

Section 11

Letters to President Clinton from...

11. People involved in Larry's trials
 - 11.1. Chief Judge Thelton E. Henderson, U.S. District Court, Northern District of California - Colleague of Chief Judge Peckham
Chief Judge Peckham passed away in 1993. We asked his successor, Chief Judge Henderson, to write a letter endorsing Judge Peckham's credentials and judgment.
 - 11.2. Chief Probation Officer Loren Buddress, Northern District of California
Besides Chief Judge Peckham, Mr. Buddress is the most knowledgeable individual of the facts of this case. He spent hours with Chief Judge Peckham discussing the complexities, minutiae, and ramifications of the case and knows first-hand Judge Peckham's feelings about the case.
 - 11.3. Frank Bell- Larry's attorney in the first trial and for his parole application
 - 11.4. Lois Franco- Criminal Justice Consultant who worked on Larry's behalf
 - 11.5. Dr. Philip Zimbardo- Professor of Psychology, Stanford University
 - 11.6. Sally Dwyer- Widow of Deputy Chief of Mission Richard Dwyer
 - 11.7. Marshall Bentzman, Esq., Charles Garry's office
 - 11.8. Pat Richartz, Private Investigator, Charles Garry's office

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO, CALIFORNIA 94102

THELTON E. HENDERSON
CHIEF JUDGE

May 16, 1997

Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D. C 20500

Re: Lawrence John Layton: Petition for Commutation

Dear Mr. President:

I am writing to you regarding the Petition for Commutation, filed on behalf of Lawrence John Layton. For your convenient reference, I am attaching a copy of the Petition.

I am writing this letter out of a sense of personal obligation to my predecessor as Chief Judge, the late Judge Robert F. Peckham. As one of the federal courts' most highly respected jurists, Chief Judge Peckham presided over two lengthy trials of Lawrence John Layton.

While I am not personally familiar with the case, I know that Judge Peckham spent a substantial amount of time and effort developing what he considered to be a thoughtful and just sentence in this matter. I would thus urge you, Attorney General Reno, and the Pardon Attorney to give careful consideration to Judge Peckham's sentencing recommendation in the Layton case.

Thank you very much for your consideration of this letter.

Sincerely yours,



Thelton E. Henderson
Chief Judge

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

PROBATION OFFICE

LOREN A.N. BUDDRESS
CHIEF PROBATION OFFICER

U.S. COURT HOUSE
450 GOLDEN GATE AVENUE
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POST OFFICE BOX 36057
SAN FRANCISCO, CA 94102-3487

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EXCELLENCE IN PROBATION SERVICES

May 20, 1997

Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

RE: (1) Sentencing Recommendation
of Chief Judge Robert F. Peckham
(Docket Number CR80-0416 RFP)
and (2) Petition for Commutation
of Sentence for Laurence John Layton

Dear Mr. President:

The purpose of my letter is twofold: First, I respectfully urge you to support the sentencing judgment of the late Chief District Judge Robert F. Peckham in his sentence of Laurence John Layton (March 3, 1987, Docket Number CR80-0416 RFP); and second, I ask that you grant the Petition for Commutation of Sentence for Mr. Layton.

I am the probation officer who prepared the Layton presentence report for Chief Judge Peckham, and I am writing to express the concerns of Chief Judge Peckham who, unfortunately, died in 1993. I have been a probation officer for 21 years. I joined the Federal Probation Office in 1980, and I have served as a line officer, a senior specialist probation officer, a supervising probation officer, and since 1989, as Chief Probation Officer for the Northern District of California.

Since commencing my career in federal corrections, I have always been extremely proud of the quality of justice that emanates from the federal judiciary. Of the hundreds of offenders with whom I have worked during the last seventeen years, there has been only one case in which I believe that a serious miscarriage of justice occurred, i.e., the Larry Layton case.

In the course of preparing the Layton presentence report for Chief Judge

Peckham, I worked without any other job duties, six and seven days per week for more than three months. As a result of this work, and having spent many hours with Judge Peckham discussing the complexities of the case, I had the unique opportunity to examine all elements of this case as have few others, other than Judge Peckham. As a result of my work on the Layton case, I respectfully offer the following observations:

- Chief Judge Peckham possessed the greatest knowledge about this unique case, having presided over two lengthy trials involving Mr. Layton, that lasted a total of sixteen months.

- In order to understand the tragic circumstances in Jonestown, Guyana in 1978, one must first understand the pathological environment that pervaded Jonestown. Jim Jones not only destroyed the individual will of those who lived there, but he masterminded the suicide of 914 of his followers occurring on the heels of the tragic shootings of Congressman Ryan and others at the airstrip at Port Kaituna. This mass suicide is an atrocity perpetrated by Jim Jones, and has been equalled only once in modern history.

- In the course of presiding over Layton's two trials, Judge Peckham was able to carefully assess Layton's relative culpability along with that of each of the participants in the offense. It was Chief Judge Peckham's judgment that "Mr. Layton's role in the offense, as established by the evidence at the trials, was secondary."

In the seven-page letter that Judge Peckham wrote to the Parole Commission outlining the reasons for his sentence, the judge stressed:

As I noted on the day of sentencing, there can be no doubt that Jim Jones was, himself, primarily responsible for the deaths and serious injuries inflicted at the Port Kaituna airstrip on November 18, 1978. All agree on this fact.

- On the day that Congressman Ryan, three newsmen and a Jonestown "defector" were shot, they were killed by gunmen sent by Jim Jones. Later that same day, 914 Jonestown members killed themselves, killed others or did both.

In the course of these tragedies, Larry Layton killed no one. He did, however, shoot two individuals in a plane some distance from the Ryan party. (He had been ordered by Jones to wait until the small plane carrying the pilot, Layton and three Jonestown members who were "defecting" was in the air, and Layton was then to shoot the pilot and cause the death of all in the plane including himself.) Layton

started shooting before the plane was airborne, and he subsequently had his weapon taken from him by one of the passengers.

- Seven psychiatric reports were submitted to the court prior to Layton's sentencing. Three reports were provided by the prosecution, three by the defense, and one report was a "Psychiatric Autopsy" report on Jim Jones, performed by Dr. Otto Bendheim.

As noted by Chief Judge Peckham, "While differing as to the sanity of Larry Layton at the time of the commission of the offense, all agreed to the domination of Jim Jones in the Jonestown setting." The Chief Judge further noted in Dr. Bendheim's report:

Jim Jones initially attempted to do good for People's Temple members, but then lied to them, cheated them, manipulated and exploited them, and used them for sexual pleasure. In the end, he killed them.

- After finding Layton guilty, at the conclusion of his second trial, Chief Judge Peckham pointed out that he received four letters from jurors who voted to convict Layton, asking the judge to impart leniency in his sentence. The judge related that, in his experience, this type of plea from members of a jury was unprecedented.

In addition to these letters, Judge Peckham also received three letters seeking leniency from prosecution witnesses, eighteen letters from victims who lost one or more family member at Jonestown, and a multitude of letters from others who had ties to Layton and Jonestown. In total, Judge Peckham received 60 letters, all asking the court for leniency, due to the extraordinary circumstances that were present in Jonestown.

One of the letters received by the court was from Steven Katseris, whose daughter committed suicide at Jonestown. He wrote:

As you ponder his [Layton's] sentence, I pray you will consider what his actions in Guyana have already cost him. Hold him accountable, but have mercy--mercy that stems from an appreciation of the paranoid, twisted reality in which they lived.

