

SUBSEQUENT PAROLE CONSIDERATION HEARING

STATE OF CALIFORNIA

BOARD OF PAROLE HEARINGS

In the matter of the Life ) CDC Number: C-73842  
Term Parole Consideration )  
Hearing of: )  
P F LAZOR )  
\_\_\_\_\_ )

SALINAS VALLEY STATE PRISON

SOLEDAD, CALIFORNIA

JUNE 6, 2017

9:00 A.M.

PANEL PRESENT:

JOHN PECK, Presiding Commissioner  
WALTER JOHNSEN, Deputy Commissioner

OTHERS PRESENT:

P F LAZOR, Inmate  
JARED EISENSTAT, Attorney  
ERIN WEST, Deputy District Attorney  
CORRECTIONAL OFFICER (S), Unidentified

CORRECTIONS TO THE DECISION HAVE BEEN MADE

\_\_\_\_\_ No      See Review of Hearing  
\_\_\_\_\_ Yes     Transcript Memorandum

JACKIE PIGEON, Transcriber, DE

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P R O C E E D I N G S

1  
2           **DEPUTY COMMISSIONER JOHNSEN:** We're on the  
3 record.

4           **PRESIDING COMMISSIONER PECK:** All right. This is  
5 the subsequent parole consideration hearing for Mr. P F  
6 -- what's your -- what's P F stand for?

7           **INMATE LAZOR:** It was my real name. It just  
8 didn't really stand for anything but now I've changed it  
9 to Free so you'll a lot of my paper work says Free Lazor  
10 so --

11           **PRESIDING COMMISSIONER PECK:** Okay. Well, all  
12 right. I'll just -- I'll just call you Mr. Lazor. How  
13 about that?

14           **INMATE LAZOR:** That's fine.

15           **PRESIDING COMMISSIONER PECK:** Today's date is  
16 6/6/2017. Time's approximately 9:00 in the morning. We  
17 are located at Salinas Valley, um, State Prison. Mr.  
18 Lazor was received in CDCR on 10/4/1983, um, murder  
19 second with the use of a firearm, I think, yes, in Santa  
20 Clara County case, case number 87874. Mr. Lazor had a  
21 minimum eligible parole date of 6/29/1994. This hearing  
22 is being recorded and for the purpose of voice  
23 identification each of us are required to state our  
24 first and last name, spelling our last name and Mr.  
25 Lazor when it's your turn and you'll go after

1 Commissioner Johnsen, after you spell your last name,  
2 please give us your CDC number. So we'll start with me  
3 and we'll go around the table to my right. My name is  
4 John Peck P-E-C-K. I'm the Presiding Commissioner.

5 **DEPUTY COMMISSIONER JOHNSEN:** My name is Walter  
6 Johnson J-O-H-N-S-E-N. I'm a Deputy Commissioner.

7 **INMATE LAZOR:** Free Lazor aka P F Lazor L-A-Z-O-R  
8 CDC number C73842.

9 **ATTORNEY EISENSTAT:** Jared Eisenstat, E-I-S-E-N-  
10 S-T-A-T, Attorney for Mr. Lazor.

11 **DEPUTY DISTRICT ATTORNEY WEST:** Erin West W-E-S-  
12 T, Deputy District Attorney County, Santa Clara County.

13 **PRESIDING COMMISSIONER PECK:** And we also have  
14 one correctional peace officer in the room that's here  
15 for security purposes. Mr. Lazor, can I get you to  
16 raise your right hand like me?

17 **INMATE LAZOR:** Uh, sir, I don't take oaths and  
18 raising your right hand is part of it but I will gladly  
19 do an affirmation.

20 **PRESIDING COMMISSIONER PECK:** Sure, that's why I  
21 said will you gladly, yeah, that's fine though.

22 **INMATE LAZOR:** Equivalent of a -- of -- of an  
23 oath.

24 **PRESIDING COMMISSIONER PECK:** Yeah, sure.

25 **INMATE LAZOR:** I and -- you are supposed

1           **PRESIDING COMMISSIONER PECK:** You solemnly swear  
2 or affirm --

3           **INMATE LAZOR:** I do -- I solemnly affirm that --

4           **PRESIDING COMMISSIONER PECK:** Let me finish what  
5 I'm saying. You got -- okay -- this hearing is a really  
6 long time if you don't let me finish talking. Okay.

7           **INMATE LAZOR:** Please pardon me.

8           **PRESIDING COMMISSIONER PECK:** So, I -- I -- I --  
9 I'm -- I'm just going to remind you let me finish what  
10 saying, right, before you interrupt me and then -- and  
11 then at least you know what I'm asking and then I  
12 promise I'll listen to you too but we got -- we got to  
13 work this out right now because if not no one's gonna be  
14 happy. No one's gonna be satisfied when we walk out of  
15 this room. All right? Okay? So I can get you to raise  
16 your right hand like me if you can without -- you don't  
17 have to raise your right hand. Do you solemnly swear or  
18 affirm that the testimony you give at this hearing is  
19 the truth, the whole truth, and nothing but the truth?

20           **INMATE LAZOR:** I affirm that I will tell the  
21 truth.

22           **PRESIDING COMMISSIONER PECK:** Thank you. All  
23 right. Preliminary objections or motions?

24           **ATTORNEY EISENSTAT:** A -- a motion Commissioner.  
25 I -- I have to discuss the matter with Mr. Lazor going

1 over the pros and cons. He is requesting to represent  
2 himself. I believe he is legally el -- eligible to do  
3 so and I request the board to allow him to go pro per.

4 **PRESIDING COMMISSIONER PECK:** Is, um -- is Mr.  
5 Lazor on any medications that may, um, um, make his, uh,  
6 representation challenging. I -- I'm more -- I know  
7 he's CCCMS. You are CCCMS right Mr. Lazor?

8 **INMATE LAZOR:** That's correct.

9 **PRESIDING COMMISSIONER PECK:** Um, you have been  
10 diagnosed by your medical staff as having some mental  
11 health issues. Have you read that report? Are you  
12 still dealing with your mental -- with your, um, doctors  
13 in CCCMS or not?

14 **INMATE LAZOR:** Um, the -- the -- probably the  
15 best answer to that is yesterday I met with the  
16 psychologist who says he's changing -- his name is Dr.  
17 Schwartz. He said he's changing my diagnosis. He  
18 thinks all those past diagnoses are incorrect. He's  
19 changing it to, uh, merely adjustment reaction to prison  
20 which causes depression and anxiety and that's the whole  
21 of it in his opinion.

22 **PRESIDING COMMISSIONER PECK:** Unfortunately, the  
23 doctor has not provided me any information.

24 **INMATE LAZOR:** Right. Uh --

25 **PRESIDING COMMISSIONER PECK:** I have no ability

1 to make that determination.

2 **ATTORNEY EISENSTAT:** My understanding -- I  
3 appreciate that -- my understanding is that he is not  
4 under any psychotropic medication or other medication  
5 that would affect his ability to go forward.

6 **PRESIDING COMMISSIONER PECK:** All right. Well  
7 let me -- let me look at one thing really quick. The  
8 doctor thinks in the risk assessment -- now granted this  
9 risk assessment is old and I don't have access to your  
10 medical records. I want you to know that. There's --  
11 and there's a reason why cause it's really none of my  
12 business, you know. Um, but we do have a, uh, forensic  
13 psychologist that did a risk assessment with you a few  
14 years ago I think. When was it?

15 **INMATE LAZOR:** Uh, a year ago in January, I  
16 believe.

17 **ATTORNEY EISENSTAT:** In 2000.

18 **DEPUTY DISTRICT ATTORNEY WEST:** He didn't -- he  
19 didn't (inaudible) at that time.

20 **PRESIDING COMMISSIONER PECK:** He didn't  
21 participate. So what the doctor did was -- why didn't  
22 you participate?

23 **INMATE LAZOR:** Pardon me?

24 **PRESIDING COMMISSIONER PECK:** Why didn't you  
25 participate in the risk assessment?

1           **INMATE LAZOR:** Because the previous two, uh, FAD  
2 psychs were -- uh, as soon as I said I -- this was a  
3 matter of self-defense and I'm -- so I'm not -- you know  
4 agreeing that I committed a murder intentionally --

5           **PRESIDING COMMISSIONER PECK:** Yeah.

6           **INMATE LAZOR:** -- and they just got hostile  
7 toward me and the -- their reports are so filled with so  
8 many falsehoods that I just said I'm not going to do  
9 this anymore because if I do nothing it can't come worse  
10 than what they've already done and maybe it'll come out  
11 where -- where they just say we can't go ahead with  
12 making an assessment which if I may state, he did  
13 actually say kinda of a encompassing caveat near the  
14 end, he said since I didn't meet with this guy all of  
15 this is sort of provisional and -- and maybe isn't  
16 correct or -- or something along those lines so we do  
17 also have a -- a report, uh, from a Dr. Lang that just  
18 came out what in the last month right? Uh, so I thought  
19 maybe that would trump that report from that doctor.

20           **PRESIDING COMMISSIONER PECK:** Who's Dr. Lang and  
21 where's that report?

22           **INMATE LAZOR:** It's right here.

23           **ATTORNEY EISENSTAT:** Dr. Yoshado Lang, uh, is a  
24 private psychologist --

25           **PRESIDING COMMISSIONER PECK:** Well, that doesn't

1 matter.

2 **ATTORNEY EISENSTAT:** -- hired by Mr. Lazor. Uh,  
3 and, uh, I received a copy of it I believe over the  
4 weekend or maybe yesterday even then -- so I don't have  
5 copies but I'm sure they can be made.

6 **INMATE LAZOR:** I believe he sent it to the board  
7 several weeks ago like maybe three weeks ago.

8 **ATTORNEY EISENSTAT:** Uh, I -- if it's in the late  
9 mail I didn't notice it and --

10 **DEPUTY DISTRICT ATTORNEY WEST:** I didn't receive  
11 it.

12 **PRESIDING COMMISSIONER PECK:** It's not in 10 day.  
13 It's not in the 10 day.

14 **ATTORNEY EISENSTAT:** Yeah, and it wasn't in the  
15 10 day so --

16 **PRESIDING COMMISSIONER PECK:** So we have no -- we  
17 have no way of assessing that right now unless we just  
18 take a break.

19 **ATTORNEY EISENSTAT:** Okay, we'll I leave that to  
20 the board, uh --

21 **PRESIDING COMMISSIONER PECK:** Actually, well,  
22 I'll tell you what -- it doesn't look like -- it doesn't  
23 look like from what I see that there's any reason why  
24 your client can't represent himself.

25 **ATTORNEY EISENSTAT:** Thank you Commissioner.

1 Just for the record, I -- as I said I went over all the  
2 pros and cons with Mr. Lazor. I've also given him  
3 whatever paperwork I have, uh, uh, in my possession  
4 cause you know almost everything that was listed is on  
5 the computer but whatever I did I gave to him so he has  
6 that as well.

7 **PRESIDING COMMISSIONER PECK:** All right.

8 **ATTORNEY EISENSTAT:** And I wish him good luck.

9 **PRESIDING COMMISSIONER PECK:** All right. Thank  
10 you.

11 **ATTORNEY EISENSTAT:** Thank you.

12 **INMATE LAZOR:** Thank you, uh, Mr. Eisenstat.

13 **ATTORNEY EISENSTAT:** You're welcome.

14 **PRESIDING COMMISSIONER PECK:** All right. I'll  
15 tell you what. Let's take 10. I need to take a look at  
16 that report.

17 **INMATE LAZOR:** Uh, sir. May I ask something  
18 first before we take that break cause this is a bigger  
19 problem? I came here with nothing in my hands because  
20 the guards would not let me bring all my parole plan  
21 stuff down here.

22 **PRESIDING COMMISSIONER PECK:** Uh huh.

23 **INMATE LAZOR:** So, I talked to Mr. Eisenstat  
24 about it brief -- briefly. There's no way I can proceed  
25 without it and have -- expect to have any kind of a

1 hearing so, um, Mr. Eisenstat suggested that I ask for  
2 recess not a postponement by any means. I do not want a  
3 postponement but recess to s -- to somehow get that  
4 stuff over here. It's a lot of stuff.

5 **PRESIDING COMMISSIONER PECK:** So here's what  
6 happened. I've already talk to the officers that have  
7 been here and they offered to bring that -- we're going  
8 to have somebody carry it over for you to a certain  
9 place.

10 **INMATE LAZOR:** No, they refused to. They said --

11 **PRESIDING COMMISSIONER PECK:** That's what the --  
12 shall I get somebody -- I'll tell you what. Can we get  
13 one of the officers in here? I'd like to swear him in  
14 real quick. The one that talked to him. Did you -- can  
15 I get, um, on the record for a minute? Can I swear you  
16 in just for one second?

17 **CORRECTIONAL OFFICER DOMINGUEZ:** Sure.

18 **PRESIDING COMMISSIONER PECK:** Do you solemnly  
19 swear or affirm that your testimony at this hearing will  
20 be the truth, the whole truth, and nothing but the  
21 truth?

22 **CORRECTIONAL OFFICER DOMINGUEZ:** I do.

23 **PRESIDING COMMISSIONER PECK:** And please state  
24 your name.

25 **CORRECTIONAL OFFICER DOMINGUEZ:** Counselor R.

1 Dominguez.

2           **PRESIDING COMMISSIONER PECK:** Officer Dominguez,  
3 um, Mr. Lazor is saying that he tried to bring, um, his  
4 paper work in and that was and he was refused -- that  
5 was refused. Is that accurate?

6           **CORRECTIONAL OFFICER DOMINGUEZ:** No.

7           **PRESIDING COMMISSIONER PECK:** What -- tell me --  
8 tell me what --

9           **CORRECTIONAL OFFICER DOMINGUEZ:** I could probably  
10 get you better information from the officers that were  
11 there but from the information that they gave me is  
12 that, uh, inmate Lazor brought his property from his  
13 cell to the yard. Uh, but he refused to carry up from  
14 the yard to the van. We have a van that we were going  
15 to bring him over here from Alpha yard.

16           **PRESIDING COMMISSIONER PECK:** Okay.

17           **CORRECTIONAL OFFICER DOMINGUEZ:** Okay. And, uh,  
18 he was offered an ADA worker to assist him to carry his  
19 property from the yard to the ban.

20           **PRESIDING COMMISSIONER PECK:** Okay.

21           **CORRECTIONAL OFFICER DOMINGUEZ:** Um, and he was  
22 told that, uh, from the van once we parked the van here  
23 --

24           **PRESIDING COMMISSIONER PECK:** Uh huh.

25           **CORRECTIONAL OFFICER DOMINGUEZ:** -- that he would

1 have to bring it in to BPH and he refused. So he picked  
2 it up and took it back to his cell.

3 **PRESIDING COMMISSIONER PECK:** Is that true?

4 **INMATE LAZOR:** May I respond? No, it isn't true.  
5 I -- I'm sure this officer's -- thinks he telling the  
6 truth. I don't have any doubt that he's being sincere  
7 but he's been told something from somebody else and he  
8 was not there. What happened is this thing weighs  
9 probably about 80 pounds or so because it's a big bin  
10 full of papers.

11 **PRESIDING COMMISSIONER PECK:** Uh huh.

12 **INMATE LAZOR:** And, uh, I managed to get it out  
13 of the cell block to the front of the cell block where  
14 there's a table right there. I wrenched by back that  
15 much. It's very heavy for me. I set it on the table.  
16 I went and asked the guards if I could get a cart which  
17 is standard procedure for coming through that gate with  
18 any heavy amount of stuff --

19 **PRESIDING COMMISSIONER PECK:** Well --

20 **INMATE LAZOR:** And they -- and they said  
21 absolutely not. They said either you take -- they  
22 ordered me. Then I'd got a 115, uh, disciplinary report  
23 if I didn't follow their orders. They said either you  
24 take it back in the cell or you drag it over here about  
25 two football fields long to the van yourself and I said

1 I physically can't do it.

2           **PRESIDING COMMISSIONER PECK:** How -- how far is  
3 it from the -- from the door to here?

4           **CORRECTIONAL OFFICER DOMINGUEZ:** Um, I'd say  
5 about, uh, 200 feet.

6           **PRESIDING COMMISSIONER PECK:** Okay.

7           **CORRECTIONAL OFFICER DOMINGUEZ:** Roughly.

8           **PRESIDING COMMISSIONER PECK:** All right. So, um,  
9 Mr. Lazor perhaps you don't know this but this issue  
10 really isn't -- is moot. We're only authorized or  
11 allowed to take 20 pages of any information that you  
12 have -- 20 pages.

13           **INMATE LAZOR:** Okay.

14           **PRESIDING COMMISSIONER PECK:** So if you were to  
15 come in with 80 pounds of information, after I got  
16 through laughing, I would say no, we're not -- there --  
17 there -- it's -- it's impossible for us -- it would be  
18 impossible for Commissioner Johnsen and I to review that  
19 kind of information before us and, um, if there is  
20 things that you needed to -- want considered then there  
21 is a process for that and that process would be is you  
22 either submit it to the board or submit it to your  
23 counselor before -- beforehand.

24           **INMATE LAZOR:** Okay. If I may respond please.  
25 I've tried to submit. Well, first of all I didn't

1 expect to present all of it to you but a lot of it is  
2 stuff that I feel I may have to refer to like something  
3 may come up the -- the -- Deputy -- um, Deputy DA may  
4 say something or you may say something.

5 **PRESIDING COMMISSIONER PECK:** Like what?

6 **INMATE LAZOR:** For example, uh, an opportunity to  
7 present some evidence of falsified rule violation  
8 reports that happen every time right before a parole  
9 hearing.

10 **PRESIDING COMMISSIONER PECK:** I have, uh -- I  
11 have tons of rules and violation reports for you.

12 **INMATE LAZOR:** But I have the evidence that some  
13 of them are false. I mean, absolute evidence that can't  
14 be --

15 **PRESIDING COMMISSIONER PECK:** You can present  
16 them. We're happy to listen to what you have to say.

17 **INMATE LAZOR:** Things like that and if it didn't  
18 come of course I wouldn't you know want to clog up the  
19 hearing with -- with that if it wasn't relevant but if  
20 it comes up I just want those kind of things referred to  
21 and then there are other -- other things as well.  
22 Possibly even some letters that the maybe the parole  
23 board didn't receive because in past hearings, they  
24 received a lot of them but not -- not all of them.

25 **PRESIDING COMMISSIONER PECK:** Like what?

1           **INMATE LAZOR:** These support letters and letters  
2 of evidence of my background and history and stuff that  
3 rebut some of the things in the psych report.

4           **PRESIDING COMMISSIONER PECK:** Well, we'll cross  
5 that bridge when we get to it.

6           **INMATE LAZOR:** Okay, so, um, I understand that  
7 you know the problem with trying to bring that much  
8 stuff, uh --

9           **PRESIDING COMMISSIONER PECK:** Well, I just --  
10 it's just not -- I just don't know what it accomplishes.

11           **INMATE LAZOR:** Yeah.

12           **PRESIDING COMMISSIONER PECK:** I mean I have --  
13 cause I have something better than all that paperwork.  
14 You know what I have? I have you.

15           **INMATE LAZOR:** Okay.

16           **PRESIDING COMMISSIONER PECK:** That's what --  
17 that's what I need, right?

18           **INMATE LAZOR:** Okay.

19           **PRESIDING COMMISSIONER PECK:** I have your central  
20 file.

21           **INMATE LAZOR:** Okay but that's the problem. The  
22 central file which has a lot of inaccurate paperwork in  
23 it so --

24           **PRESIDING COMMISSIONER PECK:** You know Mr. Lazor  
25 I -- I think we're putting the cart way before the horse

1 here.

2 **INMATE LAZOR:** Okay.

3 **PRESIDING COMMISSIONER PECK:** Right?

4 **INMATE LAZOR:** What shall I do? What --

5 **PRESIDING COMMISSIONER PECK:** I think we just  
6 move forward.

7 **INMATE LAZOR:** I don't have even my parole plan  
8 with me. You guys don't have it.

9 **PRESIDING COMMISSIONER PECK:** I don't need your  
10 parole plan because we can establish our own parole plan  
11 for you.

12 **INMATE LAZOR:** Oh boy.

13 **PRESIDING COMMISSIONER PECK:** If that were -- if  
14 that were appropriate -- if that's we -- if we came to  
15 the decision of giving you a parole date today, we don't  
16 need a parole plan from you. You can tell us what you'd  
17 like to do. We can establish our own parole plan for  
18 you if you want. That's what we do.

19 **INMATE LAZOR:** Okay. I -- I certainly want to  
20 cooperate with you and I -- I like you.

21 **PRESIDING COMMISSIONER PECK:** Now if you want to  
22 -- yeah, I know. I'm easy to like. The issue is this  
23 today we're going to give a fair hearing. I'm going to  
24 hear what you have to say. You got some -- you got  
25 some, uh -- you got a few little glitches in the giddyup

1 here. I'm telling you right now.

2 **INMATE LAZOR:** I'm sorry.

3 **PRESIDING COMMISSIONER PECK:** Now if you want to  
4 waive or you want to postpone and you -- or if you want  
5 -- if you want to put today's hearing off fine. Tell me  
6 why and let us rule on it, right? But it can't be  
7 because you're not allowed to bring 80 pounds of -- of  
8 paperwork up here and I'll tell you why. Because I  
9 wouldn't take it anyway and -- and I don't want  
10 Commissioner Johnsen over there to strangle me in front  
11 of you if I were to say here you go Commish, read all  
12 this stuff while I'm talking to Mr. Lazor and Ms. West,  
13 I think she'd beat me to death with the 80 pounds if I  
14 told her she had to read all this stuff before we move  
15 forward right? Because I'm gonna promise you this, I'm  
16 not reading it, right? Cause I'm busy talking to you.

17 **INMATE LAZOR:** I get the message sir. Let me ask  
18 you --

19 **PRESIDING COMMISSIONER PECK:** So, go ahead.

20 **INMATE LAZOR:** If I might -- if I might propose  
21 this.

22 **PRESIDING COMMISSIONER PECK:** Yes.

23 **INMATE LAZOR:** Would it be possible and I -- and  
24 I apologize to even have to ask but would it be possible  
25 because I respect you -- all of you people's time -- to

1 get a quick recess to go back and grab even a small  
2 stack of what I think is the really most relevant stuff  
3 that I would -- that I really think that without it I'm  
4 going to be you know just --

5 **PRESIDING COMMISSIONER PECK:** What -- what is it?

6 **INMATE LAZOR:** We put together -- I stayed up til  
7 3:00 in the morning in fact finishing typing up some of  
8 the stuff of the -- what I've done in the past three and  
9 a half four years since my last parole hearing. They've  
10 always asked me in previous hearings what have you done  
11 that's been positive. There's a lot of my group stuff -  
12 -

13 **PRESIDING COMMISSIONER PECK:** All right.

14 **INMATE LAZOR:** -- that's not in the file. A lot  
15 of my certificates are not in the file.

16 **PRESIDING COMMISSIONER PECK:** 20 pages. Not  
17 count -- not counting parole plans.

18 **INMATE LAZOR:** Would it be -- would it be okay to  
19 -- yeah, 20 pages to give you but then could I bring  
20 like a reasonable stack that I can carry?

21 **PRESIDING COMMISSIONER PECK:** Well, I don't care  
22 -- I don't care what you bring.

23 **INMATE LAZOR:** Of the other stuff?

24 **PRESIDING COMMISSIONER PECK:** Just don't bring 80  
25 pounds in here because you know something --

1           **INMATE LAZOR:** If we can agree on that, I -- I --  
2 I'd be very grateful.

3           **PRESIDING COMMISSIONER PECK:** Small -- small  
4 amount but you can only 20 -- present to us 20 pages but  
5 parole plans are different. That can -- those can be  
6 additional pages.

7           **INMATE LAZOR:** Okay, understand.

8           **PRESIDING COMMISSIONER PECK:** And that'll give me  
9 a chance to read your, um -- any objection to that Ms.  
10 West?

11           **DEPUTY DISTRICT ATTORNEY WEST:** No, I would just  
12 note that I've already received three inches of  
13 documents from Mr. Lazor.

14           **PRESIDING COMMISSIONER PECK:** Okay.

15           **DEPUTY DISTRICT ATTORNEY WEST:** So --

16           **PRESIDING COMMISSIONER PECK:** Am I pronouncing  
17 your name wrong? Is it Lazor or is it Lazer?

18           **INMATE LAZOR:** Lazor. Either one is okay. I'm  
19 not touchy about it.

20           **DEPUTY DISTRICT ATTORNEY WEST:** Lazor.

21           **INMATE LAZOR:** But Lazor is what most people say.

22           **PRESIDING COMMISSIONER PECK:** Okay. All right.  
23 Would you mind doing that officers?

24           **CORRECTIONAL OFFICER DOMINGUEZ:** Not a problem.

25           **INMATE LAZOR:** And I -- I thank you very much.

1 That seems very fair. I appreciate that.

2 **PRESIDING COMMISSIONER PECK:** Go -- go do what  
3 you got to do.

4 **INMATE LAZOR:** I will leave this here if that's  
5 all right.

6 **DEPUTY COMMISSIONER JOHNSEN:** We're off the  
7 record.

8 **PRESIDING COMMISSIONER PECK:** Thanks.

9 **DEPUTY COMMISSIONER JOHNSEN:** It is 9:15 a.m.

10 **PRESIDING COMMISSIONER PECK:** All right.

11 **INMATE LAZOR:** And my apologies again for the --

12 **PRESIDING COMMISSIONER PECK:** There's no reason  
13 to apologize. It's fine. I have no problem.

14 **R E C E S S**

15 **--oOo--**

16 **DEPUTY COMMISSIONER JOHNSEN:** We're on the  
17 record.

18 **PRESIDING COMMISSIONER PECK:** All right. We're  
19 back on the record. Um, we allowed, uh, Mr. Lazor to  
20 grab some of his documents. Uh, we're now back on the  
21 record. It's 10 o'clock. Um, did you have any  
22 preliminary objections? I know your attorney, um,  
23 before, um, you, um, we made -- well, you decided you  
24 needed -- you wanted to go, uh, on your own, uh, without  
25 him. Did you have any objections?

1           **INMATE LAZOR:** I -- I do.

2           **PRESIDING COMMISSIONER PECK:** What's your  
3 objections?

4           **INMATE LAZOR:** Uh, just a few. Uh, one that --

5           **PRESIDING COMMISSIONER PECK:** Make it -- now here  
6 -- let me just tell you how it works. Right? Make your  
7 objection and give me a chance to rule.

8           **INMATE LAZOR:** Okay.

9           **PRESIDING COMMISSIONER PECK:** Okay, so don't just  
10 throw like all out at one time. Throw the first one,  
11 let me think about it, let me rule then we'll go to the  
12 next one. Okay?

13           **INMATE LAZOR:** Okay. Uh, objection and -- and  
14 Mr. Eisenstat joined me in this as well. Um, the, uh,  
15 Marsy's law I think is proposition nine.

16           **PRESIDING COMMISSIONER PECK:** Yeah.

17           **INMATE LAZOR:** Being applied to us who were  
18 sentenced before Marsy's law came into effect. I  
19 realize it's not going to get granted here but for the  
20 record I wanted to make that objection that we -- I  
21 object on the basis that I actually think it's ipso  
22 facto and I think it's still being agitated in the  
23 courts if I'm not mistaken.

24           **PRESIDING COMMISSIONER PECK:** I think it's pretty  
25 well resolved but you can make the objection. We'll

1 rule on it. It is -- I'm going to overrule that  
2 objection. It is current California law. We as a board  
3 have to follow the current California law. What's your  
4 next objection?

5 **INMATE LAZOR:** Next objection is is that, uh,  
6 many of the rule violation reports are false. Uh, many  
7 of them also are not relevant to whether or not I'm a  
8 danger to the community so I would object to the use of  
9 them on the basis that they're, uh, unreliable, in that  
10 they're false and I have proof that some of them are  
11 false and that, uh -- and that they're irrelevant, uh --  
12 I mean they're not -- not --

13 **PRESIDING COMMISSIONER PECK:** You've got to be  
14 specific when you make an objection.

15 **INMATE LAZOR:** Okay.

16 **PRESIDING COMMISSIONER PECK:** So you got to be  
17 specific about the rules violations that you think are,  
18 um -- you -- you can't make a grandiose or over -- uh,  
19 overreaching statement that some of the -- of the what --  
20 -- so I -- I can't -- how do I -- I don't know how to  
21 rule on that right? I mean I need to know which rules  
22 violations.

23 **INMATE LAZOR:** Okay.

24 **PRESIDING COMMISSIONER PECK:** Right? And I need  
25 to know why.

1           **INMATE LAZOR:** Okay.

2           **PRESIDING COMMISSIONER PECK:** Right? Now we can  
3 do it two ways. I -- I -- and I think it would -- it  
4 would probably be more fair to you if we did it when we  
5 discuss your -- your disciplinary history at that  
6 portion, right?

7           **INMATE LAZOR:** Okay.

8           **PRESIDING COMMISSIONER PECK:** And then you can --  
9 you can articulate why you don't think this 115 should  
10 be used in the hearing.

11          **INMATE LAZOR:** Okay.

12          **PRESIDING COMMISSIONER PECK:** Right? At that  
13 point and then I -- I think that might be the best,  
14 rather than now cause I know -- I know what you want --  
15 I -- I can hear your wheels turning right now so now  
16 what you want to do is -- you want to look at all the  
17 115s that you've had so you can make the objection today  
18 right this second but let's wait for that. Do you agree  
19 with that?

20          **INMATE LAZOR:** I agree with that.

21          **PRESIDING COMMISSIONER PECK:** All right. What's  
22 your next objection?

23          **INMATE LAZOR:** Uh, next objection is, uh, let me  
24 think for a second. I just had it in my mind and I just  
25 lost it.

1           **PRESIDING COMMISSIONER PECK:** Comprehensive risk  
2 assessment -- did you want to make an object -- I know  
3 you talked about that.

4           **INMATE LAZOR:** Oh, yeah. Uh, any of the FAD  
5 reports whether the latest one or any of the previous  
6 ones which by the way the latest one was built upon much  
7 of what was said in those. I object to those because  
8 they're so many falsehoods in them and there's just no  
9 basis in reality for -- I mean they -- they stated about  
10 my history that just never have existed anywhere. They  
11 just pulled them out of thin air about relationship  
12 problems or this kind of thing which I've never had.

13           **PRESIDING COMMISSIONER PECK:** Uh huh.

14           **INMATE LAZOR:** And the -- and the diagnoses which  
15 the doctors now agree with me -- Dr. Schwartz who I met  
16 with yesterday as I mentioned earlier and all of the  
17 independent psychs that, uh, Dr. McCumber for example  
18 who I had in -- in two parole hearings ago --

19           **PRESIDING COMMISSIONER PECK:** Well, I got to tell  
20 you. I'm not a big fan of Dr. McCumber.

21           **INMATE LAZOR:** Okay.

22           **PRESIDING COMMISSIONER PECK:** And the reason why  
23 is because I think Dr. McCumber's reports are biased.  
24 I've never seen Dr. McCumber give anybody higher than a  
25 low.

1           **INMATE LAZOR:**   Okay.

2           **PRESIDING COMMISSIONER PECK:**   Right?   So I just  
3 want to know that right?

4           **INMATE LAZOR:**   Okay.

5           **PRESIDING COMMISSIONER PECK:**   So, even though Dr.  
6 McCumber's report is not the most recent that we've had  
7 --

8           **INMATE LAZOR:**   Right.

9           **PRESIDING COMMISSIONER PECK:**   Right?   But I do  
10 want you to know that that's not one of the reports that  
11 I put a lot --

12          **INMATE LAZOR:**   Okay.

13          **PRESIDING COMMISSIONER PECK:**   -- I -- I just  
14 don't -- there's no review process with Dr. McCumber.  
15 There's no, um, the all -- all the risk assessment that  
16 I've ever seen with him -- every risk assessment has  
17 been low so --

18          **INMATE LAZOR:**   Okay.

19          **PRESIDING COMMISSIONER PECK:**   -- I -- I think  
20 they're biased but that's alright.

21          **INMATE LAZOR:**   I -- I got it.

22          **PRESIDING COMMISSIONER PECK:**   And the other --  
23 this report right here by Dr. Lang.

24          **INMATE LAZOR:**   Yes.

25          **PRESIDING COMMISSIONER PECK:**   There were some

1 errors I found in this also.

2 **INMATE LAZOR:** Errors of fact or --

3 **PRESIDING COMMISSIONER PECK:** Yes, errors of  
4 fact.

5 **INMATE LAZOR:** Or tempo?

6 **PRESIDING COMMISSIONER PECK:** Uh, the doctor, um,  
7 on page -- what page was that Commissioner?

8 **DEPUTY COMMISSIONER JOHNSEN:** Uh, it's around  
9 eight or nine.

10 **PRESIDING COMMISSIONER PECK:** Yeah, the -- doctor  
11 in this said that you haven't had a 115 since, uh -- for  
12 the past three years and that frankly is false.

