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LIFE TERM PAROLE CONSIDERATION HEARING  
STATE OF CALIFORNIA  
COMMUNITY RELEASE BOARD

In the Matter of the Subsequent  
Parole Consideration of  
GROGAN, STEVE.

CDC No. B-38773

CORRECTIONAL MEDICAL FACILITY  
VACAVILLE, CALIFORNIA

ORIGINAL

WEDNESDAY, OCTOBER 17, 1979

2:15 P.M.

FRANCES ANN PETERSON

C.S.R. LICENSE NO. 4379

MEMBERS PRESENT

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- R. Brown, Board Member
- L. Collins, Board Member
- A. S. Vineyard, Hearing Representative

ALSO PRESENT

- Steve Grogan, Inmate
- Diana Samuelson, Attorney for Inmate Grogan
- James J. Shea, Los Angeles County District Attorney's Office

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P R O C E E D I N G S

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3       PRESIDING MEMBER BROWN: This is a subsequent  
4 parole consideration hearing for a life term prisoner whose  
5 name is Steve Grogan, G-r-o-g-a-n, B-38773. The hearing is  
6 being conducted at the Correctional Medical Facility in  
7 Vacaville on October 17th, 1979. And the time is now  
8 approximately 2:15 p.m.

9       Present in the room are the following persons:  
10 My name is Ray Brown. I'm a Member of the Community Release  
11 Board. I will be presiding at the hearing today. On my  
12 right is Mrs. Loretta Collier, who is also a Member of the  
13 Community Release Board. And to her right is Mr. Austin  
14 Vineyard, who is a Hearing Representative for the Community  
15 Release Board. At the end of the table and to my left is  
16 Mr. James Shea, who is a member of the Los Angeles County  
17 District Attorney's Office. The inmate is present in the  
18 hearing room. And the inmate's attorney is Diana Samuelson.

19       The hearing is being conducted pursuant to Penal  
20 Code Sections 3041, 3042, and the regulations of the  
21 Community Release Board governing parole consideration  
22 hearings for life prisoners. The purpose of today's hearing  
23 is to determine your suitability for parole. It is necessary  
24 for us to conduct this hearing under revised procedures  
25 enacted by the Legislature which became effective on July 1st.

1 1977, and they were amended again in July of 1978, and which  
2 apply to all prisoners under a life sentence.

3 We will be considering the number and the nature  
4 of the crimes for which you were committed to state prison,  
5 your criminal history or lack of it prior to this commitment,  
6 and your behavior since your commitment. We will reach a  
7 decision and inform you whether you are suitable for parole  
8 or not and why, and if you are found suitable, the length  
9 of your confinement and the specific factors leading to this  
10 determination. I will tell you at the outset that nothing  
11 we do here today can become final until 60 days have elapsed.  
12 It is a provision of the Penal Code. The decision is  
13 tentative for a period of 60 days. At the conclusion of the  
14 hearing we will give you a copy of the document that shows  
15 you what the tentative decision is in this case. I would  
16 also state that the notices required by 3042 of the Penal  
17 Code have been sent in this particular case.

18 There is no confidential information being used  
19 at the hearing today. The decision we make today will be  
20 based on the information that is available to you and to  
21 your counsel.

22 The hearing is divided up essentially into four  
23 parts. The first part is a discussion of the commitment  
24 offense itself. The second part is a discussion of your  
25 prior criminal history. The third part is a discussion of

1 your institution adjustment. And the last part is a  
2 discussion of your parole plans that you may have. You are  
3 free to participate in any or all parts of the discussion  
4 today. If you're going to testify, why, we're going to  
5 place you under oath. And if a decision has been made,  
6 we'll do that at this time.

7 MS. SAMUELSON: Yes.

8 PRESIDING MEMBER BROWN: Do you want to rise and  
9 raise your right hand.

10 (Thereupon Inmate Grogan was, by Presiding  
11 Member Brown, sworn to tell the truth, the  
12 whole truth, and nothing but the truth.)

13 INMATE GROGAN: I do.

14 PRESIDING MEMBER BROWN: Fine. Be seated.

15 You're entitled to certain rights. We will discuss  
16 those at this time. The first is that you have had  
17 sufficient time to prepare for the hearing today and to  
18 discuss the case with your counsel. And you are in fact  
19 ready to proceed with the hearing today?

20 MS. SAMUELSON: Yes.

21 INMATE GROGAN: That's correct.

22 PRESIDING MEMBER BROWN: Have you had a chance to  
23 review your C File?

24 INMATE GROGAN: Yes.

25 PRESIDING MEMBER BROWN: Okay. And do you or your

1 counsel have any reason to feel that any member of this  
2 panel cannot give you an impartial hearing?

3 INMATE GROGAN: (Inmate shakes head.)

4 MS. SAMUELSON: No. The only thing I noted about  
5 the composition of the Board today was that there wasn't  
6 a person from last year's panel. And I don't know whether  
7 that's still a rule or not.

8 PRESIDING MEMBER BROWN: If possible.

9 MS. SAMUELSON: Okay.

10 PRESIDING MEMBER BROWN: And there isn't in this  
11 particular case.

12 At this time I would hear any preliminary objec-  
13 tions you may have to the hearing, Counsel.

14 MS. SAMUELSON: At this time we don't have any  
15 preliminary objections.

16 PRESIDING MEMBER BROWN: All right. We will then  
17 note and enter into the record two documents. One is  
18 Document Number 1, which is a list of the documents we have  
19 been reviewing prior to your coming into the room. There is  
20 one error on this document -- I will show it to you,  
21 Counsel. The one with the red line, it shows that there is  
22 a transcript of last year's parole consideration hearing in  
23 the file. There is none, and we have not seen it.

24 MS. SAMUELSON: Oh, well, I have an extra copy.  
25 Would you like it?

1           PRESIDING MEMBER BROWN: We'll see as we go along  
2 if we need it.

3           Other than that, those are the documents. If you  
4 will pass that over to the District Attorney when you're  
5 through, and we can come to an agreement that these are  
6 the hearing documents.

7           MS. SAMUELSON: Mr. Brown, would you like me to  
8 submit the letters that we have just received from the  
9 community at this point or wait until we get to that point  
10 of the hearing?

11           PRESIDING MEMBER BROWN: Why don't we wait until  
12 that stage of the hearing, and then I'll add those at that  
13 time.

14           MS. SAMUELSON: Okay.

15           MR. SHEA: Yes.

16           PRESIDING MEMBER BROWN: I'll make that Document  
17 Number 1.

18           Document Number 2 is a "Brief in Support of  
19 Finding of Suitability for Release on Parole and Setting of  
20 Term", which was submitted by the inmate's counsel, Diana  
21 Samuelson. And I will also make that a part of the record  
22 in this case.

23           Any other documents or exhibits will be entered  
24 at the time they are presented.

25           The decision the panel makes at today's hearing.



1 really involves two things. The first is to determine  
 2 suitability. If you are found to be suitable for parole,  
 3 we move to step number two, which is to determine what the  
 4 term will actually be in this case. In the event you're  
 5 found suitable, that finding is made, the reasons are  
 6 specified, and suggestions are given to you as to what you  
 7 might do to increase your likelihood of receiving a parole  
 8 date in the future.

9 You are entitled to a transcript of this hearing.  
 10 You will notice it's being recorded. To obtain a copy of  
 11 that transcript, there is a form that you can get from  
 12 your counselor. Fill out the form. It takes about 30 days  
 13 for them to type up the transcript or the document and send  
 14 you that document. But you're entitled to that at no  
 15 charge, if you so desire.

16 INMATE GROGAN: Excuse me. Does that also include  
 17 cassette tapes? \*

18 PRESIDING MEMBER BROWN: No. This is an actual  
 19 typewritten certified copy of what went on at this hearing.  
 20 There is no cassette recording of this hearing.

21 At this time then I would like to read into the  
 22 record what the commitment offense is and a brief description  
 23 of that offense.

24 The inmate was received in the Department of  
 25 Corrections on 12/29/71, on one count of murder in the first

1 degree, 187 P.C., which was a result of a jury finding,  
2 arising from Los Angeles County Case Number A-267861,  
3 Count Number III. The minimum eligible parole date on this  
4 offense is 12/13/77. The victim in this case was a Donald  
5 Shea. And the offense occurred on 8/23 to 8/24/1969. And  
6 as a description, a summary of the description, I'm using  
7 the description that was written into last year's parole  
8 board decision. You should have a copy of that. It's a  
9 part of the package. I will summarize that.

10 The prisoner, crime partners Charles Manson,  
11 Bruce Davis, and Charles "Tex" Watson, acting in concert  
12 with another, forced Donald Jerome Shea, a cowboy ranch  
13 hand, the victim, into a car at the Spahn Ranch in Chatsworth  
14 in the latter part of August 1969. The victim was taken to  
15 a part of the Spahn's Movie Ranch, where he was dragged  
16 from the car, beaten over the head, and stabbed in the body  
17 by each crime partner. During this occasion crime partner  
18 Charles Manson told the victim he had to die. Crime partner  
19 Manson at some point in time told the prisoner to chop the  
20 victim's head off. The body was buried under a shallow  
21 grave in Spahn Ranch. The prisoner and the above-mentioned  
22 crime partners took steps to conceal the crime, including  
23 the concealment of the burial site of the victim's body,  
24 which was allegedly chopped into nine pieces, and appropriated  
25 the victim's personal property for their own use.

1           The prisoner told a former member of the Manson  
 2 Family that the reason they killed the victim was because  
 3 he was "bad-mouthing" the Ranch, and he was calling the man  
 4 (the police). The prisoner repeated to this witness that it  
 5 was "really groovy" killing the victim.

6           In the latter part of 1977 the prisoner, apparently  
 7 motivated by the fact that people believed that he had  
 8 participated in a decapitation slaying in which the victim's  
 9 body was mutilated, contacted authorities and supplied  
 10 information which led to the recovery of the body of the  
 11 victim. The skeletal remains of the victim showed no  
 12 evidence of decapitation or mutilation. The clothing found  
 13 on the remains reflected multiple stab wounds, and the head  
 14 of the victim showed a skull fracture consistent with a blunt  
 15 instrument striking the head.

16           The prisoner stated that he struck the victim  
 17 with the blunt instrument, stabbed him twice, and returned  
 18 to the scene on the evening of the murder and buried the  
 19 victim in a deep grave; and that all of this was done  
 20 under the orders of crime partner Charles Manson. The  
 21 prisoner indicated that it was on crime partner Charles  
 22 Manson's orders that he initially described the decapitation  
 23 and mutilation of the body in order to create fear in other  
 24 persons.

25           The procedure we're going to follow at the hearing

1 today is, as we divide the hearing into four parts, there  
2 will be an opportunity for the inmate to comment on each  
3 part; there will be an opportunity for counsel and for the  
4 District Attorney's Office to comment in each of the stages.  
5 This is not an adversary hearing, so any questions should  
6 be directed to the Chair.

7 At this point we'll turn then, if there are any  
8 opening statements that either counsel would like to make,  
9 any kind of an umbrella statement. If not, we'll go on.

10 MR. SHEA: I have no statement at this time.

11 MS. SAMUELSON: Neither do I.

12 PRESIDING MEMBER BROWN: All right. Any comments  
13 relative to the commitment offense as to that being an  
14 accurate description or add anything to it, take anything  
15 away?

16 MS. SAMUELSON: Yes.

17 PRESIDING MEMBER BROWN: Go right ahead.

18 MS. SAMUELSON: As I indicated in the brief, I  
19 think a more accurate description of what happened is  
20 detailed in the most recent psych report of Dr. Sanders.  
21 And that is also included in my brief. You will find it on  
22 page 1.

23 PRESIDING MEMBER BROWN: One of three of your  
24 brief.

25 MS. SAMUELSON: I'm sorry. Page 1 of the report.

1 of Dr. Sanders, taken right from it.

2 PRESIDING MEMBER BROWN: What in essence is the  
3 correction you want to make?

4 MS. SAMUELSON: Well, initially the record should  
5 indicate that Mr. Grogan resided on the ranch before Manson  
6 and anybody else appeared at the ranch. He had gone there  
7 when you were 15, approximately?

8 INMATE GROGAN: Fifteen and a half.

9 MS. SAMUELSON: And at that time you met Mr. Shea,  
10 the victim, and had a relationship with him on and off during  
11 the several years that he was there and that Mr. Shea was  
12 there. And then when Mr. Manson arrived, it was at that  
13 time that Steve formed a kind of relationship with Mr.  
14 Manson that came into what's happening, why he's in prison  
15 today.

16 The psychiatrist -- psychologist, Dr. Sanders,  
17 has had conversations with Mr. Grogan about what happened.  
18 And his report here pretty much clarifies what actually did  
19 happen. And I would like to read from it so the record is  
20 fully --

21 PRESIDING MEMBER BROWN: It probably would carry  
22 more weight if the inmate himself corrected it, rather than  
23 we have the psychiatrist's expressing what the inmate told  
24 him.

25 MS. SAMUELSON: Okay, sure.

1           INMATE GROGAN: Going back to page 2 of what --  
2 the Community Release Board decision. Okay. I noticed the  
3 second sentence says that we forced Donald Shea into the  
4 car.

5           PRESIDING MEMBER BROWN: Okay.

6           INMATE GROGAN: From what I saw of it, he was  
7 told that we were going down to the valley to buy some car  
8 parts. And he was going at the same time, and we asked if  
9 we could ride with him. That's how we gained entry to the  
10 car.

11          PRESIDING MEMBER BROWN: You asked if you could  
12 ride with him?

13          INMATE GROGAN: Right. He was driving. So I  
14 don't think force is an appropriate context, that he invited  
15 us as a -- we could ride as passengers.

16          MS. SAMUELSON: I'd like to also add to that and  
17 ask Steve a few questions so that everything gets brought  
18 out that he and I have discussed.

19          PRESIDING MEMBER BROWN: All right.

20          MS. SAMUELSON: Could you tell the Board, Steve,  
21 what time of the day it was.

22          INMATE GROGAN: It was early morning.

23          MS. SAMUELSON: And what was the first thing that  
24 you learned with reference to what you would be doing that  
25 day? Can you like explain to the Board what you did from the

1 time you got up?

2 INMATE GROGAN: Well, when I recall back then,  
3 I woke up -- well, I was sleeping on -- there is a boardwalk  
4 that faces the highway. And there is a series of -- there  
5 is a bunkhouse, and there is a saloon and a kitchen. And  
6 ~~was~~ ~~the~~ highway. And there is a parking lot right  
7 in front of it. Well, I slept in the bunkhouse. And upon  
8 waking, that's where I came out onto the boardwalk. And I  
9 met Mr. Manson. And a couple other people -- I think it was  
10 Watson -- were standing there. And Shorty was standing  
11 by his car, and they were ready to go someplace. Mr. Manson  
12 asked me to go find a pipe wrench or something heavy, which  
13 I did. And I came back, and he told me to get into the car.

14 PRESIDING MEMBER BROWN: That's Shea's car.

15 INMATE GROGAN: Right. Get into the back seat  
16 of the car, and upon giving me a signal, to hit him on the  
17 head and try to knock him out.

18 PRESIDING MEMBER BROWN: Hit Shea on the head?

19 INMATE GROGAN: Yeah.

20 PRESIDING MEMBER BROWN: Okay.

21 INMATE GROGAN: And so we got into the car and  
22 drove down the highway towards the valley. Spahr Ranch is  
23 about maybe 200 feet elevation above the valley floor.  
24 It's up in a range of mountains. So as we were traveling  
25 down the Santa Susana Pass -- I guess we only drove for about

1 a minute, [redacted] right off -- the road comes down,  
2 and it curves. And then it comes back, and it straightens  
3 out. And there was a [redacted] there. We asked him  
4 to pull off into the [redacted] because we had some parts  
5 that we had stashed there. And at that point he pulled  
6 over; and Tex, that was with us, got outside the car and was  
7 acting like he was looking for some parts. The motor was  
8 still running; the car was in gear. I guess Tex told him  
9 that he was going to stop and just get these parts momentarily  
10 and get back into the car, and they were going to go down  
11 to the store and turn them in. At that point [redacted] told to  
12 get the guy.

13 PRESIDING MEMBER BROWN: Who told you that?

14 INMATE GROGAN: Well, it was told to me by  
15 inference from Tex. Tex was standing outside of the car on  
16 a little grassy knoll. He was saying (indicating), like  
17 hit him.

18 PRESIDING MEMBER BROWN: Like motioning to hit him?

19 INMATE GROGAN: Right. And I was scared. I didn't  
20 want to hit the guy. I kept turning around looking at the  
21 highway in hopes that maybe some cars would come by, and  
22 the whole thing would have to be called off. And I did  
23 that for about a minute and a half. I kept hesitating.  
24 And then he pulled out a knife and finally just --

25 PRESIDING MEMBER BROWN: Who pulled out the knife?



1 INMATE GROGAN: Tex.

2 PRESIDING MEMBER BROWN: Tex.

3 INMATE GROGAN: That's when I hit the guy in the  
4 back of the head. And it surprised him, knocked him forward  
5 in the car.

6 PRESIDING MEMBER BROWN: You hit him with a  
7 wrench, is that right?

8 INMATE GROGAN: Right.

9 PRESIDING MEMBER BROWN: Was it a pipe wrench or  
10 what?

11 INMATE GROGAN: I think it was a pipe wrench,  
12 plumber's wrench. And he hit the steering wheel, and he  
13 went out the passenger's side. And the car was still in  
14 gear, and it started moving towards the cliff. And that  
15 was -- if I can kind of illustrate it. Like here's the  
16 main road like this; it goes like this (indicating). And  
17 there's an embankment that you can pull off to park. And  
18 there was like a little drainage ditch. And the car was  
19 heading toward the drainage ditch. And so I jumped over,  
20 the front seat and tried to put the car in gear and stop and  
21 turn off the motor. And I got out of the car. When I came  
22 over, to where Shorty and Tex was, he already had been  
23 stabbed and --

24 PRESIDING MEMBER BROWN: You went back to where  
25 Shorty and Tex -- who's Shorty?

1 INMATE GROGAN: Shea.

2 MS. SAMUELSON: Shorty is the victim.

3 PRESIDING MEMBER BROWN: The victim and Tex.  
4 Okay. What happened to the other people in the car?

5 INMATE GROGAN: There wasn't any other people in  
6 the car.

7 PRESIDING MEMBER BROWN: Just the three of you?

8 INMATE GROGAN: Right.

9 PRESIDING MEMBER BROWN: Okay.

10 INMATE GROGAN: Okay. And at that time another car  
11 did pull up, and Charles Manson and another person got out.

12 PRESIDING MEMBER BROWN: Prior to their arrival  
13 at the scene, had you stabbed Mr. Shea?

14 INMATE GROGAN: No.

15 PRESIDING MEMBER BROWN: Tex had been stabbing him?

16 INMATE GROGAN: (Inmate nods head.)

17 PRESIDING MEMBER BROWN: Is that right or wrong?

18 INMATE GROGAN: I didn't see him actually stab  
19 him. But when I got there, he was on the ground unconscious  
20 and had blood on his stomach. So I inferred that he stabbed  
21 him.

