



FEDERAL BUREAU OF INVESTIGATION

RYMUR

(JONESTOWN)

BUFILE NUMBER : 89-4286 (BULKY 2018)

S - 1 JOSEPH MAZOR

SUBJECT RYMUR

FILE NUMBER BUFILE 89-4286

SECTION NUMBER _____

SERIALS BULKY 2018

TOTAL PAGES 496

PAGES RELEASED 496

EXEMPTION(S) USED b7c

S-1 JOSEPH MAZOR



S-1-a

JOSEPH MAZOR TAIRES

Widely

Copy

Copy of report SAM
re letter from K. Hunter.



Transcriptions



3-1-6

1944

S-1-b-1b

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

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

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

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

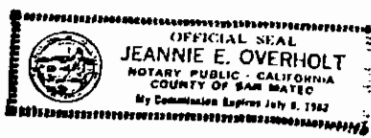
Joseph A. Mazor
Joseph A. Mazor

25 State of California)
26) ss.
28 County of San Mateo)

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

Joseph A. Mazor

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



Jeannie E. Overholt
Jeannie E. Overholt

31
32

S-1-b-

MAZER: SEPT 11th 1978

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

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

5-1-b-3a

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

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

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

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

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

P I don't remember her name either.

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

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

M Okay put Gene on the phone.

G Okay go on.

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

G Roger

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

G Roger roger

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

G Roger roger

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

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

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

M I have it in front of me. over

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

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

G Roger roger, its feasible

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

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

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

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

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

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

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

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

September 14, 1978 (P5)

5-1-b-3c

P Gene Brown should have a letter from them about the bank account

M That's 104 -- anyone else have anything.

P Yes I was just thinking about what he said when I met him. I'm pretty sure it was okay you've found me something like that. I'm sure he said something to the affect get it over with, get it over with.

M What did he expect you to do, pull your gun and shoot him.

P I don't know what he thought, but I just remembered his composure, he just turned white. He's obviously a man who had done something very wrong.

M Roger Roger hard to look at.

P Well..

M Keep on broadcasting... you don't know what investigations are

S Somebody here remembers that one time back when he was still working in S.F. in his office a tape recorder, a tape recorder disappeared and he had claimed he never owned one, but a tape recorder had disappeared and he was very very very nervous about it he was really upset about it.

M While the papers are at it, he stole it or had a good tape on it or it was from his boyfriend and he didn't want anyone else to hear it. Over

Roger roger

M Okay I think that's it from here at least for tonight, but please pass the word to all the people who are in the command position over there, pass the word tonight and tomorrow morning for everybody to think I'm leaving tomorrow evening, I want to go back with as much material as I can possible have, I'm going to have to trace everyone of these bank accounts and by the looks of it, he's got bank accounts in every country in the world, now please everything you can think of about his movements in January, February, March 1977 is that a copy.

S Roger roger and I have some notes here in his handwriting and we'll go through and Jim says thank you very much for your thoroughness, he appreciates it very very much.

M If you like my sarcasm as much as my thoroughness, we'll get along just fine....

S Roger roger, you're okay

M We have no more traffic on this end, you're clear

S Negative negative Jim says best of love and best regards, take care of yourself he says

M Tell him I get 10% on everything I recover.

S That's alright with us, that's alright with us. Jim says no complaints.

M We'll talk tomorrow, we'll talk tomorrow

M If you have any other info let us know

End of tape

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

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

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

MAZOR - Thats a Roger.

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

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

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

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

PROKES - O.K. The only reason it was mentioned it could add to the problems of something didagain and there is indications that they are preparing, because inquirers they have made, direct inquires both the Enquirer and the New West.

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

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

MAZOR - No he went to bed he got tired.

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

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

MAZOR - Today is friday. over.

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

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

PROKES - No I'm getting sleepy.

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

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

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

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

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

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

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

MAZOR - HELLO THERE.

PROKES - O.K. go ahead.

MAZOR - repeat your question

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

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

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

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

PROKES - You quite an unusual man he says

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

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

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

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

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

PROKES - yes

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

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

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

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

MAZOR - I don't want it because your never going to see it, all your going to get back whatever he has left. And what you get back your gonna

need it because you have expenses yourself. Charles ~~payx~~ pays me according to a procedure we arranged at your inquirer. So you discuss it with your attorney not with me. Is that clear? over

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

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

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

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

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

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

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

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

PROKES - Rodger, Well that

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

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

MAZOR - Those are the sweetest words I've heard throught this wholr Q&A.

Every once in a while Mike you get a chance to do something right.

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

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

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

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

PROKES - He says that your darling.

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

PROKES - Your as tuff as ~~Wales~~ but ~~you~~ an angel of a human being and we sure appreciate it

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

PROKES - So long Joe, talk to you tomorrow.

.... END

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

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

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

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

~~MAZORx-~~

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

MAZOR - You are a dream.

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

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

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

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

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

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

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

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

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

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

SARAH * Rodger

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

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

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

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

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

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

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

THOMAS - No Neg. No information on the stuff.

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

Good-night Joe Thanks for everything.

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

MAZOR - Oh thats a shame.

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

THOMAS * No nothing else.

THOMAS AND PROKES SMALL TALK, reg . traffic.

SIDE TWO - BLANK

MAZOR INTERVIEW, TAPE 1 SIDE 1 (Gene Chaikin & Mazor Radio Tape
September 14, 1978 & Jim Jones)

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

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

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

G Not to my knowledge, he did not.

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

G Roger Roger Roger
he went over there

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

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

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

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

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

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

G Roger, Roger

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

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

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

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

September 14, 1978 (Side 1 continued)

M Alright, you have something for me?

G Yea, I was just wanting to point out, it may be needless, that you remember a year ago that among other people you met, you met a fellow by the name of Don from the Oakland area?

M That's a copy.

G Roger, Roger, you know who I'm talking about?

M That's a copy, I remember him.

G Yea and do you remember the fellows he moonlights for and has for a number of years?

M Vaguely, can you refresh my memory, over.

G I'm sorry I've got the wrong name, his name is David and he use to moonlight for some folks besides his regular job and he was telling us about the moonlighting you did over the years.

M You have to come again you've got interference.

G Roger Roger I had the wrong name, the fellows name is David - a middleaged fellow gray hair kind of a thin face, David he came from the Oakland area.

M I vaguely remember someone Gene, but I don't remember where I met him.

G Well, he was connected with the oil business.

M Oh, that's a Roger, security on the oil rides in Saudia Arabia copy?

G Yea, yea, yea, well you remember the fellows he use to moonlight for?

M Oh, no I don't, I thought it was Bechtel for a minute but I don't think so. Over

G Okay, you remember, yea you remember Dave Kahn?

M Yes I remember.

G And you know who he use to moonlight for, he had a part time income producing job. Right.

M Oh God, got you ^{yes okay} Danners

G Right, right, right, I was thinking some of the people that he use to provide information for ~~that~~ might be interested in this little event in Timonthy's life.

M That's a copy, that's already in the tape. We would really want to be those type of people, but their money belongs to

September 14, 1978 (Side 1 continued)

- M the Temple and first-come-first-serve is an old attic, he who gets it gets down first, is that a copy.
- G That's a big big big 104. Okay well good, its good to hear from you. Is there anything more right now.
- M 803, 803 do you copy 801, over.
- G Roger Roger Roger copy go on with your traffic.
- J Do you copy, do you copy.
- M Yea you copy go ahead.
- J Okay we just wanted to see if you did. Do you have any more traffic for us good man?
- M Not at this time.
- J Okay, I know Im subjective, but that one man, it looks like the one man that isn't the biggest culprit of them all, he's the one that I might say subjectively I have the greatest reaction to; because he's trying to look like Mr. Clean and above everybody else, and maternalistic to all people and acting like he's a Saint, is he clean. over.
- M No he is not clean, he is as dirty as that.
- J I'm sorry to admit that I have such a feeling but you're an honest man and I like that statement you gave here last night about power. I like you very much, you're a straight-forward man and I'm sorry to say that I would like to see that man gets justice. Some other questions here that Sara wants to ask you.
- M We're on top of someone, I think you declare frequency 6F go up 6 you copy.
- S Roger, Roger, Roger, 8R1 8R1 do you copy? One thing we wanted to ask you if there's any way that we could be of benefit to you in writing to anyone or getting any letters in on your behalf and any kind of situation that could be helpful to you in anyway, let us know, okay?
- M Negative copy, that whole thing was a negative copy
- J Do you copy, you copy
- M You copy 104 go.
- J I know that one chap - Rock, that Rock he is a very devious person, I know that he will probably be writing letters about people who are doing good. Now I've made a couple of contacts as I told you with one author; I'm also a very good friend - another man's been very friendly to us -- how do I say that

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

J Is that the case?

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

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

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

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

M 104

J You caught me why don't you get ^{it} over with?

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

J Prokes is looking.

M And who was present when he made that statement?

J Prokes heard him.

M That's a Roger.

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

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

J I imagine, I imagine.

M 104

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

M Where was this statement made.

J Heath Row Airport at the baggage collection depot.

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

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

M That's a Roger, we had suspicion and when you hear the tape, you will find that we had already suspicioned ^{that it was} the Royal Bank

September 14, 1978 (Side 1 continued) P6

3-1-b-5cc

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

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

M That's a Roger.

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

M Roger

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

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

J You bet your life and it will always be that way -- note made in late February '77 while in Guyana, note is Royal Bank, (I can't read my -- what does it say there) Royal Bank one change & a square - 2 safety deposit boxes its outlined in a square but there is no number, but its in his own what's that one up there - get change bank. 2 p.m. change bank and then beneath it is Royal Bank and then beneath that is Royal Bank and beneath is change. Then #2 in a square is safety deposit box.--yea he claimed to me he didn't have a penny one -- you copy.

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

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

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

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

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

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

September 14, 1978 (Side #2)

M Okay Mike this is Joe do you copy

M Okay I want you to take me back through ^{your} this episode with Mr. Hunt, do you copy over.

P Repeat the name?

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

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

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

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

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

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

P The person had left it with him.

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

P I believe it was at his home.

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

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

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

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

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

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

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

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

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

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

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

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

M Okay, then what did Maria do over

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

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

M Go --

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

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

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

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

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

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

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

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

M I got it - that's beautiful

J I thought you'd enjoy that--

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

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

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

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

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

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

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

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

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

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

M Will you send tire scenario of that conversation between your counsel is coming to you by airplane to you tomorrow - make sure both sides of the tape recorded the conversation

September 14, 1978 (Side #2) P9

S-1-b-5e

P Roger

M Then what did Maria do.

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

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

P She thinks there was no address on the suitcase.

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

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

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

P That's a roger.

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

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

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

M Did you find any keys in the suitcase over?

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

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

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

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

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

M Stand by. ^{Did} Mr. Hunt call the subject back and tell him what flight the bag would be on over.

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

M That's a roger stand by. .

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

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

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

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

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

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

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

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

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

P Roger

September 14, 1978 (Side #2 continued)P10

S-1-b-5e(1)

M How did -- what did you understand the subject to mean by those words over

P Well he was so taken back that -- stand by -- its really difficult, I didn't really know, I just know he looked surprised, but we didn't know -- we weren't sure what he meant.

M Did you ask him what he meant

P No, and you know we've never been of a violent nature so it didn't occur that's what he may have meant

M Did he know that you had a CPW

P Repeat

M Did the subject know that Mike was looking for a CPW permit over

P Roger roger M Do you feel that that statement which he made could have been in connection with his knowledge of your possession of that permit over

P Well sure it sounded like a man who had done something and deserved to have that done to him.

M Did you at any time cause the subject to feel fear from your possession of that permit? over

P Repeat M Did you ever cause the subject to have fear because of your possession of that permit? over

P That's negative, never --

M You....

P Negative copy M That's a copy -- how did you carry on after you met Stoen, what happened next over

P He knew Sandi didn't trust him.

M What did you do after you met Stoen and had talked to him in the airport? What did you do next? over

P We went and talked to him -- stand by

M Where did you talk with him?

P It was a place near by, it was an eating place at the airport.

M What did you do next, did you go to his apartment, did you go with him anywhere? over

P Then we got a ride to a hotel and had dinner, copy

M That's a copy, what did you do next?

P Standby, stand by --

S Stand by a second, Mike is trying to think M Tell him to do it on his own time

P Okay, after that we had dinner, I was trying to remember whether it was the same night she went with him and I went back to where we stayed the night before and that night she went with him and stayed with him where he was and I went back to where we were and the next day we met at the airport and I went back to the states

M Alright let me get this one straight. After you had dinner, Sandi went with the subject to the hotel where he was staying and you went back to the hotel where you were staying and the next morning the two of you got together (three of you) got together again and left London, is that correct.

P I am not sure it is correct Joe, but what I think, she'll know there may have been a day in there when she was with him, it may have not been the next day, stand by, okay I'm trying to piece this from our memories of what she told them and what I remember. He said that he had to meet some of his friends the next day and that he

September 14, 1978 (Side #2 contin: All

5-1-b-5f

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

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

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

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

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

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

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

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

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

M Did that address book have JP or GP over

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

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

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

P You can see our whole file on it

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

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

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

M Stand by...

P you know its the same, the same office

End of tape....

S-1-b-5f (1)

①

Mazor + Chaikin on lead
memorex side.

5-1-b-6a

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

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

Chaikin, "Yeah, I see that very clearly. I'll tell you what. Off of the top of my head, I would think that we would want to discuss this matter, with some people here. At the time that we had some ammunition, you know, I mean some really well developed ammunition and documentary material." "I'm not even going any farther than what I did. What I'm trying to establish is words of a letter before this. When I was with Sir Lionel, I wanted to make sure that there was a validity because ~~if~~ if Stoen were to come back to England, I would like to see that maybe his arrest could take place there." said Mazor.

