

SUBSEQUENT PAROLE CONSIDERATION HEARING
STATE OF CALIFORNIA
BOARD OF PAROLE HEARINGS

In the matter of the Life)
Term Parole Consideration)
Hearing of:) CDC Number B-41079
)
BRUCE DAVIS)
)
-----)

CALIFORNIA MEN'S COLONY
SAN LUIS OBISPO, CALIFORNIA
AUGUST 31, 2006

PANEL PRESENT:

JAMES DAVIS, Presiding Commissioner
ROLANDO MEJIA, Deputy Commissioner

OTHERS PRESENT:

BRUCE DAVIS, Inmate
MICHAEL BECKMAN, Attorney for Inmate
PATRICK SEQUEIRA, Deputy District Attorney
CORRECTIONAL OFFICER, Unidentified

CORRECTIONS TO THE DECISION HAVE BEEN MADE

-----	No	See Review of Hearing
-----	Yes	Transcript Memorandum

Ramona Cota

Peters Shorthand Reporting

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P R O C E E D I N G S

1
2 **PRESIDING COMMISSIONER DAVIS:** -- Parole
3 Consideration Hearing for Bruce Davis, CDC
4 number B-41079. Today's date is August 31,
5 2006, we are located at CMC East. The date
6 received was on April 21, 1972 from Los Angeles
7 County. The life term began on April 21, 1972
8 with a minimum eligible parole date of December
9 1, 1977. The controlling offense for which the
10 inmate has been committed is murder first, case
11 number A267861, count one, Penal Code Section
12 187. Additional charges are murder first, same
13 county, same case number, count three, and
14 conspiracy to commit murder, Penal Code Section
15 182, same county, same case number, count two,
16 stayed. The inmate received a term of life.
17 This hearing is being tape-recorded and for the
18 purposes of voice identification we will each
19 state our first and last name, spelling our last
20 name. And when it reaches you, Mr. Davis, if
21 you will also give us your CDC number, please.
22 I'll start and move to my right. I'm James
23 Davis, D-A-V-I-S, Commissioner.
24 **DEPUTY COMMISSIONER MEJIA:** Rolando
25 Mejia, M-E-J-I-A, Deputy Commissioner.
26 **INMATE DAVIS:** Bruce Davis, D-A-V-I-S,
27 CDC number B-41079.

1

2 **ATTORNEY BECKMAN:** Spell your last name,
3 please.

4 **INMATE DAVIS:** D-A-V-I-S.

5 **ATTORNEY BECKMAN:** Michael Beckman, B-E-
6 C-K-M-A-N, attorney for Mr. Davis.

7 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:**

8 Patrick Sequeira, S-E-Q-U-E-I-R-A, Deputy
9 District Attorney, County of Los Angeles.

10 **PRESIDING COMMISSIONER DAVIS:** Very well.

11 And let the record also reflect that we have a
12 correctional officer with us here today who is
13 here for security purposes only, he will not be
14 actively participating in this hearing.

15 Mr. Davis, in front of you what you have in your
16 hand is the Americans with Disabilities Act
17 statement. Would you please read that aloud,
18 sir.

19 **INMATE DAVIS:** "Physical disabilities.
20 If you have any problems walking up and down
21 stairs --"

22 **PRESIDING COMMISSIONER DAVIS:** I think
23 you need to turn that over.

24 **DEPUTY COMMISSIONER MEJIA:** The other
25 one.

26 **PRESIDING COMMISSIONER DAVIS:** The other
27 side is what we want you to read.

1 **DEPUTY COMMISSIONER MEJIA:** ADA

2 statement.

3 **PRESIDING COMMISSIONER DAVIS:** There we

4 go.

5 **DEPUTY COMMISSIONER MEJIA:** There you go.

6 **INMATE DAVIS:** Thank you.

7 "ADA Statement. The Americans
8 with Disabilities Act, ADA, is a
9 law to help people with
10 disabilities. Disabilities are
11 problems that make it harder for
12 some people to see, hear, breathe,
13 talk, walk, learn, think, work or
14 take care of themselves than it is
15 for others. Nobody can be kept
16 out of public places or activities
17 because of a disability. If you
18 have a disability you have the
19 right to ask for help to get ready
20 for your Board of Parole Hearing's
21 hearing, get to the hearing, talk,
22 read forms and papers and to
23 understand the hearing process.
24 BPH will look at what you ask for
25 to make sure you have a disability
26 that is covered by the ADA and
27 that you have asked for the right

1 kind of help. If you do not get
2 help or if you do not think you
3 got the kind of help you need, ask
4 for a BPH 1074 Grievance Form.
5 You can also get help to fill it
6 out."

7 **PRESIDING COMMISSIONER DAVIS:** All right.
8 As we go along we're going to ask you to speak
9 up just a little bit because the chances are
10 that it is not being picked up very well by your
11 microphone in front of you.

12 **INMATE DAVIS:** All right.

13 **PRESIDING COMMISSIONER DAVIS:** And
14 according to our records, together staff from
15 the institution on July 13, 2006 you reviewed
16 and signed a Form 1073 indicating that you do
17 not have any disabilities that would qualify
18 under the Americans with Disabilities Act. Is
19 that correct, sir?

20 **INMATE DAVIS:** That is.

21 **PRESIDING COMMISSIONER DAVIS:** All right.
22 You are wearing glasses today. Do you need
23 those to read?

24 **INMATE DAVIS:** Yes I do.

25 **PRESIDING COMMISSIONER DAVIS:** And they
26 work all right for you?

27 **INMATE DAVIS:** So far.

1 **PRESIDING COMMISSIONER DAVIS:** And you
2 are hearing me all right?

3 **INMATE DAVIS:** I believe.

4 **PRESIDING COMMISSIONER DAVIS:** You walked
5 here, you walked here today under your own
6 steam?

7 **INMATE DAVIS:** Yes I did.

8 **PRESIDING COMMISSIONER DAVIS:** You look
9 like you're healthy, fit and ready to go.

10 **INMATE DAVIS:** I'm good.

11 **PRESIDING COMMISSIONER DAVIS:** Is there
12 any reasons you can think of that you would not
13 be able to actively participate in this hearing
14 today?

15 **INMATE DAVIS:** None that I can think of.

16 **PRESIDING COMMISSIONER DAVIS:** Counsel,
17 you're satisfied with that as well?

18 **ATTORNEY BECKMAN:** Yes.

19 **PRESIDING COMMISSIONER DAVIS:** All right,
20 this hearing is being conducted pursuant to
21 Penal Code Sections 3041 and 3042 and the rules
22 and regulations of the Board of Prison Terms
23 governing parole consideration hearings for life
24 inmates. The purpose of today's hearing is to
25 once again consider the number and nature of the
26 crimes for which you were committed, your prior
27 criminal and social history and your behavior

1 and programming since your commitment. We have
2 had the opportunity to review your Central File
3 and you prior transcripts and you will be given
4 an opportunity to correct or clarify the record
5 as we proceed. We will reach a decision today
6 and inform you of whether or not we find you
7 suitable for parole and the reasons for our
8 decision. If you are found suitable for parole
9 the length of your confinement will be explained
10 to you. Nothing that happens in today's hearing
11 will change the findings of the court. The
12 panel is not here to retry your case. The panel
13 is here for the sole purpose of determining your
14 suitability for parole. Do you understand that,
15 sir?

16 **INMATE DAVIS:** Yes sir.

17 **PRESIDING COMMISSIONER DAVIS:** The
18 hearing will be conducted in basically two
19 phases. First I will discuss with you the crime
20 for which you were committed as well as your
21 prior criminal and social history. Then
22 Commissioner Mejia will discuss with you your
23 progress since your commitment, your counselor's
24 report, psychological evaluations, parole plans
25 and any letters of support or opposition as they
26 may exist. Once that is concluded the
27 Commissioners, the district attorney and then

1 your attorney will have an opportunity to ask
2 you questions. As always questions that come
3 from the district attorney will be asked through
4 the Chair and then you will respond back to the
5 panel with your answer. Next the district
6 attorney then your attorney will be given an
7 opportunity for a final statement, followed by
8 your closing statement, which should focus on
9 your suitability for parole. The California
10 Code of Regulations states that regardless of
11 time served the inmate shall be found unsuitable
12 for and denied parole if in the judgment of the
13 panel the inmate would pose an unreasonable risk
14 of danger to society if released from prison.
15 You have certain rights. Those rights include
16 the right to a timely notice of this hearing,
17 the right to review your Central File and the
18 right to present relevant documents. Counsel,
19 are you satisfied your client's rights have been
20 met today?

21 **ATTORNEY BECKMAN:** Yes.

22 **PRESIDING COMMISSIONER DAVIS:** All right.
23 You also have a right to be heard by an
24 impartial panel. You heard Commissioner Mejia
25 and I introduce ourselves today. Do you have
26 any reason to believe that we would not be
27 impartial?

1 **INMATE DAVIS:** I have no reason.

2 **PRESIDING COMMISSIONER DAVIS:** Thank you.
3 You will receive a written copy of our tentative
4 decision today. That decision becomes effective
5 within 120 days. A copy of the decision and a
6 copy of the transcript will be sent to you. The
7 Board has eliminated its appeal process so if
8 you disagree with anything in today's hearing
9 you have the right to go directly to the court
10 with your complaint. Once again, you are not
11 required to admit your offense or discuss your
12 offense. However, as I stated earlier, the
13 panel does accept the findings of the court to
14 be true. You understand that, sir?

15 **INMATE DAVIS:** Yes sir.

16 **PRESIDING COMMISSIONER DAVIS:** All right.
17 Commissioner Mejia, will we be dealing with
18 anything from a confidential file today?

19 **DEPUTY COMMISSIONER MEJIA:** There is
20 confidential information but none will be used
21 for this hearing.

22 **PRESIDING COMMISSIONER DAVIS:** All right,
23 thank you. I passed a checklist of documents to
24 both counsel. If you will take a look and make
25 sure we are operating off the same list of
26 documents, please

27 **ATTORNEY BECKMAN:** The defense is.

1 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** I
2 have received all the notices as well, thank
3 you.

4 **PRESIDING COMMISSIONER DAVIS:** All right,
5 thank you. That will be marked Exhibit One
6 then. Counsel, do you have any additional
7 documents you would like the panel to consider
8 today?

9 **ATTORNEY BECKMAN:** We have one -- well,
10 yeah. What I am going to do is I am going to
11 reserve the right depending on what's
12 introduced. I have some support letters and a
13 chrono. But if Mr. Mejia already has them then
14 I won't introduce them.

15 **PRESIDING COMMISSIONER DAVIS:** Of course.
16 Any preliminary objections?

17 **ATTORNEY BECKMAN:** Yes I do. First we
18 object to the overall composition of the Board
19 of Parole Hearings as being violation of Penal
20 Code Section 5075 that requires that the Board
21 consist of a cross-section of Californians.
22 Given the present composition of the Board in
23 violation of this code section it is not
24 possible for my client to have an impartial
25 panel and an impartial hearing.

26 **PRESIDING COMMISSIONER DAVIS:** I am going
27 to overrule the objection. The Board of Parole

1 Hearings, the Commissioners are appointed by the
2 Governor with the expressed purpose of presiding
3 over these hearings in an impartial manner and I
4 see no reason, absent anything specific that you
5 might want to bring up, that would preclude this
6 panel from being impartial.

7 **ATTORNEY BECKMAN:** That is my objection.

8 **PRESIDING COMMISSIONER DAVIS:** All right,
9 anything else?

10 **ATTORNEY BECKMAN:** No.

11 **PRESIDING COMMISSIONER DAVIS:** All right,
12 will your client be speaking with us today?

13 **ATTORNEY BECKMAN:** Yes he will. My
14 client wishes you to know that he stipulates to
15 the official version of the facts of the crime
16 and he will answer some questions about it. I
17 am not going to allow dissection of those facts
18 but will allow some latitude in terms of
19 questions, if you have particular questions
20 about things that are confusing.

21 **PRESIDING COMMISSIONER DAVIS:** By allow
22 you mean him responding to certain things.

23 **ATTORNEY BECKMAN:** Yes, yes.

24 **PRESIDING COMMISSIONER DAVIS:** All right.

25 **ATTORNEY BECKMAN:** Otherwise he will
26 speak on everything freely.

27 **PRESIDING COMMISSIONER DAVIS:** Does the

1 stipulation include the Court of Appeals
2 document?

3 **ATTORNEY BECKMAN:** Yes.

4 **PRESIDING COMMISSIONER DAVIS:** All right.
5 All right. So you will be speaking about -- And
6 I understand. And it pretty much applies any
7 time. If you decide that there are some
8 questions that you don't want to answer you
9 don't have to answer them. All right, so I will
10 ask you to raise your right hand, please. Do
11 you solemnly swear or affirm the testimony you
12 will give at this hearing will be the truth and
13 nothing but the truth?

14 **INMATE DAVIS:** Yes I do.

15 **PRESIDING COMMISSIONER DAVIS:** All right.
16 To refresh everyone's memory about the crime I
17 am going to refer specifically to the April 2005
18 Board Report but incorporate by the reference
19 the Court of Appeals document pages 3 through
20 48. Starting on the summary of the crime, again
21 on page one in the April 2005 calendar report it
22 states:

23 "According to the probation
24 officer's report dated 4/17/72,
25 court transcripts and prior Board
26 Reports the circumstances of the
27 instant offense are as follows:

1 Count One. Victim Gary Hinman's
2 body was found in a decomposed
3 state in the living room of his
4 home at 964 Topanga Road in
5 Topanga on 7/31/69. He was last
6 seen alive on 7/25/69 driving a
7 Fiat station wagon. The autopsy
8 revealed that a stab wound -- the
9 autopsy revealed that a stab would
10 to the chest, which penetrated his
11 heart, killed the victim. The
12 autopsy further revealed that he
13 had suffered other wounds,
14 including a stab wound in the area
15 of his chest, a gash on the top of
16 his head, a gash behind his right
17 ear and lacerations on his left
18 side of his face, which cut off
19 part of his ear and cheek. Inmate
20 Davis was one of a group of crime
21 partners involved in the murder of
22 the victim. Victim Hinman was
23 kept a prisoner in his home for
24 two days, during which time he was
25 stabbed and clubbed before finally
26 being put to death. Count two.
27 Victim Donald Shea, S-H-E-A, was

1 reported missing and an
2 investigation revealed that
3 sometime between August 15 and
4 September 1, 1969 Inmate Davis and
5 his crime partners murdered the
6 victim and buried his body in or
7 near the Spahn --

8 Is it Spa?

9 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** It's
10 Spahn.

11 **DEPUTY COMMISSIONER MEJIA:** It's
12 pronounced Spahn Ranch.

13 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:**
14 Spahn, I think it's the Spahn Ranch.

15 **PRESIDING COMMISSIONER DAVIS:** Spahn, S-
16 P-A-H-N.

17 "-- Ranch. The victim worked at
18 the Spahn Ranch as a ranch hand
19 while Inmate Davis and his crime
20 partners were living there.
21 Intensive investigation failed to
22 produce the body of the victim,
23 however, Steven Grogan, G-R-O-G-A-
24 N, one of the crime partners,
25 furnished information to law
26 enforcement as to the location of
27 the victim's body. The body was

1 recovered. Victim Shea was
2 stabbed repeatedly until his
3 death."

4 Under the prisoner's version it states:

5 "According to Inmate Davis he had
6 been living a life geared towards
7 drugs -- towards drugs and sex.
8 He was frequently intoxicated with
9 hallucinogenic substances for much
10 of his association with Charles
11 Manson. Manson began preaching
12 about death and destruction. The
13 family began adopting a
14 survivalist lifestyle. Drugs,
15 free sex, poor hygiene, thievery
16 and begging were also promoted.
17 Davis stated that he was unable to
18 make good decisions due to, quote
19 unmet needs, close quote. He
20 stated he was trying anything he
21 could to meet those needs and that
22 he was looking for acceptance and
23 friendship from Charles Manson and
24 others within the group. Davis
25 said he pursued, quote, pleasures
26 of the flesh, close quotes, and as
27 long as he received those

1 pleasures of the flesh he felt he
2 was doing the right thing. In
3 June or July of 1969 Charles
4 Manson asked Davis to drive
5 several family members to Hinman's
6 house. Davis delivered Mary
7 Brunner, B-R-U-N-N-E-R, Robert
8 Beausoleil, B-E-A-U-S-O-L-E-I-L,
9 and Susan Atkins, A-T-K-I-N-S, to
10 the Hinman residence then he
11 returned to the Spahn Ranch.
12 After a couple of days Manson
13 received a call from one of the
14 family members at Gary Hinman's
15 house. The family member said,
16 quote, Gary isn't cooperating,
17 close quotes. Davis claims he
18 didn't understand what this was
19 about. During the interview Davis
20 stated, quote, what I did
21 understand was that they went
22 there to rob Gary Hinman. They
23 thought he had money but he
24 didn't. Manson then asked Davis
25 to drive him back to Hinman's
26 residence. When Davis entered the
27 house Robert Beausoleil was

1 holding Hinman at gunpoint. Davis
2 asked for a gun, which Beausoleil
3 handed to him. Davis states that
4 he had the gun in his possession
5 but did not have it pointed at
6 Hinman as stated in the 1996 BPT
7 report. While Davis was standing
8 there with the gun Manson sliced
9 Hinman's ear. Davis later took
10 one of Hinman's cars back to the
11 ranch but claims, quote, Gary was
12 very much alive when I last saw
13 him, close quotes. Some time in
14 August of 1969 Manson decided that
15 Donald Shea, S-H-E-A, was a police
16 informant in the Tate/LaBianca,
17 that's T-A-T-E slash LaBianca,
18 capital L-A capital B-I-A-N-C-A
19 murders. Davis went along with
20 three family members of the Manson
21 family who had asked Mr. Shea to
22 drive them to get some spare car
23 parts. During the interview Davis
24 stated that he knew they were
25 going to kill Shea. He said,
26 quote, I knew I wouldn't do
27 anything physical but I wanted it

1 to look like I was going along
2 with Manson so I could maintain
3 his friendship, close quotes.
4 Shea was driving the car when
5 Charles Watson, W-A-T-S-O-N, who
6 was sitting next to Shea, told
7 Shea to pull the car over. At
8 first Shea wouldn't then Watson
9 pulled a knife on Shea. When he
10 pulled over, Steve Grogan, G-R-O-
11 G-A-N, who was sitting behind
12 Shea, hit Shea in the back of the
13 head with a pipe wrench. Watson
14 and Grogan got out of the car and
15 dragged Shea down a hillside into
16 a ravine. Davis remained in the
17 car until Charles Manson drove up
18 in another car, stopped and went
19 down the hill to join Watson and
20 Grogan. A few minutes later Davis
21 went down to where they had the
22 victim. Manson handed Davis a
23 machete and told Davis to cut his
24 head off. Davis dropped the
25 machete. Davis stated that he
26 could not do it so Manson handed
27 him a knife, which Davis used to

1 slash the victim's shoulder.
2 Davis was sure that the victim was
3 dead at the time he cut him.
4 Davis cut the victim because he
5 didn't want to -- didn't want to
6 be disapproved by the family.
7 Davis stated that it took him
8 years before he really was able to
9 feel remorse for his involvement
10 in the crime. He believes that
11 his inability to feel sadness and
12 empathy was as a result of heavy
13 drug usage at the time. He now
14 expresses sadness as he knows the
15 families of the victims still
16 suffer to the actions of himself
17 and his codefendants."

18 Is there anything you wanted to add to that?

19 **INMATE DAVIS:** No.

20 **ATTORNEY BECKMAN:** Speak louder, please.

21 **INMATE DAVIS:** No.

22 **DEPUTY COMMISSIONER MEJIA:** You've got
23 to --

24 **INMATE DAVIS:** Okay, I'm sorry about
25 that.

26 **PRESIDING COMMISSIONER DAVIS:** Okay. On
27 page 14 of the Court of Appeals document I'll

1 just read some segments out of this.

2 "After Manson made statements in
3 the saloon Ms. Bailey, B-A-I-L-E-
4 Y, went on an errand with Vance
5 and Beausoleil at the request of
6 Manson. She went to get some
7 radio parts at the Radio Shack in
8 Van Nuys. Beausoleil was
9 extremely quiet. He sat with his
10 head hung down on his chest. He
11 returned to the ranch from Van
12 Nuys. When she returned Ms.
13 Bailey saw appellant standing on
14 the boardwalk in front of the
15 saloon. Ms. Bailey asked
16 appellant to tell her what had
17 happened at Mr. Hinman's house and
18 he told her. Appellant told
19 Ms. Bailey that he and Manson had
20 gone to the Hinman home and that
21 Brunner, B-R-U-N-N-E-R, and
22 Beausoleil and Atkins had already,
23 quote, gotten the gun back from
24 Gary, close quotes. Appellant
25 said that he had, quote, russled
26 with him, that's R-U-S-S-L-E-D
27 with him, close quotes, to get it.

