

Section 3

3. Pre-sentence report submitted by Senior Probation Officer Loren Buddress, 2/23/87

The 50-page pre-sentence report submitted by then Senior Probation Officer Loren Buddress after completing a three month investigation during which he worked 6-7 days a week on this and on nothing else. It is a comprehensive overview of the circumstances and different points of view surrounding the case, including Mr. Buddress' evaluation of Larry's offense.

PS1

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PRESENTENCE REPORT

NAME (Last, First, Middle) LAYTON, LAURENCE JOHN			DICTATION DATE January 12, 1987		
ADDRESS San Francisco County Jail 850 Bryant Street San Francisco, California 94103			LEGAL RESIDENCE 380 29th Street, #2 San Francisco, CA 94131		SCHEDULED SENT. DATE March 3, 1987
					DOCKET NO. CR 80-0416-RFP
					CITIZENSHIP United States
AGE 41	RACE White	DATE OF BIRTH 1-11-46	PLACE OF BIRTH Greenbelt, Maryland	SEX Male	EDUCATION College Graduate
MARITAL STATUS Widower			DEPENDENTS None		SOC. SEC. NO. 549-78-2776
FBI NO. 418 039 W7			U.S. MARSHAL NO. 20752-053		OTHER IDENTIFYING NO. CDL# P0521023

OFFENSE

Count 1: 18 USC §351(d) - Conspiracy to Kill a Congressman
 Count 2: 18 USC §351(a) & 2 - Aiding and Abetting the Murder of a Congressman
 Count 3: 18 USC §1117 - Conspiracy to Kill an Internationally Protected Person
 Count 4: 18 USC §1116(a), 2 - Aiding and Abetting Attempted Murder of an Internationally Protected Person

PENALTY

Count 1.: Imprisonment for any term of years, or for life.
 Count 2.: Imprisonment for life.
 Count 3.: Imprisonment for any term of years, or for life.
 Count 4.: Imprisonment for Twenty (20) Years.

CUSTODIAL STATUS Placed in Federal custody on or about November 21, 1980, and released on bond on October 1, 1981. Remanded back into custody on December 1, 1986. Credit for time served: 1 yr, 49 days	DATE OF ARREST November 21, 1980
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PLEA

Defendant pleaded not guilty to all charges on November 24, 1980.

VERDICT On September 26, 1981 a mistrial was declared; on December 1, 1986 he was found guilty on all four counts following a jury trial.

DETAINEES OR CHARGES PENDING

None.

OTHER DEFENDANTS

None.

U.S. ATTORNEY (415) 556-2308 Joseph Russoniello Assistant U. S. Attorney D. Michael Nerney	DEFENSE COUNSEL (Retained) Robert R. Bryan 2020 Union Street San Francisco, CA 94123 (415)563-1211
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DISPOSITION

SENTENCING JUDGE HONORABLE ROBERT F. PECKHAM Chief U. S. District Judge	DATE	PROBATION OFFICER LOREN BUDDRESS
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OFFENSE:

On October 9, 1980, a four count Grand Jury Indictment was returned in the Northern District of California. Count 1 charged Mr. Layton with Conspiracy to Kill a United States Congressman; Count 2 alleged that the defendant Aided and Abetted the Murder of a United States Congressman; in Count 3, the subject was charged with Conspiracy to Kill an Internationally Protected Person; and Count 4 alleged that Mr. Layton Aided and Abetted the Attempted Murder of an Internationally Protected Person.

On September 26, 1981, a mistrial was declared in Counts 1 through 4. The defendant faced retrial on the same charges commencing October 9, 1986. On December 1, 1986, the subject was found guilty of all four counts. Judgment and sentencing were continued until January 23, 1987, at 2 P.M.

Prosecution Version of the Offense. According to the records of the United States Attorney's Office, Larry Layton, in addition to a number of other persons, knowingly agreed to kill everyone who was planning to depart Jonestown, Guyana, i.e., Congressman Leo Ryan and his aides, Deputy Chief of Mission, Richard Dwyer, the Congressman's aides, the concerned relatives, the defectors, and members of the media.

People's Temple, and in reality the people who made up People's Temple, constituted an organization that had an idea that there was a better way of achieving fairness, economic stability and security, and equality, than was offered in the mainstream of American life.

Through the leadership of Jim Jones, this idea evolved into a plan of action that contemplated, among other things, the establishment of a progressive, albeit restrictive, self-sustaining agricultural mission carved from pristine jungle, in an area of the world so remote that travel to and from it could be made difficult, if not impossible. Access to it by intruders operating without the permission, consent, and assistance of the settlement was impossible.

As with all new, improved, progressive, never-before-tried ventures, Jonestown benefited from the absence of competitors with which to compare it. But because of its remoteness and the fundamental principles of loyalty to its leader, it could and did operate in relative secrecy during difficult times and until the anticipated hardships of it starting up were overcome.

Endurance would ultimately bring self-sufficiency and peace, Jones believed. Jonestown was, however, a settlement in a rain forest with little chance for success and no chance for self-sufficiency; a project undertaken by social engineers and idealists with little or no preparedness for life in a South American jungle.

As Jones told Harold Cordell, when Cordell first questioned the survivability of this settlement, it would be only a matter of time before the settlement could achieve respectability and demonstrate man's ability generally to accommodate himself to his environment and achieve greater freedom and happiness.

But there were critics and doubters. Jones was no God, but a mortal man whose failings attracted the attention of the enquiring media and former members who would not halt their protests until certain gnawing questions had been answered.

The criticism became so intense, that Jones, himself, fled the United States for the security of Jonestown and the People's Temple organization there.

The verbal attacks, however, continued, and Jones reacted. He had attempted to prepare his people for the eventuality of revolutionary suicide, in the event the future of People's Temple and Jonestown became threatened.

Whether people believed him or not, the fact was that his paranoia about a conspiracy to destroy him and People's Temple propelled him to the point where he did everything possible to discredit any criticism from whatever quarter and in whatever form.

To his own faithful followers, he used a combination of fear and encouragement, propaganda and deprivation of benefits to retain their loyalty and cooperation. He succeeded for awhile. To the outside world, he promoted the picture of Jonestown as a paradise on earth where neither sexism, ageism, racism nor want existed.

But the word leaked out from people like Debbie Blakey (the defendant's sister) that all was not as idyllic as Jones had wanted people to believe. Jones's paranoia deepened.

On the other hand, despite the best efforts of the group that came to be known as the "concerned relatives" and the pleas for immediate action from the few who did defect, and despite an occasional critical news article, Jim Jones and Jonestown appeared to be secure from scrutiny because of their remote location in a seemingly friendly land.

In actuality, Jonestown was a buffer for the Guyanese between their border and an area of disputed territory near the Venezuelan border. In the United States, People's Temple came to depend upon the ability of Attorney Charles Garry, and a group of outspoken supporters, to attempt to keep criticism of Jonestown from increasing.

After the defendant's sister, Deborah Layton Blakey escaped from Jonestown, Charles Garry contacted the Guyanese authorities in attempts to determine what information Ms. Blakey had provided to authorities, following her escape. (After Ms. Blakey's escape, on May 12, 1978, she went directly to the American Embassy in Georgetown, Guyana, and sought refuge and assistance in returning to the United States).

Following her return to the United States, she prepared an affidavit, in June of 1978, which was sent to the Department of State.

Immediately following her escape, the Deputy Chief of Mission at the American Embassy, Richard Dwyer, interviewed her about her experiences at Jonestown. He noted at the time, however, that the responsibility for dealing with the conditions at Jonestown, and any crimes which may have been committed there, was with the Guyanese authorities, and not with the United States Department of State.

It should be noted that almost immediately after the authorities in Guyana started to investigate Ms. Blakey's complaints, the People's Temple's intelligence was good enough that they knew that the investigation had been opened and that there was a possibility that steps were going to be taken to act on Ms. Blakey's complaints.

By August of 1978, the concerned relatives had attracted the attention of Congressman Leo Ryan, of the Eleventh Congressional District in California. Congressman Ryan was undaunted by the disinformation campaign and the discrediting of detractors and critics that People's Temple had undertaken.

His determination to investigate brought to the gates of Jonestown, as never before, the prospect of a real examination of conditions within the community.

In September of 1978, the Congressman set into motion his plan to travel to Guyana. At about this same time, one of the two Jonestown attorneys, Mark Lane, was in Guyana. At about this time, Mr. Lane held a press conference where he accused the United States and various of its agencies of engaging in a conspiracy to undo Jim Jones and to bring down People's Temple.

It was at about this same time, September 25, 1978, that Mr. Dwyer, at the U. S. Embassy, was presented with a tape recording which set out Jim Jones's speech of why there was a conspiracy targeted against him and the People's Temple. In effect, it was a reaffirmation of accusations that had consistently been made for at least a year, which discredited any of the people who attempted to criticize Jonestown.

At first, Jones tried to stop Ryan from coming to Jonestown. Later, the Government contended that he stopped him from leaving.

In hopes of dissuading Ryan from visiting Jonestown, Mark Lane sent Ryan correspondence stating, "Oh, the timing is inconvenient. ... and any attempt to come without prior approval might very well force Jim Jones and his community to accept an offer of immigration to a non-friendly county. And this might cause considerable embarrassment to President Carter and to his human rights program."

Jones, through Lane, also attempted to put other conditions on Ryan's visit. The Congressman was not going to be permitted to come by himself, even as a member of Congress. Representatives of the Black Caucus were also expected to be part of a balanced delegation. The media who accompanied Ryan would have to be balanced, and it, too, would have to get pre-approval from Jones for the trip.

In addition, the Jonestown attorneys, Lane and Garry, would also have to be present.

Charles Garry, who saw no legitimate way to stop Congressman Ryan's visit, suggested that Jones was too ill to receive any visitors.

In hopes of forestalling such a visit, Jones had a petition signed by Jonestown members, delivered to Congressman Ryan. The petition stated:

Many of us, the undersigned residents of Jonestown, Guyana have been visited here by friends and relatives. However, we have not invited and do not care to see Congressman Ryan (supporter of military aid to the Pinochet regime in Chile) media representatives, members of a group of so-called concerned relatives, or any other persons who may be traveling with or associated with any of these persons. Dated this 9th day of November, 1978.

To be doubly sure that he knew exactly what the group of concerned relatives planned to do, Jones ordered one of his supporters, Tim Carter, who was in the San Francisco Bay Area, to infiltrate the concerned relatives and to report to him what they were planning.

After Carter provided Jones with detailed information, Jones rallied his community, directing the main thread of his venomous attack against the three groups, which by then he saw had come together to destroy Jonestown and the People's Temple (the concerned relatives, the press, and the right-wing politicians - in the person of Leo Ryan).

Jones was prepared to fight those coming to Jonestown, and he ordered the support of the people of Jonestown to help him. Since persuasion and cajoling had not prevented Ryan from going to Jonestown, Jones believed more specific action was called for.

Almost immediately upon arrival in Georgetown, the press encountered visa problems just as Jones predicted they would. One reporter was detained, and the other members of the press had their visas restricted to one day. This was a departure from the original five day approval which had originally been granted.

Shortly thereafter, the newsman was released, and the five day visas were restored to all media people. As soon as these actions took place, Jones reacted predictably by warning those in Jonestown of possible attacks and death as a result of attacks from outsiders. Jones urged resistance. He made this broadcast to his assembly on the night of November 16, 1978.

As Jones was addressing those in Jonestown, he realized that a problem existed. Even though this community had been prepared to resist outsiders, a significant segment of the Jonestown "security force" was in Georgetown, and they were unavailable for duty in Jonestown.

The security force was, in fact, comprised of members of the Jonestown basketball team. The team was led by Stephan Jones, the natural son of Jim Jones. Although

Stephan Jones had been ordered a number of times to return from Georgetown to Jonestown, he refused. (He was, apparently, the only one who had the temerity to speak up against his father, Jim Jones. He was seen to have done that on a number of occasions.

As dawn broke on Friday, November 17, 1978, Sharon Amos, the People's Temple radio operator in Georgetown, told Congressman Ryan that he could not enter Jonestown. Ryan, in turn, told Garry and Lane, who had just arrived that day, that he was going to Jonestown at two o'clock. He also told them that there would be two seats on his plane for the lawyers, if they wanted them, and if they did not, he would go without them.

Lane and Garry spoke by radio to Jones from Lamaha Gardens in Jonestown and they urged Jones to let Ryan enter. Garry was very explicit that if Jones did not allow Ryan to enter Jonestown, Garry would quit.

Soon thereafter, Jones relented. It was mid-day on November 17, 1978, and Jones broadcast an alert to his community, sending them mixed messages about the impending visit of Ryan and his party.

After the broadcast, and at Jones's suggestion, a group, under one of his closest advisors, Johnny Brown Jones, left Jonestown for the airstrip. Before leaving, two of Jones's closest advisors, Caroline Layton and Harriet Tropp, were heard discussing sending the Jonestown truck to drive up and down the airstrip, thus preventing Ryan's plane from landing.

At the airstrip, however, it was decided to let the plane land, because Garry and Lane, the two People's Temple lawyers, were aboard.

A warning had previously been broadcast from Georgetown to the pilot of Ryan's plane. But the pilot, after conferring with Dwyer, decided to attempt to land at the airstrip. Seeing that no one was attempting to prevent the landing, the pilot descended to the airstrip.

After landing, Ryan and his party were met by Guyanese Constable, Corporal Rudder, and others who informed the party, including Ryan, that they were there to prevent any forced entry of Jonestown.

Garry and Lane left by truck heading for Jonestown. After they drove approximately one half mile down the road, Harriet Tropp, who was on the tractor-trailer, told the attorneys to turn around and go back and get Ryan, Dwyer, Jacqueline Speier, the Congressman's legal advisor, and one other member of the party. Permission was granted for this select group to enter Jonestown; however, the others were to stay at Port Kaituma, a small village approximately six miles from Jonestown.

It was Jones's plan to delay the group's arrival at Georgetown until early evening of November 17th, due to the fact that he believed the settlement looked better to outsiders at night, rather than during the day. As Ryan and his party made their way from the airstrip to Jonestown, they encountered diversions, such as a large load of wood and logs, that had been dumped on the road, apparently on

purpose. Clearing the blocked road delayed Ryan sufficiently so that he arrived at Jonestown at dusk, just as Jones had planned.

Unbeknownst to Ryan and the visitors, some of the Jonestown residents, in particular Vern Gosney and Gerald Parks, had separately considered escaping from Jonestown for some time, though neither thought of Ryan as the vehicle for accomplishing this end.

As Ryan and his associates arrived at Jonestown, it was getting dark, and they were given a tour. Afterwards, Garry and Lane met with Jones, and they were able to persuade him to allow all of those at Port Kaituma, with the exception of Gordon Lindsey, to enter Jonestown. (Lindsey had written a very derogatory article in the National Enquirer about Jones and Jonestown). By the time the entire Ryan party was reunited at Jonestown, it was almost totally dark. A well-orchestrated, well-rehearsed schedule of evening activities was presented. This followed a dinner, that was much more lavish than the usual rice and gravy meal given to most of the Jonestown congregation.

Jones was attempting to duplicate, for Ryan, the same type of charade that had worked well for him in the past. A similarly well-rehearsed presentation of happy faces and lavish food had worked with Charles Garry, it had worked when Deputy Chief of Mission Robert Dwyer had visited Jonestown, in May of 1978, and it had been a ruse that Jones and his followers had used continuously for all the notable dignitaries that had come to Jonestown.