Chaikin said, "Well, if our suspicions were anywhere near accurate, he may have to." Mazor, "That's true and I'm sure that the leader of the concerned relatives would all but disappear when as soon as these accusations became public." Chaikin, "I like this as an approach. I wouldn't want to altogether discard the possibility of a federal jurisdiction. After all, there are elements dealing with Security Exchange ~~division~~ commission involved in the thing. There are all sorts of transactions across interstate and national lines, and there are plenty of grounds for federal jurisdiction in the case."

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

2

Mayor + Chaikin Radio
Memorex Tapes

S-1-b-6a

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

3

Mayor+ Charler + Rodger
Memorex Side I 5-1-64

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

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

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

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

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

Chaikin, "Rodger right, as long as he lets us in on his thinking, if you copy." Mazor, "The main thing here is that you at least have a letter which will somewhat dispel the fear of a "Right to Consultation"

((Not clear on tape). Chaikin, "Yes, well that will be helpful, and some sort of explanation from Tim, or whoever as to the procedural difficulties involved will also be helpful, because what no one has ever clearly explained to us that procedurally what we were asking for couldn't be done. Our concern was, that coming from our background, well these things are normally done in stopping them." Mazor, "I understand what you're saying and I agree with you. I think that the biggest problem that you have in your communication in the thing, Sir Lionel Luckoo represents the Corporate image of Peoples Temple. He does not represent Rev. Jones as an individual."

Chaikin, "Well, that's true, there has been no need to represent Rev. Jones as an individual because he has not been formally joined as a party to any of the proceedings."

Mazor, "That's true. But now we're talking about guaranteeing his safe conduct although he hasn't been joined as a party." Chaikin, "roger right. Whatever arrangements we need to make with Sir Lionel will be made."

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

I was saying, needless to say, we do very much appreciate everything you've done and are doing, and the situation is very much enlightened from our point of view.."

Mazor, "Everyone is chipper by now. Everyone seems to to have found out who the bad guys are and who the good guys are. You can tell Jim that I took off the black paint that I had painted on his hat, and and it is now white." Chaikin-"We would have settled for a rainbow color." Mazor, "No, I always- only deal in the specifics of black and white." Chaikin, "Well, it is kind of a relief,

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

Mazor + Chaikin on Rad

reel sub I

5-1-6-6c

5

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

As soon as Tim comes back, I'm going to the airport. You'll be hearing from me on Monday nite, via SF." Chaikin, "Have a good trip..."

Mazor, "I'll talk to you on Monday nite, and I'll probably be headed for England on Tuesday or Wednesday." Chaikin, "Take care of yourself.

I don't know how heavy this thing is, but however it is, we want to keep you in one piece, you know." Mazor, "I don't think it is that heavy. I think you probably have a suicide coming up in the near future." Chaikin, "Oh, my, my, my, well we don't wish that fate on anyone, but nature is going to have to take its course. I'm just saying that nature is going to have to take its course. We wish good for everybody." Mazor, "Okay, take care, and say goodbye to everybody. I'll be talking to you Monday nite."

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

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

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

Carol) Oh, yeah, he ask me had I knew if Mom, if the guardianship papers gave Mom permission to take the children out of the States? I told him I didn't know but while I was back East the kids had gone to Mexico if that is out of the country and he said "that's out of the country". Jean) That really in fact true. Carol) Yeah, everything I said was true. Anyway so he said the first thing to do was to find out if the guardianship had been filed, that he doubted that Tim had. Jean) Did he say that he was going to do that or did he want you to do it? Carol) No he said if I decided to go ahead with it, that the first

STEP WAS TO FIND OUT IF they had been filed. If I could get ahold of the papers he could give me a lot more information, if he could read them. He said probably more than likely there was clauses in there that I just didn't know about or read which could hurt me like a clause could be in there that Mom had permanent guardianship over the kids and that he was talking about I would have, if the guardianship had been filed then I would have to go to court and Mom would have to be served with papers and that then that I would have to go to court and that Mom would be subpoenaed to go to court therefore

She asked "What your saying is that if you e Mom would have to find out. (This part in tape Jean ask a question but I couldn't make out what she ask nor what my reply was) cont'd: He said the first

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

S-1-b-76

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

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

S-1-B-A

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

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

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

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

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

SIDE TWO

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

just ... e my head yes or no. and stuff.) that and he said--that Jim was quite a con--was really a smart person and a con man--that he could con anybody into anything. He said that: June Crymm : What did he say about staying in the country? Carol: Well, he said that "I don't know, maybe Jim Jones will become leader of the country someday--maybe that's what he wants. He said "eventually he's going to get shot down and we are still going to be without a leader" and didn't say anything for a second and I said "Yes a lot of seniors and a lot of children will be without a leader"--and he said, "I know, especially when they don't have passports, when their passports are all gone you can't get back into this country and he said then they are going to kick them out of that country over there and without Jim Jones around how are they going to succeed?" I just kind of shook my head...and he said he felt that I stood a good chance of being with my kids--I said, "What do you mean "a good chance"? And he said, "Oh about 70%" and I said "Yeah?" I said, "It seems like I would be in that 30% that wouldn't get their kids back--" and he said, "well, you can't ever tell until you try" and I said that I always seem to fall in that lesser percent" and he started giving me a lecture about the and being American citizens, _____ this country and that Americans might not be all its supposed to be, may not have all the freedoms that it should have but that America was still a better place to bring them up, _____ count that was A-political and that could change in a moments notice and he said to they might be socialistic and free minded, tomorrow they might be a dictators and decide to kill off everybody--that's what he said and he said that--"I wouldn't want my kids brought up in anything like that--he said I don't think anyone else really does either". I said "No I don't like to see my kids brought up like that" (Someone commented that Nazars kids are on welfare). Oh, he kind of paused after commenting that Guyana is A political and stuff--I asked him, "What does A-political mean?" and so he went on to explain it but I didn't pay any attention to him because I started thinking about getting out of there it was getting boring, it was literally getting boring--I decided that he was going to come up with anymore shit and why keep him--I got this feeling after awhile that he was going over the same issues and he had already told me what he could do and we would have to go to court--check out _____ He never asked me any questions--that really stumped me, he didn't ask any questions at all--when I got here, where I was born, where I was staying, how long I was going to be, when I was going back to L.A. , had I been around the church since I've been here--he didn't ask me anything--when you went there did you drive?) She replied that she took the bus. But it crossed my mind that he was just telling me that shit to -- I felt for the most part that I thought I was being led on--/ I told him that there were a lot of things I

CASE OF JOSEPH A. MADOR
(The Investigator)

S-1-C

WJL
sgb y

S-1-C-1a

REPORT TO ADULT AUTHORITY
PAGE 7

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

REASONS FOR RECOMMENDATION:

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

ALTERNATIVE PROGRAM:

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

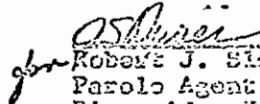
S-1-C-16

REPORT TO ADULT AUTHORITY
PAGE 8

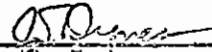
RECOMMENDATION:

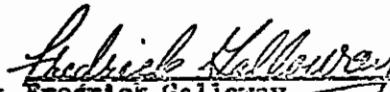
Suspend parole and return to prison for revocation proceedings.

Respectfully submitted,


Robert J. Sloan
Parole Agent I
Riverside, Unit 2

APPROVED:


J.S. Lydes
Supervisor, Parole Unit


Frederick Galicway
District Parole Administrator

Name, Address and Telephone (Number)

- 5-1-C-2a
File This of Court Clerk Only

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

ATTORNEY FOR: Petitioner

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

(Print or type in these district address information for court)

In re the marriage of:

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

CASE NUMBER

719-147

SUMMONS (MARRIAGE)

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

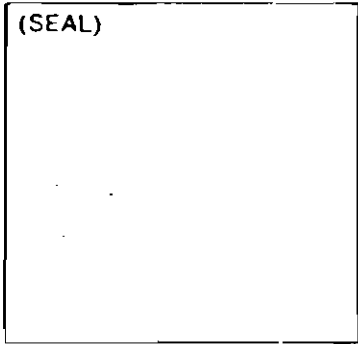
¡AVISO! Usted ha sido demandado. El tribunal puede decidir contra Ud. sin audiencia a menos que Ud. responda dentro de 30 días. Lea la información que sigue.

1. To the Respondent (See footnote*)

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

Dated: _____, Clerk

By _____, Deputy



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

51-C-2b

Name, Address and Telephone Number of Attorney(s)

Space Below for Use of Court Clerk Only

HANSON & HANS
3509 Sacramento Street
San Francisco, Ca 94118
922-6200

RECEIVED
JUL 11 1976
COURT CLERK

Attorney(s) for Petitioner

FILED
JUL 11 1976
COURT CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

In re the marriage of

CASE NUMBER

Petitioner: GRACE LUCY STOEN
and

710-0371

Respondent: TIMOTHY O. STOEN

PETITION (MARRIAGE)

1. This petition is for:

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

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

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

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

2. Statistical information:

a. Husband's social security number: Wife's social security number: 563-60-0448

b. Date and place of marriage: 6/27/70, Redwood Valley, Calif.

c. Date of separation: 7/3/76. The number of years from date of marriage to date of separation is: years, months, days.

d. There are one children of this marriage including the following minor children.
(Number)

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

3. Property statement:

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

Residential property
Respondent's pension & retirement benefits

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

5. Petitioner requests that:

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

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

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

.....
(Attorney for Petitioner)

.....
Grace Lucy Steen (Type/print name) (Type/print name)

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

4 MARGARET RYAN
Attorney at Law
5 294 Page Street
San Francisco, CA 94102
6 (415) 626-0979

7 Attorneys for Petitioner

8

9 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
10 IN THE CITY AND COUNTY OF SAN FRANCISCO

11

12 In re the marriage of) No. 719-147
13 Petitioner: GRACE LUCY STOEN) REVISED ORDER RE CHILD CUSTODY
14 and)
15 Respondent: TIMOTHY G. STOEN)
16

17 GOOD CAUSE APPEARING:

- 18 1. Petitioner is awarded custody of JOHN VICTOR STOEN, age
- 19 5, d.o.b. 1/25/72 pending further order of this court.
- 20 2. Petitioner's Order to Show Cause Re Custody is continued
- 21 for further hearing until *November 18,* 1977, Dept. 13 at 9:00 AM
- 22 3. Good cause appearing, the REV. JIM JONES is ordered
- 23 joined as a party to this action pursuant to Section 5159 of the
- 24 California Civil Code.
- 25 4. Pursuant to Section 5154(1)(d) of the California Civil
- 26 Code, the court directs that service of this order, the summons
- 27 and petition upon Claimant JONES shall be deemed to have been
- 28 effected upon proof of the doing of the following acts: (i) the

1 mailing of a copy of this order, the summons and petition first
 2 class postage prepaid, to the REVEREND JIM JONES, c/o PEOPLE'S
 3 TEMPLE, 1851 Geary Street, San Francisco, California. Said
 4 mailing shall occur no later than September 1, 1977; (2) the
 5 mailing of this order, the summons and petition airmail postage
 6 to REV. JIM JONES, c/o THE PEOPLE'S TEMPLE AGRICULTURAL MISSION,
 7 Guyana. Said mailing shall occur no later than September 1, 1977;
 8 (3) the mailing of a copy of this order to CHARLES GARRY, Attorney
 9 at Law, 1256 Market Street, San Francisco, California. Said
 10 mailing shall occur no later than September 1, 1977; and (4) pu5-
 11 lication of this order in the Recorder, a newspaper of general
 12 circulation for 4 times in 4 successive weeks as provided in
 13 Government Code 9064 . The last day of publication shall be no
 14 later than *November 11*, 1977. In the alternative, REV.
 15 JONES may be personally served.

16 5. Pursuant to Section 5160(2) of the California Civil Code,
 17 Claimant Rev. JIM JONES is ordered to appear before this court
 18 on *November 18*, 1977 Room 421, City Hall, to show
 19 cause why Petitioner should not be awarded custody to said minor.

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

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

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

1 further order of this court.

2 DATED: October 14, 1977

3

4

 . DONALD B. KING
JUDGE OF THE SUPERIOR COURT

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

S-1-c-2g

Revised Order Re Child Custody.

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

In re the Marriage of Petitioner: GRACE LUCY STOEN and Respondent: TIMOTHY O. STOEN.—No. 718-147.

Good cause appearing:

1. Petitioner is awarded custody of JOHN VICTOR STOEN, age 5, date of birth January 23, 1972, pending further order of this court.

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

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

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

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

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

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

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

Dated: October 14, 1977.

DONALD B. KING,

Judge of the Superior Court.

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

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

S-17C-24

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



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

FILED
AUG 26 1971
C. C. EVENSEN, Clerk

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

4 Petitioner in Pro per:

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

9 JOSEPH A. MAZOR, Petitioner,
10 vs.
11 THE CALIFORNIA ADULT AUTHORITY,
12 et al., Respondents,
13

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

15 Petitioner in the abovestated matter petitions the Court for a
16 rehearing of the facts and issues involved bringing before the
17 Court issues of fact and material errors made in the presenta-
18 tion of the case. Petitioner brings this belated petition on
19 the grounds that he is blind and has had to search for assist-
20 ance from others in the preperation of this document, since all
21 of the material has had to be read to petitioner and typing done f
22 for him.

