

BPH EN BANC REVIEW

LAZOR'S DOCUMENT #2 TO THE BPH DECISION REVIEW UNIT AND EN BANC PANEL

RE: PAROLE CANDIDATE FREE LAZOR, CASE NO. C73842
REQUESTING EN BANC REVIEW TO MODIFY OR REVERSE HIS PAROLE HEARING DENIAL
DECISION OF JANUARY 12, 2022 HEARING

This document is not duplicative of the first document sent to the DECISION REVIEW UNIT (DRU) with a cover letter dated 2-18-22 for DRU and EN BANC action; hereby requesting a thorough review of BOTH documents as well as others that may be received from members of the community. What's requested is a fair and proper re-determination of the 1-12-22 hearing and suitability decision thereto based on "ERRORS OF FACT AND ERRORS OF LAW" and "NEW INFORMATION NOT CONSIDERED" by the 1-12-22 hearing panel "which has a substantial likelihood of a substantially different result." The issues:

1. FULFILLMENT OF PREVIOUS PANEL'S REQUIREMENTS TO PAROLE: The 1-12-22 panel didn't even address, ask about, prompt inquiry of, or allow my prompting of, my many parole-suitable achievements since the last hearing which that panel said would be a shoe-in for a parole grant. These include, among others:

MAJOR POINTS DROP not only from Level 4 to 3, but from 3 to 2; Move from level 4 highest security prison to Level 3, and would have gone to Level 2 but for this parole hearing not allowing pending-hearing transfer; No 115-RVRs for EIGHT YEARS; No mal-counseling chronos for FIVE YEARS; The only prisoner I can find who was prepared to recite and to present to the panel, and to show I've INTERNALIZED AND LIVE BY: all LDS 12 steps to addiction recovery, all 12 tools of GOGI, and all 12 Transforming Power Guides of AVP (Alternatives to Violence Project); Steady job for nearing two years, rated one of the three best workers of over 20 assigned; Nearly two-dozen laudatory staff special letters and chronos; over a dozen laudatory letters from the prison's top model fellow prisoners; Over 70 laudatory letters of "EVIDENCE" of my anti-crime history and present conduct spanning almost X years of life, including evidence of my excellent communication skills; My leadership of numerous self-betterment groups; the only prisoner with perfect attendance in all of them; My authored laudatory reports of group sponsors which they say NO OTHER PRISONER has done; Special participation in letters and support of sympathy to families of SVSP staff who passed away (including suicide); Exceptional conduct, contributions and attendance in Christian services and groups; Exceptional grades and attendance in college courses (straight As); The only prisoner who consistently gives officers the extra respect and courtesy of use of "Mr." and "Ms." before their last names and "sir" and "ma'am;" the only prisoner I've heard of who's not even dropped a candy wrapper on the yard or floor in 39 and X years, yet pick up thousands of them each day as my job, and even when it's not my job; and MUCH more -- but the panel never let me present these and never asked me about any of these nor anything else relevant to my suitability. They supplanted all this with letting the district attorney go FAR, FAR outside the bounds of "asking clarifying questions," to essentially turn the parole hearing into a personal war about unrelated court petition issues in judicial challenges to my trial conviction. (Where was my attorney??) That moment is when the hearing turned entirely south and never recovered from there.

2. INCAPABILITY OF PROCESSING RELIABLE EVIDENCE: Dr. David Shorter, PhD, noted anthropologist is a UCLA professor of the most sought-after college class in California history. He made this startling discovery -- quoting him:

You can have 150 students... 50 will see evidence they're shown, but 100 literally cannot see irrefutable evidence put right in front of them which contradicts their preconceived notions... Evidence will not speak to [i.e., "register in the brain of] certain people... it doesn't matter what you show them... no matter how much conclusive evidence [is presented to them] -- THEY CANNOT SEE IT.

Some people's minds are made up, and there's nothing you're going to do to convince them [contrary to their beliefs] NO MATTER WHAT YOU DO. (Emphases by Lazor)

This was the essence of the 1-12-22 parole hearing. No matter how much was prepared or presented which confirmed suitability, not one iota cognitively registered in the commissioners' minds because other preconceived beliefs blocked it. They wouldn't let me present most of it "because their minds were made up." I had evidence-based answers, insights, proof of INTERNALIZATIONS, proof I live daily by principles and actions proving suitability. I was NOT ALLOWED to even get close to discussing it. The panel didn't ask about any of this, something unheard of in the hundreds of parole hearings I've studied in transcripts, lifer groups, case law research, and personal discussions. Not only did they not prompt with questions, but they didn't ALLOW me to initiate presenting much evidence which should have resulted in a parole grant. As Dr. Shorter says, "THEIR MINDS WERE MADE UP," "they CANNOT see it...no matter what I show them" (or try to); "there's NOTHING...that can convince them;" "No amount of...EVIDENCE will speak to them..." Their cognition receptors were blocked.

Websters defines a "STRAW MAN" as "an imaginary opposition (adversary) set up to be easily confuted." That's what stood between me and the commissioners, making it IMPOSSIBLE for them to see ME, "WHO I AM TODAY." Both commissioners left the hearing like they entered it: still not knowing a thing about me. They knew only the straw man, thinking it was me, but who is 180° opposite of me. Within the 13,000 page C-file there exists many positive documents as well, but ALL overshadowed by the thousands of pages of fabricated straw man building blocks of documents. The result: a grossly unfair hearing with a prejudiced, wrong result. As Jennifer Shaffer publicly acknowledged on record: "Sometimes we get it (a parole denial) wrong."

3. "WHO I AM TODAY" -- CONSUMMATE MODEL PRISONER: Regardless of the past record, true or false, dozens of CDCR staff employees, including C/Os, associate wardens, captains, administrative staff, counselors, group sponsors, sergeants, one official higher ranking than a warden, were shocked and angered at the BPH upon hearing this decision. Dozens were rooting for me, and expected a shoe-in grant. Including those who used to aggressively advocate for my downfall and parole denial. Why the change? Under CDCR's new restorative model, staff now RECOGNIZE WHO THE MODEL PRISONERS and genuinely "GOOD" prisoners are. They've come to recognize that not only am I a top model prisoner and leader of "good" on the prison yards today, but that I'd been that way throughout my decades in prison just as when I was free. They confirmed decades of RVRs were false reports and their punishments were not due, including numerous parole

denials. Most now know they had been looking at a fabricated straw man they thought was me. For the first time in decades they'd begun to see me instead of the straw man, hence the many laudatory letters and chronos from them. But not so for the parole panel.