- Reflecting upon the sentence he imposed upon Layton, Chief Judge Peckham related:

Although Larry Layton must be held responsible for his actions, the court is convinced that a just sentence also

President Clinton

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requires consideration of the environment in which Layton and other members of Jonestown were virtually imprisoned. After weighing all of the evidence presented at his trial and taking into consideration all of the information in the presentence report, the extensive psychiatric reports, the defendant's and the government's sentencing memoranda, in addition to the numerous letters that were presented to the court, it was my judgment on the day of sentencing that Mr. Layton should be committed to the custody of the Attorney General for a term of fifteen years in Count One, for a term of life in Count Two, for a term of fifteen years in Count Three, and for a period of fifteen years in Count Four.

I ordered that the sentences were to run concurrently, and I further ordered that Mr. Layton be sentenced under Title 18, Section 4205 (b) (1). I then recommended that parole eligibility be fixed at five (5) years for each of the four counts.

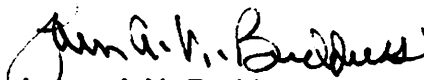
I remain of the belief that given the totality of circumstances in this uniquely complex case, that my sentence in 1987 was just.

Chief Judge Peckham recommended that Layton be released after serving five years in custody. However, he has now been incarcerated for more than fourteen years, almost three times longer than the time recommended by Judge Peckham.

Mr. Layton's release would not depreciate the seriousness of the offense or promote disrespect for the law. He needs no rehabilitation, and he is ready to become a productive member of the community. Mr. Layton is not a threat to society, and he has repeatedly expressed profound remorse for his actions.

I implore you, Mr. President, now to support the sentencing recommendation of Chief Judge Peckham by granting Mr. Layton's Petition for Commutation of Sentence.

Respectfully submitted,


Loren A.N. Buddress
Chief U.S. Probation Officer

cc: Margaret Colgate Love
Pardon Attorney

Frank Bell

ATTORNEY AT LAW

Bovet Professional Center
177 Bovet Road, Suite 600
San Mateo, CA 94402-3191
415/341-3362
FAX 415/341-1395

February 20, 1997

Hon. William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D.C 20500

Re: Clemency for Laurence John "Larry" Layton

Dear Mr. President:

It is an honor to address you concerning the matter of clemency for Larry Layton. I believe with great passion that justice requires his application be granted and my admiration for you gives me great hope that you will grant it.

I am an attorney. My background is more fully set out in the resume attached. In summary, I am in my thirty-first year of practice. I was the Chief Assistant Federal Public Defender for Northern California from 1970 to 1982 and I was appointed by Governor Deukmejian the State Public Defender of California from 1984 and 1987. I am now in private practice.

I know Larry Layton as a former client. I was one of his court-appointed attorneys at his 1981 trial in federal court. I represented him in his first appearance before the parole examiners in 1991. I also know him in a non-professional capacity because I have stayed in touch with him on an informal, non-professional, basis over the years.

Other letters and materials will likely set out the detail of the circumstances surrounding Larry's involvement in Guyana and the Peoples Temple compound located there. Larry was an early victim of the Rev. Jim Jones and the Peoples Temple. Jones "stole" two of Larry's wives and kept Larry close at hand so that he could watch his behavior and keep him in line. Some believed that Larry had a position of power and influence in the organization because of his perceived closeness to Jones. But, this was an illusion. In fact, although Larry was one of the longest term members of Peoples Temple, those truly in the high reaches of Peoples Temple power knew that Larry was thought of by Jones and most others as a person

Hon. William Jefferson Clinton
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who was "harmless" and who could not be trusted to carry out directions or orders without considerable watchfulness and monitoring.

Because of the conditions in Jonestown, Guyana, his mother's lingering illness and death and his sister Debbie's defection and exposure of Jim Jones, and Jones' constant emotional abuse and attacks on Larry as a consequence, Larry had become a mentally impaired and barely functional human being, whose paranoia and disfunction had been exhorted and fueled by the ranting and ravings of the maniacal Jones.

When Congressman Leo J. Ryan arrived at the Peoples Temple Guyanese compound at Jonestown to carry out his investigation of conditions there, just days after Larry's mother's death, Jones was almost totally imbalanced. When a few members of the Temple asked to leave Guyana with Congressman Ryan, Larry was assigned to shadow "defectors" onto an airplane and shoot the pilot while the plane was in the air, as a suicidal gesture of bravery and courage to prove his allegiance to Jones and the Temple. Larry had no position or involvement in the second conspiracy hatched by Jones, i.e. the conspiracy to kill the Congressman. However, because both conspiracies seemed to be happening at the same time and place, it was alleged that Larry was also involved in the conspiracy to kill the Congressman.

Larry's first trial in federal district court ended in a mistrial, with the jury deadlocked 11 to 1 for acquittal on the most serious charge, conspiracy to kill Congressman Leo J. Ryan. This result obtained despite the fact that we chose not to put on a defense. The jury also deadlocked on the lesser charge of aiding and abetting. One more vote for acquittal and the case would have been over in the early 1980's.

However, after several years of legal wrangling, including trips to the Court of Appeals, Larry was retried and a new jury found him guilty. In the second trial in 1986 (in which I could not participate because I was State Public Defender) the defense again decided not to go forward. It proved to be a mistake. Whatever the reason for the differences in the outcomes, I firmly believe that the result in the second trial was a miscarriage of justice. It has always been my personal belief that Larry was not guilty of conspiring to kill, or of aiding and abetting in the killing of, Congressman Ryan. He had simply tried to carry out his instructions to shadow and bring down the defectors without any stake or even knowledge of the plans of others toward the Congressman. I have always felt that the speculative evidence of his involvement in the Ryan death was inadequate and not worthy of

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belief.

Jurors in the second trial wrote letters to the judge, and later to the Parole Commission, requesting leniency for Larry. Even though they had found him to be technically guilty of the charges against him, the jurors did not believe that a life sentence was just and they felt he had been punished enough long ago. Even the "defectors" whom he was assigned to bring down have forgiven Larry long ago and they wrote letters to the court asking for leniency.

The judge in both trials was the nationally respected Hon. Robert F. Peckham, the Presiding Judge of the U.S. District Court for the Northern District of California. Although by virtue of the verdicts Judge Peckham was required by law to sentence Larry to life in prison, he recognized that the charges of which Larry had been convicted did not properly represent Larry's involvement in the matter. The judge noted Larry's "minimal" role in the events, his excellent behavior between the two trials (Larry had been released for the 5 year period between trials), the great regret and remorse demonstrated by Larry, and the "unprecedented" outpouring of support and requests for leniency from jurors who had convicted him, from persons who had been his alleged victims and from other prosecution witnesses.

In his sentence Judge Peckham recommended that Larry be released after as little as 5 years of his sentence was served. Judge Peckham later wrote a letter to the Parole Commission recommending Larry's early release. Judge Peckham is now deceased. However, I and the Chief of the Federal Probation Office in Northern California had numerous conversations with Judge Peckham following Larry's conviction and I am certain that had he survived he would have written his own letter to you in favor of clemency for Larry.

Larry Layton's involvement in Peoples Temple, although misguided, grew out of his mother's and Larry's love of justice. Larry's mother was a Jew who escaped from Nazi Germany in 1938. Larry himself was raised a Quaker and he was active in the civil rights and anti-Vietnam movements. As a conscientious objector he spent his alternative service at Mendocino State Hospital near Ukiah, California. It was during his service there that he and his sister began attending services at the Peoples Temple church. He (and his mother and sister) joined Peoples Temple, as did many others, because he believed that it was a legitimate and important organization for social reform.