22 PRESIDING MEMBER BROWN: What was Tex doing?

23 INMATE GROGAN: Standing over him.

24 PRESIDING MEMBER BROWN: Did he have a knife?

25 INMATE GROGAN: (Inmate nods head.)

1 PRESIDING MEMBER BROWN: Okay. Now then, Manson  
2 arrives with another party?

3 INMATE GROGAN: Well then, he told me to stab  
4 him, handed me a knife, and told me to stab him.

5 PRESIDING MEMBER BROWN: Who told you that?

6 INMATE GROGAN: Manson.

7 PRESIDING MEMBER BROWN: Okay.

8 INMATE GROGAN: So I stabbed him twice in the upper  
9 chest area. And then I left the scene.

10 Well, after that I didn't leave the scene.  
11 We stood around, and another person stabbed him. And we  
12 drug the body to the bushes and covered it up with some  
13 leaves. And then we left. I left. I walked back through  
14 a creek that was off the side of the embankment.

15 PRESIDING MEMBER BROWN: You walked --

16 INMATE GROGAN: Back to the ranch.

17 PRESIDING MEMBER BROWN: Did you see other people  
18 leave the scene?

19 INMATE GROGAN: Not -- well, they were -- everybody  
20 was departing at once. That's what I remember. I was  
21 walking downhill; they were walking up over the hill onto  
22 the highway.

23 PRESIDING MEMBER BROWN: Towards the cars?

24 INMATE GROGAN: Right.

25 PRESIDING MEMBER BROWN: Okay. Then what happened?

1 INMATE GROGAN: I walked back to the ranch and  
2 changed my clothes and took a shower.

3 PRESIDING MEMBER BROWN: Okay. There is some  
4 mention that later that night you went back.

5 INMATE GROGAN: Right.

6 PRESIDING MEMBER BROWN: Why did you go back?

7 INMATE GROGAN: To bury the body.

8 PRESIDING MEMBER BROWN: Who told you to do that,  
9 or did you go on your own?

10 INMATE GROGAN: Well, I was told to bury it.

11 PRESIDING MEMBER BROWN: Who told you to do that?

12 INMATE GROGAN: Charlie, Charles Manson.

13 PRESIDING MEMBER BROWN: And then did you choose  
14 the place where the body was to be buried?

15 INMATE GROGAN: Yes. I moved it down from where  
16 we had it, and I dug a shallow grave.

17 PRESIDING MEMBER BROWN: Okay. Counsel?

18 MS. SAMUELSON: Yes. I would like to ask a couple  
19 questions.

20 Steve, could you tell the Board about how long  
21 you had known Manson up to that point. Like in months,  
22 years, about how long, can you recall?

23 INMATE GROGAN: About -- it seems about two years,  
24 a year and a half.

25 MS. SAMUELSON: Okay. And with reference to

1 Shorty's presence on the ranch, could you describe the  
2 relationship between Shorty and Manson and the rest of the  
3 people who were on the ranch in terms of any hostility or  
4 any ill feelings between them.

5 INMATE GROGAN: At what point in time?

6 MS. SAMUELSON: Well, culminating at the time  
7 that he was killed.

8 INMATE GROGAN: Well, it was like a growing  
9 hostility. They didn't like him. Charlie didn't like him  
10 because he was -- he was always drinking, and he thought he  
11 was a slob. He was, you know -- was always talking about  
12 messing with the girls that were there. And it was like,  
13 you know -- it was kind of subtle at first, the way, you  
14 know, he voiced his dislike and disapproval of the man.  
15 Like he would bring it up in conversation at dinner when we  
16 all sat around and ate. Over a period it grew worse until --  
17 and then we were raided by the police where everything we had  
18 was taken, that we had bought legitimately. All our tools  
19 and cars and all the possessions that we had accumulated.  
20 And plus the children were taken, too. Everybody was  
21 arrested on the ranch. In fact the only person left was  
22 George Spahn, and he was blind. And they had Carl's brother  
23 come in and watch him so he would have someone to take care  
24 of him.

25 PRESIDING MEMBER BROWN: Why were you arrested?

1           TIMOTHY GROGAN: I was under the -- because Mr. Shea  
2 had told the police that we had a stolen car ring. Okay?  
3 Well, we spent three days in jail, and we were released.  
4 And we didn't get back none of our property. The pink slips  
5 were confiscated -- along with our property -- to four or  
6 five dune buggies that we couldn't get back from them; the  
7 children put into foster homes. And what it really did is  
8 made everybody really upset at this guy, because I was led  
9 to believe that he was doing it to get us evicted off the  
10 ranch, to get us thrown off the ranch. And that was the only  
11 place we had to stay at the time. And it was through his  
12 actions that he caused us this trouble. I think it's --  
13 you know -- excuse me. It goes -- you know, it goes -- it's  
14 kind of hard for me to talk about this because there are a  
15 lot of emotions that I have experienced, guilt and stuff,  
16 you know, what I did. But there was, you know, a feeling  
17 almost of hatred toward the guy because of what he made us  
18 go through, the children and stuff. Like we had held the  
19 children in really almost the highest position. They were  
20 home delivered and breast fed. It was like -- our feeling  
21 for the children was really the highest thing we felt.  
22 This was mostly the whole reason we was all together; to put  
23 the children in a good environment, free from social  
24 indoctrinations and stuff, try to raise them as natural as  
25 we could. And then to have someone come along and form a

1 false story had have them put in foster homes, it was really  
2 a blow to the women and men that were at the place at the  
3 time.

4 MS. SAMUELSON: What I also would like to bring  
5 out, Steve, is what kind of things were going on between you  
6 and Manson and the other people on the ranch in terms of  
7 drugs, in terms of times when everybody would get together  
8 and talk and have kind of -- you explained this -- some kind  
9 of sessions. And I'd just like you to give the Board an  
10 idea about what kind of things were going on and how they  
11 affected you.

12 INMATE GROGAN: Well, I don't know if the Board  
13 has that much time. It's pretty involved.

14 PRESIDING MEMBER BROWN: Just a brief description,  
15 if you want.

16 INMATE GROGAN: If I can. It's pretty involved.  
17 I'm going to have to --

18 PRESIDING MEMBER BROWN: Try to get at it as it  
19 relates to the crime that has been committed.

20 INMATE GROGAN: Right. Okay. Well, it's like  
21 everything -- the people that -- when I first met him, it  
22 was like if you wanted to be with the people, you had to  
23 give away everything you had. And after doing that, it was  
24 like a period of testing to see whether -- you know, if you  
25 really wanted to be with the group, as far as your helping

1 the group out, do things, bringing money in, bringing food  
2 and clothing and helping them do the work. And we used to  
3 have sessions, and everything was done together. Like we  
4 would eat together: no one would eat until everybody was  
5 there. There was no possessions; nobody had any possessions.  
6 It was all towards everybody in the group. And like at  
7 certain times we'd all -- we'd take acid, sit in one room  
8 for like maybe 15 hours, sit in one chair while Charlie would  
9 just espouse the different doctrines. And I don't know,  
10 as I look back on it, it was more of a mind manipulation.  
11 He'd set up a scene, you know, where these people who were  
12 more closer to him would -- set up a situation where it  
13 opened a person's head up, and he would be vulnerable to  
14 any kind of a suggestion or programming or any type of  
15 philosophy that he wanted to espouse at the time. It's like  
16 it was an intentional -- like the main thrust of the  
17 philosophy was that we had to get rid of our egos, because  
18 if our egos were involved in anything we do, it would bring  
19 in confusion. Therefore we had to give up our ego and will  
20 to do things on our own as far as running things at the  
21 ranch. We were orientated into the position of just doing  
22 what you're told; let someone else, you know, take the  
23 lead. And it's through these sessions that I think that  
24 broke down any conscious defenses I had against any  
25 hypnotism or post-hypnotic suggestions. Because at the time

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1 I was 16 years old, 16, 15 and a half. I didn't have any  
2 experience as far as any street living, as far as  
3 upon anybody trying to hustle me into any kind of restitu-  
4 tion. I really thought sincerely that what he was doing  
5 was good and true and right.

6 MS. SAMUELSON: Steve, with reference to the  
7 sessions, you indicated before to me that at some point  
8 there would be some physical violence going on, too. If  
9 people didn't obey orders, like they were enforced physically  
10 to some extent. Is that true?

11 INMATE GROGAN: Yeah. I mean, if someone didn't  
12 do something just exactly the way he said it, he would go  
13 into a tirade, break something or slap somebody around or  
14 slug them. And a lot of times -- when I look back on it --  
15 it looks like he was using the girls to talk to different  
16 people through, people who just came to the group, like  
17 me. He would yell at the girls and tell them, "You're  
18 stupid. Why don't you do it this way?" But he would be  
19 the person he would want to talk to would be in close enough  
20 proximity where he would think he was talking about him.  
21 He would use the girls as a buffer so the guy can't come  
22 back and say, "Hey, what were you talking about? Were you  
23 talking to me?" But he didn't ~~be~~ violent in the sense  
24 that what he wanted done, he would demonstrate, I think,  
25 by psychodramas. Are you familiar with that?

1 PRESIDENT MEMBER BROWN: Yes.

2 INMATE GROGAN: And it's like it was a lot of  
3 inference to the point of fear. Because he always used to  
4 play with knives. He was really good handling a knife.  
5 He'd throw it at you and stick it right there (indicating).  
6 It's like it was always a common belief amongst people that  
7 was there that, you know, if you didn't do what you was told,  
8 you would be killed or, you know, something bad would happen  
9 to you, in that sense. So I was operating under that type  
10 of coercion in the back of my head as I was doing my daily  
11 activity.

12 MS. SAMUELSON: Let me ask you, Steve, with  
13 reference to your feelings towards Shorty, did you somehow  
14 in your own mind hold him responsible for what had happened  
15 with the police coming in and raiding?

16 INMATE GROGAN: Yeah. I was convinced that  
17 because of his actions, that caused the harm to come to  
18 everything we had and the children. That was -- it was  
19 like kind of everybody's feeling at the ranch towards him  
20 was like everybody was -- before we talked to the person.  
21 I used to work with him before earlier, when I used to stay  
22 there earlier, when he used to come for maybe a month at a  
23 time. He'd work for a month for room and board, maybe a few  
24 bucks. Then he would leave. He was kind of like a drifter.  
25 He would come back for maybe seasonal work. And at one point

1 in time we did talk to him and befriended him and was nice  
2 to him. And he started suspecting him as being an  
3 influence that was trying to hurt us, threaten our position  
4 at the ranch, you know, we generally cut him off, and no one  
5 would talk to him. And I guess the belief that he wasn't  
6 no good just kept increasing in intensity. I was thoroughly  
7 convinced that he was out to get us evicted, kicked off the  
8 ranch.

9 MS. SAMUELSON: Okay.

10 PRESIDING MEMBER BROWN: What happened to the wrench  
11 after you hit Mr. Shea with it?

12 INMATE GROGAN: To the wrench? I left it in the car.

13 MS. SAMUELSON: Oh, I'm sorry. I thought you  
14 said "the ranch."

15 PRESIDING MEMBER BROWN: And what happened -- or  
16 where did you get the knife that you used to stab the victim?

17 INMATE GROGAN: It was handed to me.

18 PRESIDING MEMBER BROWN: Who gave it to you?

19 INMATE GROGAN: Charlie Manson.

20 PRESIDING MEMBER BROWN: And what did you do with  
21 it after you stabbed the man twice?

22 INMATE GROGAN: I just left it there.

23 PRESIDING MEMBER BROWN: Was it left in the body  
24 or --

25 INMATE GROGAN: No. I stabbed him, and I -- I

1 either handed it back to the person that gave it to me or  
2 just left it, and someone else picked it up.

3 PRESIDING MEMBER BROWN: Mr. Shea, do you have  
4 any questions about the commitment offense?

5 MR. SHEA: No, not at this time.

6 PRESIDING MEMBER BROWN: Panel have any questions?

7 BOARD MEMBER COLLIER: Just one question. In the  
8 Appellate Court decision on page 2 there is mentioned --  
9 I'll read it in part.

10 "Others of the Manson group over-  
11 powered Shea, knocked him out, removed  
12 him to a remote area, tied him to a tree,  
13 whereupon several members of the troupe,  
14 appellant included, stabbed the then con-  
15 scious Shea many times with a machete."

16 Was he ever tied to a tree?

17 INMATE GROGAN: No. That was the story that we  
18 were told to tell other people to create an atmosphere of  
19 fear surrounding the killing.

20 MS. SAMUELSON: I just wanted to add that it's  
21 important to note, in considering all the statements that  
22 appear in the various documents, that in the Appellate  
23 opinion itself -- or not in the Appellate opinion. I'm  
24 sorry. In the sentencing transcript there is mention that  
25 the prosecution witness -- and I can direct you to the page --

1 one of the key prosecution witnesses was on LSD on and off,  
2 and that their credibility was somewhat hampered by that  
3 fact.

4 PRESIDING MEMBER BROWN: Is that the witness who  
5 was supposed to have been in the room sleeping?

6 MS. SAMUELSON: No, I think that was another one.

7 PRESIDING MEMBER BROWN: Here is "Paul Watkins,  
8 the key prosecution witness, was a user of LSD."

9 MS. SAMUELSON: That's the one.

10 BOARD MEMBER COLLIER: Now, was he the one who was  
11 supposed to make the statement that he was tied to a tree?

12 MS. SAMUELSON: Well, I don't know. I think that  
13 what has happened throughout this case -- and I don't know  
14 whether Mr. Shea can shed some light on it -- but there  
15 were several statements made by several different people.  
16 There were lots of things going on at the time. This case  
17 is --

18 BOARD MEMBER COLLIER: That's why I asked Mr.  
19 Grogan to clarify it for us.

20 My other question is that as you sit here now,  
21 discussing what was going on at the ranch, I get the feeling  
22 that perhaps you were not that content or, you know, that  
23 particular about being there. Is that correct? There were  
24 times that you really had the feeling that you ought not  
25 be there. Did you ever feel that way?

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1 INMATE GROGAN: There was times when my ego was  
2 stepped on real hard, and I felt like leaving.

3 BOARD MEMBER COLLIER: Okay. That's the point  
4 I'm getting to. If in fact you did ever feel like leaving,  
5 why did you not leave?

6 INMATE GROGAN: I felt -- because every time I  
7 left the ranch, somehow I felt guilty for -- like I was  
8 abandoning the group, kind of like a guilty feeling. I  
9 was never away from the ranch more than a day, two days at  
10 a time, because they -- it was programmed like they needed  
11 me to be there to help.

12 BOARD MEMBER COLLIER: Okay. So you lived on the  
13 ranch from the time you were 15 until you were arrested on  
14 the commitment offense; is that correct?

15 INMATE GROGAN: Well, the ranch burned down, and  
16 I was living in -- I was living different places -- Sometimes  
17 I lived at the ranch out of a mobile home. I was bouncing  
18 around at that time after the ranch burned down.

19 BOARD MEMBER COLLIER: Okay. Was there any contact  
20 with any members of your family during this period of time?

21 INMATE GROGAN: Yes.

22 BOARD MEMBER COLLIER: There was, but you chose  
23 not to go back and live with them?

24 INMATE GROGAN: I stayed with them for a few days  
25 when the fire happened. There was a big fire like in '70.

1 It burned all the surrounding hills, Santa Susana, Ventura  
2 County. And I had to take George to my parents' house,  
3 because the whole ranch was gutted. He didn't want to  
4 leave; he wanted to stay with his possessions. But I had  
5 to take him. And I stayed there for about a week with my  
6 parents.

7 BOARD MEMBER COLLIER: That's all I have, Mr.  
8 Chairman.

9 PRESIDING MEMBER BROWN: Mr. Vineyard.

10 HEARING REPRESENTATIVE VINEYARD: Well, I think I  
11 can understand the description that you have given here of  
12 the situation that prevailed at the ranch at that time when  
13 you speak about the atmosphere of fear and Manson as the  
14 power force and the evil influence and use of psychedelics  
15 as an indoctrination and control tool, these kinds of things.  
16 He was a very dominant individual, at least as far as the  
17 individuals whom he wanted to dominant were concerned.  
18 But before the murders, before the group was broken up as a  
19 result of the investigation that followed the killings,  
20 wasn't there quite a bit of change within that group?  
21 Weren't there people coming and going?

22 -- INMATE GROGAN: There wasn't -- like it wasn't  
23 an overwhelming turnover. But there was -- some people  
24 would leave and come, go and come. People would leave, and  
25 then they'd come back. They'd come back feeling guilty that

1 they had left. It was really strange, man, because like  
2 the way he played it off is that you couldn't stay away for  
3 very long anyways. It was meant for you to be in this  
4 group, a universal soul, you know, brought us all together  
5 to -- man, just his philosophies. I think he had a  
6 philosophy every time you turned around. But at the time --  
7 before I met him, I'd like to say where my head was at,  
8 if it's all right. I used to read metaphysical books, and  
9 my head was open to that type of conversation and philoso-  
10 phizing.

