of atrophy involving the right hemisphere  
18 with probable vascular malformation. Contrast studies would  
19 probably be informative." Subject had contrast studies in  
20 Fall, 1970, at UCLA Hospital but refuses to sign a release for  
21 these records upon advice of his attorney." Dr. Wright's report  
22 also indicates that petitioner refused to make the September  
23 studies available to the doctor despite being told no meaningful  
24 opinion could be rendered without them. Petitioner also refused  
25 to consent to angiography in the institution. Dr. Wright recom-  
26 mended further tests. A report dated March 4, 1971, indicates  
27 that Dr. Prout concurred in this recommendation. See Petition,  
28 Exhibit A.

29 By letter of March 22, 1971, to the California Supreme  
30 Court, Dr. Carter Noland of Riverside General Hospital stated

1 that, "We have since learned that further studies have shown a  
2 need for immediate surgery in order not to endanger his life."  
3 Petition, Exhibit B. By letter dated April 1, 1971, addressed  
4 to the chairman of the Adult Authority, Dr. Prout indicated that  
5 neurological studies should be undertaken, that they could be  
6 performed within the Department of Corrections, but only with  
7 petitioner's consent, which he refused to give, and that peti-  
8 tioner was willing to be hospitalized at Riverside General  
9 Hospital. Out of concern for petitioner's health status, the  
10 doctor recommended that the Adult Authority review his parole  
11 status and reinstate parole to permit petitioner to return to  
12 Riverside General Hospital. See Exhibit I; Petition, Exhibit C.

13 No change was made in petitioner's parole status, but  
14 after consultation, the Department of Corrections, pursuant to  
15 Penal Code section 2690, arranged for his treatment at Riverside  
16 General Hospital, and on April 9, 1971, transferred him to the  
17 California Institution for Men at Chino, where he was housed in  
18 the institution hospital. Petitioner was available for whatever  
19 studies or surgery staff at Riverside General Hospital wished to  
20 undertake.

21 The report of the studies conducted at Riverside  
22 General Hospital indicates that petitioner was uncooperative  
23 during the physical examination, and, refused to release to the  
24 hospital the angiograms done at UCLA. The report shows that  
25 SMA, CBC, and EKG tests or studies were within normal limits.  
26 Skull films reveal multiple radiolucent defects in the right  
27 cranial vault, and subtle abnormality, but no gross abnormality.  
28 Apparently, further surgery was unnecessary because petitioner  
29 was discharged with the recommendation that skull films be done  
30 in two years. The report is attached, or will be when received,  
31 as Exhibit K.

1 Petitioner was returned to Vacaville on April 27, 1971.  
2 He is presently under a "medical hold" which means that he cannot  
3 be transferred to an institution without medical clearance. He  
4 will be transferred back to Chino when approved by that insti-  
5 tution's medical officer as space becomes available.

6 ARGUMENT

7 PETITIONER'S PAROLE WAS PROPERLY REVOKED  
8 AND THERE HAS BEEN NO DENIAL OF ADEQUATE  
9 MEDICAL TREATMENT; THUS, NO CONSTITUTIONAL  
10 QUESTION IS PRESENTED.

11 Petitioner has filed in this Court a petition for writ  
12 of habeas corpus which, although emphasizing his physical con-  
13 dition and apparently objecting to the medical treatment afforded  
14 him, seeks only a determination that California procedures for  
15 revoking parole are unconstitutional, in that <sup>in</sup> his parole  
16 revocation, he was denied counsel, the right to confrontation,  
17 the right to present witnesses. See Petition at 12. <sup>4/</sup>

18 From the facts as stated above, it is obvious that there  
19 is no present issue concerning petitioner's treatment. Petitioner  
20 does not even suggest what test or procedure is presently necessary  
21 and unavailable. There is simply no federal question presented.  
22 Cf., Haggarty v. Wainwright, 427 F.2d 1137 (5th Cir. 1970).

23 It is also clear from the records submitted herewith  
24 that no federal question is presented by Adult Authority action  
25 in revoking petitioner's parole. There is no right to counsel, to  
26 confrontation of witnesses, or to call witnesses. All that is  
27 constitutionally required is cause for the revocation. See  
28 Allard v. Nelson, 423 F.2d 1216 (9th Cir. 1970); Mead v.  
29 California Adult Authority, 415 F.2d 767 (9th Cir. 1969); Dunn  
30 v. California Department of Corrections, 401 F.2d 340 (9th Cir.  
31 1968); Eason v. Dickson, 390 F.2d 585 (9th Cir.), cert. denied,  
32 392 U.S. 914 (1968). Ample cause is shown here.

4. On March 26, 1971, petitioner filed a nearly identical petition  
in the California Supreme Court. The Court denied the petition on  
April 22, 1971. The Court had been informed that petitioner had  
been transferred for treatment pursuant to Penal Code section 2690,  
and had available the documents submitted herewith as Exhibits A-I.

S-1-E-1  
(58)

1 Petitioner was found guilty of five of the eleven  
2 violations charges. The supporting evidence provided for these  
3 charges discloses conduct clearly in violation of parole. (Ex. D 10-13;  
4 Ex. H.)

5 Petitioner alleges that he was unable to present  
6 documentary evidence of his innocence because of his blindness,  
7 that the Adult Authority would not consider this evidence and  
8 that counsel now have possession of this documentary evidence  
of his innocence of all charges.

9 We submit that this record clearly shows that the  
10 Adult Authority did consider most carefully the evidence pre-  
11 sented to it including petitioner's story and his documents,  
12 if any. At the time of the hearing four of the charges were  
13 dismissed. Three charges were submitted for further investi-  
14 gation. This conclusion is supported, even by petitioner's  
15 allegation that Mr. Valachi stated, "I hate this damned paperwork.  
16 We cannot support the charges and we will investigate." See  
17 Petition at 5. It is a mere conclusion unsupported by facts that  
18 because the panel returned the documents they did not consider  
19 them.

20 Although petitioner claims that he has documentary  
21 evidence that he is not guilty of any of the charges, he has not  
22 provided this Court with this evidence nor indicated what it is  
23 or to which specific charges it may be relevant. Moreover,  
24 although the Adult Authority will not permit counsel to be present  
25 at a revocation hearing, counsel is free to present written  
26 argument and documentary support to the Adult Authority for their  
27 consideration. Apparently, no effort has been made even to do  
28 this.

29 Finally, The Adult Authority is routinely provided with  
30 a Readmission Summary which includes a medical report. The report  
31 in this case, we are informed, included information on both



1 petitioner's blindness and possible brain tumor.

2 CONCLUSION

3 It is obvious from this record that the allegation of  
4 the imminence of petitioner's death is overstated, as is the  
5 allegation of total blindness. His claim of denial of due  
6 process in his parole revocation hearing lacks both legal and  
7 factual substance. In fact, the record shows that petitioner  
8 has had a most thorough consideration and review of both his  
9 condition and his status. In the circumstances shown, no  
10 federal question is presented. We respectfully request that  
11 the petition for writ of habeas corpus be denied, that the order  
12 to show cause be discharged, and that the proceedings be  
13 dismissed.

14 Dated: May 10, 1971.

15 EVELLE J. YOUNGER, Attorney General  
of the State of California

16 EDWARD P. O'BRIEN  
Deputy Attorney General

17 *Gloria F. DeHart*  
18 (Mrs.) GLORIA F. DeHART  
19 Deputy Attorney General

20 Attorneys for Respondents.  
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S-1-E-1  
(60)

State of California

GOVERNOR'S OFFICE,  
SACRAMENTO 95814



RONALD REAGAN  
GOVERNOR

March 23, 1971

Re: MAZOR, Joseph A.  
A-77153-A

C  
O  
P  
Y

Superintendent Lester J. Pope, M.D.  
California Medical Facility  
Box 2000  
Vacaville, California 95688

Dear Superintendent Pope:

Please inform your inmate, Joseph A. Mazor, A-77153, that his recent letter to the Governor has been received. Please also inform the subject that the subject matter of his letter is the responsibility of the Department of Corrections and the Adult Authority.

~~I am informed by the Adult Authority that the subject's parole violation charges are extensive and very criminal in nature.~~  
I am also informed by the Adult Authority that the Medical Director of the Department of Corrections, John E. Gorman, M.D., has recently written to the subject in regard to his physical difficulty and that the medical staff of your institution are fully aware of the subject's medical problem.

To the end that you may follow through appropriately, this subject's letter is called to your personal attention.

Sincerely,

Herbert E. Wellingwood  
Legal Affairs Secretary

JAS:3  
cc: T.H. McDonald, CCR-CIF

*Boles Jones*

S-7-E-1  
(611)

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

JUDGMENT

Department No. 100

June 25 19 65 Present Hon. DAVID W WILLIAMS Judge

THE PEOPLE OF THE STATE OF CALIFORNIA, vs 304175  
JOSEPH A MAZOR *216-712*

Deputy District Attorney James Johnson and Defendant with counsel  
Deputy Public Defender L. Schoenheit present. Probation denied.  
Sentenced as indicated.

Whereas the said defendant having                      duly            pleaded  
guilty in this court of the crime of ISSUING FICTITIOUS CHECK (Sec 476 PC), a felony,  
as charged in the information

C.I.M.  
1965 JUL -7 AM 10:33  
C.C. BARKER

It is Therefore Ordered, Adjudged and Decreed that the said defendant be punished by imprisonment in the State Prison for the term prescribed by law.

It is further Ordered that the defendant be remanded into the custody of the Sheriff of the County of Los Angeles, to be by him delivered into the custody of the Director of Corrections at the California State Prison at Chino.

Prob. / Aud.            DMV             
LAPD / Cdr.            CYA             
Co. J. / Juv.            C. Clk.             
Sher. / Psyc.            Misc.           

JUDGMENT — State Prison  
(Men)

76347D-4/53

THIS MINUTE ORDER WAS  
**ENTERED**  
JUN 30 1965  
WILLIAM G. SHARP, COUNTY CLERK  
AND CLERK OF THE SUPERIOR COURT  
*C. A. Blute*

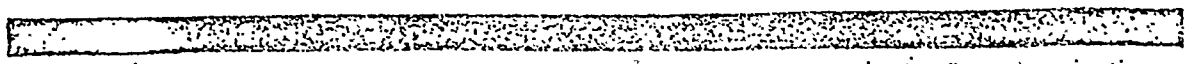


EXHIBIT A

C. I. M.

S-1-E-1  
(62)

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF LOS ANGELES  
G.C. ADMITTANCE  
JUDGMENT

*F. Amuth*  
6-28

Department No. 100

March 8 1963 Present Hon. DONALD R. WRIGHT Judge

THE PEOPLE OF THE STATE OF CALIFORNIA, vs. 207421  
JOSEPH A MAZOR

Deputy District Attorney Malcolm Harris and the Defendant in propria persona, present. Each count: Probation denied. Sentenced as indicated.

Whereas the said defendant having duly pleaded guilty in this court of the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS. (Sec 476a PC), a felony, as charged in each of the Counts 1, 2 and 3 of the information

It is Therefore Ordered, Adjudged and Decreed that the said defendant be punished by imprisonment in the State Prison for the term prescribed by law, on said Counts. Sentences as to Counts 1, 2 and 3 are ordered to run CONCURRENTLY with each other.

It is further Ordered that the defendant be remanded into the custody of the Sheriff of the County of Los Angeles, to be by him delivered into the custody of the Director of Corrections at the California State Prison at Chino.

It is to certify that the foregoing is a true and correct copy of the original on file in my office.  
Dated: \_\_\_\_\_  
WILLIAM G. SHARP, Deputy County Clerk

ENTERED  
MAR 13 1963 P. A. [Signature]  
WILLIAM G. SHARP, COUNTY CLERK  
is Clerk of the Superior Court, BY  
Prob. \_\_\_\_\_ Aud. \_\_\_\_\_ DMV \_\_\_\_\_  
LAPD \_\_\_\_\_ CA \_\_\_\_\_  
CO. J. \_\_\_\_\_ Juv. \_\_\_\_\_ C. CL. \_\_\_\_\_  
Sher. \_\_\_\_\_ Psyc. \_\_\_\_\_ Misc. \_\_\_\_\_  
JUDGMENT — State Prison  
(Mon)

This Minute Order has been entered on \_\_\_\_\_  
WILLIAM G. SHARP, County Clerk and Clerk of the Superior Court of the State of California, in and for the County of Los Angeles.  
By \_\_\_\_\_ Deputy

S-1-E-1  
(63)

SUMMARY OF SENTENCE DATA

	Credits Forfeited	Restored Credits	Additional Credits	Discharge Date	Parole Effective Date
CRIME NSF Check 3 Cts CC 75a-PC					
TERM 30-14 Cts CC					
COUNTY Los Angeles					
County Case No. 209221					
JUDGE: J R Wright					
2/19/63 REC'D FOC CHINO					
MAY 8 1963 MAPS TO CP LAST					
APR 15 1964 T.F.A. 3 YRS. GRANT LOST 1 YRS. & 7 MOS. ON PAR.					
MAY 11 1964					
-65 PV WNT REC'D FOC CIM					
15-65 REC'D FOC CNF					
13-65 Parole Canceled					
3 1963 PC all Cts. Rev. Den. P.O.					
APR 15 1964 T.F.A. 5 YRS. WPT					
Unit 3 24 months parole				3-19-68	
-19-67 (Notice of PD in full) from 7-7-67 to 5-22-68					
-22-67 Parole Canceled Unit 1 San Bernardino Co. Prison					
-19-68 Expired & Parole Canceled					
-20-69 OTC + RET (Same Date)					

TERM: 6mo-14 CCWPT

COUNTY: Los Angeles

County Case No.: 204175

JUDGE: D.J. Williams

7/7/65 PV WRT REC'D RGC CIM

7/15/65 REC'D RGC CMF

7-15-65 CIA

JAN 18 1967 CTRFA 5 yrs and 3 mths  
CC ATFA 5 yrs CCWPT

Granted last 32 mos on  
parole

7-7-70 7-7-65  
Pg.

5-19-67 Action of Allen P.A. 1st order  
from 7-7-67 to 5-22-67

5-22-67 Paroled Riverside Unit #1

San Bernardino Co. Prison

MAY 2 1969 PAROLE SUSPENDED-RETURN TO  
PRISON FOR REVOCATION PROCEEDINGS ORDERED

0-0-3 7-7-79

5-5-69 PV TTT REC'D RGC CIM

5-15-69 REC'D RGC CMF

5-27-69 PV submitted Rev. Ben. P.A. 1st order  
JUL 1 '69 rec'd SCC Orient

8-12-69 back on parole - West

9-22-69 OTC & Rev. (writ)

9-29-69 OTC & Rev.

9-30-69 L - L - L

10-20-69 L - L - L

11-19-69 ATFA 7 yrs CCWPT. built pro off 3-10-70

7-7-72 3-10-70

12-12-69 Dep. Rec'd and San Bernardino Co

DEC 30 1969 CIM

2-13-70 Action of Allen P.A. 1st order from  
3-10-70 to 2-15-70

2-15-70 Paroled Riverside Unit #1

Region IV

JAN 8 1971 PAROLE SUSPENDED-RETURN TO  
PRISON FOR REVOCATION PROCEEDINGS ORDERED

0-0-6 7-7-79

1-14-71 PV TTT REC'D RGC CIM

1-25-71 REC'D RGC CMF

MAR 5 1971 PNG Cts 1,2,3,4,5,6,7,8,9,10,11. F.c.t.s.

5,6,7,11. Cts 3,7,10 submitted. Cts 2,4,9

Atom Rev. Ben. P.A. 7/71 RR call

A-77153-A HAZOR, Josepha h.  
Summary of Sentence Data

EXHIBIT

# ADULT AUTHORITY

Meeting of

January 8, 1971

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA. HELD AT LOS ANGELES (P&CS MEETING)

TO WHOM IT MAY CONCERN:

Present were: James H. Hoover, Member; Robert Del Pesco, AA Rep.; Actions reviewed and concurred in by: Hanley J. Bowler, Member

\*\*\*\*\*

## PAROLES SUSPENDED - RETURN TO PRISON ORDERED:

The Parole and Community Services Division presented reports in writing in each of the below-listed cases (these reports are now on file in the office of the Adult Authority at Sacramento), charging that the below-named prisoners had willfully violated the terms and conditions of their paroles.

The action in each of the following listed cases was "Parole suspended and return to prison ordered for revocation proceedings, for the causes set forth in the report of which this order is a part."

A 77153 A MAZGR, Joseph A. (RIV 2)

Due cause being shown by the Parole and Community Services Division, it is hereby ordered that the paroles heretofore granted the above-named and numbered prisoners be suspended upon the grounds that the above-named and numbered parolees have violated the terms and conditions of their paroles as more particularly set forth in the Parole and Community Services Division charges which are made a part of this order.

It is further ordered, that the Parole and Community Services Division, shall return said prisoners to the custody of the Director of Corrections to abide further action of the Adult Authority.

It is further ordered in accordance with Resolution 171 adopted by the Adult Authority on March 6, 1951, that the above-listed prisoners who have terms fixed at less than the maximum shall be re-fixed at the maximum until further order of the Authority.

In the event any of said prisoners shall be found in any State other than California, an application for a requisition for the return of said prisoners is hereby authorized and the Chief or Deputy Chief, Parole and Community Services Division, is hereby authorized to execute such application for and on behalf of the Adult Authority.

\*\*\*\*\*

A D O P T E D B Y

The affirmative votes of:  
James H. Hoover, Member;  
Robert Del Pesco, AA Rep.;  
Actions reviewed and concurred in by: Hanley J. Bowler, Member

(Signed) JOSEPH A. SPANGLER  
Administrative Officer

# ADULT AUTHORITY

S-1-E-1  
(66)

Meeting of  
March 5, 1971

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA HELD AT CALIFORNIA MEDICAL FACILITY-RECEPTION GUIDANCE CENTER TO WHOM IT MAY CONCERN:

Present were: Warren Ballachey; Frank O'Brien; Actions reviewed and concurred in by: Manley J. Fowler; Daniel R. Lopez

\*\*\*\*\*

### ORDER OF THE ADULT AUTHORITY 5 MARCH 1971 PAROLE VIOLATOR CALENDAR

IT APPEARING THAT THE following named and numbered inmates, having been duly charged with wilfully violating the terms and conditions of their paroles and Tickets of Leave, and the Chief State Parole Officer having presented written charges with recommendations that the paroles heretofore granted to said inmates be suspended, cancelled, and/or revoked and it further appearing that written copies of the charges, notices of time of hearings, and notices of consideration of revocation of all or a portion of credits earned or to be earned, have been duly served in all cases; and the Adult Authority, having considered each case, following the submission of oral and documentary evidence supporting such charges of parole violations, finds that the following inmates have violated the terms and conditions of their paroles and Tickets of Leave.

IT IS THEREFORE ORDERED THAT the paroles heretofore granted are hereby revoked and/or the credits earned or to be earned by each of the below-named and numbered inmates, under Section 2600 and 2621 of the Penal Code, shall be, and hereby are forfeited, and the specific charges as stated by the Chief State Parole Officer are made a part of the revocation and/or the forfeiture of credits in the manner hereinbelow set forth opposite the inmates' respective names:

~~P 77153 A MA702, Joseph A.~~

(PV TFT 1-14-71) Plead not guilty to counts 1,2,3,4,5,6,7,8,9,10, 11. Found guilty of counts 5,6, 7,11. Counts 3,8,10 submitted for additional information. Counts 1,2,4,9 dismissed. Revoked. Denied. Place on July 1971 RR Calendar.

\*\*\*\*\*  
A D O P T E D B Y

The affirmative votes of:  
Warren Ballachey; Frank O'Brien;  
Actions reviewed and concurred  
in by: Manley J. Fowler;  
Daniel R. Lopez

(Signed)

L. ROBERTSON, Correctional  
Counselor II

A T T E S T  
March 5, 1971

A T T E S T

April 7, 1971

JOSEPH A. SPANGLER  
Administrative Officer

## EXHIBIT F



State of California

# ADULT AUTHORITY

Meeting of  
April 20, 1971

EXCERPT FROM MINUTES OF MEETING HELD ON THE ABOVE  
DATE FROM OFFICIAL RECORDS ON FILE IN THE OFFICE OF  
THE ADMINISTRATIVE OFFICER AT SACRAMENTO, CALIFORNIA.  
HELD AT SACRAMENTO (SPECIAL MEETING)

TO WHOM IT MAY CONCERN:

Present were: Curtis Lynum, Vice-Chairman; Leland M. Edman,  
Member

\*\*\*\*\*

A 77153 MASOR, Joseph A. (CIM) Parole violation charges 3  
and 10 in report dated  
December 16, 1970 dismissed.  
Found guilty charge #3.

\*\*\*\*\*

A D O P T E D    B Y                      The-affirmative votes of:  
  
Curtis Lynum, Vice-Chairman;  
Leland M. Edman, Member

(signed)                      JOSEPH A. SPANGLER  
Administrative Officer

A T T E S T  
April 20, 1971

A T T E S T                      May 7, 1971

JOSEPH A. SPANGLER  
Administrative Officer

S-1-E-1  
(68)

C E R T I F I C A T I O N

I hereby certify that my name is D. H. Francisco and that I am employed in the Capacity of Records Officer at the California Medical Facility at Vacaville, California, an institution of the California Department of Corrections; by virtue of such capacity I am custodian of the official records of said institution; that the attached documents bearing the official seal of the Department of Corrections are true and correct photocopies of the official records of said institution for:

JOSEPH A. MAZOR      A-77155-A

Done at Vacaville California, County of Solano,  
California on this 6th day of April, 1971.

*D. H. Francisco*  
D. H. FRANCISCO  
RECORDS OFFICER III

S-E-1

(682)

ORCHESTRATION OF  
A CONSPIRACY

S-1-E-1  
69

# INTERPOL Special Agent Attacks Jim Jones & Peoples Temple

**WE HAVE DOCUMENTED PROOF THAT "PRIVATE INVESTIGATOR" JOSEPH MAZOR IS A SPECIAL AGENT FOR INTERPOL - THE NAZI-INFESTED INTERNATIONAL CRIMINAL POLICE ORGANIZATION BEGUN IN HITLER'S GERMANY!**

This is the man who, according to the Berkeley Barb, admitted that he has been employed since November of 1976 to "investigate" Peoples Temple, yet refused to say who pays him. We know that he is working closely with Elmer and Deanna Mertle, former members of the Temple and sources for the vicious media attacks. We know also that he has contacted the Guyanese embassy in the United States and has played on personal loyalties, family ties, and child custody matters to the point of obviously trying to wear Temple unity down. By his own admission to Barb columnist Art Silverman, Mazor hired one of the largest public relations firms in San Francisco—Russom, Lowry and Leeper—to "show him how to handle the media" on the Peoples Temple "project". Sources close to the Barb said that Mazor had approached Lowry, Russom, and Leeper saying "he wanted to become San Francisco's next Hal Lipset", (a famous investigator), and that the Temple controversy "presented an excellent opportunity to garner publicity."

NOW WE HAVE LEARNED OF THIS MAN'S INTERPOL CONNECTION. AND WE HAVE LEARNED FROM A HIGH GOVERNMENT OFFICIAL THAT INTERPOL IS CIRCULATING THE SAME VICIOUS LIES TOLD IN THE MEDIA ABOUT THE TEMPLE AND ITS LEADER, PLUS MORE. INTERPOL IS CIRCULATING THE FALSE REPORT THAT JIM JONES PARTICIPATED IN A RIOT IN GUYANA AND IN THROWING TEAR GAS AT A TIME WHEN HE WAS NOT EVEN THERE. This too can be proven. It is an obvious attempt to discredit Jim Jones and his progressive organization in the country where we have established our immensely successful agricultural mission.

**WHO IS THIS MAN, JOSEPH MAZOR?** He is a man with a lengthy criminal record. He has served time in jails in three states on a variety of charges (bogus checks, fraud) and has violated probation and parole on three occasions by committing more crimes. The California Adult Authority report (1970), evaluates Mazor as a "smooth con man with an insatiable desire to get ahead. He is cunning, well-educated, and so well-versed in the law that he had five attorneys in the Pomona area convinced that he had a law degree. It is felt that the subject is a menace to the community." This is the profile of the man who is parading himself as a respectable private investigator. **THE FACT THAT HE IS ALSO AN AGENT FOR INTERPOL, RAISES SERIOUS QUESTIONS**

Joseph Mazor is now under an intense investigation. His Interpol connections are only the beginning. We will not stop until we have exposed every detail of his inhumane attempt to destroy a great humanitarian leader.

5-1-15-1  
70

# What is **INTERPOL?**

*INTERPOL* is a private international police organization made up of national police representatives from over 100 member nations. Supposedly organized to apprehend criminals, control drug traffic, etc., Interpol's U.S. branch is funded, staffed, and housed in the U.S. Treasury Department, across the street from the White House. It has a direct hook-up to the computerized National Crime Information Center (NCIC), run by the FBI, and direct contact with state and local police. All Interpol nations have access to US files and records denied to U.S. citizens. Any police state, or private group in any member nation, via their police, can obtain information on U.S. citizens, businesses, tourists, immigrants, suspects, etc., without regard to validity, relevance, truth, or source. Yet, for U.S. citizens, Interpol files are exempt from the Freedom of Information Act! The NCIC computerized files at the disposal of Interpol are massive. A foreign agency, operating through Interpol, could even plant information in U.S. government files.

*INTERPOL* is basically a Nazi organization. Its vice-president in the 1930's and 40's was Nazi General Kurt Daluege, executed later for war crimes. During Hitler's power period, Interpol was headquartered in Berlin. Its 1939 conference was held under the patronage of the Reichsfuehrer, the SS, and the Nazi chief of Police, Heinrich Himmler. In 1968, Paul Dickopf, a former henchman in Hitler's Security Police, was elected president. During his reign, the organization became affluent, due to large contributions by three member nations during his tenure: Venezuela, Brazil, and Switzerland, where, coincidentally, the Nazi SS (Odessa) brotherhood is still very much alive.

[Information on Interpol compiled from The Peoples Almanac, by David Wallechinsky and Irving Wallace, Doubleday & Co., Garden City, 1975. Article by Vaughan Young.]

# A Conspiracy Behind Peoples Temple Expose?



Attorney Charles Garry

by Art Silverman

Is the current two-month barrage of sensational charges levelled against San Francisco's Peoples Temple "an organized, orchestrated, premeditated government campaign to destroy a politically-progressive organization," as Temple attorney Charles Garry accuses? Or is it a "spontaneous, courageous action by a group of former Temple members, who never came forward before because they were scared to death (of reprisals)," the explanation offered by Rosalie Muller Wright, senior editor of New West magazine, which first published and has since supported the accusations? There still aren't any definitive answers to those questions -- or to the specific allegations of fraud, deceit, real estate swindles and physical brutality raised in numerous media accounts since publication of the first of two New West articles in mid-July (see Barb, July 22).

But a number of unusual circumstances and coincidences can't help but raise the suspicion that there's more going on than first meets the eye. For example:

"A Barb investigation has revealed that one individual working behind the scenes to discredit Peoples Temple is a San Francisco private investigator, who somehow managed to obtain a state investigator's license after being released from prison in 1976.

Joseph A. Mazor, the detective, has a lengthy criminal record including at least eight arrests in three states for various bogus check and fraud charges, six convictions, several jail and prison terms, and has been returned to confinement three times for violating probation and parole by committing new crimes.

A confidential, 16-page California Adult Authority report on Mazor, written in 1970, was recently obtained by the Barb. "(He) is a smooth 'con-man' with an insatiable desire to get ahead," concludes the report. "He is bright, well-educated, and so well-versed in the law that he had five attorneys in the Pomona area convinced that he had a law degree.

"It is felt that the subject is a menace to the community."

Mazor has admitted to the Barb that he was first employed to investigate the Peoples Temple in November 1976, eight months before publication of the first New West article. But he refuses to say who retained him.

"I'm not going to tell you that," said Mazor, though he did reveal that his employer was an outsider, and not a past or present member of Peoples Temple. Mazor said he is currently employed by "several" former Temple members, including Elmer and Deanna Merrile, the original sources for the New West ar-

icles. "Mazor apparently is not only investigating Peoples Temple, but also actively seeking publicity to discredit the organization.

To that end, the Barb has learned, Mazor hired one of the largest public relations firms in San Francisco and then asked them to coordinate a public campaign against the Temple and its minister, Reverend Jim Jones.

Bob Kenney, an account executive at Lowry, Russon and Leeper, confirmed for the Barb that he has been working for Mazor "on this (Peoples Temple) project, showing him how to handle the media." He referred further inquiries to Mazor himself, whose only comment on Kenney's role was, "I don't think that's any of your business."

Mazor did note that he originally hired the public relations firm to help him attract business from insurance companies, and then the Peoples Temple matter just came up, and so naturally I turned to them for help.

But a source close to Lowry, Russon and Leeper told the Barb that Mazor came to the company "saying that he wanted to become San Francisco's next Hal Lipset (a famous investigator)," and that the Peoples Temple controversy "presented an excellent opportunity" to garner publicity.

According to this source, Kenney's work for Mazor included sending out letters to selected journalists, offering them --



Temple leader Rev. Jim Jones



Indian leader Dennis Banks says he was asked to denounce Rev. Jim Jones.

through Mazor -- exclusive material of an incriminating nature, against Peoples Temple.

Kenney's campaign resulted in at least one article in the San Francisco Chronicle last month, concerning an alleged tape-recording of a telephone conversation, in which Temple members supposedly discussed irregularities of the rotary telephone accounts "transferring bills of a member's home" to the Temple. The allegations raised in that story are now also in dispute.

"In another strange twist to the Peoples Temple story, American Indian Movement leader Dennis Banks charged recently that he was approached on March 23 by a man who identified himself "as working with the Treasury Department, with an Internal Revenue Service agent, and with two men from the San Francisco Police Department."

The man, who Banks and his associate Lehman Brightman identified as David Conn, then allegedly offered Banks help with his extradition problems in exchange for "a public denunciation" of Jim Jones. Banks is facing possible extradition from California to South Dakota.

Banks has long been a Peoples Temple supporter, and has attended Temple services three or four times. The Temple also made a loan of \$19,000 to bail Bank's wife out of prison last year. Her charges were subsequently dropped and the money was returned.

Conn was obviously making a deal with me," Banks charged in a sworn affidavit presented at a press conference earlier this month. "I was being blackmailed.

"These agents all knew that I had a lot hanging over me. Besides the extradition, I also had a case in Federal court in which the Treasury Department was involved. I have often made it clear that if I am extradited to South Dakota, that is like a sentence of death, because I am certain I will be killed there."

Banks also quoted Conn as saying that he has been investigating Peoples Temple for seven years, and was working with several ex-members, including Grace Sloc, who turned out to be another source for the New West articles.

When reached by the Barb this week, Conn admitted that he has been investigating Peoples Temple for seven years, but said that he had undertaken the project on his own, as a private matter, "because I became aware that this is one of the worst religious frauds being perpetrated. This man is ripping off the black people."

Conn also admitted that he sought out Dennis Banks and arranged a meeting, but his version of what transpired on March 23 was notably different. "I wanted to talk to Banks because I

respect the guy, and I was afraid that he was going to discredit himself through his association with Peoples Temple, without really knowing what they were about."

Conn, a survivor employed by the Standard Oil Corporation, denies that he ever mentioned Banks' extradition or offered him any deals. He claims that he only mentioned the Treasury Department and other government agencies in passing, pointing out to Banks that they were conducting their own investigations of Reverend Jones and the Temple.

In fact, Conn said, it was he and Santa Rosa freelance journalist George Klineman who approached various police and governmental agencies last fall, offering them witnesses and documents with which to attack the Temple. No investigations were underway before that time.

Both George Klineman and David Conn also have connections to the New West articles -- Klineman was credited with helping write the stories, while Conn was a secondary source and appeared at a New West-sponsored press conference held at the Sheraton Palace Hotel July 20 to help promote the articles.

In addition, Conn is a close personal friend of the Merriles; the main sources for much anti-Temple publicity. By his own admission, Conn was investigating the Temple during all the years that his friends the Merriles were members.

It is also the Merriles who hired private eye Mazor and retained San Francisco attorney Daniel Deneberg to file a law suit against the Temple.

But nobody has been served with legal papers yet, and so for the moment there is still no way to get witnesses on the stand, under oath, to try to get at the truth about Peoples Temple once and for all.

Jim Jones is still in Guyana, where he has remained since before publication of the first anti-Temple articles on attorney Garry's orders. According to reports from Guyana, relayed by Garry, there have been two attempts on Jones' life in the last month, one staged by "three white people with guns" who came onto the Temple's 5000-acre mission.

The Dennis Banks press conference, held in Garry's downtown San Francisco office, marks the first time that Temple officials have made any comment about the various charges raised by New West and other media.

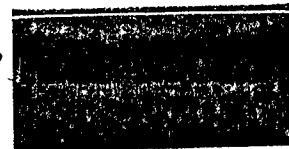
But they are still refusing to respond concretely to any particular accusations, on the grounds that they still don't know who is responsible for these attacks.

"We're going to keep our mouths shut," said attorney Garry, "until the dust settles and we get to the bottom of this. It looks like a conspiracy to me."

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S-1-E-1 (72)

WHAT IS INTERPOL?



S-1-E-1-(73)

Special Article: Interpol

simple. Law enforcement remains about 20 years behind in weapons, techniques, and intelligence anyway, and the things Joe Valachi described were comfortably outdated.

All the propaganda notwithstanding, the Mafia remains a dying institution and sooner or later will have to be abandoned as the old boys die off. Organized crime, on the other hand, is flourishing as never before. The war on crime, begun by Robert F. Kennedy, faltered badly under President Johnson and ground to a halt under Richard M. Nixon. With the heat off,

even the Mafia is no longer needed. Crime will continue to prosper until, as the President's Commission on Law Enforcement put it in 1967, there is a change in "the hearts and minds of men."

Such a change isn't going to happen tomorrow.

The Author: A onetime college professor and investigative newspaper reporter, Hank Mes-sick's recent published books include John Ed-gar Hoover, The Private Lives of Public En-emies, and The Beauties and the Beasts.

## The Men from Interpol

By Vaughn Young

Formed in 1924, the International Criminal Police Organization has come to be known best by its cable designation, "Interpol." With its world headquarters in St. Cloud, a Paris suburb, Interpol is, to the casual observer, an admirable effort: cooperation among the police of various nations to apprehend criminals, control drug traffic across international borders, and similar activities. To the surprise of many, however, Interpol is a private organization to which law enforcement agencies of over 100 nations belong and pay annual dues. Its position and growth have stemmed entirely from the support of these police around the world, whence comes the mistaken belief that Interpol is a legally constituted international agency.

Throughout its history, Interpol has worked only with the national police force of each country. In the U.S., which officially has no national police force, Interpol is funded, staffed, and housed by the Treasury Department, across the street from the White House. With a direct hookup to the computerized National Crime Information Center (NCIC) run by the FBI and direct contact to State and local police, over 100 Interpol nations have access to U.S. files and records denied the American citizen.

With the growing amount of information being collected and kept by government agencies, such unregulated access to confidential files and records by a private organization serving 100 foreign police groups has disturbed a number of citizens. Any police state, or private group via their police, can obtain information on American citizens, businesses, clubs, diplomats and tourists, immigrants, suspected agents, without regard to validity, relevance, truth, or source. In turn, a foreign agency could even plant information in U.S. Government files, a possibility even more frightening due to its counterintelligence aspect.

When Interpol was first established in 1924, Vienna was chosen as its "permanent" home by fixing in the constitution that the head of the Austrian federal police would automatically lead the organization from the capital of that nation. In short, whoever ran the Austrian police ran Interpol, which Hitler would quickly recognize.

The Nazis strongly supported the organization and encouraged its expansion. By 1937, Interpol officials elected Nazi General Kurt Daluge, destined to be executed in 1946 for war crimes, as their vice-president. At the same time, J. Edgar Hoover, director of the FBI, was expressing interest and corresponding directly with Interpol's secretary general, Oscar Dressler. In 1937, H. Drane Lester, assistant director of the FBI, attended the Interpol congress in London and recommended to Hoover that the U.S. formally join.

Undaunted by growing Nazi participation, U.S. Attorney General Homer Cummings recommended to the Congress, a mere 2 weeks after Hitler's take-over of Austria and Interpol, that the U.S. formally join the group "as advocated by Director Hoover." Since Secretary of State Cordell Hull had no objection to the membership "from the point of view of our international relations," Congress voted the money and as of June 8, 1938, the U.S. was officially a member of Interpol. The U.S. was a member of a Nazi-run organization for only \$1,500 annual dues.

With Hitler now in full command in Germany, the 1939 Interpol conference was scheduled for Berlin under the patronage of the Reichsführer, the SS, and Chief of the German Police Heinrich Himmler. For over a month, the U.S. State Department debated about whether or not to attend this Nazi conference. On August 11—3 weeks before W.W. II be-



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Special Article: Interpol

gan—it declined to accept the invitation it had been sent.

Reinhard Heydrich, appointed to head the Nazi SS, became Interpol's new president, announcing that "Under its new German leadership [Interpol will] be a real center of criminal police." On December 8, 1941, Berlin was named as Interpol's new home and the move was made. Sharing a villa in Wannsee, a wealthy suburb of Berlin, with the Gestapo, Interpol was placed under Heydrich's *Sicherheitdienst* (SD) or Security Police. Also working in the SD at the time was a young SS officer (#337259), commissioned on July 1, 1939, by the name of Paul Dickopf. After the war, Dickopf was to reemerge and become Interpol's president from 1968 to 1972.