In May 1978, shortly after his sister (without telling Larry)

Hon. William Jefferson Clinton
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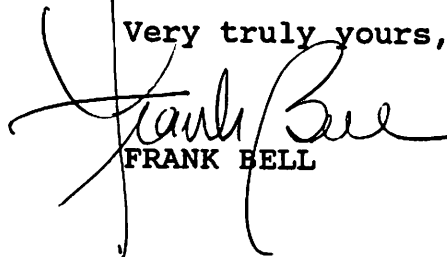
left the Temple and began to warn about it, Larry was summoned to Guyana by Jim Jones to care for his dying mother. Larry was at her bedside when she died, just days before Congressman Ryan arrived at the compound in November.

After the events at Peoples Temple in Guyana, Larry was held for two years in solitary confinement in primitive conditions in a Guyanese prison and then extradited to the United States for prosecution here. Larry has now been incarcerated for a total of 14 years. Nevertheless, he has not become bitter. He has remained in close touch with family and friends and spent time studying philosophy, religion and history, practicing meditation and yoga and tutoring in English and math.

I know from my contacts with him that Larry has always had a peaceful soul and that the circumstances that led to his involvement in these matters were aberrant. He has fully accepted responsibility for his actions. He is not a threat to society and the length of his incarceration to date promotes more than adequate respect for the law. Larry's release from custody would not depreciate the seriousness of the offenses for which he was convicted or promote disrespect for the law. He is not in need of rehabilitation. Larry's further incarceration serves no useful purpose for society or Larry. He is ready to return to society and to take his place as a contributing member.

Mr. President, I truly hope that you can find it in your heart to exercise leniency and compassion for this kind and gentle 51 year old man who has already paid a heavy price for his actions. Please grant him clemency and release him to society so that justice can finally be done.

Very truly yours,


FRANK BELL

FB/me

RESUME
FRANK BELL

EDUCATION

Law School

Hastings College of the Law, J.D. 1966
Hastings Law Journal, 1964-65
Phi Delta Phi

Undergraduate

San Francisco State University, A.B. 1963, Business (Finance)

BAR ADMISSIONS

United States Supreme Court, October 1972
United States Court of Appeals, Ninth Circuit, January 1967
United States District Court, Northern California, January 1967
California Supreme Court, December 1966

LEGAL EXPERIENCE

1990 - Present

Law Offices of Frank Bell, San Mateo

Complex federal and state criminal litigation, (including United States v. Robert L. Boynton, et. al.--failure of national Bank of Carmel), white collar and commercial crimes, procurement fraud, fraud on federal and state agencies, bank fraud, money laundering and financial structuring matters, tax fraud, conspiracy, homicide, major controlled substance violations, grand jury and trial witness representation, etc.

Complex commercial and civil litigation in federal and state court.

1989 - 1990

Law Offices of Jeffrey Harrison, San Francisco
Of Counsel

Complex white collar and criminal litigation in federal and state court (see above).

Complex commercial and civil litigation in state and federal courts involving the representation of an officer of Technical Equities Corporation in numerous state and federal lawsuits.

1987-1989

Olimpia, Whelan & Lively, San Jose
Of Counsel

Complex white collar and criminal litigation in federal and state court (see above).

Complex commercial and civil litigation, including title insurance defense, anti-trust, commercial litigation, real estate, wrongful termination, employment and labor law, defamation, assault and battery.

Firm clients included insurance companies, large and small corporations and other businesses, and individuals, as plaintiffs and defendants.

1984-1987

Director, Office of State Public Defender

Appointed "State Public Defender" by Governor George Deukmejian; confirmed by State Senate. Directed and managed an agency which handled serious and complex criminal appeals. The agency had 100 employees in three regional offices and a budget of \$7 million.

1982-1984

Private Practice, San Francisco and Palo Alto

Civil, commercial and criminal litigation in state and federal courts. Civil matters, including real estate development, real estate purchase and sale, commercial and residential landlord-tenant, general commercial litigation, general tort and family law. Criminal matters included complex federal and state litigation (including United States v. Roberto Gomez Soto--conspiracy to kill a United States District Judge and an Assistant United States Attorney).

1970-1982

**Federal Public Defender, San Francisco
Chief Assistant Federal Public Defender**

Defense of complex and serious federal crimes, (including United States v. Sara Jane Moore--attempt to kill President Gerald Ford and United States v. Larry Layton--conspiracy to kill Congressman Leo Ryan) in U.S. District Court, U.S. Court of Appeals, and U.S. Supreme Court.

1968-1970

Private Practice, San Francisco

General civil and criminal litigation practice. For one year, specialized in plaintiff personal injury and seamen's injury, civil and family law matters.

1966-1968

**California State Attorney General, Sacramento
Deputy Attorney General**

Represented State of California in criminal writ and appellate matters in state and federal courts, vehicle forfeitures, advice to law enforcement.

AFFILIATIONS and ACHIEVEMENTS

Bar Associations (Past and Present)

State Bar of California (Sections on Litigation, Criminal Law)
American Bar Association (Criminal Justice Section; Committees on White Collar Crime and Defense Function)
American Trial Lawyers Association
California Trial Lawyers Association
National Association of Criminal Defense Lawyers
California Attorneys for Criminal Justice
California Public Defender's Association (Board)
No. California Criminal Trial Lawyers (Board)
Association of Business Trial Lawyers
Bar Association of San Francisco
Lawyers Club of San Francisco
San Mateo County Bar Association
San Mateo County Trial Lawyers Association
Santa Clara County Bar Association
Santa Clara County Trial Lawyers Association
Federal Indigent Criminal Defense Panel (No. Calif.)
Private Defender Panel, San Mateo County

Other Organizations

1992-1997: Member, Board of Directors, No. Calif. Crim. Trial Lawyers
1993-1997: Member, Committees on MCLE, O.R. Program and Private Defender Program
San Mateo County Bar Association
1990-1991: Member, Board of Trustees, Peninsula Temple Beth El
1989-1990: Member, Strategic Planning Subcommittee, North Peninsula Jewish Community Federation
1989-1991: Member, Membership, Budget, Religious Practices, Family Assistance Committees PTBE
1989-1991: Member of Board, Peninsula Temple Beth El Religious School
1987-1988: Member, Board of Directors, YMCA of Santa Clara Valley
1986-1987: Member, Board of Directors, California Public Defenders Association
1984-1987: Member, California Council on Criminal Justice

PUBLICATION

Beyond Rule 16: The Inherent Power of the Federal Court to Order Pre-trial Discovery, 7 U.S.F. Law Review 233 (1973)

MISCELLANEOUS

Instructor, San Francisco Law School, Early 1970's
Instructor, National College of Criminal Defense, Late 1970's
Rated A.V., Martindale-Hubbell: 1990-97 San Mateo; 1990-91 San Francisco; 1989, San Jose; 1988, San Francisco
Listed in several "Who's Who" publications.

LOIS A. FRANCO
Criminal Justice Consultant

April 6, 1997

Honorable William Jefferson Clinton,
President of the United States
White House
1600 Pennsylvania Avenue
Washington, DC 20500

Re: LAYTON, Laurence John

Reg. No. 207520-053

NoDistCalifornia Case No. CR 80-0416 RFP

LETTER IN SUPPORT OF REQUEST FOR COMMUTATION OF SENTENCE

Dear President Clinton:

In writing this letter, I am joining the family and friends of Larry Layton, and many others of diverse relationships and interests - for the commutation of Larry's sentence and for his immediate release.