By the end of the evening's entertainment, it became clear to Ryan that not everyone was happy at Jonestown. Vern Gosney secretly gave a note to Don Harris, one of the reporters from the National Broadcasting Company (NBC). The note stated, "Vern Gosney, Monica Bagby, help us get out of Jonestown." Harris then met with Dwyer who indicated that there was not much that could be done that night. However Gosney was told to not worry, that Ryan would not leave the following day without him.

After Ryan and Speier conferred about this problem, they agreed to have Gosney and Bagby's names added to the list of people that they were scheduled to interview; thus, they would not draw particular attention to them. When the two were scheduled to come forward the following day for their interview, they would then have to declare their intention, recording it on a tape recorder, and Ryan felt that he would be able to protect them until their departure from Jonestown.

At the end of the evening, the press and the concerned relatives were brought back to Port Kaituma. Ryan, Dwyer, Speier and another member of their party, Annibourne, along with the attorneys, stayed in Jonestown.

On the following morning, Saturday, November 18th, Harris showed two of the reporters, Javers and Reiterman, the note that he had received the evening before from Vern Gosney. On the previous evening, Javers and Reiterman were introduced to a young native boy who told them that he was aware that people had tried to

escape from Jonestown before, and they had been beaten. One person, in fact, who had failed in his attempt, was forced to spend time in a pit. The reporters were also told that the people of Guyana, and in the neighboring Port Kaituma, were more aware of the real activities going on in Jonestown than they seemed to be initially.

After a discussion, the press decided that they were going to pool their information in hopes of being able to break through the escorted tours and find out the truth about what was going on in Jonestown.

Back at Jonestown, Ryan and his party had just finished breakfast when Jackie Speier encountered Dale Parks, one of the eventual "defectors." When she asked him how he like Jonestown, he gave her the response that he and others had been repeatedly coached to say, "I love it here. It's wonderful."

Dale's father, Gerald Parks, now felt that the time had come for him to attempt to leave Jonestown along with the rest of his family. Another Jonestown resident, Harold Cordell, was convinced that Jones's recent talks to the community about "the last white night, about revolutionary suicide, about taking their lives in a meaningful way," were all indications that Jones was very serious about taking this suicidal step. After conferring with his closest of friends, Edith Bogue, Jim Bogue, and Al Simon and his brother, they, too, agreed to attempt to leave under Ryan's protective umbrella.

That morning, during the course of questioning people who had come forward, Larry Layton asked for an appointment to meet with Jackie Speier. He stated that he had something urgent and important to discuss with her. Layton, who came to Jonestown voluntarily, in mid-May, 1978, claimed that he was asked or ordered to report to Jonestown, although there was no evidence that he was physically forced to relocate to Guyana. Layton was described as loyal to Jim Jones, a believer, someone who had been with Jones for many years, and someone who served "on security" for a time.

During this meeting with Speier, Layton was described by Speier to be calm, composed and very committed. He was in total control. He told Speier why his sister, Debbie Blakey was, in a sense a traitor to Jonestown, a person who was not to be believed, a person who was a thief, and a person who had maliciously described Jones and Jonestown. Additionally, he showed Ms. Speier a declaration by Lisa Layton, the mother of both. In the declaration she accused Debbie Blakey of stealing \$4,800 from her, and also of stealing funds from the People's Temple.

Layton wanted Speier to believe that his sister was a person of questionable creditability, and he mentioned, in his conversation, that he loved it in Jonestown.

While the interviews continued, the press was finally taken from Port Kaituma back to Jonestown. Although initially, they were due to be brought to Jonestown at dawn, as a result of a number of delaying incidents, they were not returned to Jonestown until much later in the day. When they finally arrived, they split up in hopes of attempting to discover the truth about the conditions in Jonestown.

In the course of their activities, some of the press were able to enter Jane Pittman House, the location where elderly people lived. They discovered that sixty elderly Jonestown residents lived in bunk beds stacked one on top of the other. Conditions at the house were obviously poor.

At about this same time, Tom Bogue and his sister, Teena, thought that something very bad was about to happen at Jonestown. Due to this fact, they decided that they also should attempt to leave.

As Ryan and others continued to interview Jonestown residents, Jones paged certain individuals to return to the pavillion area. There, pressures were being exerted on individuals who had expressed an interest in leaving. Jones, Michael Prokes, the assistant pastor at Jonestown, Jack Beam, who was with Jones since his earliest days in Indiana, Tim Carter, the head of public affairs, Carolyn Layton and Karen Layton, the defendant's first two wives, and the subject, himself, were seated in a group, apparently discussing the planned departure of some of the Jonestown residents.

The significance of the meeting was that it showed Layton's access to the inner circle that surrounded Jones.

It was at approximately this same time, that Dwyer used the Jonestown radio to call for a second plane. Shortly thereafter, the Bogue family, Edith, Tom, Juanita, Teena and Harold Cordell came forward and announced that they planned to leave. Vern Gosney and Monica Bagby formally declared their intentions.

According to numerous witnesses, the mood at Jonestown soon changed dramatically, as the defectors came forward and began to be escorted throughout the compound to obtain their belongings. Anxiety and a sense of apprehension pervaded many of the Jonestown residents.

Jones then tried to talk some of the people out of leaving. He promised them that they would be able to leave, later, if they wished. He even offered money to Gerald Parks, if he stayed. Jones's wife, Marcelline and her bodyguard, Poncho Johnson, attempted to stop Gosney and Bagby, despite the fact that Ms. Bagby was being escorted by Jacqueline Speier.

Marcelline told Gosney that Jim Jones would rather see his son dead than see Gosney leave Jonestown. As Cordell and Edith Bogue were in the process of obtaining their belongings, they saw three or four men walking in the vicinity of the cottages, with long objects wrapped in blankets.

As the defectors started boarding the truck, which was to take them from Jonestown to the airstrip, they were joined by Lane and Garry. At this same time, Al Simon, a Jonestown resident, decided that he wanted to join the defectors. A heated discussion ensued between Simon and his wife, Bonnie, who refused to leave Jonestown, and who also refused to let the couple's children go with her husband. After Speier reviewed the argument, she told Garry, "You were the lawyer for People's Temple, you mediate that dispute." As a result of this argument, Garry decided to stay behind.

After Simon and Garry conferred, Garry urged Jones not to retaliate against Simon. Simon stated that he would stay if his children were not able to go, and he would be willing to take the abuse and harassment that he was sure would follow.

As the defectors were boarding the truck, Jones was huddled in various places, talking to his close associates about the emergency that had developed. Although the Government is unaware of precisely what was being discussed during those meetings, they believed that the subsequent conduct and activity that followed gives one a strong hint as to what was being planned.

At approximately the same time, Ryan, who was rounding up the last of the group of defectors, was approached by Larry Layton, who stated words to the effect of, "Put me down as repatriating." At about this same period of time, he was also seen embracing Jones and talking to him.

From what Jones later told Garry, Layton said to Jones words to the effect that, "This shit has got to stop. I love you. You will be proud of me." Jones was of the belief that Layton was armed at the time that they last spoke.

A short time later, Layton insisted that he be allowed to board the truck going to the airstrip. Jackie Speier was very suspicious about Layton's intentions, and told him that he would have to stay behind. Layton insisted on boarding, even though the truck had become virtually filled.

After Layton got on the truck, his boarding caused panic among the other defectors. They believed that he was feigning his defection. When he boarded the truck, a newsman asked him, "Are you for real?" Layton responded, "I hate Jim Jones. I want to get out of Jonestown."

At this point, Ryan decided to stay behind, in order to give the protection of his office to any other Jonestown residents who still wanted to leave the community. As the truck proceeded to leave, Speier thought that the driver of the truck appeared to be stalling. He backed the truck up in an area where it became mired in mud only a few feet from the spot where it was loaded. A bulldozer was eventually called to pull it out. As the truck was being pulled out of the mud, a loud scream was heard coming from the pavillion.

At the pavillion, Garry, Lane, Ryan and Jones were talking about the trip, and how meaningful it had been to Ryan. Just then, a Jonestown resident by the name of Don Sly, who was approximately 6'3" tall and weighed approximately 220 pounds, came up behind Ryan, put his left arm around his neck and held a knife in his right hand at the Congressman's throat. Sly was described as "solid as a rock."

This tall, muscular individual was then wrestled to the ground by Garry, Lane and one other individual. Garry stated that he was unable to move the man, who was much, much stronger than he, but the Congressman was not cut with the knife. The Government is of the opinion that this scene was staged as a means of scaring the Congressman and insuring that he would decide to join those in the truck going to the airstrip.

In response to the screams that they heard coming from the pavillion area, members

of the media and Dwyer left the truck and raced back to the pavillion. After arriving at the pavillion, they saw Ryan, who had his shirt torn open, and his shirt had some blood on it. (The blood was not from Congressman Ryan, but rather from one of the individuals who wrestled the knife away from Don Sly).

After Dwyer and others reached Congressman Ryan, the hostility in the area was apparent. Members of the media were prevented from entering the pavillion by one of Jones's associates, Johnny Brown Jones. After Dwyer reached Ryan, he insisted that Ryan leave with the group going to the airstrip. Dwyer then offered to return to Jonestown from the airstrip to insure the safe transit of anyone else who wanted to leave and who might come forward later. Dwyer, Ryan and the newsmen then returned to the truck, which had just been pulled out of the mud. Lane and Charles Garry remained at Jonestown. A short time later, an announcement over the Jonestown loudspeaker told everyone to assemble at the pavillion. Near the pavillion, Maria Katsaris, one of Jones's most trusted confidantes, was seen to whisper something into Jones's ear. Jones then immediately told Garry and Lane to leave the area and go to the East House, a guest house some yards from the pavillion. Katsaris then went to the radio room and asked Michael Carter if he was willing to go on an errand rather than stay around with the others. He stated that he would do this, and he was instructed to change his clothes and go to the West House, which was where Jones lived. There, he was given a gun and a suitcase by Caroline Layton. Handguns were also given to Carter's brother, Tim. The Carter brothers were given most of the cash kept at Jonestown, and they were ordered to go to the Russian Consulate in Georgetown and give the Consulate the funds.

Charles Garry stated that during this period, while he was at the East Guest House, he saw eight or ten people carrying what looked like boxes of ammunition and rifles, headed in the direction of the pavillion.

As the truck carrying Congressman Ryan and the others reached the gate of Jonestown, Joe Wilson, a kind of supervisor of security, jumped aboard the truck and looked around menacingly at all those aboard. He rode all the way to the airstrip on the truck, and when the Ryan party arrived, no planes were present. The truck was then unloaded, and Dwyer decided to go to Port Kaituma to check on the planes, and to be sure that the incident with Don Sly had been reported to authorities.

As the truck was being unloaded, Layton remained by himself, squatting against a nearby shed. He was also seen, at one point, talking to Joe Wilson for at least two or three minutes.

After about twenty minutes, two planes arrived. Ryan told the defectors that they would be allowed to leave first. Ryan also delegated responsibility of determining who would be on what plane to Jackie Speier. It was decided that the small plane would be loaded first, and Speier began to assign seats to defectors on the basis that they were single persons. Layton was not included in this group, although Speier, herself, was. Layton then insisted to her that he was promised a seat on the first plane by Ryan. She then decided to give him her seat on the small plane.

Before anyone was to board, all of the defectors were to be searched. Prior to the search, Joe Wilson and two of his associates were talking to the passengers and asking, "Why are you doing this?" Others recalled being asked "Which plane are you getting on?" As the people who were scheduled to board the small plane were lined up to be searched, Layton evaded the search and jumped aboard the plane, taking the seat immediately behind the pilot. A reporter saw this, and brought it to the attention of Ryan that Layton boarded the plane without being searched. When this was pointed out to Layton, he denied that he had not been searched, and refused to get off the plane. When he was ordered off, he was given a very light pat search, and he was allowed to reboard. Once again, he took the same seat behind the pilot.

The small plane then taxied down to the end of the runway, and as this was happening, the farm tractor from Jonestown, pulling a trailer, passed on the left side of the small plane. The tractor-trailer continued on in the direction of the large plane. The tractor-trailer passed on the same side of the plane on which Larry Layton was sitting.

By this time, the rest of the defectors had boarded the large plane and Ms. Speier was attempting to decide which of the news people should be permitted to board. Speier determined that there were five people from the group for whom there was no room. A newsman, Bob Flick, then volunteered that he and his news crew of four would stay behind.

The tractor-trailer, carrying Wilson and others then approached the Congressman's plane. Congressman Ryan and others saw that the individuals on the tractor-trailer were armed with rifles and handguns. Congressman Ryan dove under the plane; Speier dove in the same direction. As Ryan was shot in the neck, Speier attempted to go to his aid and stop the bleeding. Almost immediately, he was shot several more times. Ms. Speier was wounded five times, and newsman Javers was shot, and he pretended to be dead. Similarly, Dwyer was shot and feigned death.

As the shooting was continuing at the large plane, gunfire broke out aboard Layton's plane. Inside the small plane, Dale Parks saw Layton reach in the crotch of his pants and pull out a gun. Layton then shot Monica Bagby twice, he shot Vernon Gosney twice, and he attempted to shoot Dale Parks when his weapon misfired. When the shooting commenced at Congressman Ryan's plane, the pilot of the plane on which the defendant was riding turned off the plane's engine. After shooting Gosney and Bagby and attempting to shoot Dale Parks, a struggle ensued between Parks and Layton and Parks eventually obtained the weapon. He attempted to fire at Layton, but the gun continued to misfire. Gosney, Parks, and the other passengers on the small plane then fled into the nearby underbrush while shooting at Congressman Ryan's plane continued.

At the larger plane, while several of the wounded were moaning in pain, one of the shooters delivered the "coup de grace" (the final fatal shots) to Bob Brown, Don Harris, and to Congressman Ryan. The coroner, Bob Stephens, stated that Ryan's head injury was consistent with a high velocity firing at close range.

Jacqueline Speier, Dwyer, Tom Bogue, Monica Bagby, Vern Gosney, Stephen Katsaris, Tim Reiterman, Ron Javers, Teena Bogue, and Stephen Sung were all wounded. Congressman Ryan, three newsmen and one defector, Patti Parks were killed.

The tractor-trailer carrying the shooters from Jonestown left the airstrip, and Layton was observed approximately ten to fifteen yards from a group of survivors. Layton told these survivors that he did not do any shooting, and that Dale Parks did the shooting. The defendant was then turned over to two civilians, who agreed to take him to the police station. At that point, he stated that he was an American citizen, and he demanded to be taken before a Magistrate. The subject was taken to Port Kaituma where he was turned over to a constable. When asked by the constable whether he was one of the shooters at the airport, Layton stated, "I shot the mother-fuckers."

He was put into custody, along with the Carter brothers who had turned themselves in for the their own protection. Layton was heard screaming "Leave my friends alone - they didn't do anything."

On November 21st, the defendant was moved from Port Kaituma to Georgetown, and he made the following statement:

I, Larry Layton, take full responsibility for all the deaths and injured that took place at the Port Kaituma airstrip. I had begged the Bishop, Jim Jones, that I be allowed to bring down the plane. But he disapproved. My reason for doing this was because I felt that these people were working in conjunction with the CIA to smear the People's Temple and to smear Guyana. I got a gun from a friend of mine, one Pancho, and I went to the airport intending to bring down the plane. But when the shooting started, I also started shooting as I thought it was all too late. I don't know why I did it.

Between October 1, 1981, and December 1, 1986, the defendant was free on bond, and he reported to the Pretrial Services Unit of the U. S. Probation Office. The Pretrial Services supervisor confirms that during his release, Mr. Layton adhered to all his terms and conditions of release. Following his conviction, on December 1, 1986, he was remanded into custody.