1 The gun handle had been broken
2 when Mr. Hinman was struck over
3 the head with the gun. Appellant
4 said that Manson and Mr. Hinman
5 got into a violent talk and that
6 Manson had told him that if did
7 not quiet down he would soon make
8 him quiet down. Appellant said
9 that while Manson sliced
10 Mr. Hinman open from his left ear
11 down to his chin he held a gun on
12 the victim. Afterwards Mr. Hinman
13 lost a lot of blood and appeared
14 to lose consciousness at times.
15 The girls cleaned him up and put
16 him back in bed. He seemed to
17 rest rather quietly. At one time
18 Mr. Hinman asked for his prayer
19 beads and he was given them. The
20 last thing he did was chant."

21 And moving on to page 41, about the middle of
22 the page.

23 "Mr. Shea turned and walked away
24 towards the boardwalk and Ms.
25 Pearl started slowly to pull off.
26 She saw a car come very quickly
27 into the driveway and it parked

1 over by the side of the road
2 toward the Simi, S-I-M-I, Valley
3 Road. It was the, quote, Manson
4 Boys, close quotes. They got out
5 quickly and started towards the
6 Boardwalk. There were four of
7 them there, Manson, Grogan, Watson
8 and appellant. They rushed
9 towards the boardwalk. Ms. Pearl
10 kept searching back and forth and
11 looking back and forth at the car
12 to see if anybody else was coming
13 out. She thought that she saw
14 shadows in the car but could not
15 identify them. Appellant, Manson,
16 Grogan and Watson were fanning
17 out, spreading out over the spot
18 where Mr. Shea, S-H-E-A, was
19 going. Mrs. Pearl was slowly
20 pulling out away. She kept going
21 and then she lost sight of
22 Mr. Shea and the four men. When
23 Ms. Pearl returned to the Spahn
24 Ranch the next day she had not
25 seen Mr. Shea nor did she ever
26 hear from him again. Mr. Shea's
27 vehicle was not at the ranch when

1 she returned. She did see Manson,
2 appellant, Grogan and Watson."

3 And continuing on on that same page, 42, on the
4 last paragraph:

5 "The day before they went to the
6 desert Ms. Hoyt, H-O-Y-T, had
7 served Mr. Shea dinner. Mr. Shea
8 was complaining about the amount
9 of meat and wanted to know if
10 there was any more. She said that
11 there was no more. That evening
12 she went to the parachute room,
13 which was an old, wrecked up
14 trailer. She had just gotten into
15 bed when she heard a scream and
16 sat up. For a minute there was
17 not any sound. She thought,
18 quote, well maybe I imagined it,
19 close quotes. The screaming
20 started again and it kept going
21 for a long time. The person who
22 was screaming was Mr. Shea. The
23 screams sounded as if they were,
24 quote, pretty far away, close
25 quotes. Down the creek towards
26 the outlaw shacks. It seemed to
27 Ms. Hoyt that the screams lasted a

1 long time. There was no doubt in
2 her mind that it was Mr. Shea
3 screaming. Ms. Hoyt had seen
4 Manson and Ms. Schram, S-C-H-R-A-
5 M, together in the police car.
6 Manson returned to the Spahn
7 Ranch. It was a few days after
8 Manson returned to the Spahn Ranch
9 that he heard the scream. Some
10 time in the afternoon of the day
11 after she heard the screams
12 Ms. Hoyt went down to the creek
13 and saw -- went down to the creek
14 area in the Spahn Ranch. There
15 she saw Danny DeCarlo, Manson,
16 Kitty Lutesinger, L-U-T-E-S-I-N-G-
17 E-R, and Mr. Mr. DeCarlo's son
18 Dennis. Manson asked Mr. DeCarlo
19 if lye or lime would get rid of a
20 body. Mr. DeCarlo said that lye
21 would get rid of it and lime would
22 preserve it. Manson asked DeCarlo
23 where he could get lye. The
24 Manson family later went to a
25 Baker's Ranch in Death Valley.
26 Appellant had also gone there.
27 There was a conversation in which

1 appellant participated. Manson
2 said, quote, we told Shorty that
3 we wanted to show him something
4 and took him for a ride in the
5 dune buggy, close quotes. He said
6 they took him for a ride, hit him
7 in the head with a pipe wrench.
8 Manson then said they had started
9 stabbing him, stabbing him and
10 stabbing him. He said that he
11 was, quote, real hard, close
12 quotes, to kill until they brought
13 him to, quote, now, close quotes.
14 Appellant said, quote, yeah, we
15 brought him to now. Clem cut his
16 head off, close quotes. Appellant
17 further said, quote, that was far
18 out. A couple of times appellant
19 had said, quote, yeah, close
20 quotes, yeah and agreed. Manson
21 said that Mr. Shea had told him
22 that, quote, why Charlie, why?
23 close quotes. Manson said, quote,
24 why? This is why, and I stabbed
25 him again, close quotes.
26 Appellant a couple of times said,
27 quote, yeah, close quotes. When

1 appellant would say this he would
2 nod his head and smile. The term
3 now to the Manson family meant a
4 state in which one's head is,
5 quote, in, close quotes. There is
6 no past, no future and one does
7 not think of anything like, quote,
8 bankbooks, close quotes or
9 anything like that. There is no
10 thought. Eventually Ms. Hoyt --
11 There is no thought. Eventually
12 Ms. Hoyt left the family because
13 she, quote, realized a lot of
14 things about them and was afraid
15 of them."

16 And finally on page 46:

17 "Sometime in 1969 Juan Flynn, F-L-
18 Y-N-N, worked at the Spahn Ranch.
19 There he knew appellant, Watson,
20 Manson and Grogan. Mr. Flynn
21 along with some others went to the
22 Baker Ranch area. They had dinner
23 at the Meyers, M-E-Y-E-R-S, Ranch.
24 Manson was seated at the table and
25 appellant was to his right and
26 Watson was to appellant's right.
27 Manson produced a gun, pointed it

1 at Mr. Flynn and passed the gun to
2 the appellant. Appellant talked
3 some more and passed the gun --
4 passed it on to Watson. While
5 appellant had the gun he had it
6 pointed towards Mr. Flynn. While
7 appellant handed the gun -- While
8 appellant handled the gun he
9 looked at the weapon and looked
10 around at the people at the table.
11 The gun was the weapon that
12 belonged to Mr. Shea, S-H-E-A.
13 When Mr. Flynn saw the gun he
14 stood up from his chair, excused
15 himself and started to go outside.
16 Manson, appellant, Watson and
17 Danny DeCarlo followed him. When
18 Manson came outside he said to Mr.
19 -- he had Mr. Shea's gun.
20 Sometime after this Mr. Flynn took
21 a trip from the Baker Ranch to the
22 Spahn Ranch. He went to Los
23 Angeles along with appellant,
24 Grogan and some other people. He
25 dropped off Mr. Watson. Grogan
26 was the driver of the car and
27 appellant was seated in the rear

1 left of the vehicle. Grogan told
2 Mr. Flynn, quote, if anybody asks
3 you about Shorty you tell them
4 that he went to San Francisco,
5 close quotes. Appellant from the
6 backseat said, quote, yeah, yeah,
7 you know, close quotes. Quote/
8 unquote. Allan Leroy Springer, S-
9 P-R-I-N-G-E-R, knew Danny DeCarlo
10 from a motorcycle club he used to
11 be in, the Straight Satans in
12 Venice. On August 1 -- on August
13 11 or 12 of 1969 Mr. Springer went
14 to the Spahn Ranch to talk to
15 Mr. DeCarlo, to talk Mr. DeCarlo
16 into coming back to Venice. At
17 the Spahn Ranch he saw Watson
18 carrying a cutlass."

19 **ATTORNEY BECKMAN:** Manson.

20 **PRESIDING COMMISSIONER DAVIS:** I'm sorry.

21 "Mr. Manson carrying a cutlass.
22 The sword was in one piece. While
23 at the house appellant showed
24 Mr. Springer a newspaper clipping
25 from the Evening Outlook. He
26 directed his attention to an
27 article in the paper about Gary

1 Hinman's, about Gary Hinman's
2 Bobby Beausoleil's trial in which
3 Danny DeCarlo had testified. The
4 article was a report of
5 Mr. DeCarlo's testimony.
6 Mr. Springer said that, said he
7 did not like the idea of
8 Mr. DeCarlo's testifying.
9 Appellant replied, quote, yes,
10 we'll have to do something about
11 that, close quotes. Mr. Springer
12 said, quote, it would be kind of
13 hard to do because Danny is a bike
14 brother, close quotes. Appellant
15 said that he had ways of taking
16 care of quote, snitches, close
17 quotes."

18 **ATTORNEY BECKMAN:** Commissioner, they had
19 ways of taking care of snitches.

20 **PRESIDING COMMISSIONER DAVIS:** "Appellant
21 said that they had ways of taking care of
22 snitches." Yes, thank you. And snitches is in
23 quotes.

24 "And that they had already taken
25 care of one. He said, quote, we
26 cut his arms, legs and head off
27 and buried them on the ranch.

1 Appellant said that the quote/
2 unquote guy was a quote/unquote
3 snitch. That he was an alcoholic
4 and drank so much that they were
5 afraid that he was going to the
6 police with information. So they
7 quote, done away with him, close
8 quotes. A Mark Rios said, quote,
9 you mean Shorty, close quotes.
10 Appellant said, yeah."

11 Is there anything you would like to add or
12 explain or clarify of anything that has been
13 read into the record thus far?

14 **INMATE DAVIS:** I am not pleading not
15 guilty. I am guilty of all that. However, it's
16 been gone over and hashed through. I don't
17 know, I'm not sure how really practically
18 important all the little, the details are. I'm
19 sure they're important at some level. However,
20 Shorty Shea was killed in the morning. This
21 lady who says she heard screams in the night,
22 I'm sure she probably heard something. I'm not
23 -- I would never say she didn't hear it. But it
24 wasn't Shorty at night, he was killed in the
25 broad daylight in the morning. That may or may
26 not be important to some people, I don't know.
27 But it has been brought up and brought up. Yes,

1 I bragged that we had cut Shorty's head off.
2 Did you happen to read the report that said his
3 head was not cut off?

4 **PRESIDING COMMISSIONER DAVIS:** Yes.

5 **INMATE DAVIS:** So that you -- okay. So
6 all my talk was -- Well, it was, it was, you
7 know, it was talk based on the fact that Shorty
8 was killed and I was involved. The braggadocio
9 of cutting his body up in little pieces
10 obviously was not true. It was a terrible thing
11 I did. I don't know where to start as far as --
12 You know, one of the things I have thought about
13 all through this time, you know, I was not -- I
14 had nothing against Shorty, not personally, or
15 Gary. But I was so attached to Charlie and the
16 family that those people became less than,
17 relatively meaningless to my own position. And
18 that was one of the things that allowed me to
19 tolerate what happened and take part in what I
20 did.

21 **PRESIDING COMMISSIONER DAVIS:** All right.
22 And I think that some of that becomes clearer as
23 we go through some of the other information as
24 well. In terms of your personal factors it
25 says:

26 "Bruce Davis is the youngest of
27 two children and the only son born

1 to what he describes as a typical,
2 middle-class American family. His
3 father and mother are now
4 deceased. His father was a pipe
5 fitter and welder who died of a
6 sudden aneurysm when Davis was 25
7 years old. Davis' mother was a
8 housewife and homemaker until
9 Davis was approximately ten years
10 old. At that time she became an
11 accountant and began a career as a
12 working wife and mother. His
13 mother died in 1994. Davis' only
14 sibling is a sister who is one
15 year his senior. Davis describes
16 his childhood environment as being
17 highly unpredictable and unstable
18 due to his father being an
19 alcoholic who was verbally and
20 physically abusive towards the
21 family members. Davis recalls
22 that he received beatings from his
23 father several times a month. He
24 claims that his father was
25 verbally abusive towards him
26 almost daily. He states that
27 although his mother was

1 affectionate and supportive she
2 was very controlling and
3 protective of him. In later years
4 Davis felt angry and betrayed by
5 his parents, believing that he was
6 never given the guidance and
7 encouragement --"

8 It appears to be a typo but that you weren't
9 given guidance and encouragement to the extent
10 that you thought you needed. Is that a fair
11 statement?

12 **INMATE DAVIS:** That's a fair statement.

13 **PRESIDING COMMISSIONER DAVIS:** Okay.

14 "Davis reported that he and his
15 sister were fairly close when they
16 were growing up, although they
17 never discussed any of the other
18 family problems. Davis reports
19 that he was molested at age 12 by
20 an adult friend. Apparently this
21 man who was friendly and attentive
22 to Davis sodomized him on two
23 occasions. Davis stated that he
24 never told anyone about the
25 molestation -- he never told
26 anyone and the molestation ended
27 when Davis stopped being around

1 this man. Davis also stated that
2 when he was 13 years old an
3 English teacher raped him and
4 again he never told anyone but
5 continued to harbor feelings of
6 embarrassment and shame. He
7 reports no particular problems in
8 school and claims that he was
9 never a behavior problem, even
10 though he was expelled on one
11 occasion in the seventh grade for
12 stealing money. He claims that he
13 earned average grades and
14 participated in some school and
15 peer-related activities. He
16 mentioned that he had friends but
17 never really fought with peers.
18 He did say, however, that he never
19 really felt close to anyone. He
20 enjoyed fishing, stamp collecting
21 and reading historical books.
22 Davis states that he had no goals
23 and no direction during his youth.
24 He reports that he went along with
25 other kids and was a follower
26 because he never had any reason to
27 behave differently. Additionally

1 he stated that being a follower
2 was the way to ensure that people
3 would like him. He stated that he
4 became sexually involved with a
5 girlfriend when he was 17 years
6 old and this relationship lasted
7 for approximately one year. After
8 graduating from high school Davis
9 obtained 48 college units at the
10 University of Tennessee. At
11 around age 19 he lost interest in
12 school, began earning poor grades
13 and decided to drop out of school.
14 From that point Davis began
15 wandering from Tennessee to the
16 West Coast and back again. He was
17 employed in a variety of jobs from
18 waiter to bar boy to surveyor."
19 That's quite a stretch of different things. How
20 did you get a job as a surveyor?
21 **INMATE DAVIS:** Went to work for the
22 Department of Commerce.
23 **PRESIDING COMMISSIONER DAVIS:** So were
24 you the guy that holds the stick at the other
25 end?
26 **INMATE DAVIS:** Well mostly.
27 **PRESIDING COMMISSIONER DAVIS:** Yeah.

1 "Once again Davis began driving
2 around the country and became
3 highly influenced by the Vietnam
4 conflict and identified with the
5 hippies' non-materialistic
6 lifestyle. While still looking
7 for the same sense of meaning and
8 direction in life a friend
9 introduced him to his soon-to-be
10 mentor, Charles Manson."

11 Anything you'd like to add to that?

12 **INMATE DAVIS:** A lot I'd like to take
13 away from it.

14 **PRESIDING COMMISSIONER DAVIS:** Yeah, I
15 can imagine. Anything you want to clarify or
16 add?

17 **INMATE DAVIS:** Well, you know, in there
18 where it says my father beat me, gave me
19 beatings. I'd like to say that I felt like it
20 was a beating at the time. I will say this, he
21 never broke my skin or left a bruise so it
22 wasn't like hung me up on the wall and beat me
23 with a whip, right. At a young age I took
24 physical, I took what he did to me physically
25 pretty hard, and I characterize it as getting
26 beaten. I realize that's a rather relative term
27 and it means a lot of things to a lot of people.

1 **PRESIDING COMMISSIONER DAVIS:** So in
2 retrospect you would think of it more as just
3 kind of the standard sort of corporal punishment
4 one might have expected during that time?

5 **INMATE DAVIS:** I don't know, I'm not sure
6 what I expected. But I took it as very violent,
7 to me. Although it was never, you couldn't tell
8 me by looking at me. I mean, if you looked at
9 my body I was, I was not cut or bruised.

10 **PRESIDING COMMISSIONER DAVIS:** Okay.

11 **INMATE DAVIS:** So just for clarification.

12 **PRESIDING COMMISSIONER DAVIS:** All right.
13 In terms of prior arrests:

14 "Davis first came to the attention of law
15 enforcement as an adult on 3/9/98 (sic) when he
16 was arrested for possession of marijuana. The
17 case was dismissed in the interest of justice.

18 **ATTORNEY BECKMAN:** Commissioner, you said
19 '98.

20 **PRESIDING COMMISSIONER DAVIS:** '68,
21 3/9/68 you were arrested for possession of
22 marijuana. The case was dismissed in the
23 interest of justice. On 5/2/68 he was once
24 again arrested for possession of marijuana.
25 These charges were dismissed due to insufficient
26 evidence. Davis was arrested on 10/12/69 for
27 receiving stolen property, grand theft auto and

1 contributing to the delinquency of a minor. On
2 10/27/69 these charges were dropped due to lack
3 of evidence. On 1/2/70 he was arrested for
4 receiving stolen property for which there was no
5 disposition. On 3/7/70 he was arrested for
6 fraudulently obtaining a firearm by giving false
7 identification to a firearms dealer. This
8 refers to the above noted detainer for the --
9 Well he had a detainer for federal authorities
10 which was subsequently put aside after the
11 convictions.

12 **INMATE DAVIS:** The detainer was on me for
13 20 years or so. It was relaxed a few years
14 back.

15 **PRESIDING COMMISSIONER DAVIS:** Yeah,
16 okay. That was the US Marshals or something.
17 There was a federal warrant out.

18 **INMATE DAVIS:** Yes sir.

19 **PRESIDING COMMISSIONER DAVIS:** Okay. So
20 on one side of this you're described, I think
21 you're quoted in here or at least attributed to
22 you saying that you had a fairly -- originally
23 you said you had a fairly normal life.

24 **INMATE DAVIS:** What can you say? Every
25 kid grows up normal.

26 **PRESIDING COMMISSIONER DAVIS:** Yeah.
27 Whatever that is, huh?

1 **INMATE DAVIS:** Whatever it is. It's
2 normal for you.

3 **PRESIDING COMMISSIONER DAVIS:** How much
4 of the, how much of your -- Well you had two.
5 You had two cases that you reported the rape and
6 the molestation. When did you first report
7 those? When did that first come up?

8 **INMATE DAVIS:** Way after I was in prison.

9 **PRESIDING COMMISSIONER DAVIS:** So a long
10 time after you came to prison?

11 **INMATE DAVIS:** I never, I never talked --
12 Well, where I lived nobody would ever talk,
13 admit to that.

14 **PRESIDING COMMISSIONER DAVIS:** What
15 finally made you report that or made you think
16 it was a good time to talk about it.

17 **INMATE DAVIS:** After I got married my
18 wife and I were talking about a lot of things
19 and I told her about it. She said, well have
20 you ever told the Board about it or anybody. I
21 don't know who I told. I don't know if, I don't
22 remember at the time I talked to her but I
23 remember talking to her really made it okay to
24 talk about it. And I don't remember, that was
25 probably about '85. I don't know how long it
26 took before I mentioned it. I don't know when
27 it's first on the record here.

1 **PRESIDING COMMISSIONER DAVIS:** And a lot
2 of this throughout, in reading all of this a lot
3 of this seems to be driven by some desire on
4 your part to please.

5 **INMATE DAVIS:** Absolutely.

6 **PRESIDING COMMISSIONER DAVIS:** Because
7 people did leave, did leave this group.

8 **INMATE DAVIS:** All the time.

9 **PRESIDING COMMISSIONER DAVIS:** In fact up
10 to very close to the instant offense itself
11 there were people who were just saying, you
12 know, enough is enough, I'm out of here.

13 **INMATE DAVIS:** I know it. Every time I
14 think about it. You know, I feel bad enough
15 about the stupidity and what it's cost me but I
16 can't, I can't even approach what it cost the
17 victims. And my part of it was just un-
18 excusable. I just decided to let things go and
19 rationalized my behavior and my relationship
20 with Charlie.

21 **PRESIDING COMMISSIONER DAVIS:** But how
22 has your time in custody changed that desire to
23 please?

24 **INMATE DAVIS:** Well, it let me know that
25 yes, I have a desire to please people. But no,
26 I won't do everything. I have a desire, I want
27 to be -- I want your approval. I want

1 everybody's approval to some degree. But how
2 far am I willing to go for that? I have a very
3 different standard now.

4 **PRESIDING COMMISSIONER DAVIS:** What's
5 given you that standard?

6 **INMATE DAVIS:** When Jesus Christ saved me
7 out of -- in Folsom in 1974. I wasn't looking
8 for this to happen. I wouldn't have ever
9 thought it could but it did, it happened. And I
10 began to have a whole different view of life.
11 And I began to see what, I began to adopt a new
12 system of what's really important, who I should
13 be pleasing and who I shouldn't. And when that
14 happened I had a great shift in my, in my
15 attitude, my outlook, my behavior, my thought --

16 **PRESIDING COMMISSIONER DAVIS:** What was
17 the epiphany in 1974?