By way of introduction, I have been involved in Larry's case for several years. My initial involvement was in conjunction with Frank Bell, an attorney who originally was part of Larry's defense team and who also was his representative before the Parole Commission when Larry received his initial parole hearing in June, 1991 almost six years ago. As a result of my work with Larry and his attorney in preparation for that parole hearing, and continuing with my periodic contact with Larry since then, I strongly believe that his release should have followed shortly after his parole hearing. Indeed, such was the intent of the Honorable Robert Peckham, the United States District Judge who presided over both of Larry's trials. In an extraordinary letter to the Parole Commission written within days of the parole hearing, Judge Peckham reiterated all the reasons the Court determined that Larry should be given an early date of parole eligibility. Despite that letter and an appeal the Commission's National Appeals Board (which I prepared on Larry's behalf), the Commission remained steadfast in its determination that Larry should remain incarcerated for 240 months, until April 4, 2004, an additional seven years from now!

I have been professionally employed in corrections, parole, and criminal justice programs since 1962. I worked for the first 22 years in government service. For the past 13 years I have worked as a self employed correctional consultant. (I've enclosed a copy of my resume and qualifications statement to give you an idea of my professional background.) Because of my extensive work with Mr. Bell and also in preparing the appeal, I necessarily became very familiar with the details of what happened in Jonestown, what had preceded it, and what Larry's role and actions were.

I fully understand and cannot disagree that the offenses of which Larry was convicted are very serious. My support for commutation of Larry's sentence is not diminished by that, as I have taken those factors fully into account in reaching my firm professional (as well as personal) conclusion that a commutation is very strongly warranted. I base my support on his behalf and

LAYTON, L., In support of Clemency: Page 2

this letter on my assessment of the PreSentence Investigation Report (PSI) prepared for the Court, the many psychological and other reports and documents attached to it, as well as other official documents regarding the case. Many of the documents are being submitted in support of the request for commutation. I firmly believed in 1991 that Larry's parole would have been fully warranted and justified, and I entirely continue to believe that now. There is no useful purpose being served, for anyone, that requires Larry Layton to remain in prison any longer.

Judge Peckham's June 14, 1991 letter to the Parole Commission states that "although Larry Layton must be held responsible for his actions, the court is convinced that a just sentence also requires consideration of the environment in which Layton and other members of Jonestown were virtually imprisoned. . . ." While the Parole Commission claims to have considered the various facts in the case, their decision does not reflect that in a significantly tangible way.

While I perhaps risk sounding like I'm making an overstatement, I must note that in all of the cases I've ever had the opportunity or obligation to review, either as a government employee or as a private consultant, I have never seen a case in which the circumstances leading to and involved in the defendant's actions so clearly mitigate the criminal actions taken by the defendant, and accordingly, compel a significantly less severe sanction. Therefore, I was very disappointed with the Parole Commission's response following Larry's parole hearing, and quite stunned when I learned of the Commission's refusal to respond favorably to the Judge Peckham's letter to the Commission after the hearing. In my entire (35+ year) professional career, during which I have read many letters to the Parole Commission, Wardens, and other paroling agencies, I have never encountered or even heard of a letter that explained with so much care the reasons for a particular sentence and a court's intent. Further, in this case, the letter came from a judge who was always careful to not be perceived as interfering in the realm of others' responsibilities. My impression of Judge Peckham, which I gained primarily through discussions with the four previous Parole Commissioners for whom I worked, and through cases from his court, was that he would provide his recommendations or information about his intent only in those very few, unusual cases where he believed his knowledge of the facts of a case was especially relevant to the outcome of the Commission's action. In these particular situations, the facts of the case inevitably strongly supported the action he was suggesting to the Commission. In this case, Judge Peckham's letter, as you certainly will see, is one in which he expressed his concern about the recommendation made by the Hearing Examiners after the hearing, and explained with precision the factors that led him to order that Larry's parole eligibility be set at five years, thus permitting and encouraging the Commission to release Larry immediately.

The PSI in Larry's case was prepared by Loren Buddress, one of the most highly respected senior probation officers in the Northern District of California. Currently he is the Chief Probation Officer in this District. His report is a masterpiece of professionalism, substance, and objectivity. Mr. Buddress's exhaustive report pulled together what must be the definitive exploration and presentation of factual information about Larry's background, the very complex environment and dynamics of his involvement with the Peoples Temple and Jonestown, and the events precipitating the actions that brought him before the Court. He fairly and thoroughly reported the responses and recommendations of the many individuals, including jurors, surviving victims, relatives and

LAYTON, L., In support of Clemency: Page 3

friends of victims who were directly affected by the events at Jonestown, as well as individuals who were otherwise concerned about the outcome. His report makes it clear that many of these individuals who were personally involved or directly affected by the Jonestown tragedy fully believed that Larry was a victim of Jim Jones, not unlike those who died there. But Larry survived and has remained in another sort of prison.

In my extensive work with Mr. Bell, one aspect of my responsibility was to make contact with the many individuals who had expressed interest in Larry's case and his release. I had contact with well over one hundred people, and discovered that many of those who urged leniency for Larry during the sentencing phase of the prosecution expressed their support for his release to parole at the earliest moment possible. Many were surprised and shocked that, in 1991 - some 3 ½ years after sentencing - Larry was still in prison. Stephan Jones, Jim Jones' son, was very upset that Larry was incarcerated, and wanted to be actively involved in assisting in the parole process. He did in fact appear on Larry's behalf at the parole hearing to try to assist the Hearing Examiners to understand the environment and impact of living in Jonestown, as well as the mitigating circumstances that led to Larry's actions. All those supportive of Larry's release in 1991 were fully aware of Larry's actions at the airstrip, and felt that he had been fully punished. Those letters urging Larry's release are contained elsewhere with the application for clemency.

As Judge Peckham has pointed out, Larry's role in the Jonestown tragedy was peripheral. He was not directly or personally involved in the planning of the conspiracy or in the shootings that resulted in the deaths that occurred on the airstrip. And while it should not be necessary to say, it is imperative that everyone who considers this case knows that Larry has never been accused of, and had nothing to do with the incomprehensible actions and unforgettable tragedy in which over 900 residents of Jonestown lost their lives.

All of the usual objectives of sentencing and punishment have been met. Larry's institutional adjustment has been impeccable in all ways. His criminal actions were entirely circumstantial and clearly aberrational -- Larry's history shows him to be a peace loving, gentle, sensitive, and very giving individual, whose conduct arose from the manipulative and oppressive environment in which he was living at the time.

While in prison, Larry has been involved in an ongoing introspective process to enable him understand as fully as possible the compelling nature of his involvement in the Peoples Temple and with Jim Jones, and how he reached the point which permitted - or compelled him - to take the actions which led to his conviction. He has the very strong support of many, including family and friends, and would receive their assistance to the extent needed in making his readjustment in the community.

By the time this petition for clemency has been processed, Larry Layton will have been in prison for 13 or more years. Given the circumstances which set the framework for and precipitated his offense conduct, his background, his conduct both in the community on bail and in prison since, and the length of time he has served, justice will be served ONLY through the commutation of his sentence, and his release.

LAYTON, L., In support of Clemency: Page 4

I strongly urge you to exercise your compassion and the courage to order Larry's release.

Thank you.

Very truly yours,



Lois A. Franco

Enclosures: Resume, Qualifications Statement

LOIS A. FRANCO
Criminal Justice Consultant

RESUME

EMPLOYMENT

1984 to present Criminal Justice Consultant
Private Practice

Analyze and prepare appropriate reports for defense counsel in cases undergoing criminal prosecution or involved in state or federal sentencing and parole proceedings; advise on the relevance, application and effect of federal sentencing guidelines or parole rules and procedures on clients' cases. Analyze cases for mitigating circumstances or other guideline departure rationale. Assist with plea negotiations, develop alternative sentencing plans, and prepare sentencing reports. Prepare documentation and assist in preparing attorneys and prisoners for parole hearings and other post conviction/related matters, including designation and other institutional processes.