23 I
24 PETITIONER WAS NOT GIVEN TIME
25 TO TRAVERSE THE MATERIAL PRESENTED
26 BY THE ATTORNEY GENERAL:

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

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

FILED
AUG 26 1971
C. C. EVENSEN, Clerk

Petitioner in Pro per:

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

JOSEPH A. MAZOR,
Petitioner,

vs.
THE CALIFORNIA ADULT AUTHORITY,
et al.,
Respondents,

Case No. C-71 859 ACW

PETITION FOR
REHEARING ON WRIT
OF HABEAS CORPUS

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

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

III
PRECARIOUS HEALTH DOES
BAR UNDERSTANDING:

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

IV
ELLHAMER v. WILSON NOT
A HOLDING CASE FOR PETITION

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

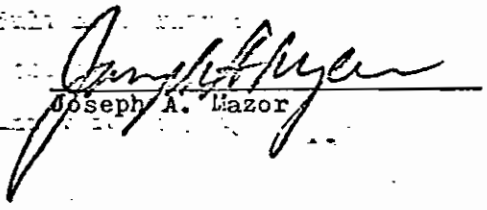
As a last and further proximate cause, petitioner is blind and severely ill as the court is well aware of with less than two years left to live according to Department of Corrections doctors, and petitioner sees no earthly reason for the actions of the Adult Authority in denying petitioner months upon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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

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

Respectfully submitted,

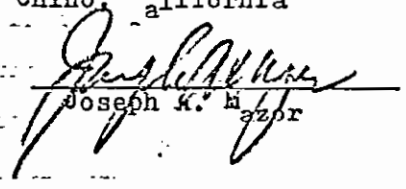
to the reports of the Court
March 5, 1971 and April 14, 1971
petitioner was verbally
board of panels.


Joseph K. Mazor

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

Executed on August 23, 1971, at Chino, California

Joseph K. Mazor


Joseph K. Mazor

FILED

JUL 9-1971

C. C. EVENSEN, Clerk

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

JOSEPH A. MAZOR,

Petitioner

No. C-71 849 ACW

vs

THE CALIFORNIA ADULT AUTHORITY,
et. al.,

Respondents

SUBSTITUTION OF
ATTORNEYS

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

DATED:

July 2, 1971

JOSEPH MAZOR

The above substitution accepted and agreed to.

RAMSAY FIFIELD

EPHRAIM MARGOLIN

DATED:

July 6, 1971

5-10-9

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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

NO. C-71 849 ACW

RAMSAY FIFIELD certifies that she is

an active member of the State Bar of California, and not a party to the within action.

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

That she served a copy of the attached Substitution of Attorneys

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

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

Ramsay Fifield

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

FILED

JUN 10 1971

3
JAY

6 Attorneys for Respondents

C. C. EVENSEN, Clerk

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

11 JOSEPH A. MAZOR,

Petitioner,

13 vs.

No. C-71 849 ACW

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

Respondents.

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

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

25 I

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

1.

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

2 II

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

8 III

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

19 IV

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

22 V

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

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

5-1-C-3j

1 and that the proceedings be dismissed.

2 Dated: May 10, 1971.

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

5 EDWARD P. O'BRIEN
6 Deputy Attorney General

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

9 Attorneys for Respondents

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

POINTS AND AUTHORITIES

STATEMENT OF FACTSA. Conviction; Parole and Revocation

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

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

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

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

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

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

16 1. Joseph Allen Mazor violated Condition 10 of the
17 Conditions of Parole as evidenced by his obtaining a
18 passport without the knowledge or permission of the
19 Parole Agent.

20 2. Joseph Allen Mazor violated Condition 10 of
21 the Conditions of Parole as evidenced by his making reser-
22 vations on a United Airlines flight to New York, without
23 the knowledge or permission of the Parole Agent.

24 3. Joseph Allen Mazor violated Condition 10 of the
25 Conditions of Parole when he bought a 1965 Jaguar without
26 the knowledge or permission of the Parole Agent.

27 4. Joseph Allen Mazor violated Condition 12 of the
28 Conditions of Parole as evidenced by his forging the
29 signature of his fiancée to her income tax refund check

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

1 in the amount of \$693.62.

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

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

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

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

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

17 10. Joseph Allen Mazor violated Condition 11 of the
18 Conditions of Parole as evidenced by his being charged by
19 the District Attorney's Office with failure to provide
20 (270 P.C.).

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

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

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

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

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

25 B. Medical Condition and Treatment.

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

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

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

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

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

1 that, "We have since learned that further studies have shown a
 2 need for immediate surgery in order not to endanger his life."
 3 Petition, Exhibit B. By letter dated April 1, 1971, addressed
 4 to the chairman of the Adult Authority, Dr. Prout indicated that
 5 neurological studies should be undertaken, that they could be
 6 performed within the Department of Corrections; but only with
 7 petitioner's consent, which he refused to give, and that peti-
 8 tioner was willing to be hospitalized at Riverside General
 9 Hospital. Out of concern for petitioner's health status, the
 10 doctor recommended that the Adult Authority review his parole
 11 status and reinstate parole to permit petitioner to return to
 12 Riverside General Hospital. See Exhibit I; Petition, Exhibit C.

13 No change was made in petitioner's parole status, but
 14 after consultation, the Department of Corrections, pursuant to
 15 Penal Code section 2690, arranged for his treatment at Riverside
 16 General Hospital, and on April 9, 1971, transferred him to the
 17 California Institution for Men at Chino, where he was housed in
 18 the institution hospital. Petitioner was available for whatever
 19 studies or surgery staff at Riverside General Hospital wished to
 20 undertake.

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

1 petitioner's blindness and possible brain tumor.

2 CONCLUSION

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

14 Dated: May 10, 1971.

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

17 EDWARD P. O'BRIEN
18 Deputy Attorney General

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

21 Attorneys for Respondents.

22
23
24
25
26
27
28
29
30
31

The Jones

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

3-1-C-3+

JUDGMENT

Department No. 100

June 25 19 65 Present Hon. DAVID W WILLIAMS Judge

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

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

Whereas the said defendant having duly pleaded
guilty in this court of the crime of ISSUING FICTITIOUS CHECK (Sec 176 PC), a felony
as charged in the information

C. A. BENTLEY, CLERK
1965 JUL -7 AM 10:38
C. I. M.

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

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

Prob. / Aud. DMV
LAPD / C. Cr. CYA
Co. J. / Juv. C. Clk.
Sher. / Psyc. Misc.

JUDGMENT — State Prison
(Mon)

THIS MINUTE ORDER WAS
ENTERED
JUN 30 1965
WILLIAM O. SHARP, COUNTY CLERK
AND CLERK OF THE SUPERIOR COURT
C. A. Bentley

S-1-C-3 u

State of California)
County of Los Angeles) 26

I do hereby certify the integrity to be a true and correct abstract of
the judgment of the Court in the case of the Superior Court
the case of the Superior Court in the case of the Superior Court
est my hand and seal of the Superior Court in and for the
JUL 1 - 1965

Deputy
Honorable David W. Williams

F. Amador
628

C. I. M. S-1-C-3 ✓

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES
G.C. ADMITTANCE JUDGMENT

Department No. 100

March 8 1963 Present Hon. DONALD R. WRIGHT Judge

THE PEOPLE OF THE STATE OF CALIFORNIA, vs 26y+21
JOSEPH A MAZOR

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

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

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

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

INTERLO
MAR 13 1963
WILLIAM G. SHARP, COUNTY CLERK
Clerk of the Superior Court, CA

This Minute Order has been
entered on file by
WILLIAM G. SHARP, County Clerk and Clerk of
the Superior Court of the State of California, in
and for the County of Los Angeles.

original on file in my office.

Dated: WILLIAM G. SHARP, County Clerk

By Deputy
JUDGMENT - State Prison
(Men)

State of California)
County of Los Angeles) ss

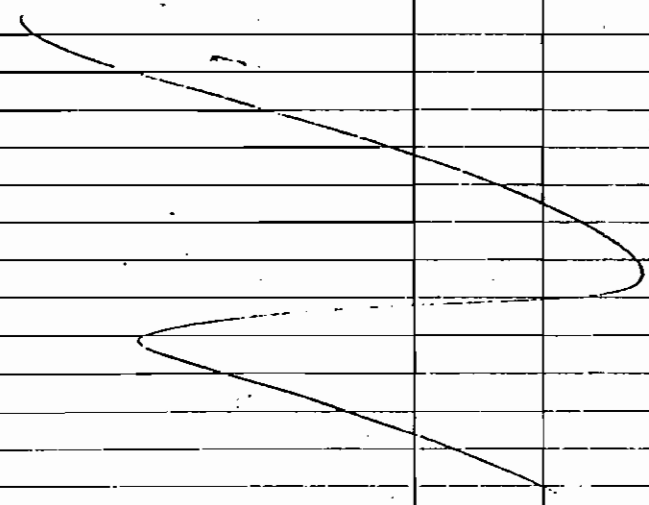
I do hereby certify the foregoing to be a true and correct abstract of the judgment duly made and entered on the minutes of the Superior Court in the above entitled action as provided by Penal Code Section 1213.

Attest my hand and seal of the said Superior Court this MAR 14 1969
WILLIAM G. SHARP, County Clerk and Ex-officio Clerk of the Superior Court of the State of California, in and for the County of Los Angeles.



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

	Restored Credits	Additional Credits	Discharge Date	Parole Effective Date
CRIME: NSF Check 3 Cts CC 476a PC				
TERM: 6mos-14 3 Cts CC				
COUNTY: Los angeles				
County Case No.: 269421				
JUDGE: D R Wright 3/19/63 REC'D RGC CHINO				
MAY 8 1963 TRANS TO CMC-EAST				
AN 15 1964 T.F.A. 3 YRS. GRANT LAST 1 YRS. & 9 MOS. ON PAR. (6/24)			3-17-66	6-17-
Y 11 1964 - Noted - (H...)				
-19-64 ROP Hillside Co. Ca, Los Angeles County				
-65 PV WNT REC'D RGC CIM			3-17-77	
15-65 REC'D RGC CMF				
23-65 Parole Canceled				
9 1963 PG all Cts. Rev. Den. P.O. (12) 11A				
21 1963				
AN 18 1967 VTRFA 5 yrs. 3 Cts. CC ATEA 5 yrs. CC WPT. Granted last 3 yrs. parole			3-19-68	4 2-1-68 7-1-68
-19-67 Action of AQ in LA: Pk adv from 7-7-67 to 5-22-67				
-22-67 Paroled Riverside Unit! San Bernardino Co. Reg. IV				
3-19-68 EXPIRED & REMAINS ON A TERM 2-3				
-20-68 OTC + RET (Same Date)				



SUMMARY OF SENTENCE DATA

5-1-C-37

	Forfeited	Restored Credits	Additional Credits	Discharge Date	Effective Parole Date
TIME: Fict Check CC WPT 476 PC					
ERM: 6mo-14 CC WPT					
COUNTY: Los Angeles					
County Case No.: 304175					
JUDGE: D.W. Williams					
7/65 PV WPT REC'D RGC CIM					
15/65 REC'D RGC CIM					
21 1965 CIA					
12 1967 CTRFA 5 yrs on 3 cts, CC ATFA 5 yrs CC WPT. Granted last 3 yrs on parole				7-7-70	7-7-67
19-67 Action of Alameda P.D. adv from 7-7-67 to 5-22-67					
22-67 Paroled Riverside Unit #1 San Bernardino Co. Region IV					
AY 2 1969 PAROLE SUSPENDED RETURN TO PRISON FOR REVOCATION PROCEEDINGS, ORDERED			of PIR		
-5-69 PV TFT REC'D RGC CIM	0-0-3		0-0-3	7-7-79	
-15-69 REC'D RGC CIM					
7-69 PG cts 2, 3, 4 submitted. Rev. Con. P.O. 11/63 RR ed JUL 1 '69 rec'd SCC Orient					
-12-68 Red CIM - West					
-22-69 OTC & Ret. (writ)					
-29-69 OTC & Ret.					
-30-69 L - L					
-20-69 L - L					
-19-69 ATFA 7 yrs CC WPT. Granted per off 3-10-70				7-7-72	3-10-70
-12-69 Dep. Rec'd violation Bernardino Co. C 30 1969 CIM					
-13-70 Action of Alameda P.D. adv from 3-10-70 to 2-15-70					
15-70 Paroled Riverside Unit #1 Co. Region IV					
AN 8 1971 PAROLE SUSPENDED RETURN TO PRISON FOR REVOCATION PROCEEDINGS, ORDERED			of PIR		
-14-71 PV TFT REC'D RGC CIM	0-0-6		0-0-6	7-7-79	
25-71 REC'D RGC CIM					
AR 5 1971 PNG cts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11. Facts 5, 6, 7, 11. Cts 3, 8, 10 submitted. Cts 1, 2, 4, 9 Dom. Rev. Con. P.O. 7/71 RR ed					
A-77153-A MAZOR, Joseph A.					

5-1-C-4a

DEPARTMENT OF CORRECTIONS

PAROLE & COMMUNITY SERVICES DIVISION

CASELOAD # 2811

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

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

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

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

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

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

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

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

[Signature]
 Robert W. Sison
 Parole Agent I

EXHIBIT D

5-1-C-46

DEPARTMENT OF CORRECTIONS

Report To:

From: Parole and Community Services Division Date: February 6, 1970

Name: MAZOR, Joseph A (2 T) Number: A-77153

Commitment: Fict. Check, CC WPT Term Set: ATREA 7 yrs, CC WPT

Received: 7-7-65 Released: * Paroled: Suspended: Reinstated: Expires: 7-7-72

Present Location: California Institution for Men (Parole Date 3-10-70)

SUBJECT OF REPORT: * PAROLE ADVANCEMENT

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

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

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

It would appear the program meets policy requirements in that:

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

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

APPROVED:

Respectfully submitted,

J. S. Jones
J. S. Jones, Supervisor, Parole Unit

Robert J. Sloan
Robert J. Sloan
Parole Agent I

Frederick Galloway
Frederick Galloway, District Parole Admin.