18 **INMATE DAVIS:** It all started, I was
19 standing on the -- I was standing on the --
20 thank you.

21 **ATTORNEY BECKMAN:** Sorry.

22 **INMATE DAVIS:** Here we are, that's all
23 right. I was standing on the tier one day
24 waiting for some of my associates to bring some
25 hash. And a thought came into my mind
26 completely foreign to me and it says, you will
27 never get high again. I was amazed to even

1 think such a thing. But when my partner showed
2 up with the drugs out of my mouth came, hey you
3 can have mine. I felt like Dr. Strangelove's
4 arm that kept doing things he didn't want to do.
5 Remember the story? Well, so it sort of, that's
6 when the change began. I was glad it happened.
7 After it was over it felt really funny. Later
8 on I was on the yard in Folsom and I was going
9 to get a drink of water and the same voice spoke
10 to me. It says, look at that yard, what do you
11 see? And I was standing by the water fountain
12 right under the tower of one building and I
13 looked over at the basketball court over here
14 and there's a line of tables and a wall. And
15 all the people I knew were sitting there. It
16 was kind of a gray day and all the guys were
17 sitting there. They're hunkered down against
18 the wall drinking their coffee and got their
19 hats pulled down. And I could see, what I saw
20 was these are all dead guys walking around and
21 sitting here. But I had this conception they
22 were just dead. And it was very scary. When I
23 saw that I went -- I had this internal
24 conversation and I said, I don't like this. I
25 had never been scared like that before. And I
26 believe the Lord spoke to me and said well, this
27 is the best you can do with the way you've been

1 acting, what you've decided. And then it struck
2 me that -- it really came -- now the epiphany
3 was the death that I had projected out there was
4 really me. I was the one that was a walking
5 dead man. And I remember looking up over. I
6 just looked up and the first time in my life as
7 an adult I said right out of my mouth, I really
8 need help here. I didn't know who I was talking
9 to, I evidently hoped there was somebody
10 listening, and that's all that happened right
11 there. So later on one thing led to another and
12 I -- someone gave me a book and I thought it was
13 a science fiction because I heard it was a
14 science fiction, called *The Late Great Planet*
15 *Earth*. So I started reading it. Well it turned
16 out not to be a science fiction, it was one of
17 these Jesus books. And I'm in my cell, I've got
18 the book. As soon as I read that I was going to
19 throw it through the window or throw it through
20 the bars. And the same voice that spoke to me
21 said, hey, you said you wanted help. This
22 claims to be help. Read it. If it's no help
23 then throw it away. Fair enough. So I started
24 reading it again and it starts talking to me
25 about all these Christian things. And I didn't
26 believe, I didn't want to believe in that. I
27 had a whole conversation about Christians in my

1 head. But it got to the point of pointing out
2 the mathematical statistics of Jesus Christ and
3 who he was and how all this happened. Did it
4 happen just by chance or is there some guiding
5 intelligence. And so when they started breaking
6 down the probabilities I was overwhelmed by the
7 obvious answer. So I surrendered to the fact
8 that --

9 **DEPUTY COMMISSIONER MEJIA:** Hold on.

10 (The tape was turned over.)

11 **DEPUTY COMMISSIONER MEJIA:** We are on
12 side B of this tape. Go ahead, continue,
13 Mr. Davis.

14 **INMATE DAVIS:** When I saw, when I saw the
15 answers to the probabilities it was
16 overwhelming. And when the light came on the
17 thought came to me, how much would you bet that
18 you're right and this proposition is wrong?
19 And, you know, when they start to express the
20 probabilities with exponents the numbers are
21 pretty high. So when it starts to say, well
22 this is ten to the, ten to the ninth power. I
23 know that, I didn't know a lot about what that
24 meant at the time but I knew it was a lot. It
25 was a whole lot more than I would bet on.

26 **PRESIDING COMMISSIONER DAVIS:** Okay.

27 **INMATE DAVIS:** And so I had to admit to

1 myself that what I had been doing not only was,
2 it was stupid. And that may be a light way of
3 saying it but it was, I began to see how wrong
4 it was and that it was just, it was crazy.

5 **PRESIDING COMMISSIONER DAVIS:** How long
6 did it take you to begin after that epiphany,
7 which was in '74, to really begin to turn things
8 around for yourself in prison?

9 **INMATE DAVIS:** Well, you know, as soon,
10 it wasn't long after that I turned to the Lord.
11 I was laying in my cell I said God, I don't know
12 you. I don't know, I've never had, I don't know
13 what you want. But you say you love me and you
14 can do something about this situation so I'm
15 ready for whatever. I didn't know. Right after
16 that I began to care about right and wrong. I
17 began to reflect on what I had done and why I
18 was in there and really, really look at it.

19 **PRESIDING COMMISSIONER DAVIS:** What
20 happened with the incident in '75 with the
21 sharpened spoon?

22 **INMATE DAVIS:** The sharpened spoon.
23 Well, you read the report right?

24 **PRESIDING COMMISSIONER DAVIS:** We have,
25 we have it here.

26 **INMATE DAVIS:** Well, it's about like I
27 said, I was scraping paint. We had a new

1 officer. In those cells the paint around the
2 toilet is the first thing to blister because
3 it's always getting wet. So I had, I had my, a
4 lot of the stuff moved out of my cell I was
5 going to paint. So we all had spoons and
6 everything in our cells so I was using it to
7 scrape some paint. So he walked up and said,
8 what are you doing? I said, I'm scraping paint.
9 He said, no you're not, you're -- come out here.
10 I don't know if he accused me of making a weapon
11 or something right there but I came out. He
12 walked in and looked around and took me -- I
13 ended up in the hole until, until it got
14 investigated and they said it was obviously
15 scraping paint and dropped the charges. I think
16 if they had really thought it was a danger I
17 wouldn't have been out of segregation in five or
18 six days.

19 **DEPUTY COMMISSIONER MEJIA:** Just for your
20 information, Commissioner, he was held
21 responsible, warned and reprimanded and
22 counseled.

23 **INMATE DAVIS:** In those days they had a,
24 they had a hobby shop in Folsom with turning
25 tools for the lathe. People had knives in their
26 cells. You could have woodworking, you could
27 have leatherworking knives. I don't know. The

1 idea that somebody would make a, try to make a
2 knife out of a stainless steel spoon against a
3 piece of concrete, I don't know.

4 **PRESIDING COMMISSIONER DAVIS:** That
5 wasn't your intention, you were scraping paint.

6 **INMATE DAVIS:** I was scraping paint.

7 **PRESIDING COMMISSIONER DAVIS:** I think
8 your last, you have been discipline-free since
9 1980 and your last 115 was for disobeying
10 orders. That was in 1980.

11 **INMATE DAVIS:** I was working for the
12 chaplain in Folsom. When the Catholic, when the
13 Catholic priest was on the other side or when my
14 boss was there then the clerks could be in the
15 their offices. And we were told you can't have
16 anybody in here with you that's not assigned.
17 Well I did. I had a friend in there. We were
18 sitting in there drinking coffee, talking about
19 -- I don't remember what we were talking about
20 but he was in the office. The officer walked in
21 and says, are you supposed to be in here, and he
22 says, obviously no. And I got a write-up and
23 lost my job.

24 **PRESIDING COMMISSIONER DAVIS:** Was it the
25 -- so it was the change in '74 that started you
26 on your road to education also?

27 **INMATE DAVIS:** Yeah really. My time at

1 University of Tennessee, if you saw my
2 transcript you'd see those 48 credits are -- I
3 had about probably a D average. So my time in
4 school before that was actually, it wasn't very
5 good. But once I, once after '74 I started to,
6 I got serious about, about studying.

7 **PRESIDING COMMISSIONER DAVIS:** With
8 everything that you have done so far and you
9 look back on what was a horrendous lifestyle
10 what do you think about that? What do you think
11 about you now as a person compared to then?

12 **INMATE DAVIS:** Well, you know, 30 years
13 changes a lot, a lot of retrospect. I can
14 believe I did -- I have to say yeah, I believe I
15 did that because I know I did. But that is,
16 that was so crazy, it was so immoral. But it
17 was in a vacuum of right. It was like an
18 anarchist type of -- that's what I had then. I
19 didn't care. The only thing that kept me from
20 not doing really bad things, not to mention, to
21 say that what I -- from stealing and robbing --
22 I was just afraid of getting caught. I didn't
23 have really anything against it if people did
24 it; I didn't care. I didn't do it myself
25 because I knew there was a big price to pay and
26 so I didn't do that. But I didn't, I didn't
27 have any value that said, well you shouldn't do

1 this or you shouldn't do that. I was sort of,
2 went along with do your own thing and whatever.
3 I'm completely against the way I used to be.
4 I'm sorry that anybody ever had to go through
5 that. I'm especially sorry I chose it for all
6 the, for the damage it did to everybody that
7 were victims of the crime. What happened to me
8 is small stuff compared to what happened to
9 them. But I do what I can, I've done what I can
10 to help educate people who ask me what about,
11 what about that. And my reply is, I was
12 choosing Charlie Manson out of a gross
13 stupidity. I thought, I thought it would get me
14 what I wanted. I had a set of values that said
15 whatever I feel like doing is what is right. It
16 was destructive. It's like a very nihilistic
17 life that we were involved in. There was no
18 rhyme or reason outside of the fact of just evil
19 intentions and evil decisions and behavior where
20 it came from. Well I see that now. I've been
21 seeing it for a long time. When I saw -- I'll
22 tell you, the first time I recognized, when it
23 really hit me, really hit me about how much I
24 deserved to be in prison for what I did. I was
25 on the yard one day in Folsom and an individual
26 got killed for some debts I heard. And when I,
27 it was -- We were in line. Something happened

1 around the, around the building and a man, he
2 was called Bad News. Bad News was from San
3 Diego and I heard he had some gambling debts.
4 Something happened and he was stabbed. And I
5 looked, I looked at, I walked around and I saw
6 where he had been and there was a big, a big
7 pool of blood. And I had a very kind of racist
8 attitude and I thought, well there is one more
9 of these so-called things that I don't have to
10 listen to, I don't have to listen to, I'm glad
11 he's gone.

12 **PRESIDING COMMISSIONER DAVIS:** What year
13 was that?

14 **INMATE DAVIS:** About the same time, about
15 '74, '75. And I knew that I had changed when
16 all of a sudden I'm standing here and I started
17 to worry about his parents. What are his
18 parents going to feel like? How are they going
19 to be told? And I fought against that. I was
20 saying, but I don't care, I'm glad. He's a
21 black guy, I don't like those guys. That was
22 the jailhouse party line. And I went back and
23 forth in my head. I was crying for his parents
24 and I was trying not to like him and it kept
25 coming back. And finally the Lord told me,
26 you're changing, I'm going to change you. That
27 is over. And from that day forward I knew I had

1 been basically changed and it has been a process
2 ever since.

3 **PRESIDING COMMISSIONER DAVIS:** Okay.
4 Commissioner, do you have any questions?

5 **DEPUTY COMMISSIONER MEJIA:** Let's see.
6 Tell me, you were 29 when you committed the
7 crime, about?

8 **INMATE DAVIS:** About that. I turned --
9 No, 28 or 27.

10 **DEPUTY COMMISSIONER MEJIA:** Okay, close.

11 **INMATE DAVIS:** Twenty-seven.

12 **DEPUTY COMMISSIONER MEJIA:** So you would
13 consider yourself no longer a youngster.

14 **INMATE DAVIS:** I was old enough to be
15 grown.

16 **DEPUTY COMMISSIONER MEJIA:** Okay. You
17 had college education. You did some, you know,
18 high school and college. An educated guy.

19 **INMATE DAVIS:** I wouldn't say educated.

20 **DEPUTY COMMISSIONER MEJIA:** You had some
21 college credits.

22 **INMATE DAVIS:** I'd say I had participated
23 in school.

24 **DEPUTY COMMISSIONER MEJIA:** Is that the
25 time when you already had the 48 units?

26 **INMATE DAVIS:** Well if you saw the
27 transcript you could see the real truth of that.

1 **DEPUTY COMMISSIONER MEJIA:** Okay, anyway.

2 **INMATE DAVIS:** Okay.

3 **DEPUTY COMMISSIONER MEJIA:** But you did
4 attend school. You're not like one of those
5 persons that were deprived from childhood.

6 **INMATE DAVIS:** Oh no, I was not deprived.

7 **DEPUTY COMMISSIONER MEJIA:** Because I am
8 going through this -- What in the world were you
9 thinking being sucked into such a, such a
10 family? I know you said something. I need some
11 more from that.

12 **INMATE DAVIS:** I hear you, I hear you.
13 What was I thinking? Well, I guess, and I don't
14 mean to sound flip here but I was not thinking
15 very much, obviously right, or my thinking was
16 really screwed up. I believe that emotionally I
17 was still an adolescent. From the beginning
18 when I met Charlie he treated me like a friend.
19 That was very, I was drawn to that. There was
20 sex, drugs and rock and roll with this.

21 **DEPUTY COMMISSIONER MEJIA:** That's the
22 next question.

23 **INMATE DAVIS:** And that's very, who
24 could, I couldn't resist that. I didn't want
25 to. I thought that was what we were all about.
26 That's what I wanted to be about. I had nothing
27 better to do in my own mind. And I realize now

1 that what our relation was, what my relationship
2 with Charlie was I took as love and respect. I
3 took it like that. I realize that's not what it
4 was but that's what, that's the way I felt about
5 it. And I became very dependent, emotionally
6 dependant on acceptance and being okay. And it
7 was like I adopted him as my dad. Now he didn't
8 ask for that.

9 **DEPUTY COMMISSIONER MEJIA:** How old was
10 he then?

11 **INMATE DAVIS:** He was probably in his
12 forties.

13 **DEPUTY COMMISSIONER MEJIA:** What was
14 your, what would you consider your position in
15 the family at that time when it comes to
16 hierarchy?

17 **INMATE DAVIS:** I always wanted to be next
18 to Charlie because I was, I wanted to be --

19 **DEPUTY COMMISSIONER MEJIA:** Were you one
20 of his trusted left -- right-hand men?

21 **INMATE DAVIS:** Well I guess he trusted
22 everybody to some degree and I guess he trusted
23 me. But when it came down to the business they
24 got into, the murders and stuff, he didn't trust
25 me in that because he took other people. He did
26 other people with that. So in some ways yes and
27 some ways no.

1 **DEPUTY COMMISSIONER MEJIA:** So how would
2 you categorize yourself in the hierarchy of
3 Manson?

4 **INMATE DAVIS:** Well I was definitely a
5 wannabe, definitely. And I'm sure that in that
6 I bragged and said yeah and la-la-la. Okay.

7 **DEPUTY COMMISSIONER MEJIA:** Did you have
8 influence with other members, you think?

9 **INMATE DAVIS:** Most likely yeah.

10 **DEPUTY COMMISSIONER MEJIA:** Did you give
11 them orders to do something? Did they take
12 orders from you?

13 **INMATE DAVIS:** Not really. No, I
14 shouldn't say they never. If I'd have asked,
15 let's go get, let's go get a Coke or let's do
16 this or let's play some music. It's not like
17 orders. I suppose I had, I'm sure I had
18 influence.

19 **DEPUTY COMMISSIONER MEJIA:** Can you tell
20 a female member to go ahead and prostitute
21 herself on the street?

22 **INMATE DAVIS:** No way.

23 **DEPUTY COMMISSIONER MEJIA:** And they will
24 believe you, and they would follow you?

25 **INMATE DAVIS:** No, I don't -- I never
26 went that far.

27 **DEPUTY COMMISSIONER MEJIA:** No, I'm

1 saying you did.

2 **INMATE DAVIS:** I'm not sure that --

3 **DEPUTY COMMISSIONER MEJIA:** But are you
4 able to do that if you wanted to at that time?

5 **INMATE DAVIS:** I don't know. Maybe,
6 maybe not. Only Charlie gave those kind of
7 orders.

8 **DEPUTY COMMISSIONER MEJIA:** When was the
9 last time you had communications with Manson,
10 Charlie Manson?

11 **INMATE DAVIS:** The last time we talked,
12 well we talked in 1973 on a bus together. We
13 was going to LA County.

14 **DEPUTY COMMISSIONER MEJIA:** Any type of
15 communication.

16 **INMATE DAVIS:** He wrote a couple letters.
17 I took them to the warden in Folsom. I said, I
18 don't want to hear from this. Lyn Fromme wrote
19 some letters, I took them to him.

20 **DEPUTY COMMISSIONER MEJIA:** When was the
21 last, what year was that?

22 **INMATE DAVIS:** Seventy-something. And I
23 got, then even up in the '80s I got letters from
24 some of the people that were out. They'd write
25 me. I'd never, I didn't, I don't into
26 conversations. I told them, I said wait a
27 minute, we're going in a different direction, I

1 believe. So, you know, I'm not going to talk to
2 you about this kind of stuff. And so I have
3 always, I cut them loose long ago.

4 **DEPUTY COMMISSIONER MEJIA:** In 1993
5 there's a 128(b) in here wherein Charlie wrote
6 you through a third person. Do you remember
7 that? Through Stimpson.

8 **INMATE DAVIS:** Through who?

9 **DEPUTY COMMISSIONER MEJIA:** Stimpson.

10 **INMATE DAVIS:** I got, yeah somebody.
11 Well I've got letters that say, well Charlie
12 says blah, blah, blah, right.

13 **DEPUTY COMMISSIONER MEJIA:** And what did
14 you do with it?

15 **INMATE DAVIS:** I don't, I don't respond
16 to that.

17 **DEPUTY COMMISSIONER MEJIA:** In 1993
18 there's a 128(b) here that said that you had
19 turned in a letter that was supposed to be from
20 Manson that was addressed through another person
21 for you. Do you remember that?

22 **INMATE DAVIS:** No.

23 **DEPUTY COMMISSIONER MEJIA:** It's in your
24 file.

25 **INMATE DAVIS:** I'm not saying it's -- I'm
26 sure it is in my file. I just don't remember it
27 right now.

1 **DEPUTY COMMISSIONER MEJIA:** Okay. What
2 I'm saying is --

3 **INMATE DAVIS:** But I turned it in, okay.
4 That would go along with what I can imagine I
5 did. I just don't remember the exact time.

6 **DEPUTY COMMISSIONER MEJIA:** The reason
7 I'm asking this is if you're given a parole date
8 the possibility that you're still a sympathizer
9 and still would be taking orders from
10 Mr. Manson.

11 **INMATE DAVIS:** Well yeah. Who did I turn
12 the letter in to?

13 **DEPUTY COMMISSIONER MEJIA:** Let's see.
14 I'm telling you, this is the --

15 **INMATE DAVIS:** Okay.

16 **DEPUTY COMMISSIONER MEJIA:** Of all the --

17 **INMATE DAVIS:** I remember something, I
18 just don't remember when.

19 **DEPUTY COMMISSIONER MEJIA:** There's a lot
20 of, you've got a lot of files here.

21 **INMATE DAVIS:** Yeah, I'm sure, if I heard
22 anything.

23 **DEPUTY COMMISSIONER MEJIA:** Here we go.

24 **INMATE DAVIS:** Okay.

25 **DEPUTY COMMISSIONER MEJIA:** 11/23/93 you
26 gave it to Calate (phonetic), a CC-I, A Quad.

27 **INMATE DAVIS:** Okay, all right, okay.

1 **DEPUTY COMMISSIONER MEJIA:** This was a
2 letter to Davis. It was from George Stimpson in
3 Hanford.

4 **INMATE DAVIS:** Okay.

5 **DEPUTY COMMISSIONER MEJIA:** You know a
6 George Stimpson?

7 **INMATE DAVIS:** No, but I know that Sandy
8 Good lived in Hanford. So she might, they might
9 have been associated together.

10 **DEPUTY COMMISSIONER MEJIA:** So when did
11 you actually cut your ties with the Manson
12 family?

13 **INMATE DAVIS:** They write me, I never
14 write to them. And when I got a letter whenever
15 for years --

16 **DEPUTY COMMISSIONER MEJIA:** When did you,
17 okay. When did you actually cut your ties with
18 them?

19 **INMATE DAVIS:** In the '70s when I, very
20 quickly. Whenever I got mail from these guys I
21 took it to the authorities. I said, I don't
22 want to hear from them.

23 **DEPUTY COMMISSIONER MEJIA:** Ever since
24 you got into prison?

25 **INMATE DAVIS:** Since --

26 **DEPUTY COMMISSIONER MEJIA:** In '72 was
27 your time you came in.