11 HEARING REPRESENTATIVE VINEYARD: Okay. Let me  
12 follow through with what I started here. Some of the people  
13 who came into that group and gravitated out of it were  
14 either rejected by Manson because they didn't fit into  
15 the group; i.e., they weren't subject to this kind of  
16 domination by him or they were repelled by the entire  
17 situation. But you stayed. You stayed. You permitted  
18 this influence to be exerted over you with the result that  
19 we know. My concern would be that if you are this kind of  
20 person, what kind of assurance is there that could ever be  
21 given that you might not again find yourself in a situation  
22 where, in answer to a question from someone like Mr. Brown,  
23 "why did you stab him?" you will say, "because Charles  
24 told me to do it." That was the reason you gave for stabbing  
25 this man. Now, the combination is never going to fall into



1 place again, exactly as it was before. But obviously at that  
2 point, and certainly it could be said from an historical  
3 standpoint you are a very, very, easily led, suggestible,  
4 dependent kind of person. Now, if that situation still  
5 prevails as far as your general personality makeup is  
6 concerned, I can see this happening again, maybe not this  
7 way, but maybe some other way that would bring you back for  
8 a similar offense. What would be your answer to that?

9 INMATE GROGAN: First, it was 10 years ago. I'm  
10 a completely different person to this point. I was young,  
11 16 years old, you know. I was vulnerable to any hustler  
12 that would want to hustle me, really, because of my lack of  
13 street experience, my lack of just being out in the world,  
14 period. I probably would have gone for anything hook, line,  
15 and sinker, any salesman or hustler that wanted to hustle  
16 me, because they caught me at that age, that point of  
17 vulnerability. I was manipulated very easily. My defenses  
18 for what he had for me were, you know, almost nonexistent.  
19 It was two years after I was already incarcerated that I  
20 realized the games that he had run on me, psychological  
21 games. It was over my head, out of my awareness. It was  
22 just, you know -- and now that I have been around hustlers  
23 and all types of people in the criminal line of existence,  
24 there is no way I could let anybody hustle me into anything,  
25 into believing a certain philosophy.

1 HEARING REPRESENTATIVE VINEYARD: Well, according  
2 to the most recent report, staff is still describing you  
3 in terms of your passivity and your dependency. Whether or  
4 not this is still at that same degree it was 10 years ago  
5 can be debated, and probably isn't, as you say. But  
6 whether or not it has reached a place -- what could you  
7 offer as a demonstration of the fact that you have become  
8 your own man in the past 10 years that this kind of  
9 influence couldn't be exerted over you again?

10 INMATE GROGAN: Well, I think the records state  
11 that if I'm so dependent as they suggested, I would most  
12 likely be in one of these gangs or cliques and my dependency  
13 would be on the group itself. But over these years I  
14 haven't joined any cliques or have any desire to join any  
15 cliques.

16 MS. SAMUELSON: There is a letter in fact in the  
17 file to indicate that there was a reference that he was a  
18 member of one of the white groups, and that was corrected  
19 to show that there is no such affiliation. That's also in  
20 the file. I'm sorry; I just wanted to bring that up.

21 INMATE GROGAN: The fact that -- I think my  
22 record states that I'm more or less a loner. It's like I  
23 don't hang around with a lot of groups of people. I have  
24 managed to complete a trade by myself with no help from  
25 nobody. I managed to come to the point from a fair guitar

1 player to take off the state competition in the music field.  
2 And that was -- nobody helped me do that. That was all my  
3 own effort. I managed to put together a nice portfolio of  
4 artwork. I managed to become fairly versatile with art  
5 at this point.

6 HEARING REPRESENTATIVE VINEYARD: Okay. We're  
7 going to try to go over all those things. You have provided  
8 what to me is a good answer to the question.

9 PRESIDING MEMBER BROWN: Okay. Let's turn then  
10 to a brief review of your prior criminal history. And to do  
11 that we'll look in two places. One is the CII criminal  
12 history sheet, and the other is in the Probation Report.  
13 There are two Probation Reports in the packet. One of them  
14 is for the murder offense; the second Probation Officer's  
15 Report pertains to the conspiracy offense. And I just want  
16 to hit page 3 of that report which contains a listing of  
17 the prior record to make sure that we have it right.

18 And they show the first entry of 6/5/67, arrested  
19 under 602 Welfare and Institutions Code for the possession  
20 of marijuana, at which time you were counseled and released.  
21 That's the first entry we have. Is that correct?

22 INMATE GROGAN: Um-hum.

23 PRESIDING MEMBER BROWN: And what was that for,  
24 smoking pot?

25 INMATE GROGAN: No. I was in a car riding.

1 passenger. And I was pulled over, I think for a regular  
2 check. And the police found one stick of marijuana under  
3 the seat. There was three people in the car, so they took  
4 us all three in. And they called my father and just  
5 counseled me

6 PRESIDING MEMBER BROWN: Okay. The next entry is  
7 8/12/67, L.A.P.D., shoplifting. You forfeited bail in that  
8 case. What was it that you took?

9 INMATE GROGAN: L.A.P.D.?

10 PRESIDING MEMBER BROWN: Um-hum. Shoplifting.  
11 On September 29th of 1967, you forfeited bail. The rap  
12 sheet indicates bail was \$550.

13 INMATE GROGAN: The only shoplifting that I  
14 remember I was arrested for when I was a juvenile, I took a  
15 pair of socks from a department store. And as far as I  
16 remember, I was taken straight off to juvenile hall. There  
17 was no bail posted.

18 PRESIDING MEMBER BROWN: The next entry, 4/5/69,  
19 Los Angeles County, grand theft money and prowling. It  
20 shows that you were released. There was insufficient  
21 evidence to prosecute.

22 On 5/20/69 in Los Angeles, grand theft auto.  
23 And the District Attorney in that case rejected that  
24 complaint.

25 Then on 6/11/69, the Sheriff's Office in Ventura,

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1 you were arrested for a child molesting, indecent exposure  
2 charge and referred to Ventura County Probation Department.  
3 And I gather on that, that eventually was dismissed.

4 INMATE GROGAN: Right.

5 PRESIDING MEMBER BROWN: It says you were wearing  
6 rat eaten trousers with holes in them and playing with  
7 kids. And one of their mothers reported that.

8 Then on 8/16/69 there is a grand theft auto  
9 arrest, and there is no disposition shown. But it appears  
10 later on that once the homicide -- you were arrested on the  
11 homicide, they dismissed some charges. Was that one of  
12 the charges that was dismissed at that time or not?

13 MS. SAMUELSON: I don't think so. I think  
14 was there is another grand theft auto here that relates to  
15 a truck that was borrowed or rented out and wasn't returned  
16 on the due date.

17 PRESIDING MEMBER BROWN: That was out in the  
18 valley someplace.

19 INMATE GROGAN: I rented a truck from the valley,  
20 San Fernando Valley.

21 PRESIDING MEMBER BROWN: Hold it just a second.  
22 Let's stay with this 8/16/69. You don't recall that one,  
23 August of '69? Because this other one you just mentioned  
24 is a little bit later in that year.

25 INMATE GROGAN: I remember I was arrested for

1 driving -- I was -- they had -- people at the ranch had  
2 recently moved, and I was driving a motorcycle to the place  
3 that they had moved. And I had the wrong address, and I  
4 drove down to this guy's house. And the condition the bike  
5 was in, I couldn't get back up to the pavement. And he  
6 called the police, and I was arrested.

7 PRESIDING MEMBER BROWN: Okay. Then let's look  
8 at the 10/10/69. That's the contributing to the delinquency  
9 of a minor, receiving stolen property, Deadly Weapons Control Law,  
10 escaping from a state mental hospital. I gather as a result  
11 of the child incident, they sent you over to Camarillo.

12 And you left. And they eventually dismissed that in the  
13 interest of justice, and you were released to Los Angeles  
14 County because of the homicide warrant. That's what it says.

15 MS. SAMUELSON: That was a year later in November.  
16 November '70 is when you were arrested on the homicide.

17 INMATE GROGAN: Right.

18 MS. SAMUELSON: And so the cases that were still  
19 pending were just terminated because they figured, I guess,  
20 it wasn't worth prosecuting on those.

21 PRESIDING MEMBER BROWN: Then we see one on  
22 12/6/69. This is the grand theft auto, taking a car without  
23 the owner's permission. And on this one proceedings were  
24 suspended; probation was granted for three years with  
25 intensive supervision recommended. Now, I would gather then

1 that you were on probation -- this offense occurred after the  
2 murder offense?

3 MS. SAMUELSON: Yes.

4 PRESIDING MEMBER BROWN: Okay. Then it shows an  
5 11/8/70 arrest for possession of illegal weapon in Los  
6 Angeles. There is another entry 11/10/70, which appears to  
7 be -- it's a different location, Independence?

8 MS. SAMUELSON: I think those are the same.

9 PRESIDING MEMBER BROWN: Possession of illegal  
10 weapon?

11 INMATE GROGAN: Right. They arrested me, and  
12 they released me. And then they rearrested me.

13 MS. SAMUELSON: On the one warrant maybe.

14 PRESIDING MEMBER BROWN: And those are the ones  
15 that were ultimately dismissed when the homicide occurred.  
16 Okay.

17 Now then, other than one in December of 1970  
18 then that's when you had a conviction for conspiracy to  
19 persuade a witness from testifying in a case.  
20 Received 90 days

21 MS. SAMUELSON: No. He was in April of '70.

22 PRESIDING MEMBER BROWN: Yeah, but the arrest  
23 was in December. But he pled in April.

24 MS. SAMUELSON: '71, yeah.

25 PRESIDING MEMBER BROWN: '71.

1 Have we covered your arrest record and conviction  
2 records? Does that appear to be it?

3 INMATE GROGAN: I guess so, yeah.

4 PRESIDING MEMBER BROWN: Okay. Any comments from  
5 panel members on the prior record?

6 Mr. Shea?

7 MR. SHEA: I have no comment.

8 PRESIDING MEMBER BROWN: Counsel.

9 MS. SAMUELSON: Well, I would like to have Steve  
10 explain a little bit about what each was about, if the  
11 Board thinks that -- you know -- particularly with the  
12 indecent exposure, because I know that that's a sensitive  
13 area. And there was no intentional exposure.

14 INMATE GROGAN: Do you want to go from page 3 of  
15 the arrest record from the top, or do you want to start --

16 PRESIDING MEMBER BROWN: I think you have already  
17 explained the first part. If you want to comment on the  
18 indecent exposure, go ahead. I think it's fairly well  
19 explained there.

20 INMATE GROGAN: In the indecent exposure, I had  
21 received a traffic ticket in the San Fernando Valley; and  
22 I was ordered to pay a fine. So I went to talk to my  
23 brother, who was living at my parents' house at the time in  
24 Simi Valley. He said he would loan me the money to pay  
25 the fine. So I went over there from the ranch. And I went



1 to the house, and no one was home. So I sat on the corner  
2 two houses down -- one house down from my parents' house.  
3 And some neighborhood kids were playing there, and I guess  
4 they recognized me. And we were playing, rolling on the  
5 grass, and they were throwing grass at me and stuff. The  
6 pants that I was wearing was the ones that I wore to work  
7 on the ranch. And working on the ranch, I didn't wear any  
8 underclothes. And the crotch was ripped out, and evidently  
9 I exposed -- when I wrestling with the kids, I exposed  
10 myself. My genitals maybe fell out the crotch. And across  
11 the street a woman noticed it and called the police, and I  
12 was arrested.

13 PRESIDING MEMBER BROWN: Why did you escape from  
14 Camarillo?

15 INMATE GROGAN: I walked off.

~~16 PRESIDING MEMBER BROWN: How is that?~~

17 INMATE GROGAN: I was scared. The night before,  
18 some patient took some weights in a bag and hit an officer  
19 over the head in the same dorm that I was sleeping in.

20 PRESIDING MEMBER BROWN: Where did you go when you  
21 walked?

22 INMATE GROGAN: Went back to the ranch.

23 PRESIDING MEMBER BROWN: Okay. And when were you  
24 captured again?

25 INMATE GROGAN: I guess in Independence, 10/10/69.

1           PRESIDING MEMBER BROWN: Okay.

2           MS. SAMUELSON: Also with reference to this grand  
3 theft auto that you pled guilty, to with reference to the  
4 truck, why don't you explain what happened with that.

5           INMATE GROGAN: Okay. I rented a truck for  
6 purposes of hauling some supplies to the desert. I rented  
7 it for one day. And I got to the desert, and the truck got  
8 stuck. I was going over these washes, these real thick  
9 paths, and it got stuck between two rocks. And the next  
10 day there was an arrest. We was all taken up to jail.

11 In the meantime the company had heard nothing back from us,  
12 and there was no way for me to get ahold of them. I think  
13 we were allowed one phone call from the jail, and it was to  
14 call some people to see if they could post bail. So evi-  
15 dently they thought I stole the truck and put out a warrant

16 to the [REDACTED]  
17 see them, and I paid full restitution in damages and pled  
18 to a misdemeanor breach of promise. That's what I think  
19 the final conviction was, a misdemeanor.

20           PRESIDING MEMBER BROWN: Okay.

21           MS. SAMUELSON: And with reference to this  
22 conspiracy, could you indicate what was that about, the  
23 witness?

24           INMATE GROGAN: The witness was supposed to  
25 testify against Charles Manson in the, I think, Tate or

1 LaBianca trial. At the time that she came to the ranch,  
 2 she didn't want to testify. She expressed that, I believe,  
 3 to the girls that were there. And I guess the girls were  
 4 sympathetic with her. And I saw her that night, and I was  
 5 talking to her. And I made love to her. And the girls  
 6 wanted to take her to a friend's house. So I drove them  
 7 all over -- I was driving everybody all over the place. I  
 8 had a license. And I left the house, and so they said I  
 9 was in a conspiracy trying to persuade a witness. From  
 10 what I gather from what the girls told me, she wanted to  
 11 leave the state so she wouldn't have to testify.

12 MS. SAMUELSON: So what prompted you to do that?  
 13 Was there something -- there was something in here about a  
 14 woman being pregnant.

15 INMATE GROGAN: One of the co-defendants that was  
 16 ~~arrested was the mother of the baby. She didn't want --~~  
 17 the people I was with didn't want her to have the baby in  
 18 jail because of the conditions. They'd much rather have her  
 19 on the street. So we asked the District Attorney if it  
 20 would be acceptable to him if we pled nolo contendere and  
 21 she could be released on her own recognizance to have the  
 22 baby and thereupon return to court to serve time. And at  
 23 that point we agreed, and we did plead to a nolo contendere.

24 PRESIDING MEMBER BROWN: Anything else, Counsel?

25 MS. SAMUELSON: No.

1 PRESIDING MEMBER BROWN: Let's turn to the  
2 institution adjustment. Mr. Vineyard.

3 HEARING REPRESENTATIVE VINEYARD: You were received  
4 by the Department of Corrections back on December 29, 1971.  
5 And after you initially were in the Reception Center, all  
6 of your time up until May 24th of this year was at DVI,  
7 was it not?

8 INMATE GROGAN: Correct.

9 HEARING REPRESENTATIVE VINEYARD: And you were  
10 sent to CMF from DVI for purposes of a Category D evaluation,  
11 which has now been completed.

12 INMATE GROGAN: Right.

13 HEARING REPRESENTATIVE VINEYARD: And this was  
14 at the request of the Board.

15 I think what I'd like to do is to start with the  
16 psychological report progression here, beginning back with  
17 the first in the file by Dr. Wittner, psychiatric evaluation  
18 -- that's W-i-t-t-n-e-r. Psychiatric evaluation of March  
19 the 7th, 1972. Apparently there was some confusion in his  
20 mind at that time with regard to whether he could document  
21 where you were at that point psychiatrically. He gives  
22 no diagnosis, stating that

23 "The diagnosis is not clear. Subject  
24 may be suffering from a chronic brain syn-  
25 drome due to LSD use with impairment of his

1 reasoning power. On the other hand, he  
2 may simply be exhibiting a mixture of  
3 low intelligence intermingled with  
4 Eastern philosophies. I did not have  
5 the feeling that he was malingering."

6 Earlier in the report he had discussed with you  
7 possibilities of perhaps involvement in treatment. And  
8 that didn't seem possible at that point because of your  
9 general attitude toward your own condition and what you  
10 saw as your needs at that time.

11 The next report was done on October the 21st,  
12 1974. And this was a psychiatric evaluation done by Dr.  
13 Wittner again. This was the second time he would have seen  
14 you. And he said in that report that

15 "When I interviewed Subject pre-  
16 viously, I could not make up my mind  
17 whether Subject's disordered mentation  
18 was secondary to drug abuse or whether  
19 it reflected genuine mental illness.  
20 Since Subject's thinking continues to  
21 be as disturbed as it was two years  
22 ago, I think that this man is suffering  
23 from chronic schizophrenia."

24 And that was the -- led to the diagnosis given further in  
25 the report of schizophrenia, chronic, undifferentiated type,

1 in partial remission. At that time he reported that from  
2 a psychiatric standpoint you had made no gains. Violence  
3 potential within the institution appeared to be low, judging  
4 by the way that you had conducted yourself up to that point.  
5 But he goes on and says that

6 "However since Subject's mental  
7 state is disturbed, he should be con-  
8 sidered as somewhat unpredictable.

9 Subject may be in need of psychoactive  
10 medication, but is functioning without  
11 such drugs at this time. Since his  
12 schizophrenic process is in partial  
13 remission, I see no clear-cut indica-  
14 tion for use of drugs at this time.

15 Subject is not interested in receiving  
16 medications. Regarding psychotherapy,  
17 Subject expressed the view that he was  
18 all right and there was no need to  
19 mess with his mind. However if I  
20 insisted on group psychotherapy, he  
21 would comply. I doubt whether Subject  
22 would benefit much from psychotherapy  
23 at this time insofar as he is inacces-  
24 sible to reasoning and rigidly adheres  
25 to his illogical mode of thinking."

1 You have these reports, don't you, Counsel?

2 MS. SAMUELSON: Yes.

3 HEARING REPRESENTATIVE VINEYARD: I am selecting  
4 parts that I think are significant both from the standpoint  
5 of what his situation was at that time and how in accumula-  
6 tion the reports do show the type of progress that he did  
7 as we go along here.