4. INDIVIDUALIZED CONSIDERATION: In my companion document #1, most of the 16 hearing rights violations were tied to the panel's failure to apply individualized consideration; as I am far from the typical criminal-lifestyle prisoner. (Both when free and in prison). The typical BPH "formula" for rehabilitation is something like this: awaken with insights to criminal wrongs, acknowledge them, develop empathy for victims that evolves into remorse, acknowledge past (and present) criminal thinking and behaviors ("CONFESSIONS"), desire to change, desire to make amends, change to non-criminal thinking and behaviors, and make amends to victims and society. Albeit a good model, IT LEFT NO ROOM FOR A PRISONER BEFORE THE COMMISSIONERS WHO NEVER HAD CRIMINAL THINKING OR BEHAVIORS. My whole life from childhood to the present has been "anti-crime," as proven by my pre-prison history which no one can change. But imprisonment provides a forum for bad apple employees to fabricate a straw man to supplant the fact that my in-prison behavior has been as close as humanly possible to my pre-prison behavior of a sterling model citizen. But even a hint of these facts to this panel infuriated them with disgust unmistakably visible in their faces and tone because they so tightly adhered to the formula WITHOUT CONSIDERING THERE ARE EXCEPTIONS TO THE FORMULA. This made for a 100% IRON-CLAD GUARANTEE of an "UNSUITABLE" finding. It flips the entire equation on its head 180°, where the most suitable, who never was criminal oriented is FOREVER denied parole in 3 or 5 year increments, until he tragically dies in prison. BECAUSE he never had a criminal mentality nor lifestyle. And has too much integrity to ever make false confessions to something he didn't do or think.

5. "LACK OF INSIGHT" VS. LACK OF "INDIVIDUALIZED CONSIDERATION": This is not a "lack of insight," nor "failure to take responsibility," nor "mental illness" (too ill to see I'm violent, as the panel erroneously expressed). Those mischaracterizations in this unique case come from a lack of individualized consideration that THERE IS NO CRIMINAL HISTORY IN MY LIFE. (See attached CDC psych report of Dr. Davoli shortly after I entered CDC: EXHIBIT A herewith.) So where did all this notion of me being very violent come from? From a biased commissioner's imagination? It's simply NEVER existed.

6. LAZOR IS NOT SHAPUTIS: My panel was trained on Shaputis and Lawrence. It's inescapable that the commissioner viewed my "refusal to confess" to RVRs (and intentional malice/murder) was a carbon copy of Shaputis before his capitulating to confessions and thereby being deemed suitable and released. But my case has no relationship to Shaputis; Mr. Shaputis had a long pattern history of violent abuse to others; whereas my entire life history is 180° diametrically the opposite, of gentleness and non-violence, even anti-violence. To posit otherwise is to 100% IGNORE over 600 community letters to the BPH including over 70 in the 1-12-22 master packet all attesting WITHOUT A SINGLE EXCEPTION of my gentle nature from an infant to this very day. It was thus fatally flawed that my panel, both, "assumed" to make my case a classic Shaputis "in denial" case; without which a parole grant was virtually certain.

7. NO VIOLENCE IN PRISON, EITHER: In 40 years, even the fabricated straw man C-file has only four (or five?) TOTAL physical altercations. The most recent

was eight years ago, a far cry from the proclaimed standard of "WHO I AM TODAY," not eight years ago. It's a wonder I wasn't attacked 4 OR 5 TIMES EVERY WEEK for most of the 3,550 weeks I've been in prison. I'VE NEVER ONCE FOUGHT IN PRISON NOR PRIOR TO PRISON! I was attacked FOR DOING THE RIGHT THING. For my refusal to beat up or kill child molesters they celled me with frequently because guards knew I wouldn't do it, as ordered by the white race "shotcallers." I was almost the only one who refused to. Reports of the Office of Inspector General (OIG) and California Senate Hearings (for the Green Wall, for example), bear out that it has always been the proverbial norm in most prisons with only rare exceptions, that BOTH the attacker and the victim who did not fight back but reflexively flailed his arms to block oncoming blows, were found guilty of RVRs for "mutual combat" and "fighting." Such were all 4 or 5 of mine. No one was ever even mildly hurt. (While pro boxers and WWF champions are paid \$millions for one hour of brutal combat that often maims for life -- and are never deemed "unsafe for society" because of it, or re-imprisoned every passing year until death, for it.)

8. PUNISHED FOR EXCEPTIONAL LAUDATORY CONDUCT: Most wrongs I've been accused of in prison were likewise because I was the rare standout who refused to do the wrong thing. I've always been that standout person going the extra mile, whether it's to fix problems or broken equipment, or being the only yard worker (out of over 20) pulling the weeds and picking up the fine trash for the 4th go-round while all the others are playing cards or watching TV. My extra efforts, like my life, is ALWAYS constructive and "building," not destroying. It's because I stand out, that I've been targeted, not for doing wrong. My commissioners WERE INCAPABLE OF SEEING THE THOUSANDS OF EXAMPLES OF ACTUAL RELIABLE, EVEN IRREFUTABLE, EVIDENCE OF THIS.

9. IN-PRISON CONDUCT DOES NOT EQUATE TO FREE-IN-SOCIETY CONDUCT: Nor is my in-prison conduct captured whatsoever in the prison files. Prison is an alien world where hardly anything is comparable to the free world. Even if some of the RVRs from 1984 to 2014 were true, there is no comparison. As I entered my first assigned prison and approached my cell, two prisoners from the neighboring cell walked up and began throwing punches into my face. The counselor later told me this is prison, the norm, especially for those without territorial tattoos and a tough-guy swagger, and surrounded by homeboys -- of which I've never had any. Outside society has finally seen this in the "knockout game" which has led to the death of some innocent people just walking down the sidewalk because they looked like weak, easy prey for this violent "sport." This is normal, daily prison life. What a gentle, non-criminal oriented prisoner must do to survive has no comparable counterpart in society, generally, and all panels' failure to make the distinction in every one of my hearings, is fatally flawed. As the courts have emphasized in thousands of cases, the panels must link prison misbehavior to similar misbehavior in the commission of the commitment crime. My panels never made any such nexus and if they had it would violate Penal Code Sec. 5011 which protects my right to honestly assert that I didn't commit a crime in saving my life any more than every en banc panel member would have if they were in my shoes.

10. WHY ARE WE EVEN TALKING ABOUT RVRs, WITH NONE FOR EIGHT YEARS?

(a) I haven't had an RVR (guilty finding) in eight years. So the panel breached, in defiance of Ms. Shaffer's contrary assurances, the guarantee that present parole grants and denials are to be based on "WHO THE PRISONER IS TODAY,"

not the unchangeable past. Why were we even talking about 38 year old RVRs that the panel made me account for, mandating that I "confess" my guilt or die in prison?