1977-1984 Case Analyst, United States Parole Commission, Western Region
Burlingame, California

Advised Regional Commissioner(s) on all aspects of Commission rules, policies and procedures. Analyzed cases and recommended actions to Commissioner regarding prisoner appeals of parole decisions; conducted hearings and other case reviews, insuring that legal and procedural requirements and deadlines were met. Served as liaison to U. S. Attorneys, Federal Public Defenders, Federal Probation Officers, Federal Bureau of Prisons staff, and defense/ prisoners' counsel by providing training and consultation on rules, policies, procedures, and specific prisoner cases. Analyzed cases and prepared responses to judicial, congressional and other elected official, justice and social agency, attorney, prisoner and other inquiries. Managed overall Pre-Release operation.

1975-1977 Juvenile Justice Specialist, Western Region
Law Enforcement Assistance Administration (LEAA), Burlingame, California

Managed the development and program compliance of twenty-one grants totaling in excess of \$5,000,000. This process included consulting with criminal justice planning agencies to assist them in assessing juvenile justice and delinquency prevention needs and developing programs to address those needs, developing requests for proposals (RFP's), and recommending award of grant funds based on critical review of proposals submitted by state, local and private agencies. Represented LEAA to public and private agencies regarding Juvenile Justice and Delinquency Prevention Act and LEAA goals and programs.

1974-1975 Grants Program Manager, National Institute of Law Enforcement and
Criminal Justice, LEAA, Washington, D. C.

National manager for Exemplary Project programs and training grants. Recommended selection of replication program sites. Responsible for the grant/contract process including proposal evaluation and selection, and overseeing project development and program budget, performance and management. Approved manuals, curriculum and training aids, training sites, and participant selection. Projects included community based corrections, rape victim assistance, and police family crisis intervention programs.

1973-1974 Corrections/Drug Abuse Consultant, Private Practice,
Washington, D. C.

Advised architects and county officials on remodeling a county prison based on review of existing facilities, management and programs, and interviews with prison staff, judiciary, and law enforcement officials. Evaluated

staffing, programs, training needs, space utilization and security concerns. Made recommendations to enhance the operation and effectiveness of the county prison.

1964-1973 California Department of Corrections

1971-1973 District Parole Supervisor, Los Angeles

Managed a state parole district office responsible for supervising and ensuring the favorable parole adjustment and compliance of approximately 450 felon parolees. Was responsible for the selection, management, supervision, performance evaluation, and training of the Assistant Unit Supervisor, eight parole agents, five para-professionals, and clerical staff assigned to the unit, and ensuring that legal and Departmental requirements regarding parole supervision and revocation were met.

1969-1971 Special Representative to the Courts, Statewide

Established interagency communication and represented the Superintendent of the California Rehabilitation Center (CRC) and the Director of the Department of Corrections. Gave expert testimony on the prison/rehabilitation program and individual cases in Superior Court hearings statewide. Trained state and local criminal justice agencies on the legal basis, program, and goals of the Civil Addict Program.

1964-1969 Correctional Counselor, California Rehabilitation Center (CRC), Norco

Managed a 64-man dormitory in a state prison for narcotic addicts. Provided individual case documentation, progress reports, and recommendations for or against parole; responsible for providing and conducting counseling programs and ensuring that other program and correctional needs of the inmates were met.

1963-1964 Caseworker, Dane County, Wisconsin, Department of Social Services

Caseworker and counselor to welfare recipients and child welfare clients.

1962 Correctional Casework Trainee, California Institution for Men, Chino

Handled routine correctional counselor tasks at both main institution and at the Southern Reception Guidance Center, including intake processing and review of correctional needs, and adjustment counseling.

EDUCATION: Bachelor of Science degree in Sociology/Correctional Administration, University of Wisconsin at Madison

MEMBERSHIP: American Bar Association - Criminal Justice Associate; National Association of Criminal Defense Lawyers; California Attorneys for Criminal Justice; American Correctional Association

LOIS A. FRANCO
Criminal Justice Consultant

QUALIFICATIONS STATEMENT

Thirty+ years of experience in a broad range of positions and responsibilities within the criminal justice and correctional systems has formed my perspective and the base from which I draw when reviewing and analyzing cases under consideration by either a sentencing Judge, or probation or paroling authorities.

As a criminal justice consultant, I assist defense counsel and defendants, prisoners, or probationers/ parolees on a variety of matters including plea negotiation, sentencing, parole, and other post conviction matters. I prepare comprehensive social studies/profiles, bail reports, pre-plea case analyses, presentence and sentence modification reports, alternate plans for sentencing, and parole reports, in cases before the state and federal courts, or paroling authorities including the U.S. Parole Commission, across the country.

During my 7 years as case analyst for the U. S. Parole Commission, I prepared comprehensive reports regarding prisoner and parolee cases for the Commissioners' review and action, and consulted with and prepared affidavits and declarations for U. S. Attorney's Offices regarding litigation against the Commission before the Court, among a wide variety of other responsibilities. I was a primary resource/contact at the Commission for justice agencies and others needing information or response from the Commission.

Previous work experience has included work as a correctional counselor in minimum, medium and maximum security prison settings, liaison officer for the Department of Corrections to the California Superior Courts, supervisor of a state felony parole district office, correctional consultant to county prisons and state and local drug programs, and federal correctional and law enforcement grants and contract administrator.

My past responsibilities included initial intake/ classification of newly committed prisoners, assessment of prisoners' correctional needs, providing individual and group counseling, reviewing and acting on prison disciplinary and parole adjustment problems, making recommendations regarding prisoner program progress and rehabilitation, and readiness for release to parole authorities, making recommendations for or against parole, and making recommendations regarding rescission or revocation of parole.

I have worked directly with the full range of types of individuals and offenses handled by the justice system.

Among the agencies for which I have worked are the California Department of Corrections, the U. S. Department of Justice (Law Enforcement Assistance Administration), and the U. S. Parole Commission.

This variety of experience has underscored my understanding of and belief in the importance of the traditional concerns of justice agencies and the public (just punishment, deterrence, incapacitation, rehabilitation, respect for the law, public safety).

While with the U.S. Parole Commission, I became concerned that, despite their total immersion in the workings of the justice system, attorneys often cannot expend the time needed to become or remain fully knowledgeable about such areas as sentencing guidelines, parole policies and procedures, or alternatives to incarceration. Yet, these factors often are critical to the quality of the assistance they provide, and the ultimate dispositions of their cases. It is for that reason that I have chosen to direct my experience and efforts toward these important areas.

My opinions and recommendations to judges or the Parole Commission regarding dispositions of cases facing sentencing or parole consideration are based on my professional experience and opinions of the needs of the defendant/prisoner as well as recognition of the needs of the justice system and society.

I hold a Bachelor of Science degree in Sociology, Correctional Administration, from the University of Wisconsin at Madison.

STANFORD UNIVERSITY
STANFORD, CALIFORNIA 94305-2130

DEPARTMENT OF PSYCHOLOGY
Jordan Hall, Bldg. 420

February 25, 1997

President Bill Clinton
The White House
1600 Pennsylvania Ave. N.W.
Washington, D.C. 20500
RE: In support of clemency for Mr. Larry Layton

Dear Mr. President:

I am writing to you in several capacities to urge you to consider granting clemency to this young man who was convicted in an alleged conspiracy plot to kill Congressman Ryan on the airstrip near Jonestown, Guyana back in 1978.