Victim Impact Statements. In total, twenty-eight people were at the airport at the time of the shooting, twelve defectors, seven newsmen, three Government officials, four concerned relatives, and two pilots. (The pilots suffered no injuries and were Guyanese citizens). Five individuals, Congressman Ryan, three newsmen and one defector were killed at the airstrip.

1. Bagby, Monica. This officer spoke with Ms. Bagby briefly on the telephone. She indicated that she was still having substantial problems as the result of her experiences at the airstrip. She stated that it was her preference to outline her difficulties and losses suffered as the result of the present offense in a letter to this officer. As of this writing, her letter has yet to be received.

2. Bogue, Juanita. According to the Federal Bureau of Investigation (FBI), Ms. Bogue has been in hiding since her return from Jonestown, and her whereabouts is unknown.

3. Bogue, Teena. According to the FBI, Teena Bogue is also in hiding, and her whereabouts is unknown.

4. Bogue, Tom. Mr. Bogue advised this officer that he lived at Jonestown for approximately two and one half years, and was a Peoples Temple member for approximately ten years. He remarked that during the airport shooting, he was wounded once, in his lower left leg. He stated that he was also hit by metal fragments in his upper left thigh and buttocks. He related that he was hospitalized for a period of approximately two months, but he now suffers no residual effects as the result of his injury, with the exception of the scars.

He recalled that he suffered no financial losses due to the incident, and he stated "On one side, I am glad I went through it - I know I can deal with any situation now." Mr. Bogue declared that "I do not feel he should have gone to trial in the first place. He was just as much a victim, if not more so, than was I. If I was in his shoes, I probably would have done the same thing." He concluded his comments about Mr. Layton stating that, "He was more in terms of a lackey - he had no authority."

5. Boyd, Carolyn. According to the FBI, Ms. Boyd's whereabouts are unknown.

6. Brown, Bob. Mr. Brown was an NBC news cameraman who was killed during the shooting at the airstrip.

7. Cobb, Jim. According to the FBI, Mr. Cobb was one of the concerned relatives who accompanied Congressman Ryan to Jonestown. Mr. Cobb's present whereabouts are unknown.

8. Cordell, Harold. This writer spoke to Mr. Cordell who confirmed that he lost seven family members as a result of the mass suicide at Jonestown, including his wife, five children, and his sister-in-law.

He advised this officer that he spent a total of ten months at Jonestown, and prior to his departure, he was allowed to have almost no contact with any of his children, or any of his immediate family. He stated that at the airstrip, he was among those aboard the large aircraft. He noted that he was not wounded, but he still has recurring dreams about the incident, and he has had trouble sleeping periodically since 1978.

He admitted to this officer that after the shooting, he felt quite bitter toward Mr. Layton. He commented, "I think he (Layton) has paid for what happened to him. I believe he was more a victim than a participant." He stated that he has known Mr. Layton for many years, and he characterized the defendant as more of a follower than a leader.

9. Dwyer, Richard. Mr. Dwyer was the Deputy Chief of Mission at the United States Counsel in Georgetown, Guyana. Mr. Dwyer was wounded at the airstrip, and he was hospitalized approximately one week before he checked out of the hospital, against medical advice. He stated that he still has one bullet in his back, close to his spine, and he gets x-rays every few years to see whether or not it has moved at all. Thus far, the bullet has remained in the same place.

Mr. Dwyer downplayed the emotional trauma of the present offense by recalling that before going to Guyana, he had been shot at previously, he had had hand

grenades thrown at him, so that attempts on his life were not totally new. He did note, however, that he no longer enjoys hunting due to the fact that he becomes very nervous when he hears the sound of shotguns firing. He also recalled that since the shooting, he has had many sleepless nights, and for some time immediately following his departure from Guyana, he had concerns about possible assassination attempts perpetrated by other People's Temple members. Mr. Dwyer also speculated about the adverse effects that the Jonestown tragedy had on his career in the diplomatic corps.

Dwyer mentioned that the tragedy at Jonestown and at the airstrip would have occurred with or without Mr. Layton, and he characterized the defendant as "a small cog in all of this."

10. Flick, Bob. Mr. Flick was one of the NBC newsmen who covered Congressman Ryan's trip to Guyana. He told this officer that he was not wounded at the airport, and he suffered no financial losses as the result of the present offense. He did admit having sleeping problems periodically since 1978, and he stated that he wanted to put the incident behind him and concentrate on the future.

11. Harrison, Don. Mr. Harrison was an NBC newsman who was killed at the airstrip.

12. Gosney, Vernon. Mr. Gosney stated to this writer that prior to the airport shooting, he had been at Jonestown for approximately ten months. He admitted that since 1978, he has been in therapy for many months, and he has taken medication prescribed by his therapist. He also spent several months in the hospital as the result of being shot three times in the stomach, and having part of his liver removed. Presently, he suffers no physical residual effects from the attack; however, he is unable to consume alcohol due to the liver damage sustained in the shooting. He noted that he also had his spleen removed.

Mr. Gosney mentioned that he has had medical and psychiatric bills totaling approximately \$5,000, in addition to approximately two months of lost wages.

Commenting about Mr. Layton, Mr. Gosney stated, "Layton was involved in quite a bit of pressure and this should be taken into account." He recalled that extreme pressure, i.e., a glaring public address system twenty-four hours per day, rules enforced so strictly that there were public meetings every day, and referring to Jonestown, Gosney related, "It was a closed community and he (Layton) was extremely needy of Jones's approval." I see him as a totally basically destroyed person." He concluded by stating, "I don't feel he is a threat to anyone."

13. Javers, Ron. Mr. Javers was not reachable at the telephone number provided by the FBI.

14. Katsaris, Anthony. Mr. Katsaris was one of the concerned relatives that was at the airport during the shooting. As of this writing, this officer has been unable to contact him.

15. Oliver, Beverly. Ms. Oliver and her husband Howard were two concerned relatives that accompanied Congressman Ryan to Jonestown. The FBI is unaware of either her or her husband's whereabouts.

16. Oliver, Howard. Please see Beverly Oliver.

17. Parks, Brenda. At the urging of Brenda's brother, Dale Parks, this officer did not contact Brenda. Mr. Parks stated that his twenty-six year old sister has been under psychiatric treatment ever since the incident. He stated that it was extremely difficult for her to accept their mother's death at the airstrip, and he also noted that he has never spoken to her at any length when she didn't make some comment about committing suicide. Dale Parks revealed that most recently, Brenda has been working at a minimum wage job.

18. Parks, Dale. Mr. Parks stated that his mother, Patti, was killed in the shooting at the airstrip. Additionally, his five and one half year old adopted son, two cousins and one uncle were among the suicide victims at Jonestown.

Mr. Parks was aboard the small plane in which the defendant was riding, and he stated that the subject attempted to shoot him, but the gun misfired. Although he suffered no physical injuries, he has had to support both emotionally and financially his younger sisters, Brenda, twenty-six and Tracy, age twenty. He reflected that since the airport tragedy, he has had to attempt to be a surrogate mother for his sisters. He recalled that after the shooting, he spent three nights and two days looking for his sisters in the jungle. (The two girls fled into the jungle after the initial shooting stopped).

Since returning to the United States, Mr. Parks has been forced to work two jobs in order to be able to help his two sisters. He estimated that he has spent between \$20,000 and \$30,000 assisting them thus far.

Although he, himself, was not injured, he stated that he still has nightmares occasionally about the incident. He related that he is of the opinion that his personal career has been adversely affected by publicity about the case, and he revealed that although bitter toward Layton personally, he found it hard to accept the stories about the Layton family's assets, when he and his family had had such difficult times financially.

19. Parks, Gerald. The senior Mr. Parks advised this officer that although he was not wounded at the airstrip, his wife, Patti Parks, was killed. He recalled that due to the fact his wife's death was extremely violent, he ended up going to see a psychiatrist. He revealed that his psychiatric bills totaled hundreds of dollars, and he stated that he also had given money to his two daughters who were, and continue to be traumatized by the event.

Although unable to put an exact dollar amount on his losses, he stated that more important than the financial losses were the psychological ramifications of depression, headaches, and difficulty in sleeping.

20. Parks, Patti. Ms. Parks was shot and killed while she was on board the larger plane that was to take Congressman Ryan and others out of Guyana.

21. Parks, Tracy. Ms. Parks was not contacted by this officer due to her delicate psychiatric condition. Her brother, Dale Parks, stated that his twenty year

old sister still has significant psychiatric problems resulting from the trauma of the airport shooting. Although neither Tracy nor Brenda were wounded, both viewed the violent, shocking death of their mother. After the shooting subsided, Tracy and the other survivors aboard the large plane fled into the jungle. The two Parks children along with the two Bogue children hid for three nights and two days in the jungle before they were found by Dale Parks.

Although making slightly better progress than her sister Brenda, Dale stated that his younger sister lacks confidence, has difficulty being independent and has difficulty forming relationships with other people. Presently, Tracy is employed as a waitress in a doughnut shop.

22. Reiterman, Tim. Mr. Reiterman was a reporter for the San Francisco Examiner when he accompanied Congressman Ryan to Jonestown. Due to the fact that his medical expenses were all paid by the Examiner, he suffered no out of pocket losses. He was, however, wounded twice, once in the left wrist and once in the left forearm. The wounds caused no lasting ill effects, and he recalled that he was hospitalized for approximately four days in Washington, D.C. upon his return to this country.

Mr. Reiterman maintained that he suffered no psychological problems, probably due to his ability to work through his feelings in the course of writing a book about Jonestown.

23. Robinson, Greg. Mr. Robinson was a reporter who worked for the San Francisco Chronicle, and was killed near the large plane at the airstrip.

24. Ryan, Congressman Leo J. Congressman Ryan died of gunshot wounds suffered as he stood outside of the larger of the two airplanes at the airstrip.

25. Speier, Jacqueline. At the time of the airport shooting, Assemblywoman Speier was Congressman Ryan's legal assistant. Assemblywoman Speier was shot five times at the airport. As a result of these wounds, she has only sixty percent use of her right arm, and she experiences almost constant pain in the arm. She suffered gunshot wounds in both legs, and she has major deformities and scars on both legs, with the right leg being injured more severely than the left. She has had a total of ten operations, and she did not have the financial resources to undergo any cosmetic operations. She stated to this officer that the scarring and deformity that she suffered she found particularly traumatic, especially for a female, and she also accumulated approximately \$150,000 in medical bills.

Assemblywoman Speier noted that she received a civil settlement from the People's Temple of approximately \$300,000. Half of this amount, however, was paid to attorneys, and when the Social Security Administration learned of her civil settlement, they sent papers to her notifying her that she would have to repay the U. S. Government approximately \$150,000 for her medical expenses.

In addition to her pain and disability discussed above, she also has periodic sleep difficulties as the result of her trauma.

26. Sung, Steve Mr. Sung was an NBC newsman who was wounded twice at the airport. He was wounded in his arm and in his shoulder, and he noted that in cold weather he has difficulty with his arm. His shoulder wounds were more superficial. He reported that emotionally, it has taken quite some time for him to recover from the incident. He estimated that he lost approximately three months in wages due to his inability to work for a period following his return to the United States.

Mr. Sung characterized the defendant not as someone who was making decisions for the group; rather, he stated, "He (Layton) was led the wrong way by a wrong group of people."

Defendant's Version of the Offense. Mr. Layton's complete seventeen page description of the offense is attached. In the statement, the defendant states that in order to explain the events that occurred on November 18, 1978, one must first examine why he joined the People's Temple.

After graduating from college in 1968, he married Carolyn Moore. The couple moved to a small town near Ukiah, California and "this is where we became involved in the People's Temple." He recalled that he joined the Temple with hopes that he had found a humanitarian organization that would help the needy and provide Carolyn and him with like-minded friends.

The first time Layton met Jim Jones, Jones attempted to impress him by telling a great deal of information about Layton's personal background. Jones attributed this ability to supernatural powers. The defendant reflected, "I now realize that we had been tricked by Jones and that he got his information from members who spied on me, but at the time I was convinced that he did have some kind of special powers."

Layton continued, noting that at first People's Temple seemed very positive, i.e., they had a drug rehabilitation program as well as a program to help victims of poverty, to help those who suffered some type of injustice, and they helped the economically needy. Jones also helped Layton obtain his conscientious objector status. Layton acknowledged that the more that he and Carolyn became involved in the People's Temple, the more the Temple became the dominant influence in their lives. It finally reached a point that he had almost no life outside of People's Temple. "It is easy now to look back and see how I slowly became caught up in Jones's lies, but at the time I could not realize what was going on." At about this time, he and his wife divorced at Jones's suggestion.

In fact Jones and Carolyn were having an affair. At first I was angry with Jones, but I was told it was wrong to be angry or question Jones. I was humiliated in front of the church, yet I was caught up in the wanting to be part of the group that I saw as my family that I stayed with in the Temple. Jones preached that it was a sign of weakness to question his authority. I wanted to feel like I was part of something and could not leave the church. Whenever I would have doubts about what was going on, everyone would tell me that it was a test of my faith and loyalty.

The defendant related that he was very lonely after losing Carolyn "so Jones arranged for me to meet Karen Tow, another People's Temple member." Layton and Miss Tow fell in love and were soon married. At approximately this time, the subject's younger sister, Debbie, joined the Temple and became a very active member.

The defendant then became a communal member, which meant that he turned over all of his earnings to the Temple. In exchange, he was provided a place to live, food, clothing and medical care. At Jones's urging, Layton continued his education to become an x-ray technician so that he could help care for other Temple members.

In the early part of 1970, Layton's mother became involved with People's Temple. She separated from the defendant's father and gave large sums of money and property to People's Temple. At about this time, the defendant stated "I became a member of what was called the 'planning commission' while in California, but I never really had any decision power. I was often made fun of by other members which made me want to work harder to prove myself to others."

By 1975, everyone in People's Temple knew that Jones was building a project in Guyana. "We all thought we would be providing medical and technological assistance to that country by working in an area inhabited by Indians." Layton continued giving all of his money to the organization while he attended school and worked full time in the evening as an unarmed security guard.

His mother, his sister, Debbie, and his wife Karen all went down to Jonestown before he did. He recalled that all he knew about Jonestown was what he and other Temple members were told, i.e., that it was a paradise. These comments were affirmed by photographs and accounts by other Temple members, all of which were fraudulent. "Finally in May, 1978 I was called down to Guyana because my mother's health had taken a turn for the worse. I did not know that my sister Debbie had escaped from Guyana until I arrived in Jonestown."

Upon arriving in Guyana, instead of finding the paradise that he had seen in pictures, he found an encampment in which he had to work long hours in the fields, in addition to doing x-ray work and attending long meetings.

At the meetings, we were bombarded with Jones's view of what was going on in the world. When we were not in meetings we would hear Jones's messages over the loudspeakers. I was called up on the podium in front of everyone told that my sister Debbie was a traitor and a thief and an enemy of People's Temple. At first this was hard for me to believe, but as Jones kept repeating it over and over I began to believe."

After arriving at Jonestown, Layton found that his mother was very ill, suffering from the latter stages of terminal cancer. He spent part of every day taking care of her, and he noted that she was experiencing a great deal of pain. Layton further recalled that during this period, he also became ill and was hospitalized after he passed out while working in the fields. He thought that this was in late September or early October of 1978. He indicated that he had sores all

over his tongue and on the inside of his mouth. As his mother's condition continued to worsen, he became extremely depressed and he gave up on life. "I thought a lot about committing suicide but Jones preached that taking your own life without a cause or without his permission would result in reincarnation to a much lower form of life. I was given Elavil an anti-depressant and other medications. It seemed as my mother died, a part of me was dying too."