(b) I had ZERO negative counseling chronos since my last hearing -- EXACTLY what the previous (2019) panel essentially assured me would get me a grant in 2021 (stretched to 2022).

(c) For every one of 40 RVRs alleged against me, I've done HUNDREDS of exceptional laudatory acts that other prisoners don't do, yet there has never been an accessible mechanism in CDC/R to record even 1 out of every 3000 such acts, including even my saving the lives of guards and prisoners. (See Chris James affidavit, EXHIBIT B, for which no required "heroic acts" chrono was ever written.) (Who would write 4,380,000 laudatory chronos? (40 years X 365 days X 300 a day average).)

(d) SVSP Inmate Burris, #C-0____, just got granted parole with a boasted 78 RVRs to his credit, and his panel NEVER EVEN ASKED ABOUT ANY OF HIS RVRs. And rightly so, without a nexus to "who he is today." Why have I NEVER gotten the same "equal" protection of law and treatment, giving the appearance that BPH commissioners are targeting me for "special project" treatment the way that Green Wall guards used to do but have now refrained?

(e) THIS EN BANC PANEL knows from un rebuttable OIG reports and Senate hearings that it's been standard procedure since the 1970s for CDC guards to fabricate false RVRs against prominent litigators and whistleblowers, of which I was the foremost for years (though not for many years now).

(f) THE CENTIPEDE: I presented a graphic centipede photo (coincidentally with 40 legs) to the BPH for master packet inclusion, explaining how 40 INDEPENDENTLY-issued RVRs claimed to be false, is very unlikely, indeed. But that equation changes entirely when ALL of the RVRs were issued from THE SAME NETWORK of guards working in concert to target me, and this is what I've always honestly pointed out. The CENTIPEDE's 40 legs picture 40 RVRs all of the SAME NETWORK BODY. Like a relay race, a verbal "baton" and code ("special project treatment") was passed on with every prison transfer, so when I stepped off the bus upon arrival, the networked guards called me by name and let me know they received the message to continue issuing false RVRs to destroy my chances of parole until I die in prison. Retired CDC guards are now willing to testify that this is true. But the 1-12-22 panel became incensed for me trying to explain this truthful fact.

(g) OVER 600 LETTERS TO THE BPH from the top crop of society's best, overflowing with "EVIDENCE," cannot all be wrong or lying about my exemplary conduct lifelong, of my non-violence, my asset to society status, my saving lives at risk to mine when free, of my integrity, including NON-manipulation character, my honest, etc., from age 4 to the present (sans the 39 year old shooting I elect to no longer discuss, by BPH right). All of these, including the thousands of items of evidence they contain had to be ignored by the panel to make the decision they did, contrary to their obligation to consider all relevant, reliable evidence.

(h) FILE REVIEW DENIAL AND DOCUMENT DESTRUCTION: My proof, 100% irrefutable, of numerous false RVRs was destroyed by Sgt. M. Jones on 3-15-2011 at KVSP, and copies of some of this in my C-File have been denied me in violation of BPH complete file review rights. Having them to present may have changed the decision to a grant, and almost certainly before a fair, impartial panel would have.

11. GROSSLY UNEQUAL TREATMENT OF THIS PAROLE CANDIDATE: One example, of dozens that could be given of my uniquely unequal treatment, is as follows: In 2019 I was denied parole for three counseling chronos for not attending to 3 medical appointments which I was informed by staff I had a right to not attend, and attending would certainly have resulted in horrific, unbearable physical pain, likely seizures, and probable mob attack of about 18 men sardined in a crowded, locked holding tank. In contrast, receiving and giving a tattoo in prison is a "VERY SERIOUS" 115-RVRs and these have caused fatal diseases and death to some prisoners. Over 80% of all parole candidates granted parole by BPH panels and released over the past 25 years have had new prison tattoos, often within a few months of their parole hearings and release. (Factually confirmed by official recordation when they parole). Yet rarely or never has any panel even brought up this SERIOUS RULE VIOLATION for any of those, compared to the much lesser basis for my parole denial, made the centerpiece of my 2019 hearing. In the vicinity of over 10,000 "lifers" found suitable and paroled in the past several years, openly wore their new tattoos as CONCLUSIVE EVIDENCE of a far more serious CDCR rule violation that's been known to lead to death, while I was deemed unsuitable for parole, and now, for the first time ever deemed so dangerously violent that I'm too mentally ill to see it, because I didn't attend medical appointments I was informed I had a right not to attend and didn't go in order to prevent a violent melee from occurring. (Is anyone listening?)

12. "UNREASONABLE RISK" (REDEFINED?), NO RISK, AND ABSOLUTE CERTAINTY: A recently accessed legal document states, "...after January 1, 2022, 'unreasonable risk' is defined as being 'a risk to commit a future violent felony.'" If that's true, NOTHING, ABSOLUTELY NOTHING in the prison files, in the parole hearing, nor in my life history, presents even a spec of evidence that I'd ever pose an "unreasonable risk" of a violent felony in society. I've never even had a violent felony, nor a non-violent one, in 39 years of the most harsh, violent (against me) conditions of imprisonment, which is hundreds of times more conducive to eliciting a violent felony response, even for survival, even from one with a lifelong history of non-violence like mine. And I've never had even a J-Walking citation in free society...including while on bail for eight months after the tragic shooting incident. Even if the RVRs were all true, none indicate a propensity to a violent felony, or any felony. In-prison RVRs, at the level of mine, even had they all been true those many years ago, when fairly viewed through the lense of my anti-crime, lifelong peaceful nature in society, don't rise to a level of danger to society. The panel's egregious stretch to try to make it fit, is totally misplaced: There is no evidence of danger to society, and FOR A CERTAINTY we know I saved a truck accident victim when free on bail, while all others drove on by.

13. PSYCH EVALUATION DISCREDITED: The most recent, yet outdated, FAD psych evaluation is based on the identical flaws explained above in regard to the panel, and an attorney doing even half her duty, would have torn this apart in the hearing. My entire life prior to prison had a flawless mental health record. In prison, I was never deemed the least bit violent until decades into imprisonment with the advent of the FAD psychs who simply invented this out of thin air. In every instance, they had been trained to the point of exhibiting contained rage at the moment they realized I would not falsely confess to murder and to RVRs I didn't commit. Had I falsely confessed, it was clear all four of them would have given me a low rating of potential danger to society. (See again EXHIBIT A, and EXHIBIT C: additional psychologists (~~And...~~) who deem the FAD CRAs as so far off the mark that they are fraudulent. (See

also EXHIBIT D: The sources of allegations of my alleged flawed mental health in the CRA).