13 **INMATE LAZOR:** Oh, it was true at the time he did  
14 the -- the assessment. I hadn't a 115 for -- until very  
15 recently and they also do this right before my parole  
16 hearings. I hadn't had one for about three and half  
17 years since, uh, 2014.

18 **PRESIDING COMMISSIONER PECK:** And this was done -  
19 - according to this this was done 3/28/17.

20 **INMATE LAZOR:** Yeah, so I don't believe there was  
21 any that existed --

22 **PRESIDING COMMISSIONER PECK:** When did you --  
23 when was your last 115?

24 **INMATE LAZOR:** Uh, actually they hit me with one  
25 a couple days ago and yesterday they -- they reduced it

1 to a 128 chrono and said it would be in the SOMS in case  
2 you got it cause I told the peering officer I was going  
3 to be here today in a -- a parole hearing. Said it's in  
4 the SOMS so you guys can look it up on your computer to  
5 see that it is no longer a pending 115.

6 **PRESIDING COMMISSIONER PECK:** All right. So --  
7 so let's go back to the -- let's go back to the clinical  
8 -- I mean the, uh, FAD then.

9 **INMATE LAZOR:** So there's Doctor -- Doctor Lang  
10 now there might be some minor detail that he missed on  
11 it cause I -- I reviewed and I think I might've caught a  
12 couple typos or something like that.

13 **PRESIDING COMMISSIONER PECK:** Right.

14 **INMATE LAZOR:** Maybe some, uh, innocuous factual  
15 error, uh, but in terms of anything like that I don't  
16 remember seeing any myself so I don't think there are  
17 any. So we got Dr. Lang. We got Dr. McCumber. I  
18 understand your comment on that and we got Dr. Antion,  
19 David Antion before McCumber who all three independents  
20 Antion did pro bono. He wasn't even paid so nobody  
21 could say you know he was doing this because he's  
22 getting paid to do this.

23 **PRESIDING COMMISSIONER PECK:** Right.

24 **INMATE LAZOR:** Um, they all s -- came to the same  
25 conclusions.

1           **PRESIDING COMMISSIONER PECK:** Okay. We'll make  
2 that -- we'll make that assessment over here.

3           **INMATE LAZOR:** Okay.

4           **PRESIDING COMMISSIONER PECK:** Let's go back to  
5 the original objection.

6           **INMATE LAZOR:** I object -- yes, I object to the  
7 reports of -- of all three of the FAD psychs. They're  
8 just inaccurate and I have done rebuttals on two of them  
9 before the parole boards that have about definitely over  
10 50 points of fact that were in error or -- or you know  
11 just false.

12           **PRESIDING COMMISSIONER PECK:** All right so you  
13 know the issue is this.

14           **INMATE LAZOR:** (inaudible).

15           **PRESIDING COMMISSIONER PECK:** Unfortunately, you  
16 chose not to participate in the evaluation. That was --  
17 that was a decision that you made.

18           **INMATE LAZOR:** Yes.

19           **PRESIDING COMMISSIONER PECK:** Right? Now the  
20 doctors are required to whether you participate or not,  
21 they're -- the doctors are required to do a risk  
22 assessment.

23           **INMATE LAZOR:** Okay.

24           **PRESIDING COMMISSIONER PECK:** Now I'm sure if you  
25 would've participated in the hearing -- I mean in -- in

1 the process that you would've been able to -- able to  
2 address those issues so it sounds like it wasn't -- it  
3 was a choice -- that was a choice you made.

4 **INMATE LAZOR:** Yes.

5 **PRESIDING COMMISSIONER PECK:** So, I'm gonna  
6 overrule your objection because that -- you had a chance  
7 at that last, uh, FAD risk assessment to participate and  
8 correct any issues. Now you're not required to  
9 participate, right? And you don't have to right? And  
10 in no way am I suggesting that you had to be that was  
11 your opportunity to -- to present the information that  
12 you wanted to present to the doctor.

13 **INMATE LAZOR:** Okay.

14 **PRESIDING COMMISSIONER PECK:** You choose not to  
15 do it. So I'm going to overrule that objection.

16 **INMATE LAZOR:** May I -- even though you've  
17 overruled it -- may I quickly respond to that just for  
18 the record if no other reason. It's important because  
19 you said I -- because I had the opportunity to present  
20 my things to that man.

21 **PRESIDING COMMISSIONER PECK:** Yeah.

22 **INMATE LAZOR:** Actually I didn't. The reason why  
23 and it is on record and he even -- he even acknowledged  
24 it. The reason why I didn't is they had -- I think it  
25 was the day before or two days before that, they threw

1 me in the hole and again just for the record it wasn't  
2 for being accused of anything wrong.

3 **PRESIDING COMMISSIONER PECK:** Uh huh.

4 **INMATE LAZOR:** It was -- it went to ad seg  
5 because of some safety problem with some other prisoner  
6 on the yard or something like that.

7 **PRESIDING COMMISSIONER PECK:** All right it  
8 doesn't matter but --

9 **INMATE LAZOR:** And -- and -- and I didn't have my  
10 paper with me that I had planned to present to him.

11 **PRESIDING COMMISSIONER PECK:** But you need to  
12 bring your paperwork to the doctor. You're not  
13 required.

14 **INMATE LAZOR:** When I didn't show the previous  
15 two FADs, uh, the, uh, things that backed up what I  
16 wanted to say, I had absolute proof, they -- they --  
17 they dis -- disbelieved me. And they went against me.

18 **PRESIDING COMMISSIONER PECK:** All right. You're  
19 -- you -- you've put -- you've put your argument on the  
20 record.

21 **INMATE LAZOR:** Understand. Um, the other thing  
22 is is that my understanding is, uh, please correct if  
23 I'm wrong is that we're you know this whole hearing is  
24 to determine if I'm a danger to the community and the --  
25 the penal code that governs 3041A and B I think, uh,

1 primarily, uh, state that that is to be based on two  
2 things. Whether I have a crime history that indicates,  
3 uh, you know that I -- that I could be a danger to the  
4 community because of an extension of heinous crime --  
5 crime history --

6 **PRESIDING COMMISSIONER PECK:** Uh huh.

7 **INMATE LAZOR:** -- course I have none and the  
8 other one is the -- the -- the commitment offense  
9 itself, whether that so especially, uh, atrocious that  
10 it would also indicate I could be a danger to the  
11 community and I think -- I think it should be part of  
12 this objection that I -- I feel I've been denied parole  
13 a number of times based on things that didn't reconnect  
14 with the nexus back to the original offense.

15 **PRESIDING COMMISSIONER PECK:** Okay.

16 **INMATE LAZOR:** Uh, and so I object to anything  
17 used that doesn't meet those criteria.

18 **PRESIDING COMMISSIONER PECK:** Okay. Let me rule.  
19 Um, you're using the wrong criterium. 2402 is that  
20 talks -- is the criteria for whether you're suitable for  
21 parole or not in title 15.

22 **INMATE LAZOR:** Title 15 okay.

23 **PRESIDING COMMISSIONER PECK:** Okay? So 2402  
24 that's the section. Uh, when, um, frankly the Lawrence  
25 decision from 2008, in re Lawrence, has already said

1 that we can't use the life crime as a reason for denying  
2 you parole unless -- unless there is a connection, a  
3 nexus, that makes you a current unreasonable risk of  
4 dangerousness. Now if you look at 2402 there are  
5 certain factors that are -- that we use to determine  
6 whether you're suitable for parole or not right? None  
7 of it has to do with how heinous your crime was anymore.  
8 Now, pre-2008, yeah, maybe but post-2008 not. Right?  
9 So the -- some of the things we can look at are  
10 psychological factors that were present, um, prior to  
11 your, uh, conviction. We can look at your disciplinary  
12 history. We can look at, um, -- at, um, current med --  
13 um, um, uh, mental issues which really refers to insight  
14 and that's also part of in re Shaputis which, um, which  
15 talks about the level of insight you have into your  
16 behaviors. Um, we can look at your rehabilitative  
17 efforts and decide whether those are factors. So very  
18 little of it, uh, Mr. Lazor has to do with your crime  
19 per se. Frankly, as far -- as far as today's hearing  
20 the focus today -- your crime happened many, many, many  
21 years ago. Right? The focus is not gonna be on re --  
22 retrying you. We don't do that. As a matter of fact,  
23 penal code section 5011 says you don't have to talk  
24 about the life crime if you don't want to right? So if  
25 you don't want to talk about the life crime and we can't

1 use that as a reason for denying you parole, nor would  
2 we. Right? So those, the -- the -- so the factors that  
3 you just brought up are not factors not all. So I'm  
4 going to overrule your objection. I just gave you all  
5 the other -- that other bits of information --

6 **INMATE LAZOR:** Yes.

7 **PRESIDING COMMISSIONER PECK:** -- so you know what  
8 we will be considering.

9 **INMATE LAZOR:** Thank you. Um, just two things  
10 more that I can think of right now.

11 **PRESIDING COMMISSIONER PECK:** Okay.

12 **INMATE LAZOR:** One is what -- what you just  
13 mentioned, penal code section 5011 which if my correct  
14 me if I'm wrong, states basically that I can't be denied  
15 parole or refusing to admit guilt to the crime. Is that  
16 right?

17 **PRESIDING COMMISSIONER PECK:** Absolutely.

18 **INMATE LAZOR:** Okay. Just -- I just want to  
19 bring out all the relevant parts of this right here and  
20 this objection is that I from the start as you probably  
21 know if you know my case history I -- I called the  
22 police. I shot the man. I said I shot the man. I took  
23 responsibility for that. I tried to save him by calling  
24 the police immediately.

25 **PRESIDING COMMISSIONER PECK:** Okay.

1           **INMATE LAZOR:** So, I've always admitted and  
2 acknowledged --

3           **PRESIDING COMMISSIONER PECK:** Right.

4           **INMATE LAZOR:** -- that I did that. Um, that's  
5 never been an issue but what is at issue is whether it  
6 was self-defense or not, whether I acted because I  
7 didn't have murder in my heart or malice. I wasn't  
8 trying to hurt anybody. I acted to save my life --

9           **PRESIDING COMMISSIONER PECK:** Yeah.

10          **INMATE LAZOR:** -- under attack. So, that I feel  
11 has been used against me in a back door way. At least -  
12 - at least in the more recent years, the last decade or  
13 so in a back door way is that the psychia -- the  
14 psychologist -- the psych reports all three of the FADS  
15 as soon as I raise that and told them this was a self-  
16 defense case I -- I would not have ever hurt a human  
17 being if it wasn't to save my life or somebody's life  
18 and they've gotten -- you know that's when the reports  
19 turn sour on me, went south and -- and -- you know, the  
20 -- the they stated to me in response to that in those  
21 interviews and the things that they started typing out  
22 on the their computer in response was about me not  
23 taking responsibility and so forth for -- for the crime.  
24 So and -- and that came out to the conclusion that I'm a  
25 danger to society today because I won't take

1 responsibility for something long ago.

2 **PRESIDING COMMISSIONER PECK:** Okay.

3 **INMATE LAZOR:** And so I think it's a back door  
4 method of violating 5011 so I want to object to that  
5 kind of back door method.

6 **PRESIDING COMMISSIONER PECK:** Okay so let me tell  
7 you how -- let me tell you -- all right, Mr. Lazor. So,  
8 FAD risk assessments don't decide whether you're  
9 suitable for parole or whether you're not suitable for  
10 parole. FAD risk assessments are just a tool for the  
11 panel. So we look at the risk assessment. We make the  
12 assessment. Those reports aren't written for you.  
13 Those reports are written for me and for Commission  
14 Johnsen.

15 **INMATE LAZOR:** Yeah.

16 **PRESIDING COMMISSIONER PECK:** Right? It's  
17 something for us to evaluate. Now you didn't  
18 participate in the -- in the last hearing so you didn't  
19 give us a whole lot to work with. Right? Usually when  
20 you participate in a risk assessment, right, what that  
21 does for us. It kind of makes things a little bit  
22 easier for us. We have to do a little more hard work  
23 today but guess what you're the only hearing I have  
24 today so we got time to do the hard work. Right? Um,  
25 usually what that does is it allows me to kind of

1 expediate some of the processes.

2 **INMATE LAZOR:** Okay.

3 **PRESIDING COMMISSIONER PECK:** Because your  
4 childhood and your -- and your adult development is all  
5 covered, right? Um, we can look whether you had a  
6 stable social history or whether you had an unstable  
7 social history and it kind of gives us some information  
8 on where you were when you were growing up and maybe it  
9 gives us some insight or understanding into how you  
10 ended up here in prison. Right? We don't have that  
11 benefit with the last risk assessment but we do have  
12 some other risk assessments that have been able to help  
13 us out that you did participate in. Right? So no risk  
14 assessment is going to deny you parole. A panel's going  
15 to deny you parole, right, but not a risk assessment.  
16 Okay? So, that argument's moot. It has no basis  
17 because risk assessments don't deny parole. Panels do  
18 based on evidence that's presented at the panel that  
19 they make at the time of the hearing. Okay, that's  
20 number one. Um, you said something else about 5011 what  
21 -- oh we don't -- what -- whether your crime was self-  
22 defense, whether your crime was, uh, murder second,  
23 whether your crime was whatever right? A jury has  
24 already decided that, not me. I'm not here to retry  
25 your case. I -- I don't have the ability. Commissioner

1 Johnsen doesn't have the ability right? I don't have a  
2 jury somewhere. We're not a jury right. I don't have  
3 witnesses hiding around the corner that are going to  
4 tell me what happened. I don't have any of those things.  
5 What we're going to do is, we're going to base the crime  
6 on the factors that are -- that are presented to us in  
7 the -- in the, um -- in your central file such as the  
8 probation officer's report, appellate decisions, and all  
9 those other things that are in your file, right? But in  
10 no way are we using that as a reason for whether you're  
11 suitable for parole or not. That's a starting point for  
12 us. Right? You're here in prison for that reason,  
13 right?

14 **INMATE LAZOR:** Yes.

15 **PRESIDING COMMISSIONER PECK:** So we have to  
16 decide whether you have per the Shaputis decision right?  
17 Whether you have -- I -- I -- I wish you wouldn't have  
18 fired Eisenstat because Eisenstat knows all this stuff,  
19 right? But anyway that's all right. I'll explain it to  
20 ya. I got the time, right? Um, you know I'm going to  
21 work so we're gonna -- no matter what happens today, I  
22 hope you leave this room with a little more  
23 knowledgeable than you walked into this room, all right?  
24 And I hope I walk out of this room a little more  
25 knowledgeable than I did when I walked inside this room

1 so, um, but the point is this. I -- I -- we're -- the  
2 life crime is never per penal code section 5011 is never  
3 a reason solely for denying parole. Now Shaputis, in re  
4 Shaputis talks about insight or understanding into your  
5 behaviors. We're going to be covering that per the law.  
6 Right? So and the ultimate standard for whether you're  
7 granted parole or whether you're not granted parole is  
8 these five letters C-U-R-O-D. Current unreasonable risk  
9 of dangerousness. That's the standard, right? And  
10 that's what we assess. Are you currently too dangerous  
11 to release based on the information that we have  
12 available to us. Right? So I'm going to overrule your  
13 objection because we're going to use any and all  
14 information available to ensure public safety, that's  
15 what we do.

16 **INMATE LAZOR:** For the record if I may. I  
17 understand your objection and I appreciate and I  
18 understand that's a done deal but it's important for me  
19 to say this for the record because you mentioned you  
20 know -- you benefit from being able to see a risk  
21 assessment dealing with a person's childhood, adult --  
22 adult development and so on and so on, unstable or  
23 stable relationships, this sort of thing.

24 **PRESIDING COMMISSIONER PECK:** Right.

25 **INMATE LAZOR:** That's exactly the reason that I

1 did not want to do that, uh, evaluation, uh, interview  
2 without --

3 **PRESIDING COMMISSIONER PECK:** Why?

4 **INMATE LAZOR:** -- because the two previous FAD  
5 reports --

6 **PRESIDING COMMISSIONER PECK:** Mmmmm.

7 **INMATE LAZOR:** Departed from everybody's in the  
8 past from about what was 13 or 18 different, uh, psych  
9 reports I'd had in the past from CDC doctors.

10 **PRESIDING COMMISSIONER PECK:** Yeah.

11 **INMATE LAZOR:** None of them brought up this  
12 stuff. I mean they just made up stuff saying I had a --  
13 an abusive childhood or -- or that I was adult, uh, uh,  
14 antisocial and this sort --

15 **PRESIDING COMMISSIONER PECK:** That's a diagnosis.

16 **INMATE LAZOR:** And there's nothing -- there's  
17 nothing in my life to indicate that.

18 **PRESIDING COMMISSIONER PECK:** But -- but Mr.  
19 Lazor you're missing the point. And the point is this,  
20 you're not going to get denied parole because of a risk  
21 assessment.

22 **INMATE LAZOR:** Okay. All right. I got it. I  
23 got it.

24 **PRESIDING COMMISSIONER PECK:** Right? It's only a  
25 tool for us to evaluate.

1           **INMATE LAZOR:** I got it.

2           **PRESIDING COMMISSIONER PECK:** And listen -- you  
3 and I -- listen I'm not a doctor. Right?

4           **INMATE LAZOR:** Uh huh.

5           **PRESIDING COMMISSIONER PECK:** And I -- I know --  
6 you seem like a really smart guy but I don't think  
7 you're a doctor.

8           **INMATE LAZOR:** No.

9           **PRESIDING COMMISSIONER PECK:** Right? So the  
10 point is this -- is that we're going to look at what the  
11 doctor says and then we're going to say does adult anti-  
12 personal -- anti, um -- antisocial personality disorder  
13 does that make you an unreasonable risk to society. So  
14 that's what we have to evaluate and that's based on your  
15 testimony.

16           **INMATE LAZOR:** But -- but do you evaluate first  
17 whether that even exists or whether that's fraud --  
18 fraudulent or false?

19           **PRESIDING COMMISSIONER PECK:** I -- I -- I can't -  
20 - I usually will defer to what the doctor said as far  
21 psychological issues go unless I see something contrary  
22 to that.

23           **INMATE LAZOR:** Understand. Do -- do you defer to  
24 the latest report cause that was my understanding?  
25 That's why we had Dr. Lang do this report because we --

1 it's the latest report. I thought it trumped or more or  
2 less -

3 **PRESIDING COMMISSIONER PECK:** It doesn't.

4 **INMATE LAZOR:** -- or at least to some degree  
5 trumps the previous report.

6 **PRESIDING COMMISSIONER PECK:** It doesn't and I'll  
7 tell you why. Um, the reason why it doesn't trump it,  
8 boy I had to use that word. But, um, nothing political.

9 **INMATE LAZOR:** No, of course.

10 **PRESIDING COMMISSIONER PECK:** But, um, um, you  
11 have two different opinions. You have the FAD division,  
12 right? The forensic assessment division.

13 **INMATE LAZOR:** Yes.

14 **PRESIDING COMMISSIONER PECK:** Right? And they're  
15 -- they're contrary to what many people say, they're a  
16 nonbiased -- they -- they don't have a -- they don't  
17 have a -- a -- a -- a -- a pony in this race. They  
18 don't. They don't get any extra money or any extra  
19 benefits by keeping you here in prison. There's no  
20 benefit of that. And, um, and so they're -- they're a  
21 nonbiased reviewer that has been trained in doing  
22 forensic assessments. I'm not sure about Dr. Lang. I  
23 will look to find out what his qualifications are as I -  
24 - as we move closer to that part, right? But, um, yeah,  
25 if -- if the doctor thinks that you have an adult

1 antisocial personality disorder, we'll probably take  
2 that into consideration but whether you're an  
3 unreasonable risk -- a current unreasonable risk of  
4 dangerousness could be another factor.

5 **INMATE LAZOR:** Yes, understand. I -- I do  
6 understand that. I do understand the -- the  
7 distinguishing points involved.

8 **PRESIDING COMMISSIONER PECK:** The problem though  
9 -- I'm going to keep going back to this right -- is that  
10 you chose not to parti -- I -- I mean I wish you  
11 would've participated in that hearing. I -- I wish you  
12 would have participated right? Because frankly that  
13 would've given me a whole lot. If you're going to make  
14 the argument that the risk assessment is flawed, right?  
15 And then you chose not to participate in it that kind of  
16 -- that kind of defeats your argument. No matter what  
17 happened in the past. Cause this is a new doctor.

18 **INMATE LAZOR:** I -- I still feel if I -- if I may  
19 interject here. I still feel that it probably would've  
20 worse had I because I just feel like I'd a got the  
21 hostility of just my presence and saying that this was  
22 self-defense and I did not intend to murder this guy and  
23 -- and the hostility came from both the other ones so I  
24 had reason to think that here I'm going to get the same.

25 **PRESIDING COMMISSIONER PECK:** You don't have to

1 participate in the hearings if you don't want to. I --  
2 I'm just saying this. The ones that you participated in  
3 -- one was a moderate, right?

4 **INMATE LAZOR:** Yes. The -- the conclusion or  
5 whatever, yeah.

6 **PRESIDING COMMISSIONER PECK:** Yeah.

7 **INMATE LAZOR:** Which -- which raised though the  
8 past.

9 **PRESIDING COMMISSIONER PECK:** Well, moderate risk  
10 assessments are not disqualifiers.

11 **INMATE LAZOR:** But it still raised it from the  
12 past which I thought was ridiculous. It was wrong.

13 **PRESIDING COMMISSIONER PECK:** Well, all I'm  
14 saying and what was the one before that that was done by  
15 FAD?

16 **INMATE LAZOR:** Were -- were either medium low or  
17 low that sort of thing.

18 **PRESIDING COMMISSIONER PECK:** Yeah, so when you  
19 participated Mr. Lazor right, I -- I'm -- I'm not really  
20 -- when you participated your risk assessments were not  
21 horrible. They were fine. They were not -- they were  
22 not risk assessments of people that I've seen in the  
23 past that have gotten -- I've seen people in the past  
24 that have gotten parole dates with a moderate or a low  
25 moderate even though we don't do low moderates any more

1 but -- but I have seen -- I have given dates myself to  
2 people that have gotten moderate risk assessments.

3 **INMATE LAZOR:** Yes.

4 **PRESIDING COMMISSIONER PECK:** Right? It's just  
5 and we'll talk about this later.

6 **INMATE LAZOR:** Okay.

7 **PRESIDING COMMISSIONER PECK:** But the more -- the  
8 bigger reason is this, um, it would've been helpful to  
9 all of us if you would've participated.

10 **INMATE LAZOR:** Okay. Understood.

11 **PRESIDING COMMISSIONER PECK:** You don't have to.

12 **INMATE LAZOR:** Now I understand that and  
13 hindsight is 20/20 as you know. So, you know from what  
14 you're saying, I can say in my mind okay now I wish I  
15 would've but at the time I couldn't see us sitting here  
16 and somebody telling me this would've been a lot more  
17 helpful --

18 **PRESIDING COMMISSIONER PECK:** Is there a person -  
19 - and I -- I know we're kind of jumping into things a  
20 little early but is there something in your personality  
21 that -- that is, um -- that is distrustful of -- of -- I  
22 mean do you have a dis -- do you have a -- do you have a  
23 belief system that people are out to get you?

24 **INMATE LAZOR:** No, no I'm not -- I'm not paranoid  
25 in the least. I, uh -- I have had the bad experience

1 with two FAD psychs so to me I don't want to go for a  
2 third strike with another bad FAD psych so I didn't --

3 **PRESIDING COMMISSIONER PECK:** All right.

4 **INMATE LAZOR:** -- he could proceed without me. I  
5 thought -- I thought okay, that's just going to wash  
6 that. They're going to come back to me later with  
7 another --

8 **PRESIDING COMMISSIONER PECK:** He told you. He  
9 told you in the risk assessment that --

10 **INMATE LAZOR:** There were things he said that  
11 weren't true and I don't know --

12 **PRESIDING COMMISSIONER PECK:** That's what he  
13 said.

14 **INMATE LAZOR:** Okay.

15 **PRESIDING COMMISSIONER PECK:** And I've read that  
16 in every report so I mean it's --

17 **INMATE LAZOR:** Okay. Uh, I have one more, just  
18 one last objection if I may and the Shaputis thing sort  
19 of ties in with this. Uh, I'm -- I am familiar with  
20 Shaputis and Lawrence as well.

21 **PRESIDING COMMISSIONER PECK:** Good.

22 **INMATE LAZOR:** Um, but rehabilitation of course  
23 is what this is all about. This is what all these other  
24 guys are -- are getting -- guys who have done 10 years  
25 less than me are going home and they have extensive

1 crime histories because they quote unquote  
2 rehabilitated.

3 **PRESIDING COMMISSIONER PECK:** Yeah.

4 **INMATE LAZOR:** So I have an objection, uh -- it  
5 may have several parts to it. One is is that and some  
6 of the letters you've received recently from these  
7 people. It's in the letters packet state -- I couldn't  
8 state it better or even as well as they did that because  
9 I had no crime history. I had no crime intention on  
10 that day. I have no absolutely no crime inclination in  
11 my life. I have never s -- setting aside this self-  
12 defense shooting -- I've never in my life committed a  
13 single violent act ever.

14 **PRESIDING COMMISSIONER PECK:** Okay.

15 **INMATE LAZOR:** Ever before.

16 **PRESIDING COMMISSIONER PECK:** So what's your  
17 objection?

18 **INMATE LAZOR:** Okay so the objection is is that -  
19 - is -- is focusing -- if I can't rehabilitate on the  
20 basis that I don't have anything to rehabilitate from  
21 and that's why I can't rehabilitate. In other words if  
22 -- if I was doing well in terms of my mental state and  
23 my noncriminal proclivities back then and it's always  
24 been that way in my life.

25 **PRESIDING COMMISSIONER PECK:** Mmmm.

1           **INMATE LAZOR:** I can't go back and go yeah, I --  
2 I was a terrible gang member. I did you know murders  
3 and -- and a whole bunch of felonies in my life so I'm  
4 now rehabilitated. I'm taking all these courses in  
5 prison. I have taken all the things in prison. I've  
6 taken more therapy groups and self-help groups than  
7 anybody I know of.

8           **PRESIDING COMMISSIONER PECK:** Okay.

9           **INMATE LAZOR:** But the point is still I have an  
10 objection to that rehabilitation thing being stuck on  
11 that for somebody who is claiming which I am and  
12 truthfully so that I didn't commit a crime in the first  
13 place. I did commit a terrible that had to be committed  
14 in order to save my life. And to this day I believe I  
15 would've been dead -- I would've been dead on that day  
16 had I not defended myself. Maybe overreacted with more  
17 shots than were necessary. I grant that.

18           **PRESIDING COMMISSIONER PECK:** Okay.

19           **INMATE LAZOR:** Under that panic you can't -- you  
20 can't make that decision. It just i -- isn't -- we're  
21 sitting here and can say hey I -- here I'll just shoot  
22 two shots and hit him in a place that will only wound  
23 him. It just doesn't work that way when you're under  
24 that kind of panic. So the point -- the point is if I  
25 had no crime mentality whatsoever, I can't rehabilitate

1 from a crime mentality. Again, I've done all the things  
2 that the board wants done in terms of all these  
3 different groups and stuff but I just object to that  
4 being a focus saying well, you know, you're even  
5 acknowledging you're not rehabilitated from where you  
6 were because you say you don't -- you didn't have  
7 anything to rehabilitate from.

8           **PRESIDING COMMISSIONER PECK:** You have a crystal  
9 ball over there Mr. Lazor?

10           **INMATE LAZOR:** Pardon me.

11           **PRESIDING COMMISSIONER PECK:** You have a crystal  
12 ball over there?

13           **INMATE LAZOR:** No but I'm objecting to -- you  
14 know because that's always been the focus of all these -  
15 - all these cases and all these hearings is that  
16 rehabilitation thing so that's -- that's my objection.

17           **PRESIDING COMMISSIONER PECK:** What we're -- what  
18 we're going to do in the hearing is this.

19           **INMATE LAZOR:** Okay.

20           **PRESIDING COMMISSIONER PECK:** Just so you know is  
21 that if you're asking me not -- if you're asking us not  
22 to take into consideration rehabilitation, I'm going to  
23 overrule that because that's required. We're gonna --

24           **INMATE LAZOR:** Okay.

25           **PRESIDING COMMISSIONER PECK:** -- we're -- we're

1 required to evaluate you whether you've rehabilitated  
2 yourself or not. A jury found you guilty of murder  
3 second.

4 **INMATE LAZOR:** Yes.

5 **PRESIDING COMMISSIONER PECK:** Right?

6 **INMATE LAZOR:** Correct.

7 **PRESIDING COMMISSIONER PECK:** So what are our  
8 determination is this is have you rehab -- rehab --  
9 have you been involved in the rehabilitative process in  
10 order to make you safe to be released.

11 **INMATE LAZOR:** Okay.

12 **PRESIDING COMMISSIONER PECK:** Now maybe we can  
13 look at your case and go Mr. Lazor doesn't any need any  
14 rehabilitative process right? He needs -- he's ready to  
15 go. He doesn't need to be involved in rehabilitative  
16 programs. We think he's ready to go right now and we  
17 don't care what he's taken right? So as far as us  
18 looking at -- as far -- but that's an imp -- we can't  
19 make that determination yet until we talk to you.

20 **INMATE LAZOR:** I got it. I got it.

21 **PRESIDING COMMISSIONER PECK:** Right?

22 **INMATE LAZOR:** Okay.

23 **PRESIDING COMMISSIONER PECK:** I don't -- again I  
24 don't have a crystal ball over here.

25 **INMATE LAZOR:** I know.

1           **PRESIDING COMMISSIONER PECK:** So I -- I can't  
2 make that determination yet.

3           **INMATE LAZOR:** Okay. Understand it. And just  
4 for the record, I have take a lot of groups and we'll  
5 get into that I'm sure.

6           **PRESIDING COMMISSIONER PECK:** Uh, we will.

7           **INMATE LAZOR:** And the Shaputis thing -- I -- my  
8 only concern with that is insight. I understand the  
9 focus of insight. I understand how in my opinion and in  
10 some courts have ruled it's overused but in any case I -  
11 - I, uh -- I don't -- I -- I want to make sure that just  
12 if we disagree and I -- and I don't mean to be a  
13 disagreeable person. I would love nothing more than us  
14 to be in total harmony. Of course, that's going to be  
15 in my favor but if we disagree on a lot of these things  
16 I want that -- you know, not -- not to be seen well I  
17 lack insight just because we have a disagreement as to  
18 what happened back then or you know, the -- other things  
19 in the meantime in terms of --

20           **PRESIDING COMMISSIONER PECK:** I don't -- I don't  
21 have a crystal ball.

22           **INMATE LAZOR:** Okay. I guess --

23           **PRESIDING COMMISSIONER PECK:** I don't -- I -- you  
24 may say something and I may go well that's total --  
25 that's total horse pucky. Right?

1           **INMATE LAZOR:**   Yes.

2           **PRESIDING COMMISSIONER PECK:**   And I may totally  
3 disagree with what you said and --

4           **INMATE LAZOR:**   Yes.

5           **PRESIDING COMMISSIONER PECK:**   -- and I may say he  
6 has no insight in his behavior, right?

7           **INMATE LAZOR:**   Okay.

8           **PRESIDING COMMISSIONER PECK:**   But that -- that's  
9 what -- that's what Commissioner Johnsen and I do.

10          **INMATE LAZOR:**   Okay.

11          **PRESIDING COMMISSIONER PECK:**   But -- but we -- I  
12 don't -- I -- I -- I certainly don't have that  
13 determination yet cause I haven't talk to you yet.

14          **INMATE LAZOR:**   Got it.   Okay that's -- that's it.  
15 I believe for objections it's all I can think of.   Thank  
16 you for your time on that.

17          **PRESIDING COMMISSIONER PECK:**   No, no.   Thank you.  
18 Um, have we introduced ourselves yet?   That was so long  
19 ago.

20          **DEPUTY DISTRICT ATTORNEY WEST:**   I think we did.

21          **PRESIDING COMMISSIONER PECK:**   I know I --

22          **DEPUTY COMMISSIONER JOHNSEN:**   We did.

23          **PRESIDING COMMISSIONER PECK:**   Par -- pardon.   I  
24 didn't catch what you said.

25          **DEPUTY DISTRICT ATTORNEY WEST:**   Prior to

1 recessing.

2           **PRESIDING COMMISSIONER PECK:** I said did we  
3 introduce ourselves yet.

4           **DEPUTY COMMISSIONER JOHNSEN:** Yes.

5           **DEPUTY DISTRICT ATTORNEY WEST:** Prior to  
6 recessing.

7           **PRESIDING COMMISSIONER PECK:** All right. All  
8 right. So let me -- I'm just gonna go over a little bit  
9 about how we're gonna do today's hearing. When was --  
10 your last hearing wasn't that long ago was it?

11           **INMATE LAZOR:** Uh, four years ago.

12           **PRESIDING COMMISSIONER PECK:** Yeah, it wasn't  
13 that long ago.

14           **INMATE LAZOR:** And a few days.