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

INITIAL INTERVIEW

Released From CIM Date 2-15-70 Time 10:00 A.M. Family Transportation Auto
 Reported 2-16-70 Interviewed _____ Location _____
 Release Funds \$60.00 Balance Delivered N/A
 Clothing Issue No. None Acceptable? N/A Number of Pre-Release Classes Attended Unknown

INITIAL PROGRAM
(if Different From RPS)SUPERVISION: ConditionalRESIDENCE: Mayfair Hotel - Room 203, 3rd & Garvey, PomonaEMPLOYMENT: Young, Henric, & Mc Carthy, 100 Pomona Mall StatusStart 2-16-70 Wage _____ Position Host, Pomona Known

GENERAL EVALUATION - and listing of apparent problems:

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

FACTUAL DATA:

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

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

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

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

MAZOR, Joseph A-77153 PACS/RIV-2 jm 2-20-70 Page 3

INITIAL INTERVIEW, Continued
Page 2

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

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

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

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

ROBERT J. SLOAN, PA 1/jm 2-19-70

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

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

CASE CONTACTS:

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

PRESCRIPTION PROGRAMMING:

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

Measurement:

Address: None.

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

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

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

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

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

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

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

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

CASE EVALUATION AND PLANNING:

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

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

S-1-C-4+

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

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

ROBERT J. SLOAN, PA I/jm 6-30-70

SUMMARIZATION OF ACTIVITIES From 7-1-70 to 12-14-70

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

CASE CONTACTS:

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

FACTUAL DATA:

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

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

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

S-1-C-49

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

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

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

ROBERT J. SLOAN, PA I/jm

5-1-c-5a

DEPARTMENT OF CORRECTIONS

REPORT TO ADULT AUTHORITY

FROM: Parole and Community Services Division Date: December 16, 19 70

Name: MAZOR, Joseph Allen (2 T) Number: A-77153-A

Commitment: First Check CC WPT (CIM) Term Set: ATRFA 7 yrs CC WPT

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

Present Location: Riverside County Jail CHO

SUBJECT OF REPORT: VIOLATION - TECHNICAL

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

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

CHARGES SPECIFIED:

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

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

REPORT TO ADULT AUTHORITY
Page 2

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

SUPPORTING EVIDENCE:

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

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

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

S-1-C-5c

REPORT TO ADULT AUTHORITY
PAGE 3

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

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

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

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

REPORT TO ADULT AUTHORITY
PAGE 4

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

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

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

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

REPORT TO ADULT AUTHORITY
PAGE 5

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

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

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

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

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

RESUME OF PAROLE ADJUSTMENT:

Subject received a parole advancement from 3-10-70 to 2-15-70 to accept employment with the law firm of Young, Harris, and McCarthy in Pomona. As this area was under the jurisdiction of Region III, the case was referred to Eagle Rock #2 office immediately. On approximately 3-25-70 the case was returned to the Riverside Office due to the reorganization and regional lines realignment. At that time Subject was found to be working for another law firm by the name of Merriman and Lantor. On 5-4-70 Subject went to work for the law firm of Jaffe and Mallory as a research consultant. On 6-23-70 Mr. Jaffe wrote a letter to this agent, suggesting that Subject be allowed to maintain his own identity as a research consultant for hire. This would be advantageous to both in that, as business men, they would not have withholding problems with funds paid to him, and he would have probably more legal deductions from an income tax point of view. Additionally, he could obtain work from other attorneys. Mr. Jaffe further added that all of his actions and functions would be under his supervision, and that they would provide him with office space in their building. Subject appeared to be making very satisfactory progress in all respects. Unknown to this agent, or to Mr. Jaffe it would appear that approximately this time, Subject became overly ambitious and overextended himself, and consequently became involved in his various manipulations, which were discovered at a later date. These manipulations involved forgery of a signature to his fiancée's income tax check, purchase of a Jaguar, misrepresentation and fraudulent selling of his fiancée's automobile, and purchase of several items on unapproved credit. Issuing a fictitious bank draft on 10-16-70 and the overdraw of his bank account came to the Parole Agent's attention on 10-22-70. At this time, Subject was put out of business and instructed to work out of his apartment. Subject requested permission to look for a job in a foreign country for himself and his wife, which would pay off some of his debts, and leave him a balance of money to go into business upon returning to the United States. Subject was given permission to look for this type of employment, with very definite instructions that the employer must be aware of his parole status and that the job offer be submitted in writing to this office. On 11-24-70 Subject requested permission to go overseas with his wife if she got a job first. This was denied. On 11-30-70 Subject was given permission to go to Dayton, Ohio, in an automobile on a business trip. Later in the day it was learned Subject had moved from his apartment building, owing one and one-half months rent, and had sold all his furniture. Additionally, it was learned Subject had three credit cards, belonging to his ex-wife, and it was felt that Subject's departure was other than as stated. An intensive search was instigated and Subject was located at his wife's mother's home in Anaheim. Subject was placed in custody. After his arrest his many debts and manipulations came to light. His obtaining a passport and having an airplane reservation to New York, plus selling all of the furniture,

ADULT AUTHORITY 5-1-C-6a

Meeting of

January 8, 1971

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

TO WHOM IT MAY CONCERN:

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

PAROLES SUSPENDED - RETURN TO PRISON ORDERED:

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

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

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

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

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

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

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

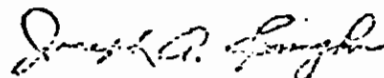
A D O P T E D B Y

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

(Signed) JOSEPH A. SPANGLER
Administrative Officer

A T T E S T
January 8, 1971

A T T E S T April 7, 1971



JOSEPH A. SPANGLER
Administrative Officer

EXHIBIT E

ADULT AUTHORITY

S-1-C-66

Meeting of
March 5, 1971

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

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

ORDER OF THE ADULT AUTHORITY 5 MARCH 1971 PAROLE VIOLATOR CALENDAR

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

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

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

A D O P T E D B Y The affirmative votes of: Warren Ballachey; Frank O'Brien; Actions reviewed and concurred in by: Manley J. Bowler; Daniel R. Lopez

(Signed) L. ROBERTSON, Correctional Counselor II

A T T E S T
March 5, 1971

A T T E S T April 7, 1971

Joseph A. Spangler
JOSEPH A. SPANGLER
Administrative Officer

EXHIBIT F

EVALUATION AT TIME OF ADULT ADULTILITY HEARING

1. Observations by Staff Representative: *nearly blind - was led to hearing claim to help permission - and assisting in getting post part - very bitter - claims he only saw the parole agent 4 times in ten months - alleged parole agent was "partner" of Cust parole agent and didn't want him back in the district - had applied for aid to be blind - fund case dropped - claim credit accounts were with company (I.R. Co) - always a physical problem - claim to seek question - Doc Rhd scheduled for June 21 -*

2. Comments by A.A. Panel: *P.N. 6 - all (11 units) but 1-2-4-9 dismissed July 21 1951*
3-8-10 admitted P.E. 5-6-7-11
 Sincerely denies any wrongdoing - He openly claims collusion between post & present Parole agents - although intelligent, skilled and admit he is emotionally disturbed over vision problem & tends to engage in excessive rationalizing & Minimizing - However, he did not, according to PA, come any "closer" to Crime than Welfare fraud & Failure to provide. PA States also His "Crime, Close" to Crimes include forging finance & Income Tax checks - fict Base Payt, & Writing checks "an loose acct."

3. Program Considerations: Classification *Special Condition*
 Institutional/Release *Major Problems appear to be O.S. proclivity for manipulation of people & situations to his advantage & 2 Has physical condition - 1st States He needs surgery (Cranial) because of*

4. Panel Members: (INT) *Callahan* *Carlin* 5. *Stanton*

Co-Signer: (MBR) _____ RGC CMF _____ Staff Representative
 Institution _____ Date _____
 Number: A-77153-A Name: MAZCR, Joseph A. Calendar: _____

6. Post-Hearing Follow-up:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Date: Place: Signature and Title:

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

Name	Number	Location	Send By Teletype

(with red in file will be given by)

.....

5-1-C-6c

State of California

Department of Corrections

~~MEMORANDUM~~

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

Date: March 19, 1971

File No.: A-77153

Attention: L. H. Robertson, CC II

Subject: MAZOR, Joseph A.

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

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

- Charge 3. See attached letter from law firm of Jaffee & Mallory, dated 3-15-71, signed by Richard Mallory. This letter clearly defines the business arrangement Subject had with the law firm to purchase the car, and fully substantiates this charge. (See Addendum Item #1)
- Charge 8. On 3-12-71 this agent contacted James M. Lancaster, Special Investigator, County of Los Angeles, Department of Public Social Services. Mr. Lancaster provided this agent with the following documents which are attached: Computation of Overpayment in amount of \$1926.00; his Special Investigation Report, dated 2-18-71, and Supplemental Investigation Report, dated 2-23-71. In accordance with Departmental policy, the matter has now been referred to the Bureau of Resources and Collections, for reimbursement of aid obtained illegally. Should reimbursement fail, the matter will be referred to the District Attorney's Office for prosecution under the Welfare & Institution Code. (See Addendum Item #2)
- Charge 10. On 12-22-70 a hearing was held in Department "A", Municipal Court County of San Bernardino, Judge Roy E. Chapman presiding. People of the State of California vs. Joseph Allen Mazor, Case #93442, on charge of 270 P.C. (Failure to Provide). On motion of the District Attorney, the case was dismissed, due to Subject's being in county jail and District Attorney's knowledge that

EXHIBIT H

Parole Agent had submitted recommendation for PV-TFT.

The foregoing information was obtained from the court clerk.

SUPPLEMENTAL INFORMATION

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

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

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

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

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

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

APPROVED:

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

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

S-1-C-69



RONALD REAGAN
GOVERNOR

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

March 23, 1971

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

C
O
P
Y

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

Dear Superintendent Pope:

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

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

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

Sincerely,

Herbert E. Ellingwood
Legal Affairs Secretary

✓

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

Jm

COPIES TO MY MAR 9 1971

MAR 29 11 02 AM '71
CALIF. MED. FACILITY

EXHIBIT I

S-1-C. Hospital 7



RIVERSIDE GENERAL HOSPITAL • UNIVERSITY MEDICAL CENTER
3851 MAGNOLIA AVENUE • RIVERSIDE, CALIFORNIA • 92503 • TELEPHONE 689-2211

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

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

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

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

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

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

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

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

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

Sincerely,

Richard M. Butler
Records Management Supervisor

1b

S-1-C-7h

RIVERSIDE GENERAL HOSPITAL
University Medical Center
Riverside California

DISCHARGE SUMMARY

Dr. Dictating: Robert Steller, MD Signature:

Patient's Name: HAZOR, Joseph A.
IP Number: 190-566
Admitted: 1-5-71 - outpatient clinic visit

Dictated: 1-22-71
Trans: 1-25-71/aw

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

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

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

PHYSICAL EXAMINATION: Patient had marked photophobia in both eyes, but more so in the left eye and shows moderate pain on movement in the left eye. Brows, lids and lashes clear. Cornea and conjunctiva media clear. Lens clear. Extra ocular muscles exotropia, left eye dominant; approximately 30 prism diopters. Pupils equal, round, regular and react to light and accommodation. Fundus - vessels 2-3, discs clear; macula - no phobia light reflex was noted and mottling was present. Impression was macular degeneration both eyes, possible optic neuritis in the left eye.

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

(continued on next page)

HAZOR, Joseph A.
190-566

S-1-C-7c

RIVERSIDE GENERAL HOSPITAL
University Medical Center
Riverside California

SUMMARY cont'd

HAZOR, Joseph A.

page 2

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

cc: Prison where patient is
now confined.

HAZOR, Joseph A.

190-866



S-1-C-7J

CONSULTANT'S RECORD

HOSPITAL CHC: RGC

NAME MAZOR, Joseph G. No. A-77A51 Date March 1, 1971

Reason for Consultation: Interview for medical evaluation.

CENTRAL FILE CHRG:O

R. E. Prout, M. D.

(Signature of Referring Doctor)

CONSULTANT'S REPORT

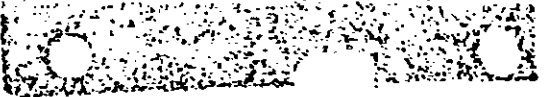
This 36 year old NRCG inmate was interviewed in B-2 Doctor's office at my request, in response to his letter to the Superintendent, Dr. Pope, of February 10, 1971, and his letter to me of February 18, 1971, both of which are filed in the central file. The patient is bitter in attitude, and is frank in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

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

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

(Consultant's Signature)

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



S-1-C-7c

CONSULTANT'S RECORD

HOSPITAL GRG: RGC

Name MAZOR, Joseph G. No. A-7753 Date March 1, 1971

Reason for Consultation: Interview for medical evaluation.