14. MANY GOOD PEOPLE ARE CRUELLY DYING BECAUSE I REMAIN IN PRISON: When free, I was that rare individual who ran Marathons and in other ways raised money to save many of the 26 people per minute who were dying of starvation. (While no other runner completed the Marathons to receive the funds). I was the only one who jumped from the cliff to save David Parham from drowning, and at a San Jose street intersection to deflect knife-slashing assaults on a red-light stopped motorist, and who ran to the aid of a truck accident victim in Palo Alto while free on bond for this murder charge. (As hundreds of others illegally drove by.) (BPH has been presented evidence of these events in past hearings). I used my celebrity status (as Buddy Holly, Jr.) on radio and in shows and concerts to turn many from a downward life of drug abuse and purposelessness. THIS VERY DAY and every day this year, over 300 mostly young, directionless people will die horrid deaths from fentanyl overdose; many will be kidnapped, raped, sex-trafficked, tortured, butchered, and murdered. A major part of my life work as a music writer/performer/celebrity and film actor/producer, and inventor, is to use those platforms and skills to stop a lot of these tragedies. As the BPH keeps me unduly in prison, they take not only my life but the lives of thousands of these individuals, senselessly, needlessly. I can't help them from prison. Over the past 39 years in prison I've continued to develop connections, programs, ideas, inventions (which foil and catch kidnappers, and others), but I can't even give them away to someone who can optimally apply them, from here, because prison conditions block my path. The BPH and the panels know nothing about this, because they've never known anything about me, as I said early on in this document. Because the straw man is still in the way.

(Other minimal EXHIBITS are attached herewith in support of claims made herein).

CONCLUSION

Over 150 prisoners, mostly from my many groups and classes, relentlessly pressure me to "just tell the parole board what they want to hear and go home." They all acknowledge they will, and have, and do, lie to their hearing panels to fulfill "the formula" and get their parole grant. Maybe I'm the only one in a million left who won't do that, so I'm denied parole for my honesty and integrity. My integrity is not for sale at any price. I will not ever tell the parole board that I committed acts in my life that I didn't commit. It's just not in me to violate that sacred and priceless virtue inside me. If this DRU and/or EN BANC PANEL will continue to demand from me false confessions of 38 year old RVRs (and even eight year old ones), and not overturn this parole denial here, then there will never be a time for it to be overturned; because my integrity won't change; I will die with it, maybe battered, but fully intact. If that be the case, at least make an official acknowledgement that the BPH has converted my 8-1/2 year judicial sentence into a LWOPP (Life Without Possibility of Parole) term. Which is actually a sentence of death ...for many.

Free Lazor
March 21, 2022

PSYCHIATRIC EVALUATION
FOR THE BOARD OF PRISON TERMS
MAY 1985 LIFER CALENDAR
CMC - EAST

M. Navoli
5-7-85
5-7-1985

LAZOR, C-73842, is a X-year-old white male, first term, serving a 15-to-life sentence for murder 2nd, which occurred on January 10, 1983. He was found guilty in a jury trial, dated September 1, 1983.

In compiling this report, in addition to my examination of the inmate, his various files were also reviewed.

THE INSTANT OFFENSE: On January 10, 1983, Mr. Lazor, while on the phone, was suddenly interrupted by what appeared to be a noise coming from the door. Within a few seconds, the door was forced open, while Mr. Lazor, behind it and in a very panicky state, was verbally trying to dissuade his victim from entering or from hurting him. Specifically, the intruder, that is the victim, finally forced the door open, pulled the telephone away from Mr. Lazor, and pointed a gun at him. In fear for his life, Mr. Lazor reached for his own gun which was very close to him, and fired two shots at the intruder, who retreated into his room, still standing up. Meantime, Mr. Lazor attempted to escape from his own room through a back door, but failing to open that, he entered the room where the victim was still standing and holding a gun in his hand, and Mr. Lazor, feeling that his shots had failed to stop the intruder, fired additional shots. Mr. Lazor swears that when he left the room to call the police, his victim was still standing up. Mr. Lazor called the police, told them what was happening, and asked them to immediately bring an ambulance.

SOME SPECIFIC ERRORS OF FACT HERE

Mr. Lazor is convinced now, as he always was, that the killing of his victim was the result of his overwhelming fear for his own life, therefore an act of justifiable homicide, or the equivalent of self-defense.

Mr. Lazor likes to emphasize the fact that there were no gains of a social, financial, or any other kind, in destroying the life of his victim. He is angry, disappointed, and disillusioned with the rendering of justice. His verdict of 2nd degree murder, according to Mr. Lazor, was totally inappropriate for the reasons already exposed.

PRISON LIFE: Mr. Lazor has been in prison only for a short time. Therefore it would be presumptuous on my part to predict with great accuracy what his future conduct in this institution will be, what is to be expected in future transactions with the outside population when this man will finally be released back to his freedom. However, based on my viewing of his correctional records and the various letters of reference provided to me by the inmate, as well as several interviews with this man, I feel rather optimistic about his future. He has gradually adapted to the prison system, has become more realistic about his present status and his obligations.

MENTAL STATUS: Mr. Lazor came on time for the appointment. He appeared neat, clean, and well-groomed. He showed a normal affect, and speech (thought process, form and content). He showed an above average level of intelligence, fund of information for common events, abstract thinking, no psychotic phenomena, and generally a pleasant demeanor. Although somewhat litigious about the judicial system and his disappoint-

ment with the rendering of justice, he seems to be resigned to his fate.

In summary, Mr. Lazor presented no evidence of mental disease, disorder, or defect.

OPINION: I do opine that Mr. Lazor will do his best to mold to the prison system in an acceptable manner. He has already shown his interest in learning, and to share his abundant intellectual endowment with others. Emotionally, this man tends to be benevolent towards others less fortunate than he. Having studied thoroughly his background, and evaluating the evidence offered to me by the records and the inmate himself, I cannot help but share some of this man's disappointment with the manner in which this case was handled. He had no history of any type of criminal activity prior to the instant offense. He was a generous person, he had given much of his time, with joy, to charitable undertakings, he was considered by friends and people who had contact with him, as a decent human being. Therefore it is difficult for me to consider this man a hard core criminal or a dangerous person. An objective analysis of the anatomy of his crime would unquestionably put in resilience this disproportion between the crime and the punishment.

It is hoped that in time, the Board of Prison Terms will help in the re-establishment of the equilibrium (between crime and punishment).