15           **PRESIDING COMMISSIONER PECK:** All right so we  
16 have -- we have reviewed your, uh, central file. We've  
17 looked at your prior transcripts. You're going to be  
18 given the opportunity today to correct or clarify the  
19 record. Nothing that happens here today is going to  
20 change the findings of the court. We're not here to  
21 retry your case. We're going to accept as true the  
22 findings of the court. That may be something that  
23 you're worried about right? But that -- remember when I  
24 said that we're going to accept as true the findings of  
25 the court, we're just talking about why you're here in

1 prison.

2           **INMATE LAZOR:** I understand that. Yes, I accept  
3 that.

4           **PRESIDING COMMISSIONER PECK:** Okay. So we're  
5 here for the sole purpose of determining whether you're  
6 suitable for parole or not. Um, today I'm going to talk  
7 you a little bit about your pre-conviction factors.  
8 Talk about your personal history and talk about your --  
9 I don't think you have much of a prior criminality if  
10 any. Um, we'll talk about your life crime. We'll talk  
11 about how you've been doing in prison. Frankly I -- I  
12 think we're probably going to focus more on how you've  
13 been doing in prison than we are going to focus on  
14 anything else. That's just a guess on my part.

15           **INMATE LAZOR:** Yes.

16           **PRESIDING COMMISSIONER PECK:** We'll go over, um,  
17 the risk assessment with you a little. I'm not going to  
18 read in the record. Frankly nobody wants that. We're  
19 not going to read your, um, your private risk assessment  
20 on the record either. It's all part of the record right  
21 now the minute we took. We'll make an exhibit. Um, I  
22 didn't see it in the 10 day so we'll just make it an  
23 exhibit. Oh, Ms. West did you want to read it?

24           **DEPUTY DISTRICT ATTORNEY WEST:** Thank you,  
25 please.

1           **PRESIDING COMMISSIONER PECK:** Can -- can I see  
2 the risk assessment? Oh never mind, here it is. Um --

3           **INMATE LAZOR:** Can I say something here? That is  
4 a copy I don't need if Ms. West would like to have that  
5 because I --

6           **PRESIDING COMMISSIONER PECK:** Well, she can't  
7 have it cause I'm going to need it as an exhibit.

8           **INMATE LAZOR:** Oh, okay because I have a --

9           **PRESIDING COMMISSIONER PECK:** Now we can make a  
10 copy of it for her if she wants it.

11          **INMATE LAZOR:** -- I have a copy of it. Okay.

12          **PRESIDING COMMISSIONER PECK:** Do you want a copy  
13 of that?

14          **DEPUTY DISTRICT ATTORNEY WEST:** Sure.

15          **PRESIDING COMMISSIONER PECK:** All right. Can we  
16 -- when we have a break. All righty. So we're going to  
17 -- then we'll talk about parole plans. We'll let Ms.  
18 West ask us questions. Ms. West can't cross examine  
19 you. She can ask me questions. I may be interested and  
20 I may ask you that question. And then -- and then --  
21 and then -- and then we'll hear what she has to say as  
22 far your -- whether you're suitable for parole or not.  
23 We'll hear what you have to say regarding your parole  
24 suitability. Any questions about all that? It's not  
25 going too much different than what you've had in the

1 past.

2 **INMATE LAZOR:** Yeah, uh, will you be dealing with  
3 this ADA thing?

4 **PRESIDING COMMISSIONER PECK:** Oh, yeah, right  
5 now.

6 **INMATE LAZOR:** Okay.

7 **PRESIDING COMMISSIONER PECK:** So I know you have  
8 a hearing aid.

9 **INMATE LAZOR:** Yes.

10 **PRESIDING COMMISSIONER PECK:** Is your -- and it  
11 seems like you're able to hear us cause you're  
12 responding back to us.

13 **INMATE LAZOR:** Yes. I don't -- the hearing is  
14 not going to be a problem but --

15 **PRESIDING COMMISSIONER PECK:** I see you have your  
16 glasses on.

17 **INMATE LAZOR:** Yes, sir. I am going blind but  
18 that's not going to affect you know to -- to a degree  
19 that -- that's you know a problem here.

20 **PRESIDING COMMISSIONER PECK:** Do you have any  
21 mobility issues?

22 **INMATE LAZOR:** Uh --

23 **PRESIDING COMMISSIONER PECK:** You need a  
24 wheelchair, walker, or cane.

25 **INMATE LAZOR:** No, sir. I'm fine on that but if

1 I may say and this is important, is that when I had my  
2 hearing damaged it was from a head trauma from TBI,  
3 traumatic brain injury on, uh, uh -- it was November 10  
4 of 2001 and it was severe then. It's getting better  
5 with all -- time cause I do a lot of work on ther --  
6 therapy.

7 **DEPUTY DISTRICT ATTORNEY WEST:** Bless you.

8 **INMATE LAZOR:** Um, and, uh, I just want to say  
9 that sometimes if like in the past when -- when Ms. West  
10 has been, you know, making her -- her case, it's been a  
11 little too fast for me so sometimes I may need to say  
12 it's not just a hearing matter but it's -- I -- I'll get  
13 confused or won't be able to write fast enough whatever.  
14 I may -- I may just ask could I please, uh, have you  
15 slow down for a moment. I need to, uh, make a note on -  
16 - that sort of thing. Is that all right?

17 **PRESIDING COMMISSIONER PECK:** (inaudible).

18 **DEPUTY DISTRICT ATTORNEY WEST:** Absolutely.

19 **PRESIDING COMMISSIONER PECK:** I think -- she'll -  
20 - she'll be able to do that for you.

21 **INMATE LAZOR:** All right.

22 **PRESIDING COMMISSIONER PECK:** Um, sure and if you  
23 -- you don't understand something make sure you ask.

24 **INMATE LAZOR:** I will. Okay. Thank you.

25 **PRESIDING COMMISSIONER PECK:** Um, all right. Uh,

1 how about I know you're part of the mental health system  
2 here in CDCR. What level of care are you?

3 **INMATE LAZOR:** I'm a CCCMS and they -- they told  
4 me yesterday in the, um, doctor's, uh, appointment I had  
5 yesterday and several days ago another doctor, Dr. Greg,  
6 for the record. Uh, he's the head of the psych  
7 department here. Both of them said they could take me  
8 out of CCCMS and their opinion if I was willing to that  
9 I'm -- not unstable or anything like but I elected to  
10 stay in CCCMS and -- there's -- there's reason why that  
11 I don't think board maybe understands is our placement  
12 in prison -- we can be put in a -- a place that gets so  
13 bad that it drives me again to depression or -- or high  
14 anxiety.

15 **PRESIDING COMMISSIONER PECK:** You don't think I  
16 know prison?

17 **INMATE LAZOR:** Pardon me?

18 **PRESIDING COMMISSIONER PECK:** You don't think I  
19 know prison?

20 **INMATE LAZOR:** Oh you've been warden -- you were  
21 a warden for years.

22 **PRESIDING COMMISSIONER PECK:** No, I was never a  
23 warden but I was -- I've been in the system for a long  
24 time.

25 **INMATE LAZOR:** Oh, okay. Pardon me, then. I

1 guess --

2 **PRESIDING COMMISSIONER PECK:** So I know prison.

3 **INMATE LAZOR:** So okay, so triple -- so you know  
4 it better than I do. CCCMS, our placement can be such  
5 that it's --

6 **PRESIDING COMMISSIONER PECK:** Well, it's even  
7 more important than that Mr. Lazor. Um, if -- if you  
8 need to be involved in the mental system here in CDCR I  
9 support it.

10 **INMATE LAZOR:** Okay.

11 **PRESIDING COMMISSIONER PECK:** If -- if that helps  
12 you -- if that makes you safe to be released -- if  
13 you're getting the care you need, I -- I'm all in. I  
14 think that's wonderful. Right?

15 **INMATE LAZOR:** Right.

16 **PRESIDING COMMISSIONER PECK:** Never -- we never  
17 deny parole because of their being involved in a -- in a  
18 -- in a -- in a -- in something that -- that doctors  
19 have realized that that's beneficial for you. It's the  
20 same way for me is if you have, uh -- if you're a  
21 diabetic and you're getting treated for dia -- for  
22 diabetes. I -- I support it. I -- I'm all for it so  
23 yes, there's nothing negative about being in the mental  
24 health system here in CDCR. I'm glad you're there.  
25 What would concern me more is if you need to be and you

1 weren't in it.

2 **INMATE LAZOR:** I got it. Thank you.

3 **PRESIDING COMMISSIONER PECK:** So we're good with  
4 that okay. Um, is there anything else that you're  
5 concerned about? Have you met your, um, procedural  
6 rights as far as you know? Did you get a chance to do  
7 an Olson review?

8 **INMATE LAZOR:** Well, I'm glad you asked. I -- I  
9 have not had a complete Olson review even a significant  
10 one because and I'll tell you why but I -- but I'm not  
11 going to let it hold up the hearing. I'm going to go  
12 ahead with the hearing even in spite of this and  
13 hopefully there won't be something used that I'm not  
14 familiar with. Uh, what -- I've got a 13,000 page CDC  
15 file. There are several reasons for that. 51 transfers  
16 is part of the reason. Another reason is there are six  
17 copies of almost every 602 I've ever filed in the C  
18 file.

19 **PRESIDING COMMISSIONER PECK:** Yeah.

20 **INMATE LAZOR:** It's 13,000 some pages. No  
21 counselor wants to go through it. So what they did is  
22 and -- and -- oh on top of that another complication is  
23 on March 15, 2011, uh, uh, Sergeant, uh, M. Jones at R  
24 and R at Kern Valley State Prison took all my numerous  
25 boxes of active legal cases and all my past, uh, you

1 know C file stuff that I had been given --

2 **PRESIDING COMMISSIONER PECK:** Uh huh.

3 **INMATE LAZOR:** -- and ran it through a paper  
4 shredder and destroyed it all. So even what I did have  
5 at one time that it might -- think is important for this  
6 hearing was taken away from me so the, uh, staff here at  
7 this prison agreed to copy the entire C file as much as  
8 they were reluctant to at first. They copied a part of  
9 it and gave it to me.

10 **PRESIDING COMMISSIONER PECK:** Okay.

11 **INMATE LAZOR:** Two sided when nothing's in order  
12 so if I put one side of the page is in order like these  
13 pages belong to the 602 or this 115 thing or -- or  
14 whatever the case may be then the backside is off and --  
15 and it doesn't line up with you know the next thing  
16 that's supposed to be there. So, it's pretty useless  
17 but it was --

18 **PRESIDING COMMISSIONER PECK:** Well -- well --  
19 well let me -- let me ask the -- I'm gonna -- I'm gonna  
20 to stop you for just one minute.

21 **INMATE LAZOR:** Okay. All right.

22 **PRESIDING COMMISSIONER PECK:** Cause I want to get  
23 to the issue.

24 **INMATE LAZOR:** Okay.

25 **PRESIDING COMMISSIONER PECK:** Right? Have you

1 been -- are you adequately prepared to participate in  
2 today's hearing or not?

3 **INMATE LAZOR:** As much as I'll ever be, yes, and  
4 I do want to proceed.

5 **PRESIDING COMMISSIONER PECK:** Cause it looks like  
6 you -- you were given to do it -- a D. Bermudez 1917 but  
7 I see your notes -- since 1995, I've been denied a full  
8 -- -- I've been denied a full review of my C file,  
9 denied copies, I've been -- I requested for every BPT  
10 BPH hearing I've ever had and feel -- I don't know what  
11 that says.

12 **INMATE LAZOR:** In any case --

13 **PRESIDING COMMISSIONER PECK:** Oh and far -- and  
14 for -- I don't know. Um, this continues presently I  
15 will not be -- it will not be humanly to get a full file  
16 review, uh, between the parole hearing so this right now  
17 will be denied -- I -- can you read that -- I can't read  
18 -- can you give this -- I can't -- you know listen --  
19 I'm almost 60 so when -- I -- I can't -- when you write  
20 little small like that I can't read.

21 **INMATE LAZOR:** I'm a little ways past you so I  
22 may not be able to read my own but let's see I think it  
23 says since 1994 I've been denied a full Olson review of  
24 my C file and denied copies I've requested for it. For  
25 every BPT BPH hearing I've ever ever had and for else

1 and this continues presently. I will not -- it will not  
2 be humanly possible to get a full file review between  
3 now and the parole hearings so this right will be denied  
4 me again. However, I am willing to proceed. I'm  
5 putting it on the record, I'm not objecting on the file  
6 review thing because I just cannot have this thing held  
7 up. It -- it would never get fixed. The problem would  
8 never get fixed.

9 **PRESIDING COMMISSIONER PECK:** Yeah but see when  
10 you put down -- I could make -- I could make this happen  
11 for you to get a full file review.

12 **INMATE LAZOR:** At the expense of postponement of  
13 this.

14 **PRESIDING COMMISSIONER PECK:** Well, I don't have  
15 the ability to do a full -- now listen I used to be a  
16 counselor. I can do a full file review with you too.  
17 Right? But guess what I'm not going to because that's  
18 not my job anymore.

19 **INMATE LAZOR:** I understand.

20 **PRESIDING COMMISSIONER PECK:** Right. So I -- I -  
21 - I want to -- I want this crystal clear with you.  
22 Right? The minute you waive the right to an Olson a  
23 full Olson review, everything's on the table. I mean  
24 we'll use whatever information we have available in your  
25 central file to make a determination of whether you're

1 suitable for parole or not.

2 **INMATE LAZOR:** Only what you were going to any  
3 way, right? If -- if I --

4 **PRESIDING COMMISSIONER PECK:** But at least you  
5 would know.

6 **INMATE LAZOR:** Yeah.

7 **PRESIDING COMMISSIONER PECK:** I mean I'm gonna --  
8 if you -- I --

9 **INMATE LAZOR:** I understand.

10 **PRESIDING COMMISSIONER PECK:** When I ask -- when  
11 we ask you a question and I have no idea if this is  
12 going to happen or not, right. But when we ask you a  
13 question about something that's in your file, right and  
14 you say wait a minute that -- that's not my file. I  
15 never saw that. I -- I -- well, the ship has already  
16 sailed.

17 **INMATE LAZOR:** Okay. I got you.

18 **PRESIDING COMMISSIONER PECK:** Right.

19 **INMATE LAZOR:** I got you. I understand. Let me  
20 see if I can cut -- cut to the bottom line here. I will  
21 -- that may happen and if that happens and I haven't see  
22 something I will state it but I will state right now  
23 that I will go ahead with the hearing regardless of that  
24 because it's a problem that can never get fixed because  
25 no -- no human being especially me with my brain damage

1 limitations can go through 13,000 pages of stuff  
2 withstand even going through it even if I had months to  
3 do so it's -- it's kind of a --

4           **PRESIDING COMMISSIONER PECK:** Well, that's not  
5 true.

6           **INMATE LAZOR:** It's kind of an impossible --

7           **PRESIDING COMMISSIONER PECK:** Well, that is not  
8 true. The point of it is this is if you have a -- if  
9 you have a -- and you throw little things in there that  
10 I don't miss just so you know I'm -- I've -- if you have  
11 a disability that requires you to have a staff assistant  
12 such as your counselor or someone that is trained in the  
13 issues that you have mentally because of the injury that  
14 you've had, we'll provide that for you. We will provide  
15 that information for you. We'll provide that person for  
16 you. We'll provide that assistance for you and if it  
17 takes -- if it takes a week -- if it takes a day -- if  
18 it takes whatever. However long it takes, right? That  
19 is your right. You have a right to be able to know what  
20 is inside your central file or what's not inside your  
21 central file. You have a right to be prepared for  
22 today's hearing. I am not going to violate your rights  
23 because frankly that is -- so your statement of saying  
24 it can never be done is not in fact factual. It could  
25 be done. And by you claiming, um, a disability as far as

1 because of the injury that you had -- I'm sure that's  
2 what you're talking about. Is that correct?

3 **INMATE LAZOR:** Yes.

4 **PRESIDING COMMISSIONER PECK:** Right. We -- we  
5 could provide the assistance that you need to prepare  
6 for your hearing. Now if you waive that right -- if you  
7 want to say no matter what Commissioner I don't care. I  
8 just want to go forward with today's hearing,  
9 Commissioner Johnsen and I are comfortable moving  
10 forward.

11 **INMATE LAZOR:** That's what I will do, uh, for  
12 whatever -- whatever reason I've already stated and you  
13 already responded to that so that's what I will do  
14 because I just don't think it's going to make the -- the  
15 difference I don't think it would help if I went through  
16 that C file and I don't think it would ultimately make a  
17 difference in what's going to occur.

18 **PRESIDING COMMISSIONER PECK:** Okay.

19 **INMATE LAZOR:** So --

20 **PRESIDING COMMISSIONER PECK:** So we have met your  
21 procedural rights?

22 **INMATE LAZOR:** Well, I'm willing to whatever you  
23 want to call it a waiver whatever. I'm willing to go  
24 ahead even with -- with what has or hasn't been done on  
25 the C file. I'm willing to go ahead.

1           **PRESIDING COMMISSIONER PECK:** Okay.

2           **INMATE LAZOR:** Okay. And I -- I'm not trying to  
3 set this up to come back and say hey I didn't get this  
4 believe me.

5           **PRESIDING COMMISSIONER PECK:** Oh we've got a --  
6 we've got a -- we've got a pretty good -- we've got a  
7 pretty good record.

8           **INMATE LAZOR:** Make it crystal clear, I'm going  
9 ahead.

10          **PRESIDING COMMISSIONER PECK:** We got a pretty  
11 good record I think.

12          **INMATE LAZOR:** I don't play that way.

13          **PRESIDING COMMISSIONER PECK:** Well, and I don't  
14 either and you know I'm -- listen honestly the bottom is  
15 this Mr. Lazor. I -- I don't have a -- I don't have a  
16 dog in this race either.

17          **INMATE LAZOR:** Okay.

18          **PRESIDING COMMISSIONER PECK:** Right? I'm here to  
19 give a fair hearing right?

20          **INMATE LAZOR:** Okay.

21          **PRESIDING COMMISSIONER PECK:** I want to make sure  
22 though that you are able to the best of your ability  
23 participate in today's hearing that you were given the  
24 opportunity -- I don't -- I'm not -- I don't believe in,  
25 um, in hiding the ball, right? And so if -- if there's

1 something and I have no idea what we're going to use in  
2 today's hearing to be honest with you.

3 **INMATE LAZOR:** Okay.

4 **PRESIDING COMMISSIONER PECK:** I mean I -- I mean  
5 I -- I mean I know what we're going to look at but I  
6 have no -- your C file is large. So I have no idea what  
7 we're going to talk about specifically inside your  
8 hearing cause it's all kind of based -- a lot of the  
9 things that we talk about are based on the testimony and  
10 the questions that we ask you as far as the whys and  
11 that's really a lot of the way these hearings are run.  
12 It's not the -- it's not reading stuff for the record.  
13 It's more about why. Why -- why -- why did this happen?  
14 Why did you do that? What were you thinking? I mean  
15 that's kind of what we're here for, not what you were  
16 thinking in 1980 whatever this crime happened.

17 **INMATE LAZOR:** '83.

18 **PRESIDING COMMISSIONER PECK:** Right? We're more  
19 -- we're wondering of what you're thinking today, um,  
20 June 6, 2017 because frankly that's what we're going to  
21 be talking about is what your life has been in  
22 reflection of what happened. We're looking at not  
23 insight from '83. We're looking at from insight from  
24 2017.

25 **INMATE LAZOR:** Okay.

1           **PRESIDING COMMISSIONER PECK:** Is that -- is that  
2 clear?

3           **INMATE LAZOR:** Absolutely.

4           **PRESIDING COMMISSIONER PECK:** All right. So,  
5 we'll move forward. Boy this has been -- I think this  
6 is -- it's never -- it's taken longer to -- to cover  
7 this part of this. I mean this -- I've been doing this  
8 ten years. I think you just set a new record. Where  
9 were you born?

10          **INMATE LAZOR:** Where?

11          **PRESIDING COMMISSIONER PECK:** Yeah.

12          **INMATE LAZOR:** Stockbridge, Michigan.

13          **PRESIDING COMMISSIONER PECK:** Where is  
14 Stockbridge, Michigan? What part? Don't you people  
15 always do like this with your hand or something?

16          **INMATE LAZOR:** Yeah, if you went -- if you went -  
17 - actually it's got to be this way. If you went -- for  
18 the record, I grabbed my hand -- held up as the mitten.

19          **PRESIDING COMMISSIONER PECK:** Yeah. Yeah.

20          **INMATE LAZOR:** If you went from Detroit --

21          **PRESIDING COMMISSIONER PECK:** Yeah.

22          **INMATE LAZOR:** -- which is about here and you  
23 went a little bit north but mostly west about probably  
24 about 60 or 70 miles, you'd hit Stockbridge.

25          **PRESIDING COMMISSIONER PECK:** All right. And,

1 um, your date of birth is 3/1/54. Right? So you  
2 qualify for elder parole and we'll take that into  
3 consideration. You know what elder parole is?

4 **INMATE LAZOR:** I do.

5 **PRESIDING COMMISSIONER PECK:** Good. All right.  
6 So I don't have to -- I don't need to sell ya?

7 **INMATE LAZOR:** No, sir. I understand it quite  
8 well.

9 **PRESIDING COMMISSIONER PECK:** Good. Your  
10 parents. What's your parents' names?

11 **INMATE LAZOR:** John Lazor and Helen Lazor.

12 **PRESIDING COMMISSIONER PECK:** All right.

13 **INMATE LAZOR:** Who, uh, became Helen Lazor  
14 Schultz? They're both passed away at this point.

15 **PRESIDING COMMISSIONER PECK:** I'm sorry to hear  
16 that. When did you lose your parents?

17 **INMATE LAZOR:** Uh, my mother passed away just,  
18 uh, right before my last parole hearing. I didn't even  
19 hear about it until after the parole hearing. Uh, so  
20 about three -- three and a half years ago, four years  
21 ago.

22 **PRESIDING COMMISSIONER PECK:** All right.

23 **INMATE LAZOR:** And my dad, uh, probably about 10  
24 or 12 years ago.

25 **PRESIDING COMMISSIONER PECK:** I saw that in -- in

1 the risk assessment and that I was curious about you  
2 were diagnosed with a chemical sensitivity when you were  
3 eight?

4 **INMATE LAZOR:** Yes, now that is accurate.

5 **PRESIDING COMMISSIONER PECK:** What is that?

6 **INMATE LAZOR:** Uh, you may have seen it on 60  
7 minutes. In an extreme case, people have to live in a  
8 bubble. Well, then there -- there -- the not so extreme  
9 cases of I walk into a -- a room that's got kind of  
10 fresh carpeting or kind of fresh paint, I can't stand  
11 it. People wear certain perfumes that I -- they gag us  
12 literally have almost an asthmatic attack. Um, the main  
13 thing that's relevant here that -- that happened in  
14 prison is I'm very reactive to fluoride and chlorine in  
15 water which is in everybody's, you know, normal public  
16 water including in the prisons. It caused most of the  
17 initial problems I had in prison. Uh, staff didn't  
18 believe. There are probably at least seven different  
19 documents from Dr. Richard Kunin, M.D. in San Francisco,  
20 he's an expert on this. He's the man in 19 -- late  
21 1970's before I came to prison who diagnosed me and, um,  
22 has come to prison several times to do a diagnosis and  
23 to try to explain to CDC, uh, in prison and with letters  
24 that this is a very real thing and it's not psych but  
25 that's what ended up -- one of the main reasons I ended

1 up in the psych category was doctors were saying this  
2 guy's claiming he's allergic to water which is not what  
3 I ever claimed and then they put me in a psych category  
4 and they just built on that from there and it -- I  
5 almost died a number of times from problems with that in  
6 prison.

7           **PRESIDING COMMISSIONER PECK:** Okay, now you're  
8 the -- you have, um, four, um, siblings?

9           **INMATE LAZOR:** Uh, yeah, two brothers and two  
10 sisters. Uh, one -- one sister died years ago.

11           **PRESIDING COMMISSIONER PECK:** Okay. Thank you.  
12 I'm sorry to hear that about your sister. Your father  
13 was an alcoholic or is that not true?

14           **INMATE LAZOR:** It -- it is true. He was a light  
15 alcoholic, not real heavy like a lot of the guys I see  
16 in these therapy groups.

17           **PRESIDING COMMISSIONER PECK:** You have a sister  
18 that has a history of alcohol and a brother that has a  
19 history of drug use.

20           **INMATE LAZOR:** Yes.

21           **PRESIDING COMMISSIONER PECK:** You graduated high  
22 school.

23           **INMATE LAZOR:** I did.

24           **PRESIDING COMMISSIONER PECK:** What year?

25           **INMATE LAZOR:** 1972.

1           **PRESIDING COMMISSIONER PECK:** And then did you --  
2 I guess this was confusing. Did you ever get your  
3 bachelor's degree or are you --

4           **INMATE LAZOR:** I did not get a degree. I wasn't  
5 seeking a degree. I was seeking to learn the things I  
6 wanted to learn. I already was making more money than I  
7 felt a degree could ever get me in my own businesses and  
8 so I wanted to become a pilot. I got my pilot's license  
9 through, uh, college, uh, and at the local airport and I  
10 got my real estate license and some other things I  
11 wanted to get. Uh, music -- music training which was my  
12 main thing in life -- my main --

13           **PRESIDING COMMISSIONER PECK:** What do you -- what  
14 do you play?

15           **INMATE LAZOR:** Pardon me?

16           **PRESIDING COMMISSIONER PECK:** What -- do you play  
17 an instrument?

18           **INMATE LAZOR:** Uh --

19           **PRESIDING COMMISSIONER PECK:** Well, you can just  
20 tell me.

21           **INMATE LAZOR:** Okay, I -- I was, uh -- a  
22 guitarist and a singer -- and a front man and owner and  
23 manager of the show and the business, most notably what  
24 was known as a Buddy Holly Jr. show worldwide?

25           **PRESIDING COMMISSIONER PECK:** Okay good. So you

1 were successful?

2 **INMATE LAZOR:** Very successful show.

3 **PRESIDING COMMISSIONER PECK:** So no gang.

4 **INMATE LAZOR:** No.

5 **PRESIDING COMMISSIONER PECK:** You started working  
6 with your father at eight laying bricks is that  
7 accurate?

8 **INMATE LAZOR:** Wait say it again.

9 **PRESIDING COMMISSIONER PECK:** You started laying  
10 bricks with your father after school when you were eight  
11 years old. Is that --

12 **INMATE LAZOR:** I did. In the summers and after  
13 school, uh, not -- you know -- besides in the summers.

14 **PRESIDING COMMISSIONER PECK:** Okay. At 13 you  
15 were planting and picking vegetables for a farmer.  
16 True?

17 **INMATE LAZOR:** Yes, uh, Denver Cockrum was the --  
18 the, uh, largest produce farm in the state of Michigan.

19 **PRESIDING COMMISSIONER PECK:** At 17 you started a  
20 graphic arts business.

21 **INMATE LAZOR:** Yes sir, while I was in high  
22 school.

23 **PRESIDING COMMISSIONER PECK:** You worked as a  
24 clown?

25 **INMATE LAZOR:** I did. Happy the Clown, Detroit's

1 ice cream clown.

2 **PRESIDING COMMISSIONER PECK:** You, uh, were a  
3 music teacher for the guitar, is that true?

4 **INMATE LAZOR:** Yes and -- and voice, mostly voice  
5 in my sound studio.

6 **PRESIDING COMMISSIONER PECK:** Did you ever any  
7 drug or alcohol problems?

8 **INMATE LAZOR:** Absolutely none.

9 **PRESIDING COMMISSIONER PECK:** No criminal record.

10 **INMATE LAZOR:** Absolutely none.

11 **PRESIDING COMMISSIONER PECK:** Did you, um -- were  
12 you ever seen in the community for any psychiatric or,  
13 um, psychological issues?

14 **INMATE LAZOR:** No, I didn't have any.

15 **PRESIDING COMMISSIONER PECK:** The doctor thought  
16 you were narcissistic. Do you think you're  
17 narcissistic?

18 **INMATE LAZOR:** No, I think it's so far-fetched.  
19 If you look at -- look at the letters you've received  
20 this time. Look at the 400 and some letters that you've  
21 received over the other years of the parole board and  
22 you see I was -- I mean I don't want boast. I -- I  
23 believe in the Bible. I believe in not letting the  
24 right hand know what the left hand is doing and keeping  
25 our alms in secret but you kind of force me here to say

1 certain things like if you read some of those, you'll  
2 find out I have a history of being very giving to people  
3 and caring about other people and encompassing other  
4 people's feelings and needs and even doing a lot of, uh  
5 -- of volunteer work for the elderly and people in  
6 hospitals. I don't think -- let me put it this way. I  
7 do think that is a total conflict with what narcissism  
8 is about.

9           **PRESIDING COMMISSIONER PECK:** What do you think  
10 narcissistic means? What do you think being a  
11 narcissist means?

12           **INMATE LAZOR:** Like s -- self-serving, uh, the  
13 word trump comes to mind if I may. If I may make a  
14 little funny. Um, that's -- one who serves himself,  
15 doesn't really care about the feelings -- doesn't have  
16 empathy for other people and I'm just the opposite.

17           **PRESIDING COMMISSIONER PECK:** Okay.

18           **INMATE LAZOR:** My whole life.

19           **PRESIDING COMMISSIONER PECK:** You think you're  
20 paranoid.

21           **INMATE LAZOR:** Absolutely not. Much to -- much  
22 to the opposite.

23           **PRESIDING COMMISSIONER PECK:** Dr. Murphy thought  
24 you had a major depressive disorder with moderate to  
25 sever -- severe, um, psychotic features. Do you

1 remember Dr. Murphy?

2 **INMATE LAZOR:** I do. Dr. James Murphy.

3 **PRESIDING COMMISSIONER PECK:** Was that one of  
4 your doctors?

5 **INMATE LAZOR:** No, he was the first FAD, uh,  
6 psych. He never -- I mean it was just the one time  
7 interview as FADS usually do. He never knew anything  
8 about me prior to that.

9 **PRESIDING COMMISSIONER PECK:** All right. Sorry.  
10 I'm reading.

11 **INMATE LAZOR:** That's fine.

12 **PRESIDING COMMISSIONER PECK:** You were, um, EOP  
13 for awhile in 2011.

14 **INMATE LAZOR:** Yes, yes I was.

15 **PRESIDING COMMISSIONER PECK:** Then you went to  
16 DMH.

17 **INMATE LAZOR:** Yes.

18 **PRESIDING COMMISSIONER PECK:** What -- what was  
19 the reason or DMH?

20 **INMATE LAZOR:** Again, um, just --

21 **PRESIDING COMMISSIONER PECK:** Oh, did you try to  
22 hang yourself?

23 **INMATE LAZOR:** What -- what year are you talking  
24 about?

25 **PRESIDING COMMISSIONER PECK:** What -- did you

1 ever try to commit suicide?

2 **INMATE LAZOR:** Oh, yeah. There's been just a  
3 couple episodes over 34 years but a very long time ago.

4 **PRESIDING COMMISSIONER PECK:** When was the time  
5 you tried to, um, commit suicide?

6 **INMATE LAZOR:** I don't think I -- anything of  
7 them were so much as tried as -- as it got to the point  
8 where I you know I was on the verge of it and made --  
9 made some movement in that direction but I don't think  
10 I'd have carried through with it. But, um, years and  
11 years ago. Back in -- I think the last time we just  
12 discussed it yesterday, it was sometime in the 2000's --  
13 early 2000's or something like that.

14 **PRESIDING COMMISSIONER PECK:** Okay.

15 **INMATE LAZOR:** They have locked me up once since  
16 then but it wasn't -- it was a statement I made in a  
17 report and now they're real touchy. If you use the word  
18 suicide, if you say you know you're -- something you're  
19 doing is -- is making suicidal in here or I think it  
20 could drive a person to suicide and I'm having a real  
21 hard time with you pushing me in that direction, they'll  
22 lock you up for that so -- there has been a -- a -- an  
23 occurrence of that since that time but, um, no -- no  
24 actual you know suicide, um, ideation or -- or threat  
25 or, um, act.

1           **PRESIDING COMMISSIONER PECK:** There was, um -- it  
2 says in the risk assessment, correct me if this is  
3 wrong. That you have a history of multiple suici --  
4 suicide attempts including cutting, hunger strikes, and  
5 attempted drownings. Are those -- is that true or not?

6           **INMATE LAZOR:** Absolutely fraudulent. Completely  
7 erroneous.

8           **PRESIDING COMMISSIONER PECK:** Have you ever cut  
9 yourself?

10          **INMATE LAZOR:** Absolutely not.

11          **PRESIDING COMMISSIONER PECK:** Well, you know,  
12 there's a lot of places to cut yourself. I don't --  
13 we're not going to get you --

14          **INMATE LAZOR:** Absolutely not and -- and -- let -  
15 - if I may respond to -- to this with one more thing.  
16 I'd like to say there was a doctor, um, his name slips  
17 my mind right now back in the probably 90's or maybe  
18 even late 80's that I had -- was having such a bad  
19 reactions from some of the chemicals in the water that  
20 my -- my hands were splitting like a person who's maybe  
21 -- you know, like out working in the field and they're -  
22 - they're -- well, actually split. Your skin would  
23 split and bleed a little bit.