CENTRAL FILE CHRG:O

CONSULTANT'S REPORT

R. E. Prout, M. D.

(Signature of Referring Doctor)

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

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

(Consultant's Signature)

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

S-1-C-7f

NEUROSURGICAL CONSULTATION

H/ZOR, Joseph A-77153

ECU

March 2, 1971

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

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

J. C. Kite

S-1-C-79

HAZOR, Joseph A-77153

(Continued)

March 2, 1971

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

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

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

JHV:reb/jg

cc: Usual
Dr. Prout

S-H-C-74

W30R, Joseph 4-77353

(Continued)

March 2, 1971

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

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

John H. Wagner, Jr.
 JOHN H. WAGNER, JR., M.D.
 Consulting Neurosurgeon

JHW:rcs/fg
 cc: Dural
 Dr. Front

5-1-C-731

FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
LABORATORY MEDICAL FACILITY
WASHINGTON, D.C. 20535

April 1, 1974

Mr. George W. Verris, Chairman
National Commission
on the Causes and Prevention
of Violence, Room 543
Washington, DC 20540

Re: WALTER WALTER (4-77013) OAC
Reference is made to information
received from your office

Attention: Mr. Joseph Spivack

Dear Mr. Verris:

Reference is made to telephone conversation with Mr. Spivack this morning concerning this case. I am writing to advise you that a certain critical information was not available to the Agent conducting this case as of March 29, 1974.

Dr. Walter was seen this morning in interview re voluntary examination and physical examination, in fact, service, etc. The records and I reviewed the man's medical history at the present time, as well as a review of his current and accumulated medical data to date at this institution. The subject has a history of, but I believe he has had some in his eyes due to bilateral degeneration of several years standing, complicated by ataxia and neuro-

logical findings of an intracranial lesion in the right occipital lobe. On January 5, 1974, he was seen for a problem at the Riverside General Hospital, Riverside, Illinois and plans were in progress for his hospitalization there with investigation by neurology and a consideration for a craniotomy (biopsy) neurosurgeon and etc. These studies can be performed within the Department of Corrections, in cooperation with his consent, either in the State of Illinois or in a hospital to be hospitalized at Riverside General Hospital, and he received another assurance from the State of Illinois that they are willing to admit him.

Medical records of Walter was a hospital which get insurance and to advise in the general situation of this case, situation, should his parole be recommended.

I am sure a solution to some of the above, as well as other of these cases, will be of great assistance and treatment in the lower part of the body, as well as the upper part of the body, and the head, neck, and etc. The records of these cases indicate that the man's medical history and physical examination has been reviewed and that the man has previously been hospitalized in the State of Illinois and a hospital to be hospitalized at Riverside General Hospital, and he received another assurance from the State of Illinois that they are willing to admit him. Medical records of Walter was a hospital which get insurance and to advise in the general situation of this case, situation, should his parole be recommended.

S-1-C-7j


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

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

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

Yours very truly,
R. E. Prout, M.D.
R. E. Prout, M.D.
Chief Medical Officer

REP:td
cc: Central File ✓
COP
Medical Jacket

APPROVED:

K. E. [unclear]
Acting Superintendent

S-1-C-7K

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

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

JOSEPH A, MAZOR A-77153-A

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

D. H. Francisco

D. H. FRANCISCO
RECORDS OFFICER III

ADULT AUTHORITY 5-1-C-A

Meeting

April 14, 1971

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

HELD AT CALIFORNIA INSTITUTION FOR MEN

TO WHOM IT MAY CONCERN:

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

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

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

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

A T T E S T April 14, 1971

A T T E S T May 7, 1971

Joseph A. Spangler

JOSEPH A. SPANGLER Administrative Officer

EXHIBIT J

ADULT AUTHORITY

571-C-86

Meeting of
April 20, 1971

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

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

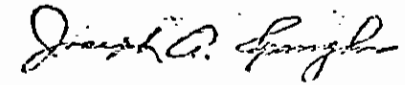
A 77153 HAZOR, Joseph A. (CIM) Parole violation charges 3
and 10 in report dated
December 16, 1970 dismissed.
Found guilty charge #8.

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

(Signed) JOSEPH A. SPANGLER
Administrative Officer

A T T E S T
April 20, 1971

A T T E S T May 7, 1971



JOSEPH A. SPANGLER
Administrative Officer

EVALUATION TIME OF ADULT AUTHORITY HEARING

M.A.

Name: MAZOR

Number: A-77153-A Calendar: 4-14-71

1. Observations by Staff Representative: Was informed of visitors by C.S.P.R. officers. Has trouble talking. Is uncooperative. Panel expects him to resolve 3 counts of P.V. N.G. for new information he worked for owned C.S. welfare regarding. It points out investigation was made & evidence will be interpreted when panel decides. Says never worked for Jaffe. Working for separate corporation F.R.D. He says corporation worked and his pay. He is guilty to fraud or provide. Panel says a complaint of PC 270 has filed. Says W.A. office did order him to make welfare pay to wife & children.

2. Comments by A.A. Panel:

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

4. Panel Members: (INT) EDWIN MILLER

5. *Thorne* Staff Representative

Co-Signer: (MGR)

P. 117 Institution

4-14-71 Date

6. Post-Hearing Follow-Up: _____

Date: _____ Place: _____

Signature and Title: _____

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

S-1-C-P-e
RETURNED TO
CMF 4-27-71

RIVERSIDE GENERAL HOSPITAL
University Medical Center

DISCHARGE SUMMARY

Dr. Dictating: Fred M. Favre, M.D.

Signature: *Joseph A. Mazor*

Patient's Name: Mazor, Joseph A.
P.F. Number: 19-08-66
Date Admitted: 4-21-71
Date Discharged: 4-23-71
Date Dictated: 4-23-71

Date Trans: 4-23-71 m.r.

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

(Skull films in two years recommended.).

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

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

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

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

Mazor Joseph A. 19-08-66

EXHIBIT K

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

(2)

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

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

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

Mazor Joseph A. 19-08-66

5-1-C-7a

FILED

MAY 6 1971

C. C. EVENSEN, Clerk

RJR

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH A. MAZOR,)
)
 Petitioner,)
)
 vs.)
)
 THE CALIFORNIA ADULT AUTHORITY, THE)
 CALIFORNIA DEPARTMENT OF CORRECTIONS,)
 and RAYMOND PROCUNIER and L. J. POPE,)
 in their respective official capacities,)
)
 Respondents.)

No. C-71 849 ACW
ORDER TO SHOW CAUSE

Based upon the petition filed herein and good cause appearing:

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

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

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

DATED: MAY 6 1971.

[Signature]
United States District Judge

FILED

1974 371

T. G. EVENSEN, CLERK
in proc. H&A

1/9

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

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

JOSEPH A. MAZOR,

Petitioner,

vs.

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

Respondents.

C-71 849A

No.

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

12

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

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

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

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

- 1 (a) March 8, 1963;
- 2 (b) Petitioner confined to Department of Corrections
- 3 for period provided by law.

4 5. Check whether a finding of guilty was made:

- 5 (a) after a plea of guilty x
- 6 (1) Petitioner entered a plea of guilty to two
- 7 counts of P.C. 476(a) in the Municipal Court which pleas were
- 8 certified to the Superior Court for sentencing as above.
- 9 (b) after a plea of not guilty;
- 10 (c) after a plea of nolo contendere.

11 6. Check whether hearing was by:

- 12 Jury
- 13 X Judge without jury.

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

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

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

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

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

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

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

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

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

1 the United States Constitution.
2 The common (c). Petitioner's sentence was redetermined auto-
3 matically at the maximum, pursuant to P.C. 3020 and Adult
4 Authority Resolution 171 and in violation of Petitioner's rights
5 to due process and counsel as aforesaid.
6 (d) Because Petitioner was denied counsel, a full and
7 fair hearing, opportunity to present witnesses in support of his
8 contentions, and the right to confront his accusers (particularly
9 under circumstances where Petitioner was at the time of the
10 purported hearing blind and in pain), a material error was made
11 in the proceedings, namely: Petitioner presented to the Adult
12 Authority representative documentary and other evidence conclu-
13 sively exonerating him from the eleven violations brought against
14 him. In response to the tender of the documentary evidence, Mr.
15 Valachi of the Adult Authority stated: "I hate this damned
16 paperwork. We cannot substantiate the charges and we will
17 investigate." There was no parole officer present to explain the
18 charges to the hearing officer, or to attempt to substantiate
19 them. Petitioner was unable to read this documentary evidence
20 to the representatives due to his blindness. Petitioner's
21 evidence was thereupon returned to the Petitioner and was not
22 examined by the Adult Authority. Despite the statement that the
23 Adult Authority will "investigate" the charges, they did not
24 retain copies of evidence which would have exonerated the
25 Petitioner. This evidence is at present in possession of
26 Petitioner's present counsel who stands ready to present it to
27 and to call witnesses before the Adult Authority in a proper
28 hearing.

29 Even while the Petition for Habeas Corpus was pending
30 in the Supreme Court of California, Respondents conducted another
31 parole hearing at Chino, at which two Deputy Attorney Generals
32 were present. Petitioner's counsel was neither advised of the

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

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

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

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

1 nothing was invited to attend it, although all the evidence of
2 safety. On or about July 11, 1969, Petitioner fell and was
3 petitioner's innocence was in counselor's possession, and both
4 injured, as above stated.

5 the Adult Authority and the Attorney General of California had
6 Petitioner attempted repeatedly to obtain proper medical
7 knowledge thereof by virtue of a statement to that effect in the
8 care through the Department of Corrections, but was unable to do
9 petition for Habeas Corpus in the California Supreme Court.

10 so. This deprivation led to his filing of actions both in the

11 United States District Court for violation of his civil rights

12 and in the San Luis Obispo County Superior Court, petitioning

13 for investigation. After the hearing on this action and while

14 the decision therein was under submission, Petitioner was advised

15 by CMC West that his parole would be reinstated if he dropped the

16 pending cases. On the basis of this representation, Petitioner

17 did file a dismissal and was in fact forthwith restored to parole.

18 Upon being paroled, Petitioner sought private treatment

19 for what at the time had manifested itself as severe headaches and

20 dizziness. In or after September of 1970, this condition was

21 medically diagnosed as a cystic clot apparently resulting from the

22 fall described hereinabove. Petitioner was told by a qualified

23 physician that his life expectancy in the absence of immediate

24 exploratory surgery was approximately six months. Petitioner was

25 in the process of consultation of specialists and preparing for

26 surgery when his parole was violated.

27 The violating charges involved no criminal activity on

28 the part of the petitioner. Their falseness would be easily

29 demonstrable in an impartial hearing.

30 Petitioner was picked up "for investigation" of parole

31 violations on or about November 30, 1970. He was confined to

32 the Riverside County Jail from December 1, 1970, to January 4,

1971. Thereafter, he was transferred to the Medical Facility at

Vacaville, whence he was transferred to the California Men's

Colony at Chino, and then returned to the Medical Facility at

Vacaville, where he is presently in custody. Approximately 90

days after Petitioner had first been picked up he met for the

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

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

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

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

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

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

- 22 (a) the specific nature thereof:
 23 (1) Civil Rights Action
 24 (2) Petition for investigation
 25 (3) Application for Writ of Habeas Corpus.

26 (b) Name and location of court in which each was
 27 filed:

- 28 (1) Federal District Court of the Central
 29 District of California at Los Angeles, California
 30 (2) Superior Court of the State of Californi
 31 in and for the County of San Luis Obispo
 32 (3) Supreme Court of the State of California

1 which, which (c) The disposition thereof: was returned

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

3 defendants based on the specific findings of the Adult Authority

4 in its report (2) The case was dismissed by Petitioner on

5 the basis of a representation made by the Adult Authority that

6 if he dismissed the action, parole would be forthwith restored

7 Upon dismissal of said action, parole was in fact restored.

8 a life sentence as (3) The application was denied on a four to

9 two vote (see Exhibit B). upon full knowledge by the hearing

10 officer either (d) The date of each disposition: was by Petitioner

11 on the fact that (1) September 11, 1969 as seen by the Board

12 was knowingly as (2) February 6, 1970

13 and (3) April 22, 1971.

14 See page of (e) Citations of any written opinions: see page

15 Petitioner None. two actions after the initial revocation

16 of the (14) Has any ground in this Petition been presented be

17 to any court? See below. Petitioner was also filed out as

18 in the (15) If you answered "yes" to (14), identify: see page

19 of the (a) Which grounds have been previously presented

20 Petitioner's physical condition was the basis of the

21 1969-70 actions, which were specifically directed at his inabi

22 to obtain medical aid within the institution to which he was t

23 confined. At the time of said actions, however, petitioner's

24 condition (other than blindness) had not been diagnosed, nor w

25 he aware of the terminal nature of his injury in the absence o

26 prompt corrective surgery. The grounds set forth in the withi

27 petition were presented only to the California Supreme Court.

28 16. If any ground set forth in (10) has not previousl

29 been presented to any court, state or federal, set forth the

30 ground and state concisely the reasons why such ground has not

31 previously been presented: not applicable.

32 17. In the proceeding resulting in confinement was

1 there representation by an attorney at any time during the course
 2 of: (1) The case was dismissed on the motion of
 3 defendants. (a) proceedings prior to trial No.
 4 (b) trial or hearing dismissed by Petitioner No.
 5 the basis of (c) sentencing made by the Adult Authority No.
 6 if he dismiss (d) appeal, if any made or corrected No.
 7 Upon dismissal (e) preparation, presentation, or restoration.
 8 consideration of any petitions, motions or applica- a form to
 9 tions with respect to this conviction, which you filed No.

10 18. Name and address of each such attorney:
 11 None. September 1968

12 19. Is the person in custody presently represented by
 13 an attorney in any way relating to this confinement?
 14 Yes. Ephraim Margolin and Ramsay Fifield, 445
 15 Sutter Street, Suite 501, San Francisco, California.