8 MS. SAMUELSON: I guess I'll just wait to comment  
9 until after you finish.

10 HEARING REPRESENTATIVE VINEYARD: I'll do this  
11 whole section; then I'll give you an opportunity to speak  
12 to whatever you want with regard to psychological-psychiatric  
13 reports.

14 Dr. Wittner saw you again for the third time in  
15 February of 1976. And he stated then that

16 "Mr. Grogan's behavior has become  
17 more predictable. The schizophrenic  
18 process is in still better remission  
19 than was observed in 1974."

20 The diagnosis given is still chronic schizophrenia, undif-  
21 ferentiated type, in good remission.

22 "It is impossible to state if and  
23 how Mr. Grogan's psychopathology was  
24 connected with the alleged offense. If  
25 he in fact committed the murder, it is

1 possible that he was already schizophrenic  
2 at that time. However any such speculations  
3 would fall into the realm of intangibles.

4 "Mr. Grogan has made psychiatric prog-  
5 ress to a moderate extent; and by the time  
6 he is ready for parole, he will be able to  
7 hold his gains. He may require psychoactive  
8 medications in the future.

9 "If his mental condition does not  
10 deteriorate, aggressive potential should  
11 not be more than slightly above average  
12 for parole. Aggressive potential within  
13 the institution at this time is average  
14 only."

15 Then you were seen again by a Dr. John A. Malloy.  
16 That's also at DVI. And his evaluation -- the next one is  
17 dated October the 6th, 1977. Dr. Malloy's report said,

18 "I could not elicit any special  
19 symptoms of schizophrenia or pathological  
20 thought content. There were no signs of  
21 an acute or chronic depression, overt  
22 paranoid ideation, or organic brain  
23 damage.

24 "It was my impression that he  
25 showed the distinct signs of a thought

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1 disorder indicative of schizophrenia.

2 His emotional responses were at times  
3 appropriate to the topics discussed.

4 At other times, however, they were  
5 quite inappropriate, particularly when  
6 he talked very briefly about his instant  
7 offense.

8 "This inmate's emotional condition  
9 now is essentially the same as that  
10 described in the psychiatric evalua-  
11 tion of February 1976. He still shows,  
12 in my opinion, quite definite signs of  
13 schizophrenia as manifest in his thinking  
14 and emotional reactions. At no time,  
15 as nearly as I could determine, has he  
16 ever had hallucinations or delusions.

17 "He absolutely does not see himself  
18 as having any emotional problems or con-  
19 flicts. He does not have any unpleasant  
20 emotional symptoms. He is not interested  
21 in any type of treatment program.

22 "It is my impression that this  
23 inmate has a chronic mental disorder,  
24 but it is really impossible to know  
25 what part, if any, this played in his

1 instant offense. He feels completely well  
2 and his emotional condition essentially  
3 stable. There is no indication for medi-  
4 cation; and, in fact, he stated that under  
5 no circumstances would he be interested  
6 in taking medication.

7 "The major concern in my opinion is  
8 the fact that when he is eventually  
9 released on parole, he may decompensate  
10 from an emotional standpoint, with  
11 increasing thought disorganization and  
12 impaired judgment. Under these circum-  
13 stances, and again given the history of  
14 his violent instant offense, he could  
15 become, I believe, extremely dangerous.  
16 Most certainly whenever he is released,  
17 he would have to be very closely fol-  
18 lowed in a mental health program, such  
19 as a Parole Outpatient Clinic or an  
20 outpatient facility under a county  
21 mental health service.

22 "Historically on the outside, he  
23 has been extremely violent. And I would  
24 see his violence potential continuing  
25

1 to be well above average for an indefi-  
2 nite period. Within an institutional  
3 setting, he has been able to get along  
4 fairly well. And assuming he remains  
5 stable from an emotional standpoint,  
6 I would see his violence potential as  
7 being average. Should there be any  
8 evidence at any time that he is getting  
9 increasingly emotionally disturbed, as  
10 manifest by behavioral problems or  
11 symptoms of nervousness or depression,  
12 he should be promptly referred to the staff psychiatrist.

13 The next report is a psychological evaluation  
14 dated December the 5th, 1977. And this is done by  
15 Psychologist Edmund Mackenberg, Ph.D., Senior Psychologist  
16 at DVI. And there seems to be some -- at this point there  
17 seems to arise some dispute between the diagnoses as given  
18 previously by Dr. Wittner and as Dr. Mackenberg saw you at  
19 this point and was able to reconstruct the way that you  
20 presented yourself during earlier evaluations. He said  
21 that

22 "Mr. Grogan has been noted as a chronic,  
23 undifferentiated schizophrenic in his last  
24 three psychiatric interview reports. In  
25 the two-and-a-half-hour interview today no

1 secondary signs of schizophrenia, such as  
2 hallucinations or delusions, could be  
3 elicited. Mr. Grogan's affect would  
4 appear to be appropriate, also his mood  
5 tends to be a rather monotonous and  
6 depressed one, as noticed by Dr. Wittner  
7 two years ago. This man would appear  
8 to be quite capable of understanding  
9 reality, although he tends to talk in  
10 idealistic terms about what should be  
11 rather than what is. There would not  
12 appear to be any deviancy from reality  
13 to such a degree that I consider that  
14 he was in any way schizophrenic today.  
15 This man would appear to be quite  
16 capable of relating to others in a  
17 loving fashion and would appear quite  
18 capable of interacting with others in  
19 a realistic and sensible fashion.

20 "His thinking is somewhat tangen-  
21 tial . . . answers are not always  
22 readily understood, although he can  
23 make himself readily understood by  
24 explanation. There is a rather  
25 schizoid quality to this man in the

1 interview, but there would certainly not  
2 appear to be any indications today of a  
3 chronic, undifferentiated schizophrenia."

4 And he gives the diagnosis of schizoid personality  
5 associated with dyssocial behavior.

6 "It would not appear that Mr.  
7 Grogan is an imminent menace to anyone  
8 at this point in his life. His ability  
9 to function on parole would appear to be  
10 quite within the bounds of a good prob-  
11 ability. His likelihood of regressing  
12 into a schizophrenic condition would not  
13 appear to be high at this point. His  
14 violence potential within the institutions  
15 would appear to be quite low and is not  
16 seen as more than low to moderate in the  
17 community."

18 He recommends follow-up by Parole Outpatient Clinic and  
19 states that

20 "His likelihood of becoming a vicious  
21 and imminently dangerous person even in  
22 distress would appear to not be beyond the  
23 bounds of a reasonable possibility at this  
24 point in time, however. His course on  
25 parole, when paroled, should certainly

1 include an anti-drug testing and an  
2 anti-alcohol provision. A course of  
3 therapy would certainly be in his best  
4 interest at some point in his career" --  
5 and he's talking there about your insti-  
6 tutional career -- "particularly now  
7 that he is able to face up to the fact  
8 of his crime, and it would appear his  
9 amenability to therapy is increasing."

10 I believe one of the things that happened, Steve,  
11 was that at about the point somewhere between the last  
12 evaluation done by Dr. Malloy and the time that Dr. Macken-  
13 berg saw you, that you admitted guilt in the offense. Is  
14 that correct?

15 INMATE GROGAN: That's correct.

16 HEARING REPRESENTATIVE VINEYARD: The final report  
17 before the Category D evaluation is dated August 1st, '78.  
18 This is a psychological evaluation done by Melvin Macomber,  
19 Ph.D., Senior Psychologist at DVI. And he states;

20 "Current psychological testing shows  
21 no serious psychopathology. Grogan is  
22 seen as somewhat of a nonconformist who  
23 is quite naive and unsophisticated. He  
24 is not originally oriented. He has a  
25 strong passive and intellectual orientation.

1 toward life. He is in good touch with  
2 his feelings. He has a strong interest  
3 in the artistic and literacy. Grogan's  
4 defenses against future drug usage are  
5 quite good, and it is not believed that  
6 he would revert to drug usage upon  
7 parole."

8 The diagnosis given is schizoid personality,  
9 improved.

10 He finishes by writing that

11 "At the time of the commitment  
12 offense, Grogan was heavily influenced  
13 by drugs and the Manson Family. For  
14 the last several years he has been  
15 quite confused, guilt ridden, and  
16 fearful. He has shown considerable  
17 improvement at this time, and there  
18 is no evidence of psychopathology which  
19 would indicate a potential for violence  
20 in the future. Grogan is not in need  
21 of psychotherapy. Violence potential  
22 appears to be below average. Prognosis  
23 for successful adjustment in the com-  
24 munity appears to be very good."

25 Then you saw the Board following that report.

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1 That was 8/22/78. You went to the Board on 8/22/78. You  
2 were found unsuitable for parole at that point, and the  
3 Board recommended that you be sent to CMF, where you are at  
4 the present time, for Category D evaluation. And the  
5 Category D evaluation result of August the 13th, 1979,  
6 which was done by Bruce Sanders, Clinical Psychologist,  
7 Ph.D., and also reviewed by the Psychiatric Council. The  
8 diagnosis given is immature personality, other personality  
9 disorders of specified types.

10 And he writes that you were unwilling to discuss  
11 aspects of your crimes that involved other members of the  
12 Manson group.

13 "His initial claim was that as a  
14 matter of honor he didn't want to provide  
15 evidence against other individuals. But  
16 further discussion revealed that his  
17 major reason is his fear of retribution  
18 from Manson sympathizers."

19 Is that an accurate statement by Dr. Sanders?

20 INMATE GROGAN: I guess that summed it up pret  
21 good. I think he confused the point it was a matter of  
22 honor. I just had a feeling where I didn't want to --  
23 wanted to give the other people a chance to tell their  
24 story.

25 HEARING REPRESENTATIVE VINEYARD: Does fear



1 these people enter into part of your reluctance to discuss  
2 these offenses?

3 INMATE GROGAN: Yeah.

4 HEARING REPRESENTATIVE VINEYARD: Yes?

5 INMATE GROGAN: Quite a lot, yes.

6 HEARING REPRESENTATIVE VINEYARD: "According  
7 to Subject's file, he was in the past seen  
8 as schizophrenic and more recently as  
9 schizoid. This evaluation provides no  
10 clear evidence of schizophrenia, and  
11 his generally quiet demeanor didn't  
12 seem severe enough to be classified as  
13 schizoid.

14 "He is not verbally articulate" --

15 I think you do pretty good --

16 INMATE GROGAN: Thank you.

17 HEARING REPRESENTATIVE VINEYARD: -- "and  
18 he is dependent on others. This depen-  
19 dency is of concern because of the  
20 evidence that the commission of the  
21 murder was related to Subject becoming  
22 dependant upon a warped sense of values.  
23 Subject says that he has learned to  
24 think for himself and to avoid  
25 domineering leaders. I believe he

1 has made progress in this area. But  
2 the impression is still of a suggest-  
3 ible man who is more a follower than  
4 a leader.

5 "Subject has participated in  
6 individual therapy sessions with Dr.  
7 Mackenberg and then with Dr. Macomber.  
8 And he says he learned from these  
9 sessions to express himself better."

10 How long were you involved with Dr. Mackenberg in -- this  
11 was one-to-one therapy?

12 INMATE GROGAN: Right, one-on-one.

13 HEARING REPRESENTATIVE VINEYARD: How long were you  
14 in that?

15 INMATE GROGAN: It was just at various times  
16 off and on. I'd go -- off and on, I'd go and see him when  
17 he had time. We'd talk mostly about conditions of the  
18 mind and -- well, you know, we would cover a lot of facets  
19 of psychology and the effects that cult leaders have had  
20 on people's minds, just different ways of manipulating  
21 people who are unexpecting.

22 HEARING REPRESENTATIVE VINEYARD: Well, I know  
23 Dr. Mackenberg. And he has always had kind of an open door  
24 policy. And I would suspect that your contacts with him  
25 were on that basis, kind of as needed, without any formal

1 record being made of it in the file other than this report.

2 INMATE GROGAN: That's correct.

3 HEARING REPRESENTATIVE VINEYARD: You catch him  
4 at the right time, he'll talk to you for three days if you  
5 let him,

6 How about Dr. Macomber? Were you in formal group  
7 with him or formal sessions with him?

8 INMATE GROGAN: It was one-on-one.

9 HEARING REPRESENTATIVE VINEYARD: One-on-one.  
10 Formal sessions with him on a regular basis?

11 INMATE GROGAN: No, it was no really regular  
12 basis.

13 HEARING REPRESENTATIVE VINEYARD: Just occasionally  
14 you saw him or on occasion you saw one or the other of  
15 these doctors when something was on your mind or you had  
16 an opportunity to discuss different things with them.

17 INMATE GROGAN: Correct. Well, my first contact  
18 with Macomber was, I think -- it was an annual psych  
19 evaluation, you know, that you had before you go to the  
20 Board. And from that point on, it was easy to relate to  
21 him and talk to him, you know, about different things,  
22 you know, everyday life, religion.

23 HEARING REPRESENTATIVE VINEYARD: The reason I'm  
24 asking you about this, Steve, is that there is no record  
25 other than in here of you having had these kinds of

1 contacts. They weren't on a formalized, regular, goal  
2 oriented kind of a basis; they were just sort of a drop-in  
3 situation or whenever you felt you had something to talk  
4 about, why, Mackenberg would kind of give you an open  
5 invitation.

6 INMATE GROGAN: Yeah, that's correct. There was  
7 no -- I don't think there was any psych program at DVI.  
8 It's more or less they'd just work up a psych evaluation  
9 for Board reports.

10 HEARING REPRESENTATIVE VINEYARD: "Subject  
11 showed moderate self-understanding, a  
12 generally cooperative attitude, moderate  
13 motivation for personality change,  
14 adequate emotional stability, and  
15 generally adequate identification with  
16 society's norms.

17 "The referral to Category E was  
18 concerned with Subject's mental and  
19 emotional state. At present he doesn't  
20 appear to have any major personality  
21 pathology, although he does seem to be  
22 overly dependent."

23 And the diagnosis, as I stated earlier, immature  
24 personality. And then

25 "The diagnosed psychopathology has  
been related to criminal behavior

1 indirectly. During observation in the  
2 institution he had psychiatrically  
3 improved moderately. In a less con-  
4 trolled setting, such as return to the  
5 community, this inmate is considered  
6 likely to hold present gains.

7 "Violence potential outside a  
8 controlled setting in the past is  
9 considered to have been greater than  
10 average and at present is estimated  
11 to be increased (sic).

12 He makes a recommendation for POC follow-up and also a  
13 recommendation that you be referred for Category E evalua-  
14 tion, which I understand has been done; is that correct?

15 INMATE GROGAN: Correct.

16 HEARING REPRESENTATIVE VINEYARD: And you're  
17 active in a group right now with Dr. Mattocks?

18 INMATE GROGAN: We're having sessions one-on-one  
19 every week.

20 HEARING REPRESENTATIVE VINEYARD: One-on-one?

21 INMATE GROGAN: Correct.

22 HEARING REPRESENTATIVE VINEYARD: That's unusual  
23 here at CMF.

24 INMATE GROGAN: I think later on I'm going to  
25 enter into a group. I think that's the whole purpose of it,

1 kind of an orientation type of thing.

2 CHAIRMAN REPRESENTATIVE VINEYARD: Are there any  
3 comments that either of the panel members would like to  
4 make concerning the psychiatric reports?

5 PRESIDING MEMBER BROWN: Just an observation.  
6 You may want to respond to this. Looking backwards at the  
7 event that led up to the crime, the crime itself, and what  
8 occurred at the time of the trial, and your subsequent  
9 denial of any involvement, and then your admission and  
10 discovery of the body; at the time prior to the crime  
11 being committed that you're relating that you felt under  
12 the influence of someone else and you did what someone else  
13 told you. Eventually you're caught; you're charged. In  
14 the sentencing transcript -- I believe it's on page 3 -- the  
15 judge makes a comment about how you performed at trial,  
16 laying down on the jury room floor while the jury was being  
17 chosen, and I guess you performed some antics in the  
18 courtroom that he didn't feel too highly about. They  
19 don't go into any depth.

20 When you come to the institution, and you're  
21 denying anything is wrong. As you approach your minimum  
22 eligible parole date, which is in 1977, then there is a  
23 decision made to clean up what really happened to Mr. Shea.  
24 Did that have anything to do with your decision to decide  
25 how Mr. Shea died and where he was?

1 INMATE GROGAN: I think I looked at it more of a  
2 clean out my conscience more than the facts. But that would  
3 follow. I wanted to get right with myself. I kept telling  
4 people I didn't do it; I kept fostering the same lie.  
5 And it was just building up, you know, accumulating over  
6 a certain amount of time. There is a lot of factors that  
7 came into play which may have even intensified that effect.  
8 Like I have recently got married before I led the  
9 authorities to the body. And I had a child. My whole  
10 outlook, my whole lifestyle that I was getting into was  
11 forcing me to come clean with myself, just not for myself,  
12 but for my family.

13 PRESIDING MEMBER BROWN: When did you get stabbed  
14 in the institution, what year, do you recall?

15 INMATE GROGAN: '77.

16 PRESIDING MEMBER BROWN: In '77. Did that have  
17 anything to do with it?

18 INMATE GROGAN: I think that, together with the  
19 rest of the events, made me realize that my self-attitude  
20 was not -- I was -- do you want me to explain what happened  
21 briefly to you?

22 PRESIDING MEMBER BROWN: I understand that you  
23 got stabbed, and the NF was the one that was responsible.

24 INMATE GROGAN: It's kind of ironic in the sense  
25 that it closely approximated the murder that I was involved

1 in. It seemed like I had done nothing to nobody that I knew  
2 what I did; and, you know, I was just attacked, you know.

3 PRESIDING MEMBER BROWN: If you turn around and  
4 look over your shoulder now way back to 1969, where do you  
5 think you are psychologically yourself right now?

6 INMATE GROGAN: I think I'm a hell of a lot better  
7 about a hundred percent better than I was then. In looking  
8 back, I had a child's mind. I was thinking like a child.  
9 I was being led around and influenced like a child. You  
10 know, if I had the ability of hindsight that particular  
11 day, I don't think I would have done anything I did or be  
12 able to be led into situations.