24          **PRESIDING COMMISSIONER PECK:** Okay.

25          **INMATE LAZOR:** And I went to him with that to get

1 relief for my chemical problems I was having because I  
2 was being forced to, um, I was probably working in the  
3 kitchen being forced to use a lot of -- of water with  
4 washing pots and pans and stuff and he wrote a chrono  
5 behind back saying this is obvious, this guy you know a  
6 cut on his hand or something. That could be where that  
7 came from. If it is where that came from, it would be  
8 the only place it would've come from because I have no  
9 history. Nobody has ever accused me of anything but  
10 that in the 34 years I've been in here.

11 **PRESIDING COMMISSIONER PECK:** What about trying  
12 to drown yourself?

13 **INMATE LAZOR:** Uh, again this go back to the  
14 1980's. I wasn't trying to drown myself. I was, uh, in  
15 lockup and pretty much, you know, starved real badly  
16 and, uh -- and, uh -- it was hot in those cells where  
17 the guys had died in the vacuwell (phonetic) cells.

18 **PRESIDING COMMISSIONER PECK:** Uh huh.

19 **INMATE LAZOR:** I think it's where they came from  
20 and I -- and -- and as crazy as it sounds from here, I  
21 had my head in the toilet filled up -- clean toilet with  
22 cold water --

23 **PRESIDING COMMISSIONER PECK:** Don't stick your  
24 head in the toilet.

25 **INMATE LAZOR:** We were -- we were -- we were

1 literally dying up there.

2 **PRESIDING COMMISSIONER PECK:** Don't --

3 **INMATE LAZOR:** Guys -- guys died of -- that's how  
4 they came up with the 90 heat thing. It was that hot in  
5 there so any way that's where that came from.

6 **PRESIDING COMMISSIONER PECK:** You were just  
7 trying to cool yourself off?

8 **INMATE LAZOR:** Yep.

9 **PRESIDING COMMISSIONER PECK:** Did you ever have  
10 any Kaheel (phonetic) orders?

11 **INMATE LAZOR:** I did.

12 **PRESIDING COMMISSIONER PECK:** When was the last  
13 time you had a Kaheel order?

14 **INMATE LAZOR:** I think it was 2000 probably 2011  
15 or 12 when I came out of that and it was when I finally  
16 dismissed my attorney and represented myself before the  
17 judge and he said after having heard you, he said I can  
18 already tell an hour or two ago, you -- you -- you don't  
19 need to be on this and took me off it. I should never  
20 have been on it.

21 **PRESIDING COMMISSIONER PECK:** Yeah, but a judge  
22 previously had decided you need to be on it.

23 **INMATE LAZOR:** Correct.

24 **PRESIDING COMMISSIONER PECK:** How many times have  
25 you had ka -- kaheel orders?

1           **INMATE LAZOR:** Uh, they were pretty much back to  
2 back. I think they did back to back three times but  
3 that third time is when as soon as I got to the hearing  
4 he undid it.

5           **PRESIDING COMMISSIONER PECK:** All right. That  
6 was in 2000 what?

7           **INMATE LAZOR:** Uh, I think it started in 2011.  
8 It might've gone as far as 2012 somewhere right around  
9 there.

10          **PRESIDING COMMISSIONER PECK:** All right. If we  
11 let you -- if we released you and the doctor felt you  
12 should be on some kind of medications in the community  
13 to make you safer to society, would you comply or not  
14 comply?

15          **INMATE LAZOR:** I would comply with that or  
16 anything this board would require me. You can chain me  
17 to wall just let me go home.

18          **PRESIDING COMMISSIONER PECK:** Nah, we're not  
19 going to do that.

20          **INMATE LAZOR:** No, I'm just --

21          **PRESIDING COMMISSIONER PECK:** We don't believe --  
22 we don't believe in chaining to a wall.

23          **INMATE LAZOR:** I would comply with anything that  
24 -- that was required of me.

25          **PRESIDING COMMISSIONER PECK:** I -- I don't -- I

1 still don't understand why in 2013 you went to DMH.

2 **INMATE LAZOR:** Oh, uh, I don't think I ever  
3 answered that question. We got onto something else.  
4 Um, I just -- I complained to the, uh, uh, psych lady  
5 who didn't know me. I was new at SATF.

6 **PRESIDING COMMISSIONER PECK:** Uh huh.

7 **INMATE LAZOR:** I'm sure this is what we're  
8 talking about. And I was having real bad reaction  
9 problems to food. They were giving me my religious diet  
10 which I had been on -- which had food that I was more  
11 compatible with all my food allergies and chemical  
12 sensitivities. And I complained to her about it and the  
13 second time I went and complained to her about it I  
14 showed her I was losing weight. I wasn't able to eat a  
15 lot of the foods. She threw it in as a psych thing.  
16 Said this guy's, uh, psychologically breaking down.  
17 He's not eating what not. But it was a physical thing  
18 but for that reason they sent me to DMH. Dr. Mayo was  
19 it, I believe so.

20 **PRESIDING COMMISSIONER PECK:** Okay. All right.  
21 Let's talk about this crime. Is there anything else is  
22 your -- in your, um, history that you'd like to talk  
23 about before we get into your crime.

24 **INMATE LAZOR:** At some point, I'd like to mention  
25 this so maybe I should hear it and again I don't like to

1 you know, I like to alms in secret but here's a place  
2 where it's appropriate for me to bring up these things.  
3 Um, including when I was on bail, I saved the -- perhaps  
4 saved the life -- we don't know if would've died or not  
5 -- of a person that was in an auto accident when  
6 everybody else drove by and I have an affidavit here  
7 from a witness and, um, there are probably some other  
8 letters speak to it from people that knew about it. Um,  
9 I would never mention it in my life. I don't go  
10 boasting about these kinds of things but here I think  
11 it's appropriate. So I saved the life of that  
12 individual or if she wouldn't of died I still saved her  
13 while everybody drove on which is not illegal but it's  
14 terribly immoral. I also after I stabilized in her car  
15 she was in a very small car, a little Honda I think it  
16 was hit by huge mac truck just about crushed and, um, I  
17 was walking across the intersection with my bicycle with  
18 a friend and she's the one that did the affidavit so I  
19 rushed over to her. Um, stabilized her, rushed into the  
20 local gas station, and made a 911 call. Nobody had done  
21 it yet even with the three of four minutes I was, uh,  
22 with her. So this and several other things -- you have,  
23 a affidavit from, uh, David Parham. I have a copy of it  
24 here. I saved his life when he was drowning. I dove in  
25 when nobody else did to --

1           **PRESIDING COMMISSIONER PECK:** When was that?

2           **INMATE LAZOR:** Uh that was in probably 1973 right  
3 after high school graduation I think somewhere around  
4 that time.

5           **PRESIDING COMMISSIONER PECK:** Okay.

6           **INMATE LAZOR:** So and there have been a couple  
7 other incidents. I -- I know this sounds weird because  
8 usually that would be a once in a life time thing but  
9 there have been a couple of other incidents. Dumbarton  
10 Bridge I pulled a guy out from under the hood of his  
11 car, rainy night right before the car behind impacted  
12 probably at 40 miles an hour. Would've killed him  
13 instantly. So you know, I understand I shot somebody in  
14 self-defense. I understand he died from that. I'm very  
15 very sorry about that. You couldn't get more remorseful  
16 but it was an act of self-defense. (inaudible) it  
17 wasn't an intentional murder but then on the other side  
18 of the coin, I want you know to be recognized that there  
19 are these other things that I've done that would save  
20 people lives and I did a lot of runs for hunger. Um,  
21 there were 26 people a minute dying of hunger when I was  
22 out there doing marathons to raise money to stop that  
23 and my whole life has been dedicated to that sort of  
24 thing when I'd find out about those sort of causes so I  
25 do want to get that on the record.

1           **PRESIDING COMMISSIONER PECK:** Great. All right.  
2 Let's talk about this crime. Do you want to talk -- you  
3 don't have to talk about the crime if you don't want to.

4           **INMATE LAZOR:** I will talk about the crime to a  
5 point. If we get in details that I just feel are  
6 irrelevant or that are you know we're just beating a  
7 dead horse or something, I may -- I may say I just don't  
8 want to go into that if that's all right but in terms of  
9 you know if there are certain things that the, uh,  
10 Deputy District or you, uh, feel happened and -- and I  
11 can set the record straight or you -- you know, you come  
12 to with well, if this is self-defense why so many shots  
13 or why a shot from the back which wasn't true, then I --  
14 I'd like to rebut those kind of things. If it's not  
15 relevant -- if it's not going to make a difference, then  
16 you know we can forego it but if it may make a  
17 difference then your (inaudible) why some of these  
18 discrepancies or things that are on the record I -- then  
19 I --

20           **PRESIDING COMMISSIONER PECK:** Well, I think it's  
21 important to understand what happened.

22           **INMATE LAZOR:** Okay.

23           **PRESIDING COMMISSIONER PECK:** Somebody lost their  
24 life here.

25           **INMATE LAZOR:** I'm not going to hide anything

1 from you.

2           **PRESIDING COMMISSIONER PECK:** So I think it's  
3 important that we at least, um, get on the record what  
4 happened.

5           **INMATE LAZOR:** Okay.

6           **PRESIDING COMMISSIONER PECK:** So, rather than me  
7 ask questions at this point, why don't you just tell me  
8 what happened?

9           **INMATE LAZOR:** Okay. One of my worst traits is I  
10 get long winded. I recognize --

11           **PRESIDING COMMISSIONER PECK:** You're kidding?

12           **INMATE LAZOR:** -- I recognize it but it's still  
13 hard to overcome.

14           **PRESIDING COMMISSIONER PECK:** You're joking?  
15 You're joking me right now?

16           **INMATE LAZOR:** Right, right. Yeah, of course.  
17 So I will try to keep it streamlined but pl -- please  
18 bring me on track if I get -- if I get, uh, you know off  
19 track a little bit.

20           **PRESIDING COMMISSIONER PECK:** Just -- just right  
21 now give me a synopsis --

22           **INMATE LAZOR:** Okay.

23           **PRESIDING COMMISSIONER PECK:** -- of what happened  
24 and then we'll go from there.

25           **INMATE LAZOR:** A little background on it you want

1 as well.

2 **PRESIDING COMMISSIONER PECK:** Yeah, the  
3 background is important on this case I think.

4 **INMATE LAZOR:** Okay. Uh, I was living in a  
5 house. I had purchased the house structure from Paul  
6 Garnier.

7 **PRESIDING COMMISSIONER PECK:** Uh huh.

8 **INMATE LAZOR:** Uh, the land he still owned.  
9 Condominiums were going to be built there if he ever got  
10 the financing. Until he did, our agreement was that the  
11 house could stay with me living in it. I had an  
12 arrangement to move that house to another piece of land  
13 as I said I was real estate licensed. I did own  
14 properties around there. Marlene Hep (phonetic) who has  
15 written numerous letters to the board was the person who  
16 owned property nearby that we were going to go into a  
17 joint venture and move my house there. Um, John Alred  
18 the decedent, moved into town, uh, I believe about  
19 September of 1982. Uh, the uncle Garnier who I bought  
20 the house from, uh, he was, excuse me, Alred was the  
21 nephew of Paul Garnier.

22 **PRESIDING COMMISSIONER PECK:** Right.

23 **INMATE LAZOR:** Uh, uh, Mr. Alred didn't have a  
24 place to stay. Uh, Garnier asked me if I would let him  
25 stay in the house for just a few weeks. Uh, I agreed to

1 that. He was supposed to pay rent for it. He did move  
2 out which contradicts the record in the trial. The  
3 record you probably have. He moved out of the house but  
4 he left a lot of his belongs there. He did not live  
5 there at the time of the shooting. Uh, and I -- I know  
6 there is a contradiction in the record for that but that  
7 is the truth. And, uh, we almost never saw each other.  
8 I was a -- a workaholic. I had several business going.  
9 I had my entertainment at night. I taught skydiving on  
10 the weekends. I was gone a lot. He was gone a lot. We  
11 almost never saw each other. Uh, basically he was  
12 supposed to leave rent money and I was supposed to  
13 collect it. This was just for a month. And so we  
14 didn't have the contact it makes it look like in the  
15 trial record that we had extensive contact. We didn't  
16 but he, uh, was on SSRI drugs which I didn't know about  
17 at the time. I didn't find out about this til years  
18 after I was in prison.

19 **PRESIDING COMMISSIONER PECK:** What kind of drugs?

20 **INMATE LAZOR:** SSRI, they are something serotonin  
21 uptake inhibitor drugs. They're Ritalin and all those  
22 kind of -- that family of drugs that have -- are now  
23 known -- there are classic cases in movies about it too  
24 -- cause rage attacks for people that normally are very  
25 mellow people and he was on those drugs and he did come

1 straight from the doctor in Oakland that day to my home  
2 when the attack occurred. So we you know put two and  
3 two together pretty much a -- a sure thing that those  
4 SSRI drugs made him go into this rage attack. It was  
5 very significant which I'll get to in just a second.  
6 But, uh, uh, there became what appeared to be jealousy  
7 that he wanted the house. He thought he would have  
8 inherited it and this was things that came up through  
9 mutual friends, his that talked to me. He wanted the  
10 house. He thought he would've inherited it had I not  
11 purchased the house structure from his uncle just  
12 probably two months earlier before he moved into town.  
13 So, I didn't realize how bad the conflict was. We  
14 didn't have that much contact. Nobody else in his  
15 circle of friends a couple other guys that lived in the  
16 house had let on to me that it was that serious until  
17 November 22, I'm sure you have that date there where I  
18 was accused of pulling a gun on him which was not true  
19 at all. I came back from the target range with the two  
20 guns I own. They were not for criminal purposes. They  
21 were, uh, registered guns. I'd never been in trouble in  
22 my life, uh, with guns or with anything else. Uh,  
23 target practice was something offered at the local  
24 college which is why I got into that in the first place.  
25 So in any case, I was accused of, uh, pulling a gun on

1 him (inaudible).

2           **PRESIDING COMMISSIONER PECK:** What kind of gun  
3 was it?

4           **INMATE LAZOR:** Uh, the gun I was accused of  
5 pulling on him was a 22 Derringer.

6           **PRESIDING COMMISSIONER PECK:** How many shots did  
7 that have?

8           **INMATE LAZOR:** Two shots.

9           **PRESIDING COMMISSIONER PECK:** You went to a --  
10 you went to a -- you went to a target practice with a --  
11 with a 20 -- with a two shot Derringer.

12           **INMATE LAZOR:** Absolutely. Yeah, um, there  
13 people all kind of different -- you know different  
14 firearms.

15           **PRESIDING COMMISSIONER PECK:** I've been around  
16 firearms a long time.

17           **INMATE LAZOR:** There's -- there's, uh, no  
18 shortage of --

19           **PRESIDING COMMISSIONER PECK:** This kind of a bang  
20 bang -- well I -- it's all right. Go ahead.

21           **INMATE LAZOR:** Okay. I wasn't familiar with  
22 firearms. That's why I was starting to go -- to get  
23 familiar with them. Uh, so in any case --

24           **PRESIDING COMMISSIONER PECK:** Yeah, how -- how  
25 big -- how big was the gun?

1           **INMATE LAZOR:**   The Derringer?

2           **PRESIDING COMMISSIONER PECK:**   Yeah.

3           **INMATE LAZOR:**   Just a little palm pocket thing.

4           **PRESIDING COMMISSIONER PECK:**   Yeah, palm thing.

5           **INMATE LAZOR:**   Yeah a little Derringer.

6           **PRESIDING COMMISSIONER PECK:**   All right.

7           **INMATE LAZOR:**   And I'm -- I'm -- you know I  
8 regret that I ever got it. The reason I bought it was I  
9 went to buy a gun with a gun dealer who I relied to tell  
10 me what is a gun for this and he talked me into well buy  
11 the second gun. It's the last one in my inventory. I'm  
12 trying to get rid of it. I'll sell it to you at cost  
13 plus throw in all these shells for free so you're  
14 getting a great deal so I bought it.

15           **PRESIDING COMMISSIONER PECK:**   When did you buy  
16 it?

17           **INMATE LAZOR:**   When?

18           **PRESIDING COMMISSIONER PECK:**   Yeah.

19           **INMATE LAZOR:**   Before John Alred ever moved into  
20 -- into town. So it had no connection with him,  
21 probably, uh, I think it was July of that year and I  
22 think he moved into town September. No connection until  
23 that time.

24           **PRESIDING COMMISSIONER PECK:**   And why did you  
25 purchase a gun?

1           **INMATE LAZOR:** Because of the -- uh, people were  
2 saying well, you go out and skydive on the weekends.  
3 The gun range is right next to the sky diving range.  
4 When you get winded out which means we can't sky dive  
5 because the wind is too high, come out to the range  
6 you'll probably enjoy it. I was a sportsman in many  
7 areas. I had grown up a hunter so, you know, I was, uh  
8 --

9           **PRESIDING COMMISSIONER PECK:** Not many people  
10 hunt with a Derringer.

11          **INMATE LAZOR:** Well, no I say -- I said I wasn't  
12 familiar with --

13          **PRESIDING COMMISSIONER PECK:** Well, you said you  
14 were a hunter so --

15          **INMATE LAZOR:** I was not familiar with handguns.  
16 I was familiar with a rifle, shotgun to shoot a deer or  
17 -- or a rabbit with.

18          **PRESIDING COMMISSIONER PECK:** Yeah.

19          **INMATE LAZOR:** But in any case, I -- you know,  
20 um, so you know they said you'll probably enjoy this.  
21 So I went for that reason. There was, uh, you know  
22 there's all kinds of stuff going on on TVs about crime  
23 escalation so there was in the background in my mind to,  
24 uh, to und, you know, understand gun safety and -- and  
25 have a gun in a home for self-defense purposes. It's

1 just one of the things I heard a lot about, read a lot  
2 about and come to believe in that it was a good idea.  
3 So there were actually two reasons but the main  
4 motivator was the, uh, college offering.

5 **PRESIDING COMMISSIONER PECK:** What was the second  
6 reason?

7 **INMATE LAZOR:** Pardon me?

8 **PRESIDING COMMISSIONER PECK:** What was the second  
9 reason? You said there was two reasons.

10 **INMATE LAZOR:** The second was to -- to have --  
11 the first reason was the, uh, college offering of the  
12 sports shooting at the target range.

13 **PRESIDING COMMISSIONER PECK:** Okay.

14 **INMATE LAZOR:** The second one was, uh, for self-  
15 defense purposes, just to have it in your house.

16 **PRESIDING COMMISSIONER PECK:** All right.

17 **INMATE LAZOR:** And I grew up that way. You know,  
18 my father had -- had, uh, firearms.

19 **PRESIDING COMMISSIONER PECK:** Yeah, you're from  
20 Michigan. I get it. Go ahead. Lived on -- lived on  
21 acreage.

22 **INMATE LAZOR:** So, uh, from, uh -- from there,  
23 uh, things escalated. The uncle had, uh, pulled me  
24 aside one day in a restaurant, Billy G's restaurant in  
25 Los Gatos and tried to bring peace to the situation.

1           **PRESIDING COMMISSIONER PECK:** Garnier?

2           **INMATE LAZOR:** Pardon me?

3           **PRESIDING COMMISSIONER PECK:** Gar -- Garnier?

4           **INMATE LAZOR:** Garnier.

5           **PRESIDING COMMISSIONER PECK:** Okay.

6           **INMATE LAZOR:** Tried to bring peace to the  
7 situation. Mr. Alred was sitting over across the table  
8 from me. The table a little less wide than this.  
9 Garnier was sitting next to him and I said something  
10 favorable about John Alred. He wasn't even listening.  
11 He dove over the table at me, grabbed a hold of my  
12 throat. Garnier was about a 450 pound man. Had to pull  
13 him off me in a public restaurant. It shook me up a  
14 great deal. It -- it showed me that this thing was  
15 getting out of hand. So --

16           **PRESIDING COMMISSIONER PECK:** When did that  
17 happen?

18           **INMATE LAZOR:** That happened on December 20<sup>th</sup> and  
19 -- of 1982. The shooting -- the shooting happened on  
20 January 10<sup>th</sup>.

21           **PRESIDING COMMISSIONER PECK:** Wait -- wait a  
22 minute. We're still at the 11/22 thing.

23           **INMATE LAZOR:** Okay. So I -- I jumped to  
24 December 20<sup>th</sup>.

25           **PRESIDING COMMISSIONER PECK:** Yeah, let's go back

1 to 11/22.

2 **INMATE LAZOR:** Okay. I -- I -- 11/22 --

3 **PRESIDING COMMISSIONER PECK:** Yeah. What  
4 happened? It looked like -- it looks like you pulled a  
5 gun on him.

6 **INMATE LAZOR:** I was entering my house.

7 **PRESIDING COMMISSIONER PECK:** Yeah.

8 **INMATE LAZOR:** I had sky dive gear hanging from  
9 me. My sky dive bag, my, uh, parachute, uh, pack. I  
10 had, uh, the gun in my pocket, a gun in my hand  
11 holstered.

12 **PRESIDING COMMISSIONER PECK:** Uh huh.

13 **INMATE LAZOR:** I was walking up to the door. Had  
14 just, uh, uh, you know kind of fumbled, got my keys, got  
15 my key in the door when the door jerked open and he came  
16 out flying at me. He was hiding behind the door, flying  
17 out at me, hitting me with fists and kicking at me. I  
18 back up. I was started -- completely startled, backed  
19 up and he saw the gun and said, uh, oh I'm going to call  
20 the police or something like that. Ran back in the  
21 house, slammed the door shut, uh. I called -- I  
22 immediately went to a local phone, called Garnier, and  
23 called the police and he had just called the police too  
24 so the police came out. Uh, one of the police officers  
25 knew John Alred quite well. Uh, I forgot his name at

1 this point and, uh, this is all on the record and, uh,  
2 so I got the short end of the stick on that. Things  
3 were, uh, record --

4 **PRESIDING COMMISSIONER PECK:** He took your gun?

5 **INMATE LAZOR:** Pardon me?

6 **PRESIDING COMMISSIONER PECK:** They took the gun?

7 **INMATE LAZOR:** They did take the gun.

8 **PRESIDING COMMISSIONER PECK:** Did they lock you  
9 up?

10 **INMATE LAZOR:** No.

11 **PRESIDING COMMISSIONER PECK:** Okay, just --

12 **INMATE LAZOR:** So, so --

13 **PRESIDING COMMISSIONER PECK:** Where -- where did  
14 you go after that? Or what happened? How did they  
15 resolve this?

16 **INMATE LAZOR:** Well, I left. They wanted me to  
17 leave. The police were still there when I left. I  
18 abided by their request. I left. It was my home but I  
19 wasn't going to go there with him. He had the right to  
20 come over there to go through his property and that's  
21 what he was doing on that day. Uh, so --

22 **PRESIDING COMMISSIONER PECK:** Did they -- did the  
23 police tell you to leave?

24 **INMATE LAZOR:** Yeah and I complied immediately.

25 **PRESIDING COMMISSIONER PECK:** Were you supposed

1 to like not come back or what was the --

2 **INMATE LAZOR:** No, no. But I didn't come back.  
3 That's -- that's -- was the main point that started me  
4 contacting, uh, uh, tenant relationship agencies and  
5 trying to get this resolved and contacting attorneys to  
6 try to civilly get this involved. Try to get a  
7 restraining order and slow this down and -- and back off  
8 what looked like it was, uh, you know, escalating  
9 problem.

10 **PRESIDING COMMISSIONER PECK:** Uh huh.

11 **INMATE LAZOR:** Um, Garnier called me, uh, after  
12 the December 20<sup>th</sup>, uh, attack over the table. Garnier  
13 called me on the phone and said I'm going to destroy  
14 your property in your home if you don't pick it up and I  
15 want you out of there and I want your things out of  
16 there. I said this is my home. He said I don't care  
17 what it is. He said, it's sitting on my land so he  
18 said, uh, get your things as soon as possible but I want  
19 to be there. Well, consider this please. I was just  
20 attacked. He -- he talked me into going to the  
21 restaurant for that meeting. I didn't want to go. He  
22 talked me into. I try to be cooperative with people. I  
23 was trying to be cooperative by being there. I was  
24 attacked at that meeting. I was given the short end of  
25 the stick on the thing that happened on November 22.

1 Here he's telling me I want to be there -- we're luring  
2 you out to your own house cause I was staying away from  
3 my own house for a couple weeks. I was staying up at my  
4 -- the house where my sound studio is built up in  
5 Fremont because I wanted to avoid the problems. So I  
6 thought okay I know John Alred works. I know the days  
7 he works. He works five days a week at some kind of  
8 pizza place. He's going to be gone. I will go to my  
9 home. I will pick up my things that are the most  
10 valuable. I will get my other firearm out of there  
11 which was kept there in my home cause it was my home. I  
12 had been there awhile at that point and I will, uh,  
13 maybe, you know, I will check my answer machine, maybe  
14 make a few calls. There's plenty of time. There's  
15 going to be a few hours and unfortunately he didn't go  
16 to work that day. He went to the doctor instead for his  
17 -- he had what turned out to be AIDS and some other  
18 related problems. So, he was getting the SSRI drugs and  
19 other med -- experimental medications at the time for  
20 that problem he had. Um, all this stuff was learned  
21 after -- you know after the shooting in -- in the course  
22 of going to trial and some of these things were learned  
23 after I came to prison and -- and had investigators do  
24 research.

25 **PRESIDING COMMISSIONER PECK:** Okay.

1           **INMATE LAZOR:** So you know, the -- we all know  
2 what happened on -- on, uh -- on, uh, January 10<sup>th</sup>.

3           **PRESIDING COMMISSIONER PECK:** Did you have other  
4 people living there?

5           **INMATE LAZOR:** Pardon me?

6           **PRESIDING COMMISSIONER PECK:** Did you have people  
7 living there?

8           **INMATE LAZOR:** Yes, I did.

9           **PRESIDING COMMISSIONER PECK:** Who?

10          **INMATE LAZOR:** Two -- two other tenants. Allen  
11 Wallace and, uh, Bret Ellis were living there.

12          **PRESIDING COMMISSIONER PECK:** Okay.

13          **INMATE LAZOR:** I had several rooms in the house.  
14 That was one of the reasons that I wanted that property  
15 in the first place was to rent out rooms. I -- I was  
16 going to college at the time.

17          **PRESIDING COMMISSIONER PECK:** Were you trying to  
18 move the house?

19          **INMATE LAZOR:** Well, we were eventually going to  
20 move the house but I wasn't going to move it until  
21 Garnier got his financing because we were comfortable  
22 where -- the way it was right there. And as soon as he  
23 got his financing I had the option to either move it let  
24 it be demolished but it was to his benefit to move it so  
25 that he wouldn't have to pay demolition costs. That's

1 why I bought the house. That's why he sold me the  
2 house.

3 **PRESIDING COMMISSIONER PECK:** Who was Ken Sch --  
4 Scherznel (phonetic) or --

5 **INMATE LAZOR:** Ken Scherzel was an earlier tenant  
6 in the house who had moved out before the time of the  
7 shooting.

8 **PRESIDING COMMISSIONER PECK:** Did you ever move -  
9 - did you move his belongings out?

10 **INMATE LAZOR:** John Alred's?

11 **PRESIDING COMMISSIONER PECK:** No, Scherz --  
12 Scherznel.

13 **INMATE LAZOR:** Uh, after talking with Ken  
14 Scherzel --

15 **PRESIDING COMMISSIONER PECK:** Thank you. I  
16 didn't know that name. Too many S's.

17 **INMATE LAZOR:** -- uh, by the way a Texas felon  
18 and a California felon which was hidden during the time  
19 of trial. Uh, uh, we had talked and he said move my  
20 things out of the house because we -- I told him your --  
21 our stuff is taking up a whole room I can otherwise  
22 rent.

23 **PRESIDING COMMISSIONER PECK:** Uh huh.

24 **INMATE LAZOR:** We got a rental problem here. He  
25 said take it and move it back into the back garage which

1 I did. Later in the trial, of course he said oh no, he  
2 just you know recklessly took my things and moved them  
3 or something to that effect. But it was an agreement  
4 and it was, uh -- it was -- it was my fair game to do  
5 that even if he hadn't agreed to it because he -- I  
6 could've even gotten rid of his things. By law but I  
7 tried to do what's -- what's morally right as well so I  
8 tried to not you know, uh, give somebody the short end  
9 of the stick.

10 **PRESIDING COMMISSIONER PECK:** So Alred move into  
11 his bedroom? Where he was staying?

12 **INMATE LAZOR:** Uh, I believe -- I believe it was.  
13 I believe that, uh, Scherzel had moved out. There's no  
14 -- no dispute about that. Scherzel had moved out months  
15 earlier and Alred moved in there in September for one  
16 month. It was actually supposed to be three weeks and  
17 he was paying a month's rent supposedly and that he left  
18 his belongings in there indefinitely until the shooting  
19 happened and that was a -- a point of dispute.

20 **PRESIDING COMMISSIONER PECK:** Were -- were people  
21 complaining about that you were invading their right of  
22 priv -- privacy at the time?

23 **INMATE LAZOR:** Absolutely not until November 22,  
24 uh, Paul Garnier came and told me that and that was the  
25 big deal about why I was jumped you know from behind the

1 door and that and I was -- I was astounded. Nobody had  
2 --

3 **PRESIDING COMMISSIONER PECK:** Were you supposed  
4 through the rear door of the residence?

5 **INMATE LAZOR:** No, this was my home. I had a  
6 rear door that went out of my bedroom outside but this  
7 whole thing that was made up at the trial. I understand  
8 what you're reading. But these things were made up for  
9 trial. These things were made up to use against me in  
10 trial.

11 **PRESIDING COMMISSIONER PECK:** Hey, you know  
12 something rather than look at it as me trying to trap  
13 you --

14 **INMATE LAZOR:** Okay.

15 **PRESIDING COMMISSIONER PECK:** -- you know what  
16 I'm reading. You know I'm reading the appellate  
17 decision right?

18 **INMATE LAZOR:** Yes.

19 **PRESIDING COMMISSIONER PECK:** You know I'm going  
20 to have issues about what's in the appellate decision  
21 right? So, I just want to hear what you have to say  
22 about that?

23 **INMATE LAZOR:** Okay.

24 **PRESIDING COMMISSIONER PECK:** It looks like  
25 Garnier told you that you should only use the rear door.

1 Is that -- did that happen or is that -- did that not  
2 happen?

3 **INMATE LAZOR:** That did not happen until -- I  
4 mean I -- I heard of this all after the -- I think it  
5 was maybe the phone call. No, he didn't even tell me  
6 then. The phone call after the, uh, December 20<sup>th</sup>  
7 attack. Even then he didn't say that, he didn't say  
8 anything about using the -- the back door because the  
9 back door was swollen shut most of the time from the  
10 weather and did -- couldn't even open it without real  
11 difficulty without, you know, really slamming your  
12 weight into it or jerking it real hard if you were  
13 pulling it from -- I think it went from the outside --  
14 open from the outside, uh, by having to pull it if you  
15 were outside.

16 **PRESIDING COMMISSIONER PECK:** When Alred moved in  
17 did you feel like you were losing control of the house?

18 **INMATE LAZOR:** No, it had nothing to do with  
19 that. It was just simply my home and I had a few  
20 tenants. It had -- that whole idea about losing control  
21 and stuff -- this was just something made up as part of  
22 the prosecution that had nothing to do with anything in  
23 my mind.

24 **PRESIDING COMMISSIONER PECK:** So you never told -  
25 - you never told anybody that?

1           **INMATE LAZOR:** Oh no. Of course not. It never  
2 existed.

3           **PRESIDING COMMISSIONER PECK:** And you never told  
4 Alred that you'd be going through the back door. You  
5 never told him this was --

6           **INMATE LAZOR:** Absolutely not. I would never  
7 have agreed to that. I would have said what -- what are  
8 you guys talking about. This is my home.

9           **PRESIDING COMMISSIONER PECK:** And you were living  
10 there right?

11           **INMATE LAZOR:** Absolutely. Which is well  
12 attested to by the people that were not allowed to come  
13 to trial and testify to that.

14           **PRESIDING COMMISSIONER PECK:** Was Ellis there  
15 when that thing happened on November 22?

16           **INMATE LAZOR:** I think he was in the house at the  
17 time. I think he -- well he was in the house or later  
18 claimed to be, one or the other.

19           **PRESIDING COMMISSIONER PECK:** He testified that  
20 he was and he said he was shaving.

21           **INMATE LAZOR:** Yeah, I --

22           **PRESIDING COMMISSIONER PECK:** Then he heard Alred  
23 scream he's got a gun.

24           **INMATE LAZOR:** Actually I don't think he was  
25 there. I know he te -- I know he said this. I think

1 that was part of his testimony that was falsified  
2 testimony.

3 **PRESIDING COMMISSIONER PECK:** Why would he lie?

4 **INMATE LAZOR:** I --

5 **PRESIDING COMMISSIONER PECK:** What was in it for  
6 him?