After his mother's death, in October of 1978, he recounted:

I don't remember much between then and when Congressman Ryan arrived for his visit, except that I was in a daze. I kept working in the fields and stayed occupied.

In Jonestown I lived in a cottage with other men. I no longer had a relationship with my second wife Karen (who was then having an affair with Jones). I had very few friends in Jonestown.

Due to Jones's constant bombardment of messages over the loudspeakers I preferred working out in the fields. I lost a lot of weight and the food was usually rice and gravy. I hardly slept at all due to Jones's speeches that went on late into the night.

Jones told me that my mother died because of my sister's defection and that my sister had stolen money from my mother and from the Temple. The idea of my sister causing my mother's death made me feel more depressed. Looking back now, I realized that didn't make any sense, but at the time it seemed true.

Jones also kept warning Temple members that there were traitors who had infiltrated Jonestown and who were actually Central Intelligence Agency (CIA) agents plotting the destruction of Jonestown.

Layton recalled that he did not remember a great deal about Congressman Ryan's plans to visit Jonestown; however, he did remember signing a petition opposing the visit.

He also recalled (on November 17, 1978) being at the pavillion for the evening entertainment show. He recalled "... cheering with the rest of the crowd when he (Ryan) gave a speech that night. I had the impression that Ryan liked Jonestown and People's Temple."

On Saturday morning (November 18, 1978) Karen Layton took him to the pavillion. She had a copy of a paper that the subject's mother allegedly signed a few months earlier which supported Jones's claim that the subject's sister, Debbie, had stolen money from the Temple. Layton stated that he gave this letter to Jackie Speier.

Later that day in the early afternoon I was approached by Maria Katsaris, a top aide to Jones, and Carolyn Layton my ex-wife. By then it was

well known in Jonestown that several people had come forward to defect. I knew conditions in Jonestown were poor but Maria told me that the defectors leaving on the first plane were really CIA infiltrators and if they got away they would provide information that would lead to attacks by CIA and Guyanese troops who would come in and torture and kill our people. I was told that if I would shoot the pilot in the first plane after it took off, then the community would have enough time to leave Guyana and go to another country more hospitable to us, possibly Russia, Grenada or Cuba. I realize that this makes no sense or logic, but at the time this was what Jones had been predicting since I arrived at Jonestown, and I believed it.

Carolyn then asked me if I would be the one to pretend to be a defector and get on the first plane with the defectors. I agreed, they then took me to see Jones who at first disapproved, but then gave his blessing. Jones said 'we're counting on you son'. Then I went behind the x-ray room where I had been told to wait. I was given a gun but then Pancho Johnson came and gave me another pistol, saying the first one could be traced. I then went to the truck with the defectors. Jackie Speier took me to see Congressman Ryan in the pavillion. She wanted to wait for the second truckload with the Congressman, but I insisted on leaving on the first truck and Ryan told her it was O.K., I would go on the first truck.

Once I got on the truck I was very frightened knowing that I was going to soon be dead if I shot down the plane. I hardly noticed when Ryan later got on the truck. I had no sense of time.

At the airstrip I sat by the tin shed afraid to talk to anyone. I kept meditating on what I had to do, namely get on the first plane with the defectors and shoot the pilot once it took off. I was also thinking that I was going to save the people of Jonestown, that they would get away, out of the country as a result of my action. I remember that I got on the plane with Vern Gosney and Dale Parks, and I don't remember the others although I learned later. My memory after that is poor. I do remember that I was waiting for the plane to take off, but it wouldn't take off. I heard shots but didn't know who was shooting.

The next thing I remember was when I was wandering around the airstrip and two Guyanese approached me and took me away.

Layton adamantly states that he never knew of a plan by Jones or others to attack the group at the other airplane. He noted that he did not consider Congressman Ryan to be an enemy. In fact, he thought the Congressman held favorable views of Jonestown, based on Ryan's speech that he gave to Temple members the evening before.

"By the time he (Ryan) came to the truck, I was so focused on what I had to do

I didn't even think about him. He was not a concern of mine. I did not even know who Mr. Dwyer was until much later after the tragedy."

Layton further commented:

I know I shot two people in the small plane. This was a horrible thing for which I feel great shame and regret. I know I will feel this way for the rest of my life. I was not aware of any conspiracy to kill Congressman Ryan or Mr. Dwyer or know what object such a conspiracy would have served. I am however very sad that Congressman Ryan was killed for I believe he was a good person doing his best. I am deeply sorry Mr. Dwyer was injured. I am also very sad for all the terrible things that happened that day.

Layton concluded stating that in his confused way, he was attempting to prevent an impending holocaust by the CIA, "... except I didn't know that it was Jones, not the CIA that was going to kill everyone. But I do not say this as an excuse. I know that what I did was very very wrong."

Additionally, during lengthy interviews with this officer, the defendant made the following comments. Layton described Jones as "powerful and charismatic," and he stated that in the early days of People's Temple, Jones appeared to be "good and kind." In hindsight, the defendant now believes Jones was totally evil.

The defendant recalled that after Jones had affairs with Layton's first two wives, Carolyn and Karen, he ended up feeling as though he (Layton) was the person with the problem. When he spoke of his anger at a People's Temple meeting, the members of the Temple told him that it was he who was wrong, not Jones, because Layton had no right to criticize Jones, and they said Layton also was introducing negativity into the Temple.

Layton revealed that he has felt great great anger and hatred toward Jones for over eight years noting "He (Jones) was a sick human being." He remarked that the only reason Jones should be remembered would be to prevent other people from being tricked into a cult like People's Temple.

Recalling his early days with the Temple in Ukiah, Layton talked about the fact that People's Temple members "really cared about me - if I had a problem, people would be over in a minute." He stated that prior to joining People's Temple, he had become alienated from his family. "I had been into drugs and this was a stable place - a family with constant values and a purpose." He related that after first joining the church, he was having problems with pain in his chest. After meeting Jones for the first time, Jones commented about his chest problems and Jones told Temple members to hold hands and to concentrate their energies on the defendant's chest problem. Layton stated that shortly thereafter, he had no more pain. He remarked "I believed he (Jones) had supernatural powers. People's Temple provided me a ready-made family, and this man had healed me - I thought he was a prophet."

Once in Jonestown, Layton realized that the Temple members day-to-day existence was drudgery and that escape from Jonestown was all but impossible. Increasingly, the subject saw suicide as the only alternative. He never attempted to commit suicide because Jones had repeatedly talked about reincarnation, and if you committed suicide, you would return a much lower form of life.

When commenting about his job to shoot the pilot once the small plane became airborne, he stated:

I was thinking in terms that troops were out there to kill us if the CIA deserters got back. I was singularly focused on this mission and I was under a lot of fear. I acted in a horrible way that was different than I have ever acted before or would ever act again. I do not recall the shootings in the airplane and I am very ashamed of that. I think it is a terrible thing. Additionally I felt terrible guilt thinking I shot Patti Parks.

It was not until sometime following his arrest that Guyanese authorities told him he did not, in fact, shoot Patti Parks.

When commenting about Congressman Ryan, the defendant stated "I thought Congressman Ryan was a great man and a nice person. I feel terrible about what happened and it is something that I will live with the rest of my life. It all stemmed from not being strong enough not having the right self image."

Layton noted that he feels totally alienated from the type of person that he was when he was at Jonestown, and he remarked that he "honestly had nothing against Ryan."

By the time I was on the truck, I was trying to hold onto whatever courage I had. There was some huge guy that was next to me and I was more concerned with the fact that I was going to die - I was having my funeral in my brain. I wasn't concerned with what Ryan was or wasn't doing. I never saw the tractor-trailer with the other people from the Temple with guns. I was later told I shot two innocent people. I am very sorry about that - extremely sorry about it.

The defendant further recalled that approximately one year before going to Guyana, at a time when Jones was still in San Francisco, a People's Temple meeting was arranged to be held in Los Angeles. At the meeting, Jones told his followers that he (Jones) prophesied that they would be tortured and put into prison, and they would have to be prepared for any type of torture or mistreatment. Privately, he told Layton that one way for the subject to prepare for this imprisonment and mistreatment would be for the defendant to have a homosexual experience with Jones. Layton described the activity with Jones as "very painful and unpleasant. I was made to tell the whole congregation - I had to talk about this and say it was my idea."

Commenting on the effect that his arrest and conviction has had on his family, he stated that since 1978, he has seen it destroy his family. "I have not only had to take responsibility for these wrong horrible things, and I have been the stand-in for the awful wrongs that Jim Jones had done. I am sure I deserve to be punished, but I don't know how I can be punished more unless they kill me. I feel terrible about letting myself be manipulated in this cult."

He also related that he felt a responsibility to try to help others from joining cults. "For the rest of my life, every day I have to prove to others and especially to myself that I am worthy of being alive and having survived."

Layton also disclosed that he would have to beg Ryan's family for forgiveness, and he felt terribly sorry about the Congressman's death. He concluded stating, "For the rest of my life I will be plagued by the shame of what happened. I will try to live a good life and make up for the terrible wrongs I have done."

PRIOR RECORD:

Sources. According to the Federal Bureau of Investigation and the California Department of Justice, Bureau of Identification, Mr. Layton has no prior history of arrest.

Juvenile Offenses. None.

Adult Record. None.

PERSONAL AND FAMILY DATA:

Defendant. Laurence John Layton was born on January 11, 1946, in Greenbelt, Maryland. He was the third of four children resulting from the marriage of Lawrence and Lisa Layton, nee Phillip. The defendant's father was a medical researcher and biochemist and his mother was a Jewish refugee who escaped from Germany. The family moved from Maryland to Utah when the subject was still very young, and he was sent to live with a relative in West Virginia when he was in the first grade. The defendant was forced to repeat the first grade and as a result of this, Dr. Layton became aware of a tutor who was available near his sister's home in West Virginia. The defendant remained in West Virginia for one school year, separated from his mother, father and siblings.

After rejoining his family in Maryland, his parents found that he had trouble learning how to read. Eventually, Mrs. Layton taught him to read at home. Mr. Layton related that he was always close to his mother.

The Layton household members were all practicing Quakers, and they attended the Friends meetings regularly. When the subject was still in grade school, he and his family moved from Maryland to California. He attended elementary school in the East Bay, and he enrolled in high school in Berkeley. He was active in the Young Democrats and the Sierra Club in high school, and after high school, he attended college at the University of California at Davis. Following his

graduation from the University, he married Carolyn Moore, the daughter of the campus Methodist minister. Shortly after they married, the couple moved to Talmadge, California, near Ukiah, where they initially became involved in the People's Temple. At first, they thought the People's Temple to be an anti-war pro civil rights humanitarian organization. After Carolyn had left him for Jim Jones, he married another People's Temple member, Karen Tow.

For the next two years, the subject worked in mental health hospitals, fulfilling his alternate service as a conscientious objector.

Prior to his marriage with Carolyn Moore, he became more and more estranged from his family. His father, although espousing liberal political views, had very traditional, strict moral standards. At this time, the subject was not only experimenting with drugs, (LSD and marijuana) he occasionally drank to excess on the weekends, and he was rather openly sleeping with Carolyn. Although other members of the Layton household were aware of these circumstances, when Dr. Layton heard of these details, there was increasing distress and alienation between father and son. Shortly before his marriage, the subject had limited contact with his family and almost no contact with his father. Jim Jones and the People's Temple provided the father figure and family structure that he had been missing for some time. In hindsight, Mr. Layton stated that "I see Jim Jones as the most awful person I can imagine. I hope I can use my experiences to help young people not to be trapped in cults and not to turn their lives, their minds and their freedom over to someone like Jim Jones."

Since his release from custody, Mr. Layton has re-established close ties with his family members, all of whom have been extremely supportive of the defendant, although not condoning his criminal conduct.

Parents and Siblings.

Father. Lawrence Laird Layton is 72 years of age. He received his Ph.D. from Pennsylvania State University, and following his graduation from graduate school, he taught Biochemistry at Johns Hopkins University, as a research associate in preventative medicine. Between 1957 and 1979, he worked for the Department of Agriculture in their Allergy and Immunology Department in Albany, California. He retired as a result of the strain of the defendant's present criminal conviction.

Dr. Layton stated that at the time of the defendant's birth, he was teaching at the University of Maryland. He noted that the subject was "a bit slow learning to walk and talk; he also faced competition with two high achieving siblings, in Annalisa and Tom. Dr. Layton characterized himself as much more of a father than a husband and lover. He noted that due to the defendant's position within the family, he soon learned to take a subordinate role to both Tom and Annalisa. The subject's father recalled that he was always very dependent on family and friends, and he also had a tendency to be "blue." Dr. Layton always felt he had to try to cheer up his younger son.

Although the defendant was an early sufferer of asthma, Dr. Layton hypnotized

the subject, and he never again had the problem. Dr. Layton believed that Larry had been using asthma as an attention getting device.

Professionally, Dr. Layton developed an expertise in wound healing. He became a world-wide expert in the subject, and the Army expressed a great deal of interest in Dr. Layton's knowledge.

Soon thereafter, he was made Chief of Chemical Warfare in a position that would allow him to continue his medical research. At this time, both his children and his wife challenged the type of work he was doing, given his Quaker background. It was not long after this that the subject's father once again started looking for an academic job.

Upon reflection, Dr. Layton stated that ever since childhood, Larry has been subservient and had a negative self image. He also described the defendant as the most "Quakerly" of the children, who as a child, frequently discussed the meaning of good and evil.

After graduating from college, he married Carolyn, a woman described by Dr. Layton as being the much more assertive member of the household. Dr. Layton stated that the People's Temple, at first, seemed to be a "Quaker-like group." It was not long before Dr. Layton began to question many, if not most of the concepts of the Temple.

The subject's father is firmly of the belief that during the years that his family members were involved with Jim Jones, Jones actively worked toward alienating Dr. Layton from his family members who belonged to the Temple. After the airport tragedy, while the subject was incarcerated in a Guyanese prison for two years, Dr. Layton paid almost \$5,000 to provide food for his son while he was in custody, and he spent many thousands of dollars for his son's legal defense and other bills associated with his son's incarceration. Dr. Layton further mentioned that in his opinion, the defendant is "Absolutely no threat to society," and he pointed out that "During the last eight long years, we have all been in hell."

Additionally, Dr. Layton raised questions about the medications that the defendant was given prior to November 18, 1978. Dr. Layton was particularly concerned due to the fact that he believes there is a family susceptibility to having adverse effects to medication. He recalled that when he was given medication for his heart condition he had such adverse reactions to the medication that he had to have the dosage reduced by 90%.

More recently, due to the depression that he was experiencing regarding the subject's legal problems, he sought help from a psychiatrist who recommended that he take Doxepin. This is a medication similar to Elavil. Here again, his body would not tolerate anywhere near the normal dosage of the medication, and his doctor explained that Dr. Layton has a hypersensitivity to medication due to the fact that his liver does not detoxify drugs properly. Professor Layton's doctor indicated that since he has this difficulty, it could well be passed on to other members of the family.

Due to the fact that the subject complained of sores in his mouth during the time that he was taking Elavil, Professor Layton researched the side effects of the medication. He stated that according to the Physician's Desk Reference, stomatitis (mouth sores) is listed among adverse reactions to the drug. Additionally, it cautions that patients who are experiencing paranoid symptoms may have an exaggerated reaction of such symptoms. It also notes that the possibility of suicide in depressed patients remains during treatment, and such patients should not have access to large dosages of the drug.