13 PRESIDING MEMBER BROWN: That's all I have.

14 MS. SAMUELSON: Could I ask a question that kind  
15 of follows that line of questioning?

16 HEARING REPRESENTATIVE VINEYARD: Are there any  
17 other questions from the panel?

18 PRESIDING MEMBER BROWN: No.

19 HEARING REPRESENTATIVE VINEYARD: Mr. Shea, would  
20 you like to comment?

21 MR. SHEA: I have nothing at this time.

22 HEARING REPRESENTATIVE VINEYARD: All right,  
23 Counsel, anything that you would like to comment on with  
24 regard to the psychological section?

25 MS. SAMUELSON: Well, yes, I would like to approach



1 that in a second. But I would just like to carry on with  
 2 Mr. Brown's questioning about why did you decide to all of a  
 3 sudden, six years later, admit your guilt? And in that  
 4 regard, I would like to read a little bit from the  
 5 transcript of last year's hearing where Lieutenant Chandler,  
 6 who was at DVI and who formed a close relationship with  
 7 Steve, kind of gives an idea of what his viewpoint was.  
 8 And it really relates to what we're talking about. So do  
 9 I have your permission to read that?

10 HEARING REPRESENTATIVE VINEYARD: Why don't you  
 11 go ahead.

12 MS. SAMUELSON: There is just some general  
 13 introductory statements. Lieutenant Chandler says that he  
 14 is a Correctional Lieutenant currently assigned to the  
 15 NF section as the Third Watch Commander. Mr. Foley, who  
 16 represented Mr. Grogan last year as his attorney, asked  
 17 how long he had been employed. And he said 19 years. And  
 18 have you come to know Steve? And he said yes. And

19 "Could you describe in what way and  
 20 for what period of time you were familiar  
 21 with Mr. Grogan?"

22 And Mr. Chandler states,

23 "I was Third Watch Commander for  
 24 10 years. During that period of time  
 25 Grogan arrived at the institution. All

1           new arrivals are given an interview upon  
2           arrival by the Watch Commander currently  
3           assigned. During that period of time  
4           they have to determine is he suitable  
5           for main line placement; should he be  
6           placed in K Wing pending classification;  
7           could he make it on the main line. That's  
8           how I came to be acquainted with Mr. Grogan  
9           at that period of time."

10       And Mr. Foley asks him how long he has known Mr. Grogan

11       And he responds,

12                       "Six, seven years, certainly since  
13                       he's been here."

14       And Mr. Foley asks him,

15                       "And during the course of your  
16                       familiarity with Mr. Grogan, have you  
17                       had an opportunity to observe his  
18                       behavior within the institution?"

19       And Mr. Chandler states,

20                       "Grogan arrived a very threatened  
21                       individual. I didn't think he was what  
22                       he pretended to be, but he was machoing  
23                       it up front at the time. But over the  
24                       period of time I've seen a great change  
25                       in him. I've related to him as he's

1 made various requests for unlocked partici-  
2 pation. The Watch Commander at the time  
3 had to approve all unlocks for night  
4 activities. I would have to question  
5 each one of them individually as to his  
6 intent and purpose. Why do you want to  
7 unlock? Oftentimes it was because of  
8 the Board. You people get a lot of  
9 credit for a lot of attendance at night  
10 activities. The validity of it I don't  
11 know.

12 "I said that 'I will add your name.  
13 Now, if you fail to appear for two  
14 consecutive sessions, Mr. Grogan, you  
15 will be out. You will not, as long  
16 as I am the Watch Commander, reappear  
17 on any of my unlocks.' He indicated  
18 he was sincere and, as the record did  
19 prove, that he was. He did have some  
20 ability and capabilities which he  
21 exercised. This relationship con-  
22 tinued, and this is how I came to  
23 notice him more and more. I've not  
24 as of yet read his Central File, so  
25 I am not aware of exactly what he was

1 here for; but I certainly heard the  
2 publicity, as most Watch Commanders do.  
3 So I don't know how the other inmates  
4 would adjust to him. I discussed that  
5 facet of the situation with him. 'I  
6 don't know if you're going to make it  
7 with the groups.' He thought he could.  
8 His record proves that he did.

9 "Then he wanted to go into the  
10 hobby craft, which I also had at that  
11 time as a night operation. So I let  
12 him do that. He became gradually  
13 more mature in his actions, intent,  
14 and purpose. And I related to him  
15 on an ongoing basis. Within the past  
16 year or so, two or three years, he  
17 wanted to get married. I interceded  
18 on that behalf and attended his wedding;  
19 set up various programs for him, such  
20 as encouraging his hobby craft partici-  
21 pation and his band. I started his  
22 band for them, got an A-Quarter, and  
23 we set up the facilities for them to  
24 practice, more as a test, I guess, for  
25 them to have something to do other than

1 just sit around out on the yard. Every-  
2 thing succeeded rather well.

3 "Then he came to me one day, and he  
4 said, 'I've been thinking about my crime.'

5 And I said, 'I don't know about your  
6 crime too much.' He said, 'I would like  
7 to talk to you about it.' Well, now,  
8 before you get involved with an inmate  
9 on a personal basis, there's some things

10 you best consider. So I went to the  
11 Superintendent, and I said, 'I think  
12 Grogan has had a change of heart, and  
13 he would like to talk. Now, am I clear  
14 to carry on a personal relationship with  
15 him other than on a staff development --  
16 staff basis?' And he said, 'Yes.'

17 "Grogan came back three or four  
18 times, and he was getting closer. If  
19 you know an inmate, he's laboring under  
20 two things. One is he has a pre-set  
21 thought that he's not going to communi-  
22 cate with you too much, and that they  
23 build into the system and they have to  
24 live with that. There are several  
25 reasons for that. He feels threatened;

1 he feels a personal threat. He's not going  
2 to communicate with authorities. So he  
3 finally made what we call a walk-around  
4 time. You can talk to an inmate, and he  
5 won't tell you the truth the first time  
6 out; but he'll circle it, and he gets  
7 closer and closer. I thought about the  
8 fourth time around, it was time to ask  
9 him if he was sincere. And he said yeah,  
10 he wanted to talk to me.

11 "He told me the nature of the crime.  
12 I asked him at that point what he would  
13 like to do about it. He said he would  
14 like to actually, physically assist in the  
15 location. So I go back to the Superin-  
16 tendent, and I get clearance again. So  
17 then I got clearance to call his father  
18 and his wife and to talk to them on the  
19 conference line. This is the first time,  
20 according to his father, that he had ever  
21 admitted responsibility for the crime.  
22 So then we contacted the sheriff's office  
23 and LAPD and et cetera. They wanted to  
24 know if it was possible. So he spent all  
25 night drawing a map, and I flew down and

1           went to the sheriff's office, District  
2           Attorney. We took the map, and we spent  
3           a hectic day out digging in the sand  
4           piles. We didn't find the body. They  
5           asked, 'What would you do?' And I said,  
6           'I'd photograph the site.'

7           "They really impressed me, the  
8           sheriff's office and the PD did. They  
9           called on" -- it probably should be  
10          "in" -- "a helicopter, and it appeared  
11          almost like magic; and they were photo-  
12          graphing. We brought slides -- took  
13          movies and brought them back, showed  
14          them to Grogan out in the Superintendent's  
15          office in the company of the sheriff's  
16          rep. He thought it was the

17          " So I said, 'I don't think you're  
18          going to find it based on what he's  
19          showing. It's a wide area, and it's  
20          changed in the seven years. How about  
21          taking Grogan in person?' I asked  
22          Grogan if he wanted to go. He'd go.

23          " Well, it comes to the fact there  
24          may be an escape attempt. You really  
25          don't know. The old man said, 'Are you

1 willing to take a chance?' I said,  
2 'I'll take a chance for Grogan.' They  
3 had a joke going, 'If he escapes, you'll  
4 pick cherries', et cetera et cetera. I  
5 said, 'That's all right. I know Grogan  
6 well enough that I'll go.'

7 "We did. We took him down, and we  
8 went out to the Ranch. We looked again  
9 and again. Grogan pinpointed the area  
10 that, I'd say, within 20 foot of the  
11 actual location. I was comfortable with  
12 him. They put him in jail, and I stayed  
13 at the hotel; and we brought him back.  
14 Subsequently they did find the body.

15 "It's my personal opinion that over  
16 the years he's exhibited a great change.  
17 He's matured. I think he did it --  
18 discovered the body -- for several  
19 reasons. One, he probably wanted to  
20 get it off his chest. He's gone to  
21 church to a great extent more than he  
22 has ever before. He's upgraded himself.  
23 He's no threat to the institution; he's  
24 never been a problem. In fact personally  
25 I'd like to have the whole population



1 his behavior-wise."

2 That he was on,

3 "The other thing I'd like" --

4 PRESIDING MEMBER BROWN: Could you be kind of  
5 brief and cut it down?

6 MS. SAMUELSON: Yes. It's almost done. This  
7 really relates to the --

8 PRESIDING MEMBER BROWN: Okay.

9 MS. SAMUELSON: "The other thing I'd  
10 like to tell you is that his reluctance  
11 to discuss the situation could stem  
12 from several factors. One, it may  
13 involve other people. And the inmates  
14 live under a pretty heavy code that if  
15 they give up names, dates, times, and  
16 places, that involves somebody else.  
17 Eventually he's going to get out even  
18 if he doesn't say anything at all. He  
19 may not get out except on a slab if he  
20 does say the wrong thing and it gets  
21 back to the right person.

22 "I was a Watch Commander the time  
23 that the Nuestra stabbed him, and I  
24 brought him off the tier. He was on  
25 a guaney, and he came by and he said,

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1 'Am I going to live?' And I said, 'The  
2 only reason you're going to live, Grogan,  
3 is I don't want to do the paper work. It's  
4 a lot less for [you], a stabee, than it is  
5 for a victim. So I'm going to let you live.'

6 "He was considerably concerned at  
7 that point that he was really going to  
8 die. I felt if he had, 'Do you have any-  
9 thing you want to tell me in case you do,  
10 in case I made a mistake in your diagnosis?'

11 And he said, "No."

12 And that ends his testimony. But I think that pertains to  
13 other aspects of why, you know, six years later he comes  
14 and decides that he's got to tell what happened and admit  
15 what happened to himself and to other people and to kind of  
16 clear up a lot of misunderstanding.

17 So I would just like to ask Steve if those were  
18 feelings that you felt and not just what Lieutenant Chandler  
19 may have thought you felt?

20 INMATE GROGAN: I think it's pretty accurate.  
21 You live under a pretty heavy pressure to not -- you know,  
22 a snitch don't amount to anything. A man here is under a  
23 real pressure. You know, it's like two worlds. You're  
24 not supposed to cross the boundaries. And this took -- it  
25 takes time to get over that. It took time for me to get to

1 the point where I was willing to come forth and communicate  
2 with authorities. And I still -- when I did tell the  
3 authorities the location of the body, I asked if they would  
4 keep my name out of the papers because the case I know  
5 received a little bit of publicity, and for the fact that  
6 if they did mention my name, my father would hear about it.  
7 And he is living in close proximity, and it would definitely  
8 affect his relationship with his neighbors and things.  
9 So I asked them, "If you agree to that, you know, I'll show  
10 you where the body is, if you don't mention my name." And  
11 I haven't talked about it with very many inmates at all.

12 PRESIDING MEMBER BROWN: Okay.

13 HEARING REPRESENTATIVE VINEYARD: The disciplinary  
14 record is the next section that we --

15 MS. SAMUELSON: Excuse me. Could I just make a  
16 few comments on the psych reports? Because if we're going  
17 to move from there, I did have a few comments.

18 HEARING REPRESENTATIVE VINEYARD: Go ahead.

19 MS. SAMUELSON: Well, with reference to -- I just  
20 want to note that from the beginning, from 1972, there seems  
21 to be an inability on the part of the psychologists and  
22 the psychiatrists to determine what's going on with this  
23 person. And I would like to refer you to that article that  
24 I have attached to my brief that deals with people who have  
25 been involved in cults and the kind of attitude they express

1 upon leaving that situation. She -- Margaret Singer is the  
2 doctor that wrote this article -- indicates that ex-cult  
3 members have had very special things happen to them in the  
4 cult and that in order to talk to a counselor, they have  
5 to educate the counselor. The professional often reacts  
6 to the recounting of the cult events as if the person telling  
7 the story was or is mentally ill or is fabricating the  
8 story. So that there appears that there is a definite  
9 attitude of a person when they are coming out of this  
10 situation that may not be picked up by just a person, a  
11 general psychologist or psychiatrist that really hasn't  
12 been thinking in terms of brainwashing or indoctrination  
13 to that extent. So I think that that's relevant in reviewing  
14 these reports from the beginning and noting that throughout  
15 the reports it's interesting to see the parallels between  
16 the article and the statements that are made in the reports.  
17 It seems very explanatory. She again mentions that there  
18 is a tendency to oversimplify, to state cosmic truths  
19 and cliches, that these people who come out of that cult  
20 situation are programmed to make certain statements.

21 And you'll see by reading these psych reports  
22 that he does convey that kind of an attitude. He talks  
23 about various philosophies. He is kind of unrealistic,  
24 idealistic. They just don't know what to think of him.  
25 I think that, again, the Manson indoctrination has a great

1 deal to do with how these reports look, and that over a  
2 period of time he is gradually coming out of that and being  
3 able to work through it. He is coming to the person you  
4 see today, somebody that can articulate, you can communi-  
5 cate with, and you can relate to, not somebody who is just  
6 speaking phrases that don't make sense.

7 And I would like to comment on the discrepancy  
8 between Dr. Malloy's report and Dr. Mackenberg's report,  
9 because there does seem to be a real difference. I would  
10 point out to you that the reports seem to indicate a  
11 progressively better attitude from Steve. He's kind of  
12 coming out of it. Dr. Malloy's report just kind of jumps  
13 in the middle of that and says, you know, that this isn't  
14 happening. It kind of says everything opposite, which is  
15 a real surprise. I think that in evaluating that report,  
16 you should take note of what the progress has been in these  
17 reports and how it is continuing after -- two months later  
18 another psychologist interviews Steve and files a report  
19 that kind of follows up from where the other ones left off.

20 I have been informed that Dr. Malloy no longer  
21 works at the institution, so I don't know whether or not  
22 that had anything to do with the institution's necessity to  
23 have another report within such a short period of time,  
24 because generally they are only filed once a year. I don't  
25 know why they thought it important to have another follow-up.

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1 But maybe they felt that this really didn't make too much  
2 sense to file, and maybe they thought, "Well, we had better  
3 have this checked again", because it's very harmful. The  
4 person is saying that violence potential is high, things  
5 that kind of don't follow the rest of the reports. And  
6 it's really evident, because when Dr. Mackenberg does  
7 file his report, he is very clear about what he feels.  
8 "He doesn't appear to be an imminent menace." He thinks  
9 there is nothing beyond a reasonable possibility that he is  
10 going to be dangerous. So he continues that line.

11 PRESIDING MEMBER BROWN: The difference, for  
12 whatever it's worth, Malloy is a psychiatrist and the  
13 other two are psychologists.

14 MS. SAMUELSON: I don't know, whatever that's  
15 worth.

16 PRESIDING MEMBER BROWN: One is an M.D.

17 MS. SAMUELSON: Yeah, true. But you're viewing  
18 psychologists' and psychiatrists' reports generally in the  
19 institution. Both professionals do file these reports,  
20 and they're kind of -- you know, I don't know what kind of  
21 weight you put on it, if you put any weight on it. I guess  
22 the individual person is important, like if you know the  
23 doctor involved. Like Mr. Wineyard may have an idea about  
24 Dr. Mackenberg, I don't know. But those are my comments  
25 with relationship to these two reports.

1 Also, then I'd like to comment on the last report,  
2 the '79 report, because it does seem on its face rather  
3 equivocal; and because I looked at it, and I didn't really  
4 know what he was saying. So I went to talk to him, Dr.  
5 Sanders, and I said, "Can you tell me what you mean when  
6 you say 'dependency'?" Like this paragraph, really I don't  
7 know what it is. He says,

8 "He is not verbally articulate, and  
9 he is dependent on others."

10 And I said, "Well, can you explain that to me a little bit?"  
11 And he indicated that it was his impression from Steve's  
12 communication and group sessions that he would say something  
13 in response to what somebody else had said. So he would  
14 follow; he would agree or kind of just follow into what  
15 everybody else was saying, rather than initiate his own  
16 comments. That appeared to the doctor that he was dependant  
17 upon the group to communicate. So I think that has some  
18 bearing on that definition of dependency, because it fits  
19 into -- it kind of makes you think that this is another --  
20 this person is saying that Steve is a dependent; he's a  
21 follower, you know. That kind of impression I don't think  
22 is so accurate in that context. He was referring to  
23 participation in a group setting.

24 Also with reference to his use of the term  
25 "moderate", I would like to draw an analogy to that term

1 with the word "reasonable" in terms of viewing the suit-  
2 ability or suitability. The rules, guidelines, the law  
3 indicates that unless there is an unreasonable risk of  
4 danger or harm to society, a person should receive -- should  
5 be found suitable. And he is saying moderate this and  
6 moderate that. Well, I think that you can draw from that  
7 that he's saying reasonable self-understanding. Whenever  
8 he uses the word "moderate", substituting the word "reason-  
9 able" seems to make sense and seems to fit into what kind of  
10 issues we're looking at in this hearing.

11 Also when I talked to Dr. Sanders, I asked him  
12 about this statement, what "greater than average" and  
13 "at present estimated to be decreased", what are you saying  
14 here? What does he mean? And he said -- well, he pulled  
15 out his little book. And he's got a little book, and it  
16 has form sentences in it. And he says, "This is the way  
17 it is set up, and this is what I have to write in here."  
18 And there's like -- you have medium, it's the same, it's  
19 greater, or it's decreased. So "decreased" is the lowest  
20 thing he could say, and that's what he put in his report.  
21 He said "decreased."

22 I would take issue to the prior statement that  
23 he makes: "... in the past is considered to have been  
24 greater than average ..." I think that the reports  
25 indicate that -- Dr. Mackenberg's report in '77 indicates



1 that his violent potential is below average, rather than  
2 greater than average. I think that maybe what Dr. Sanders  
3 was referring to was in the beginning, the beginning  
4 recommendations, the beginning observations. And I think  
5 it's clear by the time you get to '76-'77, that it's below  
6 average and not greater than average, so that the decrease  
7 is even more.