First, I am a Professor of Psychology at Stanford University, where I have taught for 30 years, and specialize in The Psychology of Mind Control and cults. In that capacity, I have studied closely much of the existing material related to the Peoples Temple and especially to the circumstances related to the final days of its demise.

Secondly, I was an expert witness for the defense in both of Mr. Layton's trials in San Francisco. In that capacity, I reviewed all the relevant background and assessment information on him, interviewed him many times while he was in detention and in my home, spoke about him with former members of Peoples Temple, who had escaped the mass suicide, and with whom I had done psychological counseling.

Third, I am a long- time contributing member to the National Democratic Party, the party of the people, that has compassion for unfortunates like Mr. Layton.

I know how busy you and your staff are, so I will only highlight key points in my appeal that you grant Mr. Layton clemency and pardon him from serving the additional 7 years that remain on his sentence.

1. Mr. Layton is a gentle man of peace, an intelligent college graduate, with a profession as an medical technician, with absolutely no history of aggression prior to, or following this incident. His psychological profile gives no evidence of excess hostility of emotional instability that would make him a danger to society when released from prison.
2. Mr. Layton has a supportive family and friends who will assist his return to society and his rehabilitation to become a model citizen -- that he was during the time he was free after the incident and before the conviction on his second trial.
3. From everything I have learned about the shootings at the airstrip, Larry Layton was a victim of powerful coercive influences exerted on him by Jim Jones and several members of his inner circle to become a "hero" by stopping the "defectors" from telling "lies" to the media and government officials and thereby inciting a military invasion of Jonestown. The defectors were Peoples Temple members who decided to leave Jonestown with Rep. Ryan. Mr. Layton's mission was to board the small plane with a family of defectors and to kill the pilot once the plane took off and they would all die, preventing the defectors from telling the world their story, and Layton would be a martyr.

That is what he attempted to do. He did not kill anyone and he was not on the second plane that was to carry Congressman Ryan, or even on the tarmac at the airstrip when gunmen, later sent by Jones, fired upon the Congressman and his party. Layton was inside the second small plane that was getting ready to take off. These decisions to stop the defectors and to stop Congressman Ryan were separate decisions made in haste, under the same paranoid reasoning by Jim Jones that later led him to direct the mass murders and suicides of nearly 1000 American citizens. There is no evidence of a planned conspiracy that included Larry Layton. He was not a member of Jones' inner circle, he was at best an ordinary worker, indeed some of the former members with whom I have spoken (Richard Clark and Diane Louie) reported that he was more of a low level flunky who would not have been trusted to be part of such a conspiracy. His mission was a simple one-- shoot the pilot, make the plane crash, die in the process of stopping the defectors from spreading their "lies" about Peoples Temple, and die a hero. In my expert opinion this is one of the clearest, strongest examples of "coercive persuasion" or "mind control" that I have seen in my professional capacity as an investigator of such phenomena.

4. For reasons never explained, Mr. Layton's attorney, did not call upon me or any of the other expert witnesses during either his first trial-- which resulted in a hung jury (11-1 for acquittal), nor in his second, which ended in a conviction. We all felt that the lawyer, Tony Tamburello, mishandled the case for unspecified reasons, and that Larry Layton was made the scapegoat of this terrible incident because he was the only survivor of the shooting.

5. Mr. Layton is guilty by proximity of association, he was at the scene of the crime, but not really guilty of a planned conspiracy to kill a Congressman. There was no evidence presented at either trial of any documented conspiracy plans that included Layton. He did not know that a second truck was coming with armed men intending to kill all those on the airstrip. He was convicted the second time around because of the emotions aroused in the jury from listening to the last hour tape of Jim Jones' ravings as he persuades his followers to take their own lives and those of their children and elders because the Congressman was shot and killed by one of the members of Peoples Temple. I have listened to that tape carefully and there was no mention that it was Layton, who was responsible for that murder.

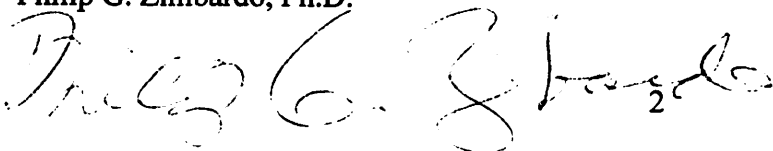
6. Mr. Layton has served many years of his life already in prison for this tragic incident, society has had its scapegoat, and now with the 20th anniversary of that sad incident upon us in November of next year, it is time for us to put this event behind us, to allow Larry to resume his life as a peaceful contributing member of society. His prison behavior has been exemplary and he deserves to be pardoned and to be released from prison. He can be kept under surveillance on parole, but the prediction from all I know about his past and current behavior and the bizarre nature of the incident in question, leads me to go on record as asserting that Larry Layton will not be a threat to society in any way. To the contrary, I expect him to be a model citizen once again, and I would be willing to serve as his civilian parole advisor to his federal parole officer were you to grant him clemency.

I hope that you and your staff will take these arguments and opinions into account when judging the merits of the appeal to pardon Larry Layton. I am available to elaborate on any of these points and to supply detailed, specific evidence in support of these views.

Thank you for this consideration.

Sincerely,

Philip G. Zimbardo, Ph.D.



Mrs. Richard Dwyer
9101 Voss Road
Cook Minn 55723
(218) 666-2318

May 20, 1997

The Honorable William J. Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

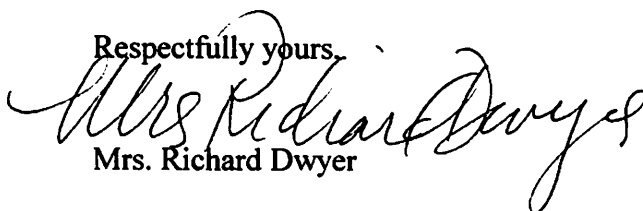
I am writing on behalf of my late husband, Richard Dwyer, former Deputy Chief of Mission at the American Embassy in Georgetown, Guyana in 1978. I was with Dick in Guyana at the time of the Jonestown tragedy and he discussed with me at length his experiences with Jim Jones, his followers, and the terrible disaster that befell Congressman Ryan and his party. Dick was one of those wounded at the Port Kaituma airstrip and he was the "Internationally Protected Person" that Laurence Layton was convicted of conspiring to kill and aiding and abetting in the attempted murder thereof.

Deborah Layton contacted me to ask if I would write a letter in support of her brother Larry's petition for a Presidential commutation of his sentence. I did not hesitate to agree because I know that Dick believed that Larry Layton was responsible neither for the attack upon himself nor for the death of Congressman Leo Ryan. Dick was well aware that Mr. Layton was not a decision-maker in Jonestown and that his mother had died days before. He told the investigating U.S. Probation Officer that the events at Jonestown and at the airstrip would have occurred with or without Mr. Layton and that Mr. Layton was just a small cog in the overall picture.

I am writing this letter both for my late husband and for myself in support of Mr. Layton's request that you commute his sentence. I know without equivocation that Dick would have enthusiastically endorsed this effort. Jonestown was a unique circumstance. In light both of what we have seen since of the power of cults to override individual will and your own call for forgiveness and healing in our country, I beg you to exercise clemency here. Mr. Layton has served eighteen years for his actions. That is a long time and a heavy price for anyone to pay. I know that if Dick were able, he would add his voice to mine in asking you to use your powers to bring this tragic chapter in American history to a close.

Please feel free to contact me should you have any further questions.