16 20. Has any ground in this Petition ever presented by
 17 or any other Petitioner has no plain, adequate or speedy remedy
 18 other than by this application for a Writ of Habeas Corpus.

19 There is no appeal from the decision of the Adult Authority and
 20 unless the said decision is set aside, Petitioner will be subj
 21 to what amounts to a life sentence.

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

24 WHEREFORE, Petitioner respectfully prays:

25 1. That a Writ of Habeas Corpus issue out of this
 26 Court to Raymond Procunier, Director of the Department of
 27 Corrections and L. J. Pope, Superintendent of the California
 28 Medical Facility at Vacaville, commanding them to bring Joseph
 29 Mazor before this Court and to show cause at a time and place
 30 to be set by this Court why the said JOSEPH MAZOR is so detain
 31 all in accordance with the requirements of Penal Code Section
 32 1480;

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

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

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

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

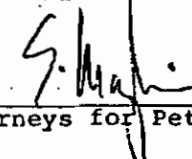
14 6. The medical hold placed on Petitioner be dissolved;

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

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

20 Dated: May 4, 1971.

22 EPHRAIM MARGOLIN
23 RAMSAY FIPIELD

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

51-CT0a

Memorandum

To: E. P. McLarney, M.D., Chief Medical Officer, California Men's Colony West, Box A-W, San Luis Obispo, California 93401
Date: November 17, 1969
File No.: MAZOR A-77153
Subject: Requested Transfer

From: California Medical Facility, Vacaville - 95688
Petitioner has admitted to said Medical Examination and I am in receipt of your memo of November 10, 1969 requesting neurological examination, electroencephalogram, and electroretinogram examination on the above-named inmate of your institution. We do have facilities for neurological examination and electroencephalogram at this institution, and I would be glad to receive the inmate on a medical and return basis for these examinations. We do not have facilities for performing an electroretinogram, but I have discussed this subject with our ophthalmologic consultant, Frank W. Hull, M.D., who advises me that the closest hospital for this examination is in San Francisco. The necessity for this examination can be re-evaluated here, after the neurological examination and EEG are performed.

The Court declares whether the present California system of parole revocation is constitutional on the fact and as applied to these petitioners.
Petitioner is granted
W. E. PROUT, M.D., Chief Medical Officer

W. E. Prout M.D.

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

EXHIBIT A

5-1-c-106

MAZOR, Joseph A-77153-A NRCG Central File

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

REP: id
cc: Medical Jacket
Mr. Lane
Neurology Dept. (Dr. Wright)
Mr. Boling
From: California Medical Facility, Vacaville - 93605

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

March 4, 1971

I am in receipt of your memo of November 11, 1970, requesting that I examine the inmate, [name redacted], and that I obtain an electroencephalogram and electroretinogram. I have received the inmate on 1/27/71 and have not had the opportunity to perform an examination. This subject with our best efforts cannot be examined at this time. The necessity for this examination for neurological examination and EEG are deferred.

REP: id
cc: Dr. [redacted]
Center [redacted]
Branch [redacted]

EXHIBIT A

S-1-C-10c



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

March 22, 1971

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

To the Supreme Court of California:

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

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

Carter Noland, M.D.

CN:pwj

EXHIBIT 3

DEPARTMENT OF CORRECTIONS

CALIFORNIA MENTAL FACILITY

1111, CALIFORNIA 95688

S-1-C-102



April 1, 1971

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

Re: MAZOR, Joseph (A-77153) C#2
Request for consideration of
parole for medical reasons

Attention: Mr. Joseph Spangler

Dear Mr. Kerr:

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

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

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

EXHIBIT C

Terr, Chairman
Adult Authority
4/1/71
Page 42

S-1-C-10e



Case be reviewed, with the hope that the Adult Authority will see fit to re-
instate his parole and release him to the Riverside General Hospital for medical
care. If there are any further questions which I have not covered in this case of,
please feel free to phone me.

Yours very truly,

R. E. Proff, M.D.

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

Dear Mr. Terr:

Pursuant to my telephone conversation with you this 2/17/71, I am pleased to advise you that the Adult Authority has been informed of the findings of the Riverside General Hospital, dated March 17, 1971, which are attached as the enclosed herewith. The findings were heard and approved by the Parole Board on March 17, 1971.

Enclosed for your information are the following neurological consultation reports with a CSF analysis, dated March 17, 1971, from Riverside General Hospital, which are attached as the enclosed herewith. The findings of the parietal lobe resection of the parietal lobe, performed by Dr. Gorman, Medical Director of Riverside General Hospital, and Dr. Ephraim Margolin, M.D., dated March 17, 1971, are attached as the enclosed herewith. The findings of the parietal lobe resection of the parietal lobe, performed by Dr. Gorman, Medical Director of Riverside General Hospital, and Dr. Ephraim Margolin, M.D., dated March 17, 1971, are attached as the enclosed herewith. The findings of the parietal lobe resection of the parietal lobe, performed by Dr. Gorman, Medical Director of Riverside General Hospital, and Dr. Ephraim Margolin, M.D., dated March 17, 1971, are attached as the enclosed herewith.

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

Enclosed for your information are the following neurological consultation reports with a CSF analysis, dated March 17, 1971, from Riverside General Hospital, which are attached as the enclosed herewith. The findings of the parietal lobe resection of the parietal lobe, performed by Dr. Gorman, Medical Director of Riverside General Hospital, and Dr. Ephraim Margolin, M.D., dated March 17, 1971, are attached as the enclosed herewith. The findings of the parietal lobe resection of the parietal lobe, performed by Dr. Gorman, Medical Director of Riverside General Hospital, and Dr. Ephraim Margolin, M.D., dated March 17, 1971, are attached as the enclosed herewith.

S-1-C-104

Mr. Mohr, Chairman
Adult Authority
4/1/72
Page 62

1
2

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

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

ss:

Yours very truly,

Joseph A. Mazon

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

Chief Medical Officer

cc: Central File
COIF
Medical Section

Dr. Gorman, Medical Director
Ms. Ephraim Margolis

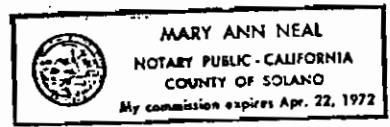
Joseph A. Mazon
Signature of Affiant

SUBSCRIBED and SWORN to
before me this 4th day
of May, 1971.
(month) (year)

Mary Ann Neal
Notary Public

My commission expires:

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



6.

31

32

15-16112

ORDER DENYING WRIT OF HABEAS CORPUS

Criminal No. 15486

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA
IN BANK

FILED

In re MAZOR

APR 22 1971

G. E. BISHEL, Clerk

on Habeas Corpus.

S. F. Deputy

Wright, C.J., did not participate.

Petition for writ of habeas corpus DENIED.

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

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

Witness my hand and the seal of the Court this

22nd day of April A.D. 1971

By *[Signature]*
Deputy Clerk

[Signature]
Acting Chief Justice

FORM-677 3-26-70 O&P

EXHIBIT D

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

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

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

No.

18
19 BRIEF IN SUPPORT OF THE APPLICATION
20 OF JOSEPH MAZOR FOR A WRIT OF HABEAS
CORPUS
21
22
23
24
25
26
27
28
29
30
31
32

INDEX

1	Table of Cases	i, ii, iii
2	I. INTRODUCTION	1
3	II. LEGAL CONSEQUENCES OF REVOCATION OF PAROLE	2
4	III. THE PAROLE REVOCATION DECISION FALLS WITHIN THE CATEGORY OF DECISIONS REQUIRING A DUE PROCESS HEARING	7
6	IV. CONCLUSION	17
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		

TABLE OF CASES

1	<u>Anti-Facist Committee v. McGrath</u> 341 U.S. 123	12
2		
3	<u>Burns v. U.S.</u> 287 U.S. 216	13
4	<u>Cafeteria Workers v. McElroy</u> 367 U.S. 886	3, 5
5		
6	<u>Commonwealth v. Tinson</u> 247 A.2d 549 (Penna.)	2, 7
7	<u>Cooper v. Pate</u> 378 U.S. 546	2
8		
9	<u>Eleanor v. Hammond</u> 116 F2d 982	13
10	<u>Ellhammer v. Wilson</u> 312 F.Supp 1245	1, 14
11		
12	<u>Endler v. Schutzbank</u> 68 Cal.2d. 1621	9
13	<u>Escobedo v. Illinois</u> 378 U.S. 478	7
14		
15	<u>Gideon v. Wainwright</u> 372 U.S. 335	7
16	<u>Goldberg v. Kelly</u> 397 U.S. 254	4, 7
17		
18	<u>Greene v. McElroy</u> 360 U.S. 464	8, 15
19	<u>Hannah v. Larche</u> 363 U.S. 420	8
20		
21	<u>Heryford v. Parker</u> 396 F2d 393	10
22	<u>Hoster v. Craven</u> C.D. Cal. 70 832 F	1, 14, 16
23		
24	<u>Howett v. North Carolina</u> 415 F.2d 1316	2
25	<u>Hinnington v. Department of Corrections</u> N.D. Cal. C-69 149	1
26		

1	<u>Hysor v. Reed</u>	
	318 F.2d 255	16
2		
3	<u>In re Allen</u>	
	71 A.C. 409	2
4	<u>In Re Brown</u>	
	67 C.2d 339	2
5		
6	<u>In Re Gault</u>	
	387 U.S. 1	7
7	<u>In re McLain</u>	
	55 Cal.2d 78	3
8		
9	<u>In Re O'Malley</u>	
	101 CA.2d 80	2
10	<u>In re Scarborough</u>	
	76 CA.2d 648	2
11		
12	<u>In Re Schoengarth</u>	
	66 C2d 295	2
13	<u>In re William Oliver</u>	
	333 U.S. 257	8
14		
15	<u>Jackson v. Bishop</u>	
	404 F2d 571	2
16	<u>Jenkins v. McKeithen</u>	
	23 L.Ed. 2d 404	8
17		
18	<u>McConnell v. Rhay</u>	
	393 U.S. 2	7
19	<u>Messiah v. U.S.</u>	
	377 U.S. 201	7
20		
21	<u>Mays v. Nelson</u>	
	N.D. Calif. No. C-70-1029	1, 13
22	<u>Memba v. Rhay</u>	
	389 U.S. 128	4, 12, 13, 14
23		
24	<u>Miranda v. Arizona</u>	
	384 U.S. 436	7
25	<u>Nolan v. Scafatti</u>	
	430 F.2d 548	2
26		
	<u>Reed v. Buttorworth</u>	
	297 F.2d 776	16

1	<u>Ruffin v. Commonwealth</u>	
2	62 Va. 790	2
3	<u>Scarpelli v. Gagnon</u>	
4	313 F.Supp. 72	2, 7, 13
5	<u>Sekol v. P.U.C.</u>	
6	65 Cal.2d 247	9
7	<u>Shapiro v. Thompson</u>	
8	394 U.S. 618	4
9	<u>Specht v. Patterson</u>	
10	386 U.S. 605	5
11	<u>Strum v. California Adult Authority</u>	
12	395 F2d 446	11
13	<u>Townsend v. Burke</u>	
14	334 U.S. 736	8
15	<u>U.S. ex rel Schuster v. Harold</u>	
16	410 F2d 1071	2
17	<u>Wilburn v. Nelson</u>	
18	N.D. Cal. C-70-1402	1, 13
19	<u>William v. N.Y.</u>	
20	337 U.S. 241	8
21	<u>Willner v. Committee on Fitness</u>	
22	373 U.S. 96	8
23	<u>Wisconsin v. Constantineau</u>	
24	397 U.S. L.W. 4128	7
25	<u>Workman v. Turner</u>	
26	D. Utah No. C-38068	15

TEXTS

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

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

6 Ellhamer v. Commonwealth

7 Roberts v. Garrison

8 Wol v. F.B.I.

9 IN THE UNITED STATES DISTRICT COURT FOR

10 THE NORTHERN DISTRICT OF CALIFORNIA

11 JOSEPH MAZOR,

12 Petitioner,

13 Vs.

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

18 Respondents.

No.

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

19 I. INTRODUCTION

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

31 ///

32 ///

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

5 II. LEGAL CONSEQUENCES OF REVOCATION OF PAROLE

6 In 1871, the Virginia Court stated that a prisoner
7 "is for the time being the slave of the State." Ruffin v.
8 Commonwealth, 62 Va. 790, 1871. During the succeeding century
9 it became axiomatic that prisoners retain a core of fundamental
10 rights, e.g. In re Brown, 67 Cal. 2d 339 (1967) holding that a
11 revocation of parole cannot be based on a subsequent conviction
12 found to be illegal; Cooper v. Pate, 378 U.S. 546--deprivation
13 of religious freedom. Nolan v. Scafati, 430 F.2d 548 (1st
14 Circ. 1970); U.S. ex rel Schuster v. Herold, 410 F.2d 1071
15 (2d Circ. 1969) cert. den. 396 U.S. 847 (1970); Jackson v. Bishop
16 404 F.2d 571 (8 circ. 1968). Compare: Revocation of probation
17 based on violations of illegal condition of probation: In re
18 Allen, 71 AC 409 (1969); In re Scarborough, 76 C.A.2d, 648;
19 Bewett v. North Carolina, 415 F.2d 1316. Parolees are a class
20 of citizens whose freedoms have been conditioned, but whatever
21 the State's obligation on granting a parole in the first place,
22 once parole is granted it cannot be revoked or suspended "witho
23 a cause" (P.C. Sec. 3063) and California courts will scrutinize
24 such a "cause" on habeas corpus and release the prisoner if the
25 "cause" is nonexistent (In re O'Malley, 101 C.A.2d 80) or
26 inadequate (In re Brown, 67 Cal.2d 339; In re Schoongarth, 66

1 Cal.2d 295, 302 (1967).) See also, generally, K.C. Davis,
2 Discretionary Justice, Baton Rouge 1969, pp. 126-133.

3 We submit that the petitioner did not have a right to
4 have his sentence reduced to less than the maximum, once it is
5 so reduced he acquired a right to have his sentence terminate on
6 the earlier date established absent some change which justified
7 redetermination. In the language of In re McLain, 55 Cal.2d
8 78 (1960),

9 "Even though a legally convicted person has no
10 vested right to the determination of his sentence
11 at less than maximum, his liberty, or denial
12 thereof, may not be made to turn upon mere whim,
13 caprice, or rumor. Thus in redetermining sentence,
14 although no 'cause' need be stated in the order,
15 the conclusion is inescapable that such action
16 cannot be taken in the absence of good cause."