Louis Davoli, M.D.
Staff Psychiatrist

AFFIDAVIT

I, the undersigned, being first put under affirmation, attest that:

My name is Chris James and I'm a prisoner in California Department of Corrections (CDC), number G63233. I'm wheelchair bound from an accident and disability from my youth. The following incident happened at Kern Valley State Prison (KVSP), where I was and am housed in C-facility, building 8, cell #C8-120L.

On Sunday, December 5, 2010, roughly about 5:00 p.m. right after dinner was served, my cell door was opened and I wheeled out the door, choking on my dinner food. The prisoner next door, Lazor (CDC #C73842), in cell 119, saw me through his cell window and asked if I was choking and needed help. I nodded yes, as I was beginning to pass out, unable to breathe in air at all. My throat was clogged and totally blocked. Lazor immediately begin furiously kicking and pounding on his door, yelling out to the guards to open his door so he could get out and save me from choking to death. Lazor was screaming over and over, "Open my door, he's choking to death! ...Man down, MAN DOWN! OPEN MY DOOR!!..." The guard in the control booth who operates the cell doors by remote control (Mrs. Bowen) finally responded to Lazor's screaming, saw what was happening and opened Lazor's door as I was about to lose consciousness. Lazor immediately dashed out his door and stepped ahold of me just as I fell forward out of my wheelchair to the floor. Lazor immediately grabbed ahold of me around my chest to force out the food that was blocking my throat. Some chunks of food then spurted out of my mouth, and I was able to inhale again. Two other prisoners from the next cell (118) were then let out to help, but by then I was able to get air, and be put back into my wheelchair.

At this point, after the incident was resolved, though I was still shaken up, some psych techs/nurses who have some medical training came into the cellblock section, having been alerted by the control booth operator activating his emergency alarm based on Lazor's pounding and screaming for help. Lazor went back into his cell at this point, once the medical technicians came.

If not for Lazor's alertness and quick action, I well may have choked to death, as no one else had observed what was happening and appeared would not have gotten to me until it was too late.

I attest, under affirmation and subject to penalties for perjury, that the foregoing statements are all true of my own personal knowledge. This affidavit made this 16th day of January, 2011, at KVSP in the County of Kern, California.

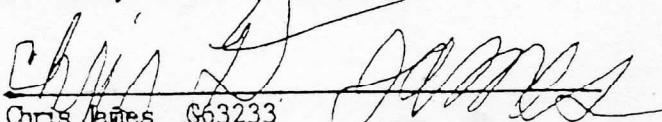

Chris James G63233
3000 W. Cecil Ave. / PO Box 5103
Delano, California 93216

EXHIBIT B

Rec 3-7-22
Sent 3-10

[CLINICAL PSYCHOLOGIST]
(FOR MANY DECADES)]

March 4, 2022

Free Lazor C73842
P.O. Box 1050 A1-112
Soledad, CA 93960-1050

Dear Free,

Yes, I am still of the opinion that you would present NO danger to the general public should you be parolled.


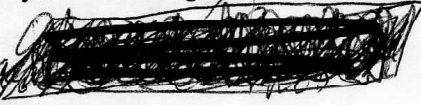
It seems that the BPH is determined to make you confess to the murder in the 2nd degree and you are determined not to but to proclaim your innocence in a self-defense justifiable homicide.

This standoff has been going on for years. It is coming up 14 years since I first evaluated your status and mental condition but the BPH will not accept anything less than your confession and that you have been rehabilitated by them, it seems.

Where this tug of war will end is in doubt. You won't give them what they want and they want (i.e. a confession and plea to rehabilitation) and they won't give you what you want (i.e. parole).

Let me know what I can do, if anything.

Sincerely, with all good wishes,

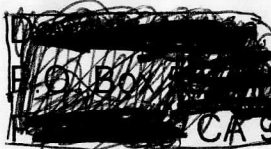


 Ph.D.
 P.O. Box
 CA 93960-1050

EXHIBIT C-1

7-10-17

RE: PAROLE HEARING for FREE LAZOR, C-73842; JUNE 6, 2017
< Evidence & Support Letter.

Da [REDACTED] Ph.D.
[REDACTED] Avenue #102

[SAME PSYCHOLOGIST
AS PREVIOUS PAGE]

Board of PAROLE HEARING
P. O. Box 4036
Sacramento, CA 95812-4036

To Whom It May Concern,

I am a licensed psychologist in the state of California since 1985. I have counseled with and treated thousands of patients during these years to date. I am now 80 years old and am still in private practice part time.

I have corresponded with Mr. Lazor over the last 11 years. At the request of friends I did a psychological evaluation of Mr. Lazor in June 2008. I corresponded with him before and since the evaluation. I spent several hours in face-to-face interaction with Mr. Lazor.

My conviction was then, and still is today, that Mr. Lazor would function peacefully as a law-abiding citizen of any community in California. My evaluation is that he is a man of principle and believes in non-violence. I found him very kindly, peaceful, intelligent and a man of good character. He was neither glib nor aggressive in my presence.

He displayed a good knowledge of proper and accepted societal values on the tests I gave him. I would have no fear of his being paroled into society and would stake my reputation that he would live his life in a safe, productive and non-violent manner. He is the kind of person who would go out of his way to help others.

I found him to be caring, thoughtful, peaceful as well as highly intelligent. I believe he wants a chance to show the good character that he has. These are my thoughts personally and professionally.

I attest and affirm that the foregoing statements are personally known by me to be absolutely true and accurate. I could truthfully testify as such, under oath in a court of law if called to do so.

Sincerely,

[REDACTED SIGNATURE]

Da [REDACTED] Ph.D.
Licensed Psychologist PSY 99 [REDACTED]

[REDACTED]

CORPORATE PSYCHOLOGIST,
SPECIALIZING IN
CONFLICT RESOLUTION, AND
HIRED BY CACA PRISON
SYSTEM

November 23, 2020

To: Board of Parole Hearings

Re: Upcoming Parole Hearings of Free Lazor C-73842

My name is Dr. M [REDACTED] I have known Free Lazor since he was 20 years old. I know him very well. I have direct knowledge and evidence that Mr. Lazor has a character of integrity, service to others, and gentle and respectful. I have never witnessed any criminal like behavior nor any violence. Free, my daughter, and I took educational trainings and workshops in the arts together. He was a church going, outstanding member of his community. I have visited him several times; he is a special life long personal friend. We have corresponded regularly for his entire time in prison, so I am up to date on his situation.

I have observable evidence that Free is a very respectful, courteous, kind-hearted, giving, caring, and considerate person. He is known to be dependable and take full responsibility. I consider him to be a person of integrity and high character. He is an excellent communicator. He expresses himself well, listen attentively, has a clear, logical mind. He not only expresses himself well verbally, but is also an excellent writer.