Dr. Layton points out that the subject apparently manifested stomatitis, and depression, he was suicidal, and according to some accounts, he was taking large dosages of Elavil. Professor Layton is of the opinion that a significant part of the defendant's atypical behavior could be explained by a hypersensitive reaction to Elavil.

Mother. Lisa Layton, nee Phillip, the defendant's mother, died of lung cancer in early November, 1978. Mrs. Layton was born and raised in Germany, and when Hitler came to power, she and her family, since they were Jewish, found life very difficult. At the age of 23, she immigrated to the United States after she had completed what is the equivalent of three years of college in Germany. Once in America, she went to work at Penn State University where she met Dr. Layton. Professor Layton stated that his wife became a naturalized citizen during World War II, and he also indicated that while the children were at home, his wife worked as a housewife and mother. Only after Debbie was in school did Mrs. Layton seek part-time employment.

As was mentioned above, Lisa Layton joined the People's Temple and ended up giving the Temple all of her assets. Shortly after joining the Temple, she and Dr. Layton divorced, ending a 31 year marriage. She believed in Jim Jones's supernatural powers, and she thought that he had the ability to heal people.

Sometime after the defendant became a member of People's Temple, his mother became interested in becoming more socially active. As a result of these feelings, she began to explore the People's Temple. After attending a Temple meeting, and viewing Jim Jones conducting cancer faith healing, she became even more impressed with the group. Jones claimed to have clairvoyant powers, and this added to the charismatic image she had of the Temple leader.

Dr. Layton characterized his wife as someone who was not analytical in relationships. Rather, if she liked people, she trusted them.

Not long after formally entering People's Temple, and leaving her husband of many years, Mrs. Layton contracted lung cancer. After Jones conducted a faith healing, the disease appeared to go into remission. After she and her daughter, Debbie, moved to Jonestown, the malignancy once again manifested itself. According to Jones, Mrs. Layton's disease returned either as a result of Debbie Layton's defection from Jonestown or due to the fact that Mrs. Layton failed to maintain a positive enough attitude about Jones and People's Temple. Approximately one month prior to the tragedy of November 18, 1978, Mrs. Layton died of lung cancer in Jonestown.

Siblings. Dr. Thomas N. Layton, a Ph.D. archaeologist/anthropologist, is 44 years of age, and he is the eldest sibling in the family. Dr. Layton obtained his Ph.D. at Harvard University in 1970, and he joined the Anthropology Department at San Jose State University in 1978. Presently, he is being considered for full professorship at the University.

Dr. Layton observed the defendant never had the benefit of being with his siblings, due to the fact that he and Annalisa were older than the subject, they had different interests, and they were seldom around the defendant. Dr. Layton stated that Larry was "left out to some degree at home." Due to this fact, the defendant's parents attempted to give him extra love.

Professor Layton stated that his brother was always worried about moral issues, much more so than any of his other siblings. He was also much more introspective than were the other children.

When the defendant entered high school, according to Dr. Layton, his brother continued to be concerned about social issues, and he greatly respected Reverend Martin Luther King. He joined the Young Democrat Club and he also worked for "fair housing" in Berkeley. After graduating from high school the subject's brother stated that the defendant "got into drugs and took LSD and blew pot." Shortly thereafter, he met Carolyn, who Dr. Layton characterized as "alert, opinionated and the dominant personality in the relationship." Not long after meeting Carolyn, Larry's grades started to diminish, and his relationship with his father started to rapidly deteriorate. After the couple moved to Ukiah, Dr. Layton stated that his brother had had considerable difficulty obtaining conscientious objector status, even though he was raised as a Quaker. Jim Jones had sufficient political influence to arrange for Larry to be granted conscientious objector status, and Larry soon became a "worker" in the People's Temple organization. Dr. Layton described his brother as someone who "grew up trusting and soft - a follower without armor." He described his youngest sister, Debbie, in different terms. Reflecting upon her escape from People's Temple, he stated "Debbie became more cunning and was able to use this cunning to escape. Debbie developed survival skills and Larry never had these skills - he was a follower."

As an anthropologist, Dr. Layton stated that People's Temple was fascinating as an organization; however, he also was able to see through Jim Jones. Dr. Layton described the changes in his brother, bringing him from a Quaker to someone who was involved in the present offense, by stating, "His changes in his mental state occurred in small increments over time." He also noted that "Larry wanted and needed to be part of a family." Dr. Layton is firmly of the belief that the defendant would never be involved in something similar to People's Temple for one reason. At the time that he joined the Temple, he was totally disenfranchised from his family, and from his father in particular. The junior Dr. Layton states that, "Larry is now back and part of the family and has the support structure that would preclude him from ever trying to get involved in another People's Temple."

Dr. Layton is also of the belief that, to a certain degree, Larry was prosecuted due to the 914 deaths in Jonestown. "He is the only person who can be held accountable."

When attempting to characterize the subject's most prominent personality trait, he observed that the defendant has always played the role of a "drone" trying to please other individuals, rather than of a leader.

Dr. Layton concluded the interview by stating that the defendant was not a threat to anyone, he has suffered enormously, and he hopes that the Court will be merciful in the treatment of his brother.

Annalisa Layton Valentine is 42 years of age, she is married, and she has two children, now ages 17 and 13. Annalisa and her husband, a professor at the University of California at Davis, have been married for 19 years.

In the mid-1970's, after moving to Davis, California, Annalisa stated that in the midst of marital problems, she started attending Sunday and Wednesday meetings at the People's Temple in San Francisco. She noted that at the time, Jones was very involved in the labor movement and politics in San Francisco. She recalled, however, that her husband was very much opposed to her joining the Temple and told her that he was very concerned about her welfare. After she decided to travel from San Francisco to Los Angeles to attend a People's Temple meeting, she discovered that the defendant's second wife, Karen, who accompanied her on the bus trip to Los Angeles, went through her wallet and purse while Annalisa was sleeping. She did it, apparently, to obtain personal information to give to Jim Jones. Jones used such information at times that he claimed to have clairvoyant powers.

Immediately following this weekend, Annalisa disavowed any further relationship with the People's Temple.

Annalisa characterizes her younger brother as someone who "feels horrible about everything that occurred since he joined People's Temple. She believes that her brother was not fully responsible for his activities at the airstrip due to the mental duress that he was under while at Jonestown. She stated, "He is not a hard person, I don't think he could handle incarceration - I believe he would be abused."

When discussing her relationship with her siblings as a youngster, she noted that she and Tom were the "force of the family, and Larry was always the odd man out." When Debbie was born, she was "everyone's darling" and the subject still failed to receive the family attention that these other three siblings maintained.

Debbie Cartmell, nee Layton, is the subject's youngest sibling, and she is 33 years of age. She is married, she has one daughter, and like her other siblings, she attended college. Presently, she is employed with an investment banking firm, a position that she has maintained for approximately eight years.

Ms. Cartmell characterizes her brother as a "very kind man." She stated that she has first hand knowledge of the pressures and difficulties experienced by her brother in Jonestown, and she thinks that almost anyone exposed to a similar environment would manifest major behavioral problems.

Ms. Cartmell stated that she joined the People's Temple, at the age of 19, in 1971. She joined after first visiting her brother at the People's Temple church in Ukiah, and she was attracted to the people and the causes that were being espoused by Jones at the time. She stated that at that time, Jones appeared to care about the blacks, the needy, and the Viet Nam war. It was like joining the Peace Corps." She further noted that "We had been brought up comfortably, and we had the guilt of our wealth. Jim Jones played on this." Debbie and her brother were asked to help support the Temple financially, and by the use of their father's funds, they contributed over \$10,000 to the Temple.

Debbie stated that her father was always concerned about his children thinking for themselves, and she knew that Jones felt threatened by Dr. Layton. Jones urged the Layton family members who belonged to the Temple to have nothing to do with Dr. Layton. She noted that Jones concentrated on breaking down one's ego strength and separating people from their families. She stated that he also had the ability to make middle class white members feel guilty about their status in life.

While still a member of the church, Jones took her, Maria Katsaris and Carolyn Layton on a plane trip to Panama. Debbie then agreed to become a signatory on People's Temple bank accounts that were located in both Panama and in Switzerland. She estimated that Jones probably had access to between \$10,000,000 and \$14,000,000 provided by People's Temple members.

In December of 1977, she and her mother received a directive from Jones to leave San Francisco and go to Guyana. Telling no one, not even their own family members, Debbie and her mother flew to Guyana. Once there, she became the Temple's financial secretary, and she also became frightened that she was doing something illegal. She recalled that on arriving at Jonestown, all able-bodied people were put on work crews for twelve hours per day. She stated that although she and her mother were very unhappy, she was fearful about complaining to anyone. Eventually, she was reassigned to the radio room during the day where they maintained radio contact between Jonestown and Georgetown, and contact with the United States in the evening.

Ms. Cartmell soon realized that anyone who expressed discontent or desire to leave Jonestown was immediately not trusted. After convincing Jones that she was loyal, she was sent into Georgetown on a good will mission with children from Jonestown to put on a play for Georgetown residents. During this visit, she was able to make emergency arrangements with the U. S. Consulate, and she was able to escape.

She recalled that while in Jonestown, Jones constantly told the Temple members that the CIA was going to attack Jonestown. She said that frequently, at night time, they heard gunfire coming from the woods, and Jones had repeated "White night" suicide drills.

After escaping from Jonestown, she contacted Congressman Ryan's office in Washington, D.C. and eventually testified before Congressional committees about the state of affairs in Jonestown.

She adamantly asserted that her brother did not know that Congressman Ryan was going to be killed at the airstrip.

She pointed out that her mother died thirteen days prior to the airstrip tragedy, and that in addition to suffering from extreme depression, her brother was also taking high doses of Elavil. She noted that her brother feels great remorse about what he did, and she also states, "I would have done the same thing. I was brainwashed."

Ms. Cartmell is convinced that her brother now poses no threat to anyone, and she stated that there was no way that he would ever become involved in another cult again.

Marital. Larry Layton married Carolyn Moore, his first wife, in July of 1969 at Davis, California. The subject describes his former spouse as very intelligent, sophisticated, someone who had traveled to Europe and who was interested in peace and humanity. He stated that Carolyn had a very forceful personality, a trait mentioned by a number of other people. Soon after the couple married and moved to Ukiah, California, Carolyn became interested in the People's Temple, and she was having an affair with Jim Jones. She later had a child by Mr. Jones, shortly thereafter, and at Jones's instruction, she and the subject were divorced in 1970 in Ukiah. The subject and Carolyn had no children.

After taking Carolyn from the defendant, Jones introduced him to Karen Tow. After a brief courtship, they fell in love and married in Ukiah in February of 1971. Although the relationship remained technically intact until 1977 or 1978, not long after their marriage, Karen also became romantically involved with Jim Jones. She eventually left Mr. Layton and the United States to accompany Jones to Guyana, where she remained with him until the mass suicide. As with Carolyn, the defendant and Karen had no children.

Since 1981, the subject has been residing with Sandy Hiyane, a 33 year old woman who works as an administrative assistant to a financial corporation in the Bay Area. They met through a mutual friend, and she is aware of all the details in the subject's background. She stated "He has punished himself and will continue to punish himself. The greatest punishment is that he has to live with it (his actions at the airstrip)." She said that when one analyzes the defendant's actions, she believes it is inappropriate to do so out of the context of what led up to the events at Jonestown. Although not condoning Mr. Layton's actions, she believes that there were major mitigating circumstances that led to his behavior, and she believes that he has suffered extraordinarily during the last eight years. Although she and the defendant have discussed marriage, they are awaiting his sentencing to see whether or not this is a viable option.

Education. Mr. Layton attended elementary school in Maryland and Virginia, and he enrolled in Berkeley High School in 1961. As of this writing, Berkeley High School has failed to provide a copy of the subject's transcript. However, his transcript from the University of California at Davis reveals that he graduated from Berkeley High School in 1965.

Upon entering the University of California at Davis, in the spring of 1965, the defendant chose to major in both sociology and psychology. He graduated from Davis in 1968 after completing 180.3 quarter units, and maintaining a grade point average of 2.68, that, on a scale of 4. He received a Bachelor of Arts Degree on June 13, 1968.

Five years after graduating from the University of California, the subject entered Santa Rosa Junior College. He attended the college from the fall semester of 1973 until the fall semester of 1974. He completed 43 units, earning 118 grade points or the equivalent of a 2.51 grade point average.

In the spring of 1975, Mr. Layton enrolled in the City College of San Francisco where he completed 60 units, with an overall grade point average of 2.48. He completed the course to become a diagnostic radiologic technician on October 14, 1977.

In the fall quarter of 1983, Mr. Layton entered the College of the Redwoods in Eureka, California. He remained so enrolled until the spring quarter of 1984, and he completed 14 quarter units, maintaining a cumulative grade point average of 2.06. He studied primarily real estate courses in furtherance of his goal to become a real estate sales person.

Military. Mr. Layton never served in the United States Armed Forces. He was, however, granted "conscientious objector status" by his draft board. As of this writing, official verification of this fact has yet to be received. All of the defendant's family, however, have confirmed his two years of alternative work service as has his fiancée.

EMPLOYMENT:

Between 1981 and 1986, the subject has worked at a number of different jobs.

After receiving his real estate license, he stated that he worked for American Real Estate Exchange, 1291 East Hillside Boulevard, Foster City, and he related that he also worked for Traycur Realty, in San Francisco. Neither company is presently in existence.

Between May of 1986 and November of 1986, he related that he worked for Davis Realty, 5000 Geary Boulevard, San Francisco. This officer contacted the Office Manager for Davis Realty who recalled that the defendant filled a temporary position while one of their employees was off on maternity leave. During his employment with Davis, he worked in their rental property department, and he resigned when the full time employee returned.

Between October of 1984 and February of 1985, the defendant worked for Goodwin Realty, 4990 Mission Street, San Francisco. He recalled that he was working on commission at the time but could not be sure of the amount of his income. Contact with the Office Manager at Goodwin Realty confirmed his dates of employment. She would provide no information about his income, but she did state that the subject was rehirable.

Between August of 1984 and November of 1984, Mr. Layton worked at Executive Rent-a-Car located at 734 San Bruno Avenue, San Bruno. The Office Manager at Executive Rent-a-Car stated that their records only showed that he worked from August 3, 1984 to November 31, 1984. He also recalled working with the subject, and he stated that he was "a good employee" who left their employment for a better job. Here, too, the subject is rehirable.

Between August of 1983 and August of 1984, Mr. Layton indicated that he worked for Peggy Buchanan, at Century 21, a realtor in Eureka, California. Contact with Ms. Buchanan, a real estate broker, revealed that the subject was interviewed for a job in August of 1983 and entered training until he obtained his real estate sales license in May of 1984. Ms. Buchanan stated that although she liked the subject personally, he did not make any money due to the fact that he did not record any sales. (It was at this time that the subject was also a junior college student at the College of the Redwoods in Humboldt County, California.

Mr. Layton also stated that he worked at Herrick Hospital, in Berkeley, California. He stated that he was employed at the hospital as an x-ray technician for over a year. Contact with Herrick Hospital revealed that they could not locate their personnel file for Mr. Layton. An employee, however, definitely recalled Layton being employed as an x-ray technician between 1977 and 1978.

Between May of 1972, and September of 1973, the defendant was employed by the Georgia Pacific Company, Particle Board Plant, in Ukiah, California. He was employed as a "grader" and their personnel office was unable to locate any other information. Georgia Pacific's Ukiah plant has been closed for some time.