1 **INMATE DAVIS:** If I, if I heard from them
2 before '74 I might have kept it, I don't know.
3 I mean, we weren't writing. I don't remember
4 any particular times when I did. I mean, I'm
5 not saying they didn't. But I tell you this,
6 once -- I'll tell you what, after I became a
7 Christian when I heard from those individuals --
8 First I wrote them and said, I don't want to
9 talk to you guys so don't write. Then I kept
10 getting letters. And so I took them, I took
11 them to my counselor or to somebody and I said,
12 I don't want to hear from these guys. This is
13 not me, I'm not writing to them.

14 **DEPUTY COMMISSIONER MEJIA:** Why did it
15 take, how long did it take you to actually
16 accept responsibility for this crime?

17 **INMATE DAVIS:** I accepted responsibility
18 -- I'll tell you what, I really accepted the
19 responsibility, I really felt what I had done
20 and I really felt remorse and I really actually
21 knew I should, I was being punished, being
22 punished for a real reason and a good reason
23 when I saw that gentleman get killed.

24 **DEPUTY COMMISSIONER MEJIA:** Okay.

25 **INMATE DAVIS:** On the yard in Folsom.
26 Maybe, I don't know, '75, '76 or '74. I don't
27 remember exactly when.

1 **DEPUTY COMMISSIONER MEJIA:** I don't know
2 if you remember, I was here during your 2004
3 parole consideration hearing. I was one of the
4 panel members. One of the issues were it took
5 you a while to really cooperate and accept
6 responsibility for the crime. And the question
7 is, why did it take that long?

8 **INMATE DAVIS:** I don't know. I mean, you
9 know.

10 **DEPUTY COMMISSIONER MEJIA:** So you were
11 incarcerated in '72, is that correct?

12 **INMATE DAVIS:** Yes I was.

13 **DEPUTY COMMISSIONER MEJIA:** And from '72
14 -- The crime occurred in?

15 **INMATE DAVIS:** In '69.

16 **DEPUTY COMMISSIONER MEJIA:** In '69. From
17 '72 to what time did you ever, you know, took
18 responsibility that you, when it comes to your
19 cooperation with authorities and everybody else?

20 **INMATE DAVIS:** Well I know this. I
21 didn't have anything to say to the authorities
22 at least through the '70s. I was on a direct
23 appeal. My lawyer told me don't, you have
24 nothing to say, okay. I was never really -- I
25 think, I don't remember. I think in Folsom in
26 the early years somebody did come to talk to me
27 and I didn't want to talk to them. After my

1 appeal was over, after all this stuff happened
2 to me and my point of view, my whole life
3 changed, I became more and more cooperative. I
4 don't think it probably happened right away. I
5 don't know why it took, it took as long as it
6 did. I'm not sure. I don't know why.
7 Obviously it just, I resisted up to a point and
8 that resistance grew less and less. I wish I
9 could tell you exactly when.

10 **DEPUTY COMMISSIONER MEJIA:** You are
11 partly right in what you answer. Your
12 appellate, your legal counsel told you not to
13 talk about it because of the appeal. I have no
14 further questions, Commissioner, until I go
15 through my post-conviction.

16 **PRESIDING COMMISSIONER DAVIS:** All right,
17 then I'll ask you to turn your attention,
18 please, to Commissioner Mejia.

19 **DEPUTY COMMISSIONER MEJIA:** I'll be
20 covering your institutional adjustment in this
21 portion of this hearing since your last Board
22 appearance. Your last Board appearance was
23 September 29, 2005. You received a one year
24 denial and your recommendation were for you to
25 stay disciplinary-free, earn positive chronos.
26 The custody level is Medium-A, the
27 classification score is 28. You have a high

1 school completion, 12.9 GPL. I counted 53 units
2 of AA, University of Tennessee, although you
3 have said that this is almost like a D average.
4 It didn't really stick to you.

5 **INMATE DAVIS:** Nothing to be proud of.

6 **DEPUTY COMMISSIONER MEJIA:** Okay. In
7 1997 you have a masters in theology. In 2002
8 you received a doctorate degree in philosophy
9 and religion. You completed vocational drafting
10 and vocational welding. Were those completions
11 or just aspects of the course?

12 **INMATE DAVIS:** No, they were, they were
13 completions.

14 **DEPUTY COMMISSIONER MEJIA:** Okay. And I
15 have, this is the second time I was exposed to
16 your file and I could say that you have an
17 extensive therapy attendance, extensive self-
18 help group participation since the early '80s
19 but I will just cover the period of one year
20 again. But you've got to tell me if you have --
21 so from September there is another participation
22 in School of the Bible as a teacher, a course
23 entitled Parenting. So you have been teaching
24 parenting to these inmates?

25 **INMATE DAVIS:** Yes sir.

26 **DEPUTY COMMISSIONER MEJIA:** October 8,
27 2005, 2/4/06 a chrono, a laudatory chrono for

1 being involved in the Yokefellow program with a
2 history of association, which dates back to
3 1981. Accumulated seven years here at CMC. You
4 have been an active member since 1998. Tell us
5 about, what is Yokefellows about? What is that
6 about?

7 **INMATE DAVIS:** Yokefellows is a
8 Christian-based peer-counseling group. There's
9 several groups in the institution. The group
10 I'm, the group I'm involved in meets once a week
11 90 minutes, about 90 minutes. We talk about
12 what's personal in our lives. We are interested
13 in emotional and spiritual maturing. We support
14 each other and are accountable. It's kind of an
15 accountable, there is an accountability in the
16 group to each other. There are a certain set of
17 rules and things that guide the, that guide the
18 discussion. Certain disciplines that we sign on
19 to to seriously seek the disciplines of prayer
20 and reading and keeping our time productive.
21 Certain Christian disciplines.

22 **DEPUTY COMMISSIONER MEJIA:** Have you ever
23 been involved in AA?

24 **INMATE DAVIS:** Yes.

25 **DEPUTY COMMISSIONER MEJIA:** How long ago?
26 When was the last time you went to AA?

27 **INMATE DAVIS:** The last time I was a

1 member of an AA group, let's see. You know,
2 I've been in and out of AA from time to time.
3 I've been in NA and other 12-step groups. I was
4 involved in the dual diagnosis NA group as a
5 moderator in C Quad over there for over a few
6 years. I'm in a 12-step group now that meets
7 every day. I have been going to that forever.
8 When I changed jobs recently -- In fact, I
9 noticed that that was, that had me starting the
10 group in April but --

11 **DEPUTY COMMISSIONER MEJIA:** You started
12 it?

13 **INMATE DAVIS:** I didn't actually start it
14 until June.

15 **DEPUTY COMMISSIONER MEJIA:** You mean
16 physically start the group?

17 **INMATE DAVIS:** In June.

18 **DEPUTY COMMISSIONER MEJIA:** Okay,
19 organized a group?

20 **INMATE DAVIS:** Yes.

21 **DEPUTY COMMISSIONER MEJIA:** Okay.

22 **INMATE DAVIS:** And the other group I was
23 in was a 12-step group called a dual diagnosis.
24 And we did the steps and talked to the, you
25 know. That was NA. I'm involved in the AA
26 groups pretty recently. A friend of mine who
27 was in AA says, hey, you ought to come to AA

1 meetings. I said yeah, why? He says well, it's
2 really changed. A lot of years when I was here
3 everybody that was there, practically everybody,
4 it seemed, was there because they sort of felt
5 forced to be there and there was just a lot of
6 disorder. People, half the people had their
7 conversations going on over here about something
8 and another -- you know, it was pretty bad.

9 **DEPUTY COMMISSIONER MEJIA:** Disorganized,
10 yeah.

11 **INMATE DAVIS:** And so I got, I didn't, I
12 thought, I've got better things to do so I got
13 out of that. And the Board kept telling me, you
14 know, you need to be -- So I got involved in NA,
15 which was better, because I could get in smaller
16 groups.

17 **DEPUTY COMMISSIONER MEJIA:** When did you
18 do that, originally got involved in NA?

19 **INMATE DAVIS:** Several years ago. I
20 don't know. I haven't been involved in NA in
21 what, I don't know how many years. Four or five
22 years maybe.

23 **ATTORNEY BECKMAN:** Commissioner, I have
24 his dates of attendance as 6/1995 through
25 10/2002.

26 **DEPUTY COMMISSIONER MEJIA:** I know that,
27 it's here.

1 **ATTORNEY BECKMAN:** Okay.

2 **DEPUTY COMMISSIONER MEJIA:** What I am
3 trying to do is you are telling me that you
4 teach, you organize and you are a leader in NA
5 12-step groups.

6 **INMATE DAVIS:** I was in the '90s.

7 **DEPUTY COMMISSIONER MEJIA:** Okay.

8 **INMATE DAVIS:** I helped facilitate the
9 group. Actually Dr. Moburg (phonetic) was the
10 sponsor, right. So yeah.

11 **DEPUTY COMMISSIONER MEJIA:** And do you
12 know your 12-steps?

13 **INMATE DAVIS:** Yeah.

14 **DEPUTY COMMISSIONER MEJIA:** Okay. Do you
15 still have a drug problem, a substance abuse
16 problem?

17 **INMATE DAVIS:** No, I do not.

18 **DEPUTY COMMISSIONER MEJIA:** Okay. So you
19 are saying you do not have any more problems
20 with drugs.

21 **INMATE DAVIS:** No sir.

22 **DEPUTY COMMISSIONER MEJIA:** Why is that?

23 **INMATE DAVIS:** Well in 1974 when the Lord
24 told me I'd never get high again I lost my taste
25 for it.

26 **DEPUTY COMMISSIONER MEJIA:** But isn't it
27 the 12-step program that tells you that you have

1 an ongoing problem when it comes to drug use? I
2 might have asked you the wrong question.

3 **INMATE DAVIS:** Well. I know the AA
4 philosophy is that if you have an addictive
5 personality you always have to deal with it.

6 **DEPUTY COMMISSIONER MEJIA:** Okay.

7 **INMATE DAVIS:** So if yeah, to that
8 degree, if -- I know this, when I get out I
9 can't drink.

10 **DEPUTY COMMISSIONER MEJIA:** Why?

11 **INMATE DAVIS:** Because, well not only the
12 most obvious reasons but it's destructive in my
13 life. Not really bad. I never had a drinking,
14 I never had -- I never lost a job, I never
15 missed a day's work, I never drank by myself, I
16 never smoked, I never did drugs like that. But
17 I was involved in that out there. And I realize
18 those kinds of things are not good for me and
19 they're very destructive. And I don't need, I
20 don't need or want any kind of drugs, alcohol,
21 et cetera in my life.

22 **DEPUTY COMMISSIONER MEJIA:** So you're
23 saying that the addictive personality never goes
24 away. Do you believe that?

25 **INMATE DAVIS:** No.

26 **DEPUTY COMMISSIONER MEJIA:** Okay. In
27 what way you don't believe that?

1 **INMATE DAVIS:** Well, you know, I believe
2 I had a very addictive personality before I
3 became a Christian. I think the Lord has
4 changed me. Because I don't feel the same way
5 about it, I don't have the same attitude toward
6 it, I don't feel any need for it. I see it, I
7 feel completely different than I did when I was
8 taking all the, when I was doing that.

9 **DEPUTY COMMISSIONER MEJIA:** How would you
10 tell me that you, when you get released, that
11 you will not go back to substance abuse? Have
12 you -- How do you plan to keep yourself
13 substance abuse free when you are released?

14 **INMATE DAVIS:** Well the first thing I
15 plan to do is never take them again. I have my
16 wife, she supports me absolutely. I wouldn't, I
17 wouldn't even think about doing something risky.

18 **DEPUTY COMMISSIONER MEJIA:** Do you know
19 of anyplace where you can have support for AA,
20 NA or any substance abuse treatment on the
21 streets?

22 **INMATE DAVIS:** Yeah, yes.

23 **DEPUTY COMMISSIONER MEJIA:** Where at?

24 **INMATE DAVIS:** Right here in SLO.

25 **DEPUTY COMMISSIONER MEJIA:** Okay, where?

26 **INMATE DAVIS:** Well, I'll tell you what,
27 there's about, I've got a little flyer that I --

1 because I asked somebody to send me some things
2 because I wanted to talk to somebody about
3 having a sponsor. Just to see, you know, when I
4 get out. I've written to them, I haven't got a
5 -- I have written to them a couple of times.
6 There's Al-Anon, there's NA, there's AA, and
7 they're all in this little pamphlet I have. I
8 wrote one of the meetings, the one that has
9 hospitals and institutions. I saw that and I
10 thought, I'll probably get an answer. I've
11 written them, I haven't got an answer yet. But
12 I would like -- I'll tell you I know this, when
13 I get out I want to be involved with people who
14 are, who are in the NA/AA idea, the 12-step
15 idea, I believe it's a great thing. It's not
16 only good -- mainly it's good for me. Not to
17 mention it's good for other people.

18 **DEPUTY COMMISSIONER MEJIA:** Going to -- I
19 know you have been doing self-help a number of
20 years. Those are the most recent, AA, 12-steps
21 2006. Yokefellows. You're teaching Bible
22 courses. Anything else that you have been doing
23 that I missed to put on record for the year?

24 **INMATE DAVIS:** No.

25 **DEPUTY COMMISSIONER MEJIA:** Did I miss
26 anything, counsel?

27 **ATTORNEY BECKMAN:** No, not in the last

1 year.

2 **DEPUTY COMMISSIONER MEJIA:** Go ahead.

3 **INMATE DAVIS:** I do the Yokefellow group
4 every week. I teach, I teach the class every
5 week, a couple classes. I'm involved in the
6 chapel, all the chapel programs, I working
7 there.

8 **DEPUTY COMMISSIONER MEJIA:** So what are
9 you going to do as to employment when you get
10 released on the streets? Marketable skills. Is
11 there anything that --

12 **INMATE DAVIS:** I have, I have a couple of
13 job offers.

14 **DEPUTY COMMISSIONER MEJIA:** That's in
15 here?

16 **INMATE DAVIS:** Yes sir.

17 **DEPUTY COMMISSIONER MEJIA:** I will read
18 it. Is it local or somewhere?

19 **INMATE DAVIS:** I have, I have, I have
20 some local and some in LA.

21 **DEPUTY COMMISSIONER MEJIA:** And what kind
22 of job are you going to do?

23 **INMATE DAVIS:** I have a friend, I have a
24 friend here who is a, he's a landscape
25 contractor. And he told me, he says, I'll put
26 you to work. I'll give you a crew of guys and
27 you can take care of these jobs.

1 **DEPUTY COMMISSIONER MEJIA:** How old are
2 you sir?

3 **INMATE DAVIS:** I'll be 64 this year.

4 **DEPUTY COMMISSIONER MEJIA:** Sixty-four.
5 Do you think you can still do landscape jobs?

6 **INMATE DAVIS:** Hey, I think I can
7 supervise.

8 **DEPUTY COMMISSIONER MEJIA:** With your
9 background in theology and what you have been
10 doing here in prison have you contacted any
11 church or anyplace where you, maybe you can be
12 put on staff?

13 **INMATE DAVIS:** I have, I've also a couple
14 of years ago one of the pastors, local pastors
15 at the church my wife goes to here in Pismo
16 Beach, the New Life Community Church, he was
17 talking to me seriously about working with their
18 church. Ron Salsbury. In fact he was on TV one
19 day when I went to the Board a couple of years
20 ago and sort of making that offer in public,
21 which was quite a step. I realize he probably
22 got some heat for that.

23 **DEPUTY COMMISSIONER MEJIA:** Yeah, I got a
24 letter from him, a recent one.

25 **INMATE DAVIS:** Okay. And I have my
26 friend, Manny Aschemeyer, who is the marine
27 executive of the LA Long Beach Harbor. He tells

1 me, I'll get you any job you're able to do.

2 **DEPUTY COMMISSIONER MEJIA:** Okay, we're
3 going to go through your disciplinary history.
4 I think that was already discussed. You have
5 two 115s, one for possession of a sharpened
6 spoon on January 13, 1975 and one January 25,
7 1980 for obeying orders. And you have five
8 128(a)s, the last being in 1992, August 15 for
9 lying on, for lying to staff.

10 **ATTORNEY BECKMAN:** Commissioner, I only
11 count four.

12 **DEPUTY COMMISSIONER MEJIA:** Didn't I say
13 four?

14 **ATTORNEY BECKMAN:** No, you said five.

15 **DEPUTY COMMISSIONER MEJIA:** Did I say
16 four or five?

17 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** I'm
18 sorry, on 128s?

19 **PRESIDING COMMISSIONER DAVIS:** Five.

20 **DEPUTY COMMISSIONER MEJIA:** Okay, that's
21 correct. One, two, three, four. Well there's
22 five. One, two, three, four, five.

23 **ATTORNEY BECKMAN:** I was looking at the
24 disciplinary chrono listings at the back of the
25 pamphlet, it's got four listed.

26 **PRESIDING COMMISSIONER DAVIS:** Sometimes
27 they're not always accurate one way or the

1 other.

2 **DEPUTY COMMISSIONER MEJIA:** The last
3 being in 1992?

4 **INMATE DAVIS:** Yes.

5 **DEPUTY COMMISSIONER MEJIA:** And then
6 let's go to your psychosocial report. We would
7 say you are a dropout from the Manson family,
8 would that be safe to say?

9 **INMATE DAVIS:** That would be very safe to
10 say.

11 **DEPUTY COMMISSIONER MEJIA:** Former
12 member, that's what the 812 said. We're going
13 to go through your psychological report. This
14 was done August 24, 2006 by Cynthia Glines, G-L-
15 I-N-E-S. Current mental status:

16 "The thought process was logical,
17 goal-oriented and reality based.
18 He did not appear to be responding
19 to internal stimuli. There were
20 no indications of a gross
21 impairment or acute distress.
22 Since his last evaluation
23 Mr. Davis continued to participate
24 in Yokefellows peer counseling
25 program, participated in
26 interfaith 12-step program. Also
27 taught CMC School of Bible course,

1 parenting. He is not a
2 participant of the mental health
3 delivery systems, no therapy
4 recommendations."

5 In the risk for violence:

6 "Dr. Livingston used a semi-
7 structured interview and three
8 objective instruments to assess
9 Mr. Davis' risk for future
10 violence, the Hare Psychopathy
11 Checklist, the HCR-20, the VRAG
12 Appraisal Guide. With all these
13 three instruments Dr. Livingston
14 concluded that the risk for
15 recidivism for a violent crime
16 while in the free community was
17 within the low to moderate range.
18 Dr. Livingston's results were
19 reviewed. Since that evaluation
20 there have been no significant
21 changes that will alter his
22 findings. Thus the risk for
23 recidivism on a violent crime
24 while in the free community is
25 within the low to moderate range."

26 Any additions you want to make on the post-
27 conviction, counsel, before I go to the parole

1 plans?

2 **ATTORNEY BECKMAN:** No.

3 **DEPUTY COMMISSIONER MEJIA:** According to
4 the Board Report you will be staying with your
5 wife, reside with your wife, Beth Davis, and his
6 daughter. How long have you been married, sir?

7 **INMATE DAVIS:** Since 1985.

8 **DEPUTY COMMISSIONER MEJIA:** 1985?

9 **INMATE DAVIS:** Yes sir.

10 **DEPUTY COMMISSIONER MEJIA:** And you have
11 a daughter in that union?

12 **INMATE DAVIS:** Yes sir, she is almost 13.

13 **DEPUTY COMMISSIONER MEJIA:** And that's
14 the time when they allowed family visits for
15 everyone.

16 **INMATE DAVIS:** Yes they did.

17 **DEPUTY COMMISSIONER MEJIA:** Okay. And
18 they live in 676 North 12th Street, Grover
19 Beach, California.

20 **INMATE DAVIS:** That's right.

21 **DEPUTY COMMISSIONER MEJIA:** Telephone
22 805-481-1656.

23 "The subject's last county of
24 legal residence was Los Angeles
25 and subject will be requesting out
26 of county parole to San Luis
27 Obispo County as the subject has

1 numerous support letters and
2 states current letters will be
3 forthcoming."

4 Employment:

5 "The subject has been offered lodging and
6 various job leads in San Diego County from
7 Manfred Aschemeyer, A-S-C-H-E-M-E-Y-E-R, at the
8 Outback Ranch, Chihuahua Valley Road, 30623
9 Warner Springs, California. And telephone
10 number 951-767-3037. In addition it states a
11 family friend, Paul Kenny (phonetic), who
12 resides in See Canyon and owns a landscaping
13 business. That's the one you were talking
14 about.

15 **INMATE DAVIS:** Yes sir.