17 55 Cal.2d at 87 (citations omitted).

18 and again, in Cafeteria Workers v. McElroy, 367 U.S. 886 (1961)
19 --a case involving summary denial of access to plaintiff's place
20 of former employment--the court stated that:

21 "This question cannot be answered by easy assertion
22 that, because she has no constitutional right
23 to be there in the first place, she was not
24 deprived of liberty or property by the
25 Superintendent's action. 'One may not have a
26 constitutional right to go to Baghdad, but the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Government may not prohibit one from going there unless by means consonant with due process of law." 367 U.S. at 894.

This position was reaffirmed in Goldberg v. Kelly, 397 U.S. 254, 262 (1970), when the Court stated that "[t]he constitutional challenge cannot be answered by an argument that public assistance benefits are 'a "privilege" and not a "right."' See also, Shapiro v. Thompson, 394 U.S. 618, 627 n.6 (1969).

It is important to keep in mind that termination of continuance of a "conditional freedom" is not the only consequence of a parole revocation hearing in California.

The first thing which happens after an alleged parole violation is reported and a decision is made to "suspend" the parole and take the parolee in custody pending a revocation hearing is that his term is refixed at maximum. See In re Brown, 67 Cal.2d 339 (1967). This procedure, we submit, has so many of the attributes of the "sentencing" at which counsel is required under Mempa v. Rhay, supra, discussed infra, as to require re-examination of due process rights at revocation proceedings.

It should also be noted that determination of sentence at less than the maximum is the almost universal disposition in cases involving indeterminate sentences. Far from being an unusual, special favor granted to a particular individual by a forgiving government, it is the usual mode of disposition and the penal system depends upon it as much as the inmates do.

The weakness of relying upon the right-privilege distinction in deciding due process questions was pointed out by the Supreme Court in Cafeteria Workers v. McElroy, 367 U.S. 886.

Before we move to the requirements of due process of law in parole revocation hearings we wish to make clear one matter which we are not arguing. We do not contend in this case that there must be a due process hearing. (by this term we encompass representation by counsel, confrontation of evidence and the right to present witnesses) on the question of whether parole should be granted or not granted to a person in prison. This is a decision as to whether parole, once granted, should be revoked. The former decision involves the judgment of intangibles of human character and behavior. We are not being critical but merely descriptive when we describe the decision to grant parole as an amorphous process. However, revocation of parole is a matter of entirely different character. A factual decision must be made as to whether a specific condition of parole has been violated. A decision in this area will almost always be made on factual evidence. In other words, the revocation decision is exactly that kind of decision which is normally made within the truth-finding safeguards of those procedures generally characterized as the basic guarantee of due process of law. Specht v. Patterson, 385 U.S. 605 (1967).

The facts of the present case involve an ill man, possibly dying for lack of surgery, who must wait 90 days before

1 anyone passes on whether or not he ought to have been pulled in
2 to custody immediately prior to planned hospitalization; the
3 facts of his illness were not presented to the representative
4 of the Adult Authority despite his timely written request that
5 they be made available. His evidence--exonerating him of any
6 wrongdoing, appeared incomprehensible to the representative of
7 Adult Authority, who then decided to rule against the petitioner
8 until he could ascertain the meaning of petitioner's defenses;
9 yet, neither originals nor copies are retained by the Adult
10 Authority, petitioner's request for counsel to prepare and
11 present his testimony is denied; petitioner was incapable of
12 reading aloud his contentions to the Adult Authority representa-
13 tive; the witnesses against him cannot be questioned by him at
14 any point. The whole "hearing" is a mechanistic exercise in
15 subterfuge in which what we don't know becomes a cause for
16 violation of parole so that "investigation" can be had but no
17 one cares to examine what is known, what conceivably could
18 exonerate the petitioner on the spot. When the Adult Authority
19 acts not because it is convinced that petitioner acted in a
20 manner requiring revocation but because it did not bother to check
21 whether he so acted; when the Adult Authority postpones a matter
22 "for investigation" (on top of the original delay of 90 days)
23 without considering petitioner's health condition--clearly
24 injustice is done.

25 ---
26 ---

1 anyone else. III. THE PAROLE REVOCATION DECISION FALLS WITHIN THE CATEGORY OF DECISIONS
2 TO CUSTODY WHICH REQUIRING A DUE PROCESS HEARING.
3 Two elements must be present for the Fourteenth Amendment
4 Due Process Clause to apply. There must be both state action and
5 a deprivation of "life, liberty, or property." Since the
6 redetermination of sentence clearly involves state action, the
7 only question is whether the procedure followed by California
8 deprived the parolee of a protected right. Johnson's defense
9 was not. Since the United States Supreme Court's decision
10 on the right to counsel in Gideon v. Wainwright, 372 U.S. 335
11 (1963), the Court has extended the right to counsel and other
12 procedural guarantees of a fair hearing to several proceedings
13 other than the criminal trial itself. These proceedings
14 include: all pre-trial interrogation, Escobedo v. Illinois,
15 378 U.S. 478 (1964), Massiah v. United States, 377 U.S. 201
16 (1964), Miranda v. Arizona, 384 U.S. 436 (1966); any proceedings
17 in juvenile court which might result in incarceration, In re
18 Gault, 387 U.S. 1; (see below) and sentencing, even when deferred
19 and handled at the time of revocation of parole, Kampa v. Rhay,
20 supra; McConnell v. Rhay, 393 U.S. 2 (1968). See also Goldberg
21 v. Kelly, 397 U.S. 234 (1970), right to continuing welfare
22 payments, and Wisconsin v. Constantineau, 39 USLW 4128, January
23 19, 1971, right to keep one's name off the list of excessive
24 drinkers. See also Scarpelli v. Gagnon, 317 F.Supp. 72 (right
25 to counsel at parole revocation hearing) and Commonwealth v.
26 Tinson, Supra, to the same effect.

III. THE BUREAU RECORDS

1 Many of these decisions, we believe, may be traced to
 2 language of the United States Supreme Court in a case involving
 3 another formerly well-established proceeding which was thought
 4 to allow the denial of due process of law, a one-man grand jury.
 5 This language occurs in In re William Oliver, 333 U.S. 257, 273:
 6
 7 A person's right to reasonable notice of a charge
 8 against him, and an opportunity to be heard in his
 9 defense - a right to his day in court - are basic
 10 principles in our system of jurisprudence; and those rights
 11 include, as a minimum, a right to examine the
 12 witnesses against him, to offer testimony, and
 13 to be represented by counsel.
 14
 15 This language was echoed in a case involving an administrative
 16 proceeding, Mannah v. Larche, 363 U.S. 420, 442:

17 [W]hen governmental agencies adjudicate or make
 18 binding determinations which directly affect the
 19 legal rights of individuals, it is imperative
 20 that those agencies use the procedures which have
 21 traditionally been associated with the judicial
 22 process.

23 In another decision involving administrative rights, the right to
 24 a security clearance for access to classified information, the
 25 United States Supreme Court held:

26 [W]here governmental action seriously injures an
 individual, and the reasonableness of the action
 depends on fact findings, the evidence used to
 prove the government's case must be disclosed to
 the individual so that he has an opportunity to
 show that it is untrue. Greene v. McElroy, 360
 U.S. 474, 496 (1959) (emphasis added)

See also Willner v. Committee on Character and Fitness, 373 U.S.
 96, 103. And see Jenkins v. McKeithen, ___ U.S. ___, 23 L.Ed.
 2d, 404 (1969); Townsend v. Burke, 334 U.S. 736, 741 (1946);
William v. New York, 337 U.S. 241 (1949).

1 In California our courts have evidenced an increasing
 2 concern with procedural due process rights in administrative
 3 hearings. The right to telephone service may not be removed
 4 without a due process hearing including confrontation, cross-
 5 examination and counsel. See Sokol v. Public Utilities Commis-
 6 65 Cal.2d 247. In Endler v. Schutzbank, 68 Cal.2d 162 (1968),
 7 the court had before it a claim to a due process hearing on the
 8 basis that the Commissioner of Corporations was injuring the
 9 plaintiff's right to make a living. The court upheld this right
 10 to a hearing, stating:

11 Fundamental fairness requires that an indivi-
 12 dual be permitted to defend himself publicly
 13 against official charges, however informal,
 14 which threaten to stain his personal and profes-
 15 sional future.
 16 68 Cal.2d at 180.

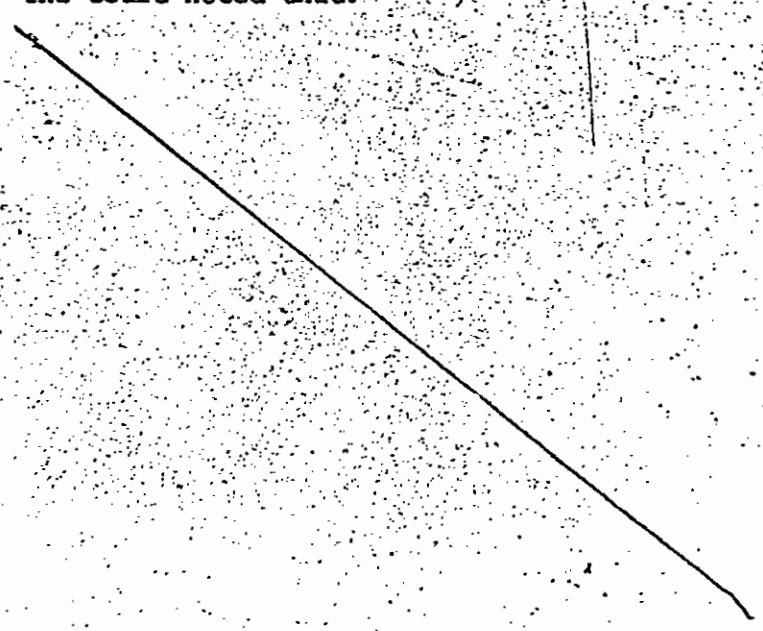
17 Any person whose freedom to pursue his profes-
 18 sion is seriously restricted by an official
 19 action or course of conduct designed to dis-
 20 courage his employment may compel the government
 21 to afford him a hearing complying with the
 22 traditional requirements of due process.
 23 Id. at 173.

24 Procedural due process requires notice, confron-
 25 tation and a full hearing whenever action by a
 26 state significantly impairs an individual's
 freedom to pursue a private occupation.
 Id. at 172.

We submit that the concern with due process rights
 in the cases we have described must influence and be applied in
 the revocation of parole proceedings since these are of equal if
 not greater significance than the proceedings which have already
 been accorded the benefit of due process hearings.

1 In the case of In re Gault, 387 U.S. 1 (1967), the
2 court pierced the benevolent venter of parens patriae, looked
3 at the substance of juvenile court proceedings and their con-
4 sequences, and determined that the "[f]ailure to observe the
5 fundamental requirements of due process has resulted in instances,
6 which might have been avoided, of unfairness to individuals and
7 inadequate or inaccurate findings of fact and unfortunate
8 prescriptions of remedy." 387 U.S. at 19-20.

9 The impact of Gault in analogous areas was emphasized
10 by the Tenth Circuit's decision in Herford v. Parker, 396
11 F.2d 393 (10th Cir. 1968). This case involved a habeas corpus
12 proceeding brought by a mother on behalf of her son who had
13 been committed to a state training school for the feeble-minded
14 and epileptic. The court noted that:



15
16
17
18
19
20
21
22
23
24
25
26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

"[W]e have a situation in which the liberty of an individual is at stake, and we think the reasoning in Gault emphatically applies. It matters not whether the proceedings be labeled 'civil' or 'criminal' or whether the subject matter be mental instability or juvenile delinquency. It is the likelihood of involuntary incarceration -- whether for punishment as an adult for a crime, rehabilitation as a juvenile for delinquency, or treatment and training as a feeble-minded or mental incompetent-- which commands observance of the constitutional safeguards of due process. Where, as in both proceeding for juveniles and mentally deficient persons, the state undertakes to act in parens patriae, it has the inescapable duty to vouchsafe due process, . . ."
396 F.2d at 396.

This statement is illuminated by the concurring opinion of Judge Browning in Sturm v. California Adult Authority, 395 F.2d 445, 449 (9th Cir. 1967):

"No doubt the State of California may adopt a system of indeterminate sentencing and create a non-judicial agency to administer the system without violating the Constitution of the United States. But the existence of this power does not imply a further power in the State to immunize its acts, through its administrative agency, from the strictures of the Fourteenth Amendment.