I have found him to be positive in his outlook. He has a good sense of humor, is cheerful and very easy to be with. He is also a very talented writer and musician and has brought joy to all who have known him. I am totally supportive of his parole release. I do not believe he is a danger in any way to society. I believe he will be a contributor to our community.

I hereby attest and confirm, subject to penalty for perjury, that all I have stated here is true and correct, based on my own personal experiences and knowledge.

Signature: [REDACTED] Date 11/23/2020

Dr. M [REDACTED] CEO, [REDACTED]

[REDACTED]

THE EIGHT SCANDALOUS "PSYCH-JACKETING" SOURCES BY THE
CDC (NOW CDCR) PRISON ADMINISTRATION USED TO DENY ME PAROLE

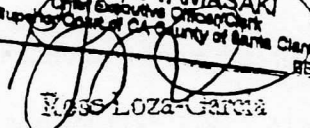
1. My going along, out of naïveté and ignorance of psych matters, with a totally random, capricious "diagnosis" of "ANTI-SOCIAL" personality disorder, upon intake into the CDC prison system (RANDOMLY HAVING ME PICK MY OWN MENTAL ILLNESS; I didn't know what it meant).
2. MCS (MULTIPLE CHEMICAL SENSITIVITY): My MCS status which CDC physicians, out of total ignorance of this PHYSICAL condition, refused to acknowledge as real, randomly categorized it as a "psych" issue and over time ramped it up into a major psych-status nightmare.
3. BUDDY HOLLY, JR. CELEBRITY STATUS: When administrative questions led to my explanation that when free I was a Buddy Holly tribute artist known as "Buddy Holly Jr.", wacko-psych doctors jacketed me as delusional and schizophrenic, and thus "psychotic." They wrote notes preposterously stating that I thought I was the real Buddy Holly (the rock & roll music star who died at age 22 in a plane crash in 1959) who had come back to life.
4. OVERWHELMING TRAUMA FROM SHOCK OF FALSE IMPRISONMENT: Upon first entering the hostile, horrifying environment of the prison system, I was so traumatized by it, as an innocent man never involved in crime or such a lifestyle, that my body shook with such violent trauma that CDC psych staff opined I must have been severely retarded or psychotic, never even considering this NATURAL reaction, under these circumstances.
5. REQUIRED BY PAROLE BOARD: Early on, I was rightly informed that the parole board (BPT, now BPH) REQUIRED me to enter psych programs and become active in therapy groups, in the event that court relief failed, which it did. BPT/BPH has, in fact, required it as a condition of release, obtaining psych certificates of program completion, etc. They now say my participation proves mental illness.
6. FALSE JACKETING TO AVERT EXPOSURE OF STAFF CRIMINALITY: CDC/R staff have a long established, entrenched, automatic policy to convert prisoners' efforts to expose prison-employee crimes into psych jacketing the whistleblower-prisoner to destroy his credibility. Ergo, where I've exposed staff crimes and abuses, brutality, illegal activities, etc., guards retaliated with false reports of misconduct by me and falsely asserting that I was lying and that my claims were "paranoid delusions." CDC/R psych staff more often than not follow suit with knee-jerk reaction of accepting the guards' retaliatory lies as true, thereby officially "diagnosing" me as "MENTALLY ILL" – "paranoid" "delusional" and "psychotic" for imagining these staff abuses, and also as "bipolar" and several other mental illnesses and personality disorders (but with no factual foundation whatever).
7. PSYCH PLACEMENT AS A SAFETY ZONE: CDC/R guard brutality being inflicted upon me became so bad, so extreme and dangerous to my safety and my life – and for the sake of preserving my mental well-being from their terrorism – that on a number of occasions I voluntarily enrolled in the mental-health departments simply to elude this unbearable trauma and jeopardy. Guards brutalized me, attempted to murder me on various documented and non-documented occasions and solicited murderous, gang-oriented, psychopath/sociopath prisoners to carry out these brutal acts.
8. BPH "FAD" PSYCHOLOGISTS' ANTI-PAROLE HATRED: BPH now has its own mercenary psychologists targeting prisoners like me. Filled with hatred of a non-criminal prisoner and pursuing an agenda to assure parole denial, they invent countless mental-illness diagnoses, even without consultation, while binding to my name whatever capriciously chosen illness label may occur to them.

EXHIBIT D

3 JUDGES
ACKNOWLEDGE IT WAS
LEGITIMATE SELF-
DEFENSE

FILED

MAR 3 - 2017

DAVID H. YAMASAKI
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
BY  REPUTY
ROSS LOZA-GARCIA

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

In re)
P. F. LAZOR,) No.: 87874
ORDER TO SHOW CAUSE
On Habeas Corpus)

Mr. Lazor, hereinafter Petitioner, has submitted to the Superior Court a habeas corpus petition in which he asserts his continued custody has become "unconstitutionally disproportionate to his culpability and cruel and unusual punishment." It preliminarily¹ appears that this issue is now ripe.

Approximately one decade ago, in the course of reviewing one of Petitioner's many parole denials, a (now retired) judge of this court observed: "The facts of the crime reveal a fair case for imperfect self defense." As outlined in the Court of Appeal opinion there had been an ongoing dispute, which included confrontations, between Petitioner and the victim over their housing situation. It

¹ See *In re Large* (2007) 41 Cal.4th 538, 549, quoting *In re Sassounian* (1995) 9 Cal.4th 535, 547: "Th[is] determination, it must be emphasized, is truly 'preliminary': it is only initial and tentative, and not final and binding."



EXHIBIT E-1

1 appears the victim initiated the final confrontation. Petitioner, who happened to have been on the
2 phone at the time, told the other party to call the police. Petitioner shot the victim and then called the
3 police himself. While Petitioner's imperfect self defense case was not sufficiently strong such that the
4 murder conviction was avoided, it is certainly strong enough such that Petitioner's crime does not
5 appear to be in any way aggravated." (See *In re Lazor* (2009) 172 Cal.App.4th 1185, 1191.) Although
6 this observation lost its relevance when "in *Lawrence* [44 Cal.4th 1181] the court discarded the
7 minimum elements test" (*Lazor, supra*, at p. 1197), it regains its relevance in the context of Petitioner's
8 proportionality challenge here.

9
10 The warden is ordered to show cause why Petitioner is not entitled to the relief he seeks based
11 on his submission of February 24, 2017.

12 Pursuant to rule 4.551(c)(2) of the California Rules of Court, counsel is appointed for Petitioner.
13 (See also *In re Clark* (1993) 5 Cal.4th 750, 779.) This matter is referred to the Office of the Public
14 Defender. Upon assignment, the attorney of record is to forthwith file a notice of appearance.