8 I also think in terms of his opinion that Steve  
9 appears to be overly dependent; I would also bring it to your  
10 attention that Steve hasn't been involved in any kind of  
11 a gang affiliation. There are indications that he isn't  
12 a dependent person and he hasn't been a dependent person  
13 any more than anybody else in prison has to be. I mean,  
14 you have to be somewhat dependent on your surroundings in  
15 a prison situation. You can't exert independence and not  
16 get written up every second.

17 So those are my comments with respect to the  
18 reports.

19 HEARING REPRESENTATIVE VINEYARD: All right.

20 With regard to the disciplinary record, it has  
21 been clear at the present time for about one year and ten  
22 months. The last CDC 115 received was back on December the  
23 4th, 1977. There have only been four of these since  
24 reception, the first being in May of 1972. And this was  
25 an action -- he was found responsible for answering calls.

1 and passes and counseled for that.

2 The next -- and this is the one I want to ask  
3 him about -- occurred on 6/22/75, and is described as  
4 refusing to hand over a cat. Do you recall that?

5 INMATE GROGAN: Yes, sir.

6 HEARING REPRESENTATIVE VINEYARD: I don't think  
7 the officer wrote you up because it was the cat that you  
8 wanted; I think the officer wrote you up because you refused  
9 to obey a direct order. Is that correct?

10 INMATE GROGAN: Correct.

11 HEARING REPRESENTATIVE VINEYARD: Where did you  
12 get the cat?

13 INMATE GROGAN: My friend on the tier below me  
14 found it out in the warehouse, and he brought it in. I  
15 haven't seen any animals in two or three years, and I was  
16 pretty excited about seeing an animal. He was reluctant  
17 to let me see it, probably knowing that I would want to take  
18 it in my house and look at it for a longer time.

19 HEARING REPRESENTATIVE VINEYARD: All right.  
20 That was classified as an administrative 115 rules  
21 infraction report, and you were counseled for that behavior.  
22 There is a 115 written in here relative to the  
23 attack that was made on you in June 6, 1977. It was never  
24 processed because it was determined right away that you were  
25 the victim of the attack. And this relates to the fact that

1 you were stabbed by Barrientes. Actually you might speak  
2 to your counselor about putting this someplace else because  
3 it doesn't belong in this section. It's not counted as a  
4 115.

5 INMATE GROGAN: Wouldn't it be classified under  
6 a 128 informative chrono?

7 HEARING REPRESENTATIVE VINEYARD: Well, there are  
8 all kinds of informative chronos in here with regard to  
9 that, as well as a lot of incident reports. The reports  
10 shouldn't be on that form in here, in this section at  
11 least.

12 The next 115 was the one received on 12/14 --  
13 excuse me. Did I say -- I said, didn't I originally,  
14 that there had been four 115's received?

15 PRESIDING MEMBER BROWN: I think there have been  
16 three.

17 HEARING REPRESENTATIVE VINEYARD: There have been  
18 three. The third and last one was the one on December  
19 14th, 1977. And this is also marked administrative. And  
20 it was written in regard to a specific act, disregarding  
21 the rights and respect of others. An officer was opening  
22 the hospital door for the purpose of contacting an MTA.  
23 You apparently were on one side of the door. You had  
24 cotton in your nostrils, and he asked you what you needed.  
25 You stated you needed to see a doctor. He told you to wait.

1 until he contacted the hospital officer. You said you had  
2 a pass. He still told you you'd have to wait. And you  
3 referred to him as fuck face and said something about  
4 playing your games. At this time you were asked for your  
5 identification card and were admitted for treatment. This  
6 was written up because of your attitude toward the officer.  
7 Apparently you woke up with a bloody nose.

8 INMATE GROGAN: Yeah, I woke up with a hemorrhage  
9 in my nose.

10 HEARING REPRESENTATIVE VINEYARD: It says,

11 "When the officer would not let him  
12 in, he lost control and made the state-  
13 ment as outlined. He was found guilty by  
14 his own admission."

15 You were assessed three weekends confined to quarters,  
16 suspended for 90 days. That's the only situation incident  
17 which I find that there was any real defiance of staff.  
18 In the cat thing, why, that was handled -- you defied them,  
19 but it was resolved peacefully.

20 In regard to counseling chronos -- oh, there is  
21 one thing I wanted to ask you. There is a notation in  
22 here that before a visit which was held back in March of  
23 1978 at DVI, you were locked into a security boot(h). Why  
24 was that?

25 INMATE GROGAN: I was? I was never locked in a

1 security report (R). I think there was a chrono saying that  
2 I received a SRS saying that I had body contact with my  
3 wife and that if I kept it up or --

4           HEARING REPRESENTATIVE VINEYARD: That was quite  
5 a bit earlier. That was way back in May of '76. And this  
6 was in March of '78. There was a mistake made when it was  
7 first written with regard to the B Number. And then that  
8 was crossed out and your B Number was put down. I just  
9 wonder if there is a mistake all the way around. Anyway,  
10 there is no disciplinary action behind it. It was just  
11 interesting to me that that would be dropped in there out  
12 of nowhere that way.

13           There was a counseling chrono in May of 1976 in  
14 which you had been warned, and they also noted you had been  
15 warned numerous times in the past, about excessive body  
16 contact with your wife during visits. There is a disci-  
17 plinary chrono written, dated April 17th, '75. This is  
18 by Sergeant Chandler, culinary sergeant, stating that you  
19 worked good for a week or two and then, in his words,  
20 became useless. He said he just recently took you back with  
21 the understanding that you wouldn't pull any more of your  
22 juvenile antics.

23           "Today he was asked to do some menial  
24 task, but he declined to work and submitted  
25 a request to get out. He said all he wants

1           to do is go idle and pick his guitar. In  
2           view of this, I would recommend that he be  
3           granted his wish and assigned to G Wing  
4           so he can pick all he wants to."

5           What brought that on?

6           INMATE GROGAN: I think he wanted me to clean all  
7           of the pots out of the pot room. And I was assigned down  
8           on the line, and I told him I would just rather play my  
9           guitar all day and not work.

10          MS. SAMUELSON: Can I ask a question, Steve?  
11          Is that the same Chandler that --

12          INMATE GROGAN: No. That's his brother.

13          MS. SAMUELSON: His brother.

14          HEARING REPRESENTATIVE VINEYARD: Well, it  
15          doesn't sound like you were putting out much effort at  
16          that point as far as Sergeant Chandler was concerned in  
17          culinary there. They kind of saw you as dead wood.

18          INMATE GROGAN: When I first arrived, I worked  
19          there about a year and a half in culinary. And I was kind  
20          of burned out on it, you know. It wasn't -- my interest  
21          wasn't in working in culinary at that time.

22          HEARING REPRESENTATIVE VINEYARD: Just the 16th  
23          of '73, there was a counseling session with you. You were  
24          apparently ordered to package some stacking chairs for  
25          shipment, didn't respond. He ordered you for three days in

1 a row of chairs, and they hadn't been packed.

2 He said you were irresponsible and

3 "He feels that he doesn't need to  
4 do anything unless he feels like doing  
5 it. Further work habits of this type  
6 will result in his removal from the  
7 industries work program."

8 INMATE GROGAN: Can I respond to that for a  
9 second?

10 HEARING REPRESENTATIVE VINEYARD: Yeah.

11 INMATE GROGAN: On that particular -- he was a  
12 new free man that just came in. And my job was stocking  
13 control clerk. I kept inventory of all incoming orders  
14 and requisition orders for parts for chairs and various  
15 tables, like here, and different articles industries handles  
16 And, you know, I have to be at the desk almost all the time  
17 to process the orders because they are always coming from  
18 the assembly line. Like they will order 20 chair legs and  
19 stuff, and you have to go down there and type the order and  
20 keep the books straight on what you have and go to the  
21 warehouse and get the product and bring it back. Well, at  
22 that time they had -- the warehouse is comprised of maybe  
23 three or four people to do the warehouse work. And that  
24 wasn't my job assignment. My job was the stock control  
25 clerk. And I told him I had to do this work and it's not

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1 my job. ~~was~~ looking that, that's --

2 HEARING REPRESENTATIVE VINEYARD: Have you been

4 INMATE GROGAN: No.

5 HEARING REPRESENTATIVE VINEYARD: Okay. You do  
6 what you're told; then you complain afterwards.

7 INMATE GROGAN: Yeah.

8 HEARING REPRESENTATIVE VINEYARD: The last one  
9 was a counseling chrono March 2nd, 1973, ignoring orders  
10 to move when given that order by the yard gate officer.  
11 And he said that you had done this many times before.  
12 He said your response to his counseling was -- he talked  
13 to you and told you that if you didn't start obeying what  
14 he told you out there at the gate, you would get a 115.  
15 He said your response to the discussion was positive.

16 You are with Dr. Mattocks on an individual basis  
17 in psychotherapy at the present time and have been with  
18 Dr. Mattocks since sometime last month?

19 INMATE GROGAN: That's correct.

20 HEARING REPRESENTATIVE VINEYARD: How many sessions  
21 have you had with him up to this point?

22 INMATE GROGAN: Roughly about five or six. I had  
23 a session today, but I was in the attorney room. I had to  
24 miss it.

25 HEARING REPRESENTATIVE VINEYARD: You have



1 completed, as far as formal training is concerned in the  
2 institution or formal self-help kind of things, you have  
3 completed a 10-week course in Transcendental Meditation.  
4 That was back at DVI. You finished that up in February of  
5 '78; is that correct?

6 INMATE GROGAN: That's correct.

7 HEARING REPRESENTATIVE VINEYARD: We have a  
8 laudatory chrono from the rabbi at DVI which is quite  
9 complimentary of you. The Protestant chaplain submitted a  
10 more recent one -- while I'm looking for that other one --  
11 dated October the 10th, 1979. And this is Chaplain England  
12 at DVI.

13 Do you go to Jewish chapel, or do you go to  
14 Protestant chapel?

15 INMATE GROGAN: I used to go to all of them.

16 HEARING REPRESENTATIVE VINEYARD: You're eclectic.

17 INMATE GROGAN: No. I just like to talk to the  
18 guys and play for different benefits for them. They all  
19 have something to say.

20 HEARING REPRESENTATIVE VINEYARD: Okay. Mr.  
21 England says,

22 "It's come to my attention that you  
23 have a parole hearing soon. I wish to  
24 make a statement about what I felt in  
25 seeing this man. He came to DVI and to

1 my attention on March 15th, '72. I got  
 2 to know him personally and was able to  
 3 observe his growth and maturing pattern  
 4 until he left here for Vacaville in July  
 5 of '79. He has been willing on many  
 6 occasions to open himself not only to  
 7 relationship with this staff person,  
 8 Protestant chaplain, but to subject him-  
 9 self to frequent critical analysis from  
 10 time to time. I feel he has matured  
 11 emotionally in significant ways. And  
 12 whatever may have contributed to his  
 13 participation in the vicious crimes of  
 14 the group, he has clearly disassociated  
 15 himself from violence and violent inmates.  
 16 He has developed a gentleness which I  
 17 and many more custodially minded than I  
 18 am regard as genuine.

19 "I officiated at his wedding here and  
 20 have noted his quiet affection for his  
 21 young wife and child, watched him  
 22 develop musical skills, communicative  
 23 skills, and social skills. I believe  
 24 this man deserves whatever trust or  
 25 calculated risks those responsible for

1           presiding his immediate future may elect  
2           for him."

3           That's updated, but it was submitted sometime between this  
4           date and when you left DVI, which was in July. It is  
5           shown for the October Board.

6           MS. SAMUELSON: There was another letter here  
7           that we just received today from a correctional officer here  
8           that I'd like to submit, too.

9           PRESIDING MEMBER BROWN: A correctional officer  
10          here at CMF by the name of L. Rentfrow.

11          HEARING REPRESENTATIVE VINEYARD: Rentfrow?  
12          And Rentfrow does not write laudatory chronos. Did he write  
13          this one for you?

14          INMATE GROGAN: Yeah.

15          PRESIDING MEMBER BROWN: We'll make that Number 3.

16          HEARING REPRESENTATIVE VINEYARD: Also the  
17          chrono, laudatory chrono, October 2nd, '79, from the  
18          rabbi at DVI. He said he has had regular contacts with you,  
19          that you are active there in the Jewish congregation, that  
20          you not only were a diligent participant in all of our  
21          religious training experience, but a most productive  
22          contributor to all aspects of group programs.

23          "My humble conviction is Mr. Grogan  
24          has learned his lesson from a very diffi-  
25          cult past. I highly recommend him for a

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positive hearing toward his early release  
the free society. His attitude has com-  
pletely changed and made a new human being  
of him, one whom, if given the chance,  
would make a fine contribution to society  
and human relations."

Educationally you received a GED -- you completed  
the GED equivalency test in 1976 while you were at DVI.

INMATE GROGAN: That's correct.

HEARING REPRESENTATIVE VINEYARD: And also in  
conjunction with your vocational training in the air frame  
program, you received six semester hours of college credit  
for that.

INMATE GROGAN: That's correct.

HEARING REPRESENTATIVE VINEYARD: And that was  
2,353 hours in voc. air frame program, and you're qualified  
at the present time as an aircraft welder.

INMATE GROGAN: That's correct.

HEARING REPRESENTATIVE VINEYARD: You have a  
laudatory chrono submitted by your present work supervisor,  
who is the supervisor in the Central Arts Department. And  
you have been down there -- this is your sixth month that  
you have been in the program?

INMATE GROGAN: That's correct.

HEARING REPRESENTATIVE VINEYARD: Mr. Martin.

1 Accomplishes tasks with enthusiasm.

2 Still in the learning stage, but demon-  
3 strates a willingness to learn, accepts  
4 any and all responsibility. Since the  
5 Central Arts Department is practically  
6 self-managed by the assigned inmates,  
7 and with such a limited amount of working  
8 space, it is essential for each individual  
9 to work harmoniously with the other men.

10 Grogan accomplishes this exceptionally  
11 well."

12 And you're doing silk screening for Institutional Services,  
13 as well as Central Office, lettering, sign painting, graphic  
14 art layout, and paste-up.

15 INMATE GROGAN: Right.

16 HEARING REPRESENTATIVE VINEYARD: What is paste-up?

17 INMATE GROGAN: Well, for certificates, you paste  
18 up a certain saying like this certifies such and such a  
19 person or this is a certificate of appreciation. It's just  
20 that you put it on an opaque projector and you cut out these  
21 paste-up stamps and you paste up words. And from that you  
22 silk screen it, and you burn an image into a photosensitive  
23 piece of paper which in turn you take to another process,  
24 and you transfer that image onto a silk screen, which is  
25 like -- the words are inversed so there is a clear passage

1 for the ink to flow between the letters. So it's a step  
2 in the processing.

3 HEARING REPRESENTATIVE VINEYARD: Mr. Rentfrow  
4 writes this commendatory letter as the staff coordinator  
5 in the institution inmate music program. How long have you  
6 been involved in that?

7 INMATE GROGAN: Since the first week I drove  
8 here.

9 HEARING REPRESENTATIVE VINEYARD: In July?

10 INMATE GROGAN: Right.

11 HEARING REPRESENTATIVE VINEYARD: Are you a  
12 musician?

13 INMATE GROGAN: That's correct.

14 HEARING REPRESENTATIVE VINEYARD: What do you  
15 play?

16 INMATE GROGAN: Oh, I play several instruments.  
17 Lead guitar is my most -- that's my pet peeve right there.  
18 But I play bass. I play the flute, harmonica, clarinet,  
19 drums, piano.

20 MS. SAMUELSON: He made a list of them; there are  
21 so many.

22 HEARING REPRESENTATIVE VINEYARD: You were  
23 awarded top honors in some recent type of statewide talent  
24 competition?

25 INMATE GROGAN: Right. Buddy Harper had staged

1 an inner-institutional competition between all the different  
2 CDE -- departments of corrections, including Frontera.

3 Each institution had eliminations for the best band, and  
4 the best band was recorded. And the recordings were taken  
5 to San Quentin. And some disc jockeys heard the tapes and  
6 decided which was the best band. And the group that I  
7 had together at DVI took the first place and was awarded a  
8 plaque for achieving this. This is a picture of them  
9 congratulating them.

10 HEARING REPRESENTATIVE VIMEYARD: Is Mr. Pickens  
11 the supervisor of this?

12 INMATE GROGAN: He was there. In fact we played  
13 some music for him. Buddy Harper is, I think, the Director  
14 of Music in the Department of Corrections.

15 BOARD MEMBER COLLIER: I have just one question.  
16 While you were at DVI, did you play with Beausoleil's group,  
17 or were you involved in a different band?

18 INMATE GROGAN: I played in every group, except  
19 there was some amateurs that were just trying to get  
20 together.

21 BOARD MEMBER COLLIER: So did you play in a group  
22 with Beausoleil?

23 INMATE GROGAN: Right.

24 BOARD MEMBER COLLIER: Were you instrumental in  
25 helping to organize any of those groups that he was involved

1 in?

2 **INMATE GROGAN:** Each group there's a -- you get  
3 two nights a week for unlock. And this was -- built up  
4 over a period of time. Anyways, to cut things short, each  
5 band had a certain -- you had two days for unlock. I was  
6 in his group; I was in a soul group. I was in the DVI  
7 variety band, and country-western group. So, you know, I  
8 interchanged with all the different groups.

9 **BOARD MEMBER COLLIER:** That's all I have.

10 **HEARING REPRESENTATIVE VINEYARD:** Your work record  
11 on initial assignment was average. This was while you were  
12 going through the reception assignments in culinary and  
13 doing quarter maintenance work, that kind of thing. And  
14 later you were assigned to industries warehouse earning  
15 average grades. And then after entry into air frame, which  
16 you were in for two years, why, of course, you didn't have  
17 an assignment during that period of time. But the work  
18 that you did primarily at DVI after you left the air frame  
19 program corresponds pretty closely with what you're doing  
20 now, doesn't it?

21 **INMATE GROGAN:** Yeah, in a sense. I'm doing it  
22 more professionally now.