16 **DEPUTY COMMISSIONER MEJIA:** And offered
17 him employment opportunities. The subject
18 states current letters of job offers will be
19 forthcoming. The 3042 notices were sent, then
20 I'll go through your supporting letters. And we
21 have a response from the Sheriff's Department
22 Headquarters Los Angeles County, Raymond Peavy,
23 Captain, P as in Paul E-A-V-Y, opposing his
24 parole. Indicating that based on the facts of
25 the case, the opinion of this department that
26 parole of inmate Davis is inappropriate and
27 should be denied." And we also have the deputy

1 district attorney, Los Angeles, here present to
2 make a statement. Okay, I am going to look for
3 the supporting letters that are here in the
4 Board Report first. Betty Davis, a date of
5 August 7, 2006. This is a letter from your
6 wife. She gives you support, that you will be
7 able to stay with her. She has known you for 22
8 years and have been married 21. She said that
9 she has retired with a pension after 32 years as
10 a flight steward for Delta. Have her own
11 company involved in designing and manufacturing
12 and could really use the parolee's help. The
13 company would support -- So that would be your
14 residence plan and maybe your potential
15 employment helping her with her business.

16 **INMATE DAVIS:** Yes sir.

17 **DEPUTY COMMISSIONER MEJIA:** Robert and
18 Jean Wilson, support. A letter of support
19 indicating their support to you and your family,
20 100 percent support. They offer -- They say
21 they are committed to be there for them day and
22 night for spiritual and moral support, if they
23 ever needed it financial support as well. Ron
24 Salsbury, senior pastor of the New Life
25 indicating that he has known you for over 13
26 years. Knows your wife and child Taylor.
27 Giving you the ongoing support as a church

1 family. You have a letter from Lieutenant David
2 Lemoine, L-E-M-O-I-N-E, Alameda Fire Department,
3 retired, and the wife Patricia, a letter of
4 support.

5 (Tape 1 was changed to Tape 2.)

6 **DEPUTY COMMISSIONER MEJIA:** The support
7 letters. I've got a jewelers and loan, South
8 Bay, June 16, 2006. A letter written by John
9 Loraine, South Bay Pawn Shop here in San Luis
10 Obispo.

11 "We are willing to give him a job
12 at any time starting out at \$8 per
13 hour. He would be able to live in
14 one of the apartments above the
15 store if needed. We own ten
16 apartments that he could use at
17 any time to help Bruce until he
18 doesn't need help anymore."

19 These are family friends?

20 **INMATE DAVIS:** Yes.

21 **DEPUTY COMMISSIONER MEJIA:** He is a
22 family friend?

23 **INMATE DAVIS:** Yes sir.

24 **DEPUTY COMMISSIONER MEJIA:** South Bay
25 Jewelers. And Rose Mantilla (phonetic). It's
26 not signed so -- It was faxed August 23, 2006.
27 I think, I think this is an opposition letter

1 but it's not signed.

2 **ATTORNEY BECKMAN:** Who is that from?

3 **PRESIDING COMMISSIONER DAVIS:** Rose
4 Mantilla.

5 **DEPUTY COMMISSIONER MEJIA:** Rosewood,
6 California. And then a support letter from
7 Flora M. Hidderd, H-I-D-D-E-R-D. She feels that
8 Bruce has paid his debt to society and on parole
9 will be a reliable and productive citizen and is
10 in no way a threat to safety. They say the
11 three of them, your family, are welcome to any
12 assistance she can provide. Vivian McKinney,
13 Grover Beach, California, August 12, 2006, a
14 support letter. Sarah Acres, A-C-R-E-S.

15 **ATTORNEY BECKMAN:** That's an opposition
16 letter.

17 **DEPUTY COMMISSIONER MEJIA:** That's an
18 opposition letter. She doesn't want Mr. Davis
19 out of prison. The same thing. I'm not going
20 to consider it without a signature. Then we
21 have a William P. Clark. It looks like a
22 support letter, of Clark, Cali and Negranti, LLP
23 of San Luis Obispo.

24 **ATTORNEY BECKMAN:** Commissioner, I am
25 going to ask you if you would read that entire
26 letter into the record. Mr. Clark, excuse me,
27 Judge Clark was Ronald Reagan's national

1 security adviser in the '80s, among the other
2 things he lists on this letter.

3 **DEPUTY COMMISSIONER MEJIA:** He says:
4 "Dear Mr. Parker: Again, by way of
5 introduction, I am a retired
6 California judge having served on
7 the Superior Court of San Luis
8 Obispo County, the Court of Appeal
9 Second District and the Supreme
10 Court, which included review of
11 Manson issues on appeal in '68
12 through 1981. My background and
13 experience include extradition,
14 clemency and parole processes and
15 legislation while serving as
16 Executive Secretary and Chief of
17 Staff to Governor Ronald Reagan in
18 1966 to 1968. At the request of
19 his family and neighbors here in
20 San Luis Obispo I have again
21 reviewed in summary form Bruce M.
22 Davis' files presently before you.
23 I represented no party or interest
24 in the above-captioned matter nor
25 have I met the man. This matter
26 constitutes the only time I have
27 ever recommended parole for a

1 prisoner. However, I conclude
2 Mr. Davis' further incarceration
3 beyond his over 30 years served
4 could constitute a miscarriage of
5 justice. If our parole provisions
6 and processes have meaning and
7 purpose, and they do, Mr. Davis
8 should be returned to our society
9 where he has much to offer our
10 youth, as his file clearly
11 reveals."

12 **ATTORNEY BECKMAN:** Thank you
13 Commissioner.

14 **DEPUTY COMMISSIONER MEJIA:** Okay. Roger
15 A. Keech, a retired -- K-E-E-C-H. He has known
16 you, has known Mr. Davis for 20 years. Urging
17 the Board to release Mr. Davis. From Al and
18 Joanne Campbell, Grover Beach, California. This
19 looks like your prospective neighbor, is that
20 correct?

21 **INMATE DAVIS:** Sir?

22 **DEPUTY COMMISSIONER MEJIA:** Al and Joanne
23 Campbell?

24 **INMATE DAVIS:** That's right.

25 **DEPUTY COMMISSIONER MEJIA:** A letter of
26 support. You are being welcomed to their
27 neighborhood. And now your employment letter

1 here from Outback Ranch, I already put on record
2 the address of it. August 21, 2006, signed by
3 Captain Manfred Aschemeyer, licensed master
4 mariner and executive director of the Marine
5 Exchange of Southern California. He says:

6 "Once again I refer you to many
7 previous letters that I have
8 written in behalf of Bruce Davis
9 over the years, which I hope and
10 trust you will keep on file. I
11 once again plead my case for you
12 to grant him parole. He deserves
13 your favorable consideration. I
14 pray that your hearts, minds and
15 eyes will be opened to the truth
16 about Bruce Davis this upcoming
17 August 31st. Moreover I do hope
18 that you and your colleagues will
19 give him a new meaning and purpose
20 of the word rehabilitation."

21 He indicates here that -- while he is supporting
22 you he is saying, giving us all the reasons why
23 we should release you. Is Mr. Manfred going to
24 give you a job?

25 **INMATE DAVIS:** You know, was there
26 another letter from him? There were two letters
27 altogether.

1 **DEPUTY COMMISSIONER MEJIA:** Yeah. He's
2 almost like giving us a lecture of how we should
3 do our job. I want the employment letter.

4 **ATTORNEY BECKMAN:** Yeah, he's offering on
5 page --

6 **DEPUTY COMMISSIONER MEJIA:** Page what?

7 **ATTORNEY BECKMAN:** The second page, first
8 full paragraph, thirdly.

9 **DEPUTY COMMISSIONER MEJIA:**

10 "Thirdly if the situation due to
11 some unforeseen or unfortunate set
12 of circumstances whereby Bruce
13 Davis and his family needed help,
14 our help in a practical or
15 financial way, we would stand
16 ready to offer that assistance."

17 Okay. So a letter of support. Is there any
18 specific job that he is going to be working on?

19 **ATTORNEY BECKMAN:** Well not with him.
20 He's a backup plan.

21 **DEPUTY COMMISSIONER MEJIA:** Okay. That
22 was the -- Because according to employment, he's
23 got job leads. That's a job lead for him. And
24 the actual employment will be the jewelry place
25 and the landscaping.

26 **INMATE DAVIS:** Yes sir.

27 **DEPUTY COMMISSIONER MEJIA:** Okay, I think

1 I read everything. Did I miss anything else?

2 **ATTORNEY BECKMAN:** I don't think so.

3 **DEPUTY COMMISSIONER MEJIA:** Okay. Then
4 let me return this back to the Chair.

5 **PRESIDING COMMISSIONER DAVIS:** All right,
6 thank you. I just want to clarify. Do you
7 think that your participation in the use of
8 drugs and alcohol is a lifelong problem for you?

9 **INMATE DAVIS:** Well it's certainly a
10 lifelong thing that I have to be very care --
11 that I cannot indulge in. I don't think it's
12 going to be a problem because I am not going to,
13 I am not going to go there with it.

14 **PRESIDING COMMISSIONER DAVIS:** And what
15 kind of support would you seek on the outside to
16 make sure that doesn't happen? If things happen
17 in life and you are pressured or you feel
18 stressed or something. What kinds of things are
19 you going to fall back on to make sure that you
20 don't?

21 **INMATE DAVIS:** Well in the first place,
22 the first support I have, the most basic is my
23 spiritual life. The second would be my wife.
24 The third would be our pastor. The fourth would
25 be, let's say we'd start with Roger Keech, Manny
26 Aschemeyer, John Loraine. I've written -- And
27 I've told you about making some attempt to get

1 in touch with the AA/NA kind of people here in
2 this community. So I think -- I am trying to
3 establish a redundancy of resources here.

4 **PRESIDING COMMISSIONER DAVIS:** Would that
5 be something that you would again get actively
6 involved in, with AA or NA or Al-Anon or one of
7 those sorts of program?

8 **INMATE DAVIS:** I think that yeah, I
9 believe so. The church where Mr. Salsbury is
10 the pastor, they have an AA group that meets --
11 I mean, they have several AA groups. So their
12 church actually supports the 12-step processes,
13 of which I more than likely, way more than
14 likely would be a part of.

15 **PRESIDING COMMISSIONER DAVIS:** And you're
16 teaching in the 12-steps. What do you -- Are
17 there some that you find more meaningful for you
18 than others?

19 **INMATE DAVIS:** Well, I suppose the most
20 meaningful after you get past the third step
21 where you finally surrender to God and ask him
22 to change your life is when, is making amends.
23 Doing what I can do to make amends. There's not
24 much I can do on a personal level here, although
25 I have attempted several times to, you know,
26 give the families, give the victims' families a
27 chance to respond with whatever they want to

1 respond with. By telling them who I am, what I
2 did and about I'm sorry for what happened. Not
3 actually asking them for forgiveness, that's
4 kind of a demand on them. But let them know,
5 you know, that I take responsibility for the
6 death in their family, for the murder, and that
7 neither Gary nor Donald deserved this. They
8 were truly victims. To try to make some, just
9 an overture to them to say, if you have anything
10 that you would care to say in any way I would
11 definitely listen.

12 **PRESIDING COMMISSIONER DAVIS:** When did
13 you do that?

14 **INMATE DAVIS:** A year, a year or two ago
15 when Steve Kay was here we talked. And before
16 that when Mr. Denny was my lawyer all the way
17 through the years. And the DA's Office has
18 always been adamant that I had to do it through
19 them and they would forward the letter. So we
20 wrote the letters and sent them to them and
21 that's what happened.

22 **PRESIDING COMMISSIONER DAVIS:** That's
23 generally a standard thing with any DA's Office.

24 **INMATE DAVIS:** Yeah, I'm sure it is.

25 **PRESIDING COMMISSIONER DAVIS:** To go
26 through the victim/witness program.

27 **INMATE DAVIS:** So that's what I, what

1 I've done on that side for that. In a more
2 general way I'm attempting to make amends in the
3 society as a whole through education, through
4 admonition of other people, of younger people.
5 Trying to, you know, reverse -- I guess that
6 might not sound too good. But to try to --

7 **DEPUTY COMMISSIONER MEJIA:** Prevent?

8 **INMATE DAVIS:** To prevent what people,
9 you know. The rebellion of the kids, the
10 general lawlessness, and talk to people in terms
11 of my experience and where it got me. And I've
12 become kind of an object less for bad judgment,
13 for the kind of things that seem to be more and
14 more happening out there. So in that way I hope
15 to make some amends where it's, you know,
16 appropriate.

17 **PRESIDING COMMISSIONER DAVIS:** Do you
18 have any questions?

19 **DEPUTY COMMISSIONER MEJIA:** No other
20 questions for now.

21 **PRESIDING COMMISSIONER DAVIS:** All right.
22 Does the district attorney have questions?

23 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** When
24 did the inmate's appeals end, what year?

25 **INMATE DAVIS:** The late '70s.

26 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** If
27 the inmate found God and had this epiphany in

1 1974 and was willing to accept his
2 responsibilities for the crimes why did he
3 pursue the appeals?

4 **INMATE DAVIS:** I was appealing on the
5 grounds that I had asked to represent myself. I
6 thought that was an appealable action. I
7 appealed on the grounds that my jury was hung
8 for seven, eight, ten days, something like that,
9 and the Allen instruction kept being read. And
10 finally all the jury caved -- I mean, so I was
11 found guilty after that. I thought that was an
12 appealable action.

13 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** But
14 the question is --

15 **INMATE DAVIS:** So that's why we, that's
16 why we appealed.

17 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** But
18 the question is, if in 1974 you found God and
19 you finally accepted what you had done and were
20 willing to accept the punishment for it why did
21 you pursue the appeals? Why didn't you drop the
22 appeals in let's say '75, '76, '77, even '78?

23 **ATTORNEY BECKMAN:** I'm --

24 **INMATE DAVIS:** Go ahead.

25 **ATTORNEY BECKMAN:** I'm thinking, I'm
26 thinking about this one. I know what the
27 district attorney is trying to ask. I'm not

1 sure that the answer would mean anything because
2 this is a legal issue and legal responsibility
3 versus moral responsibility are not always the
4 same. If you can answer it without getting into
5 any discussions between you and your lawyer then
6 go ahead and give it a try.

7 **INMATE DAVIS:** Well I would say this, I
8 still wanted out of prison.

9 **PRESIDING COMMISSIONER DAVIS:** Mr. Davis,
10 continue to direct your answer back up here to
11 the panel, please.

12 **DEPUTY COMMISSIONER MEJIA:** Look at us.

13 **INMATE DAVIS:** Okay, excuse me. I still
14 wanted out of prison. And once, you know, when
15 I had been in for ten years, eight years, five
16 years, six years, whatever, I still wanted out
17 of prison. I knew I was guilty for what I did.
18 I knew that I was there for a real reason. And
19 I was not, I was not appealing, am I guilty or
20 not. I was appealing that I had a new trial
21 coming because seriousness -- in the middle of
22 my trial the death penalty was taken away. I
23 had a death penalty jury. And we tried to say
24 we need a new jury now because we don't have an
25 active death penalty. Well we didn't get that
26 so I think that was part of the deal too. So
27 there were several things. And by this time I

1 had come to my senses in a way to say wait a
2 minute. Well I still wanted out. And I was
3 fairly certain, I had a hope, that had I had a
4 new trial I could have got a second degree. My
5 lawyer asked me, he says, shall we ask for a
6 second degree? And I said no, I didn't think
7 I'd be found guilty period. I was offered a
8 deal in one way or another early, very early on.
9 I didn't take it. I didn't have enough sense to
10 -- Well, I didn't do it. Then after the --
11 Anyway. And I'll say this, my willingness to
12 just sit in prison the rest of my life never was
13 really, really high. So I left the appeal in
14 place. My growing sense of responsibility
15 didn't just happen overnight, it was a long
16 process. It's still happening. So I don't
17 know.

18 **ATTORNEY BECKMAN:** I'd like to caution
19 the Board not to draw any inference from
20 Mr. Davis' continued exercise of his legal
21 rights as diminishing his alleged responsibility
22 for this. I mean, that's very important. He
23 has the constitutional right to appeal.
24 Actually an appeal is automatic from, from a
25 life sentence. And the fact that he continued
26 to --

27 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** It's

1 only -- I think an appeal is only automatic from
2 a death sentence.

3 **ATTORNEY BECKMAN:** No, it's automatic
4 from any life sentence.

5 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** He
6 didn't, he didn't, well --

7 **PRESIDING COMMISSIONER DAVIS:** Well we're
8 not going to get into a discussion of that. I
9 think the question, as I understand it was
10 just --

11 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:**
12 Right.

13 **PRESIDING COMMISSIONER DAVIS:** -- to try
14 and ascertain the level of responsibility and I
15 think you've explained that.

16 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Yes,
17 I'm ready to move on. When did the inmate's
18 association with Tex Watson end?

19 **INMATE DAVIS:** My association with Tex
20 Watson ended in 1992, because he was here.

21 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** And
22 what was your association with Mr. Watson when
23 he was here prior to your ending this
24 association in 1992? Or wait a minute, I'm
25 sorry, how did your association end in 1992?

26 **INMATE DAVIS:** Mr. Watson was
27 transferred.

1 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Did
2 you communicate with Mr. Watson after that?

3 **INMATE DAVIS:** Well my wife talked to his
4 wife and she'd say, well Charlie said hi.
5 Charlie wrote a note to somebody.

6 **DEPUTY COMMISSIONER MEJIA:** Who is
7 Charlie?

8 **INMATE DAVIS:** Charlie, Charlie Watson.

9 **ATTORNEY BECKMAN:** Charlie Manson?

10 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Yes,
11 it's Charles Tex Watson.

12 **INMATE DAVIS:** Charles Watson.

13 **ATTORNEY BECKMAN:** I'm sorry.

14 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** I
15 knew who he was talking about.

16 **INMATE DAVIS:** We know, you know, he
17 wrote a lady who was involved in his ministry.
18 The last thing I heard he said my son just got
19 married. He's got a son who married a fellow
20 marine. Our kids got married, one of them is in
21 college. That's the last I heard.

22 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:**
23 Charles Tex Watson's wife was also a flight
24 attendant, a friend of your wife's?

25 **INMATE DAVIS:** No. She's a friend of my
26 wife's, she is not a flight attendant.

27 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** And

1 Charles Tex Watson met his wife through your
2 wife, isn't that correct?

3 **INMATE DAVIS:** Actually not.

4 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** The
5 other way around then?

6 **INMATE DAVIS:** No.

7 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:**
8 Enlighten us.

9 **INMATE DAVIS:** She did not meet my wife.
10 I did not meet my wife through her nor did he
11 meet his wife through my wife.

12 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** So
13 how did the association come about?

14 **ATTORNEY BECKMAN:** I've got to object on
15 relevance grounds here. What could this
16 possibly mean?

17 **PRESIDING COMMISSIONER DAVIS:** Well I'm
18 not sure what the relevance is but he is
19 certainly free not to answer it if he doesn't,
20 if he chooses not to.

21 **INMATE DAVIS:** What was the question?

22 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** How
23 did the association come about that you and Tex
24 Watson who were a member of the same family
25 marry two women who know each other? Each of
26 you marry women that know each other.

27 **INMATE DAVIS:** Oh, well how did they come

1 to know each other, is that the question?

2 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Yes.

3 **INMATE DAVIS:** Is that what I'm hearing?

4 Well one day about 1985 or '84 my wife and I
5 were on a visit in the visiting room at CMC and
6 Charles came in with his wife, Kristen. And I
7 said Kristen (phonetic), this is Beth, and I
8 said Beth, this is Kristen.

9 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** So
10 they met then and became friends after that?
11 I'm sorry if I've interrupted you.

12 **INMATE DAVIS:** And I was just thinking
13 now, let me back up a second. They might have
14 known each other a month or two before that.
15 They might have even met each other because they
16 were in the same community. I'm not sure if
17 they went to the same church for awhile. They
18 could have met. But they didn't know each other
19 prior to -- My wife never knew her prior to
20 knowing me.

21 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Now
22 when you and Tex Watson were here together at
23 CMC did you have a joint ministry together?
24 What was that association?

25 **INMATE DAVIS:** I guess you'd call it a
26 joint ministry, no pun intended. We were both
27 in the protestant chapel, both in the ministry.

1 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** And
2 why did you continue to associate with him or
3 other family members at that time, all the way
4 up until 1992?

5 **ATTORNEY BECKMAN:** Objection, that's a
6 compound question. If you want to ask why he
7 associated with Charles Tex Watson that's fine,
8 but you added and other family members. He
9 already testified that he had disassociated with
10 all other family members.

11 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** I'm
12 sorry, I'll rephrase the question for you. If
13 you were disassociating yourself from all the
14 other family members why did you continue to
15 associate with Tex Watson up until 1992?

16 **INMATE DAVIS:** When I came to CMC in 1980
17 Charles Watson was here. He had, he had become
18 a Christian in the late '70s and was working in
19 the chapel. That's where I made my first
20 contact with him.

21 **PRESIDING COMMISSIONER DAVIS:** That does
22 kind of bring up an interesting question,
23 though, because we were talking about the
24 conversations or the communications back and
25 forth with other family members and you were
26 very adamant about the fact that you just
27 returned their mail. Was that because it

1 contained things other than positive
2 information?