Respectfully yours,


Mrs. Richard Dwyer

LAW OFFICES OF MARSHALL R. BENTZMAN
1479 5th Avenue • San Francisco • CA • 94122
(415) 242-1323

February 20, 1997

President William Clinton
The White House
1600 Pennsylvania Avenue, N. W.
Washington, D.C. 20500

Re: Executive Clemency for Larry Layton

Dear Mr. President:

I am an attorney who was associated with the Law Offices of Garry, Dreyfus & McTernan. More specifically, I worked on Peoples Temple matters with Charles Garry and in my own behalf as an attorney for the Peoples Temple and some of its survivors.

Although I did not know Larry Layton personally, I knew of him and his trauma before, during, and after the Jonestown mass suicides.

After the suicides, Charles Garry told survivors that he would protect them as there would be a "witch hunt" to try and lay blame. And there was; Larry Layton in particular as well as others.

The Peoples Temple membership was paranoid with fear brought on by Jim Jones through his total control of the members.

This was going on for years. It only become apparent at the time of the suicides; a "Masada" type complex had been instilled in the members by Jim Jones. No one acted rationally.

And the survivors, many of them have feelings somewhat akin to survivors of the Holocaust.

There has been more than enough pain; for everyone. Now is a time to move on and let Larry Layton take his place with his family as a free person.

The punishment has gone beyond his necessary incarceration.

Yours truly,


Marshall R. Bentzman

February 13, 1997

The President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 10500

RE: Clemency - Larry Layton

Dear Sir:

My name is Patricia Richartz. I worked as a licensed private investigator for the firm of Garry, Dreyfus, McTernan, Brotsky, et al., in San Francisco, California for twenty years. Much of my work consisted of screening, analysing, researching and defending many of Charles Garry's cases from 1971 to the time of his death in 1991. I worked side by side with him and because of the need to scrutinize every aspect of many of his cases often I was more aware of the details and/or day to day developments. That was also true of the cases surrounding the Peoples Temple. I did not know until the end that the outward appearance of Peoples Temple did not reflect in any way the actual day to day life of the membership. From November 18, 1978 up to and including the present, I have learned about the inner workings of the Temple and how its doctrines effected its members, including those who perished and those who survived.

Charles Garry's firm was retained by Marceline Jones (the wife of Jim Jones) and Gene Chaiken (an in-house Temple attorney) on July 17, 1977, to represent them in a series of civil cases initiated by former members of Peoples Temple. These cases primarily alleged the Temple was keeping people against their will. I was asked to assist him in preparing the cases. I intend to present to you my analysis of what happened to those people who joined this organization and the days that led to the stigmatic event of November 18, 1978. I have been asked by the sister of Larry Layton to write a letter in support of his application for clemency.

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There is no tidy way to approach this task. Attempting to judge Larry Layton as a perpetrator in the assassination of Congressman Leo Ryan or as a catalyst for the ensuing suicide/murders of more than 900 people at Jonestown, Guyana, would yield only incongruous pieces of seemingly separate puzzles. In order to reveal the relationship of this movement to our culture, and its ultimate and total influence on Larry Layton, an alternative approach must be taken. Larry must not be judged as an individual but rather as part of an emerging 'apocalyptic sect' - part of a group preoccupied with the final struggle between good and evil and the end of the world in its present form.

Doctrinally, Peoples Temple and its charismatic leader, Jim Jones, can be described as a radicalized Pentecostal congregation and its preacher, conversant in fundamentalist theological debates, proficient in Pentecostal practices. The Pentecostal Movement follows the outline contained in 1 Corinthians 12, as its guide line for defining leadership and the gifts they must possess. The word of wisdom, the discerning of spirits (knowing the thoughts of others), the word of knowledge, faith, gifts of healing, working of miracles, prophecy, diverse tongues, and the interpretation of tongues are the gifts. Jones claimed all nine gifts but focused primarily on discerning, healing, and prophesying. To this was added the theology of Father Divine's Peace Mission style. This style offered a theology of spiritual possession in which Jones could assert the divine being in himself and to a lesser degree in others. He offered his followers power through personal relationship and practical theology through the 'human service ministry'. Jones adopted the idea of a 'Promised Land'. In the early years this 'migration theology' centered on establishing a utopian communal society within the confines of the United States, and much later in his ministry migration to a 'land without racism and poverty' outside the physical boundaries of the country of their birth.

The early years of this organization found it operating within the confines of the Pentecostal practices, radicalizing this theology in two ways. First he used the widespread Pentecostal expectations of the second coming of Christ to proclaim the divinity in himself and those who followed him, following this principal to its most extreme conclusion -

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that the person filled of the spirit is God and need not be bound by any dead law of morality; secondly he carried the 'holy roller' theory out of its own legacy to his own (Jones' Christian) communalist community. By the time the organization moved to California's Redwood Valley, Peoples Temple was officially a member church of the Disciples of Christ, a liberal denomination that stressed congregational autonomy and a more social ministry than the fundamentalist groups. The Disciples offered the Temple a way out of Pentacostalism, with a far greater public legitimacy and with ready ties to the community of established liberals. Jones became ordained as a Disciples of Christ minister four years after his church became affiliated with the denomination.

Jones moved his congregation from Indiana to the Redwood Valley of California in the hopes of escaping poverty, racism and the Nuclear Holocaust the all compelling dilemma of the modern era. The year was 1965. The first years in California were spent finding housing for his mostly Black and recently migrated congregation, recruiting new converts and building the only integrated swimming pool in the Valley on Jones' land. The new congregation then built a church on top of the pool for recreation and immersion baptism opening its doors in early 1969.

Larry Layton joined the Temple prior to the building of its church in 1969. His father was a Berkeley scientist who had once done chemical warfare research - his mother, a Jewish immigrant from Nazi Germany and a convinced Quaker. Larry grew up with his mothers aversion to war in general. He became a conscientious objector during the Vietnam war. He married Carolyn Moore in 1967, the daughter of an activist Methodist minister. The young couple moved to Mendocino County where Larry did his alternative service at Mendocino State Hospital. They joined Peoples Temple in 1968. In 1969 Carolyn and Larry seperated and subsequently divorced. Larry's sister Debby joined the Temple after Larry as did his mother Lisa. Larry worked and contributed his earnings to the church for the support of its progressive social programs; furthering his commitment to change into a living reality, he and his second wife Karen adopted an African-American son. During those years he became a certified X-ray technician and worked for several hospitals in the Bay

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Area.

These years saw an influx of many anti-war people into the congregation. In 1968 the Temple initiated its efforts to expand their congregation to San Francisco, opening the doors of the Temple in April of 1970. Peoples Temple was housed in a primarily black section of the city known as the Fillmore District. They expanded their services to Los Angeles by 1971. By that time the church had a well developed communal living alternative. Those members who wanted to live communally would tithe all of their earnings to the church and receive in return whatever they needed to live from the church. Once an individual pledged themselves to this kind of service, the church directed every moment of their daily lives in service to the larger community. Jones and his associates built a group and organization that possessed the solidarity, the social control over a significant number of followers, the material resources, and the organization and political acumen that made it possible to prosper and build such an enterprise as Jonestown.

As the membership grew the confinement of the members became more and more an absolute requirement. The Peoples Temple by now saw the society at large in the United States, as inherently evil and in its last days. The communal membership abandoned any previously held understanding of life's meaning and embraced the new worldview, which is of itself capable of subsuming the previous life of each individual rendering him/her oblivious to the actions of any outside opponents, the only goal - fulfilling the demands placed on the individual by the leadership of their church. Total secrecy as to the daily lives of the communal membership became a necessity.