In June, 1942, Heydrich was assassinated. For 6 months, the Gestapo (and Interpol) lacked a leader. Himmler finally chose Ernst Kaltenbrunner, who had been working in Austria, to succeed Heydrich. With the Gestapo and the SS as his primary concern, Kaltenbrunner finally turned his attention to Interpol and wrote all member nations on July 28, 1943, in words to be echoed at St. Cloud 20 and 30 years later, that he would "continue the strictly nonpolitical character" of the police organization. Meanwhile, the ovens of Dachau, Buchenwald, and Treblinka burned into the night. And with them, the worth of Interpol's word.

As the 3rd Reich fell apart, so did Interpol. In the Reich's final days, a drama unfolded that was to be one of Interpol's unsolved mysteries and possibly a key to its postwar behavior. Interpol's files, nurtured for 6 years by the Nazis, were a prize for any would-be dictator. Culled from European police dossiers with the Nazi penchant for blackmail, one can imagine what they contained: the names of thieves, assassins, informers, forgers, and counterfeiters, as well as information on political leaders, businessmen, and citizens in general. The files were in Wannsee when the Allies began to close in on Berlin. Interpol has insisted that they were destroyed in the bombings. But one official tells a different, albeit odd, story.

Harry Soderman, a Swedish policeman, had worked with Interpol since its inception in 1924 and was one of 2 men responsible for its reemergence in 1946. In his book, *Policeman's Lot*, he offered some interesting insights, including information on what may have actually happened to the files in 1945. According to Soderman:

. . . Carlos Zindel, who headed the Prussian and later the German Criminal Investigation Department (CID) . . . left Berlin just before the collapse of the 3rd

Reich and headed for the south in his car, which was filled to the brim with the documents of the Commission. When he reported to French headquarters in Stuttgart to give himself up, he was badly treated, kicked out, and told to return in the afternoon. His dignity mortally injured, he went to a park and swallowed a capsule of potassium cyanide.

As a neutral country, Switzerland was being used by the Odessa as a major collection and jumping-off point for Nazis fleeing with money, documents, and their lives. Zindel, apparently, was heading there. Armed with papers that would have allowed him passage clear to Zurich, Zindel found his way blocked. As a colonel in the SS working under Kaltenbrunner, he knew that the Allies would be interested in him, so he took the only alternative, leaving the files in French hands. The next year, Interpol was established in Paris with strong backing by the French police.

In 1946, Soderman worked with Florent E. Louwage of the Belgian Political Police, who was also a member of Interpol's executive staff under Kaltenbrunner and the only one to have escaped "untainted," according to the Swedish policeman, to keep Interpol alive. Using the Belgian embassies, Louwage sent out invitations to former member countries to meet in Brussels "to constitute the International Criminal Police Commission, choose its headquarters, and appoint new directors."

The U.S. State Department, upon receiving the invitation, telegraphed Brussels on May 15 that a decision to attend was "in abeyance pending advice Justice Department," and asked for more information. Two days later, Brussels replied that Norton R. Telford, later to become an Interpol delegate on J. Edgar Hoover's behalf, had visited "interested Belgian police . . . and is believed to have reported fully results to FBI Washington." Nothing was said about Interpol's Nazi history.

On May 21, 1946, Tom Clark, U.S. Attorney General, recommended to the State Department "that no representative of the Government of the U.S. be designated to attend this meeting." The State Department complied, unknowingly opening the way for Hoover. Two days after the State Department notified the Belgian Embassy that it would not be sending a representative to the conference, J. Edgar Hoover was elected vice-president of Interpol in Brussels. Hoover had just bluffed the State Department and established a foothold in Europe.

For a few brief months in 1946, Interpol had 2 presidents. But on October 16, Ernst Kaltenbrunner quickly relinquished his position

which is...  
Hoover's...  
Louwage...  
Stuttgart...  
Franco...  
Dachau...  
Buchenwald...  
Treblinka...  
Prague...  
Zindel...  
Soderman...  
Telford...  
Clark...  
Hoover...  
Kaltenbrunner...  
Interpol...  
Belgian...  
French...  
Switzerland...  
Odessa...  
Documents...  
Money...  
Lives...  
Paris...  
Brussels...  
U.S. State...  
Justice...  
Norton...  
Tom...  
October...  
Ernst...  
Relinquished...  
Position...  
Interpol...  
Belgian...  
French...  
Switzerland...  
Odessa...  
Documents...  
Money...  
Lives...  
Paris...  
Brussels...  
U.S. State...  
Justice...  
Norton...  
Tom...  
October...  
Ernst...  
Relinquished...  
Position...

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when he wound up at the end of an executioner's rope in Nuremberg Prison, leaving Louwage to carry on the tradition as Interpol's sole president. Elected at the same meeting as Hoover, Louwage was to lead Interpol for the next 10 years. Jean Nepote, later to become Interpol's powerful secretary general in 1963, joined Louwage from the French Sûreté. During the war, Nepote had worked in the Nazi-supported Vichy Government and from 1968 to 1972 he would work with former SS officer Dickopf.

As vice-president, Hoover supported Interpol's growth. But in 1950, the relationship came to an abrupt end. Czechoslovakia, one of the Communist members, used the Interpol network to track down refugees fleeing that country. Hoover, to say the least, was not amused. He told Paris—Interpol's new headquarters—that he was pulling the FBI out. Louwage, knowing that U.S. support was ultimately vital for Interpol's growth, flew to Washington to ask the FBI director to reconsider. Hoover, however, had made up his mind. Reluctantly, Louwage returned to Paris and the membership was informed on November 26, 1950, that Hoover had resigned as vice-president for "special reasons."

For 8 long years, Interpol returned to the image of a European police force. But in 1958, another friend was found to bolster its tarnished image. Hoover had been convinced by Treasury Department officials to relinquish the membership that he still held and to allow its transfer. Although the bill for U.S. membership had jumped from \$1,500 to \$25,000, Congress approved the move and the Treasury Department was now a member of Interpol.

Since the war, Interpol has puzzled those not acquainted with its history, and Louwage's, by politely but firmly refusing to aid in the search for wanted Nazi war criminals. Citing Article 3 of its constitution, Interpol has insisted that Nazi war criminals are beyond its "jurisdiction." The matter came to a head in 1961 with the capture and trial of Adolf Eichmann, who had sat in Interpol's offices 19 years earlier toasting the Führer.

The World Jewish Congress, meeting in Geneva that same year, took notice of Interpol's refusal. Charging that such an attitude gave "an unexpected sense of safety" to other Nazis in hiding, the WJC did not accept Interpol's view that the murder of 6 million Jews was beyond its jurisdiction. Interpol, however, refused to listen. Instead, it began to concentrate on the worldwide drug traffic, still its favorite program today. Backed by the U.S. Treasury Department, Interpol no sooner attacked the movement of heroin and opium than the problem turned into an epidemic. Each new program touted to combat the illicit traffic was

followed by an increase in drugs from Europe and the Far East. Interpol's ineffectiveness was becoming painfully apparent.

By 1968, the Nazi issue had quieted sufficiently to allow the election of Paul Dickopf as president. Besides working in Heydrich's SD, where Interpol was located during the war, Dickopf had helped to reestablish the police in postwar Germany, achieving a senior position for himself in the *Bundeskriminalamt*. During his 4-year reign, the organization achieved a momentary state of financial affluence. When Dickopf stepped down in 1972, Interpol owned a new 8-story building in St. Cloud, a radio station, over 100 acres of French land, and had nearly 2 billion Swiss francs in the bank, due, in part, to large contributions by 3 member countries during his tenure: Venezuela, Brazil, and Switzerland, where, coincidentally, the Nazi Odessa brotherhood is very much alive.

At the White House, in 1969, events were transpiring that would reach across the ocean 5 years later. The image of fair and efficient law enforcement, carefully nurtured since Heydrich, was about to fall away. Eugene Rossides, as Interpol's boss in the Treasury Department, moved up the international ladder to follow in Hoover's footsteps. Elected to serve with Dickopf as a vice-president, Rossides was also busy in the U.S. Treasury giving a job to a young man by the name of G. Gordon Liddy. While Rossides got out before the Watergate scandal hit, Edward L. Morgan didn't make it. Coming from the White House, where he worked as a deputy counsel under John Ehrlichman, Morgan was appointed the Assistant Secretary of the Treasury for Enforcement and took command of Interpol activity there in 1970. By October, 1973, he was elected to Interpol's powerful Executive Committee.

As information poured out during the Watergate investigations, Morgan's name came up. Apparently, Morgan had gone to the IRS, on Ehrlichman's orders, to check the tax returns of former Presidents "for guidance" in preparing Nixon's. Then, in 1969, he reportedly signed and backdated a deed for Nixon which turned over the President's papers to the National Archives as a \$500,000 tax write-off. When the matter hit the press in January, 1974, Morgan quickly resigned.

Before Interpol could catch its breath, events in Europe continued to force its actual operations into the open. A revolution in Portugal revealed atrocities being committed by the politically controlled—and dreaded—state police department that had been trained by the Nazis. Col. Fernando D. da Silva Pais, their director general, was also the head of the Portuguese Interpol bureau.

In Belfast, Interpol admitted that it had been working with NATO officials to compile information on terrorists, in violation on Article 3 several times over. It was also discovered that, in 1969, Interpol was reported at a Bermuda airport helping that government find "undesirables" arriving for an International Black Power Conference so they could be sent home immediately on the next plane. Yet, when asked to help track Palestinian terrorists, especially after the Munich massacre and numerous sky-jackings, Interpol refused, citing Article 3 again.

By the time Interpol met in Cannes, France, for its 1974 conference, criticism was coming from within Interpol's own ranks. (One official has estimated that over 90% of police inquiries between nations are now made directly, not through Interpol, due to the growing lack of confidence in the organization.) After Dick-

opf's SS history was exposed, Interpol officials were kept busy trying to prevent matters from getting completely out of hand. But it was too late. As one correspondent put it, Interpol is "far from being the slick and sophisticated organization of popular mythology."

With the romantic tales of "the man from Interpol" gone, what was left was a most unpleasant picture: an organization that was steeped in Nazism, one wracked with political and financial turmoil, unable to make any dent in the rising crime rate, and one which arbitrarily selected the terrorists that would receive its attention. As a cynic put it, "They just haven't been the same since *der Führer* died."

*The Author:* Vaughn Young has been published in numerous periodicals. In recent months, he has investigated Interpol in depth, and is still continuing his researches.

## On the Way to the 8-Hour Day—The Haymarket Affair

By David Wallechinsky

Today most people take it for granted that a work week is 8 hours a day, 5 days a week, but it was not always so. As late as 1886, most laborers worked a 10-hour day, 6 days a week. Most transportation workers put in at least 84 hours a week, and New York City bakers worked up to 120 hours a week.

The struggle for an 8-hour day led to one of the most dramatic events in U.S. history—the incident that has come to be known as the Haymarket Affair.

In 1884, a weak labor organization, the Federation of Organized Trades and Labor Unions of the U.S. and Canada, resolved to make May 1, 1886, the target date for a movement to win the 8-hour day. As that date approached, the federation had all but faded away, but their idea caught on, and in Chicago, which was a hotbed of worker organizing, the month of April saw huge rallies in support of the 8-hour day, despite unanimous opposition from the Chicago daily newspapers and all business leaders.

On April 30, the railroad and gas company employees, the iron mill workers, the meat-packers, and the plumbers all went on strike. The next day, May 1, 30,000 workers struck and joined in peaceful parades and demonstrations. Sunday, May 2, was quiet.

But on Monday there were strike rallies throughout the city. One such gathering, of the Lumber Shovers Union, attracted 6,000 strikers, including several hundred workers from the nearby McCormick Harvester factory, which had been run by scabs since February

16 when its regular employees had been locked out over a dispute about unionization.

The main speaker at the rally was August Spies, a noted Chicago social-revolutionary. Many in the crowd objected to his being allowed to speak because he was a "socialist," but the secretary of the union spoke on his behalf and satisfied the crowd by saying that Spies had been "sent by the Central Labor Union."

Spies avoided revolutionary propaganda and spoke mainly about shorter hours, urging the workers to stand together or be defeated. Shortly before he concluded his speech, the bell at the McCormick factory 3 or 4 blocks away rang and 500 members of Spies's audience—those who were McCormick strikers—broke away and ran toward the factory. With stones and sticks they attacked the exiting scabs and drove them back into the factory. Soon 200 police with clubs and revolvers arrived to supplement the permanent police force which the city had graciously supplied to the owners to protect the factory. Shooting broke out and when the battle ended, one striker had been shot to death, 5 or 6 were seriously wounded, and 6 policemen were injured, although none had been shot.

Spies, who had urged the McCormick strikers to stay at the rally, was horrified at the sight of the blood of fellow workers splattered on the streets of Chicago and immediately ran off a poster ("To arms, we call you, to arms!") printed in English and German, which was distributed at labor meetings that night.

The Chicago papers put violence on the anarchists a mob." But the workers tho Tuesday morning found the There were clashes all day bloody battle at the McCorm

That night there were several, but the biggest one w the demonstration against I be held in Haymarket Square

Only 1,200 to 1,300 pe. so the rally was moved to front of the Crane Brother. The 1st speaker was Spies, atively mild 20-minute speech tacked the "capitalistic" pre senting the cause of labor." employers and the police fo "McCormick is the man who Monday, and he must be hel the murder of our brothers." him!") "Don't make any thr no avail. Whenever you ge something, do it and don't n beforehand."

At 9 P.M., the 2nd speaker, mounted the truck. Parsons, a leader, was born in Alabama the Confederate Army. He the distinguished family by marry: Indian woman named Lucy C. coming involved in radical cause This evening, sensitive to t mosphere, he was less incendia choosing to speak on the genera Filling his speech with lots o pointed out that the worker rec out of every dollar, while the re capitalists.

The last speaker was Samuel year-old teamster who had im England. His main theme was that had been made by Congress Ohio that the workingman cou relief or aid from legislation. Afte a cold wind and rain convince crowd not to wait for the end speech.

At 10:20 he began, "In con and then, to everyone's amazem appeared in formation, led by C field and Ward. A short inter place.

Ward: "In the name of the p State of Illinois, I command t immediately and peaceably to dispe Fielden: "We are peace..."

He, Spies, and others to d the truck wagon. Without warni bomb flew through the air, hit and exploded in front of the police re-formed and opened fire. There v

# What is <sup>S-1-E-(77)</sup> **INTERPOL?**

**INTERPOL** is a private international police organization made up of national police representatives from over 100 member nations. Supposedly organized to apprehend criminals, control drug traffic, etc., Interpol's U.S. branch is funded, staffed, and housed in the U.S. Treasury Department, across the street from the White House. It has a direct hook-up to the computerized National Crime Information Center (NCIC), run by the FBI, and direct contact with state and local police. All Interpol nations have access to US files and records denied to U.S. citizens. Any police state, or private group in any member nation, via their police, can obtain information on U.S. citizens, businesses, tourists, immigrants, suspects, etc., without regard to validity, relevance, truth, or source. Yet, for U.S. citizens, Interpol files are exempt from the Freedom of Information Act! The NCIC computerized files at the disposal of Interpol are massive. A foreign agency, operating through Interpol, could even plant information in U.S. government files.

**INTERPOL** is basically a Nazi organization. Its vice-president in the 1930's and 40's was Nazi General Kurt Daluege, executed later for war crimes. During Hitler's power period, Interpol was headquartered in Berlin. Its 1939 conference was held under the patronage of the Reichsfuehrer, the SS, and the Nazi chief of Police, Heinrich Himmler. In 1968, Paul Dickopf, a former henchman in Hitler's Security Police, was elected president. During his reign, the organization became affluent, due to large contributions by three member nations during his tenure: Venezuela, Brazil, and Switzerland, where, coincidentally, the Nazi SS (Odessa) brotherhood is still very much alive.

[Information on Interpol compiled from The Peoples Almanac, by David Wallechinsky and Irving Wallace, Doubleday & Co., Garden City, 1975. Article by Vaughan Young.]

JOSEPH MAZOR AFFIDAVIT

S-1-F

WLL 5/4

AFFIDAVIT OF JOSEPH A. MAZOR

1  
2 I, JOSEPH A. MAZOR, depose and state:

3 That I am a Private Investigator, duly licensed in  
4 accordance with and, pursuant to the Business and Professional  
5 Code of the State of California; that I am over eighteen (18)  
6 years of age and a resident of the County of San Mateo, State  
7 of California.

8 That on a date which is unknown to me at this time, but  
9 during the month of November, in the year 1976, I initially  
10 became involved in the matter commonly referred to as; In re:  
11 The Peoples Temple and during said involvement, became aware  
12 of the names Timothy O. Stoen and Grace Stoen, as persons being  
13 personally involved in the hereinabove referred to matter.

14 That during the months of June and July 1977, several  
15 issues regarding the hereinabove referred to matter were brought  
16 to my attention which involved as principles, Timothy O. Stoen  
17 and Grace Stoen, the primary issue being, the legal custody of  
18 a minor male infant alleged by Grace Stoen, to be her sibling  
19 and, the paternity of the same.

20 That on August 4, 1977, an adult female known to me to  
21 be Grace Stoen, accompanied by an adult male identified as one  
22 Walter Jones, met with me at my offices in Suite 904 at 1800  
23 Pacific Avenue, San Francisco, California, at approximately  
24 7:30 pm., for the purpose of discussing the issues of said Grace  
25 Stoen, obtaining custody of her minor child who was at that time  
26 residing in the Republic of Guyana, South America, with one Jim  
27 Jones.

28 That during the course of the interview and discussion,  
29 concerning various ways, or methods of obtaining the child, I  
30 was personally informed by Grace Stoen as to her belief of who  
31 the natural father of her child was and the facts surrounding  
32 the conception.



1 During the above referred to discussion, Grace Stoen  
2 stated that; The members of the Peoples Temple often traveled to  
3 various events and revival meetings and utilized as transportation  
4 a fleet of buses owned and operated by the Temple. One of the  
5 buses had been outfitted with a special compartment in the rear  
6 which had a bed and was used exclusively by Jim Jones; and it was  
7 at her request, the she and Jim Jones had sexual intercourse  
8 during one of the frequent trips and it was at this time that  
9 the child in question was conceived.

10 Following the above statements by Grace Stoen, I asked  
11 her what her motives were for having sexual intercourse with  
12 Jim Jones and whether he had forced her psychologically to act  
13 in such a manner and she stated to me that her motives were solely  
14 those of revenge towards her legal husband Timothy O. Stoen and  
15 that there had been no force physically, or psychologically by  
16 Jim Jones, or anyone else for her to undertake such acts.

17 The meeting terminated at approximately 9:00 pm., on  
18 August 4, 1977 and since that date, I have seen Grace Stoen on  
19 only one occasion which was several weeks later with Mr. Haase,  
20 her attorney, in the Superior Court Building, Civic Center,  
21 San Francisco, California.

22 Executed on: October 17, 1978, at San Mateo, California

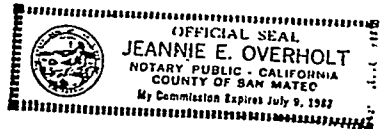
*Joseph A. Mazor*  
Joseph A. Mazor

25 State of California )  
26 ) ss.  
27 County of San Mateo )

28 JOSEPH A. MAZOR, being duly sworn, deposes and says:  
29 That he is over the age of 18 years and has resided in the State  
30 of California for more than five years.

*Joseph A. Mazor*

31 Subscribed and sworn to before me on October 17, 1978.



*Jeannie E. Overholt*  
Jeannie E. Overholt

AFFIDAVIT OF JOSEPH A. MAZOR

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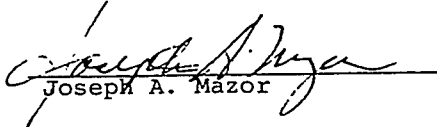


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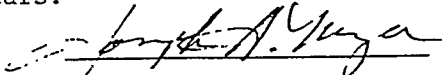
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 OFFICIAL SEAL  
 JEANNIE E. OVERHOLT  
 NOTARY PUBLIC - CALIFORNIA  
 COUNTY OF SAN MATEO  
 My Commission Expires July 9, 1982

  
 Jeannie E. Overholt

JOSEPH MAZOR

S-1-G

Hand 5/4

*[Faint, illegible handwritten text]*

Mazor Notes

Steve Davis, of KGO-TV, doing story on P.T. in 2 weeks, reperjury & forgery of TOS, mentioning P.T. because of Swinney deal.

Grace Stoen under supoenathis week because of notary violations.

TOS Interpolfile - has pictures of TOS standing at Berlin Wall.

State Deparetment has letters on us, which comment favorably on our humanservice; but also has leters on TOS which are not favorable tohim.

October 1977 there was report of 2 peoples temple passports sold in Tangiers, passports of people who came to Guyana.

Mazor wants to know source on who said TOS out to get him.

Only thing actionable on TOS is bond question re notary.

Don Freed told Mazor Guyana threw out 2 CIA agents; Mazor checked storyout, says Guyana neverexpelled anyone.

Mazor in referring to hotel meeting between Freed, Pat Ritchartz, Ingrid who was to be Fred's secretary and not know Pat and not beaffiliated with Garry's office, k referred to Ingrid as working in Garry's Office and Garry acknowledged it.

Mazor saw police report on Chris lewis day after Chris murdered. Mazor says hehas someone in his office go check on police reports daily and this is howhediscovered Chris's death.

January 26, 1978 Mazor told TOS "talk tome or else" TOS didnt talk to him.

Chris Lewis wasin Mazor's filesin August 1977 as "Jones' hig man."

Criminal activities TOS known to be involved in:

- 1. monies received for natorial acts = embezzlement, grand theft (this has to do with the Swinney sale)
- 2. bribery tape sent to Attorney General's office, which has TOS, Harold Cordell

There are 12 tapes, 8 hours. Becauseof Stoen's involvement with Freitas, Mazor was afraid to turn them over to the SF DA office. Swinney sent tapes in mala to Mazor, who called in Tim Reiterman, Marshall Kilduff, Davè Rubin and Bob Graham of SF DA office. Mazor made 3 copies of the tapes, 2 for the newspapers, 1 for Graham, and 1 for Mazor. Graham gave his copy to the Attorney General.

The call to Swinney wasmade by TOS from the Mendocino County Districg Attorney's Office. 5 years statute of limitations on action.

Larry Lawrence, ex-FBI agent, manditorily retired, assigned to P.T. in S.F. D.A.'s office. Freitas discouragedit and Laurence left, now is in charge of security at Mt. Diablo Hospital.

Attorney General sent tapes to Mendocino County DA--Mazor protested, get it out of Mendociono County - TOS country.

Mazor went to the Guyana Desk atthe State Dept, the Guyanian Embassy, and theUnited Nations and finally gota list of all people's passports who came into Guyana in the last year.

Mazor reinited the Pettit kids with Mertles - had Progress reporter and Deputy Probation Officer present. Deanna has physical custody of the kids; Pettit has legal custody. Pettit had to sign statement saying Mertles would not receive Statefunds forthe kids.

Mazor says he's never hadcontract with the Medlocks but receiveda letterd last year; someone whose mother/sister ? explained hadntseen relative ....

IRS looking into Swinnèy deal because Stoen offered Swinney \$10,000; IRS views that as a payment but it was reported as a gift. Sloppy handling. The \$10,000 should have been listed as payment but was listed as a gift. The way Stoen puts it on the tapesthat Swinney sent to Mazor, in the order ofthings, is that that is for the property. Right behind that is the call, and another conversation with Stoen, and a meeting with Stoen= chain of ~~xxxxxxx~~ events that sounds miserable from our standpoint. Don't even think he knew the tapes were made. Swinney made the tapes serupticiously. The tape was not doctored - ran it trthrough tests - in the background are 5 or 6 people saying "yeah, tell him," over and over.

Mazor has affidavit from Don Swinney presented by Marvin "on acertain occasion jim Jones instructed the boy to steal his motar and father's passports.

These tapes wereturned over when Stoen was in Guyana.

Complaint was filed with the FCC under subchapter 96 of the Ametuer Radio Code; thinks it was probably in the U.S., not in Guyana. Mazor spent 3 hours with the FCC; pressure from the American Radio Relay League, not from our antagonists. Initial report by ARRL, ametuer monitor on 20 meters. Mazor taped us for 6 months, everything. Doesnt save the tapes. He stopped in January/February 1978. Says he was satisfied no information going across usefual to his investigation. Recommends alternatives - now radio to Mexico. Not Canada because Canada has reciprocal agreement with U.S. Mexico allows 4000 watts power; FCC only allows 1000. No linear restrictions on no sporadic/hoarmonic tones restrictions.

Tim Reiterman listened with Mazor to the radio traffice, also automatic recorder,monitoredhere and there, then quit. Monitored 2weeks ago, when Mazor was onthe air himself

Mazor has been asked to report onthe project on specific areas:

deed situation on Swinney property

Vincent Lopea - Mazor says he'll give good report to Probation Officer.

Tish Leroy -- forged grant deeds under direction of TOS and informed Marvin she forged his deed; he is empowered by Secretary of State to offer her immunity if she testifies.

Neva Sly passed Mazor's and another polygraph test that she forged powns of attorney, in dealing with SSI and SSA checks ~~xxxxxxx~~ off rest home patients in Mendocino County.

Charles told Mazor Tish said TOS told her he saw the Swinneys sign the deed 2 years before he notarized it. Neva disappered 3 weeks ago.

A year ago Neva said she was afraid for her own safety because of Don Sly. Mazor questioned her truthfulness when she brought him "censored" letters received from Mark Sly in Guyana. She did affidavit saying Charles wouldn't let her talk on phone patchwith son.

Mazor has Peoples Temple on microfilm onhis computer. Wants names and addresses of Neva's relatives in San Diego, Mr. and Mrs. Hargreaves.

Phil Tracy contacted Mazor, took Mertles to the D.A. office; the Mertles had come to Tracy and he took them to D.A. and sent them to Mazor; this started the Pettit apisode and the rest because the Mertles' home was the phone centerfor everyone. Mazorhas \$1 retainer agreements with all of them.

Mertles dismissed their lawsuit, notified heir lawyer Danenburg, and 1/20/78 Mazor wroteto the Mertles. asking why. Mazor sent copy to Reiterman and Steve Davis. Reiterman calledup Dianna Mertle and read Mazor's letterd and she hungup on him. Mazor broght Steve Davis of KGO-TV in on the TOS notary bond issue. He heard that Walter Scottd had mentioned Jim Jones when the Housing Authority thing went downxxx Sourcesat the Housing Authority said JJ involved inthe \$200,000 theft at the Housing Authority. Steve Davis interested because he's covering the H.A. case generally. So Mazor invited Davis along, showed him letters, re the notary bond, checkx rcvd on payment of the bond. Davis is waiting for Mazor's return to states for final story.

Re TOS bank account - Mazor knows the bank, the amount and date of deposits, but doesnt know who wrote the checks yet. He knows it's a financial institution out ofthe Bay Area.

Klineman called Mazor re Conn.

Operation to get the children: Mazor went to Ed Daley, World Airlines, the same guy who evacuated Vietnamese refugees. Daley ofered 787 with standby crew. Mazor went inwith Venezuelan guides, expoachers; found nothing and wnt home. Paid poaches \$2000 a day. Went back to the States, got list from immigration of every person who had entered Guyana. He financed it allhimself to retrieve thechildren.

Investigation conducted with regard to material and P.T. actions in Mendocino; give reserve police officers-sheriff got high powered weaponry - this investigation is still open. Sheriff (Reno Bartlemei) refused to cooperate with ATF people.

FBI has file on JJ; Mazor read it. Indiana has rap shet onhim. SF DA saw the FBI file on PT. If do movie, Mazor will have to give us access to his computer. The alleged NewWest break-in is on it.

Mazor knew Katsaris a long time; doesnt belie Maria'sstory about rape. Thinks there's more emotion than fact;doesn't believe entire episodicame down that way. He isn't interested in getting her back;sees her as an adult capable of her own decisions. Mazor gave PSE examination to Katsaris. He stopped working with Katsaris because Maris an adult and he doesnt have any business messing with her to get her bzck. Katsaris came to Mazor through Klineman, before TOS filed Katsaris lawsuit. Mazor doesgoafter Moonies; lastyear in SF airport. Katsaris wanted to do a moonie trip on Maria, but there was no court order and Mazor would not touch itbecause it was too close to kidnap.

Jim Randolph still up against felony charge.

Says Mertles gave him the blanks with the notary stamps on them.

Also got some from the Temple files. Early 1977, 2:30 and 3 am, went through the SF temple and all the office desks, searched. Took pictures of Bus 7's compartment to corroborate Grace's story of conception in the back of a bus. Says never used a bus top to take pictures. Came down from the roof, on to fire escape and through fire escape door at third floor. Even if door locked, has lock gun - you shoot it in like a staple gun, pops the lock.

Mazor's costs ran \$25,000 for last year operation.

Suggests wire perimeter sensor underground, put detector in radio room. Can hear people talk and detect movement. Run wire all along boundaries, and mark off zones. Wire with increment spacing so can zone out areas. Machine will show when someone has passed over wire; Set at 30-40 lb weight, so small animals can get by. Needs no special license. Called perimeter sensor fence. Suggests we get it from him. Will run \$500 to \$5000, depending on cable length. When you add on buildings and areas, just keep zoning in more areas. Outside detectors can't pull in zone areas.

Before Mazor came out to interior, he alerted GBF soldiers, to appear here if he did not return to Georgetown.

Says 3 years ago we were infiltrated by FBI agent, who eventually left.

Says there are 4 or five properties in RWV where in a couple of cases lis pendens will be put on them, tying them up; don't have to have a judgment before you can attach property. Presuit attachment pending hearing. (This is contrary to what Garry told us all along; he insisted no attachment possible, also Bentzman said no attachment possible, without court judgment; but Chaikin agrees with Mazor, says there is such a thing) When Mazor looked into this, he determined it wasn't worth it from his standpoint because the only items of value were the SF Temple and the RWV Temple and they're not easy to sell.

Mazor says he wrote to Garry and asked for the Swinney deed; Garry said he didn't have it.

Cobb Sr. talked to Mazor; Mazor threw him out.

Mazor says there was a study by international security, 40% of terrorists are looking to support a cause; 40% are in it for financial goal and are professional criminals, and 20% are nuts.

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Asked if he knows a "pat in Georgetown - does not acknowledge.

Says TOS doesn't have much Guyanese government contacts; TOS's trouble is that he lied to the local police. Mazor had lunch at Douglas Ellis's home. Mazor has documented records that TOS was on CIA payroll in 1960-1964-1965.

Lee Seid, former attorney with San Francisco Neighborhood Legal Assistance Foundation, now attorney in Mazor's office, checked and found that TOS's only employment is concerning us. TOS has office space at 1700 K Street N.W., Washington (this is the National Press Club, where through Courtesy Associates you can rent a space at \$25,00 per month to keep office address, rent goes up to \$500 a month if you actually occupy space there.)

Mazor mentions Bob Chilomedas a lot.

Re Banks:

Canadian Dominion or Bank of ~~Canada~~ Toronto. Mazor did bank checks on TOS, EBC, JJ, Marceline and others for Canadian bank accounts. Has bank statement for TOS, showing withdrawals and redeposits; where did first deposit come from--Canada microfilms 5 years on all checks. Initial deposit was \$200 to \$400,000. \$280,000 withdrawal over a one year period of time. Lots of checks drawn against account. \$25,000 average. Account closed. Doesn't remember when closed. Was a trust checking account, not a savings or time certificate.

Tish talked about her function as auditing church accounts, there was a certain amount collected, deposited, and turned over to TOS. Eva's notations and TOS's notations on what he got and what he deposited showed a \$57,000 discrepancy. What he showed in our account and what he received from Eva. He said he would explain but he never told her. The dates on this were mid 1974 or Jan-Feb 1975; two times she did initial audit work. TOS explained to Tish he had been in trust of accounts for certain accounts. She accused him of double talk, carelessness, not stealing. She does recall \$300,000 time deposit. (Mazor remembers there was another account in another person's name in Canada bank.) The initial one in 1974 - would have been \$200-300,000. Time Certificate. Tish handled time certificates - kept them on calendar. TOS had made a time certificate in his own name. We had a board meeting and she confronted him on it, because it could cause us tax problems. TOS never collected time certificates on time. Mazor asks if Tish had difficulty collecting on the certificates - Tish says she would call them and TOS would let them run over and we would lose interest. Mazor says if you put time deposit and borrow against it, bank will not pay off till loan is put back. If checks were written against the account and deposits made to bring back up to total, you would see time deposit paid 2 to 3 days after deposit is made.

\$280,000 and more ran through the account in 1 1/2 to 2 years. TOS suggested the Canadian accounts, saying interest was greater in Canada. EBC knows nothing about the time certificates; he was in Guyana. Mazor says TOS was using the accounts for other interests outside of P.T. - will discuss this privately with Charles Garry. Eva found TOS with satchel full of checks and cash - he said he forgot to give to her. Mazor says if we take deposits and compare to Tish's records--can see payoffs made 2 to 3 days after deposits.

Royal Bank of London has Canadian Branch branch, Dominican Canadian; also has branch in San Francisco and Georgetown. Georgetown house bought from Canadian banker, TOS was close to him. Mike Cartmell was also involved in bank accounts. Mazor has affidavit from Cartmell against P.T. re monies that Temple collected in County/State funds, or trust deeds. TOS rent at 300 Montgomery costs under \$325 per month.

Road D, Redwood Valley, Mertle property was sold by Valley Enterprises; money came back to Valley. no problem. Richmond Mertle property is in lis pendens and Mertles have not paid their income tax.

TOS local bank account received 12 checks from South American Bank; deposited to his account, from the Caracas area. Averaged \$5,000, \$10,000, \$15,000, \$13,000. Mazor thinks it's TOS investment money being returned to him from some South American business venture. Thinks TOS took money made in 1976/1977, invested in South America, now has quarterly investment returns. Outside U.S. jurisdiction no tax problems, is paying over \$1500 a month for office expenses. Stock with Whittier ~~Sutro~~ Sutro?

If CIA hadn't used TOS in early 1960s, he wouldn't have developed contacts he's now using. The Guyana banker is a member of Rotary International, a CIA front. Any contacts to Guyana banker now? He's in Canada now.

JJ remembers Sandy saw black woman come to TOS home, driving car with Texas license, with was traced to Texas based colonel, in security, Robert Coleman (Buford remembers privately this information was given to Fechhimer)

Guer

Garry is authorized to engage Mazor, but Mazor says he has a conflict, wants to work it out, will take 90 days. Involves the Privacy Act and the National Banking Act. Mazor wants a telephone trace on TOS phone bills since early 1978, when he was with the Mertles.

Mazor talked to about the Banks episode; recalls that Conn is an IRS informant and k figures he did it for the money.

2/24/77 there was meeting at ~~Bankers Trust Building~~ Micky Touchette's residence. Olivers, Touchette, Mertles, Neva Sly, were there, and Mertle talked to Swinneys on the phone, and Cobb. Meeting was called between Mertles, Touchette, and Cobb. k Mazor filed an Interpol report on it.

9/77 meeting of the same people.

TOS connection with Bureka Research - Mazor more interested in connection with Stanford Research Institute, a government agency. TOS name appears in Palo Alto.

Asked re East Lansing Michigan - Mazor says yes, TOS name is on computer bank re Latin American nations

Mazor says there was no governmental agency involvement here by US when we faced invasion at the project; the US must first clear operation with Ambassador, rule in effect since 1975. Have to go back to Virginia for final approval. It was no American operation.

Re Canadian banks again: We knew he had arranged for time cert deposit of \$300,000 in Canada but we didn't know it was in his name. Garry asks if anyone authorized him to deposit the \$300,000.

Mazor wants us to ~~sample~~ supply sample handwriting of TOS so he can send to FBI crime lab.

Filing criminal actions for theft require ~~some~~ people to personally testify; Mazor says can get around that, get Bob Graham in D.A. office to file charges, need one States witness at preliminary hearing to put together probable cause.

Jack tells about Serena Hunt in Fresno rest home - Melvina Green ~~was~~ told him about her. Her husband was alcoholic, and then killed. Old caretaker took care of her. She was in nursing home. Melvina Green suggested moving her to San Francisco. TOS told Mike and Grace Stoen how to get her out of rest home. Grace and Mike Cartmell brought her up to SF. Melvina told Jack that Grace signed release for Serena from the rest home. Brought her in a station wagon to San Francisco, put her in a room in the San Francisco Temple, had nurses with her around the clock, Melvina called Jack, said old hired hand who used to take care of the lady was hauling furniture out of her house and taking her car. Jack went there, loaded the stuff ~~back~~ back and took it back to her house, told Melvina to watch. Jack talked to Serena, asked why not just sell and be taken care of. Serena eventually decided to sell. Jack told TOS and Michael Cartmell; she signed the papers at the Temple. Jack put the place on the market. Who signed the authority to sell it? Jack.

Who prepared the power? Chaikin says that Serena executed the deed in San Francisco, signing the property over to P.T. Who recorded it? Jack took it to the Fresno County Recorder. Then he went to real estate agent with power of attorney from Peoples Temple to Jack; Jack sold it for @\$20,000.

Now Melvina Green has gone to the D.A. in Fresno about Serena.

Who put together the power of attorney. EBC says it was a corporate resolution, and that would have been TOS's work. Final recommendation: pay the bill.