7 **INMATE LAZOR:** I don't know. I'm -- I'm a little  
8 concerned where we're going with this Commissioner. I -  
9 - I -- these -- every time --

10 **PRESIDING COMMISSIONER PECK:** If you think I'm  
11 going to cover the appellate decision --

12 **INMATE LAZOR:** Every time we go into all these  
13 details, it's like it's used against me because here we  
14 have you know I had a trial in which all this stuff was  
15 used against me. I did not get an opportunity to rebut  
16 this stuff in trial so it all gets made part of the  
17 record. Now, the record has been for 34 years. I keep  
18 getting told well this is the record so any time we hear  
19 you rebutting it which I didn't a chance --

20 **PRESIDING COMMISSIONER PECK:** Do you -- do you  
21 not want it -- you know something -- I can make this  
22 really simple. I'm here to see if you have insight.  
23 I'm giving you an opportunity to talk about the crime.

24 **INMATE LAZOR:** Yes, sir.

25 **PRESIDING COMMISSIONER PECK:** Right. If you want

1 to invoke 5011, I'll s -- I won't ask you another  
2 question. And then what I'll do is, I'll make the  
3 determination based on the documents that I have in  
4 front of me. So it's up -- it's up to you.

5 **INMATE LAZOR:** Well we can proceed. I'm just a  
6 little concerned when we go into all these details every  
7 time I'm going to have the same disagreements. My  
8 truthful testimony has always been the same from day  
9 one. It's never going to change and that's never going  
10 to change as long as it's -- it's a record. So we're  
11 going to have this conflict.

12 **PRESIDING COMMISSIONER PECK:** Mr. Lazor, it's  
13 really simple. I -- you know, I'm going to make this  
14 thing any more complicated than it needs to be. Right?

15 **INMATE LAZOR:** We can proceed with it.

16 **PRESIDING COMMISSIONER PECK:** It's -- I -- I want  
17 to know what happened in this case --

18 **INMATE LAZOR:** I have --

19 **PRESIDING COMMISSIONER PECK:** -- so I can make a  
20 determination. Right?

21 **INMATE LAZOR:** Yes, sir.

22 **PRESIDING COMMISSIONER PECK:** You sir, I'm not -  
23 - I don't think one time and correct me if I'm wrong but  
24 I don't think one time I called you a liar about  
25 anything you said.

1           **INMATE LAZOR:** No, you haven't -- you haven't.

2           **PRESIDING COMMISSIONER PECK:** I'm just listening  
3 to what you're telling me. Right?

4           **INMATE LAZOR:** Okay. I understand.

5           **PRESIDING COMMISSIONER PECK:** So if you -- I mean  
6 -- but -- but I can see that you're getting a little  
7 uncomfortable about talking about it.

8           **INMATE LAZOR:** It does make me uncomfortable yes.

9           **PRESIDING COMMISSIONER PECK:** So --

10          **INMATE LAZOR:** No, let's proceed because I don't  
11 want -- first of all I have nothing to hide so second of  
12 all I don't want you want you to feel like I'm trying to  
13 hide anything. So let's proceed even though it makes me  
14 feel uncomfortable because of the -- all the past times  
15 when we've dealt with this not only parole board --  
16 other situations, uh, you know -- where we challenged it  
17 in -- in habeas corpus for example in the courts or  
18 whatever -- or somebody who is somewhat adverse to me  
19 that wants to you know -- has read the report and goes  
20 well wait a minute what about all this, they don't  
21 understand the report is not true. So I am  
22 uncomfortable doing it but I will proceed anyway through  
23 the uncomfot because as I said I have nothing to hide.  
24 I don't want you feeling like I'm trying to hide  
25 anything.

1           **PRESIDING COMMISSIONER PECK:** Well, I -- I'm  
2 going to tell you a secret. There's something that --  
3 not much of a secret because I've already told you this  
4 -- I'm not here to retry your case.

5           **INMATE LAZOR:** Understand.

6           **PRESIDING COMMISSIONER PECK:** Guess what? The  
7 court's already decided that you're guilty, right?

8           **INMATE LAZOR:** That -- that -- but that's what  
9 I'm kinda feeling like we're head -- the road we're  
10 headed down but --

11           **PRESIDING COMMISSIONER PECK:** I will -- I'm not  
12 one to hide the ball with you sir. I'll tell you what  
13 I'm doing right now.

14           **INMATE LAZOR:** Okay.

15           **PRESIDING COMMISSIONER PECK:** There's no surprise  
16 here.

17           **INMATE LAZOR:** I appreciate that.

18           **PRESIDING COMMISSIONER PECK:** There's a couple of  
19 things that I'm trying to figure out right now.

20           **INMATE LAZOR:** Okay.

21           **PRESIDING COMMISSIONER PECK:** A, are you  
22 credible? Do I believe you?

23           **INMATE LAZOR:** Okay.

24           **PRESIDING COMMISSIONER PECK:** That's the first  
25 thing I'm trying to assess.

1           **INMATE LAZOR:**   Okay.

2           **PRESIDING COMMISSIONER PECK:**   Right?   The second  
3 thing is do you have any kind of insight or  
4 understanding into your behaviors?   Right?

5           **INMATE LAZOR:**   Okay.

6           **PRESIDING COMMISSIONER PECK:**   And I guess I lied  
7 cause there's another reason too and I've done -- I've  
8 done thousands and thousands of hearings.   Right?  
9 Listen to me.   I don't want you focused on that.   I want  
10 you to listen to what I'm saying.

11          **INMATE LAZOR:**   Yes, sir.

12          **PRESIDING COMMISSIONER PECK:**   Right?

13          **INMATE LAZOR:**   Yes.

14          **PRESIDING COMMISSIONER PECK:**   And this may shock  
15 you but people's testimony changes all the time.  
16 Sometimes they go you know back then I didn't really see  
17 it the way I see it now.   Sometimes -- I see it a little  
18 different now.

19          **INMATE LAZOR:**   It doesn't shock me at all.   I  
20 know.

21          **PRESIDING COMMISSIONER PECK:**   Maybe.   Yeah.

22          **INMATE LAZOR:**   Yeah.

23          **PRESIDING COMMISSIONER PECK:**   Right?   So people  
24 absolutely everybody has a -- has a time when they make  
25 a -- when they go you know I thought about this and

1 maybe the way I was presenting it before wasn't  
2 accurate. So I've given you that opportunity also  
3 right?

4 **INMATE LAZOR:** Okay.

5 **PRESIDING COMMISSIONER PECK:** I can't read your  
6 mind. If I could this would be the fasting hearing in  
7 the world. You'd come in. I'd read your mind. I'd  
8 make a decision. We'd go home.

9 **INMATE LAZOR:** I got you. I understand. Uh, I  
10 don't -- the only -- the only way anything would change  
11 in terms of my testimony is if I couldn't remember  
12 something because we're talking 34 years ago and brain  
13 damage but as you've seen in this hearing, I have a  
14 pretty good memory for a lot of stuff that's happened  
15 many, many years ago and I -- and my memory's quite --  
16 quite good on this as well but I mean there may be some  
17 detail on that where --

18 **PRESIDING COMMISSIONER PECK:** And -- and you know  
19 one thing more you have to realize Mr. -- Mr. Lazor -- I  
20 want this crystal clear right? It's -- it would be  
21 irresponsible of me not to cover this area.

22 **INMATE LAZOR:** Okay.

23 **PRESIDING COMMISSIONER PECK:** Especially when no  
24 matter if we make a decision to grant you parole --

25 **INMATE LAZOR:** Yes, sir.

1           **PRESIDING COMMISSIONER PECK:** -- this transcript  
2 goes to the Governor's office.

3           **INMATE LAZOR:** I know.

4           **PRESIDING COMMISSIONER PECK:** And the Governor  
5 then has an opportunity to review this transcript right?  
6 So if I were to not cover this area, right, I would  
7 think and I know that there'd be some questions from the  
8 Governor's office about what kind of moron Commissioner  
9 Peck in not asking important questions regarding the  
10 crime to give the Governor an opportunity to at least  
11 understand your behaviors or your understanding or your  
12 -- or this crime in general. I -- I mean, honestly,  
13 we're just the first step.

14           **INMATE LAZOR:** I got you and I -- I respect that  
15 now that you've explained it, it helps me to be a little  
16 more comfortable -- this man sincerely is really trying  
17 to get to the bottom of this so I appreciate that very  
18 much. As I said, I've got nothing to hide. That --  
19 that was never my reason for being uncomfortable. I'm  
20 also uncomfortable because every time I have to go back  
21 through this --

22           **PRESIDING COMMISSIONER PECK:** Yeah.

23           **INMATE LAZOR:** -- it was a very traumatic  
24 situation for me. The shooting was very traumatic and  
25 all this stuff is connected with it and so when -- you

1 know -- I -- I believe it's very important as the board  
2 believes to focus on what happened, take responsibility  
3 for it, dig into, feel it, own it, right? But I also  
4 feel there's a time to leave it behind otherwise it --  
5 it'll just drag your life down forever so I feel a long  
6 time ago I did the first thing and now for many years in  
7 fact I've been at the point where I want to leave it  
8 behind. So, having that said though we'll proceed  
9 because I think the purpose you've just explained is  
10 very important. If I may hand you this or have the  
11 officer hand you this. It's a packet of -- of letters  
12 where there are certain arrows drawn to just you know  
13 without having to read a whole bunch of letters, it's --  
14 it just has like a certain passage on each letter where  
15 it talks about my credibility, my honesty in life, and  
16 these are people who have observed me from -- some of  
17 them go back to when I was three years old or four years  
18 old to -- to you know present day and they've observed  
19 in situations where most people would not tell the  
20 truth, where they've seen me tell the truth despite the  
21 cost to me so the reason me handing this over to you is  
22 to show you that I have a very -- a record that's  
23 consistent of very high credibility and honesty.

24 **PRESIDING COMMISSIONER PECK:** I'll take a look at  
25 it.

1           **INMATE LAZOR:** I appreciate it.

2           **PRESIDING COMMISSIONER PECK:** We're not going to  
3 make it an exhibit because it's too big.

4           **INMATE LAZOR:** No, that's fine but I appreciate  
5 you looking at it, considering it.

6           **PRESIDING COMMISSIONER PECK:** But we'll look at  
7 it. Did you kick the door in?

8           **INMATE LAZOR:** Absolutely not. That was a s -- a  
9 s -- an out and out lie.

10          **PRESIDING COMMISSIONER PECK:** Did he throw you  
11 out of the front door and lock it?

12          **INMATE LAZOR:** Well, his kicking and throwing  
13 blows and such you could say it was because I had my key  
14 actually started in the keyhole when the door jerked --  
15 you know jerked the keys right out of my hand and he  
16 just came flying out at me so you know --

17          **PRESIDING COMMISSIONER PECK:** So you're -- you're  
18 -- you're saying that it's false that you kicked in the  
19 door --

20          **INMATE LAZOR:** Absolutely.

21          **PRESIDING COMMISSIONER PECK:** -- and then pulled  
22 a 22 Derringer on him?

23          **INMATE LAZOR:** Both things are absolutely false.  
24 I had the 22 Derringer in a holster in my hand and I had  
25 the -- you know I was fumbling with the keys with my

1 other hand and I had all the stuff hanging from me and  
2 it -- he hit me and backed me right off all the way down  
3 off the porch which is three steps and you know that --  
4 that was an attack from him, another attack from him.

5 **PRESIDING COMMISSIONER PECK:** Did you -- did he  
6 tell you you'd better use that you dirty son of a bitch  
7 or I'm gonna get you? Did he say that to you?

8 **INMATE LAZOR:** He actually did.

9 **PRESIDING COMMISSIONER PECK:** Hmmm.

10 **INMATE LAZOR:** He actually did which showed -- I  
11 mean to me -- that's favorable to me -- that he wasn't  
12 afraid. He -- he was -- if I was pointed at him -- I  
13 don't think anybody would have the gumption to say that  
14 so obviously I think it goes in my favor. It wasn't  
15 pointed at him. He just I had it and he knew I was a  
16 peaceful guy.

17 **PRESIDING COMMISSIONER PECK:** Was he angry?

18 **INMATE LAZOR:** Oh, he was -- he was filled with  
19 rage. He was not only angry, this was a rage attack  
20 much like the -- the, uh, January 10<sup>th</sup> attack that took  
21 place, uh, unfortunately.

22 **PRESIDING COMMISSIONER PECK:** Did you -- did the  
23 cops stop you that day?

24 **INMATE LAZOR:** No, they didn't stop me. I was  
25 stopped when I called the police station and he called

1 the police station and Garnier told me on the next phone  
2 call that he had also called the police, I went, uh --  
3 my house sat on a street where -- let's see if I can  
4 describe this on the record -- where, uh, the street in  
5 front of the house had a -- a T where another -- another  
6 street that if it continued on it would go right through  
7 my house.

8           **PRESIDING COMMISSIONER PECK:** Uh huh.

9           **INMATE LAZOR:** That street, uh, I -- I backed up  
10 about a half a block or so and parked my car on that  
11 street so I could I watch for police officers to come  
12 cause I knew they were coming and so --

13           **PRESIDING COMMISSIONER PECK:** Were you in your  
14 car?

15           **INMATE LAZOR:** I was in my car. I in fact waved,  
16 opened my window and waved to the police officer and  
17 waved him over to me. I know -- I know something the  
18 record says they -- they, uh, I don't know.

19           **PRESIDING COMMISSIONER PECK:** I'm gonna tell you.  
20 I'm gonna give you a hint. I'm gonna tell you  
21 something. You're focused a lot about what's in the  
22 record.

23           **INMATE LAZOR:** Yeah.

24           **PRESIDING COMMISSIONER PECK:** Just tell me what  
25 happened.

1           **INMATE LAZOR:**   Okay.  I'm -- okay.

2           **PRESIDING COMMISSIONER PECK:**  You know --

3           **INMATE LAZOR:**  That's what happened.

4           **PRESIDING COMMISSIONER PECK:**  -- cause -- cause  
5 I'll tell you why.  Because I'm looking at the record --

6           **INMATE LAZOR:**  Okay.

7           **PRESIDING COMMISSIONER PECK:**  -- right?  So I --  
8 I already know what's in the record.

9           **INMATE LAZOR:**  I got it.  Okay.  So that's what  
10 happened.

11           **PRESIDING COMMISSIONER PECK:**  All right.

12           **INMATE LAZOR:**  And my testimony (inaudible).

13           **PRESIDING COMMISSIONER PECK:**  Did you -- did --  
14 did you think -- did you think -- did you tell the cops  
15 that it was for self-defense -- you pulled the gun out  
16 for self-defense?

17           **INMATE LAZOR:**  No.

18           **PRESIDING COMMISSIONER PECK:**  All right.  And  
19 they didn't arrest you?

20           **INMATE LAZOR:**  No.

21           **PRESIDING COMMISSIONER PECK:**  And then you called  
22 Garnier after that, right?

23           **INMATE LAZOR:**  Again, yes.

24           **PRESIDING COMMISSIONER PECK:**  And you -- and you  
25 told Garnier that you pulled a gun on Alred and that

1 they had struggled?

2 **INMATE LAZOR:** No.

3 **PRESIDING COMMISSIONER PECK:** You didn't tell him  
4 that?

5 **INMATE LAZOR:** Absolutely not and there was no  
6 struggle. There was nothing like that.

7 **PRESIDING COMMISSIONER PECK:** What -- what did  
8 you tell him?

9 **INMATE LAZOR:** I told Garnier exactly what  
10 happened, exactly what I told you. I said he came  
11 flying out of the door. He was hiding behind the door  
12 for me, lying in wait and punched me a bunch of times,  
13 threw a couple kicks at me and backed me down all the  
14 way down a -- a -- down the porch, almost knocked me  
15 over and, uh -- and then ran back in the house saying he  
16 was calling the police.

17 **PRESIDING COMMISSIONER PECK:** All right and then  
18 -- then we got to December, um, 20<sup>th</sup>, 1982 where it  
19 looks like the three of you met. Right? Where did you  
20 guys meet?

21 **INMATE LAZOR:** Billy G's, a restaurant that no  
22 longer exists in Los Gatos.

23 **PRESIDING COMMISSIONER PECK:** Okay. And you --  
24 did you agree that -- let's see -- it says appellate  
25 allegedly agreed and said that he would move his

1 property out of he pantry as soon as possible in  
2 Garnier's presence. Did -- did you agree to that?

3 **INMATE LAZOR:** Uh, no. I didn't.

4 **PRESIDING COMMISSIONER PECK:** And then did you --  
5 did he tell you that you could have the house if you  
6 move it off the -- off the property?

7 **INMATE LAZOR:** Well, that's kind of a strange  
8 statement because I already owned the house. We already  
9 had that established. I bought the house for money  
10 months earlier so that was already established so that's  
11 -- I mean the -- the essence of what's stated there is  
12 true but it didn't happen that way. I'd already bought  
13 the house. We already knew --

14 **PRESIDING COMMISSIONER PECK:** Yeah, but it was  
15 his property --

16 **INMATE LAZOR:** Right.

17 **PRESIDING COMMISSIONER PECK:** -- and it was --  
18 the -- the guy that sold you the house died in some kind  
19 of airplane thing right?

20 **INMATE LAZOR:** Uh, no, that was another thing  
21 that they just threw in -- that I never knew this guy  
22 named Scott Ruff (phonetic). There was no such person  
23 ever in my life.

24 **PRESIDING COMMISSIONER PECK:** Well, who did you  
25 buy the property -- who did you buy the house from? I

1 bought it from Garnier. That much is established too.  
2 Now what they're saying is -- they're saying that I  
3 talked to a guy named Scott Ruff who died in a plane  
4 crash.

5 **PRESIDING COMMISSIONER PECK:** Uh huh.

6 **INMATE LAZOR:** Uh, and that he or -- originally  
7 promised that I could move into the house cause that's  
8 the first thing I did but that was all false. That was  
9 all -- I don't know where they got -- why they made that  
10 up. Uh, what I -- what happened is is Debra Belcher  
11 (phonetic) who was a first -- closest friend of my  
12 fiancé -- ex-fiancé lived in that house and, uh, offered  
13 me to stay there to take care of her plants and her, uh,  
14 aquarium whatever cause she moved out because she heard  
15 that it -- it may demolished in the near future to build  
16 the condominiums. I moved into house to co-tenant with  
17 her, then to take care of her stuff as she moved out  
18 and, uh, didn't even Garnier at that point and one --  
19 one day probably about three weeks after I had moved in  
20 there and started taking care of the lawns and  
21 everything which had gone to pot, Garnier comes to the  
22 house introduces himself to me, tells me he's the owner  
23 of the house, the owner of the land. That was the first  
24 contact with anybody except the tenant Debra Belcher who  
25 had no stake in the house.

1           **PRESIDING COMMISSIONER PECK:** So you told him you  
2 were gonna -- you bought the house and you were gonna  
3 move it off.

4           **INMATE LAZOR:** Well, that all happened later  
5 after --

6           **PRESIDING COMMISSIONER PECK:** Yeah, I know but  
7 that is in essence what happened. You said you were  
8 going to move the house off the property so he could  
9 built the condominiums there.

10          **INMATE LAZOR:** Yeah, or if something happened  
11 where we couldn't move the house. For example, the  
12 house movers changed their fee. It cost about \$8000 and  
13 if they changed their fees or -- or ran into some other  
14 problem with moving it to the place where we wanted to  
15 move it cause they have to move power line and all kinds  
16 of stuff, then we -- then we -- you know I had the  
17 option to just let it go.

18          **PRESIDING COMMISSIONER PECK:** Did you have land  
19 some place else to move this house?

20          **INMATE LAZOR:** Yeah, Marlene -- Marlene Hep owned  
21 land in Monte Sereno and we were going to move it on to  
22 her property.

23          **PRESIDING COMMISSIONER PECK:** So what -- what  
24 were you waiting for?

25          **INMATE LAZOR:** Uh, we weren't in a hurry to move

1 at all. I -- that was my home and we were waiting for  
2 Garnier to get the financing for the condominiums.  
3 Until he did it was fine for me to just stay there and  
4 live there in my home.

5 **PRESIDING COMMISSIONER PECK:** Did he you ever  
6 tell you you got to go? Until --

7 **INMATE LAZOR:** Yeah, the point I -

8 **PRESIDING COMMISSIONER PECK:** Before December  
9 20<sup>th</sup>?

10 **INMATE LAZOR:** Absolutely not. We weren't even -  
11 - we didn't even have a -- a -- well let's see. Well,  
12 November 22 was the first really bad point between  
13 Garnier and I. We had no problems before that. So, uh,  
14 November 22, possibly between then and December 20<sup>th</sup>,  
15 uh, he might've said something, uh, about it but I -- I  
16 don't think anything about m -- having to move out or  
17 anything. There was no issue about moving out. This is  
18 my home. I owned it.

19 **PRESIDING COMMISSIONER PECK:** All right.

20 **INMATE LAZOR:** He -- he agreed to that and he  
21 always agreed to it until that last point I told you  
22 where he called me on the phone a very short period  
23 before January 10<sup>th</sup> when the shooting occurred. I  
24 believe in fact that it was maybe three or four days  
25 before and told me if you don't get your things out,

1 then I'm destroying them but I want to be there and here  
2 I'm picturing ok he's going -- him and all were going to  
3 be there and I'm going to be attacked again or maybe set  
4 up for something worse cause they want this -- he wants  
5 this house. So I didn't want the confrontation. You  
6 know, it -- it would've been great if I could've got a  
7 police escort there but the police told me on November  
8 22, uh -- is it November 22 or maybe it was another case  
9 after that where I called them for civil standby. They  
10 said don't ever call us again. Don't ever call us about  
11 this situation again. They got hostile about it. They  
12 said it was waste of our time. Uh, basically feeling  
13 like I was the bad guy in the situation cause they knew  
14 Garnier and they knew Alred, they were family friends --

15 **PRESIDING COMMISSIONER PECK:** Uh huh.

16 **INMATE LAZOR:** -- of one of the police officers.  
17 Kevin Wood by the way is his name, for the record. And,  
18 uh, so I didn't call him that day. I didn't feel I  
19 could and I didn't feel there was a need to cause I felt  
20 Alred was at work. I'll get my stuff out. From there  
21 on I won't have to worry about my stuff being destroyed  
22 and I'll stay wherever I need to stay until we resolve  
23 this thing. Get it civilly, probably a civil  
24 restraining order and then I won't -- until then I can  
25 comfortably stay at Marlene Hep's house where I have my

1 sound studio.

2 **PRESIDING COMMISSIONER PECK:** What happened on --  
3 you remember what happened on January 10, 1983?

4 **INMATE LAZOR:** That's the shooting.

5 **PRESIDING COMMISSIONER PECK:** So tell me about  
6 that?

7 **INMATE LAZOR:** I was talking on the phone to a  
8 landlord tenant agency, private agency.

9 **PRESIDING COMMISSIONER PECK:** Uh huh.

10 **INMATE LAZOR:** I was talking to a gal named Joan  
11 Binegessner (phonetic) whose name later became Joan  
12 Harper. Uh, we were talking about what could be done  
13 about the very thing I -- in fact I just segued  
14 perfectly into this because --

15 **PRESIDING COMMISSIONER PECK:** What (inaudible)?

16 **INMATE LAZOR:** -- we were talking about what I  
17 can do to get this resolved, to get this issued stopped  
18 and while we were in the middle of talking about that,  
19 um, I was in my bedroom. The door locks automatically  
20 as it closes because of the other tenants in the house  
21 and, uh, all of a sudden bashing started on the door and  
22 I, um -- I had already moved most of my stuff out of the  
23 house. In fact, if this would've very tragically -- if  
24 he would've come five minutes later, this would've never  
25 happened.

1           **PRESIDING COMMISSIONER PECK:** Okay.

2           **INMATE LAZOR:** I had everything moved out except  
3 about one more box of stuff that was pretty well packed  
4 up and my gun sitting right on top of everything because  
5 my car was at the -- right next to the road in  
6 (inaudible).

7           **PRESIDING COMMISSIONER PECK:** What kind of gun  
8 was this one?

9           **INMATE LAZOR:** This was a 45. This was one I  
10 bought, uh -- went to buy for the target practice when  
11 the guy talked me into buying the second gun, the  
12 Derringer.

13           **PRESIDING COMMISSIONER PECK:** All right.

14           **INMATE LAZOR:** So, uh, the car was right next to  
15 the road. Our house sits not very far from the road and  
16 I carried the boxes and stuff out there. I had my car  
17 packed, everything, the trunk, the seats, everything  
18 packed with all the stuff. And so I didn't want to have  
19 the gun put in there and leave it in there, uh, by the  
20 road. That much you know, uh, uh, frame of mind about  
21 the safety of the gun.

22           **PRESIDING COMMISSIONER PECK:** Okay.

23           **INMATE LAZOR:** So it was right, uh, and I'd  
24 always kept it loaded in the house because I was told  
25 from the gun dealer and other people talk say of course

1 if you're gonna have a gun in your home for protection  
2 or whatever, always keep a gun loaded in your house.  
3 It's no good to you if somebody breaks into the house  
4 and you know tries to kill you or your children or  
5 whatever and it's not loaded, you can't do anything  
6 about it in time. So anyway, it was -- it was there  
7 and, um, it wasn't there for any malpurposes. It wasn't  
8 there for any criminal purposes. Uh, so the door  
9 started crashing in. I yelled to Joan Harper on the  
10 phone, please call the police, an emergency. The  
11 kicking and bashing of the door continued on and, uh, at  
12 some point she said to me, uh, tell me the address or  
13 something like -- give me the address and I will was her  
14 exact words and I started to s -- spew out the address,  
15 I'm in a panic. The door came flying open, cracked me  
16 in the knee. I have a damaged knee that just had  
17 significant surgery. Cracked me in that knee and, uh, I  
18 just, um, I was in a -- a panic. The panic alone was  
19 enough to where I wasn't even in a -- a state of mind  
20 where I could think. And, uh, I just, uh -- he swung a  
21 meat cleaver through the door at me. I couldn't tell at  
22 the time what it was but I could tell it was some kind  
23 of, you know, thing that would've hurt me, uh, uh,  
24 massively if it'd hit me. He swung the meat cleaver  
25 through the door and as he backed up it caught the --

1 the cleaver -- the meat cleaver caught the phone cord,  
2 jerked the phone out of my hands, right through the  
3 door.

4 **PRESIDING COMMISSIONER PECK:** Uh huh.

5 **INMATE LAZOR:** I remember like -- just like of  
6 split second free frame film type of effects seeing the  
7 phone in the air and I -- and as he backed up like this  
8 and start coming forward again, I just grabbed my gun  
9 and started firing in panic.

10 **DEPUTY COMMISSIONER JOHNSEN:** Which gun?

11 **INMATE LAZOR:** Pardon me?

12 **DEPUTY COMMISSIONER JOHNSEN:** Which gun did you  
13 fire?

14 **INMATE LAZOR:** I only had one gun at that point.

15 **DEPUTY COMMISSIONER JOHNSEN:** What was it?

16 **INMATE LAZOR:** 45. Now bear in mind this and  
17 this is something I've learned about guns while I've  
18 been in prison because I -- fighting this case for so  
19 many years. It's not so much the gun because I  
20 understand where he's coming from, oh well, a 45 should  
21 -- you know one bullet should stop a guy but it's not  
22 that way. What it is is that it's about the -- the  
23 what's in the gun. It's about the bullets. Those were  
24 -- nobody disputes this. They were target load -- re --  
25 reloaded target practice wad bullets.

1           **PRESIDING COMMISSIONER PECK:** Cutters.

2           **INMATE LAZOR:** Pardon me?

3           **PRESIDING COMMISSIONER PECK:** Were they  
4 wadcutters?

5           **INMATE LAZOR:** I don't know what that term means  
6 exactly. All I know is that these were, uh, you like  
7 buy 'em cheaper because they're reloaded and they have -

8           **DEPUTY COMMISSIONER JOHNSEN:** Did you load it  
9 yourself?

10          **INMATE LAZOR:** Oh no.

11          **DEPUTY COMMISSIONER JOHNSEN:** So did you see the  
12 bullets go in the chamber?

13          **INMATE LAZOR:** Oh do you mean did I load the gun  
14 or the bullets?

15          **DEPUTY COMMISSIONER JOHNSEN:** Yes.

16          **INMATE LAZOR:** I thought you meant the powder in  
17 the bullets, reloaded bullets we were talking about.

18          **DEPUTY COMMISSIONER JOHNSEN:** No, no. Did you  
19 load the gun yourself?

20          **INMATE LAZOR:** Oh yeah.

21          **DEPUTY COMMISSIONER JOHNSEN:** Were the bullets --  
22 have a -- a dome shape to the top where the lead is?

23          **INMATE LAZOR:** Yes.

24          **DEPUTY COMMISSIONER JOHNSEN:** Or were they flat?

25          **INMATE LAZOR:** They had a dome shape and I

1 believe it was copper colored if I'm not mistaken.

2 **DEPUTY COMMISSIONER JOHNSEN:** All right.

3 **PRESIDING COMMISSIONER PECK:** And those aren't --  
4 those wadcutters.

5 **INMATE LAZOR:** Okay so but what I know -- what we  
6 know for sure is -- and this -- this was lied about in  
7 trial but we -- we know for sure, it's in the police  
8 reports, these were low power load -- that -- that the  
9 grains of the -- the gunpowder in 'em was very low so  
10 they did not have any significant stopping power. Also,  
11 we know --

12 **PRESIDING COMMISSIONER PECK:** I -- you know -- I  
13 never heard of that.

14 **INMATE LAZOR:** You have heard that?

15 **PRESIDING COMMISSIONER PECK:** I haven't.

16 **INMATE LAZOR:** I haven't heard.

17 **PRESIDING COMMISSIONER PECK:** No, why would they  
18 have -- why would they low powder in a gun?

19 **INMATE LAZOR:** Because it was for target  
20 practice, cheaper.

21 **PRESIDING COMMISSIONER PECK:** Well --

22 **DEPUTY COMMISSIONER JOHNSEN:** You did that at --  
23 you knew that at the time you pulled the trigger that  
24 they were low power?

25 **INMATE LAZOR:** Of course not -- I wasn't thinking

1 anything about -- anything about this. It was a panic  
2 reaction. I couldn't think at the time.

3 **DEPUTY COMMISSIONER JOHNSEN:** You did or did not  
4 know

5 **INMATE LAZOR:** Did not.

6 **DEPUTY COMMISSIONER JOHNSEN:** Okay.

7 **INMATE LAZOR:** I'm not. Of course I couldn't  
8 think.

9 **PRESIDING COMMISSIONER PECK:** All right. You  
10 know something, let's just move on.

11 **INMATE LAZOR:** Okay.

12 **PRESIDING COMMISSIONER PECK:** Because frankly --

13 **INMATE LAZOR:** Yeah, we're getting dragged down  
14 in these things.

15 **PRESIDING COMMISSIONER PECK:** Well, one of us is.

16 **INMATE LAZOR:** Well, I think it makes a huge  
17 difference.

18 **PRESIDING COMMISSIONER PECK:** Why?

19 **INMATE LAZOR:** Because if you think well you know  
20 you could've shot this guy one time and --

21 **PRESIDING COMMISSIONER PECK:** You know, I'll tell  
22 what. I'll tell you -- I'll give you a hint. Like  
23 another hint right? God I wish you would've chose to  
24 keep an attorney in here because it would've made things  
25 so much faster but let me just finish what I'm saying.

1 Right? And you certainly have a right to represent  
2 yourself and I don't have a problem with that right?  
3 It's just that we have to go over things a lot with you.

4 **INMATE LAZOR:** Okay.

5 **PRESIDING COMMISSIONER PECK:** Right? Um, don't  
6 think what I think. You have no idea what's going  
7 through my head.

8 **INMATE LAZOR:** Okay. All right.

9 **PRESIDING COMMISSIONER PECK:** You don't know what  
10 I'm doing over here, right? I've already told you I'm  
11 here to find out if you're -- I've already -- I've  
12 already put my cards on the table with you, right?

13 **INMATE LAZOR:** Okay.

14 **PRESIDING COMMISSIONER PECK:** M -- m -- I guess  
15 probably the bigger issue is is that I'm -- I'm -- this  
16 isn't your first hearing. Right?

17 **INMATE LAZOR:** Correct.

18 **PRESIDING COMMISSIONER PECK:** And so I'm doing a  
19 lot of thinking over here when I'm asking you these  
20 questions right? And I'm listening to a lot of the way  
21 you present yourself right? Um, I would hope that  
22 you're not worrying about what I'm thinking but you're  
23 more worried about presently yourself honestly. I'm not  
24 saying that you're not right? But I'm just saying I --  
25 I -- I more worry about the answers you're giving and

1 let me make whatever I'm thinking right? Do you  
2 understand?

3 **INMATE LAZOR:** I do understand.

4 **PRESIDING COMMISSIONER PECK:** I think you're --  
5 and I think you're -- I think you're ha -- da -- you're  
6 damaging yourself in -- in a lot of your testimony  
7 because you keep on referring things to, um -- like --  
8 like I think what you're doing is you're trying to  
9 anticipate what I'm thinking rather than just present.