The judicial imposition of a life sentence upon appellant is no more than a legislatively mandated device for transferring the sentencing function from the state court to the State administrative agency with a grant of jurisdiction over appellant's person for a period sufficiently long to enable the agency to perform its functions under the State's indeterminate sentencing law. Use of that device cannot be seized upon as a means to validate whatever action the administrative agency might subsequently choose to take, no matter how seriously the appellant might be injured, and without regard to whether the agency's action was arbitrary, basically unfair, or individually discriminatory.

When the California Adult Authority entered its order of July 3, 1962, refixing appellant's sentence at ten and one-half years, it substantially extended

1 the prison term which appellant would be required
 2 to serve. Appellant's challenge to the constitutiona
 3 of that order cannot be answered by pretending that
 4 nothing really occurred, merely because a state court
 5 five years earlier, had entered an order fixing
 6 appellant's maximum term at life. The action of the
 7 Board was State action. It deprived appellant of
 8 liberty, if it did so 'without due process of law,'
 9 or denied appellant 'the equal protection of the laws'
 10 it offended the Fourteenth Amendment."

11 It must be noted that the Supreme Court refuses to
 12 decide constitutional questions such as this on the basis of
 13 "labels". Instead, the Court looks at the following elements:

14 "The precise nature of the interest that has been
 15 adversely affected, the manner in which this was
 16 done, the reasons for doing it, the available
 17 alternatives to the procedure which was followed,
 18 . . . and the balance of hurt complained of and
 19 good accomplished" Anti-Fascist Committee
 20 v. McGrath, 341 U.S. 123, 163, (1951) Justice
 21 Frankfurter, concurring).

22 There can be no question that the precise interests i
 23 volved here are life and liberty. But for the Adult Authority's
 24 action the Petitioner would not now be incarcerated, nor would
 25 his sentence have been reset to a longer term, based upon a
 26 factual determination of events which occurred outside the prison.
 The Adult Authority should not isolate from judicial review the
 decision to redetermine sentences by the procedural device of
 making it an automatic occurrence upon the happening of some oth
 event, namely parole revocation.

We would like once again to turn to Mempa v. Rhay, su
 The Washington procedure there under scrutiny required the trial
 judge to sentence the convicted felon to the maximum term provid

1 by law in every case. Since this was the judge's only function a
 2 sentencing, and since this could well be described as ministerial
 3 the state argued in the U.S. Supreme Court that the right to counsel
 4 at this proceeding was a mere formality. The U.S. Supreme Court
 5 rejected this argument, pointing out that the sentencing judge made
 6 a recommendation to the Board of Parole as to the actual maximum
 7 term and, for the effect it would have on this decision alone,
 8 counsel was advantageous and required to be appointed for an
 9 indigent. If Morgan is correct it cannot be argued that counsel is
 10 not required where a decision is made re-fixing a sentence at
 11 maximum and revoking a conditional freedom previously granted.
 12 See also: Burns v. U.S., 287 U.S. 216 (1932)-revocation of
 13 probation; and Eleonor v. Hammond, 116 F.2d 982 (6th Circ. 1941)-
 14 revocation of conditional pardon by a Governor. See also,
 15 Scarpelli v. Gagnon, supra, Commonwealth v. Tinson, supra.

16 In Wilburn v. Nelson, N.D. Calif. No. C-70 1402,
 17 conviction of the use of a stolen card while on parole did not
 18 justify re-setting of Wilburn's sentence, the Court holding that:

19 " . . . any proceedings which, in essence may
 20 [. . .] enhance the possibility of incarceration
 21 must be attendant with principles of due process,
 including representations of counsel." (At. p. 2)

22 In Mays v. Nelson, N.D. Calif. No. C-70 1029, Feb. 16,
 23 1971, defendant was convicted of a misdemeanor while on parole and
 24 pleaded guilty to one charge of violating his parole conditions but
 25 the Court found that the Adult Authority had before it erroneous
 26 information concerning the petitioner, and stated:

1 . . . Had petitioner been afforded basic procedural
 2 safeguards including right to counsel, he could have
 3 advised the Adult Authority that he had not been
 4 charged with assault with a deadly weapon, could have
 5 argued that although a technical violation of his
 6 parole contract, the altercation was really in the
 7 nature of a family dispute . . ." (At p. 2).

8 In Ellhamer v. Wilson, 312 F.Supp. 1245 (1969) defendant
 9 was accused of commission of a robbery while on parole. The Court
 10 set aside the revocation of his parole stating that California's
 11 arguments to the contrary "partake of the mystical . . . if sub-
 12 stance is to have any influence on legal conclusions, then the
 13 extension of a previously fixed sentence to life must be deemed
 14 a penalty." (Note 5).

15 By contrast, in the present case, Petitioner was not
 16 convicted of any act done during his parole. Thus, it could not
 17 be argued that he had a "trial" establishing his guilt of an offense
 18 which would also suffice to cause revocation of his parole. Further
 19 Petitioner did not plead guilty to the charges. Petitioner had
 20 physical evidence refuting and explaining all of the charges. He
 21 had witnesses to prove his case where his documentary evidence was
 22 not conclusive. In the words of Mempa v. Rhay, 389 U.S. 128, at
 23 137, his predicament resulted in " . . . imposition of sentence
 24 . . . based on the alleged commission of offenses for which the
 25 accused [was] never tried."

26 In Hester v. Craven, supra, evidence against petitioner
 consisted solely of a written report submitted by a parole officer
 (p. 4) (We do not know whether in the present case, even that was
 available against Petitioner. Only a list of charges was given

1 to him) The court characterized the issue:

2 "Whether the California Adult Authority, consistent
3 with the Due Process Clause of the Fourteenth
4 Amendment, can redetermine the sentence of a
5 parolee to a longer term based upon a factual
6 determination of events which occurred outside
7 the prison without giving the parolee the
8 right to confront and cross-examine the witnesses
9 against him." (p. 5)

7 There, as here, petitioner challenges the procedure invoked
8 arrive at the re-determination; the factual determination of
9 events upon which the decision was based and the right to a
10 due process hearing. The court cited Green v. McElroy, 360
11 U.S. 474, 496 (1959) as follows:

12 "Certain principles have remained relatively
13 immutable in our jurisprudence. One of these
14 is that where governmental action seriously in-
15 jures an individual, and the reasonableness of
16 the action depends on fact findings, the evidence
17 used to prove the Government's case must be dis-
18 closed to the individual so that he has an
19 opportunity to show that it is untrue. While
20 this is important in the case of documentary
21 evidence, it is even more important where the
22 evidence consists of the testimony of individuals
23 whose memory might be faulty or who, in fact,
24 might be perjurers or persons motivated by
25 malice, vindictiveness, intolerance, prejudice,
26 or jealousy. We have formalized these protec-
27 tions in the requirements of confrontation and
28 cross-examination."

21 To similar effect is Workman v. Turner, D. Utah No. C-23068,
22 August 12, 1969, holding that "a parolee has constitutional
23 rights to examine witnesses under oaths," be confronted by his
24 accusers and to have a subpoena power during parole revocation
25 hearings--and to have public hearing rather than star chamber
26 proceedings.

1 Lastly, under this section we wish to deal with the
2 argument that a due process hearing on parole revocation would be
3 impracticable. This is frequently the only excuse put forward to
4 block procedural rights and is particularly inadequate in the con-
5 text of parole revocation hearings since federal prisoners and
6 those of a number of states now have due process hearing rights
7 revocation of parole proceedings. The development of the federal
8 law is particularly illuminating. Congress enacted a scheme very
9 similar to that which we have in California stating that a parolee
10 who is alleged to have violated a condition of his parole "shall
11 be given an opportunity to appear before said Board [of parole]."
12 In the case of Reed v. Butterworth, 297 F.2d 776 (1961 D.C. Cir.)
13 the Court held that this wording means that the appearance right
14 mentioned in the statute means an "effective appearance" and since
15 this was a fact-finding process the parolee had the right to
16 appear with counsel and had the right to present witnesses. Even
17 since this decision the federal parole proceedings have operated
18 within this procedure, and no particular complaint has been heard
19 concerning the difficulty in managing federal parolees. The denial
20 of rights of confrontation, cross-examination and compulsory
21 process for witnesses resulted in a split decision in Hysler v.
22 Reed, 318 F.2d 255 (D.C. Cir.), but appears vindicated in Hester
23 v. Craven, Supra, decided only last month. The State of Michigan
24 allows full procedural rights to a person accused of a parole
25 violation (Michigan Statutes Annot. Sec. 28.2310 (1954)) and still
26 has one of the highest rates of parole of all states. See Sklar

S-1-001

1 Law and Practice in Probation and Parole Revocation Hearings,
 2 55 Journal of Criminal Law 175 (1964). Among other states
 3 allowing full procedural rights in such hearings is Alaska
 4 (Hoffman v. State, 404 P.2d 739). The Report of the President's
 5 Commission on Law Enforcement and Administration of Justice title
 6 "The Challenge of Crime in a Free Society" states at P. 150:

7 The criminal trial process is not the only one
 8 in which a person may be deprived of his liberty.
 9 The revocation of probation and parole presents
 10 an equal threat, and though the legal issues in
 11 such proceedings are seldom complicated, the
 12 factual issues may be . . . legal assistance should
 13 be provided in parole and probation revocation
 14 proceedings. . . .

12 For a thorough discussion of current law in the area see the
 13 dissenting opinion of Judge Celebrezze in Rosa v. Haskins, 383
 14 F.2d 91 (1963).

15 CONCLUSION

16 At his parole revocation hearing petitioner was
 17 entitled to those basic procedural rights which insure the
 18 integrity of the fact-finding process. Petitioner was entitled
 19 to counsel, the right to a speedy hearing, the right effectively
 20 to present evidence and to compel testimony and documents,
 21 the right to confront accusers by hearing evidence against
 22 him and cross-examining his accusers, and the right to a
 23 reasoned basis for the decision to revoke his paroles.

24 These basic rights were not accorded petitioner, who
 25 was placed in grave danger by reason of this denial. Accordingly
 26 petitioner respectfully submits that the relief prayed for should

S-1-C-11x

1 be granted.

2 DATED: May 4, 1971.

3 Respectfully submitted,

4 EPHRAIM MARGOLIN
5 RAMSAY FIFIELD

6 By Ramsay Fifield
7 RAMSAY FIFIELD

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Old
copy

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

FILED
AUG 26 1971
C. C. EVENSEN, Clerk

4 Petitioner in Pro per:

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

9 JOSEPH A. MAZOR,
10 Petitioner,
11 vs.
12 THE CALIFORNIA ADULT AUTHORITY,
13 et al.,
14 Respondents,

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

15 Petitioner in the abovestated matter petitions the Court for a
16 rehearing of the facts and issues involved brining before the
17 Court issues of fact and material errors made in the presenta-
18 tion of the case. Petitioner brings this belated petition on
19 the grounds that he is blind and has had to search for assist-
20 ance from others in the preperation of this document, since all
21 of the material has had to be read to petitioner and typing done
22 for him.

23 I
24 PETITIONER WAS NOT GIVEN TIME
25 TO TRAVERSE THE MATERIAL PRESENTED
26 BY THE ATTORNEY GENERAL:

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

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

FILED
AUG 26 1971
C. C. EVENSEN, Clerk

Petitioner in Pro per:

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

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

Case No. C-71 859 ACW

PETITION FOR
REHEARING ON WRIT
OF HABEAS CORPUS

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

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

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

1 to letters written to the court dated, May 7, 1971,
2 June 10, 1971, and June 18, 1971, and all addressed to
3 Mr. C.C. Evensen, Clerk of the Court. Therefore, petitioner
4 feels that not having the chance to traverse was a very great
5 disadvantage to the presentation of his case to the Court.
6

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

III
PRECARIOUS HEALTH DOES
BAR UNDERSTANDING:

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

IV
ELLHAMER v. WILSON NOT
A HOLDING CASE FOR PETITION

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

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

Respectfully submitted,

Joseph A. Mazor

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

Executed on August 23, 1971, at Chino, California

Joseph A. Mazor

FILED

JUL 9 - 1971

C. C. EVENSEN, Clerk

4 July

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

10	JOSEPH A. MAZOR,	}	No. C-71 849 ACW
11	Petitioner		
12	vs		
13	THE CALIFORNIA ADULT AUTHORITY,	}	SUBSTITUTION OF ATTORNEYS
14	et. al.,		
15	Respondents		

16
17 Please take notice that Petitioner JOSEPH MAZOR substitutes
18 JOSEPH MAZOR in propria persona, California Men's Colony, Chino,
19 California for his present counsel EPHRAIM MARGOLIN and RAMSAY
20 FIFIELD and each of them.

21
22 DATED: *July 2, 1971* Joseph Mazor
23

24 The above substitution accepted and agreed to. Ramsay Fifeild
25 RAMSAY FIFIELD

26
27 Ephraim Margolin
EPHRAIM MARGOLIN

28 DATED: *July 6, 1971*
29
30
31
32

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

No. C-71 849 ACW

RAMSAY FIFIELD certifies that she is

an active member of the State Bar of California, and not a party to the within action.

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

That she served a copy of the attached Substitution of Attorneys

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

which envelope was then sealed and postage fully prepaid thereon, and thereafter was on July 8, 1971

19 71, deposited in the United States mail at San Francisco, CA.

Ramsay Fifield

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

FILED
 JUN 10 1971

3
 JH

6 Attorneys for Respondents

C. C. EVANS

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 JOSEPH A. MAZOR,

Petitioner,

13 vs.

No. C-71 849 ACW

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

Respondents.

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

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

25 I

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

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

2 II

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

8 III

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

19 IV

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

22 V

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

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