Mazor asks for list of all who might have signed deeds, papers, property transfers, k wants to talk to Kay Nelson about it in Georgetown. Mazor says, don't put me in a cross or you'll never see me again. Discussion re Caroline Washington being traitor; Mazor recommends she not come here. Chaikin questions resolution of Carracas situation; Garry says it would be handled with his office.

Garry wants every piece of property that belongs to people still in the states returned.

Mazor says he has diplomatic pass. Mazor's staff in 1977 determined could destroy entire P.T. operation by disposing of JJ; estimates that if it happened now, 1/3 of people would leave. Mazor wants Hue Fortson to come to his office for security training; he wants counsel (Garry) permission to release polygraph tests to the press on Tish, Joe Wilson, Vincent Lopez.

Charges facing TOS; Grand theft; embezzlement, bank might prosecute; bonding co is suing for \$5000 notary bond. Why didn't TOS accept immunity; could only grant immunity to those items where his notary stamp appeared, but not from grand theft, embezzlement charges. He'd rather face notary charge.

INTERVIEW WITH JOSEPH A. MAZOR AND DONALD FREED, WITH PAT RICHARTZ  
AND MARK LANE

SEPTEMBER 5, 1978 12:30 P.M.

D.F. The principle investors in this are concerned with two things. They like the idea of a controversy in a real life story, in a real foreign country and a real large group of people, and the colorful idea. They are afraid of an errors and omissions insurance policy becoming difficult when there is so much litigation around an issue.

M.L. Do you know about errors and omissions insurance policies?

J.M. I carry it, yeah.

M.L. For films? They are hard to get in films unless ....

J.M. No. No. Just for (inaudible).

(A knock at the door.)

M.L. We had this problem with Executive Action and for the King film. If they think anyone can sue them or will sue them, then they are reluctant to issue a policy. And if you don't get a policy, you don't have a film. And so the idea here is to clarify everything in advance so that both sides are presented, and so the insurance company will feel free to issue a policy. Because in a controversy, both sides must agree in what is fair.

D.F. It is much more difficult than writing a book for instance. It is a hundred years more primitive with films, for some reason. I have written books that said things that couldn't be said in the film, even though the law is clear on libel and so forth. If an idea seems lucrative enough, such as Executive Action, which grossed \$30 million, they were prepared to change names, change facts -- change anything in order to make it. And they are in this one, too. But they are a concerned group of investors -- and all of them are -- and they would prefer, naturally, to have everyone's help and cooperation and so forth.

With the Citizens' Commission of Inquiry, although we have been involved mainly in the Martin Luther King case and in the John F. Kennedy



case, because we do have this Freedom of Information movement that has brought in hosts of help and volunteers, so we have done some study. WE have sent someone to Jonestown. And we have researched it in the way we think that is a very strong beginning on the kind of dramatic script that they want. We know in advance that they know that....

P.R. Where did this come from?

D.F. That was prepared by the Peoples Temple.

P.R. Here in San Francisco? This was given to your film group?

D.F. Well, I don't know. It was given to me by the Jarrico office.

D.F. Well, the elements are there. As we see it.

(Interruption for eating lunch.)

D.F. Mr. Mazor, I don't know if you know any of the Graham Greene novels, but they definitely that dimension, and that is beautiful Guyana, lush tropics, etc. etc. But. Intrigue. The files that have been developed -- and I want to be very frank, I don't want to play poker -- so far go back in the case of one principle to Berlin, the border between West and East Germany in the early sixties, and Rotary International, and through some research firms and down to today and a lot of money being spent and a lot of "daring-do" going on in Georgetown, sniping-- and you told us about the extraordinary story of someone with a rifle across from your office -- and gunfire in jungles of Jonestown....

P.R. Did. I miss something about gunfire....

D.F. Well, just before you came in Joseph was saying....

M.L. He had nothing to do with the Temple, he was just a fringe nut that had read some of the newspaper stuff and got up on the roof -- not a Temple member.

D.F. The Guyanese government has cooperated/<sup>to some extent,</sup> and they believe -- of course, they have their own reasons, and they see the footprints of the Central

Intelligence Agency, and they are willing to help me out. We are not going to court, this is for a film. So, you can take what I am saying in context. We have to develop the research that justifies a theatrical motion picture with a normal amount of dramatization and poetic license. Normal, but not pathological. And let me pause right there and get your reaction. Let me say, the reason these are letters of understanding rather than contracts is because the Jarrico wants to leave open every possibility in terms of -- for instance, in the King case there are several people who have contracts who are working, playing themselves, who are principals. For instance, it is conceivable that you could be a resource person for a film on a totally anonymous basis. And that would be true of the Garry office as it would be true of the Mazor office. And it would necessarily have nothing to do with any public stance or, conversely, in the case of Mr. Mazor, who is a principal, your part could exist as a part, a person (an actor or yourself) could play that part. You could have credit and appear very much in front, you could appear in press conferences, etc. In other words, there is a range of possibilities for both offices here. All we are concerned with is the fundament, the bottom, that is that we are proceeding with cooperation in a fair and honest way. I may have my own personal opinions, but there are two sides, and my private opinion has nothing to do with the film audience. They want to see a good film with the dramatic conflict.

The direction we are going in is that people have personal political and/or religious grievances. They become manipulated by an intelligence agency because of the group they are pushing against. Because of their identity, both in this country and in a foreign country, and their politics, so that although there are personal factors, charismatic factors, very human sexual factors in some instances, that a couple of the intriguers (and that is the way it will be in the play) become the pawns,

money begins to flow, and a certain amount of psychological warfare begins to develop. And this sort of war breaks out between this very large group on the one hand, Jonestown, and a very small group of people on the other hand. But the small group is getting help.

Now, somewhere along the line comes a sort of independent investigator like yourself, Joseph Mazor, and who may be an ambiguous figure and either becomes a hero or what have you. But it is that kind of story. In other words, there are hundreds of stories that we have been researching. There are disaffected members of the Peoples Temple, and everyone has their own story. We're not getting into any of that. We want to subsume the personal, except probably for the Stoen story. Subsume the rest of them into an aggrieved group of concerned families.

J.M. OK, I've got some questions right now, and I've got to get them out. Because I don't know how Pat feels about this thing, you work the other side of this thing from Garry's office. One of the problems that we have is that, when we bring up Stoen, and I don't think Pat's office knows about him yet, but we just collected on Stoen's bonds at the insurance companies. Notary bonds for fraud and forgery.

D.F. Who?

J.M. My clients.

M.L. Against Stoen?

J.M. Yes, against Stoen for fraud and forgery. This ought to make Garry very happy. Nobody knows it because it just happened.

D.F. That's a bombshell.

P.R. Who are your clients, or can't you tell me?

J.M. Well, Mills and Swinney.

M.L. I don't know any of them. Can you give some background to the uninitiated?

J.M. Mills are the ones that got me involved in the mess in the first place. Swinney's came along later. Both of them had lost property, and both had

got out of the Temple. They both gave affidavits to us on the basis that they had not signed the trust deeds. Which were sold by the Peoples Temple. Timothy O. Stoen had notarized those trust deeds, and Timothy O. Stoen is a notary public, as well as an attorney at law. So we went after their bond. I think I told Charles Garry I was going after the bond. This was last year. This was probably when you got in trouble up at Soledad, you were off in August because you had been abused (?) were being harassed (?) at Soledad.

P.R. That's true.

J.M. OK. Same time you were investigating me you were supposedly sick (??) (this part is hard to discern.)

P.R. I was never sick.

J.M. The problem is, you have Stoen's bond sitting out there. You have something you may not be aware of. I have no objections at this moment to say yes I'd cooperate with you, and I doubt your office would have too much problem saying you would cooperate from your side. But our problem is this: We have some legal problems which are pending. Stoen is not my client, and I could give a damn, and neither are the Mills for that matter. Because I canned the Mills when they took Stoen back home. When Stoen came back from Guyana in January of 1978, they took him into their home and let him live there. I said, "Wait a minute, what are you doing here? First of all you're telling me that's the bad guy, and now you're telling me he's not so bad. And I can't work that way.

M.L. So who do you represent, Mr. Mazor?

J.M. I'm not representing anyone now, but I did collect the bond for those two people, because the bond was in the mill as of last July or August.

M.L.. What was the bond?

J.M. \$5,000.00.

M.L. Does that interfere with Stoen's ability to practice law?

J.M. Oh, you'd better believe it. Because the minute the bond papers came

through last week, when the bonding company paid off, we took it to the State Bar.

M.L. Paid off means what?

J.M. They ... all notaries in this state must post a bond. For their liability.

M.L. So when they pay off the \$5,000.00 they are actually saying that Stoen was involved in a crime.

J.M. They are admitting as an insurance company that Stoen did illegal and unlawful acts by signing and notarizing documents which he knew to be false.

M.L. So you then went to the Bar Association.

J.M. Then we took that piece of material and went to the State Bar Assoc. and the State Bar is now getting ready for an indepth investigation for suspension or disbarment of Stoen.

M.L. Well, then you are getting more "tea" all the time with this operation. Not less. How is this a problem? It sounds like a great opportunity.

J.M. Well, it's only a problem between Charlie's office and ours. They represent the Peoples Temple. I represent none at this moment, except the people of the State in the sense that there has been a wrong committed and I carried it through because I got my nose in it in the beginning. I had to carry it out. But you do have a certain liability here that has to be established. I don't know who you are talking about making martyrs out of in the drama, if anyone. But you better be careful, because it is unfolding day by day.

D.F. Joseph, let me say this. I agree with Marc. It seems to me this gives us maneuverability I did not know we had. Because you are virtually a free agent because we are not interested in anybody's ancillary story. We are interested in Stoen. I would like to brainstorm with you. You have a reputation of being a very resourceful, skilful strategist. Here is a man who travels to countries all over the world. A man who is spending a lot of money flying around to meetings and organizing people. A man who

went to American University and for Rotary International staged a provocation in Germany. A man who, when you dig beneath all the Christ and all the socialism and all the humanism, you find a hardcore ideologue. Who is this man?

J.M. Well, I'll tell you this. He got a lot of his dough out of Venezuela.

P.R. Out of Venezuela? From what source in Venezuela?

J.M. My understanding, and I won't go any farther than that, though I know where he got it, is that he picked it up from a very nice right wing group in South America. In Venezuela. From the Internacional Banco de Venezuela.

M.L. Let me ask you, Joseph, do you think that is possibly an organization which fronts for an American Intelligence operation?

J.M. Timothy Stoen has a record at Interpol sizeable, going back to 1958 and 1959.

D.F. And Rotary International, if I am correct, Joe, at that time, was notorious for providing cover for youth activities.

J.M. They still do.

M.L. Why would a right wing group in Venezuela give a damn about the Peoples Church in the United States? Unless it was ....

J.M. Well, OK. Everybody has their own feelings, position and thoughts on the matter. My feeling has always been a couple of things Jones said a long time ago at Peoples Temple in Mendocino, Ukiah. He was very upset that his people didn't put him in for mayor of Ukiah. He was very upset that his people did not put him into a better political position there. And looking at Jones now, a man who expounds a very socialistic attitude and socialistic point of view. Nevertheless he picks the one country, the one country which in 1961 was overthrown by 700 adults. The only only government in South America to be overthrown by 700 adults -- Guyana. He goes into Guyana, one expousing a very socialistic attitude, but going in with a very right-wing, Hitlerism type of situation. And he stated to two of the people who I talked to that his sole desire is to take

over Guyana. Now, you take that with a grain of salt or anyway you want to, but the thing is you are saying "Why, why, why?"

M.I. What intrigues me now, based upon the investigation I have done, is why anyone in Venezuela would care about the Peoples Church, whether it was in the U.S. or in Guyana.

J.M. I don't think they give a damn about the Peoples Church, I think they care about the government of Guyana. The government of Guyana is an interesting government. It has a black president, a Chinese vice-president with direct connections into Peking.

D.F. Who threw out the CIA?

J.M. Right. I sat in Washington, the foreign desk for 6 days beating my chest and wearing sackcloth and doing everything else I could do to get somebody on the desk to do something with Mc Carthy....whoever the counsel in Guyana was. We were trying to establish at that time ....I talked to the counsel and I was getting nowhere.

P.R. You mean the American counsel?

P.R. Yes, McCoy. I had talked to McCoy on the phone several times, I had mounted up a \$500 phone bill and I got nowhere. So I went to try and establish some sort of line of communication to get this thing. I went to Washington, I went to the Guyanan embassy. And tried to establish between them and our foreign office, our State Department, some sort of triangular communicational level that we could start talking about what children were in Guyana. What children, what were their ages, who were they, and were they in fact U.S. citizens? And were in fact they under state welfare? Because there is still a matter of public health audits going on. The health department is still auditing the Temple. In my last calculation they have something like \$4 million worth of money was missing. Well this is money - typical of it would be one of the foster parent homes up in Mendocino in 1975 had 10 children in it, each child being paid by the counties of Contra Costa, Alameda, and Mendocino, were paying on the average

\$250 - \$300 per month per child to keep the child in the foster home. All of those checks, totalling 10 children, say \$3,000.00 per month, was going into the Temple coffiers, being endorsed by Eugene Chaikin put in the Temple offices, paid into the Temple money, and all that person running the foster home got was \$600 a month, to run those kids.

M.L. That is certainly a very serious charge.

J.M. We got problems there, because they are still auditing. And they are very, very uptight about it.

D.F. Let me bring you back to the dramatic line here. He has hired this man Hughes who works, and is very well known in Georgetown, as liason for all the big corporations. And, as you say correctly, the CIA which Burnham, the President, was the CIA's man for many years. And then he kicks them out. Now this is the story line. He hires Hughes, he hires lawyers here.

M.L. He is spending a lot of money.

D.F. HE is spending a fortune.

J.M. Sure he is.

M.L. You can see where the Peoples Temple's money comes from, whether it comes properly or improperly. We can trace the amount of money, the large amount of money going in there.

J.M. Well, I've got almost 7 million.

M.L. Is that right?

J.M. Yes, we've got money traced from properties and so forth which total almost 7 million dollars.

M.L. Well, we can see where basically where a lot of money is going to Peoples Temple, it is an organization which reaches out and is getting property ....

J.M. Well, if you've got 500 members, and 250 of those members all own property and they turn that property over -- say, \$30,000 per property -- you got a lot of money.

M.L. That is no great mystery, no great intrigue about how they get money



we can see how the money is flowing. What I would like to know, because it is a little more mysterious, I think, is how does the money flow into Stoen? Because Stoen has spent a lot of money. How much would you say he has spent? Your guess, over the past couple years.

J.M. Half a mil.

D.F. Half a mil?

M.L. Well, he's not making anything off his law practice.

J.M. He's not making anything off his law practice.

M.L. Where is he getting it?

J.M. Not coming from the United States. It is coming from Venezuela.

M.L. But is it coming to Venezuela from the U.S.?

J.M. It may well be. I don't know. I know where he is drawing money back from. Because I happen to have looked at the bank account.

M.L. Which is what?

J.M. Well, the money he has been getting has been coming from the Banco something or other from Venezuela.

M.L. Caracas?

J.M. No, I can't -- I looked at it like 6 months ago.

M.L. Was it substantial?

J.M. Yeah, 5, 10, 15,000 a crack.

M.L. And how many cracks?

J.M. Well, we saw six checks.

M.L. \$5, \$10, \$15 each?

J.M. Yeah. That's good money. That's your year's salary, at least it's mine.

D.F. Well, you know Mark, this follows our research that Rotary International is in every country. And over the years he has had that conduit of Rotary International and lately -- let me run a few names and see if this fits in the research. Does Eureka Research Associates -- we know that he is working with them and we know they do high resolution photography and

they do overflight. We know there have been overflights down there.

J.M. Well, overflights is nothing. I did an overflight.

M.L. You did an overflight over Jonestown?

J.M. Yeah, sure. Back last year with a Cessna.

D.F. But you didn't send the mercenaries in, I take it.

J.M. No comment.

D.F. Or did Stoen? Well, because I want to, you know, that would be a very dramatic scene. He also worked for the Campus Crusade for Christ, which you know, spends a fortune in propaganda.

J.M. Yeah.

D.F. Now some of these names may overlap, just tell me. Some of this started with a man with intelligence connections by the name of Kinsolving. A few years ago. Then a man named Hatfield picked up the ball at one point and has gone on to E. Lansing, which is the police training school for CIA, as you know, at Michigan State. And a man named Klineman seems to play a part. Now, am I mentioning names that get into your area or Stoen's area?

J.M. Oh, I guess a little of both.

D.F. But at any rate, you are not working with them so we can still continue to talk as far as Stoen goes. Now let me ask you this, Joe. I have seen the medical tests, the blood tests and so forth, and the various tests which I can only describe in general terms about the child.

J.M. The child belongs to Jim Jones.

D.F. Absolutely.

J.M. It was conceived in the back of a bus.... That came from Grace.

OK?

M.L. She told you that?

J.M. Yes, I had her in my office one day and she laid it out.

D.F. Stoen has changed his story three or four times.

J.M. Well, Stoen has got to do the best he can. I have no use for Stoen, very frankly, only because I hate to see an attorney as a thief.

I hate to see any thieves, but I have a lot of respect for good ones and I have none for bad ones.

D.F. Joe, are the blackmailing because of sexual manners (?)

J.M. I don't know.

D.F. We have some information on transvestite stuff.

J.M. OK, you got some information on that. And how about that, I can't even think of his damn name, the body guard Jones brought out of the CYA -- the murderer. They find him dead back here on Mission Street. The guy beat up five people that I know of. The guy threatened me last year, you know. Came to my apartment, called me and said, "This is the Rev. Jim Jones." I've still got the tape. He said, "This is the Rev. Jim Jones. I'd like to meet with you." I said, "You know my address, come on over." I met him at the door with a 357 magnum. And he left.

P.R. Jim Jones wasn't even in the country.

J.M. No, he was in South America.

D.F. It was somebody else.

J.M. Sure, we knew it was.

D.F. Well, that murder is very suspicious, don't you think?

J.M. That murder was suspicious, but so was the Head, Michael Head's murder very suspicious. That one is causing a lot of problems.

P.R. Who is Michael Head?

J.M. Michael Head is a young boy who Cordell, Harold Cordell, and somebody else, Stoen or somebody else, went to his house. He was a mentally disturbed young boy. They brought him into the Temple, they took his \$18,000.00 he had just gotten as welfare benefit or Social Security benefit, and they took him to L.A. Three days later he jumped off a six story building. There is only one problem. The body that they did the autopsy on wasn't that of Michael Head.

P.R. That the L.A.P.D.....

J.M. Wasn't Michael Head.

D.F. Was Stoen still with the Temple at this time?

J.M. Yes, he was. It wasn't Michael H<sup>E</sup>ad.

D.F. Joe, this becomes critical in both dramatic and informational terms, at the moment of his turnaround. From everything we can find, he's coming out in the paper saying Jim Jones is the greatest man I ever knew.

M.L. Stoen is saying this?

D.F. Stoen. Saying I am going to sue New West Magazine and so forth. Then Chris Lewis is murdered. Then Stoen dramatically changes his position.

J.M. OK. January Stoen came back from Guyana. At that time....

P.R. January of this year?

J.M. Yes, 1978. December or January, right around there. I found out about it ...I can tell by the correspondence that I have the exact minute.

He came back to the U.S....Now we had taken the testimony of one of the employees who had admitted that in the past nine years she had forged 2,000 powers of attorneys, which Stoen had notarized.

M.L. So we're pretty close to a record on the thing.

J.M. Yea, I think that's a pretty good record. We've taken her testimony and she had been given immunity from prosecution, and that's what started the ball going with the notary situation. Stoen come back somewhere around the first of January of this year and he immediately went to live with the Mills. Now, I got in touch with the Mills, and I said, "Now what the hell are you doing here, first you are saying he's a bad guy, and now you're saying he is a good guy." Your credibility looks like shit. Really looks bad. You're expecting us to work for you, but you are not helping us. Now, I want to talk to this turkey and I want to talk to him right now. Otherwise I am going to go after him. "Well, you can't go after him, he's a nice guy, you shouldn't do this...." I said, "Hey, you got your choice. Either I am going to talk to him or I am going to go after him. One way or the other. Now I can get him immunity from prosecution from the Secretary of

State's office, providing he is willing to cooperate with the local government officials in finding out what is going on, namely Bob Graham in the committee in the D.A.'s office that was still investigating the various aspects of the case. The answer I got back a couple of days later was, no, he's busy writing his book and he couldn't be bothered. So we just proceeded and burned him.

M.L.: In two instances.

J.M. Yea.

M.L. But you have 2,000 others?

J.M. We got a lot more than that. Tish....there were two women who worked in the office in Mendocino County. We have two things going.

M.L. Let me ask you, Joe, were these all related to Peoples Temple?

J.M. All related to Peoples Temple.

M.L. They have 2,000 powers of attorney?

J.M. More than that. We've got two different things going here, two items. In the office where Stoen and Chaikin worked together, they had two women working there: Tish Leroy and Neva Sly. It was Neva's job to send out the news bulletins, to do this and to do that, and also to forge all the names on all the powers of attorneys.

M.L. You mean, none were real?

J.M. No. Well, maybe one or two, but she forged 2,000 in nine years.

P.R. Did she keep a .... count?

J.M. Yea, she kept a pretty good record. OK, now these forgeries were basically on elderly people which the Temple took into their rest homes, and these powers of attorney, basically, were for Social Security, S.D.I. (SSI) and all the other governmental subsidy checks to be transferred to the Temple coffers.. Tish Leroy's job was to forge trust deeds and grant deeds.

M.L. Breakdown of responsibility.

J.M. Right, breakdown of responsibility. Now. On one of the grant deeds,

particularly the Swinney's. Tish Leroy admitted -- Neva Sly watched her

do it -- so we have firsthand knowledge of seeing it being done -- and Tish Leroy admitted to the Swinneys that she had done it. What she did was she had taken their signature card, their little membership card, xeroxed it, cut it out, and laid it over a grand deed and shot another copy. Chaikin, being an attorney in Mendocino and having a good reputation, took it in and filed the xeroxed grant deed. He never filed the original with the title company, and the title company bought it. And then the thing was sold to an innocent third party.

M.L. If you can see the line....

J.M. Well you can't see the line, but we had it examined by one of the crime labs. And on top of that ....

M.L. And they verified that?

J.M. They admitted it.

P.R. So there was never an original grant deed?

J.M. Then Stoen made a call....

M.L. And Stoen was the notary on that?

J.M. Yea.

D.F. And they were acting as Stoen's agents.

J.M. Oh yes.

M.L. Let me ask this, because it may get too complicated to do a film or not. So it can be resolved so we have a clear line of conflict, because now it's like there are so many different parties. Do you think that Stoen was doing this for the Peoples Temple or do you think Stoen was doing this to destroy or sabotage the Peoples Temple?

J.M. I think at the time he was doing it for the Temple. The money went into the Temple coffers.

M.L. Well, I am sure that's true. But if you have got this guy going back to the Berlin wall in the fifties, associated as he is with the American intelligence at that time, and then the ideas later on to destroy the Temple, is it possible he is in deep cover, setting up a whole series of things

which even the Temple didn't know about at that time?

J.M. Very possible.

M.L. You say it's possible that he was doing this as an....

J.M. Well, I look at Stoen at one of two ways. Either Stoen set the Temple up or Stoen is a second Lee Harvey Oswald.

M.L. He's the one we're looking for.

J.M. You know what I am speaking of. Do you know what I am speaking of?

M.L. No!

J.M. Mentally unbalanced. To his political and desired views. He switches....

M.L. Sounds more like Earl Mark (?) to me?

D.F. Sounds like both. You say at this time we found out that Stoen was trying to advocate violence in terms of dynamiting in Washington, he wanted the Peoples Temple to arm, he wanted to start a cadre....

J.M. Peoples Temple did arm. They got automatic rifles and automatic weapons illegally in Mendocino County. Peoples Temple did have weaponry. They do have weaponry. Up until last year they had....

M.L. How much of this do you think would be attributed to Stoen?

J.M. I don't know. I really can't tell you. At the time, and I have to admit to Pat because we have been on the backs of the wrong sides of the fence with each other -- but at the time when we got into it, I felt we really had the People Temple as the bad guy. And the Stoens, and the Mills and the Swinney's and everybody out here is the good guy.

M.L. The victims.

J.M. Yea. Now, my last letter to Bob Gillametes at the Secretary of State's office was they're all wearing black hats, and if you can find one that is wearing a white hat grab him and hide him. Because you don't know who's the bad guy in this thing.

D.F. Well, you know, with our research began, it was very much the same story as what you are saying. And as we went along, we found out that every

... against something illegal. Stoen was always the middleman.

J.M. What about what's his names death off the car, off the railroad track? Joyce Cable Shaw's husband? Can't think of his name.

P.R. I know who you are referring to, was somebody his father?

J.M. Yea, big article in the paper Reiterman wrote.

P.R. Article in the paper about he was working two jobs and wa overworked.

J.M. Right, he was going to break from the Temple, he was one of the Temple hierarchies. He wasn't of Stoen's catagory, but he was one of the blue collar hierarchy who kept the masses going. And he started to break from the Temple, and two weeks later --- he was a brakeman on a train --- and two weeks later he ended up under the wheels. And the entire episode is very very suspicious only because his brakeman's glove and his brakeman's lantern were sitting on the brake wheel of a boxcar, and they say he fell off the car. Well, how do you fall off the car and leave these two items sitting right up there? You don't. You're working and the train is moving. A, you got the lantern in your hand, and B you got the glove on because you are swinging on the car. Southern Pacific is still investigating it.

M.L. What year was this?

J.M. '76.

P.R. Yes, I think that's correct.

J.M. Anyway, I've got the documentation on that, including the pictures.

D.F. Well, the basic question comes down to -- we know what Stoen was in the early Sixties, we know he's been spending huge sums of money now, and he is doing something for somebody. The middle period, when he is the activist, when he is talking Comm.... Here's the thing that is suspicious, Joe. Here's the thing that is suspicious, Joe. You see, you can put it down to mental imbalance, switching sides, all kinds of ambivalence and so forth, if it weren't for one thing. This guy is talking about Communist revolution and explosives and guns and arming and so forth -- and yet the man, both before and after this episode, is a hard core right wing ideologue.



J.M. Well, I'll buy that, but there is two or three things I can't buy. Things that bother me with that type of a theory, saying that he's the one that is really agitating the situation.

M.L. Or setting them up.

J.M. Yea, or setting them up. A black minister in this town held a caucus of other black ministers in November of 1976. And the next day Jim Jones, allegedly personally, called him on the phone and said, "If you do it again, I am going to kill you." That black minister went to the District Attorney's office and reported it. The particular D.A.'s representing the person who was involved walked out the door, went to the press room across the hallway, looked around and stuck his head in, saw Mike Prokes sitting there and said, "Hey Mike, who is Jim Jones?" Because nobody knew Jim Jones. Mike said he is a very nice, upstanding guy, don't bother with him, very good, what do you want to know for? The next day there were 25 letters condemning the district attorney's office for investigating Jim Jones hand delivered to Jerry Weinstein at the D.A.'s office.

P.R. Was that before Tim Stoen became a member of the D.A.'s office?

J.M. Yea. That was before. That bothers me.

M.L. Excuse me, Pat. It goes two ways. One is, the Peoples Temple could be using terribly counterproductive methods, or they could be being set up again by somebody who pretended to be....

J.M. Well, these are the type of things...

D.F. You've hit on a nerve here. We've found that the Peoples Temple, in a rather crude way, organizes all kinds of letter writing campaigns and so forth and so on, trying to protect their image, and especially when they are under the gun. But, there is something they have not done and yet everybody who has touched Peoples Temple gets threatening phone calls on their life.

D.A.'s get them, newspaper people get them, and so forth. It's these phone calls which in a large number of cases have aggravated people to say, well,

I am going to look into the Peoples Temple, I am not going to stand for this intimidation. And then they start and Peoples Temple responds with letters saying this minister said this and ....

J.M. Sure, 50,000 handbills handed out here on New Years Eve down here on Market Street: "Special Agent for Interpol attacks Jim Jones."

D.F. They go to strong propaganda lengths. But these threatening phone calls appear in a pattern as I see it, every one has not only not helped them but has turned another agency or newspaper onto them.

P.R. You mean against them.

D.F. Against them. So when you tell that story, it fits exactly into pattern.

J.M. Well, I am not going to discount the possibility.

M.L. This minister, was he a black minister. Does he know it was Jim Jones? Does he know the voice?

J.M. Yea, he knew it was Jim Jones. The problem was, you know, when Jones first came into the.... You know, Jones' history is kind of wierd. He was in L.A., set up the Peoples Temple in L.A., Peoples Temple Inc., of Los Angeles, and it fell apart. He never got it off the ground. The corporation went into suspension for failure to pay the State Franchise Tax Board. And then you get to Mendocino and Ukiah. Once he was up in Ukiah, he started over again. When he moved down here, he came down as an individual and utilized some of the local churches before he actually started his own thing down here. And all the Black ministers knew it, and they also knew he was taking away their money. Because let's face it, these Black ministers in this town are very, very wealthy, and they are very uptight when somebody and becomes an interloper and starts taking their subsistence away.

M.L. Is that what the caucus was about?

J.M. You better believe it. Rev. Robinson was forced to sell his \$280,000.00 home over here in -- where does Charlie Gains live? -- over here in, that

nice area over behind youth authority, he was forced to sell his home and three of his Cadillacs and one of his Lincolns because his congregation was disappearing and his plate was getting thin. And they didn't like that.

M.L. So that's what the caucus was about?

J.M. Sure, they were very uptight about that.

(Tape turns over to side #2 here.)

J.M. Harold Cordell -- all of the rest of them. I got eight different people.

M.L. You got tapes of Stoen threatening somebody?

J.M. You better believe it. Offering a bribe. Swinney. Offering a \$10,000.00 bribe, which Jones paid.

M.L. A bribe to do what?

J.M. TO get out of town.

M.L. Rather than what?

J.M. Well, the bribe was something like this. Swinneys left the Temple, their son was in Guyana. Swinney wanted his son back. Jones told him, "No, you can't have him back, he's happy down here." Swinney's mother was also in Guyana. Swinney got very upset about it, they decided hey, we're going to get out of here. Swinney sent his wife Mary Jane down to the registrar's office in Ukiah to get the papers on the house, because he was going to put his property up for sale. She came back and said, "Hey, we don't own that property, the Peoples Temple owns that property." OK? Forgery? Temple? They didn't know it. Swinney gets on the phone and starts making telephone calls. He calls Jim Jones and says, "Look, you SOB, I want my money. I want my house back." / puts <sup>Jones</sup> Stoen on to him. Stoen says, "Look, if you ever want to see your child again, you'll take \$10,000 that we're going to give you and get out of town." Swinney's mother is on the phone and Harold Cordell and a few others, all threatening, and I got eight or nine tapes, eight or nine hours worth of tapes on these various telephone calls. Swinney took the \$10,000.00 from Jones. And went to South Carolina.



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M.L. When you say that Jones put him on to Stoen, did he say, here's Stoen right now?

J.M. No, Stoen called him the next day.

M.L. So it could have been separate.

J.M. I don't think it was separate operation.

M.L. Well, I am just saying it could have been a separate operation --

J.M. I don't think so.

D.F. We don't know what Stoen told Jones as to why they settled or how they settled.

J.M. The tapes pretty well speak for themselves that there was more than just Stoen involved in this thing, and there was bribery going on in this thing without question. Those are the tapes I turned over the D.A.'s office last year.

P.R. The D.A.'s office here in San Francisco?

D.F. Now Joe, I've heard some tapes -- Stoen didn't know he was being taped -- but he was advocating violence. And Jones and others clearly heard on the tape are talking him out of it. And playing it down, and talking against it.

J.M. I can't explain that any more than I can explain how Jones gets made chairman of the Housing Authority in San Francisco, and he brings in Mike Prokes' wife and Carol somebody, I can't think of her name. And now we've got an audit going on and I am willing to bet you that when they get done they are going to come up at least \$200,000 short because that's the information I have, and it's all going to be attributed to the Peoples Temple. And damn it, Tim Stoen was nowhere near the Housing Authority and couldn't get his hand on it at all. And Carolyn Layton and Jim Jones and Mike Prokes' wife, whatever her name is, were the only people involved in that operation. And if they are short, and I believe they will be, you've got a totally separate operation from the voting fraud situation that sits over here with Jones. I mean, with Stoen. Because Stoen was put in as

voting fraud man, and we do have documentation where Jones moved twenty-eight people into a single dwelling prior to Moscone's election so that they could all vote. They were all Ukiah residents.

M.L. Is that right? How do you know Stoen did that?

J.M. Because we talked to the people. Stoen told them to do it.

M.L. They didn't actually move in, did they?

J.M. No, they didn't actually physically move in, they didn't move bodies.

M.L. They changed their residences?

D.F. You see, as the story line develops in this, I want to reassure you, there is no attempt to whitewash, as I see it going:...

M.L. The story line at this point is in a great deal of confusion.

D.F. Well, except that, you know the Elmer Gantry story.

M.L. Who is the hero, Don?

D.F. Well, it's an American popular story. And I think Jones is going to be shown as a very charismatic and contradictory figure in the Elmer Gantry sense, and some healing is going to be -- you know, there is going to be healing -- and there's communism and healing and capitalism and so forth and so on.

J.M. Are you saying healing or phoney healing?

D.F. Well, at least dramatic scenes at the Temple. Now all of that -- the audience can draw their own conclusion when all is said and done. That's fairly, as Mark says, even the <sup>money,</sup> whether it's legal or illegal, whether it's the Father Divine - Elmer Gantry approach, that's fairly obvious and frontally enough doesn't hurt a film because people like to see -- they even like to see Dillenger. I mean, they like to see the Sting, and in this case if they feel it has a good end or a good goal or a good cause -- and we sent people down to Jonestown for that reason. To make sure that the goal was what was presented. We are not talking about the methods. Because, they are fairly contradictory.

Stoen, though, appears -- he does appear to be crazy -- but he also

appears, as is so often the case, you know, the false argument rages is someone crazy or are they an agent? But that's a false argument.

M.L. As if they are mutually exclusive groups.

D.F. Because the case is often that the unstable person is very available, as you probably --

J.M. I have a friend that is crazier than a bedbug.

D.F. And they can be played upon. Now, ..

M.L. I can see a lot of confusion around Jones, and I don't think that is a big problem. It may be a big problem for an errors and omissions policy.

D.F. Unless Jones gives us permission....

M.L. But I see a straighter line for Stoen, especially if in fact he knows it's not his child. And that's one of the emotional things he is raising -- he is saying it's his child.

J.M. Yea, he's saying its his child, though he knows it is not. And also, I know the attorney who went into that whole thing originally. Originally Grace Stoen went into court to get custody of the child when Tim Stoen was still in Guyana. And she went in and her affidavits which are on file with the court are much different that what Stoen's testimony is. And this attorney had to step out, because he fell on his face.

D.F. Stoen changed his story.

M.L. Stoen is, in a sense, Stoen is the most interesting character in the whole thing. Dont you think?

J.M. Well, as I see it, I only, from my point of view, I see Jones as somebody who I could give a damn less if somebody gave their house to Jones or not, because I told these people who came to me if you were an adult over 21 and dumb enough to let your kids stand up there in front of a congregation and get their butt beat, and not say anything, then you deserve anything that happens to you. Because as an adult you are able to pick up your kid and pick up your family and get the hell out of there if you don't like it. I see Jones as kind of a "crackpot" down the line, and I always

has got a lot of little kids down there. That I want accounted for.

Because I've got at least 4 of them that belong to the county. And not to parents. They are wards of the state, they are wards of the county. They do not belong to parents or guardians.

P.R. Which children?

J.M. Oh, I can't think of them right off, but one of them is the Valencia boy. That was the one I wrote Charlie about and said I want the child back, and Charlie said the child isn't around and I don't know where he is.

M.L. Seems to me that one of the major problems between you and Garry firm is Stoen, who just doesn't seem to be a problem at this point. And I'm not sure they recognize this at that point. And maybe there is even a way to resolve some of those problems.

J.M. It's so funny, because I received a letter this morning which I can't disclose at this time, but I was thinking driving down here that I ought to call Charlie and ask him if he wanted to know know that Stoen's bond got pulled. I was even thinking of calling him.

M.L. It seems to me that you both have the same enemy, at least. At this point being Stoen. And maybe some things in common.

P.R. The only reason I asked about the children is that there was once an accusation that two minor children who were wards of the court were in Guyana and where they really were was apparently the mother had come and taken the children who had not been awarded the children. And she had them in the Mission District.

J.M. No, I know that one. That's the Petit case. I called Charlie and asked him where the children were and he said they were in the Mission District, but that was not true. The mother had been driven down to the airport by Harold Cordell and they were getting on the airplane when I snatched the momma and two kids.

P.R. Oh, is that right?

J.M. Yes, and that's why I didn't have any more use for Charlie, because



somebody was telling it all wrong. You see, the Temple had kept those kids in the Temple and told the mother if you want those children you are going to go to Guyana with them. And so, we picked them up at the airport, both momma and the kids, and I told Harold to go jump in a lake. And I brought them back to the guardian, which was the Mills. And that's when Charlie and I got off on a bad foot together, because I was writing him letter up to then and saying, "Dear Charlie, where is...where is Johnny Smith...we are interested in Johnny Smith...Do you know where Jonny Smith is?" I was even calling him on the phone rather than going the hassle of playing private investigator. Who needs it? If you know where Johnny is and you tell me, we'll all know.