3 **INMATE DAVIS:** Okay. When Charles became
4 a Christian he became a different person that I
5 ever knew. We are in the same institution going
6 to the same church. It's hard to disassociate
7 yourself when geography bodes against it like
8 that. If he had been of the same mindset that I
9 had left him with before we were convicted I
10 would not have associated with him and he would
11 not have been in the chapel by all likes.

12 **PRESIDING COMMISSIONER DAVIS:** Was he the
13 only person with whom you had been associated
14 prior to the instant offense that you maintained
15 contact with? That's connected with the family,
16 that is, or the criminal contacts.

17 **INMATE DAVIS:** The last person I talked
18 to, the last person I wrote who was involved
19 with the family was Susan Atkins. When I first,
20 when I first came to the Lord I was writing to
21 her. And I wrote to her for a little while and
22 then I wrote her, I said Susan, we're not going
23 to write to each other, and we didn't. And that
24 was the end of that.

25 **ATTORNEY BECKMAN:** I think the answer to
26 the question was yes.

27 **PRESIDING COMMISSIONER DAVIS:** I think it

1 was yes with an explanation and I appreciate the
2 explanation.

3 **ATTORNEY BECKMAN:** Is that to say that
4 other than Charles Tex Watson you haven't
5 associated with anybody in the Manson family
6 since 1988?

7 **INMATE DAVIS:** I got letters, I get
8 letters.

9 **ATTORNEY BECKMAN:** No, no, forget what
10 you get. I'm talking about you communicating
11 with them.

12 **INMATE DAVIS:** Me opening up to them and
13 having no.

14 **ATTORNEY BECKMAN:** You have no control
15 over the letters that you get but you haven't
16 responded to any of them.

17 **INMATE DAVIS:** I wrote one letter to --
18 there was a guy who was kind of in the fringes.
19 He wasn't busted for anything but he wasn't, you
20 know, he was in the fringes. His name was Larry
21 and he got busted in Texas a few years ago and
22 he wrote me some letters. And he was so far out
23 I just quit writing. And one of the people who
24 was, who kind of got involved with the family
25 after I was incarcerated, Dennis Rice, did some
26 time in San Quentin. And now he has a big
27 prison ministry in Arizona and we talk. But we

1 were never, we were never codefendants or even
2 out there together.

3 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** So I
4 take it your reason for -- what was your reason
5 for not disassociating yourself with Tex Watson,
6 because he was a Christian?

7 **INMATE DAVIS:** Yes.

8 **ATTORNEY BECKMAN:** He said he was a
9 different man than the one who was convicted
10 prior.

11 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** I
12 heard what he said, I was just paraphrasing it.
13 Now just a second here. Now in 1980 you talked
14 to a Dr. Butler in the psychiatric report. And
15 in that psychiatric report of 11/10/1980 you
16 refused to identify your crime partners in the
17 Hinman and Shea murders to, quote, to protect
18 their rights on appeal. Now by my calculations
19 this would have been about six years after you
20 had this epiphany and you had found God and you
21 admitted to what you had done. Why did you feel
22 it was still necessary 11 years after the
23 murders to continue to protect your crime
24 partners?

25 **ATTORNEY BECKMAN:** I'm not going to let
26 him answer that question. I think it's
27 irrelevant. It also likely involves protected

1 attorney/client communications. And I see no
2 relevance to this proceeding and I am not going
3 to let him answer it.

4 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:**

5 That's fine. With respect to the Hinman murder,
6 after the Hinman murder what did you do? Did
7 you go anywhere? Were you involved in any of
8 the aftermath of the Hinman murder?

9 **INMATE DAVIS:** I went to the ranch.

10 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Did
11 you drive any of Hinman's cars, ride in any of
12 Hinman's cars?

13 **INMATE DAVIS:** That's the record.

14 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:**

15 Sorry?

16 **DEPUTY COMMISSIONER MEJIA:** You said,
17 that's the record?

18 **INMATE DAVIS:** That's on the record.

19 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** What
20 was on the record?

21 **INMATE DAVIS:** The answer to that.

22 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Well
23 I want to hear from you what you did because
24 there's discrepancies between what you say and
25 what the record says sometimes. I think the
26 panel should hear what you did.

27 **INMATE DAVIS:** I drove, I drove Gary's

1 car from his home in Topanga to the Spahn Ranch.

2 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** What
3 did you do after that?

4 **INMATE DAVIS:** Well it's been 40 years.
5 What do you mean?

6 **PRESIDING COMMISSIONER DAVIS:** I think he
7 wants you to be more specific.

8 **DEPUTY COMMISSIONER MEJIA:** Be more
9 specific.

10 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Okay,
11 did you handle any of Gary Hinman's footlockers?
12 Excuse me, strike that. After you drove the car
13 back did you leave the Los Angeles area? Did
14 you go out of state? Did you go up north for
15 awhile?

16 **INMATE DAVIS:** No.

17 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** You
18 stayed at the Spahn Ranch the entire time?

19 **INMATE DAVIS:** Virtually.

20 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** I'm
21 sorry?

22 **INMATE DAVIS:** Yes, basically. Staying
23 there was a very poor decision on my part I must
24 say.

25 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Now
26 with respect to the hierarchy of the family.
27 When Charles Manson was gone from the Spahn

1 Ranch who was in charge?

2 **INMATE DAVIS:** Whoever, I don't know. It
3 could have been anybody.

4 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Were
5 you ever in charge?

6 **INMATE DAVIS:** I was never officially
7 said, you're in charge. I never heard that. I
8 never thought I was in charge.

9 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Were
10 you trying to be in charge? Did you emulate
11 Charlie and want to be like him and have that
12 same kind of power over people?

13 **INMATE DAVIS:** I suppose that's likely.
14 I would have -- I don't remember giving anybody
15 a direct order that was very significant.

16 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** With
17 respect to the Hinman murders I was looking at
18 your version in the Board Report and your
19 statements to the psychologist in the latest
20 psychiatric evaluation. Am I wrong in that you
21 basically feel that you've denied any
22 participation in Mr. Hillman's (sic) murder --
23 Hinman's murder?

24 **INMATE DAVIS:** What's the question?

25 **ATTORNEY BECKMAN:** Is he wrong?

26 **PRESIDING COMMISSIONER DAVIS:** Go ahead
27 and just restate your question.

1 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** All
2 right, I'll restate the question. In the
3 psychiatric report it says that you acknowledge
4 being in the vicinity when Mr. Hinman was killed
5 but you denied any participation.

6 **INMATE DAVIS:** Well that's kind of a,
7 that should be rewritten. I never denied
8 participation, I was there.

9 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** What
10 did you --

11 **DEPUTY COMMISSIONER MEJIA:** You need to
12 look at us when you answer. Do not look back.

13 **INMATE DAVIS:** I just have kind of a
14 habit of looking at who is talking.

15 **PRESIDING COMMISSIONER DAVIS:**
16 (Overlapping).

17 **INMATE DAVIS:** I'm sorry, I'm sorry. I
18 realize that there's a technical difficulty
19 here. I was at Gary's. I was there, I drove
20 them over there. I was there when Charlie cut
21 him. I had a gun in my hand. I was responsible
22 for what happened.

23 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Did
24 you point the gun at Mr. Hinman?

25 **INMATE DAVIS:** Well you know that's been
26 a big question. I don't remember exactly. I
27 tell you, I never thought I would shoot Gary so

1 I don't believe I would ever point at a gun at a
2 person that I would -- I was always taught
3 better than that. So I never had any idea of
4 shooting Gary, I doubt if I pointed the gun.
5 Now if somebody testified I saw you pointing the
6 gun I would not, I wouldn't fuss with them, it
7 might have happened. But it wasn't like me to
8 point a gun at somebody, especially somebody I
9 wasn't, didn't have a reason to.

10 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** What
11 did the inmate think was going to happen to Gary
12 Hinman after Charles Manson sliced his ear?

13 **INMATE DAVIS:** Well I knew it wasn't
14 going to be good. I didn't know, I didn't know
15 exactly. I knew that, I knew that it was a bad
16 situation, I was glad to get out of there.

17 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** But
18 you still stuck around with the family. You
19 drove Mr. Hinman's car away, is that correct?

20 **INMATE DAVIS:** That's correct I'm sorry
21 to say.

22 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Why
23 did you stay at that point?

24 **INMATE DAVIS:** I was stupid.

25 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Now
26 this concept and theory of Helter Skelter. Did
27 your association with the family also include

1 embracing this concept that was espoused by
2 Charles Manson of Helter Skelter?

3 **INMATE DAVIS:** I thought it was a joke
4 until somebody actually got hurt. I laughed at
5 Charlie, I said, that's stupid. How can you
6 even, where's your head at? I mean, I thought
7 it was crazy. I couldn't believe anybody took
8 him serious. Of course my behavior and staying
9 there with him you would have thought I was
10 taking it serious but that was way far out.

11 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Now
12 was one of the reasons that Shorty Shea was
13 killed was because he was married to a black
14 woman?

15 **INMATE DAVIS:** I don't know.

16 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Would
17 you say that that could have been a motivation?

18 **ATTORNEY BECKMAN:** He just answered the
19 question. I'm not going to ask -- allow him to
20 answer it again.

21 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** What
22 was your motivation for killing Shorty Shea?

23 **ATTORNEY BECKMAN:** Objection, he didn't
24 kill Shorty Shea. Don't answer the question.

25 **PRESIDING COMMISSIONER DAVIS:** He's
26 instructing his client not to answer, go ahead
27 and move on.

1 **ATTORNEY BECKMAN:** He can ask it a
2 different way. But he didn't kill Shorty Shea
3 so he's not going to answer that question. He
4 can't answer that question.

5 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** You
6 were convicted of killing Shorty Shea. Did you
7 kill Shorty Shea?

8 **INMATE DAVIS:** I was there when it
9 happened, I take responsibility for his death.
10 I didn't do anything to stop it, I didn't report
11 it, I didn't offer him any help. In fact I cut
12 him on the arm. I refused to decapitate him. I
13 made a very, a series of foolish decisions and I
14 take responsibility for that.

15 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Why
16 did you brag about killing him then?

17 **ATTORNEY BECKMAN:** Objection, it
18 misstates his testimony in the appellate -- the
19 testimony is that we killed him. It wasn't the
20 testimony that *I* killed him. So I am not going
21 to allow him to answer the question as phrased.

22 **PRESIDING COMMISSIONER DAVIS:** Would you
23 like to try and rephrase that?

24 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Why
25 did you brag to people that we killed him, I
26 killed him, whatever you said? Why did you say
27 it?

1 **INMATE DAVIS:** I wanted to be associated
2 with this powerful group. I wanted to, I didn't
3 want to seem like an outsider so I said all
4 kinds of things that were not true. In fact I
5 said we even cut his arms off, which is
6 obviously not so. Or cut his head off, which is
7 not so. So yeah, I said a lot of things. My
8 mouth got me in a lot, got me going. I mean,
9 hey. Yeah. I wanted to appear bigger than life
10 or whatever.

11 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** It's
12 been written to letters to Board specifically by
13 Steve Kay, that you were Charles Manson's right
14 hand man. Is that correct or not?

15 **INMATE DAVIS:** No.

16 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** In
17 fact Barbara Hoyt also wrote a letter to the
18 Board for a previous hearing that also indicated
19 that you were Charles' right hand man. Is that
20 also incorrect?

21 **INMATE DAVIS:** The answer is not
22 different.

23 **PRESIDING COMMISSIONER DAVIS:** Is the
24 answer no?

25 **INMATE DAVIS:** I thought I just said no.

26 **ATTORNEY BECKMAN:** Well the answer to
27 that question --

1 **PRESIDING COMMISSIONER DAVIS:**

2 (Overlapping).

3 **ATTORNEY BECKMAN:** The answer to that
4 question is yes.

5 **PRESIDING COMMISSIONER DAVIS:** It's two
6 different questions.

7 **INMATE DAVIS:** Oh, I'm sorry. How is the
8 first question different than the second one?

9 **PRESIDING COMMISSIONER DAVIS:** Two
10 different letters. Would you like to re-ask the
11 second question?

12 **ATTORNEY BECKMAN:** Why don't you just ask
13 him if he was Charles Manson's right hand man?

14 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:**
15 Barbara Hoyt also wrote that you were Charles
16 Manson's right hand man.

17 **INMATE DAVIS:** She's incorrect.

18 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** I
19 think I'm almost done, just give me just a
20 second here. It wasn't unusual, it was not
21 unusual in the late '60s for young people to be
22 heavily involved in sex, drugs and rock and
23 roll, but many of those people did not go on to
24 graduate to killing people. What is it about
25 you that made you become, go beyond just the
26 sex, drugs and rock and roll and become involved
27 in killing?

1 **INMATE DAVIS:** The people that I wanted
2 acceptance from, I was willing to go along with
3 them for what, whatever they wanted. As stupid
4 as that sounds it's really true.

5 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** I
6 have no further questions.

7 **PRESIDING COMMISSIONER DAVIS:** Counsel.

8 **ATTORNEY BECKMAN:** Just a couple. Does
9 your wife drink?

10 **INMATE DAVIS:** No.

11 **ATTORNEY BECKMAN:** Does she do drugs?

12 **INMATE DAVIS:** No.

13 **ATTORNEY BECKMAN:** Does she keep a drug-
14 free home?

15 **INMATE DAVIS:** Absolutely.

16 **ATTORNEY BECKMAN:** So if you're released
17 into her home what opportunities in that home
18 would there be for you to relapse into drugs and
19 alcohol abuse?

20 **INMATE DAVIS:** Well it certainly wouldn't
21 be because anything is available.

22 **ATTORNEY BECKMAN:** Okay. Have you talked
23 about relapse prevention with your wife at all
24 should you parole?

25 **INMATE DAVIS:** Relapse prevention?

26 **ATTORNEY BECKMAN:** Yes, is she going to
27 help you? If you have a problem will she help

1 you?

2 **INMATE DAVIS:** Of course, of course. You
3 know, we know that we would never have liquor in
4 the house or drugs in the house. She had a
5 small problem -- we shouldn't say a small
6 problem, all problems are important, but she had
7 a drinking thing at one time. But she came to
8 find out that she can't do it. Way before she
9 got in a lot of trouble, thank goodness, but she
10 knows. And she is very adamant and I am too.

11 **ATTORNEY BECKMAN:** Nothing further.

12 **PRESIDING COMMISSIONER DAVIS:** All right,
13 thank you. Closing?

14 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Thank
15 you. I would ask the panel to find the inmate
16 unsuitable for parole for the following reasons:
17 First of all the inmate chose to join and remain
18 a member of one of the most notorious criminal
19 organizations in California history. This
20 particular family was unique in many respects
21 and it was comprised of individuals who came
22 from decent family backgrounds in many
23 instances, Mr. Davis included. But they became
24 enamored with this, not only the sex, drugs and
25 the rock and roll but way beyond that. They
26 went much further beyond sort of the '60s
27 lifestyle of drugs, sex and rock and roll and

1 they became involved in petty crimes. And the
2 petty crimes graduated to the Hinman murder,
3 which was a torture murder. A very brutal crime
4 that occurred over a period of two days. It
5 involved not only this inmate but Charles
6 Manson, several girls, Bobby Beausoleil. Where
7 they went over to Mr. Hinman's house because it
8 was the belief that Mr. Hinman was about to
9 inherit some money. They tortured him, they
10 tied him up. Charles Manson sliced his ear so
11 severely that the girls tried to sew it back
12 with dental floss. Mr. Davis was an integral
13 part of the murder even though he seems to want
14 to minimize his involvement.

15 **DEPUTY COMMISSIONER MEJIA:** Hold on.

16 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** He
17 drove people --

18 **DEPUTY COMMISSIONER MEJIA:** Hold on.

19 (The tape was turned over.)

20 **DEPUTY COMMISSIONER MEJIA:** Okay, we are
21 on side B of this tape.

22 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** Davis
23 played a major role in the Hinman murder by
24 first of all driving Mary Brunner, Bobby
25 Beausoleil and Susan Atkins over to the Hinman
26 residence and then later on taking Charles
27 Manson and himself back to the residence to

1 continue with the demands on Mr. Hinman for
2 money. And when he did not comply they
3 continued with the torture. He died of a slow
4 death from knife and sword wounds over a period
5 of two days. He was tortured to the point where
6 he was forced to sign over the pink slips to two
7 of his cars, one of those cars which Bruce Davis
8 drove away, drove back to the ranch after
9 Mr. Hinman was murdered. If you listen to
10 Mr. Davis' account of his involvement you would
11 think that he was just somebody who was sort of
12 along for the ride. He just sort of drove
13 people over, came back, really didn't even know
14 that Mr. Hinman had died. Which of course
15 conflicts with the fact that he bragged about
16 the killing to other family members and was
17 involved in driving away the car after
18 Mr. Hinman was murdered. This was a cruel
19 torture murder and it showed extreme
20 callousness. And anyone involved in this,
21 whether they are the actual persons inflicting
22 the torture or they are merely being a courier
23 and currying (sic) people back and forth to the
24 residence, are equally responsible. And it's
25 taken Mr. Davis a very long time to actually
26 admit to his involvement in it, although you
27 still see statements from him, or at least

1 statements that I was there, quoting from the
2 psychological evaluation where he says: "He
3 acknowledged being in the vicinity when
4 Mr. Hinman was killed but denied any
5 participation." In the paragraph just above it
6 on page two he says: "He had experienced some
7 degree of shock when I found out Gary was
8 killed. Well if someone is shocked when he
9 finds out that Gary was killed then there would
10 have been absolutely no reason for him to come
11 back and brag about it. The only reason for
12 bragging about it and also bragging about the
13 Shorty Shea murders was to basically tell
14 people, number one, that you're a killer. And
15 in the case of Shorty Shea, to basically
16 intimidate anyone else from speaking to the
17 police because snitches will be taken care of.
18 And that was referring to what they would do to
19 Danny DeCarlo if he had been killed, if he had
20 snitched, they would take care of him the same
21 way they took care of Shorty Shea. Shorty Shea
22 was someone that was believed to possibly be a
23 police informant or was in a position of where
24 he might talk. I think that's absolutely clear.
25 Mr. Davis willingly accompanied his crime
26 partners on the mission of killing Shorty Shea.
27 And despite what counsel wants to, wants to

1 describe his client's participation it is very
2 clear from the appellate decisions and from
3 individuals involved in the crime and other
4 witnesses, and Mr. Davis' own statements
5 bragging about it afterwards, that Mr. Davis was
6 in fact a major player in the crime. He
7 minimizes his behavior by saying he just sliced
8 him on the shoulder. Shorty Shea's body was
9 riddled with knife wounds and by all accounts
10 everyone took turns stabbing Shorty Shea.
11 Although I believe Mr. Davis has indicated that
12 Shea was already dead at the time that he
13 stabbed him. Which is a common theme among
14 other Manson family members when they were
15 talking about their deceased victims. One of
16 the girls said the same thing, she was already
17 dead when I stabbed her. What is especially
18 significant about Mr. Davis' involvement in the
19 Shorty Shea murder is that he willingly went
20 along with that murder fully knowing first of
21 all that Mr. Hinman had been murdered by the
22 same family members that he held such a strong
23 allegiance to. He also knew at that point that
24 other family members who he was closely aligned
25 with, particularly his closest friend
26 Mr. Charles Manson, had been involved in the
27 Tate/LaBianca murders. Seven more murders. So

1 at the point that this inmate agreed to
2 participate in the murder of Shorty Shea to help
3 cover up the Tate/LaBianca murders they had
4 already been involved in eight murders and this
5 was the ninth murder. This is what the crime
6 family was doing. This is part of the ongoing
7 criminal enterprise of the Manson family, of
8 which Mr. Davis was an integral part. Not only
9 in the murders of Hinman and Shea but also with
10 respect to the Tate/LaBianca murders, for
11 helping try to cover up those murders. He was
12 involved in that as well. And the Tate/LaBianca
13 murders were all part of the Helter Skelter
14 theory. They were done -- In fact even the
15 Hinman murder was done in a manner that would
16 suggest that he was killed by Black Panthers.
17 Mr. Hinman's -- there was writing of piggy in
18 Mr. Hinman's blood on the door of the residence,
19 I believe. There was a Black Panther print on
20 the door and the family's intention was to try
21 to basically blame the Black Panthers for
22 killing Gary Hinman. Which of course is the
23 same theme that later on was followed up with
24 the Tate/LaBianca murders and the whole purpose
25 of that was to incite violence. Not only the
26 violence of killing the eight people in the
27 Tate/LaBianca murders but to spark a race war

1 involving blacks against whites, at which point
2 Charles Manson and his family members would
3 eventually take over because the blacks would be
4 unable to -- The blacks would win the race war
5 but the blacks would not be able to govern and
6 rule the country or the universe, so to speak,
7 and then Charles Manson and his family would
8 then ascend and rule over everyone. This was
9 certainly an unbelievable concept. And looking
10 back at it now in today's day and age it was
11 just absolutely ridiculous. But back in 1969
12 there was racial tension in the county of Los
13 Angeles in particular. The Watts riots had
14 occurred in 1968. This wasn't as far-fetched,
15 you know, at that time as it is now. The
16 murders starting with Hinman and the rest had a
17 strong effect on Los Angeles. And this inmate
18 willingly continued his association with a
19 family that was involved in mass murders. And
20 why did he do this? Why did he continue the
21 involvement? Well he says that he wanted to
22 maintain his relationship with Charles Manson.
23 What that means is that taking lives was more
24 important to Mr. Davis than losing Charles
25 Manson's friendship. What causes someone to do
26 this? There is something just wrong. This is
27 beyond sex, drugs and rock and roll. There is

1 something about Mr. Davis that caused him to do
2 this, caused him to continue this involvement.
3 He goes to prison in 1971. He claims to have an
4 epiphany in 1974 but he still has allegiance to
5 the family. In 1977 at his parole hearing he
6 does admit guilt in the 11/28/77 psychological
7 report. Which was, of course, eight years after
8 the murder and at least four years after he
9 found God at that point. And yet in 1980 in his
10 psych report of Dr. Butler in 11/10/1980 he
11 refuses to identify his crime partners to
12 protect their rights on appeal. If he had truly
13 had an epiphany, if he truly had changed his
14 life and admitted his responsibility there would
15 have been nothing to prevent him from
16 identifying his crime partners. His crime
17 partners have already been convicted by then.
18 Everyone had been convicted. There really would
19 have been no reason for him not to admit that
20 they were involved in the murders. But again,
21 you know, he is still holding on and keeping his
22 relationship. He starts the prison ministry and
23 he keeps his association with Charles Tex
24 Watson, who coincidentally also finds God, finds
25 an epiphany and becomes a Christian and starts a
26 ministry. The two of them are here at
27 California Men's Colony. They've got their

1 prison ministry going, they have found God. But
2 the only reason they have even embarked on this
3 quote, epiphany and finding God, is because he
4 was forced to do so because they were in
5 custody. And in my opinion the only way that
6 Mr. Davis thought he could somehow eventually
7 get out of custody would be to embrace this,
8 this concept of, you know, of finding God, of
9 having an epiphany. There was much discussion
10 about his addictive personality. He doesn't
11 seem to think he has an addictive personality,
12 although he claims that he is not going to take
13 any drugs or drink when he gets out. I think
14 that's only the tip of the iceberg in terms of
15 Mr. Davis' psychological problems. It's not the
16 alcohol and -- the alcohol and drugs didn't
17 drive him to commit these murders. There is
18 something in him, his desire for acceptance, his
19 desire for power, his desire to be someone or be
20 someone important that caused him to do this.
21 Barbara Hoyt writes that Mr. Davis, who was one
22 of the older members of the family by the way
23 being 26 years old at the time of the murders,
24 was the only other male.