10 **INMATE LAZOR:** Okay.

11 **PRESIDING COMMISSIONER PECK:** Right? I -- I need  
12 a break.

13 **INMATE LAZOR:** You're right. You're right.

14 **PRESIDING COMMISSIONER PECK:** Let's take -- let's  
15 take 10 minutes. Think about that when we come back and  
16 talk about this.

17 **INMATE LAZOR:** Okay.

18 **DEPUTY COMMISSIONER JOHNSEN:** It's 11:40 a.m.  
19 We're off the record.

20 **R E C E S S**

21 **--oOo--**

22 **PRESIDING COMMISSIONER PECK:** All right Mr.  
23 Lazor. Welcome back.

24 **INMATE LAZOR:** Yes, sir.

25 **DEPUTY COMMISSIONER JOHNSEN:** We're on the

1 record. It is 12 o'clock noon.

2           **PRESIDING COMMISSIONER PECK:** How ya doing? You  
3 okay?

4           **INMATE LAZOR:** A little stressed. I'm -- I'm  
5 seeing where I'm my own worse enemy in -- in, you know,  
6 some of these things so I understand. I'm not lacking  
7 of insight on that but I'm just trying the best I can to  
8 --

9           **PRESIDING COMMISSIONER PECK:** You know I -- I --  
10 I'm gonna tell ya something. The important thing is  
11 this. And you know -- I mean -- you're a really smart  
12 guy. You are. You're a really smart guy. Um, but you  
13 are -- you present in a way that you are your worse  
14 enemy. And I haven't come to any decisions yet to be  
15 honest with you. We're way too early in this hearing  
16 for me to have come to any decisions right? But you  
17 present as very paranoid. You're always telling me what  
18 I'm thinking. You're always telling me what I'm worried  
19 about. You know, the one thing I've learned in my life  
20 is this. Is it's -- it's probably best for me just to  
21 present as open and honest as you can and let me do my  
22 own thinking over here and then at the end when it's  
23 your turn to talk that's when it's time to wrap it all  
24 up for me. You know, so, um, in no way am I being  
25 critical of you but I'm just trying to help you in

1 today's hearing.

2 **INMATE LAZOR:** I actually appreciate what you've  
3 said. I appreciate your directness and -- and, uh, all  
4 I can say is that I'm going to try to abide by that a  
5 lot better from here on. Let's see if I can.

6 **PRESIDING COMMISSIONER PECK:** Listen this truly  
7 is your hearing.

8 **INMATE LAZOR:** Okay.

9 **PRESIDING COMMISSIONER PECK:** Right? You can  
10 present in any way you want. It's -- we're -- we're  
11 just trying to find out whether you're -- it's time for  
12 you to go home or not. That's what we're trying --  
13 that's what we're trying to figure out.

14 **INMATE LAZOR:** I appreciate that.

15 **PRESIDING COMMISSIONER PECK:** All right. All  
16 right. Let's go back to this crime. So I think we left  
17 at, uh, January -- was it January 10.

18 **INMATE LAZOR:** January 10<sup>th</sup> the shooting.

19 **PRESIDING COMMISSIONER PECK:** Yes. And you're on  
20 the phone. Um, the, um, the cleaver -- I think we went  
21 to the cleaver, um, as you said and then -- then we  
22 kinda got hung up on the 45 so, um -- you had a 45 with  
23 you. Um, he was -- was he in the door? Had he come  
24 inside the room with you?

25 **INMATE LAZOR:** The only thing that ever passed

1 the threshold of the door was probably his -- about from  
2 here.

3 **PRESIDING COMMISSIONER PECK:** Okay so --

4 **INMATE LAZOR:** Probably the threshold of the  
5 door.

6 **PRESIDING COMMISSIONER PECK:** -- so where in the  
7 house did this happen specifically?

8 **INMATE LAZOR:** My bedroom is in the back of the  
9 house.

10 **PRESIDING COMMISSIONER PECK:** Okay.

11 **INMATE LAZOR:** It was a bedroom converted from  
12 what used to be some other kind of utility room in the  
13 house.

14 **PRESIDING COMMISSIONER PECK:** Okay.

15 **INMATE LAZOR:** So he had to come all the way  
16 through the front door, come to the back of the house.  
17 He knew where my bedroom was.

18 **PRESIDING COMMISSIONER PECK:** Right.

19 **INMATE LAZOR:** And that's why that has an outside  
20 door that goes out as well but that door was swollen  
21 shut from moisture, rain and such at that time. Uh,  
22 but, uh, I could -- I could give you the whole layout of  
23 the house. I -- I don't think it's necessary.

24 **PRESIDING COMMISSIONER PECK:** I just want to know  
25 where you were and where he was and -- how far was he

1 away from you?

2 **INMATE LAZOR:** Well, everybody was shocked when  
3 they -- after they read about the case but then saw the  
4 actual diagrams of the size of the house and when the  
5 attorneys went to the house to see the -- the actual  
6 house itself, they were all shocked at how small and  
7 closed in the area was. It was -- it's a very small  
8 room. So he was, uh -- I mean he got right to the point  
9 where had I not backed up, that cleaver would've chopped  
10 my head right in half.

11 **PRESIDING COMMISSIONER PECK:** Okay. So were --  
12 what -- what happened to the cleaver?

13 **INMATE LAZOR:** Uh, there's a -- there's a --

14 **PRESIDING COMMISSIONER PECK:** No, no, I mean --

15 **INMATE LAZOR:** Oh, police --

16 **PRESIDING COMMISSIONER PECK:** Not --

17 **INMATE LAZOR:** Okay, police --

18 **PRESIDING COMMISSIONER PECK:** No, I don't care  
19 about the pol -- no. After he swung the cleaver at you  
20 --

21 **INMATE LAZOR:** Oh at that point. I -- I just  
22 completely -- you lose your mind and I -- I don't mean  
23 I'm a loose headed person. You -- anybody in those  
24 situations even combat veterans -- you lose your mind.

25 **PRESIDING COMMISSIONER PECK:** Okay.

1           **INMATE LAZOR:** I just freaked, panicked. I don't  
2 even remember the details of -- of the shooting.

3           **PRESIDING COMMISSIONER PECK:** So what did you do?

4           **INMATE LAZOR:** I grabbed my gun.

5           **PRESIDING COMMISSIONER PECK:** Okay.

6           **INMATE LAZOR:** And I know that I started firing  
7 but I don't see or picture in my mind -- I never have --  
8 any of the details of it. It's like --

9           **PRESIDING COMMISSIONER PECK:** Do you know how  
10 many times you shot from --

11           **INMATE LAZOR:** I always told my attorney and this  
12 is on my attorney's records and I think I put some of  
13 this in the documents you have --

14           **PRESIDING COMMISSIONER PECK:** You don't -- just -  
15 - you can just --

16           **INMATE LAZOR:** I thought at the time I shot  
17 probably two shots.

18           **PRESIDING COMMISSIONER PECK:** Right.

19           **INMATE LAZOR:** But it turns out of course there  
20 were more than that.

21           **PRESIDING COMMISSIONER PECK:** Yeah, there was  
22 more than that. Um, why did you shoot so much when you  
23 think about it?

24           **INMATE LAZOR:** I didn't know. I mean I wouldn't  
25 be surprised if I'd emptied the whole clip of nine. I

1 think it's nine bullets it held. I wouldn't be  
2 surprised at all.

3 **PRESIDING COMMISSIONER PECK:** Okay.

4 **INMATE LAZOR:** And it happens all the time.

5 **PRESIDING COMMISSIONER PECK:** After you shot,  
6 what happened then?

7 **INMATE LAZOR:** At the point I saw him go down --

8 **PRESIDING COMMISSIONER PECK:** Yes.

9 **INMATE LAZOR:** -- I quit shooting. As you know  
10 there were bullets left in the gun. It was a perfectly  
11 operable gun. Uh, he started to get back up. I started  
12 coming to my senses.

13 **PRESIDING COMMISSIONER PECK:** Uh huh.

14 **INMATE LAZOR:** I remember grabbing the phone and  
15 trying to get, yelling back to Joan Harper on the phone  
16 and getting nothing and doing this with the receiver. I  
17 -- I dropped my gun.

18 **PRESIDING COMMISSIONER PECK:** Uh huh.

19 **INMATE LAZOR:** Both hands free. He was right  
20 next to me but obviously wounded. Didn't have anything  
21 more in his hands. So, I saw the phone wasn't working.  
22 I didn't think you know what happened to it. I ran out  
23 the front door of my house.

24 **PRESIDING COMMISSIONER PECK:** Uh huh.

25 **INMATE LAZOR:** Ran across the lawn. Ran to the

1 apartment building next door. I -- I know the, uh,  
2 manager/owner of the apartment. Pounding on his office  
3 door, ran right into his office when I didn't get an  
4 answer and nobody was there and grabbed the phone and  
5 called, uh, the police and the ambulance to, uh, come  
6 and save him.

7           **PRESIDING COMMISSIONER PECK:** Okay and then they  
8 showed up?

9           **INMATE LAZOR:** Yeah, I walked back over to the  
10 house. I don't even remember it. I don't remember it  
11 but I walked back over to the house because I remember  
12 right -- right when I walked out the door making that  
13 phone call, I heard the, uh, sirens.

14           **PRESIDING COMMISSIONER PECK:** Uh huh.

15           **INMATE LAZOR:** Going off, uh -- they were -- the  
16 police station is only like two -- two minutes away if  
17 that -- a minute away. Uh, so I remember hearing the  
18 sirens and I just kinda in a daze walked out toward the  
19 -- the road more in front of my house and waited til  
20 they got there and as they drove in the -- the, uh --  
21 the, uh, driveway, I ran alongside the, uh -- the --  
22 the, uh, police car telling them -- he was yelling --  
23 the police was yelling -- yelling at me, um -- yelling  
24 where is he -- where is he -- something like that and so  
25 I said, um, you know -- I said he's in -- in -- near the

1 back of the house and kind of ran with him as the car  
2 was going -- ran along side the car door. I think kind  
3 of hanging onto it and, um -- and took him to the back  
4 door and I said something about be careful, you know,  
5 he's got a live gun. Two at that point because I  
6 thought the gun that he had -- the pellet gun was a real  
7 gun.

8 **PRESIDING COMMISSIONER PECK:** So is that how the  
9 blood got on -- on the BB gun?

10 **INMATE LAZOR:** Is that a blood -- oh it was caked  
11 -- caked in blood and his --

12 **PRESIDING COMMISSIONER PECK:** No, I mean is that  
13 how the blood got -- I asked you -- was that how the  
14 blood -- there -- there was blood found on the -- on the  
15 BB gun, right?

16 **INMATE LAZOR:** It was caked in blood, yeah. And  
17 it -- yeah, it was from bleeding all over it. He had it  
18 in his hand. The fingerprints were visible to the naked  
19 eye because it's like if it take hand and -- and put it  
20 in dust, a little dirty, and put it on a piece of scotch  
21 tape for example, you can actually see the fingerprints.  
22 That's how the fingerprints were on that gun.

23 **PRESIDING COMMISSIONER PECK:** How the -- how the  
24 -- what was going with the pantry with the --

25 **INMATE LAZOR:** That was my bedroom.

1           **PRESIDING COMMISSIONER PECK:** Oh your bedroom was  
2 the --

3           **INMATE LAZOR:** They're calling it the pantry. It  
4 was a converted like -- like maintenance. It was a  
5 large -- if it was a pantry, it was an awfully bit  
6 pantry but it was a converted room into my bedroom so  
7 that's what they kept referring to it as.

8           **PRESIDING COMMISSIONER PECK:** And that -- and  
9 that entered in from the kitchen?

10          **INMATE LAZOR:** Right.

11          **PRESIDING COMMISSIONER PECK:** Okay.

12          **INMATE LAZOR:** Yeah, he was in the kitchen when  
13 he kicked the door down.

14          **PRESIDING COMMISSIONER PECK:** Did he say anything  
15 to you when -- when he kicked the door in?

16          **INMATE LAZOR:** Yeah, he was screaming, screaming  
17 threats. I'm going to kill you mother fu -- I'm going  
18 to kill you. I'm going to kill you mother -- that's all  
19 I remember kind of over and over.

20          **PRESIDING COMMISSIONER PECK:** Did you have a way  
21 to get out of the house or was that the on -- was that -  
22 - was that --

23          **INMATE LAZOR:** I tried to get out the back door  
24 and it was -- not only was it swollen shut but we kind  
25 of figured out afterward like when the attorneys went

1 back and what not is the -- it has a latch that the hasp  
2 was over the thing and I -- there was a curtain over  
3 that because there's a window on -- I didn't see it. I  
4 didn't see the hasp.

5 **PRESIDING COMMISSIONER PECK:** How -- how did you  
6 get in the house? Which door did you use to get in the  
7 house?

8 **INMATE LAZOR:** I just came in the front door.  
9 That thing about the back door --

10 **PRESIDING COMMISSIONER PECK:** I'm just asking how  
11 you got in the house.

12 **INMATE LAZOR:** I always came to the front door of  
13 my house just like anybody else.

14 **PRESIDING COMMISSIONER PECK:** All right. So you  
15 went in the front door?

16 **INMATE LAZOR:** Always.

17 **PRESIDING COMMISSIONER PECK:** But you did have a  
18 door to get out in the back right?

19 **INMATE LAZOR:** Yeah.

20 **PRESIDING COMMISSIONER PECK:** But you -- and you  
21 tried that and it didn't open?

22 **INMATE LAZOR:** Yeah. I was in a panic. I -- I  
23 remember grabbing it and jerkin on it and it didn't open  
24 so I then you know turned and that's -- that's when --  
25 actually I tried before the shooting happened -- so I

1 turned and -- that was right before the door came flying  
2 open. The indoor door that slammed me in the knee. The  
3 door that he kicked open. That was right before that.  
4 I grabbed a hold of that door and tried to get out and,  
5 uh, it wouldn't open.

6 **PRESIDING COMMISSIONER PECK:** Did you call 911 or  
7 did you call the police?

8 **INMATE LAZOR:** I called a phone number which I  
9 think is 4444 the last four numbers. 794 or 796?

10 **PRESIDING COMMISSIONER PECK:** Who is that?

11 **INMATE LAZOR:** Well, the worst imaginable thing  
12 that just coincidentally could happen is that the --  
13 the, uh, phone number that I called which I thought was  
14 the police because, uh, I knew the police number by --  
15 by heart. I called it several times. One of them was  
16 796-4444 if my memory is correct and one was 794-4444.

17 **PRESIDING COMMISSIONER PECK:** Uh huh.

18 **INMATE LAZOR:** The number I called -- meaning to  
19 call the police was sure enough to be an attorney and,  
20 uh, I quickly, um -- I was startled for a moment and  
21 said, uh, I thought I just called the police and she  
22 goes no this is a -- a law offices. I said, uh, I just  
23 shot a guy. I just blurted out what happened and they -  
24 - they brought the attorney to the phone, calmed me  
25 down. An attorney I didn't know, had never talked to

1 before, calmed me down enough to where he said just get  
2 your wits together, hang up immediately, and call the  
3 police so I did exactly that. That was, uh -- that has  
4 been verified. I mean -- it's just the worse possible  
5 coincidence.

6 **PRESIDING COMMISSIONER PECK:** What's the reason  
7 for you shooting the victim?

8 **INMATE LAZOR:** I wouldn't be here today if I  
9 hadn't. I would've been killed that day. I shot to  
10 save my life. I -- I -- no other motive. I had no  
11 hatred, anger. Look at my history of gentleness all my  
12 life. All of a sudden, a one time thing like this.  
13 Doesn't make sense that this would've happened as a  
14 deliberate killing. It was to save my life.

15 **PRESIDING COMMISSIONER PECK:** How would you have  
16 handled it differently today?

17 **INMATE LAZOR:** I'd make sure we didn't get into  
18 the circumstance in the first place.

19 **PRESIDING COMMISSIONER PECK:** Were the weapons  
20 you purchased in any way meant for the victim?

21 **INMATE LAZOR:** Absolutely not. He hadn't even  
22 moved into town. I hadn't meant him. Never heard of  
23 him at the point that I bought the -- the -- the record  
24 shows July purchase. He moved into town September.

25 **PRESIDING COMMISSIONER PECK:** Did he kick you in

1 the leg?

2 **INMATE LAZOR:** On November 22<sup>nd</sup>?

3 **PRESIDING COMMISSIONER PECK:** Yeah.

4 **INMATE LAZOR:** Kicked me in the leg, kicked me  
5 several different kicks, several different places. Uh,  
6 probably -- probably in the waist.

7 **PRESIDING COMMISSIONER PECK:** Were you angry at  
8 him for that?

9 **INMATE LAZOR:** Pardon me?

10 **PRESIDING COMMISSIONER PECK:** Were you angry at  
11 him for that?

12 **INMATE LAZOR:** Well, sure. Who wouldn't be?

13 **DEPUTY COMMISSIONER JOHNSEN:** While you're  
14 reading, you want me to ask a few questions regarding  
15 this?

16 **PRESIDING COMMISSIONER PECK:** Go ahead.

17 **DEPUTY COMMISSIONER JOHNSEN:** I don't want to --

18 **PRESIDING COMMISSIONER PECK:** No you're good.

19 **DEPUTY COMMISSIONER JOHNSEN:** -- direct your  
20 trans -- the -- the, uh, attorney that you called by  
21 happenstance, did you ever talk to him before that?

22 **INMATE LAZOR:** The attorney that came on the  
23 phone I did not ever talk to him about that. The  
24 attorney's office that owned that office was Thomas  
25 Sherrod. I had talked to Thomas Sherrod a number of

1 times before because he was an entertainment lawyer and  
2 we had, um, stuff going on probably a year earlier.

3 **DEPUTY COMMISSIONER JOHNSEN:** Was the, uh, lawyer  
4 you actually talked to a criminal lawyer?

5 **INMATE LAZOR:** I don't even know.

6 **DEPUTY COMMISSIONER JOHNSEN:** He didn't represent  
7 you afterwards?

8 **INMATE LAZOR:** Oh no, no. And I don't -- I don't  
9 even remember his name and I didn't know anything about  
10 him.

11 **PRESIDING COMMISSIONER PECK:** So many people come  
12 to prison -- you've been in prison for a long time.  
13 They start thinking about what got them here in the  
14 first place.

15 **INMATE LAZOR:** Uh huh.

16 **PRESIDING COMMISSIONER PECK:** Have you done that?

17 **INMATE LAZOR:** Yeah, of course.

18 **PRESIDING COMMISSIONER PECK:** Or are you just  
19 pretty much saying self-defense?

20 **INMATE LAZOR:** No.

21 **PRESIDING COMMISSIONER PECK:** I was hammered. I  
22 was railroaded. This is crap. I -- I -- I shouldn't be  
23 here. This is garbage. Have you looked at it from  
24 another way?

25 **INMATE LAZOR:** Every day for --

1           **PRESIDING COMMISSIONER PECK:** So what -- so what  
2 -- so when I asked you that question how could you have  
3 handled this situation differently right? That -- that  
4 was a re -- there is a reason for that question. That  
5 was an important question.

6           **INMATE LAZOR:** Okay.

7           **PRESIDING COMMISSIONER PECK:** Right?

8           **INMATE LAZOR:** Yes, sir.

9           **PRESIDING COMMISSIONER PECK:** So what I'm really  
10 trying to figure out is if you've spent much time in  
11 reflection on, um -- no matter how this thing happened,  
12 the victim's dead. And the victim's dead because you  
13 shot him.

14          **INMATE LAZOR:** Yes.

15          **PRESIDING COMMISSIONER PECK:** No matter how  
16 different many ways we can look at this thing.

17          **INMATE LAZOR:** Yes.

18          **PRESIDING COMMISSIONER PECK:** Right?

19          **INMATE LAZOR:** Yes, sir.

20          **PRESIDING COMMISSIONER PECK:** Have -- have you --  
21 and this is really a question about insight and  
22 understanding of your behaviors. Have you spent much  
23 time speak -- other than the self-defense component of  
24 this crime that you're claiming, have you looked at this  
25 from another angle?

1           **INMATE LAZOR:** Every day.

2           **PRESIDING COMMISSIONER PECK:** What have you come  
3 up with?

4           **INMATE LAZOR:** I would make sure that I never got  
5 in the situation with, uh, his anger escalating, with  
6 the whole situation escalating. I would just handle  
7 that differently to where I was not in a situation where  
8 it was even possible for us to end up in a confrontation  
9 like that. So that's number one.

10          **PRESIDING COMMISSIONER PECK:** Okay.

11          **INMATE LAZOR:** Um, as far as, uh, I mean -- I  
12 mean -- I hate to even say it because I don't think it  
13 could happen twice in a life time to the same person but  
14 let's say hypothetically if I were ever in that  
15 situation where somebody attacked like that, well first  
16 of all I wouldn't have a gun because I can't ever have a  
17 gun again legally and I don't break the law. Um, second  
18 I wouldn't want to have one. I would probably --

19          **PRESIDING COMMISSIONER PECK:** Well let's go more  
20 internal.

21          **INMATE LAZOR:** Okay.

22          **PRESIDING COMMISSIONER PECK:** You're talking  
23 about a lot of external stuff.

24          **INMATE LAZOR:** Okay.

25          **PRESIDING COMMISSIONER PECK:** Let's go more

1 internal about you. Have you identified any thing as  
2 far as personality traits that would allow you to be  
3 involved in this kind of behavior?

4 **INMATE LAZOR:** Involved in violence or killing?

5 No.

6 **PRESIDING COMMISSIONER PECK:** Anything to do with  
7 your life crime from your reflection?

8 **INMATE LAZOR:** I -- I don't see anything in my  
9 personal -- I -- I know in prison I've rubbed people the  
10 wrong way all the time. I know I'm a pain in the ass if  
11 I could say it like that on the record because --

12 **PRESIDING COMMISSIONER PECK:** You know I'm not  
13 going to argue with you.

14 **INMATE LAZOR:** Okay. I understand. But you know  
15 -- but -- but does that make me --

16 **PRESIDING COMMISSIONER PECK:** I love ya but I --  
17 but you are a pain in the ass. I mean --

18 **INMATE LAZOR:** Does that -- does that make me a  
19 danger to the community hopefully -- hopefully you would  
20 say no.

21 **PRESIDING COMMISSIONER PECK:** Well, I -- I don't  
22 know.

23 **INMATE LAZOR:** But in any case --

24 **PRESIDING COMMISSIONER PECK:** Now listen. Let me  
25 ask you this question cause I -- cause -- I'm glad you

1 brought that up.

2 **INMATE LAZOR:** Okay.

3 **PRESIDING COMMISSIONER PECK:** Because you know  
4 something, I -- I -- I -- I've kind of made that  
5 assessment myself.

6 **INMATE LAZOR:** Yes, okay.

7 **PRESIDING COMMISSIONER PECK:** It doesn't make you  
8 a bad guy but you are -- that is kind of you. I think  
9 that's good that you address that, right? Do you think  
10 that that pain in the ass kind of guy somehow was  
11 involved in this crime?

12 **INMATE LAZOR:** I actually don't and I -- I mean I  
13 wish I could say I did because I think -- well, I'm not  
14 going to go there -- but I -- I actually don't because  
15 if you take anybody else in my life at the time --

16 **PRESIDING COMMISSIONER PECK:** Yeah.

17 **INMATE LAZOR:** -- take all these people who have  
18 said these glowing things in all these letters and take  
19 a couple hundred more of them out there that knew me. I  
20 was a person who knew a lot of people. I was in  
21 business and entertainment industry and did a lot of  
22 different things in life and all those people are saying  
23 basically the same thing about me that these letters  
24 you've received are saying. You know that I'm a real  
25 decent person. I have a good personality. I don't rub

1 people the wrong way but just this -- obviously there  
2 was a -- a rub the wrong way here and I, uh, honestly  
3 think it has more to do with the SSRI medications and --

4           **PRESIDING COMMISSIONER PECK:** Did you tell  
5 Garnier that you were going back to the house on  
6 December 20<sup>th</sup>?

7           **INMATE LAZOR:** No, I didn't tell him that. I  
8 just -- I just kinda you know listened to him and let  
9 him say what he was going to say and I really was so  
10 bewildered and kind of shocked about I hadn't even  
11 formulated what to do at that point when we were still  
12 on the phone.

13           **PRESIDING COMMISSIONER PECK:** Right.

14           **INMATE LAZOR:** Then it was after I hung up and  
15 reflected man what am I going to do if I go there. Uh,  
16 I'm afraid you know that they're going to be waiting  
17 there for me and do something you know harmful to me  
18 because of what's happened twice already and if I try to  
19 call the police, they're going to jump all over me and  
20 say we told not to even call us again and you know get  
21 mad at me again.

22           **PRESIDING COMMISSIONER PECK:** So why go back?

23           **INMATE LAZOR:** I -- get my valuables when I  
24 thought nobody would be there. There's -- there's no  
25 reason in the world for me to ever think there -- there

1 was a chance in a million that he would be there. I  
2 knew he worked faithfully five days a week and you know  
3 where he worked. So, uh, I just, uh, believe me I mean  
4 if - if I had had that to do over again I would not go  
5 there to the house.

6 **PRESIDING COMMISSIONER PECK:** Uh huh.

7 **INMATE LAZOR:** But at the time again 20/20  
8 hindsight and you know what I've been through, what I've  
9 learned from what I've been through is different than at  
10 the time. I had no way to know this was going to end up  
11 in a shooting situation or killing or somebody attacking  
12 me in the house. So, I -- you know I would certainly  
13 not be in the situation ever again that that could  
14 happen. I would -- I would go to somebody and I would  
15 say you know to a friend -- how would handle this? Help  
16 me handle this. Um, you know what do you suggest?  
17 Should we talk to a lawyer even about the -- the rush  
18 about getting my things out of there before he destroys  
19 them in the next day or two? That sort of thing.

20 **PRESIDING COMMISSIONER PECK:** Yeah.

21 **INMATE LAZOR:** And not go there at all. So I'd  
22 avoid the situation whatever it took

23 **PRESIDING COMMISSIONER PECK:** Yeah, why didn't  
24 you handle it civilly? Why didn't you try to deal with  
25 the situation civilly?

1           **INMATE LAZOR:** I was on the phone with Joan  
2 Harper asking to handle it civilly.

3           **PRESIDING COMMISSIONER PECK:** When you were at  
4 the house.

5           **INMATE LAZOR:** Oh I had made calls to different  
6 agencies for -- for days after Garnier made that last  
7 call and even a few since between, um -- even a few  
8 after the November 22 incident and even a few more after  
9 the, uh, attack on December 20<sup>th</sup> at Billy G's.  
10 Absolutely did. And talked to friends about it. You  
11 know how would you handle this? What would you do about  
12 this? Um, Marlene Hep -- I had my sound studio built  
13 into her house. She wanted to come testify. She was --  
14 she was privy to all that stuff and all that I was going  
15 through. Um, so she knows. You know I asked her advice  
16 and other friends. What -- you know what should I do in  
17 this situation. So I believe I did try but I certainly  
18 would you know be more successful at -- at what my ends  
19 were today and my ends would be to avoid that whole  
20 situation.

21           **PRESIDING COMMISSIONER PECK:** Let me ask you a  
22 really important question. Really important question.  
23 Not about the life crime. Why do you keep on getting  
24 115s? And I don't want to hear the officers don't like  
25 me. I don't want to hear that they do bogus charges on

1 me. I don't want to hear that. I want to hear -- well,  
2 unless that's what you feel. But I'm more focused on  
3 why is it that you can't seem to follow the rules. I --  
4 I mean you know I -- I look at you. I -- I'm just going  
5 to be honest with ya and kind of like I've always been  
6 with you. But it seems like you're keeping yourself  
7 here. I -- I -- I -- I -- you just keep getting more  
8 and more 115s. Even now, even like recently. Have you  
9 done any reflection on that or is it just that they hate  
10 you and you're getting 115s because and I don't know why  
11 anybody would want to keep you in prison. Cause if I  
12 was one of those guys wearing a badge right now, you'd  
13 be the one guy I'd want the hell out of here because you  
14 seem like you're a big giant pain in the ass. Right?  
15 Excuse my bluntness. Right? So I don't think anybody's  
16 trying to keep you here at Salinas Valley State Prison  
17 to be honest with you, right? Cause I used to be one of  
18 those guys. Right? Why?

19 **INMATE LAZOR:** I can tell you the answer but it's  
20 not going to help me. It's going to hurt me a lot.

21 **PRESIDING COMMISSIONER PECK:** What's the truth?

22 **INMATE LAZOR:** That's what I can tell and it's  
23 the answer you just said you hope you didn't -- you  
24 wouldn't be hearing.

25 **PRESIDING COMMISSIONER PECK:** The staff or -- the

1 staff hates you? You don't -- okay so that doesn't help  
2 me understand you. Right?

3 **INMATE LAZOR:** If I was doing these things that  
4 I'm accused of doing, I could easily -- I - believe me  
5 I'd have the insight to say okay I've got this flaw in  
6 my character. I'm doing this because of this or this or  
7 this but if I'm not doing these things, it would be the  
8 height of irresponsibility to -- to say that okay I'm  
9 doing these things enough. You know I'll fix this  
10 problem with my behavior whatever. Here -- here's the  
11 problem. We could go through every single one of those  
12 115s and I can tell you what happened. Some of them I  
13 wasn't even present and yet I found guilty of doing this  
14 act. The latest one that just got reduced yesterday to  
15 a 128 -- can I -- I'd like to tell you what it's for.  
16 And the 128 right before, it's for the same identical s  
17 -- not two of the same but the same one so they beat me  
18 twice for this, both of them say right -- real big on it  
19 -- it's a rule violation of court even though the first  
20 one is a 128 that says that now. With my brain damage,  
21 my ear -- ear damage became hyperacusis. When this  
22 first happened, I was having seizures from sounds that -  
23 - if you were take your keys and drop them on this table  
24 from this high, hit my brain and my nervous system so  
25 hard it would literally give me seizures, knock me down

1 and give me seizures.

2 **PRESIDING COMMISSIONER PECK:** Uh huh.

3 **INMATE LAZOR:** That got better over time but it's  
4 still extreme where so -- many sounds even though I'm  
5 deaf almost completely in this ear and deaf in certain  
6 pitches in this ear. You got a whole range of pitches.  
7 Other sounds especially sharp loud sounds or yelling  
8 sounds or burst out laughter sounds, hit my brain and my  
9 nervous system so hard that it's painful and it shocks  
10 my system. It's called hyperacusis. It's a lot of  
11 medical information. In fact one of the things I want  
12 to bring down here was that medical information. So,  
13 they started a new policy. They just invoked in this in  
14 the last month or so. I didn't even know about it. I  
15 filed a medical 602, actually several of them, in the  
16 last few months for medical needs and there's a box on  
17 the 602, uh, if we had a 602 here, I'd show you the box.

18 **PRESIDING COMMISSIONER PECK:** 602 (inaudible).

19 **INMATE LAZOR:** I don't know if you're familiar  
20 with the little box though cause it's a detail matter.  
21 It says if you want to waive your hearing of the 602,  
22 put -- put your initials in this box.

23 **PRESIDING COMMISSIONER PECK:** Uh huh.

24 **INMATE LAZOR:** Not only do I always put my  
25 initials in that box on medical or psych 602s but I also

1 make a little arrow above it like on the one paper and I  
2 say pl -- please do not ever summon to CTC or TTA for an  
3 interview for a medical 602. The reason why -- we're  
4 made to go in a tank. Usually there's about 13 to 16  
5 people. The yelling over each other is so loud that  
6 literally is -- is torture for me. Physical torture to  
7 my -- my whole nervous system so about once a year I  
8 might have to go down there for eyeglasses or knee brace  
9 or something and I can justify kind of putting up with  
10 that and doing this and just about almost screaming in  
11 pain when that happens or maybe I can once in a great  
12 while get an officer to put me in a tank that has few  
13 people in it making a lot -- lot less noise but pretty  
14 much that's never honored. So, they made the new rule  
15 that says in order to not get a rule violation report,  
16 you either -- you have to refuse the interview because  
17 we're going to impose it on you otherwise even though  
18 you checked the box.

19 **PRESIDING COMMISSIONER PECK:** Uh huh.

20 **INMATE LAZOR:** And if you want to refuse it you  
21 have to do it in writing. I say fine. I go to the  
22 clinic on the yard and say let me sign the refusal form  
23 and they go no, you have to go to the CTC, sit in the  
24 tank for those few hours to sign the refusal. The same  
25 thing I do if I got the interview. I don't need the

1 interview so that's what I got beefed for. I mean is  
2 that -- is that a danger to the community or --

3 **PRESIDING COMMISSIONER PECK:** What -- you -- you  
4 have a hearing aid.

5 **INMATE LAZOR:** Yes.

6 **PRESIDING COMMISSIONER PECK:** Does removing your  
7 hearing aid help it?

8 **INMATE LAZOR:** Removing my hearing aid and  
9 putting in -- well, I -- I always have it but I emptied  
10 my pockets when I was coming down here. I always have  
11 a, uh, a ear plug.