M.L. Makes is easier that way.

J.M. Yes,

M.L. You know, it seems to me the one major problem will be the errors and omissions policy. We'll never get Stoen's script. We'll portray him as he appears to be. Unless he's really that crazy. So I think what we have to do is get some agreement from the two parties that are represented here about Stoen, and see if we can go with that.

J.M. Well, I have no problem on Stoen. My problem is very simply this. I cannot have a full agreemtn on Jones because the last time I was in South America, I was there, and I really didn't get a chance to view the scenery, I had to leave very quickly. The Kaituma River is very swift. But, ah, the river raft was very rough going across.

M.L. I don't think we really have to have an agreement about Jones....

J.M. Jones is a problem that I really can't agree with anybody on.

M.L. Well, this film can present two sides of Jones -- as you see him and as the Peoples Temple sees him. Obviously it is going to be different and it is going to be sort of an Elmer Gantry. You can see Elmer Gantry and walk out saying is he a crackpot, is he a healer or whatever. Or some of each. But I think hopefully, as Jarrico gets permission, as he appears to have already, it will just be taken from you both, Stoen, on the other

hand, will never agree to anything, I am sure, so we're going to have to get some kind of agreement about him.

J.M. Well, I don't know what Pat's position is, whether she will speak for Charlie or not, but I'll tell you this, I have no problem with Charlie and Stoen. Because it's only because of an alignment trip (?) and a few other things that have stopped me from calling them or writing them a note. And just saying, I know you got a lawsuit against Stoen. You might be interested in knowing that they jacked his bond off on him.

M.L. Well, I am sure he would be very interested in that.

J.M. Because I have no axe to grind with Garry on Stoen at all. At time I have an axe to grind with everybody in the whole case.

D.F. Worms.

J.M. Yea.

D.F. How about that for the working title of the film?

P.R. When were you last in that area?

J.M. Last year.

P.R. And you were on a raft?

J.M. Well, Charlie made the news announcement.

P.R. About the raft?

J.M. Didn't Charlie make a nice news announcement? Somebody tried to shoot my client yesterday?

P.R. Yes, but not on a rubber raft.

J.M. No, Jones was at the compound.

P.R. That's true, he did make an announcement like that. There was shot fired.

J.M. I know, I was flying back at the time it happened.

P.R. Pardon?

J.M. I was on the airplane at the time it happened.

M.L. Did you have the feeling Stoen was trying to use you in any way?

J.M. No. I have never talked to Tim Stoen.

D.F. Never?

P.R. But you have talked to Grace Stoen .

J.M. Yes, but then she was living with somebody else, she wasn't living with Timothy. I have never talked to Tim Stoen, because as far as I was concerned, Tim Stoen was always as dirty as Jones was.

D.F. And maybe a lot worse.

J.M. And maybe a lot worse, but nonetheless he was no angel. The only time I made an offer to talk to him on my side was January of this year when he came back to the U.S. and then I wanted him because I wanted to know what was going on and we felt that if .... Furthermore, I understand he is going to open a law office at 300 Montgomery and he's going to do this, and he's going to do that. And I am saying what the hell have we got here. You know, all of a sudden I come back and I'm a nice guy now. I was a bad guy yesterday and I'm a good guy today.

M.L. Yea, happens to me all the time.

D.F. Mark, I know your time is limited.

M.L. I have a television program in L.A.

D.F. Let me tell you this, I think that the Jarrico office is going to be probably swayed by your assessment. How would you sum up as a main problem, as a main kind of information that blends both dramatic and legal here?

M.L. I don't see a problem here with the Jones thing. I think that the Jones thing, story, should be presented to see (inaudible) what Jonestown is. And in terms of what Jones is, I think it should be a blend of what you say he is and what Peoples Temple people say he is. As he comes out. If it were anything else, it would be boring. Where's the sense in it? The thing about Elmer Gantry ... So I think that's fine. What you have said today provides really good balance for what Peoples Temple says, and what the booklet says. I see as the outstanding problem the role of Stoen. It is extremely interesting and I think should run through this whole operation

and I think you have to see him along with 2,000 illegal notarizations, or however many there were ...2,000 is a lot of powers of attorney!

I haven't seen 2,000 in over 27 years of practicing law.

J.M. Well, it was so funny because the investigator from the Secretary of States office was sitting in my office and this particular client was sitting there and she had given her -- I had given her her rights and he gave her immunity-- and he said now, how long have you been with the Temple? And she said 9 years. And he said now in those nine years have you ever been called upon by anyone to forge. And he said yes. And he said who called upon you to do this job? Tim Stoen or Eugene Chaikin. I see, and what did you forge? and then the next statement was how many of these have you forged, two or three? Oh no, I think we forged about 2,000 over the nine year period. He said, would you say that again. And she said, 2,000. He said, I don't believe this. He walked out of the office and went back to Sacramento and called me the next day, and he said, Is she for real?

M.L. Now you see, that's a scene you can show, if you can document it.

J.M. Oh, you can document it. Bob would be very willing to document it.

M.L. You have the transcript?

J.M. Yea.

D.F. Well Mark, what about Venezuela?

M.L. Let me first say about this, the person Stoen, while both sides here have a similar line for Stoen, it's got to be documented. This guy is a lawyer and he will sue.

J.M. Good, we can document it.

M.L. So that's one thing I think is absolutely essential. Would be extremely helpful, that kind of documentation. But Venezuela, I don't know. You cannot say this guy is getting funds from Venezuela or anything like that unless you can prove it, because the implication is that he is being paid to do something.

J.M. Well, proving it is not hard to do. I can document it. But it is illegal as hell once it is documented, as you well know.

P.R. Why? Because you go into his bank account?

J.M. Yes.

M.L. Oh, he didn't show you his bank account?

J.M. Oh no.

D.F. How about information and belief? He is a private investigator.

M.L. Well, there are other ways. One can file an action of some kind. Discovery is normal.

J.M. Normal discovery you've got no problem, I'm just saying.

P.R. Normal discovery is in the process of one of Charlie's lawsuits.

M.L. But that discovery would have to be based upon information which you would provide.

J.M. Oh, well, that's no problem.

M.L. That could be subrose (?) information, it does not have to come up (your name). You can ask the person did you ever get money from Venezuela, answer yes or no, but you are going to have to confront him with something. So I think that's where you can work together. In order to have everything about Stoen and Venezuela and everything else. And if that can become documented, I think he then becomes a very important figure we use through this whole story.

D.F. Because that takes us back to Guyana now, just as you said. It has nothing to do with San Francisco. They are on the outs, they are on the downtrend here anyway, they are not powerful anymore.

M.L. And do the people in Guyana believe, do the government circles believe that Jones wants to take over the country?

J.M. They do.

M.L. Well, that would be interesting. Important.

P.R. Doesn't that frighten them? They really believe that?

J.M. They can't like it alot, if you're in the government.

D.F. Maybe the opposition figures they are going to use Jonestown.

M.L. What is his relationship there? Does he have any? With Jagan?

J.M. Well I'll tell you I'm not sure anymore. Because I haven't been

following it that close. To me Chaikin is right along side of Stoen.

If both were in a bag, you wouldn't know which was which.

D.F. You were saying Jagan.

M.L. Yes, Chedi Jagan was the opposition leader in Guyana. I know him, because I met him many many years ago on Fire Island (?) in New York and spent a lot of time with him, and found him a very charming, a very interesting guy. But he's the left. Forbes was with CIA.

J.M. Now last year, I found that the President of Guyana went to either Stanford or UCLA several years ago, and at the same time there was an attorney over in the East Bay who was a very good friend of his. And I talked to the attorney, and I said, "Look, we are trying to get these children back, we are having no luck through the proper channels, what can I do?"

He said, well, a very good friend of this gentleman is Idi Amin.

M.L. Close to whose?

J.M. Close to the president of Guyana.

M.L. Is that right?

J.M. So I made an attempt to get Idi Amin to intercede to the president of Guyana.

M.L. Did you go to Uganda to talk to him?

J.M. No.

M.L. That was a good decision. That was wise.

J.M. I asked Idi Amin to intercede with the President of Guyana in order to get this mess squared away. He says he called him.

P.R. Idi Amin said he called the president of Guyana.

J.M. Whether he did or not I don't know. Of course that was another little trip that we made.

M.L. You appealed to one of the leading humanitarians of the world on behalf of the children.

J.M. Yes, everybody laughed at me when I did it, but I said what the hell have we got to lose but a few hundred dollars in phone bills and travel

expenses. We'll see what we can do. We also went to the United Nations and pounded a few doors at the U.N. trying to find out how much sanction we could pull into one of the U.N. committees and say, hey, what's going on down there?

M.L. It seems to me that's a theme that's not going to be resolved.

P.R. Can I ask a question? For all of your stuff, travel expenses, who paid for all that? Or can't you answer that?

J.M. Out of my pocket.

P.R. You paid for that?

J.M. To total to date, we have in our trust account \$5,000.00 which came in from Stoen's bond. And this morning, for your information, I received a letter from the bonding company - I sent ...I got the bond in with the papers to send both to the Mills and to the Swinneys, release of all claim letters.

M.L. Is that \$5,000.00 each?

J.M. No. \$2,500.00 a piece. The total bond up to the first of this year was \$5,000.00 on this state.

M.L. Now suppose somebody else has a claim, they can't pick it up?

P.R. Kiss off.

M.L. Stoen's in trouble.

J.M. So what I did, I sent the papers off. This morning I got a letter from the bonding company saying that the Mills had contacted the bonding company saying they no longer had a claim against Stoen. Well that puts the Mills in a very bad position because I have their affidavits on file where they said that...

P.R. That Stoen...

J.M. So somebody is in a world of trouble.

M.L. So the Swinneys get the full five, then?

J.M. Well, I don't know, I need part of it, too.

M.L. I mean, the Swinney's will still receive their half?

M.L.I gotta leave. Could I see you for just a minute, would you call a taxi for me?

P.R. I was just confused, you had an agreement with them to foot the bill until you recovered the money?

J.M. Well, you've got to remember one thing, Pat, when these people came to me, the Mills, the Swinneys, actually 13 different people came....

P.R. The Olivers,...

J.M. Yes, all these different people. None of them had any money. Because they had lost everything they had. They had given everything to the Temple. The Mills had well over \$100,000 in property. They had the Redwood property, they had the Willits property, and then they had a piece of property in the East Bay.

D.F. Were they self-starters when they came to you, Joe, or had Stoen organized them?

J.M. Well, at that time Stoen was still in the Temple - he was still in the D.A.'s office. In my investigation, the New West article came out in April.

P.R. No.

J.M. Or May.

P.R. It came out in June or July.

J.M. OK, June then.

P.R. Because we weren't even in the case until just before or just after the New West article. And that was in the summer, a year ago this summer.

J.M. The way I got into it was the investigator in the D.A.'s office asked Mike Prokes who Jim Jones was, then the letters came in, the investigator got hauled into the D.A.'s office and was told by Tim Stoen: "If you proceed on this, I am going to fire you." So he called me on the phone.

P.R. Tim Stoen or the investigator?

J.M. No, the investigator. And said, hey, who in the hell is the Peoples Temple? Who is Jim Jones? I said I don't know, I never heard of them either.

But I'll make a few calls and find out. And I did. Now that was way back



in November, December 1976. Way back. And I got a dossier started on Jones back then. And that dossier included Indiana, getting run out on the rail, the little odds and ends, the potential rape and that.

P.R. Potential rape?

J.M. Yea, a man accused Jones of raping his wife. I passed that on to the D.A. and said that's who he is. Now that's it, the end. Boom.

P.R. Did the D.A.'s office pay you for that?

J.M. No. The next thing that happened, I got a call from New West magazine, and that was in April. Saying that there was going to be an article on Peoples Temple coming out in New West/ and we want to sit down and discuss it; and I said, no, you put out your article and then come and see me.

M.L. Where did they get the facts for it?

J.M. Well, I know where they got the facts, they interviewed the Mills. That's where most of the facts came from, because the first one was all the pictures that Al Mills had taken as the photographer for Peoples Temple. Now, I've got those pictures.

D.F. Oh yea, I've got a note on that. Do you think that they were legitimate when they were taking -- Did Conn and all these things -- all these people -- and then turn around later, do you think that was all legitimate?

J.M. What's that? I'm not following you.

D.F. The Mertles, and all these people. Do you think it was really an honest turnaround?

J.M. No.

D.F. Cause the Mertles have a funny background.

J.M. No, it was not an honest turnaround. The Mertles are the Mills, we are talking about the same ones. They changed their name.

D.F. Well, they have had rightwing connections for years.

J.M. Oh yea, it's the wierdest mess in the world over there.

M.L. So they're the ones -- the Mertles are the ones....

J.M. Mertles, Mills, it doesn't make any difference. Same people.

M.L. So they're the ones that are trying to stall off now. Oh!

J.M. Right.

P.R. And they have right wing connections too?

D.F. Oh, yeah.

M.L. What kind of groups?

D.F. Oh, John Birch, etc. etc. How did they pretend to be communists all these years and take pictures?

M.L. It was the left wing of the John Birch Society.

D.F. And handle paper work and everything?

J.M. Well, Al Mills was the photographer for the Temple. Now, one of the pictures -- a bunch of the pictures he took -- was with Jones down in Guyana. And Jones wanted to have some publicity for here. So they went over to the Port Kaituma agricultural station and took pictures of Port Kaituma. Jones had Al lay down on the ground, prone, and shoot pictures Jones, who was on his knees, ten, fifteen yards away in some small, hybrid corn, so it looked like the corn was up around Jones' neck when actually the corn was only about so high. Because Al, when he got done, took another picture standing up, and you can see how much the corn was.

P.R. What was the purpose of that?

J.M. That was for publicity when they first started taking people down to Guyana to show people what a nice, marvelous paradise it was.

M.L. It was a premature picture, that's the way it would have looked in 4 months.

D.F. Now, where does Conn come into this? Who goes to Dennis Banks and says I will keep you from being extradited if you'll denounce Jones. I will put you in touch with the Treasury Department.

P.R. That was David Conn.

J.M. David is a funny character.

M.L. No shortage of them here, is there?

J.M. No, you've got a whole boxful of them.

M.L. Nobody is going to believe it, that's all.

J.M. Conn has had Washington connections for years. Conn worked for the Treasury Department as an informant.

M.L. Did he turn in IRS things if people did not pay their taxes?

J.M. Uh huh.

P.R. Didn't he work for Standard Oil out here?

J.M. Yes.

M.L. Did he work for anybody else in Washington besides IRS?

J.M. Yes. There used to be an old committee called the ....

P.R. House Unamerican Activities Committee?

J.M. Yes, the House Unamerican Activities Committee.

M.L. He worked for that?

D.F. Well, then he must have been an agent when he was in the Peoples Temple. Of course he was. So were the Mertles.

J.M. Sure.

D.F. Of course. The research jumps off the page. Absolutely.

M.L. I have to go - I want to talk to you about L.A. (to Don).

(They leave the room.)

P.R. Shall we turn off that?

D.F. No, just continue and chat.

P.R. I am getting more and more confused.

J.M. You've been working on the case for awhile, haven't you?

P.R. Oh yea, but the problem is, we never talked with any of the people you have talked with -- the Mills/Mertles, the David Conns.

J.M. They talked to Charlie.

P.R. The only time the Mills ever talked to Charlie was in relationship to setting up the phone patch, to Guyana. We have never discussed any of the cases with them at all, Joe.

J.M. See, I am a free agent in this, and my feeling is, I have reached the point now where I am just playing with the case. I've got extra time, and

I am just playing, because as far as I am concerned, it's a big bag of worms. And as far as I am concerned, Jones is as guilty as Stoen as are Mills as everybody else is.

P.R. Guilty of what?

J.M. Whatever.

P.R. Whatever you want to call it.

J.M. Whatever you want to call it. Because I can't understand how adults would get themselves in that position in the first place. And my sole concern is the children, really, because we do have children down there who are unaccounted for.

P.R. Well, I'm not sure what children you are referring to that are not accounted for.

J.M. Well, there's four of them that I know of, that are county wards. I don't know if the money is still flowing or what the story is. If the money is still flowing into the Peoples Temple coffers from the county....for those four children, it shouldn't be, because they belong in foster homes in the United States.

P.R. Which are the children? Can you tell me?

J.M. I can't because I don't remember their names. I would give them to you.

P.R. You can give them to me.

J.M. Oh yea, one of them is that is that boy Michael Valencia or Michael Valesquez or something like this.

P.R. But he's a teenager, isn't that the one you are talking about?

J.M. It makes no difference if he is a teenager or not.

P.R. Yea, I know, but I am just trying to get an idea, get the children straight. Is the child you are talking about the one who is the ward of the man who is living with Grace Stoen?

J.M. Right. That's the one that comes to mind right off hand. Now that child belongs to the county of Alameda. He is a ward of Alameda County, and as far

as I am concerned, I'm concerned that Alameda gave jurisdiction for that child to be down there. According to court records, there is no jurisdiction for that child to be down there. According to the court records there is no jurisdiction.

M.L. Good to meet you, we'll be talking to you. Really good to meet you. It's ver interesting, and I think we have something here. I would really like to hear what scenes you think would be really exciting, especially from your brief time in Jonestown.

J.M. None.

D.F. Under dark of night.

J.M. Under dark of night, right.

(Mark Lane leaves.)

J.M. We did a lot of surveillance of the Temple.

D.F. Did you know about that Senator Stennis thing? You know, at first that mystified me. But I think I understand that now. At first I thought what's w/ Mississippi, with the Army and everything, and it wasn't the Temple, obviously, it was the woman. It was the woman from Mississippi, a black mayor. And this is the old Un-american HUAC and the whole thing.

P.R. Oh, you mean that....

D.F. So at first I thought that was a big lead, but it wasn't even a lead at all. It doesn't even fit into the film, because she could have been talking anywhere, and they would have been there.

P.R. I figured that out, too, Mark .... or Don.

D.F. Well, Mark is very confident that, very optimistic and very impressed with you and I think it would be something to think about whether you play yourself or see someone playing you. But I do think his point his good about....I think that when we talk about Conn, Mertle and Stoen, maybe one or two others, there is a clear pattern that runs at cross purposes to the stated philosophy an Elmer Gantry operation though it may have been, Father

Divine, though it may have been -- these people, both fore and after, seem to have been working on another agenda, and I think the poetic license of that can be abstracted. Now what kind of scenes would you see as humorous, tragic, whatever. What kinds of scenes do you see would be effective.?

J.M. I'm no movie man, I don't know anything about this kind of garbage. I'm trying to think back about what we did. We spent several days sitting on top of a bus, several nights sitting on top of a bus. In the Temple parking lot.

P.R. You did?

J.M. With a 16 mm camera. We spent several days sitting across the street from the Temple photographing everybody who came in and out.. It didn't do us any good. We spent -- I think, the only thing I can remember that had any real, I guess that appealed to me because of the City ....I don't know how much of your business is surveillance but ours is all surveillance. I am leaving for Hawaii tomorrow evening. I am going to be bringing a child back who was abducted by a grandmother. It just so happens that her son is a member of the Hawaiian mafia, so we are going to sit out and do surveillance. It is a normal thing for us. The only thing that was a tear-jerker in the whole damn thing was when I brought the Petit kids back. That the Mills hadn't seen for two years. And we had a reunion in the office and here's Mr. and Mrs. Mills, Mertle, whoever you want to call them, and these two little children.

P.R. Where are the children now?

J.M. With the Mertles. Here are these two little kids because my secretary had them and washed them and got them cleaned up and got some clean clothes on them and brought them in the office -- and here's these two little kids, and Mr. and Mrs. Mills going completely bananas over the two kids coming back. And the little son of a bitch taking my sugar tongs on the way out the door.

P.R. Who is that?

J.M. The little boy took the sugar tongs off the thing and stuck them in his pocket and when we got them to the elevator to go down, Al had them both up against the wall and was shaking them both down and found the sugar tongs. The kid is a thief. Whew, it's gone! But I think that is the only funny thing that happened out of a year of work. The rest of it was just drugery. You know. We had a lot of meetings, a lot of film footage.

P.R. Film footage -- were you thinking of making a film?

J.M. No. CBS-- Bill Schechner lived in my living for three weeks. He left his camera there for two days and just came back and used it. It was ridiculous. This was August, September of last year.

P.R. Right. Clancey was there, too, I suppose. From Channel 2.

J.M. No. No. I take it back, you're right. Clancey was there. Reiterman was there. Marshall Kilduff was there.

D.F. What about the media in this thing, Joe, did they all just jump on the bandwagon on this thing.

J.M. The only guy that has really been a super investigative reporter, regardless of what he writes, has been Reiterman. He has followed the case. He hasn't given it up after the initial thing. I have to give credit on that -- whether he writes in favor of the Temple or against the Temple, the point is at least he has consistently followed the case on. I get a call from him once a month. Where the rest of them, hey, it's old news.

The things that you may not know that are going on: One, there is an investigation pending right now in the District Attorney's office in Fresno against Jones and Stoen. Maybe not Jones as much as Stoen and other parties for fraud and embezzlement. Im sorry, extortion, not embezzlement.

P.R. In Fresno? Why in Fresno?

J.M. Hey, I walked into the D.A.'s office the other day and into the vestigator's office to see somebody, and I saw one of the investigators

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o says, oh, I want you to meet somebody so I got his card at the office. Investigator up at Fresno, he's investigating the Peoples Temple case. We had coffee. And all he would tell me is they had just interviewed Tim Stoen and it was a command performance. And that there was an extortion and fraud case that they were building in Fresno.

D.F. What does Stoen normally -- no matter how aggrieved he was -- because it isn't his kid and he doesn't give a damn about the kid, neither does his wife....It seems to me if we're talking about a carrot and a stick, and that's true, he's getting money to spend on lawsuits and stuff, but he's not about to personally go around buying Cadillacs...he's hurting himself by pursuing this. And I have to think he is under some kind of...

P.R. Governmental orders?

D.F. ...some kind of orders, because this isn't doing him any good. The bigger the scandal gets, the more he is going to eventually get caught up in it.

J.M. Oh, sure.

D.F. He either was an ...acted as an agent for Jones or was a self-starter. One or the other, it doesn't matter legally.

P.R. It doesn't matter legally as long as he was the lawyer for the Temple, though.

D.F. These leaflets that he is passing out -- about totalitarian this and that -- those are the same language, word for word, he was using 15 years ago in Germany.

J.M. Who wrote the article that they published, Pat? Last year, the brochure?

P.R. I don't know, I have no idea.

J.M. I framed it and hung it on my wall.

P.R. YOU mean that leaflet, probably someone from the Temple, I don't know.

J.M. I had to frame that, I've got it hanging on my wall.

P.R. I didn't, if you're asking.

I wondered if it came out of Charles' mind, that looks like somethi



a Garry would write. It was too professional for those idiots over there. P.R. No. I don't believe so. I'll ask him, but I don't believe he's ever written anything of theirs.

D.F. He's cracked down on some of their leaflets, hasn't he?

P.R. Uh huh.

J.M. Well, that one was a riot, if you read it. It was funny.

D.F. I know he felt some of their leaflets shouldn't be...I think that's why they turned to me. I wrote a book in New Haven years ago when Charles was working on a case there. He stayed at our house and we got to be good friends. And I think, when this film thing came up, I was just lucky and I called him and I think that's why he convinced Jones that he should cooperate, and sign the....Now speaking of these letters of agreement on this stuff, we have two approaches. One, Mark referred to before he left, if you remember, about a four part series he did in Europe; it's all over Europe, but it was initiated in France by Jean-Claude Charlier. And it was the highest rating in the history of French television. It was on the Kennedy case. And there is interest there in doing the Jonestown story. That would be documentary, however. The money is much less in a documentary in the beginning. However, when you have worldwide distribution, television sales, and the whole industry in a way, it comes in, it mounts up. The other way is the Jarrico approach, if they can get the errors and omissions. For a documentary, they don't need errors and omissions because they only put on film the people who are talking. The theatrical, however, you are personifying people. And although occasionally a person like yourself could play yourself, the rest can't and it has to be actors and you have to have them sign off. Not so in a book. I could write a book saying it looks like this and that, and so forth, but not on a film. Would this interest you, if they went ahead....let's take the theatrical first. If they went ahead with the theatrical, would this fall in your normal purvue of interest in negotiating a salary to negotiate the various steps of these things....

You know, there's one set of money when you do the script, there's another set of money when you get the financing, there's another when it's on the first day of filming, another on the last day of filming. Another when the film is released. These step deals are peculiar to the film industry, but not, certainly to contract law. Would this be something either in your own name or something as a private investigator with attorney-client privilege....

J.M. What attorney-client privilege?

D.F. Your investigator-client privilege.

J.M. I don't have one. We don't have an investigator-client privilege in this state.

P.R. YOU do if you are working with an attorney.

J.M. Yeah, but only if you're working with an attorney, Pat.

D.F. Well, that could be arranged.

J.M. But I have none working as myself.

D.F. But with Mark working as part of the team...

J.M. Ah! Then I'd have a client product. Then there would be an attorney product.

D.F. And even failing that, Charles possibly.

J.M. Well, I don't know about that.

D.F. Well, I think he would like to see the story told.

J.M. I don't know how far Charlie and I would get.

D.F. All right, all things being equal, would it be of interest to you to structure a deal, in such a way that you were protected, and obviously us, and you negotiated?

J.M. I'm totally open to anything. I don't know where we are. The closest I ever came....

D.F. It could be left at this and I would say thanks a million, and you've helped us tremendously and if there is ever anything we can do for you in terms of investigation ...that kind of thing. Great. But, I would like to take the next step, and I don't have to tell you that film deals are very

let me move over to the documentary -- and let me tell you how it would be different. In the documentary, they would be interested in your appearing. They might be slightly interested -- and this is off the record-- but mainly interested in your walking here and you flew there according to the map .... maybe even flying over Jonestown.

J.M. Never again.

D.F. Would you talk with Charlier, if he were prepared to make you a firm offer? And not substantively, but just talk with him in terms of what you would want and so forth?

J.M. Sure, I don't care. You gotta realize my position, see. You call me, you ask me to come up, I didn't know....

D.F. I am sorry to have been so secret about it ....

J.M. Right.

(end of tape #1, side #2.)

Tape 2 Side one

M: Uh, now the closest I've ever gotten to this business, my father was in the theatre for years.

F: Oh yeah.

M: Yeah, he was George Givett the Greek ambassador of goodwill. He used to play the College Inn and he played the professor. I think the biggest role he ever had was he played the professor and music teacher on the Benny Goodman story. Now that's the closest I've ever been to your line of work, and that's the closest I've ever thought of getting, do I don't know anything about this. I look at it the same way as I look at any job. (pause) Yes. uhh...

M: Well you know in this day of investigative journalism and freedom of information your getting closer and closer <sup>we'll</sup> on the one hand. "All the President's men" as a series of newspaper stories in the Washington Post and the next minute its a 100 million dollar movie.

M: That's right.

F: "Executive Action" I think broke the ice. In these films a fact are becoming the public has a tremendous appetite. Well even Hal Lipset was, as you know, a thinly disguised... A big film was made up here a few years ago, "The Conversation". The investigator and the investigative hournalist and private investigators are becoming a new kind of hero because the public wants to know. And so more and more these real life .. the so-called docu-dramas for television. And so Jerricho, he's doing the Brando series, that I told you, for television; the others are theatrical but increasingly the line has disappeared. This could very well turn into a TV film, a theatrical film for TV and perhaps European release, as well as just a theatrical film. Well, uh, I know Mark was impressed and we will certainly give a very positive report and I think we've simplified things. I mean I knew when I saw the Mertles background and Conn and with this other guy, Kleinman, I knew that these people were not communists. And the y weren't, also they weren't in the sense of Jones uh they weren't fundamentalist uhhm evangelical Christians in that <sup>sease.</sup> They were true believers all right, and they could make that true believe fit neatly in a situation of true belief, like the Peoples Temple. But I knew that there was uh... not where Stoen was is wierd, he's very wierd; he's very strange, he's very sick. But I also think

F: he's very vulnerable and I think he's, personally he hasn't changed since he was a student His leaflets haven't changed. And he has used Rotary International (its in 122 ~~different~~ countries) as cover and I'm willing to bet. I don't know that we need to do this for the film but I'm willing to bet that Venezuela and Rotary International turn out to be his cover in terms of some of his travels.

M: HE did a lot of travelling, a tremendous amount of \_\_\_\_\_ travelling

F: He even said he was opening an office in Manhattan, New York as well as here. He announced that.

M: Yeah, well he's got um. The only thing that bothers me about Mr. Stoen right now is that the idiot's practicing law,

F: Yeah.

M: You know even good CIA agents when they get burned, that's the end of it, they get it and they go. He doesn't even have the conscience to accept the fact that he's been taken to the cleaners, you know, I don't know. He's not particularly my type of guy.

F: No, everything he touches. Well Pat, I've mainly been concentrating on talking to Joe, because I figured I would be having dinner with Charles later, but is there anything do you see any major problems that uh....

P: No, I don't see any problems at all, that Charles would have.

F: And I see no problem if we went either the root either of documentary or theatrical. And I think Charles would work with Joe, don't you.

P: Yes

F: And Mark can be in as an independent representing the film company. He's an old friend of Charles, gets along with Joe.

P: Yeah, if it's okay with him.

F: I mean if we need two legal entities, there would be Mark and Charles.

P: Yes. No, I see no problem whatsoever.

F: I'd like to keep all this kind of confidential so that the producers don't get hit with some of the newspaper stories and all about the film until they announce it. They feel very strongly about that.

P: The film-makers feel that way?

F: Well, I mean we should all... if we talk to anyone it should be absolutely off the record, if we have to talk to someone to get information

M: I don't have any reason for not giving any.

phone rings

F: Hello. Yes. Yes sir. It turns out I don't believe we're going to need it. No, I'm in conference but were going to be done in a few minutes and I think I'm gonna we may have dinner up in the room and then I'm going to fly out. Not at all you've been very kind. Thank you very much.

Ingrid: What kind of cigarettes are these?

P:(laughs) Ones that just fell on the floor.

I: They are really bad, are they not no nicotine?

P: No nicotine, no , they are herbal cigarettes.

I: I'd rather give up smoking.

P: Well if you have to smoke, they won't hurt you. They stink though, that's one problem.

I: They smell a little like marijuana.

P: They do, but there obviously not because you buy a whole pack for 85¢ in health food stores.

I: Is that how much they cost?

P. Yeah. Something like that. I get them at a health food store I go to on Solano in Berkeley.

I: Do you actually smoke these?

P: Do I actually? Well of course I do you saw me.

I: I thought I saw you steal one of mine.

P: No, I didn't. I can't smoke that other kind any more because they're too strong. The idea behind it was to quit smoking and I never smoked that much anyway, so those served the purpose. I just do it socially and that's it.

F: Joe, I'm going to be travelling on the King case, and if it's all right with you, uhm Ingrid might give you a call or keep in touch as to what's happening, so I can kind of keep you in the picture even though weeks tend to go by on these things but uh, in fact what I'd like to do now if it fits everyones schedule is work with Ingrid and type up some notes and begin to prepare a report for them. And uh.. we can work in the other room, you all just chat. Would you like some coffee or something?

P: It's kind of cold.

M. Yeah, I think a little hot coffee would be fine.

F: Sure, by all means.

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P: I would prefer tea, if you're going to reorder.

F: I'll order a pot of both.

P: Because coffee doesn't really sit to well with me.

F: Right.

P: Why don't you take the rest of the stuff, if you're moving...Don.

F: I will.

---dishes clinking---

P: Did you talk to Charles today Don, did he say when he might be coming over?

F: No, would you call him?

P: Well what do you want him over here?

F: Lets have dinner about uh 6:00, huhn.

— small chatter about dinner obliterated by dishes being stacked on tray. —

P: So was your agreement with the Mertles, the Mills-Mertles, I always get...

M: I don't know what you want to call them.

P: Whatever you want to call them, it was just to collect... How were ever to be paid?

M: The agreement was, we<sup>w</sup>ere to be paid out of the bond. Nobody knew exactly where we were when we started th<sup>s</sup>s thing.

P: Oh then the bond that you just recovered right?

M: Right.

P: But you spent more than \$5000.

M: Oh I \_\_\_\_\_. I got involved in this thing on the basis of what we called originally the ..... The Millses filed a million dollar law suit against the Peoples Temple.

P: In San Francisco.

M: Yeah, you know that.

P: Well no one was ever served.

M: Oh yeah they were, uh uh Jones was served, by publication I believe. No wait a minute you're right, nobody was ever served.

P: No one was served to the best of my knowledge.

M: Yeah, you're right nobody was served. The situation was something like this, we took the case on, on the basis of getting back or at least seeing at first what was going on. Because you gotta remember, if you think back way last year the article comes out, everybodys throwing charges at everybody, nobody knows where anybody is.

M: Uhm, we took the Mertles case on solely to kind of see where things were. Well the first thing we ended up doing was getting the kids back. The Petit children. That was really the first thing that happened. Plus we got the...

P: Except they weren't ever really gone, they...

M: No but they weren't in their custody or control. And then there was the matter of various allegations coming up as we run along between okay I can't even think of all the names but Christ we had 13 or 14 people that came in to see us. And they all had....

P: The concerned relatives group.

M: Yeah, right, this group and that group, this person and that person. So by the time we were finished we had about 14 people who were involved in this uh you know in some sort of a loss.

P: Right.

M: Okay, the next step was that if in fact the property was illegally taken from these various people through fraud and forgery then your looking at a recovery on the property through the title insurance. So our original situation with the Mills was that we would take the entire case on a percentile. Then we said look, you better, you know for your legal rights, you go see an attorney. So they went over and saw Dan Dannenburg and they retained dan Dannenburg.

P: Is he in the East Bay?

M? No, he's right here 1700 California, uh beautiful old Victorian on California and Franklin.

P: Yes.

M: So they retained Dannenburg and they filed the one million dollar, million and a half <sup>2 million</sup> law suit against Jones, the Temple, Mrs. Jones, uh Stoen they listed everybody and their aunts and uncles as defendahds. And Dannenburg then retained me, cause that's the only way he could retain me, get the information. So he retained me. And therefore he got access to the information we had in our file.

P: I see.

M: So basically what was going to happen if we'd gotten back the Redwood property for the Mertles. That was valued at \$40,000. We got back Swinney's property or the title insurance had paid off. That was \$40,000 so that was \$80,000. Then you figure whatever the lawsuit would bring plus the bond which was the first step in getting everything else done you had to go after the bond. We were looking at a sizable fee when



M: when we were done. In other words I'd have cleared my expenses and my fee without any problem. I'd ended up with ten grand probably fifteen thousand dollars which would have more than covered my expenses. Well what happened was..

P: Wouldn't have covered your fee.

M: Welllll not quite but you know I wouldn't have worked out of my pocket anyway. It would have been, I would have been paid that way. Anyway, what happened, was that everything went along; we started the bond procedure. And that takes time. Everything went along until January.

P: When Stoen returned.

M: When Stoen returned. And the first thing that happened was, the Millses, wouldn't let me talk to Stoen. And I told Mrs. Mills that at the time, well if that's the way you want it our relationship has turned.

F: Conflict of interest.

M: Yeah, on their part more than on mine. I was working with, I had already brought in.

P: You were working on an understanding right?

M: Yeah, and I had already brought into the case the Secty. of States' office. And I'd already brought in the District Attorney's people on certain issues. And I felt that...

F: They're using you, as an instrument in getting someone out.

M: How can I go ahead and represent these people as an investigator much less from a legal point of view I can't but you either no attorney could, if he were, If I were an attorney I could not represent them in that position. As an investigator I damn well can't represent em either in that position, because I can't cope with the problems that are the underlying problems. And I got a hard enough job trying to go down and get kids back, you know and find out what's going on. So when I stop that relationship I notified them in writing that the relationship was terminated, however there's nothing I can do about the bond situation it's already in progress. And there's nothing I will do about it because I still represent the Swinney's. And as far as I'm concerned I can't just cut you out. So its going to happen, you know and if it does happen thats it. Then they went to Dannenburg and dropped their lawsuit.

P: Oh that lawsuit's been dropped?

M: Yup.

P: Why was it dropped? Because it involved Tim Stoen?

M: Because it involved Tim Stoen.

P: I see.

M: But then they dropped the lawsuit, so all I had left was the Swinney's. Well that's fine. The bond comes through, uh I have to be fair with them. The bonding company sends me the check and says do what you want with it, you know disperse it any way you see fit. So I felt both pieces of property were valued at \$40,000.

P: So you just split it.

M: So I just said hey, right down the center, half to the Swinney's half to the Mills and I wrote Mills a letter and I said here it is no w remember you owe me some money. So you sign the papers and send them on back because hey I'm going to keep half, I'm going to keep the money. Because you owe it to me. Now your either going to just sign it over to me or your right, claim and interest or I'm going to sue you for it. And I sent the Swinney's there papers and I said here it is now we can proceed to the title company which is the next step. And tell the title company hey you blew it why don't you take care of the Swinney's. Well this morning I received in the mail a letter as I said from the bond company saying that the Mills had sent written them a letter saying they had no cause to uh...

P: Sue Tim Stoen

M: No cause to go against Tim Stoen. And the bond company is now saying what are you going to <sup>now</sup> do with the \$2500. which is basically their money.

F: But...a device on the Mertles part in the first place in collusion with Stown. That's how it started and then..