15
16 Petitioner's discovery requests are denied as premature. Appointed counsel may make what
17 discovery requests, if any, that are justified after receipt of the Attorney General's return. Petitioner's
18 request for the appointment of a specific attorney is denied.

19
20
21
22 DATED: 3/3/17 2017



HON. ARTHUR BOCANEGRA
JUDGE OF THE SUPERIOR COURT

23
24 cc: Petitioner
25 District Attorney Motions Unit (with copy of pleadings)
26 Attorney General (with copy of pleadings)
27 Public Defender (Jose Guzman) (with copy of pleadings)
28 Research (2-24A)
CJIC

E-2

AFFIDAVIT

(CONCERNING PSYCHOLOGICAL MISDIAGNOSIS BY CDC/CDCR/BPH)

Being first duly deposed, I affirm as follows:

1. This affidavit concerns facts which verify my long-term complaint that the California Department of Corrections (CDC/CDCR) has for decades misdiagnosed me with mental illnesses and personality disorders, and such, and mistreated me accordingly.

2. FACT 1: SOCIAL WORKER Mr. OSBOURNE:

→ On 3-1-17, I had a personal 1-on-1 psychological consultation with Mr. Osbourne, CDCR social worker at SVSP. Mr. Osbourne expressed puzzlement and concern that my record showed a diagnosis of "anti-social personality disorder" and "adult [or late onset] anti-social personality disorder." On reviewing my lengthy record, Mr. Osbourne stated there was nothing in my recorded history to indicate that I'd ever had any episode of cruelty toward animals or people, and that therefore an anti-social disorder has no basis to support it and it was completely erroneous as a diagnosis. It is true that my entire life has been one of gentleness, love, nurturing, deep care and affection, soft-heartedness and deep empathy toward all animals and people, without exception, and never have practiced any sort of cruelty to any creature whatsoever.* I expressed this to Mr. Osbourne, and he verified this to a large degree by researching data. He stated he'd check further into the matter soon, and recommend and make efforts to have this evident misdiagnosis corrected (i.e., omitted). He never did so. I'd been making efforts to get this known misdiagnosis corrected for DECADES in CDC/R, to no avail, with countless broken promises by many CDC/R staff that they would research and correct any problem with the diagnosis. None did.

3. FACT 2: DR. GREG (or GREGG), PhD, psychologist at SVSP of CDC/R:

→ On 3-30-17, I had a personal 1-on-1 psychological consult with Dr. Greg lasting (estimated) more than one hour. Dr. Greg is the senior psychologist and/or head of the psych department at SVSP. Dr. Greg and I had previously had at least one or two psych consults, 1-on-1, where he was able to get a sense of me and begin formulating a diagnosis. This consult was the result of my filing an administrative 602-appeal to have my multiple-erroneous psych diagnoses profile corrected; something I'd sought to have done for decades but was always transferred to another prison before anyone would make the corrections.

→ 4. Dr. Greg agreed with me that the existing diagnoses were completely erroneous and should be corrected. Dr. Greg determined that I was not any of the previous

→ and presently charted diagnoses, including not schioaffective, not psychotic, not paranoid, not anti-social, not bi-polar, not delusional, nor any of the other numerous mental illnesses I'd had jacketed on me over the past 33 years or so in CDC -- exactly what I'd consistently told CDC/R psych staff since I learned of these jacketed illnesses beginning decades ago. All of those diagnoses had been as if pulled out of a hat, actually out of a training textbook, erratically and capriciously, and applied to me without any legitimate basis for ever having done so, as I'd never exhibited any symptoms of any of those mental illnesses/disorders.

→ 5. Dr. Greg opined that the only diagnosis that applied to me was adjustment reaction to the horrors of abusive imprisonment conditions and treatment resulting in episodes of depression and which had, years ago, led to suicidal episodes on a very few occasions -- solely from inhumane treatment in prison.

6. FACT 3: DR. SCHWARTZ, PhD., PSYCHOLOGIST at SVSP of CDC/R:

On May 22, 2017 I had a personal 1-on-1 psych consult with Dr. Schwartz in a lengthy evaluation lasting over one hour, concerning primarily the correction of my erroneous psych diagnosis by previous CDC/R mental health staff.

→ 7. Again, on June 5, 2017, Dr. Schwartz and I had a second psych consultation, 1-on-1, lasting over one hour, the purpose being to correct previous psychological misdiagnosis or presently erroneous diagnoses. Based on the previous and present consultation, Dr. Schwartz concluded that my present diagnoses, which had also been in effect for some years, were totally unsupported by evidence, research and observation including consultations with me. He concluded that the most accurate diagnosis was moderate to severe adjustment reaction to imprisonment and its frequently horrific conditions which have no parallel in free society and which, in my case, had at times led to episodes of recurrent depression and occasional suicidal ideation. This was his official recommendation and conclusion.

→ 8. FACT 4: DR. GREG AND OFFICIAL IDTT COMMITTEE ACTION:

→ On June 7, 2017, I appeared before an official annual IDTT (InterDisciplinary Treatment Team) committee, which had several purposes, the main one being to officially correct and enter in the record a change of my psychological diagnoses as referenced above. An official change was made, and my new diagnosis was/is now adjustment reaction to imprisonment including depression episodes. This was what I had been telling mental health staff in general, and essentially all of my clinicians for several decades, requesting this correction, and many promised to do it, but none had until now. This acknowledgement tended to vindicate my position for all these decades that the previous diagnoses were wrong and unfounded.

9. FACT 5: DR. RAJAPPA, PSYCHIATRIST ADMISSION:

Dr. Rajappa had hardly spent any time with me as a psychiatrist, whatsoever, yet wrote a "chrono" diagnosis with all sorts of mental illnesses and personality disorders that had no factual basis, and no reason to have been made. They were based solely on previous similar psych reports, virtually all of which came into existence the same way: copying and parroting someone else's diagnostic report, which was, in turn, copied from others, and on and on, going back for many generations where the writers of these reports never PERSONALLY diagnosed me. This was standard procedure in CDC/R, and still is. This Rajappa report was used by the parole board, the Board of Parole Hearings (BPH), in a very negative and damaging way in my parole hearing of _____ (date presently unknown).

10. Following this parole hearing I met with Dr. Rajappa complaining about this fact that he had never personally diagnosed me yet had written his chrono report stating various diagnoses which I knew to be grossly incorrect and damaging to me and my reputation -- and to my parole release. Dr. Rajappa agreed with me totally, and thereupon produced a new chrono plainly acknowledging this fact that he had written the previous chrono report without having actually diagnosed me, but that he simply copied the information from previous CDC mental health staff reports (who had done the same). This chrono admitting this ROUTINE PRACTICE is dated _____ and in my CDC files; my copy of it was destroyed by Sgt. M. Jones on 3-15-2011.