25 "Bruce was older and vying for a
26 leadership role in the family, or
27 at least second in command to

1 Charlie. He was the only male to
2 have worn Charlie's embroidered
3 vest. He lectured like Charlie
4 when Charlie was not there. Other
5 members of the family killed more
6 people for Charlie, but knowing
7 that the family was committing
8 murders Bruce wanted to lead
9 them."

10 And I think that's a real significant statement.
11 Despite what the family was doing he still was
12 vying for Charlie's attention and his friendship
13 and a share of the leadership role. And this is
14 also reflected in, and Steve Kay was the trial
15 prosecutor in the case, his letter to the Board
16 as well. I note that way back in some of the
17 early psychiatric reports it talks about -- this
18 was I think the psychiatric report back in 1988.
19 "Where his present psychiatric reports establish
20 a deep-seated anger and over-controlled
21 hostility." That was a quote from one of the
22 psychiatric reports. Early in his prison
23 career, and I think he still to some extent,
24 tries to protect his good friend Tex Watson, who
25 of course was a fellow family member of his, but
26 also whose wife and his wife also have a
27 relationship, coincidentally. There are a

1 number of contradictions with respect to
2 Mr. Davis. He's done his programming and
3 certainly that's not disputed. But the real
4 issue with him is whether he is truly, has any
5 true remorse for the crime other than remorse
6 for his having been caught and being required to
7 serve a sentence for the murder. And I don't
8 believe that he has a true understanding of what
9 caused him to commit these horrible crimes and
10 to continue with his involvement. I don't think
11 he has any true understanding of his addictive
12 personality nor do I feel that he truly has
13 admitted his participation in the crime. And
14 until he does so he is a long, long way from
15 being suitable for parole and for not being a
16 danger or an unreasonable risk to society. So I
17 would ask that the panel finds that he still
18 remains an unreasonable risk to society and to
19 deny parole at this time and I would urge the
20 panel to impose a multiple-year denial. Thank
21 you.

22 **PRESIDING COMMISSIONER DAVIS:** All right,
23 thank you. Counsel?

24 **ATTORNEY BECKMAN:** First of all, even
25 though it is not terribly relevant I need to
26 point out to this panel that Mr. Davis is under
27 the old parole laws by order of the Supreme

1 Court and remorse is not an element to be
2 considered under the old parole laws.
3 Nevertheless we are going to show that he was
4 very remorseful. But as a particular part of
5 your decision it is not a recognized element of
6 this, of this suitability hearing. This
7 suitability hearing deals -- That's correct,
8 Mr. Davis, he is under the old pre-1981 law.

9 **PRESIDING COMMISSIONER DAVIS:** Feel free
10 to continue, counsel.

11 **DEPUTY COMMISSIONER MEJIA:** Yeah, feel
12 free.

13 **ATTORNEY BECKMAN:** The issue that's
14 before this Board today was succinctly
15 summarized in the life prisoner evaluation dated
16 January 2004. After stating that Mr. Davis
17 poses a low risk to society if released and
18 stating that at his age and state in life he
19 believes the prisoner is unlikely to engage in
20 further criminal activity. And states, quote:

21 "Release for Bruce Davis is a
22 complicated decision weighing the
23 good that he does and what he
24 potentially might do as a free man
25 and concerned citizen against
26 public notoriety and whether or
27 not it matters if you, quote,

1 reform, end quote after
2 participating in two brutal
3 murders."

4 I'd put it a slightly different way. The issue
5 here today is whether or not this process is a
6 sham or not. Before I get into that I want you
7 to meet my client. His name is Bruce Davis.
8 His name is not Charles Manson. And I say this
9 because there seems to have been some confusion
10 about that fact at past Board Hearings. It is
11 the only possible way that this man has spent
12 nearly 36 years in jail when he never killed
13 anybody. There can't be any other explanation
14 than mistaken identity because this is the
15 United States of America. In the United States
16 of America we don't imprison men for 36 years
17 for being an accessory. They did that in
18 Hitler's Germany, Stalin's Russia, Mao's China,
19 Saddam's Iraq, and if the DA had its way in
20 Colley's Los Angeles. But not here. So let me
21 again introduce you to my client. His name is
22 Bruce Davis and we are living in the United
23 States of America, a nation of constitutional
24 rights and laws. And I hope you will remember
25 both of these facts, because if you do it is
26 clear that Mr. Bruce Davis has rehabilitated
27 himself in prison and earned a second chance and

1 he must be found suitable for parole. He has
2 admitted guilt for the crime, he's taken
3 responsibility for the life crime. He has
4 articulated thoroughly his acknowledgement that
5 his actions were wrong. He does not appear to
6 minimize or rationalize his role in the offense.
7 He's told you exactly what he did. He
8 understands why he committed his crime and yes,
9 he is genuinely remorseful for his actions. He
10 empathizes at an emotional level with the harm
11 done to the victims and their families. He did
12 not kill either of these people. He doesn't
13 minimize that fact. He takes full
14 responsibility as if he did kill them but the
15 fact is that he did not. And the fact is that
16 it is not the same. It may be the same for
17 punishment purposes at the beginning but it is
18 not the same 36 years later whether he killed or
19 did not kill these people. We are not talking
20 about 15 years later, we're talking 36 years
21 now. The crime was not inexplicable, the
22 motives were clear for both of these murders.
23 Yet he committed these crimes as the result of
24 significant stress in his life. He was addicted
25 to drugs and alcohol. He had severe emotional
26 turmoil. He was in a cult, that's what it was.
27 One of the more evil cults ever to exist on this

1 planet and he was in it. But that doesn't mean
2 he spends 36 years in jail. Mr. Davis has no
3 juvenile record, he does not have an adult
4 record of assaulting others or committing crimes
5 of potential personal harm to victims. And I
6 need to note that any alleged crimes without
7 convictions must be treated by this Board as
8 never having occurred and must not be considered
9 in determining parole suitability. Mr. Davis
10 has experienced reasonably stable relationships
11 with others in prison. Prior to his
12 incarceration he developed marketable skills as
13 a pipe welder in various construction jobs.
14 Prior to his incarceration he was a high school
15 graduate. I won't discuss his years at
16 Tennessee as he does not think that they are
17 worthy of even mentioning. He's been a
18 Protestant chapel clerk, PIA sack lunch crew,
19 he's received exceptional work reports
20 consistently. He's been commended for working
21 well with supervisors and good attitude. He's
22 completed vocational drafting and vocational
23 welding and he's a certified welder in this
24 state. He's taken a wide variety, as the Deputy
25 Commissioner noted, of self-help throughout his
26 years in prison. I won't go through them again
27 here. He received his MA in Arts and Religion

1 and he received his Doctor of Philosophy in
2 Religion. The only thing the Commissioner
3 didn't note is that he received both of these
4 degrees summa cum laude. He's been a volunteer
5 teacher at CMC School of the Bible and a
6 Yokefellows peer counselor, moderator and
7 religions peer educator. In 36 years in prison,
8 excuse me, 34 years in prison plus 2 in county
9 jail, he has received only two 115s. None since
10 1980, none for violence, none for substance
11 abuse. He has received either four or five
12 128s, none since August 1992. At the time of
13 the life crime Mr. Davis was only 26 years old.
14 His age is now 63, an age where the probability
15 of recidivism is vastly reduced. His parole
16 plans are solid and feasible. Residence is
17 assured with his wife and his daughter in Grover
18 Beach. Support letters have been submitted.
19 You have seen the wide variety of family and
20 friends who will constitute his support network.
21 He has job offers in landscaping in See Canyon.
22 He has other backup job offers. It's highly
23 likely he will receive a job in a church. He
24 has several marketable skills I have already
25 talked about. He won't have trouble finding
26 employment even if everything falls through that
27 he has. September 27, 2005 the Board denied

1 Mr. Davis one year because of the life crime and
2 his unstable pre-prison relationships. They
3 recommended he remain discipline-free, earn
4 positive chronos and sit through a new psych
5 evaluation. This was his 20th consecutive one
6 year denial. That just boggles my mind. You
7 get a one year denial because it's obvious that
8 you are close to getting a parole date. At
9 least that's what the Commissioners say every
10 year. Do they mean it or are these just empty
11 words? I guess we are going to find out today.
12 He has addressed the concerns, addressed the
13 recommendations. He has stayed discipline-free,
14 participated in a new psych evaluation and has
15 earned positive work reports. He can't address
16 his unstable pre-prison relationships or his
17 life crime, they are fixed forever. He has been
18 rated a low risk in his life prisoner evaluation
19 reports six consecutive times from 2004 going
20 all the way back to 1990 -- excuse me, 1999.
21 His psych evaluations are all low/moderate, low,
22 low/moderate. Mr. Davis has honestly admitted
23 and accepted responsibility for and demonstrated
24 insight into the nature and magnitude of his
25 crimes. He feels genuine remorse for his crimes
26 and sincere empathy for the victims and their
27 families. Since the California parole scheme

1 dictates that the Board quote, shall, end quote,
2 release prisoners like Mr. Davis unless one or
3 more of a specified criteria are satisfied he
4 has a cognizable liberty interest in release on
5 parole. *McQuillion* M-C capital Q-U-I-L-L-I-O-N
6 *v. Duncan*, Ninth Circuit Federal Court of
7 Appeals 2002, *Board of Pardons v. Allen*, A-L-L-
8 E-N, United States Supreme Court 1979. As a
9 result the Board can only deny parole if
10 determination of unsuitability is supported by,
11 quote, some evidence, end quote, having some
12 indicia of reliability. If the Board denies
13 otherwise it violates his due process rights
14 guaranteed by the Fifth and Fourteenth
15 Amendments to the United States Constitution.
16 *Biggs v. Terhune*, T-E-R-H-U-N-E, Ninth Circuit
17 2003. For his due process rights to be
18 protected the inmate's parole suitability
19 determination must be made by a Board that is
20 not acting in an arbitrary and capricious
21 manner. Here given Mr. Davis' exemplary prison
22 record, his work record, having completed two
23 vocations, having obtained his masters and his
24 Ph.D. while in prison, having taken years and
25 years of relevant and helpful self-help programs
26 of all types, having received numerous laudatory
27 chronos and certificates for his teaching,

1 mentoring, good conduct and charitable work.
2 Having remained serious disciplinary-free since
3 1980. Having satisfactorily addressed the
4 Board's reasons for denying him parole at his
5 last hearing and complied with the
6 recommendations it cannot be argued that
7 Mr. Davis' institutional behavior does not
8 indicate a quote, enhanced ability to function
9 within the law upon release, end quote.
10 Further, since he has viable parole plans, his
11 present age reduces the probability of
12 recidivism, he has experienced reasonably stable
13 relationships with others, both in prison and
14 outside of prison as is acknowledged by the fact
15 that he married while in prison and is raising a
16 daughter with his wife while in prison. He has
17 no juvenile record. He lacks any adult history
18 of violent crime prior to this incident, these
19 incidences. The only factor this Board could
20 possibly cite for denying him parole is the
21 immutable, unchanging life crime. However, the
22 courts have repeatedly held that the Board does
23 not have carte blanche to deny parole based upon
24 the life crime. These were aggravated, horrible
25 life crimes. However, since the Board has
26 previously relied upon the gravity of the life
27 crime and the inmate's prior conduct prior to

1 the life crime the mere fact that the life crime
2 was aggravated can no longer form the basis for
3 denying Mr. Davis parole. Quote:

4 "Over time should the inmate
5 continue to demonstrate exemplary
6 behavior and evidence of
7 rehabilitation, denying him a
8 parole date simply because of the
9 nature of the offense raises
10 serious questions involving his
11 liberty interest in parole."

12 That's the *Rosenkrantz*, R-O-S-E-N-K-R-A-N-T-Z,
13 case that was decided by the United States
14 District Court in July of this year and *Biggs v.*
15 *Terhune*. Further, quote:

16 "Where the facts of the crime or
17 conviction or other unchanged
18 criteria affect the parole
19 eligibility decision can only be
20 predicated on the, quote,
21 predictive, end quote, value of
22 the unchanged circumstance.
23 Otherwise, if the unchanged
24 circumstance per se can be used to
25 deny parole eligibility,
26 sentencing is taken out of the
27 hands of the judge and totally

1 deposited in the hands of the BPH.
2 Parole eligibility could be
3 indefinitely and forever delayed
4 based upon the nature of the
5 crime, even though the sentence
6 given set forth the possibility of
7 parole, a sentence given with the
8 facts of the crime fresh in the
9 mind of the judge. What the state
10 cannot constitutionally do is have
11 a sham system where the judge
12 promises the possibility of parole
13 but because of the nature of the
14 crime the BPH effectively deletes
15 such from the system. Nor can a
16 parole system where parole is
17 mandated to be determined on
18 someone's future potential to harm
19 the community constitutionally
20 exist where despite 20 or more
21 years of prison life which
22 indicates the absence of danger to
23 the community in the future the
24 BPH Commissioners' revulsion
25 towards the crime itself, or some
26 other unchanged circumstance,
27 constitutes the alpha and omega of

1 the decision. Nobody elected BPH
2 Commissioners as sentencing
3 judges. Rather in some realistic
4 way the facts of the unchanged
5 circumstance must indicate a
6 present danger to the community if
7 released. And this can only be
8 assessed not in a vacuum after
9 four or five eligibility hearings
10 but counter-poised against the
11 backdrop of prison events."

12 *Rosenkrantz v. Warden, Bair, B-A-I-R, v. Folsom*
13 *State Prison, United States District Court 2005.*
14 In the circumstances of this case should the
15 Board again rely upon the life crime to deny
16 Mr. Davis parole it would be violating his
17 liberty interest in parole protected by the
18 Fourteenth Amendment. First, continued reliance
19 on the unchanging facts of the life crime after
20 the inmate has been denied previously 20 times
21 solely or primarily based upon the life crime
22 will in fact make a sham of California's parole
23 system and amounts to an arbitrary denial of his
24 liberty interest. Continued reliance upon the
25 unchanging characterization of his offense
26 amounts to converting his sentence of seven to
27 life to a term of life without possibility of

1 parole. Because his prison record
2 overwhelmingly indicates that he has
3 rehabilitated himself and no longer poses a
4 danger to society the life crime no longer has
5 any, quote, predictive value, end quote, as to
6 Mr. Davis' present dangerousness and he must be
7 found suitable for parole. Mr. Davis has now
8 served 36 years of two seven to life sentences.
9 Incarceration extends well beyond the Board's
10 matrix for first-degree murder for the actual
11 killers. As held by the California Supreme
12 Court in *In Re Dannenberg*, D-A-N-N-E-N-B-E-R-G,
13 quote:

14 "No prisoner can be held for a
15 period grossly disproportionate to
16 his individual culpability for the
17 commitment offense. Such
18 excessive confinement violates the
19 cruel and unusual punishment
20 clause of the California
21 Constitution. Thus we acknowledge
22 that Section 3041(a) cannot
23 authorize such an inmate's
24 retention, even for reasons of
25 public safety beyond this
26 constitutional maximum period of
27 confinement."

1 We respectfully submit that the 36 years
2 Mr. Bruce Davis has served places him well
3 beyond this constitutional maximum period of
4 confinement given his individual culpability for
5 the life crimes. No one in this room can
6 honestly claim that Bruce Davis has not
7 rehabilitated himself and no longer poses a
8 threat to society. Everyone in this room knows
9 that as a matter of law and a matter of justice
10 Bruce Davis should be released. The only
11 question that remains to be settled is whether
12 the Board will act upon this knowledge or will
13 disregard the law and disregard Mr. Davis'
14 constitutional rights by again denying him a
15 parole date. Please don't do so. Twenty one
16 year denials, overwhelming evidence of
17 rehabilitation is more than enough. Please free
18 him. Give him a parole date. Thank you.

19 **PRESIDING COMMISSIONER DAVIS:** Mr. Davis,
20 unlike what counsel said we have no question as
21 to who is in front of us today. It is now your
22 opportunity to talk to us about your suitability
23 for parole.

24 **INMATE DAVIS:** Well, of all the
25 information that has passed back and forth I
26 don't know how to add to it. After having a
27 basic change in my life that has altered my

1 perspective from the middle '70s and from doing
2 what I was told I should be doing when I first
3 came to prison. Taken them seriously. I think
4 we can see that I've taken it seriously because
5 I took it as a good faith offer. I still think
6 it is. It's been delayed, however. I want to
7 go into the society. I want to be at home with
8 my wife, my daughter is there. I think there's
9 a lot of good I can do. I think the record
10 speaks loud. I mean, what else could I do, I
11 ask myself. Is there anything to make me more
12 suitable? Every guideline, every list of things
13 to do I've done my best to exhaust them. I
14 believe that you could, you could make a
15 reasonable conclusion that I am in touch with
16 the reasons underlying this crime. I think the
17 evidence will leave you in a place where you
18 could make the reasonable conclusion that I,
19 that I am remorseful. I think of all the things
20 we've heard you could come to a reasonable
21 conclusion that I'd be a very good person on
22 parole. I've sat through these hearings for the
23 last 20 years being told by many, and having
24 been found suitable by one individual, that
25 you're doing the right thing, keep it up, and I
26 believe that. And having learned to take
27 instruction I continue to do that. I have been

1 through this situation as stated over and over
2 again 20-odd times. I do admit of having some
3 cynicism and sadness and disappointment and real
4 questions about the integrity of the situation.
5 I realize that's a lot of frustration on my part
6 but I just wonder what it is. I mean, I realize
7 that I'm the one that caused this and that you
8 all are not my problem and that you are not
9 responsible for what I did in any way, shape or
10 form. I've always tried to give you every
11 reason I could give you to make a decision in my
12 favor and I will continue with that. I don't
13 know -- I am frustrated in this. I don't know
14 what to do past what I'm doing. I realize that
15 doesn't really talk about why you should let me
16 go but I guess maybe, I don't know. You'll have
17 to process that for yourself, I don't know. I
18 think I'll be a, I think I'll do good there. I
19 think that in the future when you parole me I
20 think you'll be proud of this decision. I think
21 you're going to get a lot of heat. I think it
22 might be hard to represent to your peers, it
23 might be very difficult. And I don't envy your
24 task if you should choose it. I can only say I
25 can guarantee you as far as my word is any good
26 that you will be glad you did it. Of course I
27 expect everybody says that sitting in my place

1 but that doesn't make it false. So I appreciate
2 your indulgence and I pray you do the, do the
3 right thing.