M: It does sound that way.

F: Does Conn come into this too?

M: Yeah, Conn is very very close with the Mertles.

F: Yeah right.

M: Very close.

F: And Conn is linked to Kleinman.

M: And Conn has also been on the phone to me once every two weeks for the last six months.

P: About what?

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M: Whatever he could think about to call. You know, its like the bad penny you probably got one in your office that uh how's my law suit going for 29.95 because they didn't return the shoes or something. That's what it is.

P: Well that seems strange that Conn would contact you even though the Mertles don't want to have anything to do with you anymore.doesn't it?

M: Conn is a strange character see, Conn is..Conn is I don't I can't you Pat because I don't know about these people I've said so here 3 or 4 times as far as I'm concerned they all wear black hats, they're all crazy.

P: It seems to me that if he's in close to the Mertles and the Mertles don't want you to do anything against Stoen, it seems strane that he'd still be calling you, to do something.

M: He may be calling me to find out what I'm doing .

P: Oh you mean as a plant right?

M: Well I don't know a plant but hi how's it doing whats happening kind of a thing.

P: Right to see what your doing, I see.

M: Right

F: Well let me ask you this Joe, you know Conn you not only know the type you know the man and his background. Did you do you.. you can speak a little differently to him than you could to some of the others, have you ever levelled with him as to what's really going on.

M: No.

F: He knows your .....

M: I've never levelled to Conn what's going on; I've never levelled to anybody except one or two people and that's Swinneys. And only with the aspect of what the Swinney's case is. Cause that's all their interested in. They have their son back, they're living in South Carolina, North Carolina, Georgia somewhere bask there. They got 2500 dollars coming out back there, their half of the bond minus my fees for collecting out of what I've done for them. And we're now going to the title company and saying hey guys you blew it. You know. You guaranteed a title to an innocent third party without ever seeing the real grant deed and since you never did that your you know that's what your buyer pays title insurance for, is to guarantee it.

J.M. And since you never did that, that's what your buyer pays title insurance for, is to guarantee....

P.R. Who brought the grant deed to the title company? Tim Stoen?

J.M. Oh, Gene Chaikin.

P.R: Originally.

J.M. He filed it. Cordell took it and Chaikin filed it. Cordell filed it at the request of Chaikin. If you look at the top of the grant deed it says it was recorded by Cordell at the request of Eugene Chaikin, attorney at law, notarized by Timothy Stoen. That's a real cute piece of paper.

P.R. Well, Tim Stoen at that time was chief counsel, and Chaikin was assisting him believe.

D.F. Mr. Stoen's the man.

J.M. Stoen's the man, you know.

P.R. You see, Stoen was always chief counsel for the Temple and in fact when he came back last year and started speaking out against the Temple, the Temple was totally confused because they thought he was still their attorney. I mean, that he was still an attorney for them.

J.M. Well, I think the Temple has got a good suit against him.

P.R. They were just completely confused, hey, what's going on here? You are our attorney and how can you be saying that against us when you are our attorney-- it just didn't make sense.

D.F. I think what we come back to, and I think what the film will come back to is a minister -- I won't mention his name, but I had a long talk with him in Georgetown -- and he said you know the Temple ...it was a very close call, you know the government almost fell. And -- he's a friend of Peoples Temple, this particular minister -- he's going to cooperate with us, I think. And he hinted -- he did everything but say CIA.

P.R. The government almost fell when? Recently?

D.F. No, some time in this last period. The situation was this. The CIA was in the labor unions there, and they backed Burnham against Jagan.

Then Burnham kicked them out. And of course that's your death warrant. And, now the Peoples Temple is pretty strong. I've seen the reports, I've talked to our agents over there, it's big, it's thriving, it's happy and so forth. And I have the feeling that Stoen has overplayed his hand and I don't think it's in his interest, and at some point now he is going to reach the point of diminishing returns. We might talk to him. What would be your advice, Joe? My feeling is, maybe when we are ready to go....

P.R. That you should talk to Stoen?

D.F. We might talk to him and say, look, we are ready to do the story -- you can get out in front of it and be John Dean, or you can go down with it. What do you think he would say? Do you think he would turn?

J.M. I am writing my book. Don't bother me. Look we offered him'....

P.R. Do you really think he is writing a book?

J.M. No.

P.R. That's just baloney.

J.M. Look, we offered him immunity.

P.R. Who's we?

J.M. Secretary of State's office.

D.F. Then it's patently not the child.

J.M. Right, we offered him immunity. I called him on the phone. We talked to Mills. I had Bob Gillametes ready to grant him total immunity....if he were just to get out in front and lay it all on the line.

P.R. Well, maybe he can't lay it all on the line.

J.M. He can't, of course not.

P.R. Because he was the person who did it all to begin with.

J.M. Right, but you've got to remember Pat, at the time we are talking about, which was last September or October,...

D.F. He was blowing a line about how he hated them....

J.M. He was blowing a line, he's saying, hey, these people are no good. He comes back to the United States now, in January. And he is shackled up with

the Mills.

D.F. To be the government witness:....

J.M. Yeah, right. Yea, the government is interested in the welfare money that went to these various foster homes; the government is interested in the money that's been going in from SDI and all these things, and the Social Security to the elderly people. It is interested in all this stuff -- and there's two or three independent investigations going on and here you have a prime candidate witness sitting right there, who can tell you where all this money is and how all these checks were handled, and say, yes, all right, Jim Jones put the power of God in me and I notarized this document. I know it was wrong, but he was going to get immunity for all those notaries, so what he was going to do was be able to say anything he wanted to say. To say, yep, Tish Leroy under my instructions signed this grant deed, forged the names of so and so....

D.F. He could say anything.

J.M. Right.

P.R. Well, why do you think he wouldn't do it?

D.F. Because it's obvious why....he can't reveal his own role.

J.M. He couldn't do it.

D.F. Because his own role has nothing to do with what he would get immunity for. What he can't get immunity for is operating as an agent in terms of his credibility.

P.R. You mean an international agent?

D.F. Well, an agent who is working ...who has worked in a number of places.

J.M. Yea. See, he could get immunity without any problem for his notary acts. They'd be willing to give it to him, they had a long discussion, I understand, and I wasn't there, but I understand through good sources they had a good half-day discussion on how much immunity would they grant him .... and they granted him total immunity. For everything. You know.

P.R. Including acting as an agent?

J.M. No, they can't. But any criminal act which he might have done within the State of California....

D.F. Right, he's not afraid of any criminal acts.

J.M. See. And they said they would give him total immunity, right down the line, everything out.

D.F. That's fascinating, that's a great scene.

J.M. And he's not going to take it. He's writing his book. That's his stock and trade answer. "I'm writing my book." So what have you got left? So I've got no choice. What's \$5,000.00 when you're into that much of a case? I had no choice. Because I was very willing to say to hell with the bond, I got bigger fish to fry. Let's see what Stoen has to say. Let's just drop the bond issue, set Stoen down, and let's have a John Dean type situation and see where we are. The problem lied with, we couldn't get Stoen to sit down, so I said, to hell with you, Pal. We'll go get the bond. If you won't cooperate. You see, it's been my policy, my theory, Pat, that the man went to Guyana, regardless of what he did, regardless of his black hat-- white hat, whatever he was, whatever Jones is, it doesn't matter. The man went to Guyana....

P.R. Meaning Stoen.

J.M. Yea. In the name of the Peoples Temple. He comes back in the name of Timothy Stoen and he walks down on Montgomery Street and sets up an office and says, it's all over, I'm a good guy now. I'm nice and clean, I got a nice clean shirt on and I'm a new guy. And that's it. And it's my feeling that you just can't do that. That's a no-no.

P.R. Unless you've got some other protection.

J.M. Unless you clean up your act. He owes somebody something. Whether it's your people, my people, the government. He owes somebody an explanation for what the hell he's been doing. And if he isn't willing to give me that explanation, or you, or the government, or Bob Gillametes, or whoever the hell,

or Bob Graham, it doesn't matter. Then I am going to go after him.

D.F. I think we've broken the case, Joe. I really do. You put the fine point on it. When you're offered immunity, carte blanche, a Nixon pardon, and you can't take it, and you're going to have to stand the heat, and he knows that as he pushes these suits he is going to get caught up in it, he's going to be....it's not like he's got any choice....

P.R. But why is he pushing these crazy suits.?

D.F. Look, it's not like he's saying I am going to write my book and I don't want to have anything to do with it, that would be a logical answer.

But he is not writing his book, he is pushing his suits.

J.M. Yea, that'd be great if he sat back and wrote his book.

P.R. Well, why is he pushing his suits?

D.F. Obviously, somebody has made him a proposition that he couldn't refuse.

P.R. Who's the someone?

D.F. It's someone -- someone's got him. He owes's something. They've got him. You don't have to be an expert in this business to know that if a man on the one hand has a vendetta and wants to get out...get away...step aside from it and pursue the vendetta and be clean himself and be protected, that's the dream offer. Now if you can't take that and you're still going to pursue the vendetta and you're going to go down with them all, it means a suicide. He's a kamakazi. He's going to go down with them all. It doesn't matter to him obviously whether he turns out to be or to go to state prison to be branded as a felon, what he can't be branded as is an agent.

P.R. But he didn't bargain for that, to go down. Or to go to state prison, did he?

J.M. Well now Pat, wait a minute. Nobody bargained for it in the beginning. But the point is, it's the old story. When you start the game, you don't know what the players are going to do. Nobody knew, when they started the game, that I was coming in the picture. I sure didn't know Charlie was going to represent the Temple.

P.R. Neither did Charles.



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J.M. Neither did I know that I was going to represent the Mills or the Swinneys. How in the hell could Stoen know who was going to get into the picture? At that time?

D.F. That's right. And besides, Joe, he is the type they just burn.

J.M. Who knew last year, last January, 1977, who knew that Bob Graham was going to have an employee by the name of Larry Lawrence.

D.F. We could find out the sexual stuff on him, God knows. You can tell by that letter he wrote John in the first place, he's not all there.

J.M. No, he's dingy as hell.

D.F. And he's made to order. They've had him since he was a student off and on.

P.R. You mean the CIA.

J.M. Yea, well somebody's had him.

P.R. Somebody.

D.F. Well, it's CIA. Because Rotary International doesn't work for the FBI, they work for the CIA.

P.R. They have to, don't they?

J.M. Well, the FBI doesn't have him, I'll guarantee that.

P.R. How do you know that, Joe?

D.F. Joe's contacts are better with the FBI than the CIA.

J.M. No, yea, they are, much better. Thank you. I got myself burned with the CIA myself. So they don't like me that much. The John Dean tapes burned me. See, we did the Dean tapes. On the Senate Sub-committee.

P.R. Your firm?

J.M. Me personally. And there was a lot of crap going on, you see, because they had private meetings and private hearings prior to the televised hearings.

D.F. You should write your book.

J.M. No way. Well, they had the private hearings and what they were doing, they were using the PSE. And they were determining whether Dean was telling the truth. And on his truthful issues, that was the determination of whether

or not they were going to let Dean <sup>S-1-G-2(5-2)</sup> testify publicly, on the Ervin committee. And of course, Dean started out with this crap with what's his name, General ---- from the CIA and having gone over there and having him in Erlichman's office, you know, and nobody really liked that too well because, hey that's true, baby, so go ahead, Sam, get him on the stand, Sam! Lowell Weiker was sitting there saying are you sure? I'm saying, I'm positive it's true. And so, you know, no problem, get him out there on the table. And say, now, what next happened. And well, General so and so arrived at the oval office and boom boom boom and all the guys in the CIA in the back row are going, oh God, here it goes, you know. And had I said at the time, because Dean's counsel was sitting there, and had I said it at time, hey, he's not truthful in that issue, they would have said no, don't talk about that, let's only talk about the truthful points. Because they had to build from Dean to get to the other people. Like Alexander Butterfield. They had to build from Dean to get to Butterfield so they could get the tapes and evidence. Now they knew about those damned tapes, months before Butterfield actually got on the stand. And Lowell Weiker's little act about "what tapes?" That was all stage play. They knew about it, they knew about it three months before in the informal hearings. The problem was, they had to get Dean through so they could get Butterfield on, or they had lost the chain of evidence. It's just like in a criminal trial, you have got to have evidence going. But the FBI situation is simple. Off the record....

D.F. The Mertles are more the FBI types.

J.M. No, there are a couple of ex-agents working here in the City, who check real fast, find out if Stoen had any connection with the Feds, with the FBI. Nothing. No connection.

D.F. Cause I was concerned that he was CIA.

P.R. Do you think he is CIA?

J.M. No.

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P.R. What do you think he is, nuts?

J.M. No, I equate Stoen with Lee Harvey Oswald. Only to the extent that Oswald had changing political -- so says Mark Lane -- desires. First he went to Russia, and he really didn't like it there, too well, so then he went to Cuba, and that wasn't good taste, and then he went somewhere else, and that wasn't good either. But all three of them used him while he was around. That's how I see Stoen. Stoen did his little bit in '58 and '59, and '60 at the Berlin Wall. And that really didn't give Stoen the satisfaction he really craved. 'Cause he's kinky; he's kinky as hell. So then he went and tried something else, and that really didn't work either. And then he went and did something else, and that really wasn't it either. And then he up and went and joined up with a couple of people from the Fourth Reich of South America, and that really wasn't the greatest. But they had money, and that he needed. And, of course, you've got to remember, the thing that always bothered me about Jones, why, why pick a country .... you say you're a socialist, why pick a country that is setting dead off in the highest rightwing area in the world. There's more Nazis, what we call Nazis and right wing extremists per capita mile in South America than any other country in the world. So why would Jones go to South America? That bothers me, and it does to today.

P.R. Unless he's a right winger, is that what you are saying?

J.M. Well, he's espousing socialism up here, but yet he wants to be run for mayor and he wants to be run for governor and he wants his Temple people put him on the ballot for the governorship and everything else. And when that don't work, he picks himself a hole -- in really one of the only few socialist countries in South America. You've got to remember that nearly every other country in South America is either dictatorship or a neo-Nazi dictatorship. And Guyana was overthrown in 1963 by 700 adults. The whole government was toppled by 700 angry adults. So you look at it, and you say what the hell is going on with Jones, let alone with Stoen

D.F. Sure, he constitutes a threat for Venezuela's full of Nazis.

J.M. Check.

P.R. So Jones constitutes a threat to the Nazis?

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D.F. Well, what you have is a connection -- it's hard to put a fine-point on these things -- but when you talk about....Rotary International is a cover, as all kinds of people use it as fronts; and the money goes back and forth, The CIA works with all kinds of people in these countries. It works with the right wing elements against the Communists, naturally. P.R. I can understand that.

D.F. I think Joe's biography is a good one of Stoen. I would add that the common denominator in all of these big flip-flops is Rotary International. And Rotary International, like the Red Cross and the International Monetary Fund -- the Establishment -- These are the old families that belong to the OSS, join the diplomatic service, Red Cross and Rotary and so on. And they are...they service cut outs of all kinds of people. Now the people change wildly, but the common denominator is that it always serves in a given situation, what we would call stabilizing the government or destabilizing.....In other words, anti-Communism is your common denominator.

P.R. Let me ask you another question. Why does Stoen have as his attorney in San Francisco a well known person on the left?

D.F. Well, I don't think he is being forth-coming with him.

P.R. That person represents him to today.

J.M. Who is it now?

P.R. Patrick Hallinan.

J.M. Oh, OK. All right.

P.R. He represented him a year ago, and when we filed the restraining order on him, proceeding with the suits, because he was talking about times when he was the Temple attorney, and how can you sue the Temple when you were the person to advise them to do whatever they did? And so we filed a restraining order in San Francisco. That was the suit you are talking about. A temporary restraining order. Hallinan represents him on that. he does.

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J.M. I know, but let's take it a step further, Pat. Wait a minute. Let's go all the way back to the start. Grace Stoen hires Jeff Haas.

P.R. Who I've never heard of in my entire life.

J.M. Nobody has.

P.R. Who is he?

J.M. Jeffrey Haas was a young counsel trying to make a name for himself.

P.R. OK. You know, there is a very famous left-wing attorney named Jeffrey Haas who comes out of Chicago, but he's not the same person.

J.M. Not the same guy. Haas and I had it out immediately because you're going to sit here and....First of all I knew Haas wasn't going to get anywhere going into the Superior court in San Francisco to get any orders for Guyana. And all he was doing was wasting Grace's money . OK?

P.R. Where did her money come from?

J.M. Well, her money belonged to Walter Jones. Walter Jones is the guy who was living with Grace Stoen. Jones is the guardian of that kid we were talking about.

P.R. Well, where did Walter Jones get the money.

J.M. He gets a lot of money. He's a high-priced, high-paid welder, and he was making about \$400 - \$500 per week. I checked him out. He was making big money up here. He's really working -- does a specialized type of welding which is in high demand and he gets big money for it. So, he was giving Grace the money for it, to pay to Haas to represent her and get the kid. And Haas was going into the Superior Court to get orders.

P.R. Why did she want the kid? She never....

J.M. It's her child.

P.R. Well, she's never wanted....

J.M. OK, look. Without getting into desires one way or the other--What ended up happening was that I went in with Haas, and we really had it out. I said, look, you're not getting anywhere, wasting your money here. Let's get momma and put her on an airplane and go down to Guyana with momma.... And this was early in the game, remember. Get down there with the orders

and just momma and the birth certificate, and let's walk in down there and lets go over to Port Kaituma and lets get the kid. Hey, I want the child. Bingo. Give me my son. To hell with everything. That's my baby. Screw you, Jim Jones. Screw you, Tim Stoen. That's my kid. I'm the mother. There's the birth certificate. Grab the kid. Have McCoy with us from the counsel, grab the kid, get on the plane, go back to Georgetown, come home, and to hell with it. And if everybody wanted to fight later, fight later. That's the simple way of doing it. Haas wouldn't buy it. He went into court, and Hallinan refused to represent him.

P.R. Refused to represent Tim Stoen in court.

J.M. Right.

P.R. But he's representing him now.

J.M. But he refused to represent him on the custody battle.

P.R. Why?

J.M. I don't know. But of course, the outcome of it was that Haas got Walter Jones to go get a loan of some \$8,000 to \$10,000. And Haas got on the airplane to go to Guyana with these orders which he finally acquired here in San Francisco.

P.R. That was in cooperation with Tim Stoen. And Tim and Grace went together to Guyana....

J.M. Yes. Right.

D.F. And retained Hughes in Guyana.

P.R. Did you go with them that time?

J.M. I've never gone with Haas. I told Haas to stick it in his ear. Because it was a wierd situation from the get go. My feeling back then was....

D.F. They wanted the lawsuit, not the child.

J.M. Yeah, yeah. If you want the child, I've picked up children all over this world.

D.F. I can see you are sincere. This was your whole thing, to get the child back from these areas....

J.M. I want an accounting. I can take you back to correspondence that I wrote

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to Charlie way, way back. I called Charlie on the phone when I first got retained in this deal, and I said, look, I will send you -- and I wrote him a letter confirming it, and I've still got the letter -- a letter on each and every person. And if you will be kind enough just to tell me where the child is. OK? That's all, because I've got these nuts coming in the door and, hey, if the kid went down there with the parents' permission, or if the child went down there with the guardian's permission, I don't want to spin my wheels up here arguing about who's got the right of custody. Or if one of the parents is down there and the other parent is up here, I'm not going to get involved in that. I just want an accounting of the children. And that was the whole deal. My only concern, and to this day....

(end of side #1, tape #2)

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J.M. But last year, during the real crux of this mess, there were allegations floating back and forth about children everywhere from the age of 3 to the age of 16. And that's a wide span. And they were: A). United States citizens; B). were they getting proper medical attention? Educational attention? and were they in fact there with permission of guardian, parent, whoever? And in many cases there were wards of the court, and so did the court know they were there? Now, that was my sole interest in this case. What developed out of that was Timothy Stoen, because of his action and counter-reaction to me, one, in January of this year when I tried to interview him and when the State people tried to interview him. I got pissed at his action. But my only action against Jones has ever been the children. I could give a damn less whether Jones had those people rolling in the aisles in his temple, whether they stood up there and took their clothes off and let him beat them -- I don't care what they did. If they were adults ....

P.R. But that's not exactly true, Joe, because you went after Jones on the signature thing.

J.M. I went after Jones on the signature thing because he was a by-product of the situation. I didn't go in the thing after Stoen. I went in the thing after children.

D.F. And I think that's the line for the play, the screenplay. It is clear you are an expert, you have done this -- you're going to Hawaii for another one now. And wouldn't it make sense -- isn't it logical -- if you have your choice of bringing your own civil suit as against having the government bring a suit and you're the witness and you don't have to pay and money and you get immunity thrown into the bargain, well anyone would choose that. But he said no, and he pursues his own civil suits.

P.R. He's going to lose on every one of those.

D.F. And if he won, he'd lose. He'd go to state prison if he won.



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J.M. Sure he's going to lose. Regardless of what Charlie and I have had against each other in the past, or arguments or confrontations or whatever, when I saw the stuff Stoen was putting out, I knew that Charlie had the suit. Because you are going to win on one issue, alone, and that is the client confidentiality issue. If you lose on everything else, you gotta win on that. Because no court in this country is going to allow that to happen. P.R. Right. Not only do you win on attorney-client violation, you win on a State Bar level, because he can't do that.

J.M. You're never going to make the State Bar level, because I'm going to beat you. I'm going to have him disbarred before you get to court.

P.R. Well, how the hell did I know that? All I'm saying is that if you win on attorney-client privilege, you also win on the State Bar level. The State Bar will not allow him to advise a client one minute and then sue the client on the advice that he made.

J.M. You win on the State Bar....issue just on the forgeries and the fraud.

P.R. Of course, I know that.

D.F. He could have avoided all that and had the government prosecute the Peoples Temple.

J.M. I talked to the State Bar at the same time I was trying to get him to talk to us. And the most the State Bar probably would have done at that time was probably have sanctioned him and suspended him. Which is no big thing. A year's suspension. It happens to everybody....some of the best attorneys we have in the City-- have been suspended from time to time for various infractions.

P.R. Not Charles, though, so far.

J.M. But the problem is, now you're talking -- that was before the insurance company said, here's the money. Now the insurance says here's the money. Now you don't have any longer just a suspendable act; now you have a disbarable act. And the day after I got the check I was in the State Bar office. That's how fast I was sitting there. Because I am not about ready to let

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this guy out on the street to practice law.

P.R. He's not practicing law anyway, at this point, Joe.

J.M. Well, my feelings may be a little different than yours. You see, you're looking at it from the client position. And I was looking at it from the fact that this clutz comes back to the United States, refuses to give us testimony about anything, and goes out and sets up a law practice. And I'm not down there watching what he is doing....

P.R. Oh, I agree with you. I don't think he should be allowed to practice, either.

J.M. As far as I'm concerned, he's an attorney, and he's hung out a shingle that says he's an attorney, and that means that some clutz out there is going to walk in and say, gee, you're an attorney? I need some help. And get messed over. And that I wasn't going to let happen.

And that's why I went after him. The only reason. He was a by-product.

D.F. He's not interested in the child.

J.M. And the only interest I still have with Jones is the children.

P.R. Could I ask him just one other question? He was talking about two investigations that were going on....

D.F. I just want to say one thing about the children ... because I am impressed with your sincerity on this subject. As I told you, we had some people go there and I want there.

J.M. So did I, for a quick visit.

D.F. There were transportation difficulties....and I had to stay there about three and a half days.

J.M. Was the river full?

D.F. I went down on the river, I flew out. I worked with in learning theory with children, and if there is one thing I couldn't be fooled on, it's that, for children at that age. And I spent a great deal of time looking at the medical -- I didn't look at the agricultural, I don't know anything about chickens and pigs -- But I do know something about the medical and educational

and there was one teacher for every seven children. And those children are in a superb set-up. Superb. Now, they were pretty frank with me, there, Joe. They knew I would find out, they knew Mark and I, and they knew there was no sense in hiding anything. They even talked about ...these spankings and so forth. They said, interestingly enough, Stoen had been a big part of this. In the days when they had done this. The period when they felt besieged and the talk of violence came up. They played a tape and talked and so forth. And I thought they were frank. And it was just as well they were, because I am a friend of Charles', but I never heard of Jim Jones, and I'm not a part of their Temple.

J.M. OK, let me tell you a couple of things that bother me still. I have a letter from McCoy. I finally forced McCoy; I badgered him enough, and he finally went up to the Temple, which is about 400 miles, as you know, from Georgetown. And...

P.R. You mean he went to the interior, not to the Temple.

J.M. No, he went to the interior in Guyana, and went in-- and he wrote in the letter, there's no question in my mind that they set it up knowing I was coming. And I didn't see the real situation. Now that's coming from the embassy. From the consulate in Guyana. That's the first thing that bothers me.

D.F. But I allow for that.

J.M. OK, that's the first thing that bothers me. The second thing that has bothered me is that so many of these people have tried to contact their families down there and they have been stopped. Now, we have affidavits, maybe 6, 8, a dozen, I don't know, of people who went to your offices, or went to the Temple itself here and wanted to talk to their children, their mothers, their fathers, their aunts, their uncles, their grandmothers. And were told no. Not at the office they weren't, Joe. And in fact everybody who came to the office talked to those people. That includes that guy out there from Lafayette whose daughter is there, it includes somebody or other connected with Mertles/Mills. Everybody who came to the office talked as soon as they could.

J.M. Well, we've got affidavits, and then there's a tape recordings of the telephone conversations between Swinneys and members of the Temple. Which we had first. In other words, you have to look at this in a chain. First we got the telephone conversations, which are absolutely ridiculous. P.R. You mean the Swinney-Stoen....

J.M. Yeah, the Swinney-Stoen, Cordell conversations: Which are absolutely sickened. They sound like a bunch of fanatics all on drugs. That's what it sounds like. "Well come and kill you tomorrow...." Yeah, that's what it sound like.

P.R. Did they actually say that?

J.M. Yes.

P.R. Huh.

J.M. "We're going to kill the child. You want him back, you can't have him because we are going to kill him." Now that's the conversations I hear. Then, I have these people coming to me who have gone to the temple and who have gone to your offices and they say to me, I can't talk to my mother. I can't talk to my son. I can't get through. They won't let me talk to my brother. You know. And then, on top of all of that, I have McCoy's letter saying I went up and obviously they have showed me what they want me to see. So now I have three things in a chain, and by that time I am saying to myself..

P.R. Except I know for a fact, Joe, that assuming there were people that came to our office, which there were -- that if they came to you

after they came to our office and said they weren't put in touch with their relatives, that's an out and out lie.

J.M. Well, that may be. But you've got to remember, Pat, that I can only go on what people are saying.

P.R. I have seen the letters come through the office. And they have all made patches.

J.M. Now what about these letters that are censored.

P.R. There aren't any letters that are censored.

J.M. Well, I've got a batch of them that are censored over at my office.

P.R. That have words crossed out?

J.M. Right..

P.R. Those are made up, I am sure. You mean somebody wrote a letter and somebody else crossed out words?

D.F. From Jonestown here?

P.R. That's phoney.

J.M. Jonestown to the Temple.

D.F. He's not talking about the letters from the Garry office, he's talking about letters emanating from Latin America that were censored.

P.R. That were sent to the Temple? Who were they from?

J.M. They were from relatives down there.

P.R. That sent letters to the Temple...

J.M. I've got one of them in my office that I can think of right off the top of my head.

P.R. And who censored them?

J.M. I'm not sure; the letter was written -- was allegedly written in Guyana. It was delivered to the person to the mother here in San Francisco. She was called on the phone and told you can come down, we have a letter here from your son. And she had to pick the letter up at the Temple.

P.R. Was that Neva Sly?

J.M. Yeah.

P.R. And there were words crossed out?

J.M. Yeah.

P.R. I am sure she crossed the words out herself. Why would....I mean, take it from this position....

J.M. I don't know.

P.R. Why would somebody from Guyana send a censored letter here and then give it out? That's crazy. That's like making a case against yourself.

J.N. I don't know.

5-1-6-2(70)

J.M. Pat, I don't know why you would do it, but on the other hand I don't understand why McCoy tells me he that he was only shown what... I don't understand something else that happened....I don't understand why these people sound like raving maniacs on the tape recordings. I don't understand that either.

D.F. I think McCoy might have been protecting , now...whenever you go someplace you are going to see an attempt to build up the image a little bit, you're going to see what they want you to see. You've got to allow room for that. Now, what I did, I took the tour and the singing and the cultural evening and the wonderful food and all these things, and the kitchen, and I talked to people and so forth.... But I spent hours watching the kids. Not questioning them verbally, watching them. And I am a teacher, and I can't be fooled. I cannot be fooled. And the reason I am dwelling on this for the moment is, without defeding anything else, because that is one area I am an expert in, and I see that you really are sincerely anxious about the fate of these children -- And I heard some of the stories, I got all the other stuff before I went there: barbwire and all these things, and so forth.

P.R. Is there any barbed wire there?

D.F. No, there isn't.

J.M. Well, there was.

D.F. Was there?

J.M. Uh huh. Last year there was.

D.F. Well, there isn't now. I didn't want to get into any film, despite my friendship with Charles, where I was going to get burned later. And anyone can lie to an attorney, too.

J.M. You better believe it. And to an investigator.

D.F. Yes, and so I was....They were frank with me, admitting all kinds of mistakes they had made. Stupid mistakes. What I tried to keep in balance was -- is there some connection between means and ends. Is Jonestown really a kind of Resurrection City? PR on the side, what are the real dynamics of it?

5-1-8-2 (71)

And in talking to the old people and watching the kids, it is my opinion, that most of the people in Jonestown, maybe 99%, if they were not in Jonestown, would be one way or another dead. I mean either physically dead or addicted or prostitutes, pimps, state prison, suicide, mental institutions, hospitals. You know, they have a group ego there, and it wouldn't be everybody's choice to live, it wouldn't be our style to live that way -- but the people I saw are working and turning out fantastic things there in industry and all the other things -- I have oral histories from about 100 people. Everybody's story -- incest, victims, you name it's Dostoyevskian.-

J.M. Were the incest, or were they incest only from the point... You see, now I've got affidavits, I've got documents which these people signed in the Temple here saying that they committed incest. And then I have affidavits from the same person saying they were forced to sign it.

P.R. Uh huh.

J.M. By Jones and by Chaikin and by Stoen. I've got affidavits, and I have got the originals.

D.F. Setting aside the incest, the others...

J.M. Well, rape, armed robbery, murder...

D.F. Well, I talked to some of those young kids, and I believe they were material for state prison.

J.M. Well, maybe they were, but I am talking about the run of the mill -- I've got the same type of affidavits sitting here, and the original and the copies of something else, and I am saying to myself, what the hell is going on here?

D.F. I think you take person A and put them in Jonestown, and they are one thing -- you take them out and they are something else. In my opinion there, you have got the social equivalent of the raising of the dead.

S-1-G-2(22)

And I talked to some of the young people. Not the old black people, and you have some of the religious element there, the young people who are very atheistic and so forth. Vietnam vets, strung out on drugs, these people were lost. They are zealots, now, there is no question about it; they are true believers. It is not an uncommon phenomenon. The question is, is it in good faith? Is it -- and I saw three delegations while I was there from different countries -- and from Georgetown, too. Education, medicine, and so forth. They are treating the Amerindians with medical care. They are bringing in Amerindian and Guyanese orphans for the educational and so forth. For a social scientist, it is like an Eldorado, it is an extraordinary thing. Now, that isn't to say that it is a utopia of strong, autonomous individuals who volitionally all say we are all going to work together and create a new society. You have a little of that. But you have an awful lot of people who were tremendously heavily burdened emotionally and physically and legally. And put them together and it's dynamite. I mean, they are carving out that jungle. Now, that isn't to say -- and I still go back to my Elmer Gantry description which I think is viable for American film, because the combination of saint and conman is an old archetype.

J.M. My question still lies, how did they get there? How did they get put in the position to have to go? Did they have to go? Were they forced to go? D.F. They believe there, you know it's like the Chinese, they believed in Jonestown. I talked to all kinds of people there. That they have an apocalyptic, sort of millenarian position that there's going to be an atomic war, that the U.S. may go fascist, and that they want to make a model of survival. And they are ambitious with lots of (inaudible), and I agree with you, they are going to be a threat to... You know, Latin America, you just read Agee's diary and if two people have a discussion on the street corner, Cuba is in the wings. I think, if Guyana does grow stronger, and if Somoza goes in Nicaragua and the dominoes start to fall, I mean, I think you put



S-1-G-2 (73)

your finger on it when you talked about....the whole thing is a pretext....  
the whole legal situation, the kids, all that is at the human level, right  
here. The bigger picture, Stoen and others, could care less about.

J.M. OK, my only position still holds. I still would like to know if those  
people were forced down there by false affidavits. I am interested for my  
own knowledge. Did Jones really have these people sign these damning documents  
and then hold them against them as a threat to force them to go? Now, that  
is a two-edged cutting sword, Pat. Once I know that, I also know how to  
judge the Mills, and the Swinneys and the other people, see. That sort of  
cuts two ways.

D.F. Let me ask you something....

P.R. Well, I can tell you this.....

D.F. Excuse me for interrupting, but Pat I think I might see daylight here.  
Your'e position was direct action in the first place -- the children are  
being held, let's go get them. How would you, I mean, would you have the  
audacity to go with a colleague or whatever, Charles or whatever, the  
ground rules there being noone looking over your shoulder, you interview  
anyone you want to interview whose case comes under your purview -- your  
expenses paid, etc. etc. And satisfy yourself?

J.M. Sure.

D.F. Course, I don't know if I can bring this about, but I can certainly try.

J.M. Look, here are my concerns, besides the children, though I am interested  
in the children primarily. I have put a year's worth of work into these  
kids, and I want to know where they are. But I am concerned, were these  
people really forced into signing these affidavits in San Francisco and in  
Mendocino which were subsequently used as a hammer to force them to go to  
Guyana. That's number one.

D.F. This is the Scientology question, too.

J.M. Right. Ron Hubbard, here we go.

P.R. Let me just say this. The affidavits that you are talking about, where

somebody says they committed a crime or whatever ....

J.M. You've never seen them? Well, I've got them and you're welcome to look at them. Number two, I am interested to know, and I would like to know, and of course you are outside the jurisdiction in Guyana -- these people are outside the jurisdiction of our government -- but I'd like to know really did Carol Layton forge....not Carol Layton but Tish Leroy, whose down there.... P.R. Tish Leroy is down where?

J.M. In Guyana.

P.R. In Guyana? Oh, I thought she was interviewed by the Secretary of State....

J.M. No, Neva Sly was.

P.R. Oh, Neva Sly was the only one who was. So you just simply have Neva Sly's word, who could be lying.

J.M. Oh, sure, the Pope can lie, too. Uh, what I am saying is the second issue I am interested in is did Tish Leroy really honestly forge those documents? Those grant deeds. If she did, she's outside the jurisdiction, nobody's going to hurt her. But then if she really did, then we have a hell of a case against Tim Stoen because that's the other affidavit I need to prove that Stoen really did this.

P.R. What if it was somebody else, what if it was Tim Stoen....I don't know.

J.M. Everybody says that it is Tish Leroy. The Swinneys tell me that Tish Leroy told them she did it, to their particular trust deed. Neva Sly says she watched her do it. Now, if we are going to give any credibility to Neva Sly's testimony, which has already been taken, that she forged 2,000 powers of attorney over nine years for Tim Stoen, it definitely would be very helpful to have Tish Leroy say on the other hand, I forged 500 trust deeds under the auspices of Tim Stoen. She can get the same immunity from prosecution....

BR. If she should ever want to return ....

J.M. If she should ever want to return, as Neva Sly got, and she's outside the jurisdiction of the state anyway. But that affidavit would be extremely

helpful to me in substantiating exactly how bad a guy Tim Stoen really is. And of course, I am lastly and mostly interested -- are there any children down there, or anybody, but particularly children, who don't want to be there. Especially those four that I keep telling you about, the Lopez boy, his name is Vincent Lopez.

P.R. That's right, that's the one that....

D.F. Let me ask you this, Joe, our office, on this script, based on my meeting with you and some other work we are doing, they are sending an agent back to Jonestown. Suppose I, after you leave today, submit a request which states that you would at least talk on the telephone with a Peoples Temple agent to negotiate the groundrules for your own investigation to satisfy your questions.

J.M. Because I'll tell you very frankly, if I find the answers to my questions, I'll be the first one....and I've got a better in right now with Tim Reiterman than Charlie does,....I'll be the first one to go to Tim and lay down the whole thing I saw down there. Because as far as I am concerned, those are the issues that are predominant in my mind. And that will also pretty well substantiate our position. Let's just take it a step further for a moment. Let us assume that Tish Leroy did in fact forge these things under the auspices of Tim Stoen. Which I really believe Neva Sly is telling the truth. And now I'll tell you why I believe it. Because she took a polygraph. And she passed it. One issue: "Did you forge powers of attorney?" "Yes, I did." "Did you do it on your own?" "No, I did not." "Did Eugene Chaikin order you to do it?" "No, he did not." "Did Timothy Stoen order you to do it?" "Yes, he did."

P.R. Was she asked if Jim Jones knew anything about that?

J.M. Yes, she was, and she said no, no, she wasn't asked that. She was asked, "Did Jim Jones order you to forge any powers of attorney?"

5-1-G-2 (76)

And she said, "No, he didn't," and she was clean. No, truth vs. lie test which we gave her on the PSE , which is an exact duplicate test, in which was say: "Is your name Pat -- yes; Is your name Pat -- no." She came up clean again. So I'm going to have to believe her.