11. FACT 6: NUMEROUS OTHER CDC/R PSYCHOLOGISTS AND MENTAL HEALTH STAFFERS' CONCURRENCES THAT I NEVER WAS "MENTALLY ILL":

Numerous CDC/R psychologists and therapists and various mental health professionals both in and out of prison, have shared the view and diagnosis that I have never been "mentally ill" in spite of CDC/R's decades of jacketing me as such and punishing me as such. These include Dr. Jack Fleming (CDC) who was my weekly 1-on-1 therapist for years at CMF prison; Dr. Steven Hubert (CDC), my 1-to-1 therapist at CMF; Dr. James Gavin (CDC) who was my 1-to-1 therapist at CMF; all three having been California licensed psychologists. All of them got to know me quite well in weekly sessions spanning a few years, unlike all of the clinicians who reported me as mentally ill and disordered.

12. A number of professional psychologists, therapists, social workers, etc., from outside of CDC/R who have known me well for many years, even decades, also all assert that they have never seen any symptoms or behaviors that would justify rating me as mentally ill or personality disordered. Many of these have

reported those views and professional opinions to CDC/R staff in correspondence on my behalf, including Dr. M. [REDACTED], PhD (psychologist), Wily Elder (psychotherapist/state licensed clinician), Jac [REDACTED] (Social worker), et al.

I affirm subject to penalties for perjury that the foregoing statements of fact are all true based on my own personal knowledge, and that this affidavit was made this 26th day of June, 2017 in the County of Monterey, California.

Date: 6-26-2017



Free Lazor
31625 Highway 101 / Box 1050
Soledad, California 93960

David G. Parham
19830 Ivey Rd.
Chelsea, Michigan 48118
(313) 475-3147

December 14, 1993

Board of Prison Terms
Mr. John Gillis, Chairman
428 J Street, 6th Floor
Sacramento, CA 95814

Dear Mr. Gillis and Board Members:

RE: PAROLE CONSIDERATION FOR PF LAZOR, No. C-73842

I am aware that PF Lazor has been imprisoned for over ten years for killing a man. From what I understand, the circumstances would qualify as justifiable self-defense in most other states. I realize that, due to the conviction, you must regard Mr. Lazor as a criminal who took a life - whether or not that conviction reflects a just or proper finding.

However, I am writing to ask you this:

Are you also aware that PF Lazor has saved lives, while putting his own safety in jeopardy at no benefit to himself?

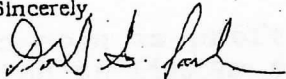
Twenty years ago, I had a highdiving accident from a cliff in rural Michigan. PF Lazor was but one of the numerous people standing at the top of the cliff watching as I was losing consciousness after diving into the mud and rocks below. Only one of those onlookers jumped in to save me. Without hesitation, PF Lazor dove in and pulled me to safety. I have lived my adult life as a productive member of society in the health care field helping others. I know I would not have been around if not for this lifesaving act by Mr. Lazor.

I understand that the California Governor and Parole Boards often consider a parole candidate's background, such as contributing to the safety (especially lifesaving) of community members; for example, an ex-law enforcement officer. I'm informed that there are other instances where PF Lazor has saved lives while putting himself at risk. He has done this purely from a sense of social duty, as opposed to a paid job obligation as a rescue worker or police officer.

Please consider: are there other innocent lives which didn't get saved or will be lost because PF Lazor remains in prison for taking a life in circumstances closely resembling legitimate self-defense?

I solemnly request that you give this candidate, Mr. Lazor, and this subject of his past acts of lifesaving and rescue of others, very weighty consideration. His community urges you to decide in favor of his release from prison. Thank you.

Sincerely,



David G. Parham

SWORN AFFIDAVIT OF DAVID G. PARHAM
RE: PF LAZOR LIFESAVING

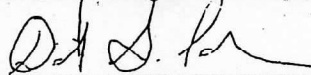
I, David G. Parham, solemnly affirm that the following is true and correct:

I had a highdiving accident from a cliff some years ago. PF Lazor was but one of the numerous people standing at the top of the cliff watching as I was losing consciousness after diving into the mud and rocks below. Only one of those onlookers jumped in to save me. Without hesitation, PF Lazor dove in and pulled me to safety.

I have lived my adult life as a productive member of society in the health care field helping others. I may not have been around to do that if not for this lifesaving act by PF Lazor.

I swear under penalty of perjury that the foregoing statements are true and correct, and that I know these facts to be true according to my own personal knowledge and experience.

Date: 12/14/93



DAVID G. PARHAM, Affiant

EXHIBIT G

SWORN AFFIDAVIT OF PERSON BOARD OF PRISON TERMS

RE: PF LAZOR RESCUE OF INJURED VICTIM

RECEIVED
JAN - 5 1994
SACRAMENTO

I, ~~_____~~ on, hereby affirm that the following is true and correct:

1. In the summertime of 1983, PF Lazor visited me in Palo Alto while on bail pending trial for shooting an intruder in his Los Gatos home;

2. PF and I were returning from a leisurely bicycle ride when a very large truck crashed head on with a small car in a busy intersection we had just crossed;

3. Like an impulsive, immediate reaction, before anyone else responded, PF dropped the bicycle and ran into the intersection to an injured girl at the wheel of the car. She was described as deep in shock, incoherent and covered in blood. PF oriented her, calmed and gently restrained her until reassured that she could maintain alone. He then ran to a nearby phone and summoned police and an ambulance who had not yet been called; then ran back to the traumatized driver and stayed with her until trained personnel arrived. PF then promptly left the vicinity and we continued on our way;

4. No one else responded to the injured person or phoned for help. PF did so as a spontaneous reaction before I was fully aware of what was happening. Afterward he intimated that he wasn't fully conscious of his actions, but just automatically reacts instinctively to minimize jeopardy in a sudden emergency. It wasn't until after the intense moments had passed that he was able to assess the details of what occurred and what he did in the emergency;

5. As soon as professional assistance arrived, PF had no inclination to linger at the scene, not even to bring credit to himself or be thanked for his actions.

I affirm by this sworn verification under penalty of perjury under the laws of the State of California, that the foregoing statements are true and correct according to my own personal knowledge.

Date: 1-3-94

County of Marin,
State of California

~~_____~~

Pa
24 _____ son Street #3.
Sacramento, California 94204

California business owner since 1975

EXHIBIT H