4 **PRESIDING COMMISSIONER DAVIS:** All right,
5 thank you. We will now recess for deliberation.

6 (Tape 2 was changed to Tape 3
7 while off the record.)

8 **R E C E S S**

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1 CALIFORNIA BOARD OF PAROLE HEARINGS

2 D E C I S I O N

3 DEPUTY COMMISSIONER MEJIA: -- with
4 regards to the matter of Mr. Davis.

5 PRESIDING COMMISSIONER DAVIS: All right,
6 let the record reflect that all those previously
7 identified as being in the room have returned.
8 This is in the matter of Bruce Davis, CDC number
9 B-41079. And before we start I will say that
10 this is a split decision. I will be reading
11 first my decision then I'll turn it over to
12 Commissioner Mejia for his decision. So I will
13 begin. The panel, the panel reviewed all
14 information received from the public and relied
15 on the following circumstances, I relied on the
16 following circumstances in concluding the
17 prisoner is not suitable for parole and would
18 pose an unreasonable risk of danger to society
19 or a threat to public safety if released from
20 prison. I come to this conclusion first and
21 foremost by the commitment offense itself and
22 I'll divide this into two, actually the
23 commitment offenses. First for Mr. Hinman. In
24 Mr. Hinman's case the offense was carried out in
25 an especially cruel and callous manner. There
26 were, in total for both of them there were
27 BRUCE DAVIS B-41079 DECISION PAGE 1 08/31/06

1 multiple victims killed, two obviously in this
2 case in separate instances. In Mr. Hinman's
3 case the offense was carried out in a
4 dispassionate and calculated manner. The victim
5 was abused during the offense. The offense was
6 carried out in a manner which demonstrates an
7 exceptionally callous disregard for human
8 suffering and the motive for the crime was
9 inexplicable in relation to the offense. Again
10 in Mr. Hinman's case the murder of Mr. Hinman
11 did not deter the prisoner from committing
12 another crime, specifically the murder of
13 Mr. Shea. Mr. Shea's offense was carried out in
14 an especially cruel and callous manner. Once
15 again in combination with Mr. Hinman there were
16 multiple victims, two were killed. The offense
17 was carried out in a dispassionate and
18 calculated manner. The victim was abused during
19 the offense. The offense was carried out in a
20 manner which demonstrates an exceptionally
21 callous disregard for human suffering and the
22 motive for the crime was once again inexplicable
23 in relation to the offense. These conclusions
24 are drawn from the statement of facts wherein
25 the prisoner is convicted for his participation
26 in the torture and murder of Mr. Hinman. The
27 **BRUCE DAVIS B-41079 DECISION PAGE 2 08/31/06**

1 circumstances are well documented and considered
2 in this decision. The facts include the
3 protracted torture of the victim for two days
4 and his ultimate death by stabbing. The murder
5 of Mr. Hinman did not persuade Mr. Davis to
6 leave his crime partners. He stands convicted
7 for his participation in the murder of Mr. Shea.
8 Mr. Shea was taken to a remote location where he
9 was brutally murdered. Neither victim was any
10 threat to Mr. Davis or his crime partners. In
11 fact, Mr. Hinman was killed in his own home and
12 Mr. Shea was simply performing his duties
13 watching the property of another because he
14 needed the money. Shortly before his death he
15 expressed fear for his life and Mr. Davis'
16 actions and responsibility go well beyond any
17 minimum, any perceived minimum. With regard to
18 prior record. I find that the prior record of
19 criminal conduct consists of the instant offense
20 itself and limited to the federal charge of
21 fraudulently obtaining a firearm. With regard
22 to institutional behavior, I don't think anyone
23 can take this away from you, Mr. Davis. You
24 have, starting in 1980 you have an excellent
25 record of behavior while in the institution.
26 You have only two serious 115s, the last one was
27 **BRUCE DAVIS B-41079 DECISION PAGE 3 08/31/06**

1 in 1980, and five 128(a) counseling chronos, the
2 last of which was in August of 1992. So I know
3 the people who work here and all those who are
4 responsible for the good order and conduct of
5 the institution appreciate your efforts in that
6 regard. The psychological report dated August
7 of 2006 by Dr. Glines is in my view not
8 completely supportive of release and lists the
9 risk of recidivism in the free community as low
10 to moderate. With regard to parole plans I
11 think you certainly have appropriate parole
12 plans. With regard to the 3042 notices, we note
13 the District Attorney from Los Angeles County is
14 here in person by representative and does oppose
15 parole as does the Los Angeles Police Department
16 by letter. The Los Angeles Police Department
17 being the law enforcement agency responsible for
18 the investigation of this crime. With regard to
19 other factors. As we discussed your part in the
20 crime I was not convinced today that you have
21 completely and fully accepted responsibility for
22 your leadership and role in the horrendous
23 deaths of the two victims. I don't know if this
24 is because you have gone over this so many times
25 or whether you, for your own reasons it is
26 better for you not to accept this. But in my

1 view you continue to minimize your role for
2 whatever reason in these crimes. Nevertheless
3 you are to be commended for a variety of things,
4 not the least of which was, again, your record
5 while in the institution, while in custody for
6 behavior. I do not minimize in any way the
7 accomplishments that you have achieved while you
8 were incarcerated and they include, of course,
9 your behavior as noted as being disciplinary-
10 free since 1980 from 115s and since 1992 for
11 128s. You've earned a master's degree and a
12 Ph.D. with honors. You have extensive self-help
13 and therapy since 1980 and you're teaching, you
14 are currently teaching a parenting class. You
15 are active, you are an active member of
16 Yokefellows since 1999. However, these positive
17 aspects of your behavior do not in my view
18 outweigh the factors for unsuitability. This is
19 a one year denial. The recommendation is to
20 remain disciplinary-free, to as available
21 continue to participate in self-help and to --
22 Something you may want to consider would be to,
23 should the full Board -- What happens now, you
24 probably know this already but what happens now
25 is this will go to the full Board for a vote.
26 But you may want to, should the full Board not
27 **BRUCE DAVIS B-41079 DECISION PAGE 5 08/31/06**

1 support the grant of parole and you choose again
2 to talk about your crime that you may want to
3 review the facts of your crime. And again, if
4 you choose to address them that you do so in as
5 objectively a way as you possibly can after
6 reviewing the facts again. Again, I know this
7 is probably -- I can't imagine how difficult
8 that is after going over it and over it and over
9 it but I think it may be something that you want
10 to do. Just a suggestion.

11 **INMATE DAVIS:** Thank you.

12 **PRESIDING COMMISSIONER DAVIS:** And now I
13 will turn this over to Commissioner Mejia.

14 **DEPUTY COMMISSIONER MEJIA:** Okay.

15 Mr. Davis, I voted for suitability. And the
16 reason for that is that I reviewed all
17 information received from the public and relied
18 on the following circumstances in concluding
19 that the prisoner is suitable for parole and
20 would not pose an unreasonable risk of danger to
21 society or a threat to public safety if released
22 from prison. I must say that -- First I must
23 say that my decision was not swayed or persuaded
24 by your attorney. This is a decision I made
25 because of my observation. I did your hearing
26 in 2004, my familiarity with the C File and

27 **BRUCE DAVIS B-41079 DECISION PAGE 6 08/31/06**

1 everything that you did. And I feel that you
2 are a different person from the time you
3 committed the crime and that the person facing
4 me right now. You have no juvenile record of
5 assaulting others. While in prison you have
6 enhanced your ability to function within the law
7 upon release through participation in
8 educational programs, as mentioned by the
9 Commissioner. You have a master's degree in
10 theology, a doctorate degree in philosophy and
11 religion and you were summa cum laude, you did
12 that with honors. You have, you have a 12.9
13 GPL. You completed two vocations, major
14 vocations, drafting and welding. What gets me
15 really, the significant factors in my decision
16 would be your self-help and therapy
17 participation. I have been to a lot of hearings
18 and I have seen -- I can actually say that I
19 tracked your change of behavior based -- the
20 record will show a track or evidence that you
21 have been, you became a changed man from the
22 time that you committed the crime and today. In
23 fact I listed all of the, since 1980. You have
24 been a Yokefellow. You started your orientation
25 in Yokefellow in 1980. You have been working
26 for the chapel since 1980. You have completed
27 **BRUCE DAVIS B-41079 DECISION PAGE 7 08/31/06**

1 Cat-E, therapy groups, reality decision-making
2 programs, psychotherapy, life group therapy,
3 substance abuse group, Cat-X participation,
4 rational behavior therapy, cognitive behavior
5 and management of problematic anger. And up to
6 this point it was consistent. Anger management,
7 anything that I feel would be able to address
8 your issues as to the reason that you committed
9 the crime. It's like the Commissioner said,
10 that you are still giving back to the
11 institution by having a good work report, above
12 average excellent work report. Your helping,
13 your involvement in the Yokefellow peer
14 counseling until this point in time, helping the
15 youngsters that come into the prison and give
16 them some, some guidance. And that's
17 appreciated. Your lack of a significant
18 criminal history of violent crime. This was
19 actually your first involvement in a -- I'm not
20 -- It's like I told during deliberation, if I
21 was a victim I would say you should rot in here,
22 you should never get out. It's really heinous,
23 horrific. I was growing up when I'm hearing
24 about all of these things and I could not take
25 that away from the crime that you committed.
26 However, 36 years ago, I don't think you can

1 change that. It happened and it's -- What I
2 look at is your ability to function back to
3 society. You have a realistic work -- Because
4 of your maturation, growth and greater
5 understanding and advanced age has reduced
6 probability of recidivism. You were 26 then,
7 you are 64 now. I think one evidence of your
8 maturity is that you have had these one year
9 denials since 1984. Since 1984 as a person I
10 would expect for you to act out and lash out but
11 you never did. 1980 was your last disciplinary.
12 I didn't see anything negative after that. I
13 think that's evidence that you have changed.
14 You maintained close family ties while in
15 prison. You got married and had the child,
16 continued along. That could be a two-edged
17 sword, you know. It was successful because you
18 are not with them. Maybe when you, you know,
19 those are issues that we talked about, you know.

20 **INMATE DAVIS:** That's right.

21 **DEPUTY COMMISSIONER MEJIA:** It's easy to
22 be with somebody when you're not with them but
23 it's hard to be with somebody as a married
24 couple. But I don't think that will be an
25 issue. You have a child to think about. You
26 were, you have a realistic parole plan. You

27 **BRUCE DAVIS B-41079 DECISION PAGE 9 08/31/06**

1 have two job offers, one from South Bay Jewelry
2 and Loan and landscaping from See Canyon Fruit
3 Ranch. You have maintained positive
4 institutional behavior, which indicates
5 significant improvement in self-control. You
6 showed signs of remorse. I feel that you are
7 remorseful for what you did. You indicated that
8 you understand the nature and magnitude of the
9 offense and accepts responsibility for the
10 criminal behavior and has a desire to change
11 towards good citizenship. I think the issue
12 about your role. I was here in 2004. That was
13 one of my issues, about your role. It's either
14 you're just in denial that you were somebody or
15 you're actually telling the truth that you don't
16 have a major role in running that cult.
17 Psychological factors. The last two, one from
18 Dr. Livingston on 10/28/03 rates you as to a low
19 to moderate degree of recidivism if released to
20 the community. The present one, Cynthia Glines,
21 August 24, 2006 also rates you as low to
22 moderate. The Board wants a low, a low degree.
23 But however if I go back to your other psych
24 reports you have other psychologists telling
25 that you're actually -- in fact let me just put
26 this on the record. In 1997 you have a
27 **BRUCE DAVIS B-41079 DECISION PAGE 10 08/31/06**

1 diagnosis of -- actually 1993 you were diagnosed
2 with cannabis abuse in institutional remission,
3 hallucinogen abuse in institutional remission,
4 adult antisocial personality disorder NOS with
5 narcissistic independent features. That was in
6 1993. Then you went to Dr. Berning (phonetic)
7 in 1996, 4/22/1996. She said that you have no
8 diagnosis on Axis I. The inmate's violence
9 potential is below average. That was in 1996.

10 "There is a recognition of
11 increased maturity coupled with
12 programming activities which
13 indicate a commitment to his
14 spiritual values."

15 Then Lance Fortnoff (phonetic), a psychologist
16 on 6/4/97. He addressed the issues and he said:

17 "Given his criminal and
18 psychiatric history leading up to
19 the commitment offense, his
20 described degree of participation
21 in the two murders, his
22 psychiatric diagnosis, his
23 behavior since his incarceration
24 and his behavior in the current
25 interview his risk assessment for
26 dangerousness is estimated to be

1 within mildly below average range
2 in comparison with adult male
3 inmates."

4 You still have that Axis II of narcissistic
5 personality disorder according to Doctor -- that
6 was in 1997. Now you have Dr. Berning. It says
7 in 1998 there is no diagnosis in Axis I. It
8 says:

9 "The observation and conclusion
10 taken from the Board of Prison
11 Terms appears accurate now.
12 Although the inmate quite
13 correctly was described as an
14 individual with narcissistic
15 personality disorder during the
16 early years, it would appear that
17 the inflexible, maladaptive
18 pattern of grandiosity and need
19 for admiration which led to
20 significant functional impairment
21 during these early years no longer
22 appears to reach the threshold of
23 personality disorder, but rather
24 are presently expressed as
25 traits."

26 Dr. Berning, your violence potential in the

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1 community is low in comparison with the average
2 inmate at that time.

3 "In almost 30 years since the
4 commitment offense he has not
5 perpetrated any similar aggressive
6 or threatening behavior.

7 Therefore his violence potential
8 within a controlled setting is
9 nil."

10 Your diagnosis is poly-substance abuse in
11 controlled setting, narcissistic traits, a
12 Global Functioning of 81. It says there
13 Dr. Essres -- She considered this in her
14 conclusion:

15 "Dr. Essres noted that the
16 diagnoses of narcissistic and
17 dependent features were carried
18 from the prior evaluation but that
19 he did not note them during his
20 interview."

21 I know Dr. Essres, he is the supervising
22 psychologist here. Okay, now we're going to go
23 to the computation of your base term. You were,
24 your base term in prison is 228 months. We
25 aggravated your, your offense to II-D because
26 the victim was subjected to, victim or victims

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1 were subjected to long infliction of physical
2 pain through the use of force prior to the acts
3 resulting to the death, and you had prior
4 relationships with the victims. So that goes to
5 228 months on case number A267861 count one, 187
6 PC, murder first. And there is additional time
7 on count two under the same case number,
8 A267861, murder first in the first degree. We
9 added 84 months on the 228. And you have a
10 count three under the same case number, A267861,
11 conspiracy to commit murder and robbery, PC 182,
12 another 84 months. The total term of 376
13 months. Post-conviction time credit from
14 4/21/72 to August 31, 2006. Because of the two
15 115s in '75 and '80 you were not four months
16 credit in that. The total is 128. If you
17 subtract that from the total of 376 you have 248
18 months to do, which is way beyond your time.
19 The reason for the aggravation, during the
20 commission of the crime the prisoner had a clear
21 opportunity to cease but instead continued. He
22 did not notify the authorities about the crime
23 and stayed with the lifestyle and culture. The
24 prisoner had a special relationship of
25 confidence and trust with the victims. The
26 murder was wanton and apparently senseless in
27 **BRUCE DAVIS B-41079 DECISION PAGE 14 08/31/06**

1 that it was committed after another crime
2 occurred and served no purpose in completing the
3 crime. The corpses were abused, mutilated and
4 defiled. The prisoner went to great lengths to
5 hide the body and to avoid detection. Okay, I
6 think that's the -- now we're going to go to
7 your special conditions. Do not use or possess
8 alcoholic beverages or be in an area where the
9 chief item of sale is alcohol. That means bars,
10 in the restaurant bar area in a restaurant.
11 Submit to alcohol testing, submit to anti-
12 narcotic testing, submit to THC testing.
13 Participate in a substance abuse program such as
14 AA or NA. Report to parole outpatient clinic
15 for evaluation. And you will not participate in
16 any criminal organization, illegal activities,
17 religious cult or illegal organizations. This
18 is a tentative decision. Just like the
19 Commissioner said, this will go en banc before
20 the Commissioners and you will hear from them.

21 **ATTORNEY BECKMAN:** Commissioner, could
22 you just explain the procedure briefly. I have
23 never had the situation.

24 **PRESIDING COMMISSIONER DAVIS:** It will be
25 placed on the schedule. It will be placed and
26 posted on the schedule for the en banc review.

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1 Have an opportunity to have, receive public
2 comments and testimony regarding for and
3 against. Then the Board convenes to a private
4 session where there is a vote taken whether to
5 support the grant or support the denial of the
6 grant. And depending on how that vote goes then
7 if there is a decision to support the grant then
8 it would go through its normal review process.
9 If not it will be scheduled for a new hearing
10 for a year.

11 **ATTORNEY BECKMAN:** Participation by --

12 **DEPUTY COMMISSIONER MEJIA:** So you have
13 two of them, one denial and one --

14 **ATTORNEY BECKMAN:** -- Mr. Davis, myself,
15 the district attorney (inaudible)?

16 **PRESIDING COMMISSIONER DAVIS:** The
17 district attorney, you may appear. There is a
18 place for open comment but not from Mr. Davis.

19 **ATTORNEY BECKMAN:** Will I get noticed
20 then? Will I get a copy of the transcript from
21 this?

22 **PRESIDING COMMISSIONER DAVIS:** You know,
23 I am not entirely sure about that. That will be
24 something you have to inquire about.

25 **ATTORNEY BECKMAN:** Okay.

26 **PRESIDING COMMISSIONER DAVIS:** Do you

27 **BRUCE DAVIS B-41079 DECISION PAGE 16 08/31/06**

1 know if they give automatic notice or not,
2 Mr. Sequeira?

3 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** I
4 believe you probably will but I wouldn't, you
5 know, I wouldn't count on it.

6 **PRESIDING COMMISSIONER DAVIS:** That would
7 be something you might want to just get a hold
8 of the Board records people and just confirm
9 that you are the attorney. I'm assuming you are
10 the attorney of record. It's up to you to
11 appear. I do want to -- Any other questions?

12 **ATTORNEY BECKMAN:** So I appear either in
13 person or by telephone, correct?

14 **DEPUTY DISTRICT ATTORNEY SEQUEIRA:** No,
15 you have to be in person.

16 **PRESIDING COMMISSIONER DAVIS:** Yeah,
17 you'd be in person in Sacramento. And I saved
18 this for the end because this has absolutely
19 nothing to do with you, all right. I want to
20 make sure you understand this has nothing to do
21 with your, with the decision today. Because
22 though the panel disagrees on the appropriate
23 decision in this case, and as you notice the
24 hour is about 6:30 so we talked about it for
25 some period of time, we do, we are however
26 unanimous in our disapproval of what our

27 **BRUCE DAVIS B-41079 DECISION PAGE 17 08/31/06**

1 understanding of counsel's comments comparing
2 the process and the Board with Nazi Germany or
3 other totalitarian regimes if we would deign to
4 disagree with defense counsel's view of a just
5 outcome. I just wanted that on the record. And
6 we are adjourned. Good luck to you sir.

7 **INMATE DAVIS:** Thank you.

8 **DEPUTY COMMISSIONER MEJIA:** Good luck to
9 you, Mr. Davis.

10 **--oOo--**

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24 **HELD OVER FOR EN BANC REVIEW Nov 20, 2006**

25 **YOU WILL BE PROMPTLY NOTIFIED, IF PRIOR TO THAT**
26 **DATE, THE DECISION IS MODIFIED.**

27 **BRUCE DAVIS B-41079 DECISION PAGE 18 08/31/06**

CERTIFICATE AND
DECLARATION OF TRANSCRIBER

I, RAMONA COTA, a duly designated transcriber, PETERS SHORTHAND REPORTING, do hereby declare and certify under penalty of perjury that I have transcribed tape(s) which total three in number and cover a total of pages numbered 1 - 152, and which recording was duly recorded at CALIFORNIA MEN'S COLONY, SAN LUIS OBISPO, CALIFORNIA, in the matter of the SUBSEQUENT PAROLE CONSIDERATION HEARING of BRUCE DAVIS, CDC NO. B-41079, on AUGUST 31, 2006, and that the foregoing pages constitute a true, complete, and accurate transcription of the aforementioned tape to the best of my ability.

I hereby certify that I am a disinterested party in the above-mentioned matter and have no interest in the outcome of the hearing.

Dated September 10, 2006, at Sacramento County, California.



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