P.R. THat she forged signatures.

J.M. And that Timothy Stoen ordered her to do it. Now, on that basis I would love to be able to ask Tish Leroy the same test and have Tish Leroy say to me, Timothy Stoen did it, because now we're going to take it back a step further. Now we're going to say, OK, If Jones did not know that these powers of attorney were being signed, or forged, and all he knew was that the Temple coffers were getting full, but he really didn't give a damn where the money was coming from and he didn't pay, now you've got Elmer Gantry again. And, he is then not a party to the fraud and the extortion. I do two things. A, if we find that the Swinneys are innocent by-standers, and they may well be, as opposed to Mertles, then one, we are going to at least resolve an issue here in the United States with regard to the Swinneys right to their property that was taken from them. Which would be very helpful. Two, we're also going to be able to put together, because the next step will be, me doing a subrose PSE on Deanne Mertle. That'll be the next step, because I want to see what her connection is -- what they were doing all those years.

P.R. Now, Deanna Mertle has a daughter, isn't that correct, or there is a younger woman connected with the Mertles.

J.M. Yeah, well there's about, at one time, in '76, they had twelve people in that house. So I'm not too sure.

P.R. Well, all I know is that one time one of the Mertles came over to the office and wanted to talk to somebody in Guyana, and she was allowed to do that, and then she turned around and said that she was never allowed to talk to anybody. Which was absolute bullshit, and it happened in the office. And then she walked out and said it never happened.

S-1-G-2(76)(a)

J.M. Fine, if it did happen, fine. But just remember I take a position, remember, Pat, you represent Charlie's interest and you represent Jones' interest. I don't represent anybody's. I could give a damn less about Swinney and the whole rest of them because all I'm interested in is if, hey, if Jim Jones is a good guy -- we'll paint a white hat on him and make him look good. If Jim Jones is a bad guy, fine. If Stoen's a bad guy, fine. D.F. We know that Stoen won't speak with anyone, but I believe that the Peoples Temple should. I am going to recommend it strongly.

J.M. Cause I'm more than willing to look at it with an open eye, providing they tell me....

D.F. (talks to Ingrid)...I think I see a way that....it may not have anything to do with making a film but it may cause a whole lot of people less grief. Especially I am impressed with your sincerity on the matter of the children.

J.M. So that's my feeling.

D.F. (Ingrid leaves, D.F. says good bye.)

J.M. Oh, I'd better give you a number that you can reach me at.

(415) 583-9119. Utilize that one, the other one goes through a service....

That one you'll get my secretary. (They exchange cards.)

D.F. God, it would be nice if into the bargain we could add some of these questions and find out where we should focus our energy in this damn thing. It doesn't matter for the film, but in a human sense, it might make the film a lot easier if this whole thing is clarified.

J.M. What I see in answering two or three of these questions, the children question i've got to answer for my own for my own feelings. Answering the Tish Leroy question will make a big difference with regard to what Tim Stoen's position is.

D.F. Yeah, he might finally make that choice between, if they're hanging him out to dry and he's facing a big, big fall -- he might come clean. That would clarify the film, then we'd have no problems.

J.M. No, I don't think you would have any problems with that, because yousee,

one more affidavit supportive to Stoen's forgeries will in fact cause the D.A.'s office to jump on his back.

P.R. Well, you said earlier he was being investigated in Fresno, which is a total mystery to me.

J.M. OK, there is a district attorney, or there was a week ago, a district attorney's representative up here a week ago, I have his card, and they are doing an investigation and they had Stoen in there on command performance. As I say, I don't really know what the investigation is entailing, except the Temple, and I think it is directed at Stoen. But I'm not sure. However, you might want to tell Charlie about it because there is an investigation now on-going in Fresno.

P.R. Fresno, that's complete mystery to me; I didn't even know that the Temple had any dealings in Fresno. But, maybe they did.

J.M. Well, they might have had somebody living in Fresno, who had dealings.

P.R. That's Charlie's home town, practically. He's from Selma. But that was years, that was centuries ago.

J.M. I don't know.

D.F. If you're ever in Los Angeles, please give me a call, I'd like to give you dinner, we could have a little party together or something. Have you talk to some ex-researchers on Watergate. They would love to hear those stories

J.M. I just did the Nixon tapes the first of the year. For NBC. Did Tricky Dick caused the 18 minute gap, or didn't he? And....

P.R. Of course he did, creep.

J.M. Well, he didn't do it personally. But he ordered it done. Talk about errors and omissions. You know who got a little upset when I had to get on T.V. and the guy sticks the microphone at me and said, "Dick cause that?"  
"No, but he knows who did it."

P.R. Do we have to sign anything today?

D.F. No. Ah, you both can keep the letter if you want.

J.M. I'd like a copy of it.

D... Right. Absolutely.

5-1-6-2 (78)

J.M. I'd like to have a copy. Do I get a copy of Jim Jones' letter?

D.F. I think, yes.

J.M. OK.

P.R. Then you want me to type something up?

D.F. I do, Pat, I want to type up what Ingrid didn't finish, and I want to type up the idea of Joe going to Jonestown.

P.R. OK.

J.M. You and I ought to get together. I think maybe I can talk to Charlie, if he feels like it. See where we are. We've been fighting for a year, maybe we ought to get together and see what's going on. Because, obviously, you are working for them, I am working for nobody. I'm just out there and I've got some things that are starting to gel now, and of course the bond issue -- we need a copy of the check, the letter from the bonding company, whatever good that is. Obviously it will be some good for your case.

P.R. Oh, for sure, for sure. OK, fine, nice to have met you.

J.M. Nice meeting you.

D.F. A pleasure Joe, and well meet again. If I can ever be of any help in the L.A. area....

J.M. Well, I've got a pretty good guy down there.

(Pause, as Mazor leaves.)

D.F. It is September 5, 3:45, 1978. This concludes side B of tape #2 of the discussion with Joseph Mazor.

END

S-1-G-3(4)

A--What would be our reason to do that? We had no trouble getting the signatures of our people when we were helping them... There were many occasions when we got powers of attorney signed... and we sat at tables at all three churches and got them signed (I DID NOT ADD THAT THESE WERE NOTARIZED BUT NOT WITNESSED BY TIM STOEN...AS I HAD NOT BEEN COUNCILED TO MENTION OR NOT MENTION THIS FACT...)...they were also notarized by others and by Grace Stoen, a notary herself, who notarized many she did and did not see sign...I did not mention. (This would have been true of both powers of attorney and affidavits.)

Mazor asked about Neva's time in law office... I explained I came to valley first week of September in 1972.. am positive of the date because I was there just a little over a week when we were attacked by Kinsolving Sept 16, 1972... and we bought the two temples in Sept-Oct 72...right after I came to valley..

I explained Neva never worked in law office after I came there.(In fact Gene did not like her and never trusted her, he said..and she was very careless in her work and very gossipy...)...that seemed to surprise Mazor AND Charles Gary...

I said the only place I worked with Neva was in publications which I started... she was a pressperson and ran our multilith... She probably did print the deeds that we used, but there were never any forged.. there was no reason to forge anything... I had run a print shop in Los Angeles and started our publications in valley... I did no legal work with Neva.. I think I mentioned she was a congenital liar--which I knew her to be.. in fact. Neva told lies when the truth would have served her better. I told him she always wanted to work in the law office, but was always refused... This is true.

Q--Was Tim Stoen always Gung-ho for the church? Did you work with him after he came down here? Did he advise recklessly? Did he show good judgment in counselling on church matters..

A--Sometimes Tim was careless, but part of my instructions in working with the attorneys was to carefully followup to see that the interests of our people were met..they had been so oppressed and had gotten such poor representation before they had come to us..Jim was very concerned for the rights of every little person no matter who they were..

--Tim's advice was basically conservative on most things.. and as a former legal secretary and accountant, I sometimes thought he was too conservative. If he thought we would be in trouble with a deed or some such --he advised against taking it... ~~SOMEWHERE~~ I did not work with him at all after he came to Guyana.. I did some work with him just prior to his going from SF.. (I did not mention I paid his bills and handled his personal check book through the period before he left and while he was gone I paid his bills with money orders and he had his check sent to my attention for processing.)

--at last he seemed more careless, I said --I had no reason to doubt his sincerity toward the church...

After this Gary asked with recorder off if I knew anything about Hedlock case. THIS WAS A SURPRISE AS IT HAD NOT BEEN MENTIONED TO ME AND INDICATED TO ME HE MUST TRUST MAZOR OR IS A DAMNED FOOL TO CHANCE MY TESTIMONY WITHOUT KNOWING WHAT IT WAS.. I said yes, but volunteered nothing. Gary called in Sarah on seeing I was saying nothing, and asked her to get him the file.. She cleverly diverted conversation to Joe Wilson and would Mazor like some Testimony on Grace Stoen and what she had pulled (implying sex) with Joe...Gary instructed her to go over with me..and get back to him..



12 September 78

-1-G-3(a)

Jonestown

Memorandum of interview with Mazon and Charles Gary..

Q I asked Johnny if there was anything I should or should not say to Gary before going down to East House to talk with him.. Johnny said that, "Dad has always told me not to volunteer anything they don't ask..." but other than that he said you had told him I should talk with Gary and tell him what he needed to know and that you trusted my judgement.. which I wasn't worried about...

Gary asked me very little and I answered accordingly... essentially, I told Mazon the same things relative to the Swinney deed... *as told Mazon*

Q 1) That sometime in September of 75 we had a church government or council meeting --all of the elders were present --not a congregational meeting, however... That the issue of the deed came up and it was generally thought it wasn't at hand --apparently someone had asked Tim and he didn't know where it was, but I said I was sure I had it in the church safe...and I went downstairs to the safe and got it out of the deed file which I was in charge of... ~~xxxxxxx~~

Q did the deed have the signatures on it...

A--yes both signatures were on it and Tim's signature was on it, he told me he had signed it, but at the time had not put his stamp on it.. he was called from his office out to the meeting after I had located the deed... He often did not have his seal with him when he did notaries and would put it on at a later time or have me do it for him...

Q--what else took place...

A--Tim gave instructions on the filing of the deed -- I went into UKiah the next day and copied in handwriting the description to check with the one on the deed before it was filed to be sure it was correctly worded.. the description was a stapled copy on the deed as was the practice of the office, but I always check these things...

Q--Would you have typed original document

A--Yes, I recognize the typewriter and was one I used at that time and I was only one typing for us in that office in June of 73...when this was originally signed.. After that the deed was taken and recorded... after the description was checked in Sept 75 and the notarial seal put on it.. and I again confirmed both signatures were on it.

Q--Did you ever forge any deeds for the church

A--No.. We printed up a batch of blank deeds, but none were ever forged -- in fact, some which were signed were rejected by the church board because we were not sure the people were sincere. Not all that were accepted were kept --some were returned if we were not very sure the people were sincere.. If we thought legal complications might ensue, we did not accept the deeds.. None were ever forged --the reverse, we bent over backward to be sure the people wanted the church to have the property..

Q--did you talk with Marvin about his signature being false..

A--No.. I recall talking with Marvin after the deed was recorded --but he did not question the signature, he questioned why it had been recorded.. (This seemed to surprise Mazon and Gary; but in fact, Marvin never to me denied his signature. He did not understand why we had recorded it at that time I talked with him --and I do not recall my answer...I am sure I would have hedged and double talked like hell...)

Q--Mazon then asked about forged affidavits and documents for transferring CDI to the valley, etc.. THIS WAS WAY OFF BASE AND I AM SURE MY REACTION SHOWED IT...

Mazor:

8-1-64

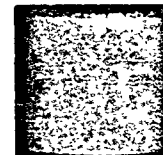
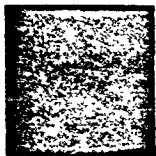
He said he had been deceived by Jean Brown. He was told by Jean to not bring ~~cameras~~ cameras. He said that wasn't true. He walked right in and talked to ~~the person in charge of immigration~~.

Mazor had lunch with the consul today. Mazor gave us some friendly advice regarding the ~~the~~ consul. He said if we wanted to stay friends, we should call him by his surname, and if ~~we~~ we are ever close enough to be on first name basis, he likes to be called by his full first name, and not by a nickname. He said he is very reserved. ~~Teri~~ Teri said, Evidently you must be pretty close to know what he wants to be called and he just smiled.

He said ~~he~~ he had been deceived by Jean. He was told by Jean to not bring cameras. He said that wasn't true, He walked right in and ~~talked~~ talked to the person in charge of immigration and that person said it wasn't true. He said, that he taped Jean Brown when she told him this. Teri said that she didn't think it was intentional that Jean said that but we know of a woman that that happened to and Jean was just trying to help you out.

Then he said the next problem was that she told him not to mention his profession. He said that was also perfectly fine and he just went and told them. He said it was wrong not to tell them what his profession was. Teri said I am sure that Jean just didn't want you to have any problems and he said, "I didn't have any problems."

He reiterated when Tim came in that he had gone in and had a "pow wow" with the man in charge of immigration. He said also he talked to someone in CID and he said it rather pissed off.



Mazor

## Sociopathic personality

This is a person as you know without a conscience, but further than that the person is protecting himself from being vulnerable by deciding that before you screw him, he'll screw ~~him~~ you. The development of ~~a~~ conscience has a lot to do with the fear of withdrawal of love and approval on the part of the parent and later on the part of the peer group if the peer group has a middle class morality.

In the sociopath, his environment did not give any love or approval that was consistent in terms of his developing a morality and it was most likely abusive so that he had to make out the best he could for himself. His peer group reinforced ~~that~~ approval for survival behavior making him a hero if he could be the bully. (Mazor growing up in an environment that approved of Tammany Hall politics, tho they admitted the corruption, fits ~~the~~ the development of this kind of personality.

Theoretically, this kind of person has not the early development of trust that is supposed to take place when the child finds that he can trust the mother to meet his needs and reassure him. He later trusts no-one. He is even afraid to trust someone because that opens up all the vulnerabilities that he has learned can get you killed, hurt or misused. Therefore being nice to him may not help.

How, he would respond to this type of environment is hard to say. Maybe an environment that is so startlingly different to the one that hurt him or developed him might impress him but it is hard to say.

The question is whether a person like this at the age of 40 some years which I gather he is, is tired enough of the dog eat a dog world to have an open mind to us. He seems to like to play the game. His conversations of what he said to someone show that he feels he can out con people (like John Maher who is super-con). If we act very impressed with his abilities it might soften him so he can be a big hero. But it looks like he'll sell out to the highest bidder. He said that stealing children is his business and if Grace had paid him, he would have brought in a helicopter with guns and men and take John in the open field. Maybe we need to let him know that we will give him money not to take John. Why Grace didn't do that is a mystery as Mazor said she paid Hass more than ~~she~~ she would have paid him to steal the child.

WESTMINSTER SCHOOL DISTRICT

Music Department

Music Score

School Cook Grade 6 Teacher Mr. Stubbs

Date November 6 - 1960

Listening Selection "The Moldau" by Smetana source: BOL #60 AO-161

- Songs 1. Above the Plain page 126 \* 2. Ah, Lovely Meadows page 126

Concepts

Contrasts in melody, rhythm, tempo, dynamics, mood, and instruments Form - program music

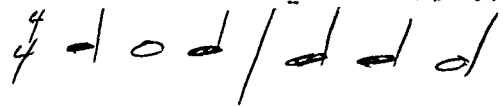
I. Lesson by music teacher

A. Above the Plain

- 1. Sing in two or three parts 2. Discuss dynamics < >

B. Ah, Lovely Meadows

- 1. Sing in unison 2. Add tambourine accompaniment to refrain;



C. The Moldau

- 1. Give background of the Moldau River. 2. Go over themes and sections of the piece. 3. Discuss how the melody, rhythm, tempo, dynamics, mood and instruments might contrast in the sections. 4. Listen for the contrast.

II. Continuation of lesson by classroom teacher

A. Ah, Lovely Meadows

- 1. Sing all verses 2. Discuss how verse and refrain contrast (tempo, mood, rhythm, melody line)

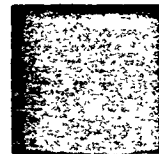
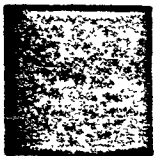
girl & the mixed baby - the best food we ever ate

\* Sex relationships - We will ~~bring in~~ <sup>good</sup> Japanese men & women <sup>will</sup>  
\* Russians - we are with them not pro-Chinese - they are <sup>the</sup> spirit of mother homeland

\* Rita Tupper - letters - good job.

Joe MAZOR

S-1-G-(2)



Charles Day

Credit Card Receipt

5-1-6-7

J.F.K. Airport Hotel

(9)

Crocker National Bank

Card # 3738 766891 21004

Approval Code A.P. 7 \$150.00

Hilton Hotel - N.Y. 9-8-78

\$59.13

He had \$294.00 cash when he came in to Guyana.

- ① Ampicillin - Dr. Garner
- ② 4/26/78
- ② Dramamine
- ③ Hair vitamins + multiv

Born - March, 17, 1909 Mass.

Passport had Jamaica + Guyana stamps on it.

Sewing kits from 2 hotels

Hyatt Regency 3.F.

The Broadmoor, Colorado Springs,

Colorado.

over

Various Keys - 5-1-6-7(b)

Looks like safe deposit key #5302

House Key - Says Florines on it.

Note:

Match book: Grey with blue lettering "RHELPS" on the front flap & "Che" on the back.

The Plaza }  
5020 Montrose } "May be in LA"  
Reservations 524-9071 }

The message on the inside reads: 6/28/78

Louise -

Many many  
Crazy thoughts  
from me to you.

Sincerely -  
Rus.

Dr Goodlet  
gave Gay show -



Letter #1 - July 31

S-1-G-7(c)

Thank you for your letter of July 25  
+ documents in support of clients case  
against Timothy O. Stoen.

Paul Kirby

Page 1

Letter #2 Aug 30

Re: Claim F22-592  
Bond 2186118 T.O.S.

Since letter of Aug. 8 and a check  
for \$5,000.00 for distribution to your  
clients - we are advised Swinnery &  
Mills have dropped their claim  
against T.O.S. and our bond. (It asked  
to please return the check). Secretary  
of State said there are no other  
bonds against T.O.S. at this time.

Return Ch. #163914 Sent to you in  
trust of our clients.

~~Paul Kirby~~

~~Secretary of State~~

Both letters are to Mazon over

They also asked who Major dealt with in the State Dept. S-1 G-7(d) Page 2

Brought 294.<sup>00</sup> cash + 600.<sup>00</sup> travelers checks - he is keeping an expense list of all expenses for this trip.

Black Book The people who put him on the plane in S.F. - Gen Brown, 1 male, + 1 black female told him not to say he was an investigator + they all emphasized this as he was leaving. Upon arrival to Guyana writer (Major) told immigration orally and in writing that he is an investigator.

Black Book He meant with a guy named Ellice - 2nd officer of the consulate at the Guyana desk. Ellice asked Major for information on P.T. - Major said he would be glad to supply him with a packet of materials particularly on the movie.

Ellice has been in Guyana 6 wks. at the Guyana desk.

Major asked Ellice about C.I.A. agents being kicked out of Guyana. Ellice said he hadn't heard of any Americans being kicked out of Guyana.

Black Book a note U.S.A. Jeannie call Pat for contacting P.T. in Georgetown

Black Book  
 Ellice asked Mayor to check and see if the people here have their passports. Mayor said he will do it and will meet with Ellice when he returns to G.T. from Jonestown to fill him in on what he sees here.

Note: On another sheet of paper he has written Sam Taxi

This is probably { Ellice }  
 Ellice's home address 38 Belair Springs

Black Book  
 He describes the G.T. headquarters house, length of radio antenna - says there is a radio room but he did not go in - G.T. headquarters keeps in touch with J.T. every minute.

Black Book  
Interesting Point - Jones has led many into believing he isn't white, he says he's mixed...  
 Brother Jim.

Black Book  
 Jones appointed himself Bishop since coming to Guyana... he is no longer Rev. Jones.

Comments This guy keeps this black book just like every movie detective so he will keep it up to date so we may want to get another look later. I think he was expecting company  
 never

because it looked like everything was wide open - his bag was open, combination lock brief case was open & numbers set back on 000, his canvas clothes bag was open, shaving kit was open. Papers were fairly easy to get too. He has a few under clothes and 2 brand new shirts. The usual stuff in the shaving kit. His jacket even looks new. No medication or ~~any~~ vitamins but a small bottle of aspirin.

We need one of those small Japanese spy cameras for this kind of thing so we can ~~take~~ <sup>photo</sup> papers, notes & documents, to study later and get all the information available. We spent about 30 minutes and I had to make a return trip to get the name of the bonding company.

I called Charlie on the phone ~~and I~~ w~~h~~ I first got the case--I said Look, you on I wrote him a letter--I still have the letter--I will send a letter ~~to~~ each <sup>must</sup> and every person that if you will ~~just~~ be kind enough to tell me me ~~just~~/ Because where the child is--thats all. I've got these nuts coming in the door and hate~~d~~ that the kid went down there with the parents permission. , or if the child went down there with the guardians permission I don t want to spend my wheels up here aruging about whose got the right of custody if one of the parents is down there and the other parent is up here. I'm not going to get involved in that; ~~I'm~~/~~just~~/I just ~~don't~~ want an accounting of~~d~~ the children and that was the whole deal. My only concdrn' and through this \_\_\_\_\_ everywhere from the age of three to the age of 16--you know, and ~~that~~ that a \_\_\_\_\_ And they were A. United States Citizens; B. were they getting proper mediaal attention? C. W're they getting proper edcuational attention and Dere they in fact there~~d~~ with the permission of guardian, parent or whateger and in many cases they were the award of the court, so did the court know that they were there? Now that was my sole interest in this case. What developed out of that ~~was~~ was Timothy Stoen because of his action and ~~counter~~/~~re~~/ counter reaction to me in Janaary of this year when I tried to inter- view him and when the <sup>people</sup> State tried to interview him--I got pissed at his actions but my only action against Jones has ever been the children. I ~~don't~~ <sup>couldn't</sup> give a damme less whether Jones ~~had~~ had those people rolling on the aisle ways of his temple; whether ~~he~~ <sup>they</sup> stood up there to take ~~his~~ <sup>their</sup> clothes aff and let ~~him~~ <sup>him</sup> best them--I don't care what they did--if they were adults--(Pat: but that isn't exactly ture; Joe because you went after Stoen on a signature thing". Joe; I went after Stoen on a signature thing because of ~~the~~ <sup>only</sup> by product of the situation--I didnt go into that after Stoen; I went into that after children.

(Pat: I see). Freed; and I think thats the line that we have for the~~d~~ court-- and wouldn't it make sense--~~lets~~ lets be perfectly logical--if you have your chice of bringing your own private civil suit as againtst having the government bring a suit and your the witness, you don' t have to pay any~~d~~ money and you get roated into the bargain, well anyone would chose that but no, he says no and he pursues his own civil suits. Pat: He's going to lose everyone of those--Joe: of course he's going to lose Freed: if he wanted to--he couldn't stay in prison if he wanted to--you know, <sup>See</sup> regardless of what differences Charlie and I have had in the past or confronta- tions, whatever, when I saw the stuff that Stoen was putting out, I ~~do~~ knew Charlie had the suit because your going to win on one issue alone and that is the client confidentiality issue if you lose on everything~~d~~ else. Youve got to win on that because no court in this country will allow that to happen. Pat: Not only will you win on an attorney-violation but you will win on the state bar level----Joe: we re never going to make the state bar level, cause I'll beat you. Laughter. I'm going to have him disbarred before you can get to court Pat: all ~~that~~ I'm saying is that if you have him tried on an attorney clinet confidentiality violation you are also \_\_\_\_\_ Joe: ohn sure--~~both~~ both are talking at the same time--debating charges against Tim Stoen . Joe: the one at the state bar is just on the forgeissand the fraud. See you could have avoided all that and had the government prosecute ~~him~~ Peoples Temple. See I talked to the state bar at the same time we were trying~~d~~ to get him to talk to us and the most the state bar would have probaly done at time would maybe have sanctioned him and and suspend him--which is no big thing, a yaars suspen- sion--it~~had~~ happened to Richard Nixon(Pat said this) Joe : Oh sure, it happens to everyone, you know. It happen~~d~~ to Ray Musrush, its happened to some of the best attorneys we've got in the city--theyve been suspended off and on for various infractions--(Not charles so far)--so far--but the problem is--now

a name for himself. ~~Pat~~: you know theres a very famous left wing attorney named Jerry Haas who comes out of Chicago. They arent the same person is he?

Joe: Its not the same person. Haas and I had it out immediately because I know that Haas wasn't going to get anywayre going into the Superior court in C.F. to get any orders for Young and all he was doing was wasting Graces money. You got it? Well, her money belonged to ~~Walter~~ <sup>Walter</sup> Jones, O.K.? Walter Jones is the ~~guy~~ <sup>guy</sup> who was with him with Grace Stoen--Jones is the guy who is the guardian of that kid that we were talking about. O.K.? Pat: But where did Walter Jones get the money? ~~He got~~ <sup>got</sup> a lot of money--

Joe: well, he's a well paid high priced welder. He was making about 4-5 hundred dollars a week, I checked him out, he was making good money--he's really working got a ---does a specialized type of work which is in high demand and he gets big money for it--so he was giving Grace the money to pay the Haas to represent their---to get the kid--Haas is going into the Superior court to get orders.

Pat: Why should she want the kid? Joe: Its her child. Par. Oh, I know but but she ~~has~~ <sup>has</sup> never wanted--Joe: I know but look, without getting into desires one way or another-- so what ~~ended up~~ <sup>ended up</sup> happening, I ~~was~~ <sup>was</sup> in with that ~~Haas~~ <sup>Haas</sup> and we really had it out because I said, you arent getting anywhere wasting your money here. Lets get Norma, put her on an airplane with \_\_\_\_\_ with Norma--and this is ea rly in the game remember, this is early in the game--get monma and put her on the plane, get down there with the orders and with just monma and the birth certificate and lets walk in down there--go over to Port Kiatuma and walk in and get the kid--you know, hey, I want the child Dingo--give me my son--the hell with everything--thats my baby--screw you, Jim Jones, screw you, thats my baby, ~~screw~~ <sup>screw</sup> you Jim Jones, screw you Jim Stoen, I'm the mother, theres the birth certicate--grab the kid, have McCoy with us ~~and~~ <sup>from</sup> the council, ~~pick~~ <sup>pick</sup> up the kid, go back to Georgetown, get on the plane, and come home and to hell with ~~it~~ <sup>it</sup> and you know if everyone wanted to fight later, fight later. Now that is the simple way of doing it. But Haas couldn't buy that--he went into ~~the~~ <sup>the</sup> court and ~~refused~~ <sup>refused</sup> to represent him in court. (He used to represent Tim Stoen ) Right. But he refused to represent him on the custody matter but of course the outcome of it was was that Haas got Walter Jones to go get a loan of some 50 to 10 thousand dollars and Haas got o n the airplane and went down to Guyana with these orders which he ~~applied~~ <sup>finally acquired here</sup> here in S.F. (Pat: Whats after the absolute cooperation of Tim Stoen) Yes, Something about Tim and Grace--and she said that Haas flew to guyana adn asked Joe ~~if~~ <sup>if</sup> he went to S.A. with Haas and Joe said he had never been anywhere with him--that he told him to sitck it in his ear. He said, "It was a wierd situation". ~~They~~ <sup>They</sup> wanted the lawsuit, not the ~~kid~~ <sup>kid</sup> child. Joe: ~~they~~ <sup>they</sup> wanted the lawsuit if they wanted the child, I've picked up kids all over this world--~~they~~ <sup>they</sup> were ~~people~~ <sup>people</sup> (Fred see your sincere--this was your whole thing to get the children) I wanted -- I can take you back to correspondence that I wrote to Charlie way <sup>way</sup> back

Nazis or what we call Nazis and right wing <sup>5-1-68</sup> extremists <sup>per capita</sup> in South America than any other country in the world. So why would Jones go to South America? That bothers me and it does today// today (Pat: unless he's a right wing leader is that what you are trying to say?) Well, he's exposing socialism up here but he wants to be run for mayor and he wants to run for governor and he wants to have his Temple people put him on the ballot for governorship and everything else and when that doesn't work, he picks himself a hole in one of the only few socialist countries in South America. You've got to remember that every other country in South America is either a dictatorship or a nazi dictatorship and Guyana was in 1963 overthrown by 700 adults, the whole government was toppled by 700 angry adults, so you know, if you work at it and you say now what the hell is going on with Jones? Much less, Stoen... (Freed: threat, I'm sure he constitutes a threat, if Venezuela is full of Nazis) Pat: So Jones constitutes a threat for the Nazis. Freed: Its hard to put a fine point on these things but when you talk about \_\_\_\_\_ there are all kind of people who \_\_\_\_\_ the money goes back and forth and the CIA works with all kinds of people in \_\_\_\_\_ countries, they work with right wing elements against communists naturally (Pat: oh, I can understand that) I think that Jones biography ~~of Stoen~~ is a good one of Stoen-I would add this that the common denominator <sup>in of</sup> of all these big \_\_\_\_\_ were on the international level, multi international <sup>what</sup> the rent costs, like the international monetary fund, the establishment in the terms of these are the old families \_\_\_\_\_, the diplomatic service and the Red Cross and so forth and so on they service all kinds of people, a lot of people change violently, the ~~denominator~~ common denominator is that always serves in a given situation, what we would call stabilizing \_\_\_\_\_ Communism is your common denominator. (Pat: OK, now let me ask you another question. Why does Stoen have as his attorney a well known <sup>in S.F.</sup> <sup>person</sup> <sup>Freed:</sup> attorney on the left? Well, I don't think he's \_\_\_\_\_ with him and I don't think he's forthcoming with Joe. (Pat: He represents him today) Joe: Who is it now? Pat: Patrick Halliman. He represented him a year ago and we <sup>filed</sup> followed ~~up~~ the restraining order... Joe: I don't think he knows-----Pat: Tim preceded with the suits because he was talking about clients when he was the Temple attorney and how can you sue the Temple when you are the person who advised them? Laughter... to do whatever they did, and so we filed a restraining order in S.F. and that was the suit that you are talking about, a temporary \_\_\_\_\_ right? Joe: Lets take it a step further, Pat. Pat: \_\_\_\_\_ represents him on that--he does. Joe: I know but wait a minute--lets go all the way back. RAY S \_\_\_\_\_ hires Jeff Haas Pat: Well, I've never heard of him who is he? (Joe says that no one every has heard of him) Joe: Jeffery Haas was a young counsel trying to make

5-1-G-2(d)

they were using the PFC and they were determining whether Dean was telling the truth and on his truthful issues that was the determination of whether or not they were going to let the testimony \_\_\_\_\_ . And of course, Dean started out with this crap with what's his face in the CIA and had him down over there and having him in Erlickmans office and no body really liked that too well because that's true, baby-- you know, go ahead Sam, yeah, say it Sam--you know Earl was sitting the saying are you sure--? He said, I'm positive, its true. The next thing to do is to get him out there on the table and to say, now what next happened--and "Well, General so and so arrived at the oval office and all the guys in the CIA asre saying "Oh God, here it comes" and had I said at the time, cause \_\_\_\_\_ was sitting here and had I said, "he is not truthful on that issue they would have said, No, don't talk about it. Lets only talk about the truthful parts because they had the build from Dean to get to the other people, like Alexander Butterfield--they built from Dean to get to Butterfield so they could get the tapes and evidence-- now they knew about those dammed tapes months before Butterfield actually got on the stand and the little act about "what tapes" that was all staged for them, they knew it three months before in the informal hearings. The problem was they had to get Dean through so they could get Butterfield and they lost a chain of evidence, you know, its just like in a criminal trial you've got to keep that evidence going. But the FBI situation is simple--off the record (Freed: the Mertles are more FBI types) There were a couple of X agents working for \_\_\_\_\_ who checked things fast and found that Stoen had a connection with the FBI (Pat: But thinks he's CIA? You don't think hes CIA?..What do you think he is?) Now, I equate Stoen with Lee Harvey Oswald, only to the extent that how Stoen had a change in polical social climate. Oswald had a change in political desires First, he went to Russia, he didn't like it there too well, then he went to Cuba- and so then he went somewhere else and that wasn't too good for him either, but \_\_\_\_\_ hurried up and used him while he was around and thats how I see Stoen. Stoen did his little bit in 58, 59 and 60 at the Berlin Wall and that didn't even get Stoen the satisfaction that he craved because he's kinky as hell and so then he went and tried something else and that didn't work either. Then he went and tried something else and that wasn't it. He got up and joined up with a couple of pepple that were \_\_\_\_\_ out of South America and that really wasn't the greatest, but they have done it and that he needed, but of course you have to remember, that the thing that always bothered me about Jones "Why, why pick a country if you say your a socialist, why pick a country that is sitting dead off in the highest right wing area of the world? There is more



in all this stuff, and there is two or three independent investigations going on and here you have a fine candidate witness sitting right there who can tell you where all this money is and how these checks were handled and yet say "yes, ~~I/under/the/~~ Jim Jones put the <sup>power</sup> ~~power~~ of God in me and I notarized this document even though it was wrong--but he was going to get immunity for all those notaries, ~~see/~~ you see, so what he would be able to do was say anything he wanted to ~~say~~ say but yet \_\_\_\_\_ under my instructions, sign this grand deed, forge this piece of so and so--(Pat: why do you think he wouldn't do it?) Its, obvious why, he couldn't do it (Freed: he can't reveal his own law? ~~he/couldn't/reveal/his/own/law/~~ his own law has nothing to do with what he would get immunity for. What he can't get immunity for is operating as an agent in terms of his ~~credibility~~ <sup>Pat:</sup> credibility. (An international agent) Freed: an agent that has worked in a number of places. Hoe: he could get immunity without any problem for his notary acts, they would be willing to give it to him and I wasn't there they had a long discussion I understand ~~there~~ but I understand ~~that~~ from the sources that they ~~had~~ had a long half day discussion on how much immunity would they grant him--~~but~~ <sup>and</sup> they granted him total immunity for everything, you know--just sit down... (Pat asked a question..not clear) No, they can't but any criminal act which he might have done within the state of California--(Freed; he's not afraid of any criminal act) See, and they said to him, "Hey, we'll give him total immunity right down the line, everything out (Freed: thats a great sin--thats a great sin) He is not going to take it--he's writing his book--that's his ~~answer~~ answer, his stock and trade ~~and~~ answer, whatever, I'm writing my book. So what have you got left? I had no choice, because whats \$5000 when you are in that much of a case? I had no choice because I was very willing to just say to hell with ~~it~~ the bond--<sup>I've got</sup> ~~we/have~~ bigger fish to ~~try~~ fry, lets see what Stoen has to say, lets just drop the bond issue, set Stoen down and lets have a John Dean type situation and see where we are. The problem arrived that we couldn't get Stoen to sit down, so I said to hell with the you, Pat, your going to get caught--if you ~~won't~~ won't cooperate--you see its been my policy and my theory that the man who will take <sup>me</sup> ~~you~~ on, <sup>regardless</sup> no ~~matter~~ what ~~it/is/that/you/~~ <sup>white hat, whatever</sup> ~~he did~~, if the guy was Black hat, ~~red/hat~~ white ~~whatever~~ he was, whether it doesn't make any difference--  
the Jones-- the guy who will take you on (meaning Stoen) in the name of the Peoples Temple, he comes back in the name of Timothy Stoen, he walks down on Montgomery street, ~~and~~ sets up an office and says "Hey, I'm a good guy now, I'm nice clean, you know, nice clean shirt on and I'm a new guy and that's it". And its my feeling that you can't do that. Thats a no no--unless you clean up your act. He owes somebody something--your people, my people, the ~~govt~~ government he owes somebody and explanation--what the heck is he doing? and if he isn't willing to give me that explanation, or ~~the/govt/agency/~~ your or the governmen

or \_\_\_\_\_ or whoever the he Don Grand; it doesn't matter;  
then I am going to go after him (Don Freed: I ~~think~~ think we've broken the  
case; Joe; I really do. When you have offered immunity and you can't take it,  
and your going to have to stand the heat and he knows it--and as he presses  
these suits; he is ~~going~~ going to get caught up in them--its not like he had  
a choice--its not like he said; "I'm not going to write my book; I don't want  
anything to do with it" that would be a logical answer; but he's not writing  
his book he's pushing the suits. (Joe: Yeah; it would be great; if he would  
sit back and write his book) (Freed: someone made him a proposition that  
he couldn't refuse--something got him--he owes something--they've got him..  
you don't have to be an expert in this business to know that a man on the  
one had has a vendetta; and wants to get out from the weight of it and step  
aside and pursue the vendetta and be cleared clean itself and be protected from  
it that the dream often--now if you can't take that and you are going to still  
pursue the vendetta; you are going to go down with the hull. That means a  
suicide a Komocausi he's going to go down with the ~~hull~~ hull. He will ~~have~~  
have to do down--it doesn't ~~matter~~ matter to him whether he obviously turns out to  
go to State Prison or to be branded as a felon but he can't be branded as an  
agent. (But he didn't buy it to go down-- ) Freed: No one bargained for it  
in the begining; but the point is its still the old story; when you start the  
game; you don't know what the players are going to do--no body knew from the  
start of the fame--when every body started the game no body knew that I was  
coming in the picture. I sure didn't know Charlie was going to represent the  
Temple. ~~Neither~~ <sup>Neither</sup> Joe: ~~Neither~~ did I know that I was going to represent the  
Millses; how in the hell could Stone know who was going to get into the picture  
besides Conn? (Freed: Joe; hes the type they just burn--he's just a crazy----  
he'll just burn) WHe knew last year; Jan, 1977 that Bob Graham of the D.A.'s  
office was going to have an ~~employee~~ employee by the name of Larry ~~Lawrence~~ Lawrence?  
(Freed: We; first of all; can find out the sexual stuff on him--god knows--~~he~~  
you can tell by that letter he wrote Joe in the first palce that he's ~~not~~ not all  
there--he's not all there (Joe: hes confused)and hes made the border and he's  
had it since he was a student off and on (you mean CIA) Yeah; somebodies had  
him-<sup>Pst;</sup> (well; they have him; don't they ? Pat ) Joe; well the FBI doesn't have  
him; I'll guarantee you that (Pat: How do you know that?) Laughter: Freed:  
Joes contacts a re better than the FBI and the CIA. Joe; yeah; they are; much  
better; thank you; they are much better. I've got myself burned with the CIA  
myself so they ~~are~~ well; the John Dean tapes burned me. See; we did the  
Dean tapes for the Senate Subcommittee. ~~Me~~ (Pat: Your firm?) Me; personally;  
~~and~~ and there was a lot of crap going on because they had the private meetings  
and the private hearings prior to the televised hearings(Freed; you should  
write your book) No way. Laughter: They were having the private hearings and

~~Tim~~ attorney at law, notorized ~~Timothy~~ Timothy Stoen. That is a real cute piece of paper. (Ingrid: Well, Tim Stoen at that time was Chief Council and Chaikin was his assistant wasn't he? ~~Tim/Stoen/the/man/~~) Yes, Tim Stoens the man (Ingrid: Yes, Tim Stoen was always Chief Council for the Temple and in fact when he came back last year and started speaking out against the Temple the Temple was totally confused because they thought he was still ~~the~~ their attorney--that he was still an attorney for them. ) Well, I think the Temple has a good suit against him ( They just were completely confused so whats ~~the~~ going on here? Your our attorney and now can you say things against us when your our attorney? It doesn't make sense.)(Freed: I think ~~that~~ that what we come back to and what the film has to come back to--a minister who I had a long talk with in Georgetown and he said not only the Peoples Temple had a very close call--the government almost fell" and he expected it this time and he's going to cooperate with us I think. He did everything but say CIA. (Ingrid: the government almost fell just recently?)(Freed; Well, some time ~~ago~~ in this last period--and the situation was thas, the CIA was in the labor unions there and they backed Burnham against Chagin, then ~~Chaz~~ Burnham kicked them out and \_\_\_\_\_ and of cunrse, thats your death warrant, and \_\_\_\_\_ Peoples Temple is pretty strong and I've seen it to the point sometime when the CIA agents are being \_\_\_\_\_ and so forth, and Ive had the feeling that Stoen has overplayed his hand and I don't believe it's in his own ~~self~~ interest and ~~its~~ <sup>some</sup> ~~the~~ point ~~now~~ now, ~~is~~ he going to reach the point of \_\_\_\_\_ returns. We ~~must~~ might talk to him--what would be your advice, Joe? My feeling is they did and we are ready to go (not clear) We might tell/ "Look we are going to tell the story, you can get out in front of it or you can go down with it. What do you think he wall say? Think Joe? he ~~will~~ would turn?