From March of 1970 until June 8 of 1972, Mr. Layton worked as a food service assistant at Sonoma County and then Mendocino State Hospitals. Their personnel records have been destroyed, and the only information that they could provide was that the subject resigned on June 8, 1972.

During 1970, the defendant indicated that he worked at Masonite Corporation in Ukiah. Contact with Masonite Corporation revealed that the subject was employed between May 29, 1969 and June 6, 1970 as a "pressed wood gunner and machine operator." He earned \$2.91 per hour, and he left for a higher paying job.

HEALTH:

Characteristics. Mr. Layton is described as 5'7" tall, and he weighs approximately 155 pounds. He has a one half inch scar in the center part of his forehead, and he has no other scars or other identifying marks.

Physical. As a child, the defendant had occasional asthma problems which, according to his father, may have been psychosomatic.

Between 1964 and 1968, he stated that he experimented with LSD, and he smoked marijuana regularly during college. While in college, he also occasionally drank to excess on the weekends. After joining People's Temple, he ceased all illegal drug usage.

While the defendant was in Guyana, he suffered significant weight loss, approximately 40 pounds, due to a number of factors. He was quite depressed, the diet at Jonestown consisted mainly of rice and water, and he was having problems with sores in his mouth.

When he began to experience his medical difficulties at Jonestown he was apparently given Elavil; however, there is no record of his dosage, the frequency of the medications or how long he took the medications.

Mental and Emotional. Mr. Layton has been examined by four psychiatrists and two psychologists. The six reports, in their entirety, are attached. A summation of the three defense reports and three prosecution reports follows.

Defense Psychiatric Reports.

Emmanuel Tanay, M.D., F.A.P.A., examined Mr. Layton in June of 1981, and he submitted three reports to the Federal Public Defenders Office. In the first report, Dr. Tanay discussed the fact that Larry's life had been dominated by two fathers, his natural father, Dr. Layton and the Reverend Father, Jim Jones.

He observed that Dr. Layton was the product of a fundamentalistic, moralistic background. His severe super-ego was further reinforced by the sudden death of his father, when Dr. Layton was eight years of age. There is little doubt that Dr. Layton is a highly moralistic, rigid figure who demanded from himself and those around him veneration and worship of authority and unquestioned submissiveness to principles. The Layton family was dominated by adherence to principles and ideas. This devotion created conflict within the family and the individual members of it.

When commenting about how one should have dealt with Jim Jones, Dr. Tanay noted, "It is well-known in psychiatry that rational, common sense, responses to psychotic behavior can have devastating results. I have encountered a number of homicides perpetrated by psychotic individuals who were dealt with in a reasonable, rational manner. It could be said that it is irrational to be rational with a psychotic. Commenting about Jones, the doctor remarks, "There prevails in our society a naive assumption that psychotics are not capable of goal-directed organized behavior. Jim Jones was a highly skillful manipulator of individuals and social processes."

Dr. Tanay's first report concerns his opinion of the Layton family, as the result of information he obtained from the book entitled In My Father's House, which was the story of the Layton family and the Reverend Jim Jones. Dr. Tanay observed, "It is inevitable for Larry Layton to become the stand-in for Jim Jones during the trial period. Larry was not only his victim, he was also his lieutenant. The indictment does not name Jim Jones as a codefendant with Larry Layton. Nonetheless, Jim Jones cannot and should not be excluded from this trial."

Dr. Tanay submitted a second report to the Federal Public Defenders Office dated June 16, 1981. Dr. Tanay states in his second report that he finds it

psychiatrically significant that the news media and the Government did not take more seriously information that was forthcoming regarding the atrocities perpetrated by Jim Jones. He points out that a number of newspaper articles in early 1978 outlined the type of existence that was ongoing at Jonestown. Additionally, he points to Deborah Layton's testimony to Congress entitled "The Threat and Possibility of Mass Suicide by Members of the People's Temple." He notes that Hitler, Jim Jones, and all others suffering from paranoid delusions were helpless but to tell the world what they were going to do. He pointed out that Jones, their survivors and their relatives issued repeated warnings that the disaster was in the making. Officials who reviewed this material were neither callous nor indifferent. Rather, they made the judgment that Jones and his church comprised a legitimate, socially useful organization, and they surmised that the survivors and their relatives were in error. "The same force which persuaded reasonable rational people to join the Temple persuaded reasonable responsible Government officials that no intervention was necessary."

Dr. Tanay pointed out that Jones required members to sign blank documents turning over their property to the Temple, and he also had them sign a variety of false confessions and accusations, i.e., Lisa Layton's affidavit that her daughter, Deborah, stole \$4,800 from her while she was in Jonestown.

He also pointed out that Jones required Temple members to sign statements admitting bizarre, sometimes illegal behavior, that in reality, never took place. Deborah Layton signed statements to the effect that she would do physical harm to anybody who tried to harm the People's Temple "cause." She also made similar statements about participating in certain sexual activity which never occurred.

Commenting on Jones, he stated:

I have listened to the tapes of Jim Jones addressing his followers. I believe that it is essential for anyone attempting to comprehend this tragedy to hear that voice. We have a master orator delivering his message in a highly emotional persuasive manner. One cannot avoid making comparisons to Hitler whose style of presentation was virtually identical to that of Jim Jones. Jones, like Hitler, utilized all of the tools of propaganda, mass meetings, important cause, miracles, music, brutal force, and a great deal of talk about all consuming love.

Jones presented himself as a person who offered solutions to social problems, that is, he was helping the poor, the oppressed, he was curing cancer, and fighting against racism. He cured the blind, and he restored self esteem of the downtrodden. "Reading a transcript of Jim's communications reveals that he was inconsistent, irrational and at times incoherent. Reading a transcript of his communications is misleading. It deprives the reader of the opportunity to grasp the persuasiveness of irrationality."

Dr. Tanay's last letter to the Federal Public Defender's Office was dated June 30, 1981. In this letter, he describes the defendant as an individual who is

aloof, remote and "who clearly makes the impression of a schizoid personality. His life history confirms this clinical impression." He pointed out that during the subject's childhood, he experienced a variety of emotional difficulties. He flunked the first grade, and he was very fearful of his father. The defendant was considered to be a slow learner, and he was often threatened by his father if his achievements were insufficient. Tanay describes Layton as a loner with limited involvement with his peers. After going away to college, he began experimenting with drugs.

The subject's involvement with the People's Temple provided him with the much needed structure that was missing in his life. As he became more involved with Temple activities, Dr. Tanay notes that he "lost the capacity of judgment, his reality testing was undermined, and he accepted the most irrational explanations as reasonable. When ordered to proceed to Jonestown subsequent to his sister's defection he did so without protest."

Dr. Tanay goes on to describe the subject once he arrived at Jonestown. Noting that at sometime during his mother's terminal illness, the defendant developed severe depression associated with weight loss and other symptoms. "He accepted the suicide mission without any reflection, like a robot. His goal-directed actions were carried under the influence of his mental illness and occurred as a result of it." Tanay pointed out that even after the Jonestown tragedy, the subject continued to rely upon the Jim Jones magic by utilizing the technique of "meditating on Jones." (This was a method which People's Temple believers relied upon to obtain strength and courage to endure hardships. As of the interview, in 1981, Mr. Layton stated that he no longer meditated in such a manner).

Tanay observed that it was apparent to him that the defendant became a psychic captive of the psychological setting represented by the People's Temple. He noted that the evolution entailed a slow process of psychic transformation. The subject was particularly vulnerable to these influences because of his past history. "As a result of the mental changes which have been induced in Larry, he engaged in activities which, under normal circumstances, would be entirely unacceptable to him." "He has undergone a conversion which in my opinion constitutes an induced psychotic illness. We are not dealing here with persuasion, but a total environment designed to bring about personality transformation in susceptible individuals." Dr. Tanay concluded by stating that in his opinion, the People's Temple constituted a psychotic social structure which brought about a psychotic conversion of Larry Layton. The subject was predisposed to this behavior by the fact that he had a rather weak ego, his personality was rigid, he had a weak sense of identity and he suffered from social guilt. "Based upon the available information and examination of your client, I am of the opinion at the time when he has committed the criminal acts he suffered from a disease of the mind which rendered him unable to appreciate the wrongfulness of his behavior, and unable to adhere to the requirements of the law."

The defendant's counsel also had him examined by John G. Clark, Jr., M.D. Dr. Clark submitted a letter to the Public Defender's Office and to Mr. Tamborillo

dated July 3, 1981. Dr. Clark asserted in his opening paragraph "I have investigated Mr. Layton's psychological development and personality structure and concluded that he is and has been throughout much of his life psychiatrically ill." He then went on to state that the subject could be categorized, using the criteria of the Diagnostic and Statistical Manual, third edition, (DSM-III), as Access I, Section 296.36, major depression, recurrent, in remission. Under Access II, he diagnosed Mr. Layton as having a border-line personality disorder (pursuant to Section 301.83) and Schizotypal personality disorder (as described in Section 301.22).

Dr. Clark also points out that People's Temple was a highly destructive cult in which mind control was intense and pervasive. He was of the opinion that Mr. Layton's social, psychological and biological development rendered him especially vulnerable to the mind control techniques practiced by Jim Jones. He pointed out that the defendant's longstanding vulnerabilities to being easily influenced were especially acute during the last days of Jonestown, by the death of his mother, the paranoid fantasies that were presented as "news" to People's Temple members, the debilitating diet and the physical regimen of Temple members, the group consensus the end (ritual suicide) was eminent, and the consistent pressure he was under to prove his loyalty, made especially acute by his sister's defection.

He notes "In light of these conclusions, I believe that during the time of the alleged conspiracy, Lawrence Layton, as a result of a mental disease, lacked a substantial capacity to conform his judgment to the requirements of the law or to appreciate the wrongfulness of his conduct."

Dr. Clark commented that Layton lacked the mental capacity to act as a psychologically free agent in the light of our culture. He was unable to evaluate the information given him by Jones, particularly because the People's Temple did not permit critical evaluation. "Given Mr. Layton's lack of free agency, he was obviously unable to appreciate the wrongfulness of his actions. He did not think about right or wrong, for he was cognitively unable to do so. His cognitive structures were such that he could do only one thing, obey."

Dr. Clark then points out a number of factors which demonstrated the degree of mind control that was pervasive in People's Temple. He lists ten such factors which are as follows: 1. Isolation of the recruit and manipulation of his environment; 2. Control of all incoming information; 3. Debilitation through diet and fatigue; 4. Assignment of monotonous tasks or repetitive activities such as chanting or copying written material; 5. Deregulation of diminution of the self; 6. Acts of symbolic betrayal or renunciation of self, family and previously held values, all designed to increase the psychological distance between the recruit and his previous way of life; 7. Induction of uncertainty, fear, and confusion, with joy and certainty through surrender to the group as the goal; 8. Peer pressure, often applied through ritualized struggle sessions, generating guilt and requiring open confession; 9. Alternation of harshness and leniency in the context of discipline; and 10. Insistence by seemingly all powerful hosts that the recruits survival - physical and spiritual - depends upon identifying with the group.

Dr. Clark then points out five personal vulnerabilities of Mr. Layton which made his involvement with People's Temple complete. He noted that the subject's cultural disillusionment was something that was manifested from early childhood. Clark points out that the defendant's mother's Jewish background and the family's involvement with the Quaker church all contributed to a high degree of cultural alienation. When Jim Jones was able to secure Layton's conscientious objector status, after Layton was unable to do so himself for a number of months, this seemed to cement the relationship between the two and made Layton feel indebted to Jones.

Layton also had a tendency to conceptualize problems in a religious/political framework, according to Dr. Clark. While in high school, for example, he was very active in the Young Democrats. "The political/religious orientation of People's Temple, then, was consistent with his own tendencies to conceptualize social and personal problems in political and religious terms."

Dependency also is a hallmark in Mr. Layton's personality, according to Dr. Clark. He pointed out that one of the most chronic themes in Layton's life was a low self esteem and a sense of being a failure. The defendant's father set very high standards for his son, and berated him when he failed. "He (Layton) developed a persistent feeling of being doomed and a resultant chronic dependency on others to give him feelings of worth, however transient." The comradeship and sense of shared "power" and work projects of the People's Temple readily fulfilled these dependency needs. Jones exploited Layton's and others' dependency by systematically forging in them a new identity of blind loyalty to Jones.

Clark firmly is of the belief that the defendant also manifested low tolerance for ambiguity. This characteristic refers to a person's inability to function with reasonable comfort in situations involving uncertainty or vagueness.

Mr. Layton's life is replete with instances of impulsive decisions that, once made, seem to become inexorable and irreversible. Thomas Layton noted that his brother had a tendency to become totally involved in things, e.g., his immersion in the Young Democrats in high school. He seems to lose the 'distance' that enables most people to evaluate themselves and their actions from time to time.

Jones's confidence and claims to have found the answers to society's problems appealed to Layton's need to latch onto absolute explanations, however spurious. After having made the decision to commit himself to People's Temple and to Jones, his character structure made it very difficult for him to re-evaluate and question his commitment. Rather, it made him an especially good prospect of becoming a loyal soldier."

Clark then noted that the subject had a high level of dissatisfaction in his day to day life. Just prior to entering People's Temple, he was unemployed, he was worried about getting drafted, and he was experiencing marital difficulties, partly because of his economic dependence on his wife. Jones offered solutions to some if not all of his problems.

The final characteristic attributed to Layton was his susceptibility to disassociative states. Dr. Clark reflected that the induction of trance-like states is an essential aspect of the cult conversion process. He noted that although it was difficult to assess the susceptibility of disassociative states, especially retrospectively, a number of his observations led him to believe that the subject did possess such susceptibility. During their discussions, he seemed to have an "uneven flow of consciousness." He also gave as an example that the subject's father successfully cured him of asthma by using hypnosis. Layton's omnipresent sense of doom also contributed to this susceptibility.

Dr. Clark concluded his report by stating, "The suicides and murders of over nine hundred men, women and children testify, I believe, to the fact that Lawrence Layton's focused state of mind was not unusual in the People's Temple."

Philip G. Zimbardo, professor of psychology at Stanford University sent a report to Mr. Tamburello and the Public Defenders Office dated April 21, 1981. In this report he notes, "It is my considered opinion ... that the defendant, Lawrence 'Larry' Layton, was, at the time of the alleged criminal conspiracy: A. Suffering from a severe state of reactive depression that affected his daily functioning and constituted a mental defect; B. Suffering a severe impairment of conscious functioning, such that his normal temporal orientation was disturbed sufficiently to render him incapable of analytic reasoning that required any consideration of long-term, future consequences of his acts; C. A product of chronic intense 'attitudinal and value conditioning' to which he was subjected over a decade as a member of People's Temple, which conditioning affected his cognitive, affective and behavioral functioning; D. An unwitting captive of the total environment created by Reverend Jim Jones in the People's Temple compound at Jonestown, Guyana, which environment fostered mass paranoid delusions and a distortion of reality based decision making; E. Because of the combination of these factors not able to appreciate the wrongfulness of his action and he lacked the substantial capacity to conform his public conduct to the requirements of the law."

He then points out that Layton's behavior, mood and general status fit the diagnostic criteria for Major Depressive Episode according to the new Diagnostic and Statistical Manual of Mental Disorders (DSM-III), American Psychiatric Association, 1980 pp.213 s. He points out that Layton manifested loss of interest or pleasure in usual activities or pastimes, he had significant weight loss, he suffered from hypersomnia, a decline in sexual drive, fatigue, feeling of worthlessness, indecisiveness, and recurrent thoughts of death and suicide.