23 **HEARING REPRESENTATIVE VINEYARD:** I see. You  
24 were hobby clerk there and orderly. And the grades are a  
25 majority of above-average grades. And Mr. Martin in your

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1 present assignment in the Central Arts Department grades  
2 you the same way. You have been in that since you arrived?

3 INMATE GROGAN: Right. Well, I spent 30 days  
4 working here in culinary.

5 HEARING REPRESENTATIVE VINEYARD: You spent  
6 another period of time in culinary. There is no question  
7 about your working ability when you want to work and when  
8 you're interested in what you're doing.

9 INMATE GROGAN: I do have the  
10 things that I like.

11 HEARING REPRESENTATIVE VINEYARD: Busy work,  
12 dum-dum type jobs, why, you apparently become dissatisfied.

13 INMATE GROGAN: I get bored. It's not that I  
14 can't do it. It's just that the interest is lacking. That  
15 depends, too, I think on the motivation.

16 PRESIDING MEMBER BROWN: What's MPPA? MAC I  
17 know. What's MPPA?

18 INMATE GROGAN: It's MPAA.

19 PRESIDING MEMBER BROWN: MPAA.

20 INMATE GROGAN: It's a union of musicians that we  
21 have here at Vacaville.

22 PRESIDING MEMBER BROWN: In the institution?

23 INMATE GROGAN: Right.

24 PRESIDING MEMBER BROWN: Okay.

25 INMATE GROGAN: We organize benefits. We're

1 playing for MC for correctional officers. They're going  
2 to have a benefit this Saturday. We're playing for that  
3 out there.

4 HEARING REPRESENTATIVE VINEYARD: You also  
5 ~~received training in basic life support, did you not?~~

6 INMATE GROGAN: Yeah.

7 HEARING REPRESENTATIVE VINEYARD: What was  
8 involved in that as far as training was concerned, how many  
9 hours?

10 INMATE GROGAN: It was two night sessions, about  
11 six hours worth of study.

12 HEARING REPRESENTATIVE VINEYARD: Cardiopulmonary  
13 resuscitation?

14 INMATE GROGAN: Correct, yeah. --

15 PRESIDING MEMBER BROWN: We see you have a hobby.  
16 Is this the hobby?

17 INMATE GROGAN: Yeah, trying to make it a supple-  
18 mental --

19 MS. SAMUELSON: These are going to be entered in  
20 the art show that's coming up. They indicate a real  
21 talent, I think, and a real ability to supplement his  
22 income by his art.

23 PRESIDING MEMBER BROWN: Have you sold any  
24 paintings before?

25 INMATE GROGAN: Yes.

1           PRESIDING MEMBER BROWN: What kind of income can  
2 you get out of them?

3           INMATE GROGAN: Well, I sold a watercolor for  
4 \$100. ~~It's a lot of money~~  
5 at, the persons you sell it to. But I think supplemental  
6 income, I think I could probably make a couple hundred a  
7 month doing it maybe a couple nights a week. And that's  
8 not selling a whole lot of paintings. It's just a minimum  
9 of what I have calculated as far as my income is concerned,  
10 supplemental income. I have already had an offer to buy  
11 the pen and ink over there. That's not all my work. I  
12 just picked some of it. I didn't want to belabor the  
13 point.

14           HEARING REPRESENTATIVE VINEYARD: What do you  
15 have in trust at the present time, do you know?

16           INMATE GROGAN: My trust account here?

17           HEARING REPRESENTATIVE VINEYARD: Yeah.

18           INMATE GROGAN: About \$30. I have a bank account  
19 my parents started for me on the street which I think is  
20 currently \$500. And I've got about an acre of land they  
21 have given to me which, according to the bank president,  
22 has a loan value of \$3,000. So that could assist me  
23 possibly if I need assistance in the event that I am granted  
24 parole.

25           I've got to do a little PR work for the hobby

1 program while I'm up here. I thought maybe I would invite  
2 you people to the art show that we're having. I've got  
3 some copies here.

4 [REDACTED]  
5 wife from coming to this art show. It got too expensive.

6 PRESIDING MEMBER BROWN: Okay. Mr. Shea,  
7 institutional adjustment, any comment?

8 MR. SHEA: I have no comments.

9 PRESIDING MEMBER BROWN: Okay. Let's turn to  
10 parole plans.

11 BOARD MEMBER COLLIER: Mr. Grogan, I know at this  
12 time it may be a little bit unrealistic or premature to  
13 talk about parole plans in view of the fact that you don't  
14 have a parole date yet. But I can see from letters of  
15 support that are in the file and comments made in the Board  
16 reports submitted by Gideon Jean-Jacques that you have some  
17 tentative plans. So what I'd like to do, I'd like to ask  
18 you to just tell the panel where you intend to live, who  
19 you intend to live with, the kind of employment offers that  
20 you have, and anything else that you think the Board might  
21 need to know with regard to parole plans.

22 INMATE GROGAN: Okay. Well, I think, as the  
23 Board knows, there are a couple letters of recommendation,  
24 offers of work from my brother and my father. And I plan  
25 to take them up on their offers once I do get a date and get

1 out there. My first choice would be to work with my father  
2 at his store in Valencia as a floorman and possibly a stock  
3 control clerk. And that would be about \$175 a week income.

4 ~~And that would be about \$175 a week income.~~ In that area, Valencia, wherever

5 I can find a reasonable priced property for my wife and  
6 child. And I will be living with my wife and child. I  
7 think counsel is showing you a picture of my wife and  
8 child.

9 BOARD MEMBER COLLIER: Is she presently living in  
10 Napa?

11 INMATE GROGAN: Right.

12 BOARD MEMBER COLLIER: And she will be moving  
13 from Napa to Valencia at the time that you get a parole;  
14 is that correct?

15 INMATE GROGAN: Right. She's presently going  
16 to college, expecting to be an RN, taking the courses.

17 BOARD MEMBER COLLIER: While we're on the subject  
18 of your wife, how did you meet her?

19 INMATE GROGAN: I met her through correspondence  
20 back in '74.

21 BOARD MEMBER COLLIER: So you did not know her  
22 prior to coming to the institution. How did the correspondence  
23 come about?

24 INMATE GROGAN: She heard about me and, I guess,  
25 was interested. Call it curiosity or whatever. And we

1 started writing back and forth.

2 BOARD MEMBER COLLIER: She heard about you through  
3 the newspaper?

4 INMATE GROGAN: Newspaper, and she lived in  
5 Sacramento. And I think those girls were living there at  
6 that time. So I guess their presence, her knowing about  
7 their presence maybe --

8 BOARD MEMBER COLLIER: For the record, what girls  
9 are you talking about?

10 INMATE GROGAN: I think it was Sandra Good and  
11 Squeaky Fromme.

12 BOARD MEMBER COLLIER: Was she friendly with them?

13 INMATE GROGAN: I think she lived in the same  
14 neighborhood area. They had a garden plot, I think --  
15 it's a common thing now -- community garden where they all  
16 participate. Each person has their row or two that they  
17 cultivate. And I think that's where she might have seen  
18 those people there, ran into them.

19 BOARD MEMBER COLLIER: There is some comment --  
20 and I think I have got it here -- your wife -- and I'm  
21 taking it out of a report that was done for the last Board,  
22 last year's parole consideration hearing.

23 "He has married since his reception,  
24 and the girl he chose is not a Manson  
25 follower and was rejected and threatened

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1 by the Manson girls. This forced her to  
2 move to another area and obtain a post  
3 office box so that they could no longer  
4 contact her."

5 Did they at some point invite her to become a part of their  
6 -- become associated with them or something? Would you  
7 explain what he means by that statement?

8 INMATE GROGAN: They were threatening -- the fact  
9 that I had broken their bond of -- see, originally no one  
10 was supposed to get married in their clique. And I had  
11 since cut them loose, told them not to write. And they just  
12 wouldn't take no for an answer. They would insist. As far  
13 as communicating, I have even had a counselor try to put  
14 a "return to sender" on their communications.

15 BOARD MEMBER COLLIER: So they threatened your  
16 wife?

17 INMATE GROGAN: Right. They threatened her,  
18 you know, that "You ain't good enough to marry this guy",  
19 all kinds of things. It was a bad scene. I told her to  
20 move out of the area and get a P.O. Box so they wouldn't  
21 find out where she was living.

22 BOARD MEMBER COLLIER: And she has had no further  
23 contact?

24 INMATE GROGAN: No.

25 MS. SAMUELSON: There is a letter in the file

1 that indicates that.

2 BOARD MEMBER COLLIER: I saw it.

3 Let's say that at some point you were given a  
4 parole date and these particular plans that you have  
5 developed here, they all fell through. Do you have an  
6 alternative plan? Let's say your father no longer has a  
7 warehouse, your brother is not in house painting -- and I'm  
8 not wishing any bad will upon you -- or that the relation-  
9 ship between you and your wife falls apart. Do you have  
10 any alternate plan?

11 INMATE GROGAN: There are many things I could do.  
12 I could get a job as an aircraft welder at one of the various  
13 airports. There is always constant hiring at the large  
14 terminals. Plus my music, I can fall back on that. I'm  
15 a good enough musician where I can be employed as a studio  
16 musician or in a lounge somewhere. And a combination of my  
17 music ability, my art and my hobby ability -- I can make  
18 guitars. I can make high fidelity speakers. I can make  
19 fine art, jewelry boxes. Between all that, I have an income  
20 where I would be able to support myself and, you know, pay  
21 support to my wife and kid in case, like you said, there  
22 was a breakup.

23 BOARD MEMBER COLLIER: Okay. Do you send any  
24 money to your wife?

25 INMATE GROGAN: I send her money occasionally.



1 Maybe when I sell a painting, I send her 25, \$30.

2 BOARD MEMBER COLLIER: Right now she's supported  
3 by Welfare?

4 INMATE GROGAN: Right.

5 BOARD MEMBER COLLIER: She's going to school on  
6 an educational grant?

7 INMATE GROGAN: Right. That's what I plan to do  
8 with this artwork is try to send her some money and send  
9 the kid some money, get her on her feet.

10 MS. SAMUELSON: In your little summary there of  
11 your income, it indicates that there is enough money there  
12 as soon as you get out to start to give you a cushion so  
13 that pending finding a job, you will have something to live  
14 on. The savings that his parents already have for him  
15 will give him a start.

16 INMATE GROGAN: Plus there is \$200 that they give  
17 to you when you leave. They might give you half of it when  
18 you get out and half of it later.

19 BOARD MEMBER COLLIER: Okay. I don't have any  
20 other questions.

21 PRESIDING MEMBER BROWN: I don't have any  
22 questions.

23 BOARD MEMBER COLLIER: Okay. Mr. Shea, anything  
24 regarding parole plans?

25 MR. SHEA: No.

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1           PRESIDING MEMBER BROWN: Let's turn then to  
2 closing statements and recommendations, first by the  
3 District Attorney.

4           MR. SHEA: Well, this inmate participated in a  
5 very heinous crime, the brutal killing of an individual.  
6 And the psychiatrists' reports collectively seem to indicate  
7 a very dangerous person who has improved somewhat. But  
8 their remarks are guarded as to his future. And Dr. Malloy  
9 in one of his reports on 10/6/77, states -- it's on the  
10 second page of the psychiatric evaluation for the Community  
11 Release Board, dated October 5th, 1977. It appears to be  
12 page 2 and about one, two, three, four, five, fifth  
13 paragraph down.

14           "The major concern, in my opinion,  
15 is the fact that when he is eventually  
16 released on parole, he may decompensate  
17 from an emotional standpoint, with  
18 increasing thought disorganization  
19 and impaired judgment. Under these  
20 circumstances, and again given the  
21 history of his violent instant offense,  
22 he could, in my opinion, I believe, extremely  
23 dangerous.

24           And you look at the most recent psychiatric  
25 report by Clinical Psychologist Bruce Sanders and confirmed.

1 by Dr. Doody, Staff Psychiatrist. And he is evidencing  
2 hesitations or doubts as to this individual. He says,

3 "Subject says that he has learned  
4 to think for himself and to avoid dom-  
5 ineering leaders. I believe he has made  
6 progress in this area, but the impression  
7 is still of a suggestible man who is more  
8 a follower than a leader."

9 And then he goes on to state,

10 "He probably could benefit from further  
11 psychotherapy that focused on increasing  
12 his independent decision-making abilities."

13 But he also indicates that he is reluctant to discuss these  
14 things within group sessions. He has a reason, says he  
15 doesn't want this to get back to the Family. But, on the  
16 other hand, whatever his reasons are does impair his  
17 ability to improve his position from a psychotherapy stand-  
18 point.

19 For these reasons and these guarded reports, with  
20 the potential extreme of violence potential -- and keeping  
21 in mind the serious and vicious crime that he committed --  
22 I would urge the Board at this time to find him unsuitable  
23 for parole.

24 But, on the other hand, if the Board were to set  
25 a matrix, I would urge the Board to find it to be C II, in

1 that there was severe trauma -- the person was clubbed and  
2 stabbed repeatedly -- and that there appears to have been  
3 a prior relationship between the deceased and this inmate.  
4 And I would urge the Board to find the upper term of 19  
5 years because of the vicious manner in which the crime  
6 took place and the fact that the body was buried; there was  
7 great effort to hide the body; and it was several years  
8 before he came forth and told the authorities where the body  
9 was buried.

10 MS. SAMUELSON: Excuse me. I think I want to ~~just~~  
11 correct you, Mr. Shea, if I may, in terms of the matrix.  
12 You said 19, upper term 19. And I thought you said II C.

13 MR. SHEA: C. That would be 17. Excuse me.

14 PRESIDING MEMBER BROWN: C III, 17 (sic).

15 Okay, Counsel, closing statement.

16 MS. SAMUELSON: Well, I think both Mr. Grogan  
17 and I agree that the crime is serious. There is no question  
18 about that. His participation in it, though, is explained  
19 by his indoctrination, this influence that Mr. Manson had  
20 over him and other people, his particular susceptibility  
21 to it at that time of his life, his age, factors which were  
22 taken into consideration by the judge when he reduced the  
23 sentence from death to life, which was a very courageous  
24 thing to do. Considering at that time there was a lot of  
25 publicity surrounding the case, it probably was a very

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1 difficult decision for him to make, just as the decision  
2 that you are faced with is also very difficult at this time.  
3 I'm aware that the other people involved, Mr. Manson, Mr.  
4 Davis, have not received parole dates. I have read Mr.  
5 Davis' transcript of the hearing that he had; and I would  
6 distinguish his case from Mr. Grogan's case in asserting  
7 that at this time Mr. Grogan should be found suitable whereas  
8 Mr. Davis perhaps has a different situation. He has two  
9 convictions, two separate murder convictions, one of Hinman  
10 and one of Shea. Manson has so many convictions that they  
11 stayed the one on Shea, so that they didn't even discuss  
12 the circumstances of that offense, except in passing.  
13 They indicated, the District Attorney's Office indicated  
14 that this murder was really the only one that had any  
15 kind of comprehensible motive to it, the other ones being  
16 just random selection killings.

17 So that I think that it's time to deal with Mr.  
18 Grogan as an individual rather than as a Manson follower,  
19 a Manson, you know, gang member. All of those inferences  
20 that are rampant throughout this addendum -- I'm sure you  
21 have noticed in there a newspaper article that deals  
22 specifically with Manson's transfer to another institution.  
23 Now, why that's in Mr. Grogan's file, I'll never know,  
24 except that it's in there because whoever made up the file  
25 still associates him with Manson to the extent that they put

1 something in about Manson in his file, which I think is  
2 really unfair to him. It gives you -- it leaves you in a  
3 difficult position to assess him independently with all  
4 of this publicity that's surrounded this case.

5 I have also taken an opportunity to read other  
6 files in the CRB office, trying to draw some similarity  
7 between this offense if you subtract the association with  
8 Manson from it. And I came across one that was very  
9 interesting. It was a situation where a man was married  
10 to a woman. He lived next door to another woman whom he fell  
11 in love with, became infatuated with. And she talked him  
12 into hiring a couple of people to kill his wife. He was  
13 under, he said, her influence. She talked him into it, and  
14 he really was infatuated with this; so he kind of acceded  
15 to her. He hired two men to go meet him and his wife on  
16 the pretext he was taking her out for a Sunday drive. He  
17 took her out. The two men showed up, and they executed  
18 her. And he was convicted of murder for hire. Okay. He  
19 was found suitable this last time. Now, those circumstances  
20 don't to me seem any more brutal, any more heinous than  
21 this case. If I can just urge upon you to separate the  
22 whole Manson, you know, influence from it, the attitude,  
23 the prejudice, you have a situation where Mr. Grogan is  
24 feeling this person is threatening his lifestyle. At the  
25 same time, his indoctrination to this whole family is kind of

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1 a substitute for his other family that he has kind of  
2 rejected at this point in his life. He is 15; he has  
3 taken a lot of drugs. He is experimenting in all sorts  
4 of different things. He is really susceptible at this  
5 point.

6 So there are two things working. There is an  
7 indoctrination process, and there also is an attitude that  
8 this person, specifically Mr. Shea, is threatening their  
9 existence. Okay. So he acts under suggestion, under  
10 direction of Mr. Manson to participate in this killing.  
11 But actually, if you look at his participation, you see  
12 where he has hit somebody over the head with a wrench,  
13 not knocking them out completely. Another person has come  
14 onto the scene, has initially stabbed him. Manson shows  
15 up and influences him to the extent where he hands him the  
16 knife and tells him to stab him. At this point the person  
17 has already been stabbed. So this is no excuse for it;  
18 it is serious. But, you know, you have to divorce all of  
19 that prejudice from it and view it independently on its  
20 own merit or dismerit, without the unfairness of Manson's  
21 name.

22 I have a -- I'm sure that you have sat on lots of  
23 cases, and you have found people suitable. And I'd like you  
24 to just think about those cases when you are considering  
25 this case and trying to look at the facts specifically

1 and thinking in your mind of the cases where -- they are,  
2 all murders, Okay. And in that sense, they are all brutal,  
3 and they are all senseless. There is no justification for  
4 them or else they wouldn't be first degree murders. That's  
5 assumed -- and compare these things with the facts of this  
6 case.