Joe: I'm writing a book. (Laughter) We offered him immunity (who is we?) Secretary of States Office. (But its hate ,not the child. (It sounds like this) But we offered him immunity, you know, ~~Pat~~ called him on the phone, ~~called~~ we talked to the milles, I had Bob ~~Chilam~~ Chilametis ready to go at him --total immunity, if he would just get out in front ~~of~~ and lay it all on the line. (Ingrid: Well maybe he can't lay it all on the line) Obviously. (He was the person who did it all to begin with) I agree. You've got to remember Pat at the time that we are talking about which is last Sept, October he was blowing the lies, saying these people are no good--he comes back to the U.S. now in January and shacks up with the milles (and he beome s a government witness) and the government is interested in the Welfare money that went to these various foster homes, the government is interested in the money from SCI and from all these things from Social Security to the elderly ~~people~~, its interested

I'm going to keep <sup>just</sup> half the money because you owe it to me--you are ~~right~~ either going to sign it over to me or your right claim and interest or I'm going to sue you for it. Yeah I sent the Swinneys their papers and said "Yeah, here it is/ now we can procede to the title company ~~which~~ which is the next step--to tell the title company "Hey, you blew it" so why dnn't you take care of the Swinneys"? Well this morning I recieved in the mail, as I said, a letter from the bond company saying that the Mills ~~has~~ had written them a letter telling them that they have no cause to sue ~~against~~ against Tim Stoen and the ~~bond~~ bonding company is saying to me what are you going to now do with the \$2500 ~~and~~ that you basically \_\_\_\_\_ (Freed: that the Mertles in the first place in conclusion with Stoen--does Conn come into this too?)

Yeah, Conn is very very close to the Mertles--very close ( <sup>Freed:</sup> and Conn is a link to Klingman) Right, and Conn has also been on the phone to me one every two weeks for the last six months. (Ingrid: about what?) Whatever-- you know--like the bad penny <sup>you've probably got one in your office</sup> that always shows up-- ~~how~~ that "Hows ~~you~~ my lawsuit going for \$29.95 because you didn't return the shoes or something-- thats just what it is--(Ingrid: Its strange that Conn contacts you when the Mertles don't want anything to do with you anymore) Conn is a strange charcter- Conn is, I don't know--I cant tell you that because I dnn't know--I've said so three or four times-- they all wear black hats-they are all crazy. (~~the~~ (Conns in close with the Mertles and the Mertles don't want you to do anything against Stoen--its seems strange that he ~~still~~ would still be calling you). He is calling me to see what I'm doing (ah, you mean as a plant) I dont know if as a plant but "Hows it going just now?" (right)

Freed: Well, let me ask you this Joe, you know Conn, <sup>not only know the type,</sup> you know that the man and his background, did you--you could speak a little differently to him could to some of the others--have you efer leveled with him at all as to what ~~you~~ is really going on?(No)..

Joe: I've never leveled to Conn as to whats going on--I've never leveled to but one person but two pessons and that's the Swinneys and only with the aspect of the Swinaeys dases, because thats all their interested in--they have thier son back, they are living in S.C.or N.C./~~and~~ Georgia or somewhere back there, they ~~got~~ <sup>out</sup> ve got \$2500 coming from their half of the bond, minus my fees for collecting what I got for them and we are now going to the title company and saying, "Hey guys, you blew it", you guaranteed a title through an innocent third party without ever seeing the real grand deed, and since you never did that ~~you are going to learn~~ that ~~is~~ is what your ~~buyer~~ buyer buys title insurance for--(What about the grand deed to the title company, Tim Stoen?) Oh, Gene Chaikin--(~~originally~~ originally) He filed it, Cordell took it and Chaikin, filed it. Cordell filed it ~~at the~~ at the request of Chaikin. At the top of the grand deed it was recorded by Cordell at the request of Gene Chaiki

we had in our files-- so basically what was going to happen: if we had gotten back the Redwood property for the Mertles that was valued at ~~40,000~~ \$40,000. We got back Swinneys property, ~~the~~ There the title insurance had paid off ~~40,000~~ that was \$40,000 so that was \$80,000. And then you figure whatever the ~~law~~ law suit would <sup>bring</sup> get plus the bond which <sup>was the</sup> first step in getting ~~the~~ anything else done; you had to go after the bond. We were looking <sup>at</sup> ~~for~~ a sizable fee when we were done. In other words, I <sup>had</sup> cleared my expenses and my fee without any problem; I <sup>would have</sup> ~~had~~ ended up probably with ten grand; fifteen thousand dollars which would have more than covered my expenses. Well, what happened was (~~Ingrid made a comment I can't understand~~) ~~well, but didn't~~ (Ingrid: It would ~~have~~ have covered your fees) not quite--I wouldn't have worked out of my pocket anyway--ANYWAY what happened was that everything went along--we started the bond procedure and that takes time. And everything went along until January when Stoen returned and the first thing that happened was that ~~there was this~~ the Millses wouldn't let me talk to Stoen and told Mrs. Mills at the time, "Well, if that's the way you want it our relationship is terminated--

(Freed; ~~comment of~~ conflict of interest) on their ~~point~~ part.  
 Joe: Yeah, on their ~~point~~ part but also on the basis that I had ~~it~~ already brought in to the case the Secretary of States office, I had already brought in the D.A. about certain issues and I thought how can I go to bat and represent these people even as an investigator; ~~even as~~ much less ~~from~~ from a legal point of view--I can't, but I ~~can't~~ then no attorney could but if I were an attorney <sup>I could not</sup> ~~that~~ represents them in that position, as an investigator I ~~damned~~ well cant represent them either in that position because I can't cope with the problems that are under ~~under~~ the underlying problems. I have a hard enough job going down and getting kids back and you know and finding out whats going on. So when I stopped that relationship I notified them in writing that the relationship was terminated and I said "However, there is ~~nothing~~ nothing that I can do about the bond situation its already in progress and ~~there~~ there is nothing I will do about it because I still represent the Swinneys--as far as I'm concerned, I cant just cut you out, so its going to happen you know-- if it does happen that's it. Then they went to Dannanburg and dropped their lawsuit. (Why was it dropped?) Because of Tim Stoen. (Christ sake). So they dropped the lawsuit, <sup>so</sup> and all I have left is the Swinneys and thats fine. The bond comes through and I have to be fair with them, and the bonding company sends me the check and says "Do what you want with it, disperse it anyway you see fit"; so I felt both pieces of property were of value at \$40,000. So I just said, "Right ndwn the center--half to the Swinneys and half to the Mills and I wrote Milt a letter and I said, "Here it is and you owe me some money"; so he signed the papers and sent them ~~out after me~~ on back because

S-1-G-8(j)

Ingrid: Did you talk to Charles today Don and find out when he might be coming over?

Freed: No, would you call him? Well, lets have dinner about six, huh?

Ingrid: Joe was your agreement with the Milas, Mertles--I always get-- whatever you want to call them--  
I dont know----

Joe: whatever you want to call them (Disgusted sounding)

Ingrid--It was just to ugh---how were you ever going to be paid?

~~Joe~~ Joe: The agreement was that we were going to be paid out of the <sup>exactly</sup> bond-- no body knew where we were when we started this thing--~~ed~~

Ingrid: Out of the bond that you just recover--that you set more than \$5,000

Joe: ~~Mo~~ I understand--I got involved in this thing on the basis of Mertles filed a million dollar law suit against the Peoples Temple (Ingrid: In S. F.) you know that. (I. No one was ever served) oh yes, they were--Jones was served by ~~the~~ publication--no wait a minute, you're right, no body ever was served. No body was served. The situation was something like this--we took the case on on the basis of getting back or we seen at first what was going on because you've got to remember--think back last year when the article comes out--ugh, every bodies throwing charges at everybody, nobody knows where anybody is. We took the Mertles case on soley to kind of see where things were. The first thing we ended up doing was getting the kids back--that was really the first thing that happened (Ingrid: except that ~~they~~ they weren't ever really ~~gone~~) No, but they weren't in their custody and control and then there was the matter of various allegations coming up as we went along between--I can't even think of all the names but Christ they had 13 or 14 people that came in to see us--you know ~~they~~ they all ~~had~~ had (relatives) and this group and that group, this person and that person--by the time we were finished we had about 14 people who were involved in this--in some sort of a loss. The next step was that if in fact the property was illegally taken, <sup>from</sup> ~~that~~ these various people through fraud or forgery than you are looking at a on the property ~~through~~ through title insurance, so our original situation is that we would take the entire case on a percental, then we said "Look, <sup>you'd better</sup> why dont you go and see <sup>for your legal rights,</sup> ~~you~~ ~~go~~ ~~see~~ an attorney". So they went over and saw Dan Dannanburg. They retained Dan Dannanburg. 1700 California California and Franklin. So they retained D.D., filed ~~the~~ <sup>they</sup> a one million dollar and half or two million dollar law suit against Jones, the Temple, Mrs. Jones, Stoen--they listed every body and their aunts and uncles--and Dannanburg then retained me cause that is the only way he could retain me and get the information--so he retained me and therefore he got access to the information that

Don Freed

So, so that. But it could happen fast and it might be but now let me move over to the documentary--the documentary would be different--the documentary, they would be interested in your appearance. They might be slightly interested, this is off the record, but mainly interested in your walking, in your moving here, in your moving there, we flew here and pointed to the map and this and that and maybe even flying over Jonestown for all I know. (Laughter) Would you talk with Charlia if he was prepared to make you a firm offer? Not trustfully but just talk with him in terms of what we would want and so on and so forth.

MAZOR: You'd better realize my position, see, you called me and asked me to come out--I didn't know what---

Freed: I'm sorry to sound secret about it but ---

MAZOR: Now the closest I ever got to this business, my father was a-- was in the theater for years--yeah--he was George Gibbit the Greek Ambassador of good Will. He used to play the College Inn, he played the professor-- I think the biggest role he ever had was he played the professor and the music teacher in the Benny Goodman story. Now that's the closest I've ever been to your line of work. and that's the closets I've ever thought of getting so I don't know anything about this--I look at it the same way that I look at any job--yes, ah-----

Don Freed Well, you know in this stage of investigative journalism and freedom of information, you are getting closer and closer on the one hand of all the pre series of the newspaper stories and all of the watching poison. Executive action I think will. This I'll be doing. This films a fact--the public has a tremendous appetite and even big as you know--there were some good sized films made up here a few years ago by the conversation and the investigator, investigator- the private because become a kind of hero /as/ the public wants to know and so more and more so-called-documentals of the real life documentaries /are/ done for television--well, /he's/ doing /the/ and he's doing the Broadway series but as I told you for television and the others a theatrical, increasingly the line is disappearing--this /fuzzy/ /well/ could very well turn into a B film, theatrical film for T.V. and perhaps European movie, as well as just a theatrical film. Well, I don't want to \_\_\_\_\_ and we will certainly give a very positive report and I think /we/ /see/ /behind/ /the/ /things/ we've simplified things--I mean I knew when I saw /the/ /the/ /Conn- /the/ /the/ /I/ /new/ /knew/ /when/ /I/ /saw/ the Mertles background and Conn, and whats this other guys name? Klin \_\_\_\_\_ I knew these people were not con artists and they weren't--in the sense of Jones, /sentimentalists/ they weren't sentimentalists

evangelical Christians  
 in that sense--they were true believers alright and they can make that true  
 pretty neatly  
 belief fit in a situation pretty neatly in a situation if you  
 I first met Stoen he was wierd,  
 believe like Tim Stoen but I knew that he's very sick and I think his  
 he's very strange but I also think he's very vulnerable, personality  
 hasn't changed since he was a student, his weakness hasn't changed--he has  
 used 122 countries as cover----- and I'm willing to bet--I dont know that  
 we need to do this for the film but Im willing to bet <sup>that</sup> ~~Venz~~--the  
 International will turn out to be his cover and in terms of some of his travels

NASOR: Well, he did a lot of traveling, --a tremendous  
 amount of passport traveling--he held offices in Manhattan, and Europe and  
 the only thing that bothers me about Mr. Stoen is that he's practicing  
 latin. You know, even good CIA agents when they get burned--thats the  
 end of it--they did it and they go--he doesnt even have the conscience to  
 I don't know--  
 sensitize and take them to the cleaners, you know. He's not particularly  
 my type of guy...how about that?

Freed: Every thing he touches....well Pat, well I mean we can  
 concentrate on talking to Joe because I want to have dinner with Charles  
 later but is there anything you--do you see any major problems?

Pat: I dont see any major problems at all

Freed: And I see no problems if it went documentary or theatrical  
 but I think that Charles could work with Joe, don't you? (yes) and not to  
 be as independent representing the film company Charles  
 Joe (Pat says its o.k, with her) Unclear.

Freed: I would like to keep this kind of confidential so that the producers  
 don't get some newspaper story all about the  
 If we talk to anyone, it should be absolutely "Off the record" if we  
 should have to talk to someone

Nasor: I don't usually talk to anybody--

Phone ringing--says he's going to be flying out--(Freed).

Discussion amongst women about smoking--

Freed: Joe I'm going to be traveling on the King case and if its alright with  
 you, Ava would like to give you a call or be in touch as to whats happening--

Nasor--It s alright (Not clear)

Freed: What I would like to do now is ~~is to set up a schedule and~~ work with  
 if it fits egergones schedule is  
 Ingrid and type up some notes and begin with her and we can work  
 in the other room--would you like some coffee or something?

Nasor- I think I'll have some coffee--(Freed orders a pot of coffee).



S-1-G-10(a)

Now the insurance company says heres the money--now you don't have any longer just a suspendable act, you have now you have a dispartable act. And the day after I got the check I was in the state bar offices--thats how fast. I was sitting there because I'm not about ready to let this guy out there on the street practice law, but there again I feel (hes not practicing law anyway, Joe at this point) My feelings may be a little differant than yours--you are looking at him from the ~~opposition~~ and / / client position and I was looking at it from the fact that this guy comes back to the United States and refuses to give us tesitmony about ~~everything~~ and goes out there and sets up a law practic

and I'm not <sup>and some</sup> down there watchng what hes doing, as far as I'm concerned he's an attorney and has hung out an attorney that says hes an attorney and that means that some cluts is going to ~~not~~ walk in there and say, Gee, your an attorney and I can sit down". That I wasn't going to let happen, that s why I went after him--thats the very reason I went after him, was a by product. ~~Yes / not / interested / in / the / children / and / the /~~ Freed: He's not interested in the children. Joe: and the only interest that I still have are the children. ~~But~~ Freed: I just ~~do~~ want to say one other thing about the children because I'm ~~to~~ impressed with your sincerity on this subject. As I told you we had some people ~~who~~ go there and I've been there for a quick visit--these were transportation ~~problems~~ / difficulties \_\_\_\_\_ I stayed there 3 1/2 days. I went down the river and finally flew out (was the river full? Joe) I worked with \_\_\_\_\_ children and so on and there is one thing I couldn't be fooled on its that--among children at that age ~~and / I / studied /~~ in nursery school and so forth and I studied quite a bit of time going through the medical, going through the agricultrual things, the chickens ~~and / I / do /~~ but I do know something about the medical and the educational--there was one teacher for every seven children and those children are subberb set up. Subberb. Now they were pretty frank with me, they knew I would find out --they knew there was no sense in lying to me--they even talked about these physical spanking and so forth. They said insereesting enough that Stoen had been a part of this in the days when they had done this. They were pretty frank--they were pretty frank about the period when they felt the siege and \_\_\_\_\_ and so forth and so on. I thought they were frank and it was ~~just~~ just as well that they were because they knew--well, I'm a friend of Charlies

TAPE I : SIDE A

S-1-G-10(1)

So on and so forth. But it could happen fast, and it might be a <sup>move</sup> over to a documentary. ~~With~~ <sup>with</sup> a documentary they might be interested in your character. They might be slightly interested in it off the record but mainly interested your <sup>walking moving here</sup> going here and there and you flew here and there <sup>to point to the this & that</sup> on the map and maybe even flying over Jonestown. Ha (Laugh) Would you talk with Charlier (sp?) if he is prepared to make you a firm offer?

~~XX~~  
Not trustingly but just talk with him in terms of what he wants so on and so forth. You'd better realize my position - you called me and asked me to come out - there's no secret about it. Now the closest I ever got to it <sup>this business</sup> was that my father was in <sup>Wash</sup> the theatre for years. He was George Gibbit the Greek Ambassador of Good Will: He used to play the College Inn. He played the professor I think the biggest role <sup>over here,</sup> he played the professor <sup>and music teacher</sup> in the Benny Goodman Story. <sup>Now</sup> That's the closest I've ever been to your line of work. That's the closest I ever thought of getting but I don't know anything about this. I look at it the same way as I look at any job. ~~Yes~~, well you know in an investigators/<sup>journalist</sup> job you feed the information you get closer and closer \_\_\_\_\_ newspaper stories

SIDE A

S-1-G-10-(e)

SO ON AND SO FORTH, BUT IT COULD HAPPEN FAST, AND IT MIGHT BE A \_\_\_\_\_  
MOVE OVER TO A DOCUMENTARY. DOCUMENTARY WOULD BE DIFFERENT. WITH A DOCUMENTARY  
DOCUMENTARY, THEY WOULD BE INTERESTED IN YOUR CHARACTER. THEY MIGHT BE  
'SLIGHTLY INTERESTED AND IT'S OFF THE RECORD, BUT MAINLY INTERESTED IN YOUR  
~~XXXXXXXX~~ WALKING, MOVING HERE AND THERE AND HE FLEW HERE AND THERE AND  
POINT TO THE MAP AND MAYBE EVEN FLYING OVER JONESTOWN. WOULD YOU TALK WITH  
CHARLIARE IF HE IS PREPARED TO MAKE YOU A FIRM OFFER? NOT TRUSTINGLY, BUT  
JUST TALK WITH HIM IN TERMS OF WHAT HE WANTS SON ON AND SO FORTH. YOU'D  
BETTER REALIZE MY POSITION, YOU CALLED ME AND ASKED ME TO COME OUT. THERE'S  
~~NO~~ NO SECRET ABOUT IT. NOW THE CLOSEST I EVER GOT TO THIS BUSINESS, WAS  
THAT MY FATHER WAS IN WORKING THE THEATRE FOR YEARS. HE WAS GEORGE GIBBIT  
THE GREEK AMBASSADOR OF GOOD WILL; HE USE TO PLAY THE FOLLEGE INN. HE PLAYED  
THE PROFESSOR I THINK THE BIGGEST ROLE EVER HAD. HE PLAYED THE PROFESSOR X  
AND MUSIC TEACHER IN THE BENNY GOODMAN STORY. NOW THAT'S THE CLOSEST I'VE  
EVER BEEN TO YOUR LINE OF WORK. THAT'S THE CLOSEST I EVER THOUGHT OF GETTING  
BUT I DON'T KNOW ANMTHING ABOUT THIS. I LOOK AT THE SAME

S-1-G-1 (ca)

M: "The principle investors of this are concerned with two things, they like the idea of a controversy, obviously, and a real life story in a real foreign country, and a real large group of people and a colorful idea. They are afraid of errors of omissions, insurance policy is difficult where there is so much litigation around an issue."

D.F.: "Do you know about errors of omission?"

M: "I carry it, yeah."

D.F.: "For films?"

M: "NO. NO."

D.F.: "They're hard to get with films, we had this problem with Executive Action and the King film. If they think that anyone can sue, then they are reluctant to issue a policy, we don't get a policy we don't get a film it's just that simple. So the idea here is to clarify everything in advance so that both sides are presented and so that the insurance company will feel free to say I'm going to give you a policy because, although there is a controversy, it's fair, both sides are presented and it's fair. It is very hard in a controversial film to get \_\_\_\_\_. It is much more difficult than writing a book for instance or putting on a Broadway play. It is a hundred years more primitive with films for some reason, because films attract lawsuits. I've written books that have said things that couldn't be said in the films, even though the law's clear on libel lawsuit and so forth. Well, if an idea seems lucrative enough, for instance, Executive Action which grossed 30 million dollars, they are prepared to make changes, change the names, change facts, change anything in order to make it, and they are in this one too, but they are concerned and they would prefer, actually, to have everyone's cooperation and so forth. Well, the Citizen's Commission Inquiry, although we have been involved mainly with the Martin Luther King case and the JFK case, because we do have information, we've done some study, we've sent someone



84-4996-9050

into Jonestown, and we've researched it in the way, that we think, gives us a very strong beginning on the kind of dramatic script that they want, and we know in advance that they know that...

PAT: : Where did this come from?

D.F.: That is, that was prepared by People's Temple

PAT: : Here in SF ?

D.F.: I don't know

PAT: : This was given to your film group from Guyana?

D.F.: Well, I don't know, it was given to me by \_\_\_\_\_.

PAT: . I see.

D.F. The elements are there as we see it. Joseph, I don't know if you know any of the Graham Greene novels, but it would definitely have that dimension, that is, beautiful Guyana, lush tropics, ect. ect. but intrigue, files that have been developed, and I am going to be very frank, I'm not going to play poker at all. Files have been developed so far that go back in the case of one principle to Berlin/in East Germany on the border of west and East Germany, in the early 60's and Rotary International, and some research firms and a lot of money being spent and a lot of Gary roo going on in Georgetown. Sniping and you told us about this extraordinary \_\_\_\_\_ with the rifle across from your office, and a lot of gun fire around the jungles in Jonestown.

PAT: Did I miss something...

D.F.: Well, this was before you came in Joseph said that he...

M: It had nothing to do with the Temple, he was just a fringe nut that read some of the newspaper stuff, it was not a Temple member.

D.F.: The Guyanese Gov. has cooperated to some extent and they believe of course they have their own reasons, and they see the footprints to the Central Intelligence Agency, and they are willing to... and we're not going to court with this, this is all for the film, so you can take what I am saying from that context. We have to develop a research that justified

S-106-1(c)

MAZOR INTERVIEW, TAPE 1 SIDE 1 DON FRIED AND JOSEPH MAZOR Page 3

a theatrical motion picture with a normal amount of dramatization with poet license, normal but not pathological.

M: UM hum.

D.H.: Let me pause right there and get your reaction. Let me say that the reason these are letters of understanding rather than detailed \_\_\_\_\_? because the \_\_\_\_\_ office wants to leave open every possibility in terms of... for instance, in the King case, there are several people who have contracts who are working and playing themselves who are actual principles. For instance, let me get specific, it's conceivable that you could be a resource person for a film on a totally unanimous basis and that could be true of the Gary office and that could be true of the Mazor Office and would not necessarily have anything to do with any public stance or conversely, in the case of Mr. Mazor who's a principle, this is true of the King project, your part could exist as a part a person, an actor or yourself could play that part, you could perhaps be very much in front, you could appear in press conferences, ect. In other words, there is a range of possibilities for both offices here. All we are concerned with is the fundament, the bottom and that is that we are proceeding with cooperation in a fair and honest way. There are two sides, and I may have my own private opinions but I... that has nothing to do with the film audience, they want to see a good film with dramatic conflict. The direction we would go with that is that people who have personal and or political and or religious greivances become manipulated by an intelligence agency because of the group that they are pushing against because of their identity both in this country and in a foreign country, and their politics so that, although there are personal factors, charismatic factors, very human sexual factors ect. ect. ect. that a couple of intriguers become the pawns, money begins to flow and a certain amount of psychological warfare begins to develope and this sort of war breaks out between a very large group on the one hand in Jonestown and a very small group on the other

on the other hand, but the small group is getting help. Now somewhere along the line comes a sort of independent investigator and who, may be an ambiguous figure and even becomes a hero, or what have you but it is that kind of story, there are hundreds of stories that we've researched, you know, there are disaffected members of People's Temple and everyone has their own story, we're not getting into any of that, we want to subsume the personal, except probably for the Stoen's, subsume the rest of them into just an \_\_\_\_\_ group of concerned families.

M: OK. I've got some questions right now and I got to get them out, I don't know how Pat feels about this from the other side of this at Gary's office. One of the problems that we have is we just... you bring up Stoen, and I don't think Pat's office knows about this yet but we just collected on Stoen's bond for the insurance companies against his notary bond for fraud and forgery.

D.F.: Who?

M: My clients.

D.F.: Against Stoen?

M: Yeah.

M.L.: Against Stoen!

M: Against Steen. For fraud and forgery which ought to make Gary very happy because...

PAT: I didn't know that.

M: Nobody knows that because it just happened.

D.F.: That's a bombshell.

PAT: Who are your clients, or can you tell me?

M: Well...Mills and Swinney. Remember Swinney?

PAT: Yeah, I've never met them.

M: OK.

D.F.: I don't know any of them, can you give us a little background?



S-1-G-1(e)

D.F.: I feel uninitiated!

M: OK, very brief. Mills are the ones that got me involved in the mess in the first place, Swinney's came along later. Both of them had lost property they both had gotten out of the Temple. OK. They both gave affidavits to us on the basis that they had not signed the trust deeds, which were (assumed or sued??) by the People's Temple. But Timothy O. Stoen had notarized those trust deeds and Timothy O. Stoen is a Notary Public, as well as an Att. at Law, so we went after their bond. I told Charles Gary I was going after the bond, this was last year. This was probably when you got in trouble up at, up at ahhh.. Soledad in August.

PAT: That's true.

M: OK...unintelligable.. The problem is, we have little problems like, we have Stoen's bonds sitting out there see, and you have something that you may not be aware of, in other words, where are we? I have no objections at this moment to say, yes I'd cooperate with you, and I doubt that your office has too much problem cooperating from your side. But our problem is this, we have some legal matters which are pending. Stoen is not my client and I could give a damn, neither are the Mills for that matter, because I canned the Mills when they took Stoen back home. When Stoen came back from Guyana in January of 1978, they took him into their home and they let him live there and I said wait a minute.

D.F.: That's after they...

M: Yeah, yeah and I'm saying wait a minute, what are you doing here? First of all you're telling me that's the bad guy, and now you're telling me he's not so bad and I can't work that way.

D.F.: So who are you representing?

M: I'm not representing anybody now, but I did collect the bond for those two people because the bond was in the Mill as of last July or Aug.

D.F.: What's the bond? Bond:

M: \$5,000.00.

M.E.: Does that interfere with Stoen's ability to practice?

M: Oh, you'd better believe it because the minute the bond papers came through last week, where the bonding company paid off, we took it to the State Bar.

M.E.: Paid off means what?

M: All notaries in the state must post a bond for their liability.

M.E.: I understand that, so when they pay off the \$5,000.00 that's saying that Stoen actually was involved in...

M: They are admitting as an insurance company that Stoen did illegal and unlawful acts by signing or notarizing documents which he knew to be false.

M.E.: So you then went to the Bar Association.

M: Then we then took that piece of material and went to the State Bar Assoc.

M.E.: And what happened there?

M: And the State Bar is now getting ready for an in depth investigation for suspension or disbarment.

D.F.: Of Stoen.

M: Of Stoen.

M.E.: So then you're getting more key all the time in this operation, not less. It has some promise, great opportunity.

M: Well, it's only the problem between Charlies office and ours, with regard to, you see, they represent the Peoples Temple. I represent no one at this moment. except the people of the State out of the sense that there has been a wrong committed and I carried it through because I got my nose in it at the beginning and I've had to carry it out. But you do have a certain liability here that has to be established, you know, I dont know who you are talking about making martyrs out of if anyone in this drama, but you'd better be careful because it is unfolding day by day.

D.F.: Joseph, let me say this. I agree with Mark, it seems to me this us gives us maneuverability that I didn't know we had. You're virtually a

S-1-G-11(g)

D.F.: free-agent because we are not interested in anybody's story we're interested in Stoen and maybe, I'd like to brain storm with you, you have a reputation of being a very resourceful, skillful strategist. Here is a man who travels to countries all over the world, a man who's spending a lot of money, flying around to meetings and organizing people, a man who for American University and Rotary International staged a provocation in Germany, a man who when you dig beneath all the Christ and all the Socialism and all the Humanism you find a hard core ideologue.

M: Right.

D.F.: Who is this man?

M: Well, I'll tell you this...

D.F.: Where is he getting his dough.

M: He got a lot of dough out of Venezuela

PAT: Out of Venezuela?

M: Um hum.

D.F. & PAT (in unison) from what sources?

M: My understanding, and I won't go any further than that, but I know where he got it, my understanding is that he picked it up from a very nice right wing group in S. America. He received it in Venezuela through the International de Banco of Venezuela.

M.L.: Actually Joseph, do you think that it is possibly an organization front for American Intelligence operation?

M: Timothy Stoen (long pause) has a record at Interpol; sizable, going back to 1958 or 59.

D.F.: Rotary International, am I not correct Joe, at that time was notoriously undercover for \_\_\_\_\_?

M: They still do.

M.L.: Why would a right wing group in Venezuela be concerned about the People's Church in the United States? Unless it was...

5-1-G-11(H)

M: Well, ah, ok, everybody has my feeling has always been a couple of things. that Jones said a long time ago, in his temple in Mendocino, in Ukiah, he was very upset that his people didn't vote him in for major of Ukiah, he was very upset that his people didn't put him in for a better political position up there. Here is a man living in Jonestown who expounds a very Socialistic attitude and Socialistic point of view, never-the-less, he picks the one country, the one country that in 1961 was overthrown by 700 adults. The only government in S. America that was overthrown by 700 adults- Guyana. Goes into Guyana, one expousing a very much of a socialistic attitude, but going in with a very right wing Hitlerism type of situation, and he stated to two of the people I talked to that the sole desire is to take over Guyana. Now you take that to Jonestown or anywhere you want to but the thing is, why why why?

M.L. i \_\_\_\_\_? (unclear) what intrigues me now is why anybody in Venezuela would care about People's church when it is a United States organization.

M: I don't think they give a damn about The People's Church, I think they care about the government of Guyana. The government of Guyana is an interesting government, it has a black president, and a Chinese vice-president with direct connections into Peking.

M.L. Who threw out the CIA.

M: Who threw out the CIA. I sat in Washington for six days at the foreign desk, beating my chest and wearing sack cloth and doing everything else that I could do to get somebody on the desk to do me something with ah, what's his name, McCarthy or whoever he is, ah I can't think of his name off-hand. Whoever the council in Guyana was, we were trying to establish at that time, I talked to the council.

PAT: You mean the American Council...

M: Yeah, McCoy. I had talked to McCoy on the phone 3 or 4 times and ran up a \$500.00 phone bill and got no where. So I went to try and establish some

5-1-G-11(i)

M: I went to Washington, I went to the Guyana Embassy and tried to establish between them and our foreign office, our State Dept. is some sort of triangular communicational level that we could start talking about what children were in Guyana, what ages, who were they and were they in fact US citizens, and were in fact they under the State Welfare. Because there is still a matter of Public Health audits going on, the Health Dept. is still auditing the Temple, in my last calculation it was something like 4 million dollars. in money that was missing.

PAT: From where?

M: Well this was money that ah, ok, a typical of it would be, ah, one of the homes, foster parent homes up in Mendocino in 1975 had 10 children in the home, each child was paid by the county. The Counties were paying, ah, Contra Costa, Alameda, and ah Mendocino, were paying on the average of \$250. to \$300. per month per child to keep the child in the foster home. All those checks totalling 10 children, say three thousand dollars per month was going into the temple coffers being endorsed by Eugene Chaiken put into the Temple offices paid into the Temple money, and all that the person that was running that foster home got was \$600. per month, to run those kids.

M.K.: That's certainly a very serious charge.

M: We've got problems there because they're still auditing and they're very very uptight about it.

D.F.: Let me bring you back Joe, for a moment .... he's hired this man Hughes, who's very well known as liaison for many corporations, as you said correctly the CIA which Burnham, the president, was the CIA's man for many years and then he kicks them out. Then all this happenst. And this is the story, he hires Hughes, he hires lawyers here. He spent a lot of money, he spent a small fortune. You can see where the People's Temple's money comes from, whether it comes from property ....(unintelligable)

5-1-G-11(j)

M: Well, I've got almost 7 million. We've got money traced from properties that total almost 7 million dollars.

M.E.: We can see basically where a lot of money came from, within the organization.

M: Sure, sure. Well, you got 500 members, lets just say 500 members and 250 of those members all own property, and they turn that property over and you got 250 times, what, \$30,000.00 apiece for the property. You got a lot of money right there, thats the start for a lot of money.

M.L. So, that's no great mystery, no great trick how to get money out of property... What I'd like to know, what's just a little more mysterious, is how does the money flow into Stoen because Steen spent a lot of money. How much would you say he spent? Your guess, just from what you saw the last couple of years.

M: Half a million.

M.L.: He's not making much in the law practice.

M: He's not making anything in the law practice.

M.L.: Where is he getting it? money?

M: It's not coming from the United States.

M.L. What do you mean it's not coming from the United States?

M: It's coming from Venezuela.

M.L.: Venezuala. Is it going to Venezuela from the United States?

M: It may well be, it may well be, I don't know. I know where he is drawing back from because I happened to have looked at his bank account.

M.L.: and which is what?

M: Well, the money he has been getting in has been coming from the Banco something or another in Venezeula.

M.L.: Caracas?

M: \_\_\_\_\_? 6 months ago.

M.L. 6 Months ago. Was it a substantial amount?

M: Yeah, 50,000, that's good money you know. That's a years salary.

M.L.: Oh! (laughter)

D.F.: This follows our research... that Rotary International and ah, over the years he's had that (contact)? This Urika Research Assoc. we know that he's working with them and we know that they do high resolution photography we know that there have been overflights.

M: Yeah, overflights is nothing. I got an overflight.

M.L.: You got an overflight.

M: Sure..

ML. Over Jnnestown?

M: Yeah, last year with the Sesmen.

M.L.: But you didn't send the mercenaries in?

M: ??? Oh come now.

D.E.: laughter. You know, that would be a very dramatic scene. He also worked for Campus Crusade for Christ which you know, spends a fortune. He worked with, ah, now some of these names might over-ride, Some of this started with a man with intelligence connections named Kinsolving and a man called Hatfield picked up the ball at one point and and has gone on to Lansing, which is a bit strange considering there is a school there for CIA agents (?). A man named Klineman seems to ah have played a part. Now am I mentioning names that get into your area or Stoen's area?