Zimbardo also pointed out that, in his opinion, several pieces of evidence suggested that the defendant suffered from impairment of his time sense, or temporal orientation. Layton's thoughts, feelings and actions appeared to be influenced by his "focused present orientation. ... This over-reliance on a present time cognitive mode of functioning diminishes the usual influence of human functioning normally exerted by anticipation of the future or memory of the past."

Professor Zimbardo pointed out that over an extended period of ten years, the defendant was subjected to intense, concentrated multiple forces of persuasion.

"It is my opinion that the systematic programming of thoughts, feelings and actions practiced by Jim Jones on Larry Layton and other People's Temple members represents one of the most extreme forms of coercive persuasion in recorded history."

Zimbardo claims that Layton was a captive in an environment totally controlled by Jones. "Research on American prisoners of war during the Korean conflict has concluded that: 'A determined captor, possessing total control over the life and environment of a captive, can produce behavioral and attitudinal in even the most strongly resistant individual.'" (Delgado, 1978, p.3).

The elements centrally involved in documented instances of coercive control, as outlined by Dr. Richard Delgado, all existed in the Jonestown environment where Layton lived from May to November of 1978.

Clark is also of the belief that Layton suffered a breakdown in his mental capacity to appreciate the wrongfulness of his actions and conform to the law. Maria Katsaris told Layton, on the day of the Jonestown tragedy, that the People's Temple would be destroyed if the defectors were not stopped. She continued, according to the defendant, by pointing out that the Temple's plan to move to a more hospitable country would be destroyed if the defectors got back to the United States and lied about the project. The subject's first wife, Carolyn Layton, then told him somebody would have to bring the plane down. When Layton consented to do this, Jim Jones praised his loyalty by stating, "We're counting on you son, the future of these people is going to be with you."

According to Layton and others, destruction of People's Temple and the murder of the children, elders and everyone within the Temple seemed imminent, once the defectors reached foreign soil. Jones continually spoke about troops coming to Jonestown and killing all of the inhabitants. Layton stated, "I assumed I would die on this mission to save the people of Jonestown." Layton's second wife, Karen, reinforced his act of blind obedience with the reassurance "I really respect what you are doing."

Professor Zimbardo concluded his report by stating, "His moral judgment was so impaired that he was prepared to take the lives of men, women and children who had been, until a few hours before 'the tragedy' his friends and long-time fellow congregation members."

Prosecution Psychiatric Reports.

Donald T. Lunde, M.A.M.D., Clinical Associate Professor of Psychiatry and Senior Research Associate in Law, at Stanford University, submitted a report to the U. S. Attorneys Office dated June 12, 1981. Dr. Lunde described the significant factors in the defendant's personal and family history. He pointed out that there were tremendous pressures applied to the Layton children to succeed, particularly by Dr. Layton. The subject also had ambivalent feelings about his father, i.e., being frightened of his father, although his father was not a brutal or sadistic disciplinarian, and on the other hand, recalls feeling love for his father and worrying about him because he seemed to be unhappy much of the time.

Layton was basically a loner within the family, and he expressed interest in political and social issues even as a young child. As he grew older, most of his reading centered on political topics or current events.

Dr. Lunde points out that the subject's medical history was not particularly noteworthy, although he did experiment with LSD on several occasions in the late 1960's.

He discussed the fact that the defendant had not had psychiatric treatment, and he had no recollection of ever being told or having feelings which required psychiatric consultation or treatment. "In fact at the end of our three days of interviews in May, 1981, I asked Larry if he presently felt he was mentally ill and he replied, 'No.' I told him that I agreed with him."

Dr. Lunde noted there are two episodes in the defendant's life which could have been mistakenly thought to represent a psychiatric disorder. The first episode occurred when the subject was 22 years of age, and after he ingested LSD, he found himself walking aimlessly on a freeway. This behavior seems quite readily tied to his consumption of the hallucinogenic drug.

The second episode occurred in the summer of 1978 while the defendant was in Guyana. Shortly after arriving at Jonestown, the defendant's mother's medical condition worsened. Mrs. Layton's cancer was malignant, and it was spreading rapidly. During this time, the subject experienced a normal phenomenon known as "anticipatory grief reaction." Due to this normal reaction, the defendant was treated with an anti-depressant (Elavil). Dr. Lunde comments on the subject's mental status by stating, "His answers to standard judgment problems and his interpretation of proverbs shows no evidence of thought disorder or mental deficiency. His mood and emotional tone are appropriate."

After describing the sequence of events which led up to the tragedy at the airport, Dr. Lunde contended that "It is my opinion that the defendant was sane at the time of the offenses for which he is charged." He concluded stating, "It is my opinion that Larry Layton did not act out of coercion or compulsion at the time of the shootings on November 18, 1978. He had not been threatened or coerced into committing the crime, but rather had volunteered when Maria mentioned that they were looking for a volunteer for this mission. Larry admits that a primary motivation of his was to become a hero to the people at Jonestown by performing an heroic act which would save the rest of the community."

On July 2, 1981, Michael P. Maloney, Ph.D., a clinical psychologist, interviewed Mr. Layton and administered a number of psychological tests to him. The tests revealed that the subject functioned in the normal range of general intelligence, with an I.Q. of approximately 106. The I.Q. of 106 would place him about at the 65th percentile, i.e., out of a randomly selected group of 100 people of his age, he would perform better than approximately 65 of them and more poorly than approximately 35.

Dr. Maloney administered several tests which evaluated the defendant's perceptual-motor integration functioning. On both of these tests, his performance

was quite adequate, and his score would fall generally within the normal range. His memory was determined to be approximately average; however, he did have difficulty with the Categories Test of the Halstead-Reitan Battery. This test presents the individual with series of non-verbal symbols and he is asked to make various solutions regarding the stimuli. Mr. Layton responded to the test in a relatively rigid manner. He could not shift from one type of solution to another. "He simply continued the same solution even though he got feedback that it was wrong. In the context of all of the present data, it is not my impression that this suggests any actual organic deficit, but it is rather suggestive of a rigid, concrete and somewhat inflexible style of thinking."

Dr. Maloney also administered various personality tests. On the Minnesota Multiphasic Personality Inventory Layton's score demonstrated a relatively poor self concept and negative outlook on life. The clinical scales measuring depression and hysteria were quite elevated on his tests. A "T score" of 70 is considered clinically significant or suggestive of possible psychopathology. His hysteria T score of 78 was considered significant; however, his T score of 95, on the depression scale, is considered quite elevated.

The subject also was given the Edwards Personal Preference Schedule which measures 15 different needs which are compared with each other. The tests show individual's highest needs and his lowest needs. Mr. Layton's highest need was for succorance, which is described as "To have others provide help when in trouble - to seek encouragement from others, to have others be kindly, to have others be sympathetic and understanding about personal problems, to receive a great deal of affection from others and to have others do favors cheerfully, to be helped by others when depressed, to have others feel sorry when one is sick, to have a fuss made over one when hurt." His second highest need, just over the 91st percentile, as compared with the 97 percentile for succorance, was for deference. This is described as "To get suggestions from others, to find out what others think, to follow instructions and do what is expected, to praise others, to tell others that they have done a good job, to accept leadership of others, to read about great men ... etc."

Layton's third highest needs were for affiliation and abasement. Affiliation is described as "To be loyal to friends, to participate in friendly groups, to do things for friends, to form new friendships, to make many friends, etc." Abasement, is "A need to feel guilty when one has done something wrong, to accept blame when things do not go right, to feel that personal pain and misery suffered does more good than harm, to feel the need for punishment for wrongdoing, to feel better when giving in and avoiding a fight than having one's own way, etc."

According to Dr. Maloney's testing the subject's lowest need was for achievement, which was approximately at the 4th percentile. His second lowest need was for dominance which was at the 6th percentile. Essentially, this is the opposite of the need for deference, and his need for dominance is characterized by the need to "argue for one's point of view, to be a leader in groups in which one belongs, to be regarded by others as a leader, to be elected or appointed chairman of a committee, to make group decisions, etc."

Layton's third lowest need, at approximately the 15th percentile, was for aggression.

Dr. Maloney states "Mr. Layton's personality, as described in terms of need, is certainly consistent with his case history of being shy, withdrawn, being a follower of other persons, and it is certainly consistent with his tendency to be depressed and self critical."

In addition to the above tests, the subject was also given the Rorschach Ink Blot Technique Test, which produced unremarkable results.

Based on all of the above tests, Dr. Mahoney states that:

Mr. Layton would be described as having affective disorder. It is my impression that there are certain chronic contributions to this disorder. The chronic affects of his depression seem to be indicated by his own report that he was shy and withdrawn and somewhat of a loner. He resorted to drinking and some drug use apparently to help deal with this problem. Present data clearly do not suggest any significant disturbance such as psychosis.

On August 31, 1981, Mr. Layton was examined by Seymour Pollack, M.D., Director of the Institute of Psychiatry, Law and Behavioral Science, in the Department of Psychiatry at the University of Southern California School of Medicine. After examining Mr. Layton, Dr. Pollack concluded that the defendant was sane at the time of the airport tragedy in Jonestown, and he did not lack substantial capacity to appreciate the moral wrongfulness of his act or to conform his conduct with the requirements of the law.

He also concluded that the defendant was not so mentally impaired, as a result of mental disease, that he was incapable of knowing and willfully becoming a member of the conspiracy to kill Congressman Ryan and to attempt to kill Consul Dwyer. He noted that his opinions only addressed the question of Mr. Layton's mental capacity for the criminal acts at the airstrip, and did not otherwise speak to the issue of his criminal responsibility in this matter.

Dr. Pollack continued stating that he believed Layton strongly adhered to the condition that he should carry out Reverend Jones's plan to kill People's Temple defectors, but he also believed that this was a morally correct thing to do. In Pollack's opinion, however, this condition and his belief were not a product of mental disease; rather, it was as a result of misplaced religious or "social zealotry."

Dr. Pollack noted that the subject's personality traits were such that he appeared vulnerable to the social, political and religious seductions of Reverend Jones and his followers at the Temple. It appeared to Pollack that Layton demonstrated a mild chronic depressed state for many years, with feelings of inadequacy and low self esteem. These feelings appeared to be the result of a desire to satisfy his driving, academically and occupationally successful father and from his inability to compare himself favorably with his more successful elder siblings.

The doctor considered it noteworthy that the defendant began to receive Elavil, an anti-depressant medication; however, he noted that there was conflict regarding when he began receiving the medication, how much he was receiving and for what period of time. Although Layton described his life as being harsh and depressing, Pollack noted that he presented no signs or symptoms of anything but mild depression.

The defendant clearly described the event of the afternoon of November 18th with no lapses or gaps, i.e., he described no altered states of consciousness or episodes of amnesia. He demonstrated full and unimpaired consciousness, described no alternate identity, no impaired reality testing and no depersonalization or derealization experiences; and finally no automatic or peculiar conduct by the defendant on this day was described by any of the survivors.

He further notes that the defendant did not manifest any significant evidence of substantial psychopathology from November 18, 1978 to the time that the report was prepared. Pollack states, "... The battery of psychological tests conducted by Dr. Maloney further support my clinical opinion and impression of the defendant in that these tests evidence no significant psychopathology other than that of mild depression. In my opinion the mild depression evidenced by the defendant would not qualify the defendant for mental disease under the McDonald Rule ..."

Pollack points out that a number of possible mental disorders were considered before he made his diagnosis of this case. 1. Atypical Dissociation Disorder; 2. Post Traumatic Stress Disorder; 3. Various personality disorders, such as "Borderline," "Schizotypal" and "Dependent." He admits that the defendant does demonstrate mild features of a number of these conditions, but stresses that Layton demonstrated inadequate manifestations of these conditions to provide the basis for a clinical diagnosis. Further, those manifestations that did exist were of such a low level of disability that it would have been unwarranted to label such a condition as a mental disorder.

In his discussion of "coercive persuasion" Pollack argues:

In my opinion, the evidence is strong that the defendant was subjected to, what in the literature has been called, "coercive persuasion." The evidence is equally strong, however, that he did not become an automaton, a robot, a 'Manchurian candidate' who automatically and unwittingly carried out Reverend Jones's bidding, that his intent to conspire and kill was not truly his because it was transferred onto and implanted into him by Reverend Jones, and he had no ability to act freely of his own free will, not the ability to resist. In my opinion, although this defendant's free will (i.e., freedom in the sense of free choice of action) was somewhat impaired, produced and restricted by his People's Temple experience and by the increasingly pronounced malignant influence of Reverend Jones, nevertheless Mr. Layton was not such an automaton or robot in his actions. No evidence exists that he was 'programmed' for this act, and therefore we need

not address this level of alleged automaticity. Rather the evidence that does exist is to the effect that he exercised a considerable amount of independent thought and action at Jonestown, en route to the Port Kaituma airstrip, while waiting for the plane to disembark, and following the shooting.

Additional Psychiatric Information. The following information was prepared by Otto L. Bendheim, M.D. The report that he submitted to the Federal Public Defenders Office was entitled "Psychiatric Autopsy: Reverend James Jones."

After examining considerable information about Jim Jones, including many hours of tape recordings, Bendheim stated that Jones was a charismatic leader. He presented himself in a very dramatic way, and Jones did not hesitate to employ deception in order to heighten his dramatic impact. He displayed little compunction about distorting the truth, if it served his ends, and it was as if the reality considerations that restrain most people meant almost nothing to him. "He could be warm and charming, but he could also become quite angry, even brutal, in his dealings with people. The dramatic alternation of moods worked, in most instances, to add to his charismatic appeal. He alternately frightened and comforted people. He was both a stern, powerful patriarchal (father) and an understanding peer (dad).

Bendheim then goes to some length to point out the contradictions in Jones's behavior. Initially, although he attempted to do good for People's Temple members, he lied to them, cheated them, manipulated and exploited them, he sadistically brutalized them, used them for sexual pleasure, and in the end, he killed them. Bendheim notes that Jones became everything that he convinced his followers he was saving them from. At the end, he had reduced most of his followers to slaves. He had them working long hours in the fields, living on a near starvation diet, and for all practical purposes, they were held captive in a jungle. Jones was a Christian minister, but he denied God. Although he spoke of the sanctity of the family, he systematically attempted to destroy the families of his congregation. He forbade husbands and wives from engaging in sexual activities, but he blatantly displayed his own sexual improprieties with married and unmarried members of his congregation, male as well as female. He verbalized concern about the equality of mankind, yet he developed a highly authoritarian hierarchical structure to keep his followers in line. He frequently spoke of concern for the welfare of his followers, but he presided over cruel and brutal beatings of Temple members, and he frequently humiliated his followers before the entire congregation.

Although he espoused a philosophy of racial equality, his most intimate confidantes were almost wholly white. Ironically, while doing everything he could to build a positive public image and a strong political base, he was arrested for exhibitionism and public masturbation in a public restroom. "He glorified the noble 'cause' that he and his followers were supporting, but led his followers to a grim and ignoble death that stands only as a monument to one man's grotesque megalomania."

Jones demanded that disobedient members of his congregation submit to brutal beatings with a two foot long, three quarter inch wide wooden paddle. It was not uncommon for people to receive as many as one hundred to one hundred and fifty blows with this instrument. He would sometimes be observed to be smiling and giggling, and following such torturous behavior, the victims were then required to say "Thank you Father."

Bendheim contends that as Jones's excesses increased, so did his paranoia. He worried increasingly about the possibility that outsiders might discover what was actually going on, and he frequently spoke of attacks from outsiders.