7 Now, I didn't sit in the CRB office for days and  
8 days, and maybe it's what's going to be needed so that I  
9 can draw some kind of statistical review to indicate that  
10 this case, when dealt with on its own, doesn't -- merits  
11 a finding of suitability rather than unsuitability, and  
12 the factors are present for the finding of suitability.

13 And I can review them. They are in the CRB  
14 Rules in Section 2281(d). And practically every circumstance  
15 in that section applies to Mr. Grogan. By the own records  
16 of the prison and by CRB screening itself, the juvenile  
17 record is viewed as minimal, and it really is minimal.  
18 There is a stable social history. That's another concern.  
19 There are signs of remorse in this case. The motivation  
20 for the crime, the factors indicate that it was resulting  
21 from a significant stress in the person's life, especially  
22 if the stress had been built over a long period of time.  
23 That certainly applies in this case. There is a lack of  
24 criminal history. The person, Mr. Grogan, was 18 at the  
25 time. He had no prior felony convictions. His youth at the



1 time is another circumstance to consider.

2 PRESIDING MEMBER BROWN: , Can I -- one point.  
3 I come to the conclusion he was 18 at the time the murder  
4 was committed. I keep hearing 15 and 16. My arithmetic  
5 would say he is 18.

6 MS. SAMUELSON: That's true. He is 18 at the  
7 time.

8 PRESIDING MEMBER BROWN: Okay. Because during the  
9 course of the conversation, I heard 15 and 16.

10 MS. SAMUELSON: Well, I think that the confusion  
11 is that he was 16 when he got to the Ranch. He ran away  
12 from home at 15, got to the Ranch. And Manson shows up a  
13 year later, and he is 16. And then that's when this  
14 association -- if I said 16, I was in error.

15 PRESIDING MEMBER BROWN: Okay.

16 MS. SAMUELSON: Another circumstance showing  
17 suitability is that he understands and plans for the future.  
18 He has got real solid plans. Giving him a date at this time  
19 will make them even more solid. It will give him a chance  
20 to really make some decisions about his future life, even  
21 if it's a couple years from now.

22 His institutional behavior has been fine. You  
23 know, there hasn't been any serious disciplinaries. There  
24 are a few minor disciplinaries, but no violent disciplinaries.

25 In choosing the appropriate term, assuming you

1 find him ~~suitable~~, I would probably place the crime in a  
2 similar category. But I believe that several mitigating  
3 circumstances exist, the first one being that -- B category,  
4 which is the lower category. I think death was almost  
5 immediate. That kind of puts it down to one degree lower.  
6 And I think that you can make such a finding from the facts  
7 as related to you by Mr. Grogan. Also I believe another  
8 circumstance in mitigation would be that he participated  
9 under partially excusable circumstances; that is, he was  
10 under the influence of another person to some degree. He  
11 didn't have an apparent predisposition to do it on his own,  
12 probably wouldn't have done such a thing on his own if he  
13 had never met Manson. Again his minimal history of  
14 criminal involvement and behavior. That it is a situation  
15 that's unusual and unlikely to recur, I think, is present  
16 also. He has no violent history at all, nothing before,  
17 nothing after, except for the incident of being attacked.  
18 His age at the time is very crucial. And I think also you  
19 can say that he committed the crime during a time in his  
20 life with extreme pressure, stress, emotional trauma. That  
21 also should mitigate. And I think that an appropriate  
22 term would be the lower in that category, which would be 13.

23 And I think the psych reports -- I think it's  
24 really unfair and inaccurate to rely so much on Dr. Malloy's  
25 report, considering the rest of the reports. I don't think

1 it's accurate to pull that one specific report out when  
2 you have got a real supportable basis of a progression,  
3 improvement, and you've got a 1978 report that's very  
4 positive. You've got a 1979 report that, with respect  
5 to the prior report, is also positive. And so I think  
6 that considering all of the factors that went into Dr.  
7 Malloy's report, including the fact that at the time Steve  
8 had not admitted his guilt, that could make a real dif-  
9 ference in his interpretations of Steve's attitude and  
10 how he related to him. We don't know; we just don't know  
11 what went into it. But certainly the emphasis that's being  
12 placed on it is unwarranted, and you shouldn't just base your  
13 decision on this one report and justify it by this one  
14 report, without looking at the previous reports and the  
15 most current report and again the fact that Steve has  
16 initiated contact with Dr. Mattocks and he is involved in  
17 the Category E treatment at this time. Now, he is going  
18 to continue with that. Okay? And he will continue it if  
19 you find him suitable and give him a date. He will continue  
20 with it because he thinks it's important to himself.

21 Denying him a year to force him into a situation  
22 that he's going to, you know, be more encouraged to go to  
23 Dr. Mattocks, I don't think that that's a concern. I believe  
24 it's not a concern in this case. I have talked with Dr.  
25 Mattocks myself, and I believe that he is really sincerely

1 interested in helping Steve, and I think Steve is sincerely  
2 interested in talking with him for his own benefit. So to  
3 hold that kind of out there as a carrot I think is really  
4 counterproductive because I'm sure, as you know, when you  
5 give somebody a parole date, you're really giving them  
6 something to work with and probably increasing their chances  
7 of progressing at an even faster rate and becoming more  
8 able to deal with becoming a productive member of society  
9 again.

10 So I would request that you find him suitable  
11 that in your decision you review the article that I sub-  
12 mitted to you about cults, trying to incorporate that  
13 information when you review this other information so that  
14 you have a fuller understanding of all of the circumstances;  
15 and, you know, act courageously. Because I know it's a  
16 difficult decision considering the publicity. But I think  
17 it's justified. As the rabbi or the chaplain states, you  
18 know, he believes that whatever trust you put in him is  
19 justified. And I think that Steve is deserving of that  
20 trust and of a suitability finding and of a parole date.

21 PRESIDING MEMBER BROWN: I have one question.  
22 I'm trying to separate in my mind one point you're trying  
23 to make. One of the reasons, or I guess the reason that  
24 the crime was committed, according to what we have heard  
25 today, is because Manson told him to do it. And whatever

1 state of mind he was in, he went ahead and did it. Your  
2 last argument is that we shouldn't consider Manson when it  
3 comes time to decide whether he is eligible or should  
4 receive a parole date. Grant you, other crimes for which  
5 Manson was committed and this inmate was not should not  
6 bear into whatever the determination is in this particular  
7 case. But in fact Manson is a crime partner in the very  
8 murder we're talking about. And, according to this inmate,  
9 that's the reason that he did it. So I would have diffi-  
10 culty separating Manson from the murder for which this man  
11 is convicted.

12 MS. SAMUELSON: Well, I'm trying to -- in sep-  
13 arating Manson, I'm trying to separate Manson's notoriety.

14 PRESIDING MEMBER BROWN: For the other crimes.

15 MS. SAMUELSON: For the other crimes. But I'm  
16 also trying to indicate to you that I believe there were a  
17 couple things that were going on at that time. Okay? It  
18 was Manson's influence definitely that had an effect on  
19 Steve. But I don't think you can say that the murder was  
20 senseless or without a motive on Steve's part because I  
21 think his involvement with Manson, his involvement with  
22 the Ranch made him feel like the victim was a threat. Okay?  
23 He may not have acted toward that victim who he perceived  
24 as a threat to the extent of murdering him had Manson not  
25 been there. But the fact is that he was, and so that is a

1 contributing factor. It's an important factor. But I  
2 don't think it's the only factor.

3 PRESIDING MEMBER BROWN: That's what I'm saying.  
4 You can't really separate -- if you follow your argument,  
5 you can't really separate Manson from the crime for which  
6 you were committed because you're saying that he is an  
7 integral part of it.

8 MS. SAMUELSON: I guess what I'm trying to do  
9 is delete Manson from it, but put in the factor that there  
10 was an indoctrination process going on. Now, whether his  
11 name is Manson or Mooney or Reverend Sun or whatever, the  
12 fact is that his state at that time was suggestible due to  
13 his youth, due to the amount of drugs that they were taking,  
14 due to the psychological indoctrination that was taking  
15 place. And I think had that not happened, he wouldn't  
16 have done the murder. But I think that the fact that  
17 Shea was involved to that extent in the situation there,  
18 rather than just being a person that walked on, and Manson  
19 told Steve to go kill this person he had never seen before  
20 -- that's not what this case is about. You know, this is  
21 not the Tate case.

22 PRESIDING MEMBER BROWN: Okay. Panel members  
23 have any questions?

24 It's now approximately 4:50. We'll recess for  
25 purposes of arriving at a decision. We'll call you back.

1 in the room when a decision has been made.

2 (Upon the room was cleared, and the  
3 hearing of the Community Release Board  
4 recessed for deliberation by the Board.)

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RESUMPTION OF PROCEEDINGS

--ooo--

1  
2  
3 PRISONING MEMBER BROWN: Back on the record.

4 The time is now approximately 5:52 p.m. All those present  
5 in the room at the start of the hearing are present in the  
6 room again at this time.

7 The following is the decision of this panel in  
8 this case. And the decision is unanimous. And based on the  
9 following circumstance, the panel finds the prisoner  
10 unsuitable for parole at this time.

11 The prisoner committed the murder offense in an  
12 especially heinous, atrocious, and cruel manner. The  
13 prisoner first struck the victim on the head with a metal  
14 object which, according to the prisoner, knocked the  
15 victim out of his vehicle. Subsequent to being knocked  
16 out of the vehicle by the prisoner, the victim was repeatedly  
17 stabbed. After killing the victim, his body was covered  
18 with leaves and left at the crime scene. Later that day  
19 the prisoner returned to the location of the crime and buried  
20 the body. The victim's body was not discovered or recovered  
21 until several years later when the prisoner, on his own  
22 volition, notified the authorities of the location of the  
23 body.

24 The execution-type offense was carried out in a  
25 manner which demonstrated advanced planning and callous



1 disregard for human suffering.

2       When the commitment offense is measured against  
3 the prisoner's subsequent institution adjustment, a further  
4 period of observation and evaluation is needed prior to  
5 setting a release date.

6       Two, when the prisoner first arrived in CDC,  
7 his initial psychiatric diagnosis on 3/7/72 by Dr. Wittner  
8 was not clear. On 10/5/75 Dr. Wittner diagnosed the  
9 prisoner as suffering from schizophrenia, chronic, undif-  
10 ferentiated type, in partial remission, and that the  
11 prisoner had made no psychiatric gains. On 2/12/76 Dr.  
12 Wittner again diagnosed prisoner as suffering from schizo-  
13 phrenia, undifferentiated type, in good remission, and  
14 psychiatric progress to a moderate extent. On 10/5/75 Dr.  
15 J. Malloy diagnosed the prisoner as suffering from schizo-  
16 phrenia, undifferentiated type, violence potential well  
17 above average. On 12/2/77 Dr. E. Mackenberg diagnosed  
18 the prisoner as suffering from schizoid personality  
19 associated with dyssocial behavior. The prisoner was not  
20 viewed as an imminent menace at that point. Violence  
21 potential in the community was seen to be low to moderate.  
22 A course of therapy would be in the prisoner's best interest.

23       On 7/31/78 Dr. Macomber's diagnosed impression  
24 was a schizoid personality, improved. Prisoner has shown a  
25 considerable improvement. Violence potential appears below

1 average. On 8/13/79, after a Category D diagnostic study,  
2 Dr. B. Sanders' diagnostic impression was immature per-  
3 sonality. Prisoner has psychiatrically improved moderately,  
4 likely to hold his present gains, recommend Category E as  
5 appropriate. And then Dr. T. Doady concurred in that  
6 impression. The prisoner is now receiving one-to-one  
7 therapy with Dr. Mattocks from 9/79 to present.

8 In view of the totality of the psychiatric record  
9 and the implications it raises concerning the prisoner's  
10 dependence and suggestibility, which appear to have played  
11 a large part in the murder, a further period of observation  
12 and treatment is warranted.

13 Recommendations to the prisoner. One is to  
14 continue in your therapy program. Two is to be disciplinary  
15 free. And three is to maintain your present institutional  
16 gains.

17 Any comment by the panel?

18 BOARD MEMBER COLLIER: I have none.

19 PRESIDING MEMBER BROWN: Mr. Vineyard?

20 HEARING REPRESENTATIVE VINEYARD: Except that one  
21 of the very few ways that the questions that do still exist of a  
22 psychiatric nature can be reconciled is through the program  
23 that you have just started with Dr. Mattocks. This will  
24 provide some of the answers and some of the clarifications  
25 needed.

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1           PRESIDING MEMBER BROWN: We had a lengthy  
2 discussion -- and it's obvious from the amount of time we  
3 took -- of what you have done and what you have not done  
4 and what you can do. You have made substantial institution  
5 progress. And in light of what other inmates do, you have  
6 made substantial institution progress. But you're coming  
7 from a long way considering the crime that was committed  
8 and how that crime was committed. And in view of all of  
9 the issues, the panel just couldn't make a finding, as  
10 required by law, that you are no longer a danger to the  
11 public at this time. We do recognize what you have done  
12 that was not overlooked. You have done a substantial amount  
13 of things.

14           Okay. It's now approximately six o'clock. This  
15 concludes the hearing.

16           I will tell you two things. First, you're  
17 entitled to another parole consideration hearing one year  
18 from now. You do have appeal rights to the decision that's  
19 made today which won't become final for 60 days. And those  
20 appeal rights are found in Section 2050 of the Community  
21 Release Board rules.

22           MS. SAMUELSON: Could I ask a question?

23           PRESIDING MEMBER BROWN: Yes, you may.

24           MS. SAMUELSON: With reference to maybe getting  
25 some further assistance, psychological or psychiatric

1 assistance from outside sources, do you know what response  
2 that would -- how the Board would receive that next time?

3 PRESIDING MEMBER BROWN: What do you mean?

4 MS. SAMUELSON: If Mr. Grogan was able to obtain  
5 another source of counseling on the outside to come in on,  
6 say, a regular basis -- I'm just trying to get from you  
7 what kind of attitude you have about that, whether you  
8 think that because the inmate is paying for it, they're  
9 going to say --

10 HEARING REPRESENTATIVE VINEYARD: Can I tell you  
11 what my attitude would be? Why do that when the man who he  
12 is assigned to here on a one-to-one basis, which is very  
13 unusual, is probably one of the most outstanding people  
14 we have in working with people like this: Why spend his  
15 money for something else? And also you will find that  
16 Dr. Mattocks won't touch him if you want to duplicate the  
17 treatment that he's getting from him.

18 MS. SAMUELSON: I agree with you. But my concern  
19 is that Dr. Mattocks won't write a report. I was talking  
20 to him, and he --

21 PRESIDING MEMBER BROWN: He won't write a report?

22 MS. SAMUELSON: He feels like the best way he  
23 can assist somebody psychiatrically is to kind of stay out  
24 of that position. And he's kind of taking a position  
25 recently where he doesn't write reports. His contact with

1 the prisoner is just on that basis, and somebody else does  
 2 the Board report. And if that's going to happen, I see,  
 3 like, Steve making more progress and it not showing up  
 4 next year and getting another Board panel that reads the  
 5 report that's equivocal in some respects. And then we go  
 6 -- I mean, to me, there is no insurance; and I'm trying to  
 7 figure out some way, because I think --

8           PRESIDING MEMBER BROWN: There isn't any insurance  
 9 for what you're asking for. I don't think there is any  
 10 insurance for what you're asking for. Some psychiatrist  
 11 or some psychologist is going to make a report. And based  
 12 upon that, what he says, along with all the other things  
 13 that have been said -- and that's the thing we have been  
 14 looking at today, is all of the things that were said right  
 15 from the beginning right up to where you are right now.  
 16 And in terms of whether -- just to answer your question --  
 17 specifically in terms of whether or not another psychiatrist  
 18 can come in, the Board doesn't have a position on that.  
 19 That isn't our position. It's whether the institution  
 20 would let him in the institution. We don't really  
 21 determine that issue. If there was another psychiatrist  
 22 who were to write some kind of a paper or something and  
 23 submit it to the Board next year to be reviewed, we'd look  
 24 at it as we look at anything else that comes in from family  
 25 members or anybody else. So it's not a case of us saying no.

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1 he can't, because the Board doesn't have that position.

2 MS. SAMUELSON: No, I know that. I know you  
3 wouldn't say that.

4 PRESIDING MEMBER BROWN: The Board doesn't have  
5 that position. If he were a licensed psychologist or a  
6 licensed psychiatrist, it would be received and evaluated  
7 just like everything else we're looking at.

8 MS. SAMUELSON: Yes. I guess I was just asking  
9 for some statement.

10 PRESIDING MEMBER BROWN: I think it's a legitimate  
11 question because occasionally someone wants a separate  
12 diagnosis. But the Board doesn't have a position, no,  
13 you can't go outside and --

14 MS. SAMUELSON: I know that wouldn't be a written  
15 policy. I guess I was expecting you to just tell me, you  
16 know, what your attitude is. I guess that's asking too  
17 much.

18 PRESIDING MEMBER BROWN: Well, you're asking us  
19 to make the decision before we have the evidence.

20 MS. SAMUELSON: Another question I had with  
21 respect -- and it bothers me that the words that are being  
22 used to characterize the offense are so drastic. (And, you  
23 know, like I said before, every murder is heinous; every  
24 murder is brutal. Could you elaborate on what kinds of  
25 things you're looking at when you characterize that?

1           PRESIDING MEMBER BROWN: Just the things that led  
2 to the murder and how the murder happened and what happened  
3 after it. Now, how -- other than just taking the words  
4 that we have used, I don't know how I can give you any  
5 better explanation. I think it's the English meaning of the  
6 words.

7           Okay. This concludes the hearing.

8           (Thereupon the hearing before the  
9 Community Release Board adjourned  
10 at 6:02 p.m.)

11                                 --OOO--

CERTIFICATE OF SHORTHAND REPORTER

I, FRANCES ANN PETERSON, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing Community Release Board Hearing was reported in shorthand by me, Frances Ann Peterson, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 15<sup>th</sup> day of November, 1979.

*Frances Ann Peterson*

FRANCES ANN PETERSON  
Certified Shorthand Reporter  
License No. 4379