M: Oh, I guess a little of both.

D.F.: At any rate, you are not working for them so there is no need to talk about them as far as Stoen goes. Now let me ask you this Joe, I've seen a number of tests, blood tests, medical tests and so forth ... about the child.

M: The child belongs to Jim Jones. He was conceived in the back of a bus. That came from Grace, yeah I had her in my office one day and she layed it out.

D.F.: Stoen has changed his story 3 or 4 times.

M: Yeah, Stoen's got to do the best he can. I have no use for Stoen, only because I hate to see an attorney as a thief. I hate to see any thieves but I have a lot of respect for good ones, and I have none for bad ones.

M.L.: Are they blackmailing him for sexual matters? We have some information on some things.

M: Well, OK, you got information, how about what's his name, I can't even think... that bodyguard that Jones brought out of CYA.

D.F.: The murder.

M: Yeah, the murderer, found dead back there on Mission Street. The guy beat up five people that I know of, threatened me last year. He came to my apt, called me on the phone said this is the Rev. Jim Jones, I've still got the tape. This is the Rev. Jim Jones, I'd like to meet with you and I said, "Well, you know my address, come on over." I met him at the door with a 357 magnum.

PAT: Jim Jones wasn't even in the country...

M: No! He wasn't even in the country, he was in S. America.

D.F.: Then it was somebody else.

M: Sure, we knew it was.

D.F.: Well, that murder's very suspicious, don't you think?

M: Well, that murder is suspicious, so is the Head, Michael Head murder, very suspicious. Michael Head is a young boy who Harold Cordell, Stoen or somebody else, I don't remember if it was Stoen, or somebody else, went to his house, he was a mentally disturbed young boy. They brought him into the Temple, they took his \$18,000. that he had just gotten as welfare benefits, or Social Security benefits. They took him to LA. Three days later he jumped off a six story building. There was only one problem. The body they did the autopsy on wasn't that of Michael Head.

D.F.: Was Stoen still with the Temple at this time?

M: Yes. It wasn't Michael Head.

D.F.: Now, Joe, this becomes critical in both dramatic and informational terms.



D.F.: In the moment of his turn around. From everything we could find, he's coming out in the papers saying that Jim Jones is the greatest man he ever knew, Stoen was saying that he was going to sue New West Magazine and then Chris Lewis is murdered and then Stoen dramatically changes his position.

M: OK, January, Stoen comes back to the US from Guyana.

PAT: January of this year?

M: Yeah, '78. Dec. or Jan. right in there. I found out about it, I can tell you by the correspondence that I have, within a week or so. He came back to the US. Now, we had taken the testimony of one of the employees who had admitted that in the past 9 years she had forged 2000 powers of attorney forms, which Stoen had notarized.

DF: Pretty close to a record of them?

M: Yeah, I think that was a pretty good record. She'd been given immunity by the prosecution and that is what started the ball going with the notary situation. Stoen had come back some time around the first of January of this year and he immediately went to live with the Mills'. Now, I got in touch with the Mills' and I said, "What in the Hell are you doing here? First your'e saying he is a bad guy, and now you say he's a good guy. Your credibility looks like shit. Excuse my French, but it really looks bad.. You are expecting us to work for you, but you're not helping us. Now, I want to talk to this turykey and I want to talk to him right now. Otherwise I'm going after him." (They said) "You can't go after him, he's a nice guy, you shouldn't do this." I said, "Hey, you have your choice, either I'm going to talk to him, or I'm going after him one way or another. Now I can get him immunity from prosecution from the Secretary of State's Office if he is willing to cooperate with the local government officials in finding out what's going on," namely with Bob Graham, and the committee in the DA's Office that was still investigating various aspects of the case. The answer I got back a couple of days later was no. He was busy writing his book and he couldn't

~~S 1 G 12 (M)~~  
5-1-G-11 (M)

DF: With two instances?

M: Yeah, but no

D.F.: But you have 2000 others, we got

M: We got a lot more than that. Tish, there was 2 women who worked in the office in Mendocino Co. We have 2 things going.

D.F.: Let me ask you this Joe, is it all related to the Temple?

M: All related to the Temple.

DF: They have 2000 counts.

M: More than that. Two different things going. One item, in the office where Stoen and Chaiken were working, two women were working there. Tish Leroy and Neva Sly. It was Neva's job to send out the news bulletins, to do this, to do that. Also, to forge all the names on the powers of attorney.

DF: You mean that none were real?

M: NO

DF: Not one?

M: Well, maybe one or two, but she forged 2,000 in 9 years.

PAT: Did she keep a tally of it?

M: She kept a pretty good record of it, pretty accurate record. OK now, these forgeries were basically on elderly people which the Temple took in to their rest homes. And these Powers of Attorney were for basically Social Security SDI and all the other governmental subsidies checks to be transferred into the Temple coffers. Tish Leroy's job was to forge Trust deeds and Land deeds. Right to break down the responsibility. One of the grant deeds, particularly the Swinney's, Tish Leroy admitted, Neva Sly watched her do it, so we have first hand knowledge of seeing it be done, and Tish Leroy admitted to the Swinneys that she had done. What she did was took their signature card, you know, membership card, seroxed it, cut it off, laid it over the grant deed and shot another xerox. Chaikin, being an attorney in Mendocino and having a good reputation, took it in and filed the xeroxed grant deed. He never filed an

original with the title company and the title company bought it Then the thing was sold to an innocent third party.

DF: You can see it if you examine it?

M: Well, we had it examined by the crime labs, a local crime lab. You can't see a line but we had it examined by a crime lab. And on top of that, they admit it, that it was done.

PAT: So there never was an original grant?

M: Never was an original grant. Then Stoen made a call.

DF: Then Stoen was the notary on that.

M: Yeah.

DF: And they were acting as Stoens agents?

M: Oh yeah.

DF: Let me ask you this. I'm wondering if this is going to be too complicated for a film, or not with this getting somewhat resolved so that we had a clear line of conflict 'cause now there are so many different parties. Do you think that Stoen was doing this for the People's Temple or don't you? Was he trying to destroy or sabatogue?

M: I think that at the time he was doing it for the People's Temple. The money went into the Temple coffers.

DF: I'm sure that that's true, that's one point. But if you have this guy going back to the Berlin Wall in the '50's, and you have this guy assoicated with IS, with American Intelligence at that time and then the idea is to later on destroy the Temple. Is it possible that he is in deep cover of setting up a whole series of things, which even the Temple didn't know about at that time?

M: Very possible. I look at Stoen in one of two ways. Either Stoen set the Temple up, or Stoen is the second Lee Harvey Oswald.

ML: Then he's the one we're looking for.

M: You know what I 'm speaking of? Mentally unbalanced to his political and desired views. Switches from one side.

DF. Sounds like Earl Warren more to me. At this time, we found out that

Stoen was trying to advocate violence in terms of dynamite in the Temple.

Stoen was trying to advocate violence in terms of dynamiting in Washington DC. He wanted PT to arm. He wanted to start a cadre.

M: People's Temple did arm. They got automatic rifles and automatic weapons illegally in Mendocino County. People's Temple did have weapons. They do have weapons, until last year they had it.

DF: How much of this do you think could be true about Stoen?

M: I really don't know. I really can't tell you. At the time, and I have to admit to Pat, because we've been on the backs of wrong sides of the fence with each other. But at the time, when we got into it I felt that we really had the People's Temple as the bad guys and the Stoens and the Mills and the Swinney's and everybody out there as the good guys. Now my last letter to Bob Chilometas, in the Secretary of State's Office is that they're all wearing black hats and if you find one that has a white hat on, grab him and hide him. Because you don't know who's the bad guy in this thing.

DF: You know as our research began, it was pretty much the same story as what you're saying. As we went along, we found that every time that we came out with something that was illegal, Stoen was always the middle man.

M: What about the death of what's his name, off of the car, the railroad track? Joyce Cable Shaw's husband, can't think of his name...

PAT: I knew who he worked for, someone, his father or someone...

M: Yeah a big article in the paper that Arterman wrote.

PAT: He was working two jobs and was overtired...

M: Right. A big article in the paper. He was going to break from the Temple. He was one of the Temple hierarchies. He wasn't up in Stoen's category, but he was one of the blue collar hierarchies that kept the masses going. He started to decide to break from the Temple. He was a brakeman on a train and two weeks later, he ended up under the wheels. The entire episode is very suspicious only because his brakeman glove and his brakeman's lantern were sitting on the brake wheel of the box car, and they say he fell off the car, but how do you fall off the car and leave these two items sitting up there?

DF: What about the phone calls? (M SD. NOTHING) Yeah, they go to strong propaganda lengths ~~to~~ but these threatening phone calls, the pattern as I see them, <sup>everyone</sup> has not only not helped them, but has turned another agency or newspaper against them. So when you tell that story, that fits exactly into this story. This <sup>ML</sup> minister, the Black minister, did he know it was Jim Jones? He knew Jim Jones?

M: Well, yeah, he knew it was Jim Jones. Well, ~~when~~ the problem was when Jones first came to, you know Jones' history is kind of wierd. He was in IA, setting up a PTLA, Inc, and it fell apart. It never got it off the ground. The copp. went into suspension for failure to pay the State Francise Board and he moved up ~~the~~ to Mendodino and once he was up in Ukiah, he started over again. When he moved down here, he came down as an individual, and utilized some of the local churches. Before he actually started his own thing down here. All the Black ministers knew ~~him~~ and they also knew he was taking away their money. OK, Lets face it, the Black minsters in this town are very very wealthy, and they are very uptight when someone comes in that becomes an interval and starts taking their subsistence away.

DF: Is that what the Causus was all about?  
M: You better believe it. Rev. Robinson, forced to sell his ~~&~~ \$280,000 home overhere, in - where is it that Charlie Gains lives- <sup>over</sup> in that nice area? Behind Market, behind Youth Authority, he was forced to sell 3 cadillacs, his Lincoln, because his congregation was disappearing, and the plate was getting thin and they didn't like that.

Tape 1, Side 2

M: Harold Cordell, all the rest of them, I got 8 different people.  
DF: You've got tapes of Stoen threatening some people? Who is he threatening?  
M: You better believe it. Or offering a bribe. The Swinney's. \$10,000 bribe which Jones paid.  
DF: A bribe to do what?  
M: To get out of town. Well, the bribe was something like this. Swinneys left the Temple. Their son was in Guyana. Swinney wanted his son back.

M: (Cont'd) Jones told him no, he's happy in Guyana. You can't have him back. Swinney's mother was also in Guyana. Swinney got very upset about it. They decided to get out of here. Swinney sent his wife, Mary Jane, down to the Registrar's office in Ukiah to get the papers on the house on the property because he was going to put his property up for sale. She came back and said, hey, we don't own that property, the PT owns it, OK, forgery, temple, they / They didn't know it. Swinney gets on the phone and starts making telephone calls, and calls Jim Jones, and says "Look you SOB, I want my money. I want my house back. Jones puts Stoen on it. Stoen says, "Look, if you ever want to see your child again, you'll take \$10,000

[The following text is extremely faint and largely illegible due to heavy noise and low contrast in the scan. It appears to be a continuation of the narrative or a separate set of notes.]

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You don't. If you're working and the train is moving, A) you got the lantern in your hand, B) you got the glove on because you're swinging on the car. Southern Pacific is still investigating..

MK: What year is that?

M: 1976. Anyway, I've got documentation on that including pictures.

DF: Our basic question comes down to.. we know what Stoen was in the early 60's, we know that he's been through something right now, and that he's doing something for somebody. He admitted to doing it. When he's the activist when he's advocating... Here's the thing that is suspicious. You see, when you put it down to mental imbalance, switching sides, all kinds of ambivalence, so forth, if it weren't for one thing. This guy ~~is~~ talking a communist revolution, explosives and guns and arming and so forth and so on. And yet the man before and after the episode is a hard core right wing ideologue.

M: Yeah, well, I'll buy that. There're two or three things that I can't buy. things that bother me with that type of theory. The thing that bothers me in saying he is the one agitating the situation...

ML: Or setting them up.

M: Problem number 1, a black minister in this town held a caucus of other black ministers in Nov. of 1976, and, the next day, Jim Jones, allegedly, personally called them on the phone and said that if you do it again, I'm going to kill you. That Black minister went to the DA and reported it. The particular DA's representative walked out the door, walked over to the pressroom across the hall, stuck his head in and looked around and saw Mike Prokes. He said, "Hey, Mike, who is Jim Jones?" Because nobody knew Jim Jones. Mike Prokes said, "A very upstanding nice guy. Don't bother him. A nice guy. What do you want to know for?" The next day, there were 25 letters condemning the DA's office for investigating Jim Jones. Delivered, hand delivered to Jerry Weinstein in the DA's office.

PAT: Was that before Tim Stoen worked in the DA's office?



S-G-11 (u)

M: Yes, that bothers me.

DF: You can look at this two ways. One is that the PT was using terribly counterproductive methods, or they could be set up again by someone pretending to be....

M: But these are the types of things...

DF: Well, you've hit a nerve on something. Here we've found that in the PT, in a rather crude way, organizes all kinds of letter campaigns and so forth and so on to try to protect their image and especially now that they are under the \_\_\_\_\_ but something that they have not done and yet everybody People's Temple gets threatening phone calls on their life. DA's get them, newspaper people get them and so forth. Now, it is these phone calls which in a lot of cases have aggravated people to say, "Well I'm going to look into PT and I'm not going to be intimidated. And then they got started, and then PT responds with letters saying that this minister said this and this public official said this.

M: 50,000 handbills handed out on New Years Eve to down here on Market St. "Special Agent of Interpol attacks Jim Jones."

DF: What about the phone calls? Yeah, they go to strong propaganda lengths but these threatening phone calls, the pattern as I see them, everyone has not only not helped them but has turned another agency or newspaper against them. So when you tell that story, that fits exactly into this story.

ML: This minister, the black minister, did he know it was Jim Jones? He knew JJ?

M: Yeah, he knew it was Jim Jones. Well, the problem was when Jones first came to, you know Jones; history is kind of wierd. He was in LA setting up PTLA Inc. and it fell apart. It never got off the ground. The corp. went into suspension for failure to pay the State Franchise Board and he moved up to Mendocino and once he was in Ukiah, he started over again. When he moved down here, he came down as an individual and utilized some of the local churches. Before he actually started his own thing down here. All the black ministers knew it and they also

Joe Mazor with Mark La [redacted] at Bedford Hotel, San Francisco [redacted] - October 3, 1978

S-1-G-12(a)

Mark: Joe, I was wondering if you could tell me what your investigation revealed about an effort by some people to go into Jonestown and to liberate the children there.

Joe: Yes, there was an effort in September of 1977 to go into Jonestown based on the information received from the people in San Francisco that the children were being kept there against their will. That there were children there whose parents had not given their permission for them to go. And the basis of this effort was to go into Jonestown and if these facts proved to be true, to bring back all the children under the age of 18.

Mark: What was the plan?

Joe: The plan was simply to go in through Venezuela, over the border, into Guyana, into Jonestown, knock out the radio station...

Mark: Knock it out in what fashion?

Joe: With an incinerator device.

Mark: With an incinerator device?

Joe: Yea. And take the children, by force.

Mark: And what about the adults?

Joe: Well, the adults could either go back to the Embassy and get their plane tickets back from Georgetown, or, could go back with...should we say "liberators"... or just stay there.

Mark: What if they protested, if as obviously they might?

Joe: Well, let me say this, there were no arrangements made for protest.

Mark: And did such an expedition take off and go to the area?

Joe: It did.

Mark: And do you know what happened? Did your investigation reveal what happened to that expeditionary force?

Joe: Yea, the expeditionary force arrived and reviewed the situation. At that time, Jonestown consisted of about 7 buildings, no fences, no barbed wire, no one appeared to be held against their will, and the expeditionary force turned around and left.

Mark: Did the expeditionary force have any weapons?

Joe: Yep.

Mark: What kind of weapons?

Joe: Automatic weapons.

Mark: Did they have rockets of any kind?

Joe: Well, when you say rockets...

Mark: Not with nuclear warheads.

Joe: No, no, you have to define a rocket. Are you talking about a rocket launcher

on the end of a M-15 or M-16? Yes.

Mark: O.K. And grenades or other things to fire.

Joe: Grenade launchers.

Mark: And actual grenades also.

Joe: Right.

Mark: When that group left, did they meet anyone else in the bush?

Joe: Yes, they encountered as they were leaving, they encountered a group of terrorists, I guess is the best word for it, who were in the process of laying siege to Jonestown. The siege, I understand later, lasted about six days-seven days.

Mark: And did you ever find...were you ever told by anyone who that group was?

Joe: We were told it was an extremist organization belonging to...an ultra-leftwing extremist organization belonging to the Guyana government. The Guyana people themselves.

Mark: The government or the opposition party?

Joe: Well, I'm not sure. Opposition party or government---they were Guyanese. They were an extremist factor within their own political parties and they were the ones that went in and did this little terrorist activity.

Mark: You didn't discover that in the bush when you saw them.

Joe: No, well I didn't discover it at all.

Mark: Yes. But I mean in your investigation. Who gave you this information?

Joe: This information came from people directly linked with the United States Embassy.

Mark: That is who gave you the information as to the identity of that group.

Joe: That is correct.

Mark: How many people were in that group? Did your investigation show?  
6 and

Joe: Somewhere between '8 and 10 people. And they held siege in Jonestown for about six days.

Mark: Did you ever learn of another effort that was made to kill Jim Jones in Jonestown.

Joe: Yes, approximately three or four months later, there was another effort made to dispose of Jones and this effort was made on behalf of people not connected with the original terrorist organization that went in there.

Mark: Who are these people connected with?

Joe: These people as I understand it from the sources we have were connected with certain elements of our own government.

Mark: The United States government?

Joe: That's right.

Mark: And when you say dispose of Jim Jones, what do you mean? You don't mean hold and election and have him defeated.

Joe: No, I mean kill him.

Mark: Kill him.

Joe: Right.

Mark: And you know a shot in fact was fired at him.

Joe: Yes, I know from the information I received and subsequently in an interview in September of 1978 with Jones that one or two shots were fired and missed him by mere inches.

Mark: Did you get this information about the mercenaries sent in from someone who had been associated with the American Embassy in Guyana at one time?

Joe: He was indirectly associated with the American Embassy in Guyana but directly associated with the State Department in Washington.

Mark: At the time that he told you that?

Joe: Yes.

Mark: Have you ever actually seen a United States government file about Jonestown?

Joe: Yes.

Mark: Can you tell me when and where that was?

Joe: I saw the file in Guyana and I saw it in September of 1978.

Mark: Not in Guyana, the second time.

Joe: In Guyana.

Mark: Oh.

Joe: In Georgetown.

Mark: In the American Embassy?

Joe: In the American Embassy.

Mark: Who showed it to you?

Joe: I can't tell you that.

Mark: All right, but you didn't break into the Embassy to look at it?

Joe: No it was shown to me.

Mark: Shown to you by someone who is authorized to have it.

Joe: That's correct. I assume he was.

Mark: Well, I mean it wasn't...you didn't go through a window.

Joe: No, I walked through the front door.

Mark: O.K. How thick was the file?

Joe: Three inches.

Mark: Did you scan it or read it thoroughly?

Joe: I scanned it, I didn't have time to read it.

Mark: What did it reveal to you?

Joe: A lot of correspondence from concerned relatives wanting to know about their loved ones who were allegedly dead, buried in Jonestown.

Mark: Incidentally, did you see any of those relatives who were supposed to be buried.

Joe: I saw one in particular who I was asked by the Embassy to look for when I was in Jonestown. . .

Mark: Did the Embassy tell you why they wanted you to look for that person.

Joe: Yes, they had just received a letter from the sister who had been informed that her brother and his wife were possibly dead and buried in Jonestown.

Mark: Did the person say who informed her.

Joe: The attorney or the counsel of the concerned relatives.

Mark: Tim Stoen.

Joe: She didn't say Tim Stoen.

Mark: She said the Counsel. Is he in fact the counsel?

Joe: I believe he is.

Mark: And did you find that relative?

Joe: Oh yes. I found them both.

Mark: And did they talk with you.

Joe: Yes they talked with me. But I found him screaming at somebody for dropping hot grease in the kitchen.

Mark: I see, but he appeared to be alive when he was making that statement.

Joe: He was very much alive and well.

Mark: Would you say that it was fair to say that the file which you saw showed that everything that could be possibly done had been done by the American Embassy ~~and then~~ ~~there~~ to discredit or destroy Jonestown.

Joe: No, I wouldn't say that. I would say that the file indicated that the Embassy definitely hadn't given any assistance to the Americans living in Jonestown. And my impression of the people there was they had no real desire to assist the people living in Jonestown.

Mark: Did they have a desire to interfere with their work, with their lives.

Joe: Again an impression is that if Jonestown were 80 miles away in another country, they would be very happy.

Mark: Happy that it wasn't in their country.

Mark: Did your investigation reveal that a complaint had been made to ATF about the possibility of weapons being shipped to Guyana and that there was some action taken by customs based on that complaint.

Joe: My investigation didn't show that. I made a complaint personally during the course of the investigation based on information we had received and our agency which dealt with the possibility that the PT in 1977 was in possession of automatic weapons and firearms.

Mark: What was the result of that complaint?

Joe: The result of that complaint was subsequently that many, maybe as many as 80, of the shipping cartons that were on the docks in Miami scheduled to be shipped to Guyana were opened by the customs department and searched and some of the property was destroyed and ruined.

Mark: What was the property?

Joe: I think it was mostly medical supplies, but I don't know, I never saw the bill of lading.

Mark: And it is your understanding that some of that is destroyed by the customs in their search.

Joe: Yes, they admit that.

WHEN THE GROUP WAS OUT THERE, IT WAS FOR HARASSMENT, WHY WAIT FOR 6 DAYS TO DESTROY IF YOU COULD DO IT IN ONE? & IT WAS JUST TO KEEP PEOPLE FROM WORK, IF THEY DIDN'T DO YOU IN RIGHT AWAY, THEN THEY DIDN'T INTEND TO DO YOU IN.

WHEN WE CAME IN, WE HAD EVERY INTENTION OF DOING YOU IN IN ONE HOUR, WE HAD IT SET UP THAT WE WOULD DO IT IN ONE HOUR. NOBODY WHO CAME IN HERE WOULD EXPECT THE BARRICADE. THEY'D SAY LET'S DO THEM IN AND GET OUT OF HERE, OR THEY'D SAY LET'S SIT OUT HERE AND HARASS THEM. OBVIOUSLY THEY KNEW THAT SOMEBODY WAS IN THE RADIO ROOM AND THAT WAS COMMUNICATION WITH THE OUTSIDE WORLD, THEY WERE AFRAID THEY WOULD GET CAUGHT. ("WHAT PURPOSE WOULD IT SERVE TO HARASS US?") M: WELL, HOW LONG DID IT TAKE YOU TO UNSLIND? AS A GROUP? IT TOOK WEEKS, AND THEN FOR THE NEXT 3 MONTHS, YOU WERE WALKING AROUND WITH YOUR HEAD UPSIDE DOWN

FOR SECURITY, GET 2-3 PEOPLE OUT EVERY FEW DAYS, IT DID ALOT OF GOOD, I SAW THEM UP AND DOWN THE WOODS, AND UP FRONT AND IN THE BACK, ITS NOT A BIG DEAL. SOME PERSON COULD BE OUT THERE FOR 2 MONTHS AND BOBODY WOULD KNOW, THEY'RE EVEN THERE. WE'RE ALL ORIENTED TO THINK THAT EVERYONE SEES FAR MORE THAN THEY SEE

SJ 4 SIDE B, "LAST TAPE"

WHAT WEAPONS DID WE HAVE? CUTLASS, NO GOOD WITH DISTANCE OF 500 yds. Bow and arrow? WE HAVE PLENTY, BUT THEY DON'T WORK IN JUNGLE.

WHEN THEY GOT ON RADIO, CALLED OUT "HELL, HITLER", PSYCHOLOGICAL IF THEY HAD BEEN OUT TO GET YOU, THEY WOULD HAVE SHOT AT YOU, NOT OVER YOUR HEADS. THE COUPLE OF TIMES THEY MISJUDGED THEIR DISTANCE, AND CAME TOO CLOSE TO YOU WERE MISTAKES. THEY HAD MORE FUN WITH YOU.

JIM: WE CAME THRU MORE SENSITIVE. THE GOV'T AND COUNSEL WERE UNFRIENDLY AS HELL, WE THOUGHT WE WERE GONNERS, WHEN THE GOVERNMENT GAVE BACK, THEY WERE FRIENDLY AGAIN

INAUDIBLE

SOUNDS TO ME THEY WERE TAKING ACCOUNTING OF YOU, SITUATION AT TIME WAS WARRANTED

JIM: A SMALL GROUP IN GUYANA DIDN'T WANT US HERE, THE MOSCOW ORIENTED PARTY, ONE IS NON ALIGNED, PM BURNHAM LIKES US. WE DON'T LIKE THE APANJAT OF THE PPP.

M: TO BE PERFECTLY HONEST, I'VE LOOKED AT THE STATE DEPT. FILE, I'VE SEEN IT AND THERE IS NOTHING IN THE FILE ABOUT IT, NOTHING FROM THE US COUNSEL. US COUNSEL IS RIGHT NEXT TO SOVIET COUNSEL. WHAT THEY DON'T DISCUSS IN OFFICES, THEY DISCUSS ON FRONT PORCHES, THAT'S THE NAME OF THE GAME. EVERYBODY KNOWS EVERYBODIES BUSINESS. PEOPLE HERE IN EMBASSY ARE THE SAME AS ANYWHERE ELSE, EVERYBODY KNOWS, THE US AND USSR PHONES ARE TAPPED, NOT JUST CONSPIRACY AGAINST ONE GOVERNMENT, ALL ARE TAPPED, THE SAME AS IN THE US AND THERE IS NOTHING ABOUT ANY ACTIVITY OF ANY GROUP AGAINST YOU IN THE FILE. SOMEBODY WOULD HAVE SAID SOMETHING TO SOMEBODY ABOUT IT. SOMEBODY WOULD HAVE SAID SOMETHING.

JIM: IT COULD HAVE BEEN A RADICAL GROUP

M: IF SO, ALL THE MORE REASON NOT TO HURT ANYONE, NO WHERE TO GO IF HEAVY VIOLENCE. THEY KNEW, IF ANY WERE KILLED, NO ONE WANTED VIOLENCE THEN, CAN'T SEE THAT THE AMERICANS WOULD WANT ~~Y/0/0/0/0/0~~ TO DO IT.

SJ1 PEARLCORDER S SIDE A

INVESTIGATION OF PROPERTIES, VALUES IN RWV ETD.

WHEN DA'S OFFICE WAS FIRST CONTACTED, IT WASN'T ALL UPSET UNTIL THE THREATS CAME IN... ANDRE, WHO STAYED WITH THE NERTLES, THEY WOULDN'T LET HDM GO TO SCHOOL, AND THEY TALK ABOUT ABUSE OF CHILDREN

MAZOR: THEY'RE ACCUSING YOU OF ALL KINDS OF STUFF"

MAZOR: ..., THEN YOU HAVE THE 20% CRACKPOTS, WHO READ ABOUT PT IN THE PAPERS, TAKE ACTIONS ON THEIR OWN, DON'T KNOW SHIT ABOUT PT, LIKE THE GUY WHO WENT UP IN THE TEXAS U. TOWER AND SHOT PEOPLE, THESE ARE THE MOST DANGEROUS. PROFESSIONAL KILLERS, YOU WOULDN'T HAVE TO WORRY ABOUT. THE RADICAL GROUPS ONLY OPERATE WITHIN A FEW HUNDRED. IT IS THE 20% THAT ARE THE DANGEROUS, TO PT AND TO ALL IN WORLD

SJ2 SIDE B

357 MAGNUM MEET HIM AT....

WHAT ARE YOUR WORK HOURS? (NOT ALWAYS DAY OFF ON SUN DAYS) YOU VOLUNTEER? YOU'LL HAVE TO DEVELOP SECURITY PRECAUTIONS, EVERY ONE ON PREMISES. I DON'T KNOW HOW MANY OF YOU GUYS WERE IN MILITARY, SAY, TAKE 5 GUYS AND THAT COULD BE GOOD SECURITY TRAINING. THEY WOULD ROVE FOR 2 WEEKS.

ALOT OF THINGS BEING ENVESTIGATED WERE DONE BY YOUR CONSPIRATORS, ALL HEALTH DEPT. INVESTIGATIONS, LIKE WALTER JONES" COMPLAINI,

BEFORE YOU FIND OUT WHAT CONSPIRACY IS ABOUT, SEE WHAT THE NEGATIVE STUFF WE HAD, WE WERE INTERESTED IN ANYTHING WE COULD FIND. WHEN WE HEARD A CHARGE THAT YOU WERE GETTING ARMED, WE WANTED TO MAKE SURE THAT YOU WEREN'T BUYING ARMS FROM A MILITARY ARMORY-STOLLA ONES, SO WE OPENED ALL YOUR CRATES IN CUSTOMS, EVERYTHING, AND WE LOOKED CLOSELY. IN THE LONG RUN, IT DID YOU A FAVOR BECAUSE IT CLEARED YOU OF A MESSY RAP, BECAUSE NOTHING WAS FOUND. IT WOULD HAVE BEEN NASTY IF THEY HADN'T BEEN CHECKED AND THEN THEY WOULD HAVE COME HERE TO FIND OUT, AND INVESTIGATED. AS IT WAS IT STOPPED A NASTY INVESTIGATION, SORRY ABOUT THE DAMAGED STUFF, BUT IT WAS NECESSARY, YOU SEE, OTHERWISE, THE GOVERNMENT WOULD HAVE BEEN VERY INVOLVED AND THEN THE GUYANESE GOV'T WOULD HAVE BEEN ALIENATED BECAUSE OF US CLOSER INVOLVEMENT, SO YOU ARE BETTER OFF IN THE LONG RUN.

"DIVERSION" TAPE, SIDE A PEARLCORDER S

(SIDE B WAS BLANK)

MELVINA GREEN TOLD US ABOUT THE LADY IN THE NURSERY HOME, WOMAN HAD A SON SOMEWHERE IN TEXAS. MELVINA PUT HER IN A CONVALESCENT HOSPITAL, WOMAN WASN'T TAKEN CARE OF, HAD DECUPIDI, MELVINA TOLD JACK, WHO MADE ARRANGEMENTS FOR HER TO COME TO SF, LIVE IN CHURCH, WITH 24 HOUR RN CARE. QUESTION WAS ABOUT PROPERTY SOLD, WITH \$20,000 GOING TO PT, (JIM SAID THAT PT PAID OUT MORE THAN THAT IN HER CARE, AND ATTENTION GIVEN TO HER, MARCI TO FOLLOW UP WHILE IN US, TO BRING HER OVER TO SPEND HER LAST YEARS HERE. MAZOR ASKED WHO PREPARED DEED? TOS?, GARRY SAID HE WAS PISSED OFF BECAUSE STUFF COMES UNDER INVESTIGATION, AND THEN HE HEARS ABOUT IT FROM PT, JIM SAID HE HAD GIVEN INSTRUCTIONS THAT GARRY BE GIVEN ALL THE INFORMATION.

SJ 4 SIDE A

SOMETHING ABOUT AERIAL PHOTOGRAPHY, YOU WOULDN'T GET A PROBLEM FROM ME- MAZOR- ALL I SAW WAS A GROUP WHO BUILT A COMMUNITY IN THE JUNGLE. OBVIOUSLY YOU MADE \$30,000 honestly AT SOME POINT. M: GET LICENSED FOR 5 WEAPONS, FOR "PROTECTIVE SECURITY", 5 REGULARLY LICENSED, THE REST VOLUNTEERS

COBB WOULD HAVE SISTERS GET ON KNEES, AND HAVE THEM SAY, "I AM A WHITE BITCH" ONCE YOU'RE LICENSED, WE'LL GET EQUIPMENT, GO THROUGH YOUR CONTACT AT MINISTRY OF INFO, W/IN A MATTER OF 30 DAYS, I DON'T KNOW WHO YOU'LL TRAIN, BUT AS TLEAST GET STARTED, GET SOME OTHER PROBLEM RESOVED AND THEN YOU CAN BUILD MORE HOMES, THE FIRST STEP IS TO GET SOME BODY OUT THERE.



## Highlights

Phone conversation btwn Tom Adams and Joe Mazor 9/22/78 - 4:00-p.m. -1-G-14(a)

Mazor wants to know if J.J. is traveling yet in Georgetown because he succeeded in getting a letter from Lionel Luckhoo stating that J.J. could travel in town without fear of arrest.

Mazor has no plans to do anything on his own (like going to London,) because he's already spent two days of his time talking with the press (KGO reporter and Tim Reiterman,) and with representatives of State department, and he considers his time valuable. He is going after Marvin Sweeney because M.S. put him in a bind, but he is not going after TOS the same way. He feels it is our job to get TOS, and it could be done if someone went to London (after checking with Mazor so they'll know what to look for,) to develop a chain of evidence that will show TOS had money after he left Guyana. TOS is the catalyst to our problems, so we need to develop his whole life history, especially in the last year and a half. As it stands now, Marvin Sweeney can probably be gotten for perjury, maybe Mills' for perjury, and at the very best, maybe Stoen for conspiracy to commit perjury. If it could be proven he gave Sweeney some money so Sweeney would drop some charges, it would be 100% better, because Stoen's defense will be that he had no money, the church took it all. Develop that in London in August, September, and October of 1977 he had a lot of money in his possession or in his control - - 200 to 500 thousand dollars assets. It opens a Pandora's box for Stoen. Right now the State is interested in perjury, but the State won't wait too long for other evidence - - it becomes old news - - so have to move fast on the other charges. One piece of documented evidence - - a copy of a bank account in Europe, etc., could get national publicity. Mazor feels the only way for the organization to survive is get J.J. out of Jonestown and 'back on the road' because it can't survive without his fund-raising ability. Have to get rid of TOS to do that.

Mazor is going to West Germany soon, and other business could be pro-rated while he's there.

He knows that TOS used two passports when he went to Guyana. Stopped in Trinidad on the way in January or February, and got a second passport so he could travel on it if his first one was confiscated. A chain of verified evidence should start in January of '77 and trace through to Stoen's living in S.F. and suing the church. Where did Grace get \$110,000? Where did Mills' get cash to buy their rest home? Where did Sweeney get money? If TOS paid him off, then where did TOS get money? Charles told Mazor we were paranoid. Time to get off of our paranoia and get on the offensive.

Got J.J. a light bullet proof vest that is effective against a 357 Magnum at 6 feet. Light as wearing two Tee-shirts, washable covering, but must be worn a couple of days before going anywhere with it, to contour it properly. Won't cost anything.

Wants to spend a couple days with Hue to train him to protect Marceline. Free advice.

To clear up all legal problems, put TOS and Grace in jail, etc. should only take three months. J.J. could be back in the U.S. within that time period. While in Guyana he says he submitted a twelve page report with the consulate about his observations. Says we were aware he had to be de-briefed because he's a member of a police agency. Gave them an excellent report on the project - - the Edwards' are safe and well, etc.

Follow-up phone call Mazor from Tom Adams 2/78 10:30 p.m.

Mazor was told that someone in the Consulate's office mentioned his statement that Jonestown was having a Russian doctor come out -- he said that we knew he was going to be de-briefed as he left the country, and that the Consulate doesn't like anybody down there, and they will stab anybody in the back. He wanted to know if the one who told us about it was a man named Dwyer, because when he was there a couple of years ago and last year, there were two people in that office who were smiling but stabbing us in the backs. Said that whoever gave us that info would have to be watched -- he was up to no good. It could only have been one of four people who sat in his de-briefing, and that to divulge such info was a big no-no for their office. I said we considered it a divisive tactic on their part, and didn't give it any thought.

Very, very concerned about the letter Hue was supposed to bring him from Karen.

I informed him I had it, and he gave me a PO Box to send it to him.

P.O. Box 99717  
San Francisco, CA. 94109

home phone: (415) 583-9119

S-1-G-15

October 18, 1978

Joseph A. Mazor & Associates  
Post Office Box 9970  
San Francisco, California 94109  
U.S.A.

Dear Joe;

Thanks for your letter of Sept. 26 which I just received. I was very glad for the clarification of your relationship to us and also to Charles. I think that your position is intelligent and well taken. As far as I am concerned it is the best for all. Certainly, by not assuming a "partisan" position whatever you find will not be distorted by questions of influence and the like.

By the time that you get this letter I suppose that you will have been to England and returned so you should have some idea of what is to be learned there. Needless to say we are very interested. The source of his funding is of great interest and concern to us all. If there is any way I can help just let me know.

We have set the machinery in motion to get the permits to import the things that you recommend for our security. Although things have been quiet and peaceful we are really concerned with security and will continue to be so. The bureaucracy, however, moves at its own speed. As yet we have had no word back about it. We are pushing. I think that the very best thing that we can do is to wire you when we have the permits (or a negative response to our request if we are not fortunate) so that you can begin to make your plans accordingly at that time. I have been here for some years, and my experience is that they really go slow on this sort of thing. Please be assured that we do not minimize the need for security or the value that your input can provide. We feel that this is a matter of prime importance and are dealing with it as fast as local conditions will permit.

I also want to thank you for providing a vest for Jim. We will see that it is used at once. My thanks is personal as well as organizational. I have great respect and admiration for Jim and wish everything possible done to secure him and his family.

*Gene Chan Li*