12 **PRESIDING COMMISSIONER PECK:** Yeah.

13 **INMATE LAZOR:** It helps it but it's so extreme  
14 that when it gets to that level with that many people  
15 yelling in the tank, it's overwhelming and you know I  
16 can even say maybe sh, hey guys, hold it down a little  
17 bit but believe me I get a lot of flack for that. It's  
18 like who do you think you are.

19 **PRESIDING COMMISSIONER PECK:** No, you're kidding.

20 **INMATE LAZOR:** Yeah, so you understand. You  
21 understand that problem with other inmates so for that  
22 I've now been beefed twice in the last few days before  
23 parole hearing. I had a witness to the previous 115  
24 that I got found guilty of, uh, in the last few weeks.

25 **PRESIDING COMMISSIONER PECK:** Yeah.

1           **INMATE LAZOR:** Uh, where the officer. There was  
2 an officer there who witness that whole exchange. There  
3 was never any yelling or disrespect on my part and you  
4 know -- you know -- ask yourself am I all of a sudden  
5 going to do this right before a parole hearing when I've  
6 been three and a half years without a 115? It just  
7 doesn't make any sense especially if you look at the  
8 pattern.

9           **PRESIDING COMMISSIONER PECK:** Unless you have no  
10 control over your actions.

11           **INMATE LAZOR:** Well, if I had no control over my  
12 actions, I would think I would have no control over my  
13 actions for the last three and a half years. That would  
14 only make sense. But my --

15           **PRESIDING COMMISSIONER PECK:** Yeah along with all  
16 the other 115s you've gotten in the past.

17           **INMATE LAZOR:** Look at -- here's the point.

18           **PRESIDING COMMISSIONER PECK:** You can debate me  
19 all you want to right?

20           **INMATE LAZOR:** Yes, sir.

21           **PRESIDING COMMISSIONER PECK:** But the problem is  
22 this. I keep on seeing 115s on you.

23           **INMATE LAZOR:** Did you notice when they are?  
24 Always right before parole hearings and then I go years  
25 without any 115s. It -- the pattern is --

1           **PRESIDING COMMISSIONER PECK:** You think officers  
2 are trying to keep you in prison? I mean honestly.

3           **INMATE LAZOR:** I'll tell you exactly when this  
4 happened and why it happened.

5           **PRESIDING COMMISSIONER PECK:** That's not what I  
6 asked. Just point blank. I --- I -- just -- do you  
7 think they're trying to keep you here in prison?

8           **INMATE LAZOR:** Absolutely.

9           **PRESIDING COMMISSIONER PECK:** Why?

10          **INMATE LAZOR:** Some not all.

11          **PRESIDING COMMISSIONER PECK:** So why?

12          **INMATE LAZOR:** Not -- not -- not this man -- not  
13 --

14          **PRESIDING COMMISSIONER PECK:** Why do they care?  
15 Why do they care? Why would an officer care about  
16 keeping you here in prison?

17          **INMATE LAZOR:** Part of it may be just because I'm  
18 that pain in the ass. I know you said you think that  
19 they'd want to get rid of me but how about a little  
20 retaliation, uh, a little you know let's make his life  
21 miserable.

22          **PRESIDING COMMISSIONER PECK:** So let me tell you  
23 something. So I used to work IA.

24          **INMATE LAZOR:** Okay.

25          **PRESIDING COMMISSIONER PECK:** You know what IA

1 does right?

2 **INMATE LAZOR:** Internal affairs.

3 **PRESIDING COMMISSIONER PECK:** I fire 'em.

4 **INMATE LAZOR:** Yes.

5 **PRESIDING COMMISSIONER PECK:** Right? So I've  
6 fired a few right?

7 **INMATE LAZOR:** Okay.

8 **PRESIDING COMMISSIONER PECK:** I -- I've got to  
9 say. You may be a pain in the ass but I don't think one  
10 of 'ems worried about losing their job over keeping you  
11 here in prison. If -- if we found in IA that an officer  
12 was falsifying a report, they would be removed.

13 **INMATE LAZOR:** I have at least six of them I was  
14 going to bring down here to show the proof, the absolute  
15 indisputable proof.

16 **PRESIDING COMMISSIONER PECK:** I'm just saying you  
17 had a hearing for whatever reason that was right? I'm  
18 not here to rehear your 115s.

19 **INMATE LAZOR:** I know sir. May I --

20 **PRESIDING COMMISSIONER PECK:** Nor do I have the  
21 ability to call witnesses.

22 **INMATE LAZOR:** Okay. May I read part of a sworn  
23 declaration from some -- an eyewitness? It's very  
24 important for me to talk about.

25 **PRESIDING COMMISSIONER PECK:** Who's the

1 eyewitness?

2 **INMATE LAZOR:** He's a prisoner.

3 **PRESIDING COMMISSIONER PECK:** Then no. There's  
4 no point. You already had a hearing for that. Did you  
5 do a 602 on it?

6 **INMATE LAZOR:** In some cases but -- but almost  
7 all cases --

8 **PRESIDING COMMISSIONER PECK:** Answer my question.  
9 Did you do a 602 on the -- on the 115s that you found  
10 were falsified?

11 **INMATE LAZOR:** Some of them no.

12 **PRESIDING COMMISSIONER PECK:** Why?

13 **INMATE LAZOR:** Because they transferred me before  
14 I got the 602. I'd get the 602 back. I have 30 days to  
15 respond. I'm an extremely overloaded person with --  
16 with obligations so it might take me 15 or 20 days so --

17 **PRESIDING COMMISSIONER PECK:** What I'm sorry I  
18 didn't realize you were so important here.

19 **INMATE LAZOR:** Well, I'm not saying important.

20 **PRESIDING COMMISSIONER PECK:** Why -- why are you  
21 overloaded?

22 **INMATE LAZOR:** I wrote over 100 songs a year.  
23 That's more than --

24 **PRESIDING COMMISSIONER PECK:** Okay well, okay so  
25 --

1           **INMATE LAZOR:**    So --

2           **PRESIDING COMMISSIONER PECK:**    So yeah, well wait  
3 a minute.    So is that your priority?

4           **INMATE LAZOR:**    No but I'm just saying --

5           **PRESIDING COMMISSIONER PECK:**    I do -- Mr. Lazor -  
6 -

7           **INMATE LAZOR:**    I can't do a 602 always like  
8 within -- within a few hours.

9           **PRESIDING COMMISSIONER PECK:**    Why?    Okay so if I  
10 go to the parole board right?    And I'm getting -- and I  
11 think the officers are railroading me into 115s.  
12 Writing 115s for no reason in the le -- in the -- for --  
13 I'm being -- I mean the man's got his foot on my neck,  
14 right?    Wouldn't I -- wouldn't that become a priority  
15 for me not to have 115s when I come before the board?

16           **INMATE LAZOR:**    Of course.

17           **PRESIDING COMMISSIONER PECK:**    So why wouldn't I  
18 do the 602?    Is that more important than anything else?

19           **INMATE LAZOR:**    I'm starting to explain.    I was --  
20 I've always been intending to do the 602 but I get  
21 rolled up or transferred.    51 transfers now before the  
22 602 goes in so I don't get to it til -- I don't my  
23 property.    It might be three months later when I finally  
24 get in another institution.    I get it and I say okay  
25 the thing's bee locked up all this time.    I didn't have

1 it for 30 days. I file it. They go too bad. You don't  
2 get to file. You're dead in the water. You just don't  
3 ever get to file on this because it's over the 30 days.  
4 We don't care the fact you transferred. It wasn't in  
5 your hands. This has happened more than 20 times in  
6 602s or 115s. Most of my 115s I have never been  
7 allowed to appeal. A few others that I have been  
8 allowed to --

9 **PRESIDING COMMISSIONER PECK:** How come you're not  
10 allowed to appeal?

11 **INMATE LAZOR:** What I just explained -- that type  
12 of

13 **PRESIDING COMMISSIONER PECK:** You're still  
14 allowed to appeal.

15 **INMATE LAZOR:** Oh no, after that 30 days is gone.  
16 You can't ever appeal it. Here's another one and this  
17 is on the record. It's in the CDC's record. I had a --  
18 a -- a 115 s -- s -- right after they started the --  
19 they did the incident the day after my last parole  
20 hearing.

21 **PRESIDING COMMISSIONER PECK:** Uh huh.

22 **INMATE LAZOR:** Uh, they, uh, they said that you  
23 already file two 602s on other stuff during the last 30  
24 days so you can't file another 602. That's it. End of  
25 it. You don't get to ever file a 602 on this 115.

1 Another -- I'll give you another example. Um, is that  
2 they've, uh, they often -- now it's -- it's gotten  
3 better in the last few years but up until about three  
4 years ago, you often would not get the final disposition  
5 of the 115, the guilty finding disposition until three  
6 months after the -- after the hearing -- after the --  
7 the decision was made and so I -- in the meantime I'd  
8 write the appeal's office -- say look I'm trying to  
9 appeal this but I don't have the disposition. You've  
10 already told you won't file the appeal without the  
11 disposition attached. They say no. We won't file it  
12 without it attached so while wait for the disposition.  
13 I wrote the CDO, the chief disciplinary officer asking  
14 what the hold-up is. Finally I get it several months  
15 later and they say you're too late. I say wait a  
16 minute, you just showed -- told me I couldn't file it  
17 earlier without the disposition. They say too bad.  
18 That's happened over and over again and it's in all the  
19 records. It's in the records.

20 **PRESIDING COMMISSIONER PECK:** Okay so how many of  
21 the 115s that you have on the record are your fault?  
22 How many recent ones are your fault?

23 **INMATE LAZOR:** Well let's -- okay your fault? If  
24 I'm a pain in the ass because I tried to get legal  
25 copies -- you know what they deem excessive or because

1 of those type of things, I'll accept responsibility for  
2 that but in terms of doing the very things I'm accused  
3 of on these 115s, let's just say in the last 25 years,  
4 none and I know, you know, I understand what that's  
5 gonna cost me to give that answer but I'm telling the  
6 truth.

7 **PRESIDING COMMISSIONER PECK:** All right. I have  
8 no more questions. Go ahead Commissioner.

9 **DEPUTY COMMISSIONER JOHNSEN:** Okay. Your last  
10 hearing was in June of 2013. You received a three year  
11 denial and I want to bring us current on institutional  
12 behavior both good and bad. Uh, anything that's there  
13 that will help all of us, uh, answer the ultimate  
14 question. So I'm going to go over some -- some of it  
15 will be in context with historical references. Um, I  
16 notice that, uh, the last panel suggested for you to get  
17 self-help.

18 **INMATE LAZOR:** Yes.

19 **DEPUTY COMMISSIONER JOHNSEN:** Uh, stay  
20 disciplinary free.

21 **INMATE LAZOR:** Yes.

22 **DEPUTY COMMISSIONER JOHNSEN:** Um, get positive  
23 chronos things like that correct?

24 **INMATE LAZOR:** Yes.

25 **DEPUTY COMMISSIONER JOHNSEN:** All right. Um, and

1 obviously current dangerousness is important to us but,  
2 uh, and I notice there are 40 some -- 46 or 7 or so rule  
3 violations. I'm going to go over 'em all. I -- I don't  
4 want to do that but I do note there's a few that might  
5 indicate violence. Some of them very aged. One was for  
6 possession of inmate manufactured weapon. That's way  
7 back in '87. Another one, uh, after that, uh,  
8 threatening -- orders is threatening staff in '91. Do  
9 you remember those?

10 **INMATE LAZOR:** I do remember -- especially the  
11 first one very well. The second one I may have to have  
12 you tell what it was.

13 **DEPUTY COMMISSIONER JOHNSEN:** Were you in a s --  
14 were you in a single cell when that, uh, weapon with the  
15 razor blade attached to a, uh, toothbrush holder was --  
16 were you in a single cell at that time or you --

17 **INMATE LAZOR:** It wasn't even my cell. They had  
18 taken me away from that cell probably about 12 hours  
19 earlier with the door open and my property already  
20 having been moved out of there.

21 **DEPUTY COMMISSIONER JOHNSEN:** And --

22 **INMATE LAZOR:** I will say it on the record. B.  
23 Stacey who wrote that came and laughed in my face after  
24 that saying I told you I was going to send you to the  
25 hole where you'll never see daylight again.

1           **DEPUTY COMMISSIONER JOHNSEN:**   Hmmm.   Okay.

2           **INMATE LAZOR:**   Acknowledging that he put that in  
3 my cell.

4           **DEPUTY COMMISSIONER JOHNSEN:**   All right.

5           **INMATE LAZOR:**   Or what had been my cell 12 hours  
6 earlier.

7           **DEPUTY COMMISSIONER JOHNSEN:**   '91 order  
8 threatening staff, um, uh, fighting in 2013, right after  
9 this, uh, the last hearing.

10          **INMATE LAZOR:**   Okay.

11          **DEPUTY COMMISSIONER JOHNSEN:**   I read the fighting  
12 one that had to do with, uh, your -- your -- you were  
13 found guilty, you and your cell mate.   You made the  
14 comment and your defense was you were awakened by your  
15 cellmate who was threatening you and you were defending  
16 yourself.   Is that the core of it?

17          **INMATE LAZOR:**   Yes.

18          **DEPUTY COMMISSIONER JOHNSEN:**   Okay.   And that's  
19 your position today?

20          **INMATE LAZOR:**   Absolutely.

21          **DEPUTY COMMISSIONER JOHNSEN:**   Okay.   Um --

22          **INMATE LAZOR:**   Will I get a chance to respond a  
23 little more to that?   I'd like to if I could.

24          **DEPUTY COMMISSIONER JOHNSEN:**   Is there more to  
25 respond to?   By disagreeing --

1           **INMATE LAZOR:** Yes, that person, um --

2           **DEPUTY COMMISSIONER JOHNSEN:** This is the  
3 fighting incident in 2013?

4           **INMATE LAZOR:** Yes, sir. There was no fighting  
5 on my part. Uh, Brian Casigas (phonetic), uh -- I had a  
6 cellmate that I was -- I had just moved into my cell  
7 earlier that day completely compatible which is hard  
8 enough for me to find. They knew we were compatible.  
9 And they pulled him out of the cell to move him  
10 elsewhere to move this guy in the cell. Brian Casigas.  
11 He had attacked three out of his last four cellmates in  
12 the middle of the night. They laughed in my face  
13 telling me he was gonna do the same thing to you when  
14 they put him in my cell. This was officer Holguin and  
15 officer Del -- Daluz D-A-L-U-Z. I have a affidavit  
16 here. I have several affidavits here about it. Um,  
17 this was the day after my parole hearing mind you. I  
18 found out that officer Holguin found out that I had  
19 slipped through the cracks as he put it and I didn't get  
20 beefed with 115s right before the parole hearing that  
21 that they had planned on doing and that they had been  
22 doing through my previous parole hearings and he said,  
23 uh -- he said, uh, this will take care of that. So the  
24 day after my parole hearing, he put the guy in my cell.  
25 Took a perfectly good cellie out, didn't want to move.

1 And, uh -- and, uh -- proceeded to attack me in the  
2 middle of the night the next night. I was startled. I  
3 jumped up. Uh, he bashed my head in so bad that nine  
4 months later the -- it was still -- the scab would still  
5 break open and bleed. I grabbed him. He was a pretty  
6 big guy, a lot bigger than me. Uh, probably 230 -- 240  
7 pounds. I grabbed him around so he quit hitting me with  
8 his fists. I grabbed a cup where these hard -- hard  
9 state plastic cups cause 2:30 in the morning roughly.  
10 I'm holding him like this and banging the cup on the  
11 door and screaming for the CO to get up and open the  
12 door or something. Get him out of there. So they push  
13 the alarm button. They bring him over there. The  
14 Sergeant who's name I have in my -- in my 115 packet  
15 that I'm still challenge on that said we know you Lazor.  
16 We know you didn't do anything wrong. We know this  
17 guy's MO. We know he attacked the last few cellies he's  
18 had. Don't worry about anything. Everything going's to  
19 be fine. Go back in your cell and they took him out.  
20 He did not at that time have any marks on him whatsoever  
21 and --

22 **DEPUTY COMMISSIONER JOHNSEN:** You had injuries I  
23 read that.

24 **INMATE LAZOR:** The Sergeant verified at that time  
25 he had no injuries on him. That was before they put him

1 in the shower. So, um, the next morning, the other crew  
2 came on. It was connected with Holguin that set this up  
3 and said oh no, we're going to beef you with a 115 and  
4 that was that. I was not allowed certain witnesses that  
5 were aware of the -- and how Holguin had set this thing  
6 up.

7 **DEPUTY COMMISSIONER JOHNSEN:** You had injuries  
8 right?

9 **INMATE LAZOR:** I had some bad injuries.

10 **DEPUTY COMMISSIONER JOHNSEN:** Okay.

11 **INMATE LAZOR:** He did not have any bad injuries.  
12 He had a few marks and scratches I think maybe on his  
13 face or something which I was told by another witness  
14 that he put on himself in the shower so that he could  
15 say that I fought with him.

16 **DEPUTY COMMISSIONER JOHNSEN:** All right. In  
17 1990, uh, you were -- uh, you received a rule violation  
18 for falsification records and documents. You submitted  
19 some documents saying that Catherine Devole (phonetic)  
20 Lazor was your wife. Those documents were determined to  
21 be false. Um, and that apparently the origin groom's  
22 name was altered and removed and yours was in it's  
23 place. Did you submit those documents?

24 **INMATE LAZOR:** Absolutely not.

25 **DEPUTY COMMISSIONER JOHNSEN:** Someone submitted

1 the documents and put your name on it?

2 **INMATE LAZOR:** Sir, all I can say is I don't have  
3 access to that C file. There's no way in the world I  
4 could've gotten access to that C file to put something  
5 in there nor did I give it to any staff member. No  
6 staff member has ever come forward saying Lazor or  
7 anybody in my camp -- my wife or anybody gave a staff  
8 member that to put in there. All they know -- all  
9 they're telling me this appeared in your C file while it  
10 was in the custody of the staff. I -- I mean, uh, uh,  
11 the other gentleman here -- the Commissioner knows.

12 **DEPUTY COMMISSIONER JOHNSEN:** Were you married to  
13 Catherine Devole?

14 **INMATE LAZOR:** We had a common law marriage.  
15 Absolutely. And we eventually got --

16 **DEPUTY COMMISSIONER JOHNSEN:** Wait -- wait a  
17 second. Your contention that somebody created that  
18 putting her name in there to set you up?

19 **INMATE LAZOR:** All I'm saying sir -- I -- I can't  
20 go there as to what somebody did or what somebody's  
21 motives on. What I can stand on is the fact that I  
22 cannot get access to that C file and -- and Mr. Peck I'm  
23 sure understands that. You -- there's no way I can get  
24 access to a C file. When I do a C file review or used  
25 to do them before they were computerized, I have staff

1 sitting right there or standing right there. There is  
2 no way I can bring something in and put it in a C file.

3 **DEPUTY COMMISSIONER JOHNSEN:** It says here on  
4 September 26, '90, Lazor applied for a family visit  
5 submitting family visiting applications listing, uh,  
6 Ms., uh, Lazor -- Devole-Lazor as your wife and a  
7 routine review of the central file -- of your central  
8 file -- is that the file you're talking about you didn't  
9 have access to.

10 **INMATE LAZOR:** Yeah.

11 **DEPUTY COMMISSIONER JOHNSEN:** Okay cause it's  
12 been destroyed?

13 **INMATE LAZOR:** No, no, no. I'm saying I have no  
14 -- no way to get to secrete or otherwise put paperwork  
15 into a C file.

16 **DEPUTY COMMISSIONER JOHNSEN:** You applied for a  
17 visit submitting documents. You submitted documents  
18 according to this.

19 **INMATE LAZOR:** Well, then I give them to staff  
20 yeah. I mean that's --

21 **DEPUTY COMMISSIONER JOHNSEN:** Did you -- did you  
22 commit -- submit a document to staff that Ms. Lazor was  
23 your wife?

24 **INMATE LAZOR:** Very possibly. We were common law  
25 husband and wife. We stood on that for the four years

1 we were married -- five years we were married.

2           **DEPUTY COMMISSIONER JOHNSEN:** It says a routine  
3 review of Lazor's central file disclosed several in --  
4 indications that the marriage license in his file had  
5 been altered or possibly falsified. Investigation per  
6 CMF office investigations, uh, disclosed the marriage  
7 license was in fact forg -- a forgery which was  
8 substantiated by the issuing authority of the original  
9 document Boulder, Colorado, uh, Boulder, Colorado. All  
10 right. The original name of the groom had been  
11 falsified. Now I -- that's what this says okay.  
12 Somebody did that. That didn't just -- are -- are you  
13 saying it was just totally false.

14           **INMATE LAZOR:** No, no, no.

15           **DEPUTY COMMISSIONER JOHNSEN:** Did you ever see  
16 the document?

17           **INMATE LAZOR:** Yeah, yeah, sure. I'm sure they  
18 gave me a copy of it.

19           **DEPUTY COMMISSIONER JOHNSEN:** But you refused to  
20 participate in the hearing even though you plead not  
21 guilty. You didn't call witnesses right?

22           **INMATE LAZOR:** I don't remember to be honest with  
23 you. I do remember the incident. I do remember being  
24 accused of it. I don't remember what the -- what  
25 happened on a 115 in terms of whether I was there or

1 not. I do know that there were times when I was accused  
2 of not -- of not participating in a 115 hearing when it  
3 just wasn't true. When they said that I -- I told them  
4 I didn't want to be there. This was before they had,  
5 uh, had to have a sign, a piece of paper, saying that we  
6 are waiving our presence. So all I can say sir again I  
7 can't say who did what or what anybody's motives are.  
8 All I can say is I could not possibly be the person to  
9 get that stuff in a C file.

10 **PRESIDING COMMISSIONER PECK:** Can I ask a  
11 question?

12 **DEPUTY COMMISSIONER JOHNSEN:** Yes.

13 **INMATE LAZOR:** I can't see how anybody could  
14 think I did.

15 **PRESIDING COMMISSIONER PECK:** Rather than what  
16 did anyone else do about that situation, why don't you  
17 tell me what you did.

18 **INMATE LAZOR:** In terms of that 115?

19 **PRESIDING COMMISSIONER PECK:** Yeah. What did you  
20 do?

21 **INMATE LAZOR:** I didn't do anything regarding  
22 that. Regarding the -- the falsified documents.

23 **PRESIDING COMMISSIONER PECK:** That's fine. I  
24 just want to know what you did. I just want to know  
25 what you're accepting responsibility for.

1           **INMATE LAZOR:** We were -- I'm not accepting  
2 responsibility for something I didn't do and I  
3 understand the problem that creates for me.

4           **PRESIDING COMMISSIONER PECK:** I heard you. No,  
5 no. I heard you. I -- all I'm trying to figure out is  
6 frankly -- what year was that?

7           **DEPUTY COMMISSIONER JOHNSEN:** '91.

8           **INMATE LAZOR:** I don't know why we're going back  
9 to '91, uh, on this stuff. These are -- these are  
10 terrible accusations that and I paid the penalty for  
11 them over and over and over again. I've lost 34 years  
12 of my life, 25 of it because of these false 115s. I  
13 could've been out in the community as a productive  
14 citizen, saved a lot of people's lives and done a lot of  
15 great things for society because that's what I did my  
16 whole life. There's a record of it until I hit CDC and  
17 until the first -- after a year and a half of no 115s  
18 when this whole thing started where Officer Peterson  
19 (phonetic) at CDC.

20           **PRESIDING COMMISSIONER PECK:** Do you not want to  
21 talk about your 115s?

22           **INMATE LAZOR:** Pardon me?

23           **PRESIDING COMMISSIONER PECK:** Do you not want to  
24 talk about your 115s?

25           **INMATE LAZOR:** I think it's as damaging to not

1 talk about 'em so I'll go ahead with it b -- but you  
2 know I'm going to say the truth and the truth is that I  
3 didn't do these things, the ones so far that you've  
4 mentioned. If I did something it would've been  
5 something innocuous. You know if there are some that I  
6 did something, I'll tell you.

7 **PRESIDING COMMISSIONER PECK:** Okay.

8 **INMATE LAZOR:** And -- and if it's something I  
9 don't even think is a rule violation but they beef me  
10 for it anyway, I'll tell you. I'll tell you yeah I did  
11 that and I -- I --

12 **PRESIDING COMMISSIONER PECK:** Well, you already  
13 me that in the past 25 years, you haven't done anything.

14 **INMATE LAZOR:** Here -- let me -- let me clarify  
15 some things.

16 **PRESIDING COMMISSIONER PECK:** That's what you  
17 told me.

18 **INMATE LAZOR:** Let me clarify some of those  
19 things. W -- one -- one rule violation for it comes to  
20 mind that is a perfect example of what I'm trying to get  
21 at. I got found guilty of trying to send out legal mail  
22 to a paralegal, uh, under the auspices of an attorney.  
23 Did I do that? I did do that but the thing is we were -  
24 - we'd been doing it for years because we were told this  
25 is perfectly acceptable. We even had the attorney call

1 in and say in -- in several different instances this  
2 person is my paralegal representing me so Lazor can send  
3 the m -- you know the legal material there.

4 **PRESIDING COMMISSIONER PECK:** Well that's why  
5 we're asking -- so see how you just said that.

6 **INMATE LAZOR:** Yeah.

7 **PRESIDING COMMISSIONER PECK:** That's why we're  
8 asking you the questions.

9 **INMATE LAZOR:** Okay. That's why I said I'm --

10 **PRESIDING COMMISSIONER PECK:** That's why -- so  
11 that's -- no -- do you -- do you -- now do you  
12 understand now why we ask these questions now.

13 **INMATE LAZOR:** Yeah.

14 **PRESIDING COMMISSIONER PECK:** So rather than you  
15 go why does that matter, why is that -- why does -- why  
16 does a 1991 disciplinary hearing matter.

17 **INMATE LAZOR:** Okay. All right. I -- I  
18 understand your point. Yeah.

19 **PRESIDING COMMISSIONER PECK:** So you -- you --  
20 again you go back to being your own worse enemy. Why?

21 **INMATE LAZOR:** But I -- I'll tell you why.

22 Because --

23 **PRESIDING COMMISSIONER PECK:** Do you -- do you  
24 think that this panel -- that the questions we ask you -  
25 - do you think that we're trying to find a way to deny

1 you parole? Or do you think we're just trying to  
2 evaluate whether you're suitable for parole or not.  
3 What do you believe?

4 **INMATE LAZOR:** I hope the latter and I believe  
5 that maybe the latter but -- but -- but it's hard for  
6 me. I guess it's because I know I'm so far removed from  
7 being a danger to anybody. I'm so far from a violent  
8 person. I'm so far from a person who would commit any  
9 kind of crimes in society that's hard for me to sit in  
10 your shoes and go well, this guy might be a danger to  
11 the community. It's -- it just boggled my mind because  
12 I know I've never been a danger to anybody except John  
13 Alred on the day that he tried to take my life.

14 **PRESIDING COMMISSIONER PECK:** Well, let me -- let  
15 me -- let me have you look at things from maybe a  
16 different perspective.

17 **INMATE LAZOR:** Please.

18 **PRESIDING COMMISSIONER PECK:** There's an old  
19 expression about worry about things you have control of  
20 right? If you just -- if you just focus on answering  
21 the questions.

22 **INMATE LAZOR:** Okay.

23 **PRESIDING COMMISSIONER PECK:** Right? If you just  
24 focus on letting us worry about whether you're suitable  
25 for parole or not, right?

1           **INMATE LAZOR:** All right.

2           **PRESIDING COMMISSIONER PECK:** If you just focus  
3 presenting the answers to the questions, I -- I'm -- I'm  
4 just telling rather than anticipate what we're thinking.  
5 We're -- we're back to that again.

6           **INMATE LAZOR:** Okay.

7           **PRESIDING COMMISSIONER PECK:** Right?

8           **INMATE LAZOR:** Yes, sir.

9           **PRESIDING COMMISSIONER PECK:** All right.

10 Commissioner I'm sorry to interrupt you.

11           **DEPUTY COMMISSIONER JOHNSEN:** And I'm just trying  
12 to bring this current from -- since your last hearing  
13 there was one violation that was listed. You talked  
14 about it. Uh, your explanation maybe true that he  
15 attacked you and you were just trying to (inaudible) and  
16 the officer comes and sees you guys you in a bear hug.  
17 He sees injuries on you. Uh, that's the nature of that  
18 violation. It was only a few days after the last  
19 hearing. Subsequent to that -- it looks like January of  
20 2014, disobeying an order was, uh, another violation  
21 without any serious, uh, uh, (inaudible).

22           **INMATE LAZOR:** Can I -- can I back-up just for a  
23 moment I don't mean to interrupt but if you look at the  
24 wording on the accusation of the 115 -- the -- the  
25 fighting one.

1           **DEPUTY COMMISSIONER JOHNSEN:** Uh huh.

2           **INMATE LAZOR:** And that's why this one is so  
3 important because it's the first time in what 15 years  
4 or 17 years I've been accused of anything to do with  
5 fighting and I've only had like two other ones in my  
6 whole 34 years. And -- they -- they were innocuous as  
7 well but if you read the wording I think if anybody  
8 objectively read that wording it could just as well be  
9 what I said it was. It could just as well be he wasn't  
10 fighting. He was trying to you know keep this guy from  
11 knocking the daylights further out of him.

12           **DEPUTY COMMISSIONER JOHNSEN:** I agree.

13           **INMATE LAZOR:** Okay. I just wanted to point that  
14 out.

15           **DEPUTY COMMISSIONER JOHNSEN:** That's not finding  
16 but I agree with your statement.

17           **INMATE LAZOR:** Thank you. Okay. Understand.  
18 Okay so back to the other one. I'm not trying to avoid  
19 that. What -- what was it?

20           **DEPUTY COMMISSIONER JOHNSEN:** Disobeying a direct  
21 order in Janua -- in February of 2014. It says  
22 approximately 12:30 hours while performing my duties I  
23 observed Lazor returned to the building at yard recall,  
24 Lazor is on C statue, is released for religious services  
25 on 10:30 hours. Religious services conducted at 11:30

1 hours and Lazor or concluded at 11:30 hours. Failed to  
2 return to the building. Lazor willfully disobeyed the  
3 restrictions placed on him to do his, uh, C status to  
4 gain illegal access to the recreational yard. Why were  
5 you late getting back to your cell?

6 **INMATE LAZOR:** I wasn't.

7 **DEPUTY COMMISSIONER JOHNSEN:** Okay.

8 **INMATE LAZOR:** I have a chrono here sir. I got  
9 to find this chrono. I had two copies of it in my hands  
10 at the cell and I know I put it in here somewhere. It's  
11 by a priest named Matthew Vanisri. He's the Catholic  
12 priest. I was the person responsible for doing the  
13 music for the Catholic church at the time. The only  
14 person. I was doing the singing and the guitar work all  
15 by myself. He would have -- there are two different  
16 things going on here. There was the actual, um, mass  
17 and Bible study and then after that there's about  
18 another hour of he does anything from consultations to  
19 confessional to -- in that case on that day interviewing  
20 me to be hired as his clerk -- to various other things.  
21 And I always stayed for that part. I was the person --  
22 the main person. He didn't have a personal clerk. I  
23 was the main person that was unofficially serving that  
24 position for him. I was always there ever since I moved  
25 to that institution starting about -- I think it was six

1 months or nine months earlier. I had always filled in  
2 that position. He was aware of it. I was in the chapel  
3 right where I was supposed to be. He got so mad when he  
4 saw that 115 when I took it to him to show it to him.  
5 He marched over to the program office and said I want to  
6 talk to the lieutenant. He said Lazor is innocent of  
7 this 115. He said I'm going to write a chrono. He  
8 wrote the chrono. It said Lazor was with me all the way  
9 til 12:30. That's when I'm accused of before 12:30  
10 being out on the yard. When I went into the hearing,  
11 the lieutenant laughed in my face, said sure he brought  
12 the thing over but it's irrelevant. He said -- I said  
13 I've called for him as a witness to the Catholic priest  
14 to come in here. He said irrelevant, denied. I tried  
15 to appeal that and it's one of the ones that before I  
16 got to get the 602 to a second level or maybe it was  
17 even the first level, they transferred me, transferred  
18 me, transferred me. The last thing that's happened on  
19 that and I've never let go of it trying to get that  
20 rectified is that just in the last two months, a court  
21 ruled against me not on the 115 but on the fact that I  
22 couldn't get access to the -- the, uh -- the whole  
23 package of the 115 to even do the 602 in the courts all  
24 these years in between. What's it been three and a half  
25 years right? Roughly. And so now I have to get the --

1 the stuff that's still stuck down in R and R. I have  
2 stuff stuck down there for as much as 10 and 15 years  
3 without ever getting access to it. I have to get that  
4 stuff file the habeas corpus on it. I have absolutely  
5 no doubt it's either going to be denied on -- only on  
6 the basis that it's too late or else it's going to be  
7 granted and they're going to find wait a minute you had  
8 a right under these basic case law decisions that to  
9 bring in Matthew Vanisri the priest as a witness and to  
10 submit his chrono as -- as a relevant document. Is it  
11 by chance in there -- is the document from Vanisri --  
12 uh, Matthew Vanisri in there?