Jones and his counselors became expert at the art of making their membership feel guilty for their shortcomings or conversely showing mercy that proved the Temple's benevolence, or imposing discipline that confirmed a member's sinfulness. The Temple powerfully shaped the innermost feelings of its members so they became dependent on the Temple for their sense of well-being. Group meetings developed into encounter groups with the Temple defining reality and the leadership

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acting as brokers of reality. Punishment for non conformance ranged from raising money for the social programs to fasting for five days or to more physical punishment like public spankings. These actions fell upon children as well as adults. When the community at Jonestown became a reality more severe methods of behavior modification occurred. No matter what the form of punishment - the format remained true to at least one encounter group principle - such events must take place 'outside' everyday reality. In Jonestown the public punishment ranged from public humiliation to spankings, to pitting a weak person against a person of greater strength in a boxing match, to the use of mind control drugs. After November of 1978, large amounts of Demeral, Valium, Quaalude and 11,000 doses of Thorazine were found. Add to this equation all information concerning the world outside of Jonestown was controlled by Jones and his staff. Outside visitors were allowed into the settlement at Jonestown but again it was completely controlled. Noone came to the settlement who did not share Jones' philosophy in some way. In October of 1978 for instance, an attorney named Mark Lane visited the isolated community. Known throughout the world as a conspiracy theorist, he preyed upon the fragile minds of Jones and his membership the incredible idea that Jones would be the next prominent world leader to be assassinated - first was John Kennedy, then Martin Luther King, Jr., then Robert Kennedy and the Reverend Jim Jones would be next. Lane argued to this isolated community that the United States government could never allow such a progressive community to grow and prosper outside of the confines of the United States. Lane was hired by Jones to sue the government and attempt to gain freedom for its membership - freedom from governmental harassment.

Soon thereafter, Congressman Leo Ryan answered the call of several former members of the Peoples Temple who claimed their relatives were being kept against their will at Jonestown. Allegations of abuse, beatings, coercion, and a threat of mass suicide if intruded upon, caused this Congressman to initiate an investigation into the living conditions at the jungle outpost. Jones and his congregation perceived the actions of Ryan as an alignment with their enemies. Thus the possibility of a final

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conflict in the jungle against the 'evil' of the outside world, represented by Ryan, the hostile media and the former members accompanying him who initiated the investigation into Jonestown as a possible prison camp was added to the equation - which now remember - also included the threat of some government entity assassinating Jones.

Larry Layton was in Jonestown on November 18, 1978. He had flown to Guyana in May of 1978 to care for his mother Lisa who was dying of cancer. He spent the next six months taking care of his mothers' every need. She died in early November, 1978. Dale Parks, nursing supervisor at Jonestown and a defector on November 18, gave Larry Layton psychotherapeutic drugs after the death of his mother. Those drugs were still being administered to him on November 18, 1978.

I was not in Jonestown on November 18, 1978. I was in the United States. The man I worked for, Charles Garry was there. I worked to save the lives of many members who survived this cataclismic event initially and continue to help those survivors when I can. Mr. Garry told me upon his return to the United States that Larry Layton acted as though he were in another world during the Congressmans visit. Garry was encouraged by Larry's decision to leave with Ryan that day. In Garry's opinion Larry, himself, needed some kind of hospitalization. On Garry's prior visits Larry had been alert and overtly friendly - tending to the medical needs of the community. On this last visit he seemed to be withdrawn from everyone, almost ghost like, clearly not attending to any of his duties. Charles Garry died in August of 1991.

I am convinced Larry meant no harm when he decided to leave. Whatever his actions might have been at the airstrip as the party departed for the Guyanese capital and a flight to the United States, I am sure his paramount concern was for that of the biological family he had just left in Jonestown - his wife Karen and small son. They perished at Jonestown. Larry was arrested for his actions and spent two years in solitary confinement in a Guyanese prison. A jury in Guyana acquitted him of all charges in 1980. The following year he was tried in the United States for

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conspiracy to kill a Congressman and for aiding and abetting the murder of Congressman Ryan. The trial ended in a hung jury (11 - 1 for acquittal). He was released on bond and remained free for five years during which time he lived a productive life, was physically reunited with the surviving members of his family and became engaged to be married. His second trial in 1986 ended in a conviction. His trial counsel, convinced the prosecution had not met their burden of proof, rested without presenting a case for Larry. Larry was convicted of the charges which carry a mandatory life sentence. In sentencing the presiding judge stated that "a just sentence...requires consideration of the environment in which Larry Layton and other members were virtually imprisoned". The jury which convicted him as well as witnesses for the prosecution requested leniency. Larry has accepted full responsibility for all of his actions. He wears the feelings of great shame and regret as a mantle around his being. He will live with the horror of Jonestown for the rest of his life.

CONCLUSION

The death of over 900 people on November 18, 1978, was a tragedy of an immensity beyond all words. The past cannot be undone and the greatest tragedy in the midst of this enormous tragedy would be to move on and submerge it. It is easy to place the blame on those elements we can see were evil as this church emerged into prominence in our society. The majority of those now visible evils could not be seen clearly prior to November of 1978. Most of the then visible flaws were not important to those who worked with the Temple on a professional level nor were they important to those on the outside who worked with the Temple. All of the complaints which led Congressman Ryan to investigate the jungle

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encampment had yet to be substantiated in any way; if there was an 'official government investigation' or if as Lane asserted - there was a government conspiracy to destroy Jim Jones and the Temple - that Jones would be the next progressive leader assassinated, the world knew nothing about it.

I had decided when I heard Mark Lane had been hired in October to end my representation of the Peoples Temple. With Mark involved, knowing the propensity of the Temple to latch onto any conspiracy theory, I had informed the Temple representatives I was no longer available as of December 1, 1978. I had worked with warring factions within organizations for years and decided I needed to spend more time with my family - something I also needed to do. I dismissed both sides as kooks and thereby dismissed my curiosity, my duty as an investigator and perhaps my conscience.

However misguided the direction taken by Peoples Temple might have been, their immortality leaves elements of Jonestown culture still alive in our world, in our techniques of social control, our religious practices, our politics, our public relations. And in the wake of Jonestown the major dilemmas that brought forth the 'til death do us part' commitment to Peoples Temple are hardly closer to resolution. The poor are still among us, racial equality, broken families, much less community remains illusive. The threat of nuclear holocaust has not yet been diffused. I believe the people who followed the flawed character called Jim Jones were people of good will who shared his vision of a utopia and wanted to work toward that goal. In the end, many of them must have been reduced to shadows of Jim Jones, powerless to rise up against him, and dismissed as kooks by people like me. And so we heard their cry across the ocean - that cry of horror - those screams of the totally abandoned.

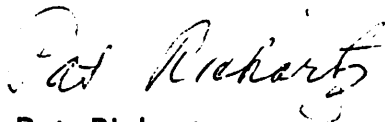
It is time to learn from our history. A wrong of monumental proportions has been committed; help came too little and too late. An unspeakable crime has been committed, not only to the Congressman, but to the people of Jonestown and ultimately to all of us. The punishment has been served

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by Larry Layton, perhaps for all of our complicity. It is now time for healing and forgiveness even if we do not fully understand this tragedy. Larry has been incarcerated in the United States for 14 years, prior to that he served two years of solitary confinement in Guyana and many years of servitude to the Peoples Temple. He is 51 years of age. Continued confinement serves no purpose. I believe Larry should be released to spend the rest of his life with his family and friends.

I hope this letter has helped you in some way to understand the story of Larry Layton. If you have any questions feel free to contact me.

Sincerely,



Pat Richartz
780 Hibiscus Lane
San Jose, Ca 95117
408-248-5247