Dr. Bendheim was of the opinion that "Jim Jones, the magic healer, the 'improved' Jesus Christ, the reincarnated Buddha and Lenin, dad, the father of all of them, manifested all the classical signs of paranoia, the delusions of grandeur, of reference and of persecution."

The doctor also goes on to discuss the concept of shared paranoia or mass psychosis. He states that paranoid reactions are easily communicated and transferred to whole communities who then manifest all the signs and symptoms of shared paranoia and mass psychosis. He notes that an interesting example of shared paranoia occurred in 1938 following Orson Welles's infamous radio broadcast alleging the earth was being invaded by alien beings.

Bendheim goes to some lengths to discuss the techniques and methods used by Jones to create coercive persuasion. 1. He caused alarm by constantly discussing the possibility or even probability of mass revolutionary suicide, i.e., his "white night;" 2. Physical intimidation and psychological coercion aimed at destroying family ties, discrediting belief in God and causing contempt for the United States; 3. Prohibiting members from leaving Guyana by confiscating passports and money and by stationing guards around Jonestown to prevent escape; 4. Depriving them of their right of privacy, free speech and freedom of association. He accomplished this fourth end by prohibiting phone calls, prohibiting mutual contact with outsiders, censoring all mail, extorting silence from relatives in the United States by threats of termination of all communication, and by preventing the children from seeing their parents, even though they traveled to Guyana.

Additional methods of coercive persuasion used by Jones, according to Bendheim, are a centralized chain of command, degrading punishments, sleep deprivation, food deprivation, hard labor and other coercive techniques commonly used in mind programming, and requiring Temple members to always travel in groups.

Bendheim also enumerates extensive lists of techniques used by Jones to induce coercive persuasion. Such techniques were alternation of harshness and leniency, guilt manipulation, i.e., "Jones was a master of making people feel guilty for crimes of omission or commission, often crimes which had never taken place. This made it possible for the victims to tolerate conditions that would otherwise be unbearable 'because they deserved it.' Here, isolation, peer pressure, sexual control, self degradation and Jones's total control of the environment in Jonestown

were additional techniques that he used to control his followers."

Bendheim concludes his report by forming a diagnosis as follows: 1. "Paranoia, DSM-III, 297.10;"

2. Pseudologia Fantastica - a category which, unfortunately, is not described in DSM-III, mainly because of its rarity but I believe it is all comprehensive in Jim Jones's case and leads to the paranoia and shared paranoia.

The beauty of this diagnosis, Pseudologia Fantastica, is that it entails all of the personality difficulties and disorders mentioned above as the first phase of the disease. It then leads to the paranoia, the second phase of Pseudologia Fantastica, and the third phase manifests a 'typical psychotic disorder' the acting out with final mass murder suicide.

The idea of shared paranoia or 'coercive persuasion' fits into this nicely since all patients with Pseudologia Fantastica have, as one of the preminent character traits, the ability to convince others of the correctness of their fantasies, delusions and necessary psychotic counter measures, thus induced mass psychosis in the 'true believers.'

Access II: 1. Personality disorders described above. 2. The Typical Mixed Personality Disorder, DSM-III, 301.89.

FINANCIAL CONDITION:

ASSETS		LIABILITIES	
<u>Item</u>	<u>Value</u>	<u>Item</u>	<u>Amount</u>
Cash on hand	\$ 80	Loan from father for IRA	\$3,500
Checking account	200		
Savings account	250		
IRA*	3,500		
Household goods	1,000		
1975 Pinto automobile	800		
<u>Total Assets</u>	<u>\$5,830</u>	<u>Total Liabilities</u>	<u>\$3,500</u>

*Paid by father.

NET WORTH: \$2,330

INCOME		EXPENDITURES	
<u>Item</u>	<u>Monthly Income</u>	<u>Item</u>	<u>Monthly Expenses</u>
None	0	None	0

EVALUATION:

Appearing for sentencing is a 41 year old defendant who has been found guilty of one count of Conspiracy to Kill a Congressman, one count of Aiding and Abetting the Murder of a Congressman, one count of Conspiracy to Kill an Internationally Protected Person, and one count of Aiding and Abetting the Attempted Murder of an Internationally Protected Person.

The findings of guilt were a culmination of two trials that extended over a period of approximately six years.

Mr. Layton stands before the Court as a Quaker who participated in violence; he was a long time follower, yet he assumed a singular role in the events at the airstrip. He was involved in an unprecedented tragedy which was precipitated by unique circumstances, paradoxes, and ironies.

The Government proved that Mr. Layton conspired to kill a United States Congressman, and he conspired to kill the Deputy Chief of Mission, in Guyana, Richard Dwyer. Although adamantly denying that he conspired to do either, the defendant admitted that he shot two innocent victims at close range, attempted to shoot a third, and he took these actions only because his actual mission of downing the plane was thwarted. Had he succeeded, he would have killed three innocent adults, a child, the pilot and himself.

During lengthy interviews with this officer, Mr. Layton expressed what I believed to be overwhelming remorse about the entire tragedy at the airstrip. He stated that the deaths and injuries at the airstrip will haunt his conscience for the rest of his life, and he spoke of the need to prove to himself, and others, that he is worthy of being alive and having survived the tragedy.

It is this writer's belief that Mr. Layton poses no threat to anyone at this time, and after more than eight years of contemplating his past actions, I believe he is not in need of further rehabilitation.

The six therapists who interviewed the defendant gave differing opinions about Mr. Layton's state of mind at the time of the shootings. Three therapists were of the opinion that he should not be held legally responsible for his actions, and three believed he should be. Of particular interest in the reports were the tests administered to Mr. Layton by the Government psychologist, Michael Maloney, Ph.D. Among other results, Dr. Maloney determined that Mr. Layton had an unusually high need to be treated kindly by others, to get suggestions from others, to follow instructions, and to be loyal to friends, which included participating in friendly groups and doing things for friends.

Some of his lowest needs were for achievement, the need to argue one's point of view, and the need for aggression, which is described as the need to attack contrary points of view.

Even taking these considerations into account, however, one cannot deny the magnitude of the offenses for which he was convicted.

In order to better understand what brings a man from Mr. Layton's background to the point of being involved in the present offense, one must start by examining his upbringing.

His mother was Jewish, and she fled Germany when Hitler came to power. His father is a brilliant academician, who set extraordinarily high goals for his children. Dr. Layton was politically liberal, but morally, he was very rigid. The defendant's two older siblings were very high achievers for whom school was enjoyable and relatively effortless; for Mr. Layton, school was difficult and anxiety producing. He struggled to learn how to read, and he failed the first grade.

As a youngster, Layton was quiet and unassuming, and at home, he readily became used to playing a subordinate role to his older siblings and to his father.

This pattern of acquiescence and submissiveness continued to develop through high school, and even into college. While he struggled at junior college and at the university, just to maintain mostly average grades, his older brother continued on to graduate school, eventually obtaining his Ph.D.

In college, the subject met Carolyn Layton, a woman described as very intelligent, sophisticated and someone with a dominant personality. In this relationship, as before, he maintained a submissive role. Shortly after the couple's marriage, and at Carolyn's urging, they joined the People's Temple. Carolyn quickly became involved in an affair with Jim Jones, which culminated in Jones and Carolyn having a child, and the defendant obtaining a divorce.

Mr. Layton states that he was very lonely at this time, so Jones arranged for him to meet Karen Tow, later to become the defendant's second wife. After their marriage, Karen also became romantically involved with Jones, and the Laytons separated. Some time later, Karen followed Jones to Jonestown.

When the defendant expressed his anger to Jones and to other Temple members about losing both of his wives, Layton recalled that he left the meeting feeling as though he was wrong for ever raising the issue. Jones and his followers chastised Layton for questioning something that "Dad" did and for bringing negativity into the Temple. Hearing this, Layton acquiesced.

The defendant again acquiesced over an even more personal issue. Layton stated that on one occasion in Los Angeles, Jones coerced him into submitting to a homosexual encounter. After the incident, Jones told the congregation what had occurred in humiliating detail, while describing Layton as the aggressor.

Although the defendant experienced episodes of humiliation with the Temple, it also provided him with the essential elements which were lacking in his life - a family and a father figure. It should be remembered that during the latter

part of his college years, the subject experimented with drugs, he was living with Carolyn, and he occasionally drank to excess on the weekends. This behavior was intolerable to the defendant's father, and the longer it persisted the greater the alienation between the two grew. When Layton married Carolyn, his estrangement from his family was all but complete. A friend of the family had to inform Dr. Layton that his son was married.

Once he joined People's Temple, his involvement intensified and became all consuming. He gave all his assets and earnings to Jones, and in return, he was provided room and board and the companionship of like-minded Temple members.

When Layton initially joined the Temple, he was the product of a relatively affluent family, he had a history of interest in social issues, and the "60's" were a time when many people were concerned with the rights of minorities, feeding the poor, resisting the Viet Nam war, etc. These were all issues shared by Temple members in Ukiah, and they were issues in which Jones probably did some good for others, at least in the early days of the Temple.

Layton's conversion into the Temple was made easier by Jones's manipulative, theatrical, charismatic personality. Jones performed healings, demonstrated telepathic powers and actually accomplished more mundane tasks, such as helping Layton obtain his conscientious objector's status.

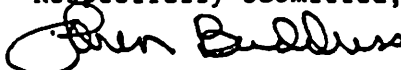
Jones developed a far more sophisticated and calculating pattern of behavior as time went on.

By the time that Jones fled to Guyana, he had mastered his manipulative skills. Jones's control over his Temple members was almost total. He controlled all news at their isolated locale, and he was capable of harshness and leniency, almost simultaneously. He preyed on people's weaknesses and on their guilt, and he used fear, physical violence or almost any other means to achieve his ends. Jones used every conceivable tool to further his goals, manipulating Layton and others almost at will.

The pervasive pathology within Jonestown and Jones's omnipotent influence over 914 out of 926 of his followers is most evident by the willingness of almost 1,000 individuals to kill themselves, to kill others, or to do both, all because of the "grotesque megalomania" of Jim Jones.

Does such perversion of the human spirit absolve Mr. Layton of responsibility for his activities in Guyana? It does not. It does, I believe, only offer a means of understanding a seemingly inexplicable period of behavior.

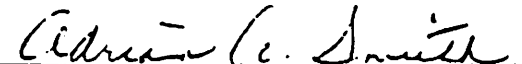
Respectfully submitted,



LOREN BUDDRESS

Senior U. S. Probation Officer

LB/tp

APPROVED BY: 
Supervising U. S. Probation Officer
January 14, 1987

San Francisco, California

Name: LAYTON, Laurence John Docket No.: CR 80-0416-RFP Date: 1-23-87

[Note: The following is only an estimate of the parole guideline range as the U.S. Parole Commission will compute the actual parole guideline range at the time of the parole hearing.]

Offense Severity Rating is assessed as Category 8 because per U. S. Parole Commission Rules & Procedures Manual, 11-4-85, Chapter 2, Subchapter A, 201.

SALIENT FACTORS

- A. PRIOR CONVICTIONS/ADJUDICATIONS (ADULT OR JUVENILE)
None = 3; One = 2; Two or three = 1; Four or more = 0
- B. PRIOR COMMITMENT(S) OF MORE THAN THIRTY DAYS (ADULT OR JUVENILE)
None = 2; One or two = 1; Three or more = 0
- C. AGE AT CURRENT OFFENSE/PRIOR COMMITMENTS
Age at commencement of the current offense:
26 years of age or more = 2***; 20-25 years of age = 1***;
19 years of age or less = 0
*** EXCEPTION: If five or more prior commitments of more than
thirty days (adult or juvenile), place an "x" here _____
and score this item = 0
- D. RECENT COMMITMENT FREE PERIOD (THREE YEARS)
No prior commitment of more than thirty days (adult or juvenile) or
released to the community from last such commitment at least three years
prior to the commencement of the current offense = 1; Otherwise = 0
- E. PROBATION/PAROLE/CONFINEMENT/ESCAPE STATUS VIOLATOR THIS TIME
Neither on probation, parole, confinement, or escape status at the time
of the current offense; nor committed as a probation, parole, confinement,
or escape status violator this time = 1; Otherwise = 0
- F. HEROIN/OPIATE DEPENDENCE
No history of heroin/opiate dependence = 1; Otherwise = 0
- TOTAL SCORE

Estimated Guideline Range 100+ months.

Particularly Aggravating/Mitigating Factors (Optional): For mitigating factors, see following sections of the presentence report: Defendant's Version; Personal and Family Data; psychiatric reports and Evaluation.

SENTENCING DATA

U. S. vs.

LAURENCE JOHN LAYTON

CR. 80-0416-RFP

Offense Conspiracy to Murder a U. S. Congressman

Information obtained from the Administrative Office of the United States Courts for the Fiscal Year _____ and from the United States Parole Commission's Guidelines effective _____.

I. OFFENSE DATA (Felony Only) NO STATISTICS AVAILABLE

	<u>NATIONAL</u>	<u>ND/CALIFORNIA</u>
	<u>Number</u>	<u>Number</u>
Defendants Sentenced	_____	_____
A. <u>Confinement</u>		
1. Regular	_____	_____
a. 1-12 mos.	()	()
b. 13-35 mos.	()	()
c. 36-59 mos.	()	()
d. 60 + mos.	()	()
Average sentence (months)	_____	_____
2. Split Sentence	_____	_____
3. 4205 (b)(1) & (2)	_____	_____
4. YCA	_____	_____
Total Confinement	_____	_____
B. <u>Probation</u>		
Average sentence (months)	_____	_____
C. <u>Fine Only</u>	_____	_____
D. <u>Other*</u>	_____	_____

*Included: Deportation, suspended sentence, imprisonment for four days or less or for time served, remitted and suspended fines and life sentences.

SPECIAL SENTENCING PROVISIONS

Restitution - 18:3579

Special Parole Term

JPR

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
PROBATION OFFICE

RECEIVED
1987 FEB 23 PM 2:52

DORIS HALLIDAY - CANNATA
CHIEF PROBATION OFFICER

U. S. COURT HOUSE
450 GOLDEN GATE AVENUE
BOX NUMBER 36057
SAN FRANCISCO 94102
415-556-0200
FTS: 556-0200

February 23, 1987

MEMORANDUM:

HONORABLE ROBERT F. PECKHAM
Chief U. S. District Judge

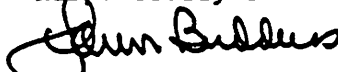
RE: LAYTON, Laurence John
CR 80-0415-RFP
Presentence Report Addendum

Sir:

Since completing the presentence report on Mr. Layton, on January 12, 1987, two additional pieces of information have been made available to me. Berkeley High School has recently provided me with a copy of the defendant's high school transcript. The transcript shows that the subject was in attendance at Berkeley High School between September 5, 1962 and January 29, 1965. His grades were mostly C's and B's; he maintained a 2.83 grade point average, and he was ranked #43 in a class of 199.

Additionally, on page 31 of the presentence report, under "Employment" "Traycur Realty" Company is mentioned. This officer was unable to contact the real estate company due to the fact the correct name of the firm is Troycor, a real estate firm that specializes in real estate marketing, developing and brokerage. This officer spoke with the defendant's immediate supervisor at Troycor, and I was told that the defendant was employed with their company from January 14, 1985 to June 20, 1985. In June he left for other employment, and his supervisor indicated that he was a good worker. He stated that Mr. Layton worked very hard, and he was cooperative. The only thing that the subject lacked to be an outstanding real estate salesperson was more experience.

Respectfully submitted,



LOREN BUDDRESS
Senior U. S. Probation Officer

LB/tp

APPROVED BY:



Supervising U. S. Probation Officer