13 **DEPUTY COMMISSIONER JOHNSEN:** I did not see it.

14 **INMATE LAZOR:** I have it here somewhere because I  
15 -- I know I had it and put it in the pile here when I  
16 was back at the cell when I went to get this stuff. I  
17 will find it as we go on talking. I can listen to you  
18 in the meantime. See that's the kind of proof I wanted  
19 to submit. That's what I was saying earlier. I had  
20 that whole big c -- uh, clear tub full of paperwork. If  
21 something like this came up I wanted to be able to show  
22 that exact thing that -- that proved -- unless you want  
23 to disbelieve the Catholic priest and say he's lying.  
24 It proves that I was innocent of that.

25 **DEPUTY COMMISSIONER JOHNSEN:** Did you have any

1 other rule violations in 2014 that you were accused of?

2 **INMATE LAZOR:** I -- I did. There were three.

3 They came in a set of three. I had the fighting one --

4 supposed fighting one, um, that we just talked about --

5 Brian Casig --

6 **DEPUTY COMMISSIONER JOHNSEN:** That was in '13.

7 **INMATE LAZOR:** -- oh that was in '13. In '14 I

8 had two of 'em but they were -- they were those two

9 right together. In fact the reason for the -- this one

10 you just mentioned was I was on C status for the one

11 just before. So I had one just before by a CO named R.

12 Rodriguez. You may not be happy with me saying this.

13 I'm going to say it. R. Rodriguez is green wall. He's

14 green -- he's green wall material. I don't know -- I

15 know green wall is now underground but he's one of those

16 --

17 **PRESIDING COMMISSIONER PECK:** Do you know what

18 green wall means?

19 **DEPUTY COMMISSIONER JOHNSEN:** No.

20 **INMATE LAZOR:** Okay.

21 **PRESIDING COMMISSIONER PECK:** There was an

22 investigation at, um, Corcoran regarding staff members,

23 officers, that were involved in inappropriate behavior.

24 They called themselves supposedly the green wall and

25 they were -- they were -- they were -- they were under

1 investigation for inappropriate behavior.

2 **INMATE LAZOR:** So he -- he was --

3 **PRESIDING COMMISSIONER PECK:** Is that right sir?

4 **INMATE LAZOR:** Yes, there's -- I think it goes a  
5 lot deeper but I appreciate you --

6 **PRESIDING COMMISSIONER PECK:** Well, I mean I just  
7 -- I could talk about it for the next hour --

8 **INMATE LAZOR:** No, no but --

9 **PRESIDING COMMISSIONER PECK:** -- but I don't  
10 think that's really gonna --

11 **INMATE LAZOR:** I thought they were actually found  
12 guilty of some things.

13 **PRESIDING COMMISSIONER PECK:** They were.

14 **INMATE LAZOR:** Okay. So, so as far as I know and  
15 correct me if I'm wrong, it was established as -- as  
16 correct -- as a true thing that actually did happen.

17 **PRESIDING COMMISSIONER PECK:** I didn't say it  
18 didn't. I said it did.

19 **INMATE LAZOR:** The -- the significant thing that  
20 I'm trying to get at is he was part of that network.  
21 Even after green wall was broken up by the Senate  
22 committee hearings, he was part of that network and he  
23 doesn't hide it to -- you know when he's getting at to a  
24 person like me that's targeted. I've been on green  
25 wall's list since, uh, green wall came into existence at

1 this prison in 1997 or '98. When they dissolved,  
2 there's still a lot of leftover stuff from the staff  
3 that were involved in green wall but that have this hate  
4 thing and every -- they've told me to my face, you will  
5 always get 115s right before your parole hearing. I can  
6 name you COs who have told me that and if you look at  
7 the pattern they always come right before my parole  
8 hearings and usually not in between. In this case, it  
9 came right after my parole hearing. Anyway the other  
10 one from Rodriguez was he claimed that I did not make it  
11 to a psych appointment and they made that into a serious  
12 115 saying that that was a -- a interfering with a peace  
13 officer's duty cause he had to leave his package area to  
14 come out and tell me on the yard that they were calling  
15 me on the speaker to the psych appointment but the thing  
16 is I had already gone to the psych appointment. When I  
17 went to that interview, they also laughed in my face. I  
18 said bring Dr. Marshack (phonetic) here. She's a  
19 psychiatrist. I was in the meeting with her. I had  
20 already been there and I already came -- when they  
21 called me on the speaker I had already come back to them  
22 and told them why are you calling me again. They said  
23 you've already had your appointment. We're done. So  
24 there -- there was no violation on my part and even if  
25 there had been the violation was if you get into the

1 facts of it rather than the heading, that I didn't make  
2 it to a psych appointment I was called for and we have a  
3 right not to go to psych -- psych appointments as you  
4 probably know in title 15. So you know these are the  
5 type of things I keep getting set-up with that have  
6 taken my life, 34 years of my life or at least we can  
7 the last 25 years of my life when I could've gotten  
8 parole in 19 -- you say '94 -- to me the calculation is  
9 actually '93

10 **DEPUTY COMMISSIONER JOHNSEN:** Well --

11 **INMATE LAZOR:** -- and these are the kind of  
12 things that have taken my life so this is why I get  
13 pretty emotional about this and why I get --

14 **DEPUTY COMMISSIONER JOHNSEN:** You -- you can --  
15 you can make your legal argument, uh -- we had talked  
16 about the last -- well the last one I talked about was  
17 when it happened in February.

18 **INMATE LAZOR:** Okay.

19 **DEPUTY COMMISSIONER JOHNSEN:** You've already  
20 talked about it.

21 **INMATE LAZOR:** All right.

22 **DEPUTY COMMISSIONER JOHNSEN:** That's the one, um,  
23 uh, where you, uh, supposedly didn't report back to your  
24 cell after going to religious ceremonies. Your LDS  
25 right? Latter Day Saints or --

1           **INMATE LAZOR:** I'm -- I'm not a Mormon but I  
2 study with them and I really love those people. They're  
3 some of the finest people I've ever met.

4           **DEPUTY COMMISSIONER JOHNSEN:** That'll come up  
5 later.

6           **INMATE LAZOR:** Okay.

7           **DEPUTY COMMISSIONER JOHNSEN:** Okay? I also  
8 noticed that a -- the previous month, uh, Officer  
9 Rodriguez, the one you spoken about writes a, uh -- that  
10 on Tuesday January 21, 2014, uh, he observed you out at  
11 the, uh, track running laps in the west yard. He  
12 contacted you. You were dressed in your personal gym  
13 shorts and tennis shoes. He approached and gave you a  
14 direct order to report back to the housing unit and  
15 change into state issued clothing. Inmate Lazor said  
16 okay but continued to run on the track. And that's what  
17 the finding was apparently during, um, your hearing.  
18 You were found guilty of it.

19           **INMATE LAZOR:** That is the one I was referring to  
20 by the way. You understand that right? Or I didn't --  
21 where I said I didn't, uh, supposedly didn't go to the  
22 appointment with Dr. Marshack that is one in the same.  
23 That you just read.

24           **DEPUTY COMMISSIONER JOHNSEN:** I understand that  
25 but the charge was for not obeying his order. Uh, you

1 continued to run around the track, uh, at approximately  
2 1:20 hours in May. Lazor attempted to enter 3B patio  
3 medical gate wearing personal tennis shoes. I again  
4 instructed Lazor to return. That -- that's the whole  
5 scenario right?

6 **INMATE LAZOR:** Okay. Understand. I think I  
7 understand what you're getting it. Now can you imagine  
8 or especially Mr. Peck who's -- who's been in the CDC  
9 many years, that -- that a CO like that would just allow  
10 me to disobey his order and go running around the yard  
11 without gaffling me up if that really happened. The  
12 fact is I was out in the yard running the track. The --  
13 the he turned that into stating that I disobeyed an  
14 order when he told me and I kept running is totally --  
15 totally false. Uh, it just never occurred but it's an  
16 easy thing to just you know make a 115 out of but if you  
17 read and I -- if I had the 115 in front of me I wish I  
18 did because I would show you two passages in that that  
19 contradict each other so bad that it proves that he's  
20 lying about the -- the 115. Would you please read or --  
21 or can you guys print me out a copy of that so I can see  
22 it from here? Are you able to do that? Like a fax type  
23 of a copy or something here. I can show you the two  
24 conflicting things in that and, uh, and it proves that  
25 he made the thing up. It absolutely proves that there's

1 no way the two things could co-exist. Something about  
2 my clothing and -- and --

3 **DEPUTY COMMISSIONER JOHNSEN:** Tennis shows, yeah.

4 **INMATE LAZOR:** -- you know what I was or wasn't  
5 wearing.

6 **PRESIDING COMMISSIONER PECK:** What do you -- what  
7 -- what are you talking about -- sp -- what is the --  
8 what is it -- what you were wearing. It says you were  
9 wearing -- I'm sorry -- I'm not --

10 **INMATE LAZOR:** I'm not disputing what I was  
11 wearing but so -- we can only -- at Corcoran Prison --  
12 we can only -- we can only come out -- they have  
13 something called double clothing rule. You cannot come  
14 out and there -- you come out stripped out. You cannot  
15 come out of the institution with -- with, uh, more than  
16 one pair of pants or even shorts and pants. It's got to  
17 be one or the other. They don't allow both. So, um,  
18 there's a conflict there where he's saying I was running  
19 the track in -- I think he says in my shorts or  
20 something like and then there's another statement he  
21 makes that completely contradicts that. The two things  
22 can't go together. If I saw it, I could point it out to  
23 you. Uh --

24 **PRESIDING COMMISSIONER PECK:** I would print it  
25 out for you but right now this computer is not

1 cooperating at all with me.

2 **INMATE LAZOR:** Okay.

3 **PRESIDING COMMISSIONER PECK:** Do you not have a  
4 copy of our 115s?

5 **INMATE LAZOR:** Not here.

6 **PRESIDING COMMISSIONER PECK:** All right.

7 **INMATE LAZOR:** Uh, I do have a copy of --

8 **DEPUTY COMMISSIONER JOHNSEN:** Did -- did you in  
9 October of 2015 write a letter to, um, the librarian  
10 about denying you access?

11 **INMATE LAZOR:** I've written many so --

12 **DEPUTY COMMISSIONER JOHNSEN:** And they -- and  
13 they've written -- and they've written that up as a  
14 administrative, uh, rule violation.

15 **INMATE LAZOR:** Oh you're talking about something  
16 -- just -- just recently.

17 **DEPUTY COMMISSIONER JOHNSEN:** 2015, it's October  
18 2015.

19 **INMATE LAZOR:** Oh 2015?

20 **DEPUTY COMMISSIONER JOHNSEN:** Yes.

21 **INMATE LAZOR:** Uh, I never got any rule violation  
22 report on -- during 2015. None. Not during -- from  
23 those two that we just covered in 2014 was the last rule  
24 violation report I ever received until -- you're not  
25 talking about any I got found not guilty of right?

1 You're only talking about ones I got found guilty of.  
2 Cause I -- I know they -- they've filed on one on me,  
3 uh, probably in 2016 about not selling -- not moving to  
4 another, uh, top bunk cell. I told them I had a medical  
5 chrono.

6 **DEPUTY COMMISSIONER JOHNSEN:** No. It's a short  
7 paragraph.

8 **INMATE LAZOR:** Okay could you please?

9 **DEPUTY COMMISSIONER JOHNSEN:** I'll read the  
10 circumstances of the violation. It's dated October 14,  
11 2015 at approximately 12:00 hours. In the performance  
12 of my duties as a senior li -- librarian, I was  
13 reviewing a letter addressed to me and the institutional  
14 mail from inmate Lazor states your CDC number, your  
15 bunk. The overall content -- content of inmate Walk --  
16 inmate Walker's letter was to allege that -- to that I  
17 had not processed his priority legal user  
18 application not provided him access to library and was  
19 responsible for quote kidnapping end quote him keeping  
20 in prison. Did you write such a letter?

21 **INMATE LAZOR:** I probably did.

22 **DEPUTY COMMISSIONER JOHNSEN:** In the document,  
23 inmate Lazor states quote as of this week, you have me  
24 under your kidnapping by blocking my access to the court  
25 completely end quote and kidnapping. However, you

1 achieved it it is punishable by life without parole  
2 imprisonment and even if you allude man's prosecution,  
3 you still owe Yahweh. It's a reference to God right?

4 **INMATE LAZOR:** Yes.

5 **DEPUTY COMMISSIONER JOHNSEN:** She was referenced  
6 to God for his crime of kidnapping. Did you write --  
7 that's significant. I mean that's specific enough for  
8 you to say you either did or didn't write that.

9 **INMATE LAZOR:** I did.

10 **DEPUTY COMMISSIONER JOHNSEN:** Okay.

11 **INMATE LAZOR:** And -- and --

12 **DEPUTY COMMISSIONER JOHNSEN:** So their contention  
13 was that it appeared to be a threatened criminal or  
14 religious penal -- penalties and it was trying to  
15 manipulate staff.

16 **INMATE LAZOR:** I don't call that -

17 **DEPUTY COMMISSIONER JOHNSEN:** It is what it is.

18 Uh, it's not -- it's not of significance. I'm just  
19 wondering you're an intelligent guy. Your reference to  
20 being kidnapped, um, is that as descriptive as you  
21 could've done had you thought about it.

22 **INMATE LAZOR:** No. I understand. It -- it looks  
23 kind of extreme and out of you know -- kind of beyond  
24 what it should've said. Maybe I can say it this way?

25 **DEPUTY COMMISSIONER JOHNSEN:** Yeah.

1           **INMATE LAZOR:** A lot of people in prison -- a lot  
2 of people out of prison, they get angry at something --  
3 sometimes the anger is justified. They take it out on  
4 violence and such. I never do. If that's the worse I  
5 take my anger out on somebody, so be it. You'll never  
6 see it in any other way, you know that's -- that's a  
7 violent or that would hurt anybody. So I was pretty  
8 upset with what she did. I lost a court case. I lost  
9 probably my freedom that I've worked on for years  
10 because of that so yeah that's upsetting to me and law  
11 libraries often deny me things that I feel like I lost  
12 court cases and my freedom over. And I do -- I do get  
13 upset with it but I would never upset out in any way you  
14 know other than something like that.

15           **DEPUTY COMMISSIONER JOHNSEN:** Do -- do you, uh,  
16 just as a good transition to, uh, self-help groups, uh -  
17 - you're a smart guy. You probably read a lot. You  
18 have taken a lot of self-help groups apparently in  
19 connection with, um, your CCCMS status so we don't have  
20 a lot of records of that right now.

21           **INMATE LAZOR:** Yes.

22           **DEPUTY COMMISSIONER JOHNSEN:** I do have some  
23 recent records of some self-help groups. Have you taken  
24 any self-help groups regarding conflict resolution?

25           **INMATE LAZOR:** I have.

1           **DEPUTY COMMISSIONER JOHNSEN:** And -- and do you  
2 see how maybe it a development of conflict resolution  
3 could make you adjust to interpersonal relationships in  
4 a better way.

5           **INMATE LAZOR:** Yes.

6           **DEPUTY COMMISSIONER JOHNSEN:** What conflict  
7 resolutions have you taken and how long ago since I  
8 don't have records of that. It's in --

9           **INMATE LAZOR:** Probably in 2011, 2012. At New  
10 Folsom we had a lot of groups of that sort. Um --

11           **DEPUTY COMMISSIONER JOHNSEN:** Anything  
12 significant in those that -- that really struck home  
13 with you that you can share with us?

14           **INMATE LAZOR:** Pardon me? Say that again.

15           **DEPUTY COMMISSIONER JOHNSEN:** A -- anything in  
16 those self-help groups conflict resolution or anything  
17 such as that that struck home with you. You could  
18 explain to us how it might -- it might help with you  
19 interpersonal relationships.

20           **INMATE LAZOR:** Sure. Uh, any -- all of this  
21 stuff you know -- this kind of conflict type of thing  
22 has never taken place outside of prison. It's only  
23 taken place inside of prison. So, you know I have  
24 issues with feeling like you know keeping me in prison  
25 all these extra years is unfair. Probably all that

1 stuff comes up in -- in you know a situation like that  
2 but, um, I -- I think the things I've learned I really -  
3 - I really already knew. I didn't need to learn but you  
4 know I'm human. I'm not perfect. This is not something  
5 I do every day or even every week or every year. So you  
6 know if I -- if I went to extreme that was you know  
7 deemed in appropriate sitting here and looking at this,  
8 it's just you know something that is an exception.

9           **DEPUTY COMMISSIONER JOHNSEN:** When -- when you --  
10 you use the word extreme and kidnapping was kind of in  
11 reference to -- maybe you could've softened that  
12 language. Do you feel anger at those moments or --

13           **INMATE LAZOR:** Sure.

14           **DEPUTY COMMISSIONER JOHNSEN:** Yeah.

15           **INMATE LAZOR:** Sure, I do.

16           **DEPUTY COMMISSIONER JOHNSEN:** Okay. All right.

17           **INMATE LAZOR:** And -- and as I said before, I  
18 mean everybody gets angry at some point in something in  
19 life right? What I said before and I think it's a very  
20 important point. I never, ever, ever not once in my  
21 life other than in the self-defense shooting had nothing  
22 to do with anger. It had to do with you know being  
23 suddenly attacked but setting the self-defense shooting  
24 aside, I can say and everybody that knows me that's ever  
25 observed me in my lifetime was a baby until today in

1 prison and out can say I have never, ever, ever violent  
2 against another human being.

3 **DEPUTY COMMISSIONER JOHNSEN:** I'm going to read  
4 excerpts from various letters from, uh, your support  
5 letters so, uh --

6 **INMATE LAZOR:** Yes.

7 **DEPUTY COMMISSIONER JOHNSEN:** -- uh, and we'll  
8 cover a lot of that.

9 **INMATE LAZOR:** Okay. I did find the Matthew  
10 Vanisri chrono. May I hand this over to you or have the  
11 CO hand it over around to you?

12 **DEPUTY COMMISSIONER JOHNSEN:** Yes.

13 **INMATE LAZOR:** Uh --

14 **PRESIDING COMMISSIONER PECK:** Give it to the DA.

15 **INMATE LAZOR:** I'm so glad I found this. Can for  
16 the record, February 11, 2014, Father Matthew Vanisri a  
17 Catholic Chaplain. Shall I read it? It's real short.  
18 If that's all right.

19 **PRESIDING COMMISSIONER PECK:** Yeah go ahead.

20 **INMATE LAZOR:** It's short. Okay. Uh, to whom it  
21 may concern, uh, Lazor C73842 going back up to the date  
22 February 11, 2014. This is to certify that Lazor C73842  
23 3B -- that's my housing -- on Tuesday February 4, 2014  
24 was in attendance with our catholic study program which  
25 started after 10:30 a.m. and afterwards he was with me

1 on a counseling session until about 12:30 p.m. as a  
2 talented and interested musician he also helps out with  
3 our religious services. Hope this will clarify. Father  
4 Matthew Vanisri, catholic chaplain, CSP Corcoran.  
5 That's the end of it. He also did a longer memo which I  
6 don't have a copy of right here but if you match this up  
7 with the 115, you'll see the time they accused me of  
8 being out in the yard before 12:30. I simply was not.  
9 I was with him the whole time. So there are --

10 **PRESIDING COMMISSIONER PECK:** That information go  
11 to the hearing lieutenant?

12 **INMATE LAZOR:** No, that's the one I -- I said. I  
13 walked into the hearing and I said okay I have the memo.  
14 He's my copy of it but he already brought you over the  
15 original. He laughed in my face and said it's  
16 irrelevant, denied. And I said okay on my witness list  
17 which they -- they did record when they serve a 115.  
18 Matthew Vanisri a catholic priest as my witness, he said  
19 -- laughed again me, said denied. Said irrelevant.  
20 That was it. So --

21 **PRESIDING COMMISSIONER PECK:** I'll look through  
22 it.

23 **INMATE LAZOR:** Had I been allowed to appeal this,  
24 that would've got that overturned or if it didn't it  
25 certainly would've got overturned in a court but I've

1 never been allowed to take this to court because I said  
2 my stuff is stuck down in R and R for years, transfer,  
3 transfer, transfer. This has been my big problem with  
4 challenging so many of these 115s. If I may briefly  
5 say, one other thing that just came to mind. If you  
6 notice what my 115 started with. They started a year  
7 and a half roughly after I came to prison. I was  
8 recognized as a model prisoner til then. They started  
9 after a -- a CO named Peterson attacked me and almost  
10 broke my neck and threats came that I better back off  
11 all my legal stuff and 602s and never file on that or  
12 I'm going to start getting hit with 115s. A week and a  
13 half later my first 115 came, a week and a half after  
14 that the second one came. The point I want to make is  
15 those 115s the first two, they couldn't seem to find  
16 anything worse against me were for failure to work on my  
17 Sabbath day. I'm very devoutly religious with my  
18 Christianity. And many years later, the, uh, uh, Muslim  
19 named, uh, uh -- I know the guy. I can't -- I draw a  
20 blank on his name right now. He got the court -- the  
21 federal courts to issue a ruling saying you cannot be  
22 beefed with a 115 for refusing to work on your Holy  
23 Sabbath day expunge those 115s and they expunge -- his  
24 name is Carl Luke Mayweathers (phonetic). Uh, his, uh,  
25 they expunged all of his and all the, um, other Muslims

1 that were you know like -- like in that thing with him  
2 even they weren't named litigants on the case but when I  
3 went to them with that case. I went back to them and I  
4 said okay you've got to reverse mine too. They refused  
5 to do it. So a couple points I'm making. One is that  
6 was the worse they could find against me, something  
7 religious that later the courts said this is not a -- a  
8 -- an act of misconduct. You had a right and if you did  
9 good by standing -- you know standing on your --

10 **PRESIDING COMMISSIONER PECK:** How does that apply  
11 to you? I'm not understanding the connect -- I know the  
12 case you're talking about. I'm trying to figure out how  
13 it applies to you.

14 **INMATE LAZOR:** I was beefed the first two 115s I  
15 was found guilty I preferred not working on the Sabbath.  
16 It was what they got the courts to overturn saying you  
17 can't be beefed for not working on your Sabbath Day and  
18 -- and yet mine still exists. So the point I was -- the  
19 main point I was making is is some of these things,  
20 other things that I stand accused of right now -- I  
21 stand found guilty of -- if I ever got a chance to go  
22 into court, I'm sure many of them would get a return but  
23 I haven't had that opportunity because my stuff is stuck  
24 down in R and R for 10, 15 years at a time right now to  
25 this day.

1           **DEPUTY COMMISSIONER JOHNSEN:** Well, let's, uh --  
2 let's talk about, um, what, uh, self-help groups have  
3 you participated in since your last hearing.

4           **INMATE LAZOR:** Okay.

5           **DEPUTY COMMISSIONER JOHNSEN:** I have -- I have  
6 some grief support for, uh -- there's a couple of  
7 chronos saying you've participated in that. Victims  
8 impact for four months. This is all in 2017. Handy  
9 craft chronos. In f -- 16 and 17, a self-awareness  
10 impact. Um, I think you were assigned. In 20 -- in  
11 April of 2017? Uh, LDS addiction recovery. Um, now  
12 you're not an addict. You don't -- you're not -- never  
13 have been a -- a, uh, addicted to any substances. Did  
14 you c -- smoke cigarettes or anything like that?

15           **INMATE LAZOR:** No. I -- I tried cigarettes a  
16 couple -- like a short period of a couple months when I  
17 was a teenager and I couldn't handle the reaction  
18 because of my chemical sensitivity and I never --

19           **DEPUTY COMMISSIONER JOHNSEN:** I also noticed  
20 years ago, decades ago you might've participated in  
21 either AA or NA for a short period of time.

22           **INMATE LAZOR:** I did because we were told it was  
23 required by the board so I gladly did that.

24           **DEPUTY COMMISSIONER JOHNSEN:** And CGA, uh, that  
25 is criminal gangs anonymous, you participated in for a

1 little while.

2 **INMATE LAZOR:** Sa -- absolutely --

3 **DEPUTY COMMISSIONER JOHNSEN:** That's way back in  
4 the mid-early 2000's.

5 **INMATE LAZOR:** Going back a ways, yes sir.

6 **DEPUTY COMMISSIONER JOHNSEN:** And then another  
7 one recently is freedom with, um --

8 **INMATE LAZOR:** Freedom within prison project.

9 **DEPUTY COMMISSIONER JOHNSEN:** -- with prison  
10 project yeah.

11 **INMATE LAZOR:** Best group I've ever done in my  
12 life. We're still in the middle of that.

13 **DEPUTY COMMISSIONER JOHNSEN:** You're in that now  
14 right?

15 **INMATE LAZOR:** Absolutely. And it's --

16 **DEPUTY COMMISSIONER JOHNSEN:** What -- what is  
17 important about that for you? How has it developed you  
18 in any way or --

19 **INMATE LAZOR:** We -- we get deep into what's  
20 really real inside a person. I mean we -- we get, uh,  
21 you know talking openly about things that usually people  
22 don't talk about. Things about how you know men are  
23 raised to be macho and you know not show affection and  
24 feelings that sort of thing. And we get right down to  
25 the nitty gritty that to clear -- to clear up a lot of

1 that stuff. I don't have as much issue with that as --  
2 as a lot of these guys that you know created -- got  
3 involved in serious crimes and life of crimes because of  
4 those things but all of us as human -- as human beings  
5 go through some of that kind of stuff. We all have  
6 issues. We all have fa -- faults and flaws and it get  
7 us to acknowledge those -- to look another man in the  
8 eye and -- and acknowledge those things and talk about  
9 them and put yourself out and -- and make yourself very  
10 vulnerable. It's probably the essence -- the main key  
11 to this whole thing in terms of that group and what it  
12 teaches us. You get vulnerable. You don't hide things  
13 from people. You get your -- your very deepest inner  
14 self out in the open and you deal with it in terms of  
15 sometimes those things until they're dealt with lock in  
16 bad behavior and so we deal with that stuff.

17 **DEPUTY COMMISSIONER JOHNSEN:** And during these  
18 groups I take it's a group setting where you each --

19 **INMATE LAZOR:** 26 -- 26 men plus two outsiders.

20 **DEPUTY COMMISSIONER JOHNSEN:** And had you ever  
21 really opened up in a deep way amongst these, uh --  
22 these men.

23 **INMATE LAZOR:** I'm one of the first and foremost  
24 absolutely.

25 **DEPUTY COMMISSIONER JOHNSEN:** And what do you

1 think, uh, might be one of the most important  
2 discussions you've had where you've really opened  
3 yourself and recognized something that the group was  
4 intently listening at -- listening to if you will. It  
5 might be relevant to you currently.

6 **INMATE LAZOR:** It's a good and fair question and  
7 I'm just kind of drawing a blank. I guess because of  
8 the setting. In a group, I do -- I do great with  
9 bringing these things out and just feeling a safe space  
10 and -- and here it's -- it's -- for some reason I'm kind  
11 of drawing a blank and having difficulty relating to  
12 opening up like that but, um, believe in the group we  
13 get real deep with the -- just anything and everything.  
14 Um --

15 **DEPUTY COMMISSIONER JOHNSEN:** Would you -- do you  
16 see anything about your behavior that you can improve to  
17 -- to really show that you can have interpersonal  
18 relationships where they don't resort to you know  
19 struggles, fist fights, or, uh, shootings.

20 **INMATE LAZOR:** Ab -- absolutely.

21 **DEPUTY COMMISSIONER JOHNSEN:** Okay what is it?

22 **INMATE LAZOR:** F -- f -- first of all the -- the  
23 shooting is a once in a lifetime thing. So, I want to  
24 make that clear that --

25 **DEPUTY COMMISSIONER JOHNSEN:** Well, it was a once

1 in a life time for him too.

2 **INMATE LAZOR:** I understand.

3 **DEPUTY COMMISSIONER JOHNSEN:** Okay. Go ahead.

4 **INMATE LAZOR:** I understand. Could never, would  
5 never happen again as I -- I started to say earlier and  
6 I don't think I finished it. I would never have a  
7 firearm, never have any kind of a weapon anyway. Uh,  
8 but I would -- I train my mind to such extreme to not  
9 even fight back in fights in prison and I've got  
10 attacked many times in prison, didn't fight back and  
11 that's how I got my brain damage in 2001, uh, November  
12 10, 2001 because I trained myself so thoroughly for so  
13 many years to not even fight back in fights so I can  
14 never get accused of fighting even the disgrace it  
15 causes and the -- you know, uh, and the inmates thinking  
16 you're weak and therefore they'll you know attack and  
17 you know think you're real vulnerable later and cause  
18 more problems for you, even at the expense of all those  
19 things, I'm not talking about macho stuff. I'm talking  
20 about the problems it can cause me later. I have made  
21 sure I didn't ever fight back when I was attacked and it  
22 happens to prisoners. It's not just me it happens to  
23 most -- you know a lot of prisoners. Uh, it's the  
24 nature of prison. So, I have trained myself to never  
25 even fight back. I'm -- I'm afraid that if I --

1           **DEPUTY COMMISSIONER JOHNSEN:** Okay. How about --  
2 how about -- how do you restrain yourself -- your --  
3 your -- your mouth. How do you keep yourself from being  
4 more provocative?

5           **INMATE LAZOR:** I can do it. I mean sometimes I  
6 just want to make a point so strongly that that's what I  
7 say. I mean I look up -- I look up false imprisonment  
8 in the penal code. I look up kidnapping in the penal  
9 code. They're almost identical and I -- and I say look  
10 if you are doing something that's illegal or -- or just  
11 plain wrong that causes me more time in prison, that's  
12 false imprisonment which is the same as kidnapping you  
13 know so I make that accusation so okay I understand. I  
14 understand it looks kind of extreme like I said. And I  
15 can restrain myself from that but I -- I mean it  
16 certainly doesn't make a danger to the community if  
17 anything else -- if anything else it's the opposite.  
18 It's a good outlet for, you know, when I do get in an  
19 angry position. It's a good outlet for it and it's not  
20 --

21           **PRESIDING COMMISSIONER PECK:** Well, it didn't  
22 work so well in your life crime.

23           **INMATE LAZOR:** Yeah but that had nothing to do  
24 with anger.

25           **PRESIDING COMMISSIONER PECK:** You don't think

1 your behavior had anything to do with your life crime --  
2 had anything to do with the situation?

3 **INMATE LAZOR:** I actually don't. Everybody in  
4 society except that one man. Everybody thought I was  
5 just, you know -- a -- a very decent --

6 **PRESIDING COMMISSIONER PECK:** You -- you can't  
7 see the nexus?

8 **INMATE LAZOR:** There isn't any nexus. My  
9 personality has been shaped in the last however many  
10 years by prison, by 34 years of of this and a lot of has  
11 been abusive and so you know if that's the worse I  
12 respond to that sort of thing, it has no connection with  
13 anything that happened in the shooting. The only thing  
14 that caused the shooting incident --

15 **PRESIDING COMMISSIONER PECK:** Uh huh.

16 **INMATE LAZOR:** -- was my life about to be taken  
17 in that split second. I understand the build up to it  
18 like I said today I would make sure that I never got  
19 into a situation that could possibly from anybody's you  
20 know looking at the situation could possibly happen to  
21 become a volatile situation. That's not even hard for  
22 me to --

23 **PRESIDING COMMISSIONER PECK:** But you keep  
24 getting involved yourself in situation that could turn  
25 volatile.

1           **INMATE LAZOR:** I don't any of these are volatile  
2 or --

3           **PRESIDING COMMISSIONER PECK:** Well, the way you  
4 talk to staff, the way you talk to -- reading the 115s  
5 and the 128s and 128As and the administrative 115s, you  
6 certainly are a volatile guy when you come to your  
7 writing. The way they're presented -- you read -- did  
8 you read the reports -- did you read what they said you  
9 said?

10          **INMATE LAZOR:** Uh yeah. I mean like the one --

11          **PRESIDING COMMISSIONER PECK:** You think that's --  
12 even your own -- even you admitted that you could've  
13 worded it in a different way.

14          **INMATE LAZOR:** Oh yeah, of course I do.

15          **PRESIDING COMMISSIONER PECK:** But why -- but why  
16 do you do that?

17          **INMATE LAZOR:** Because I'm trying to make a very  
18 strong point and because my having tried to make the  
19 point a lot weaker has no effect. So I can't get  
20 anywhere with that so --

21          **PRESIDING COMMISSIONER PECK:** Well you haven't  
22 gotten any way -- where when you make it stronger.

23          **INMATE LAZOR:** Sometimes I have. I've gotten an  
24 interview where somebody came and okay what's -- it  
25 looks like a pretty serious problem. Let's resolve this

1 and we get it resolve. It actually has. I mean I don't  
2 like having to go there. I don't -- that's not like a  
3 normal every day thing for me but when I get over and  
4 over and over and over and over again. You know backed  
5 into a corner with some kind of denial of something and  
6 watching everybody else get what we're supposed to be  
7 able to get whether it's legal copies or access to my  
8 property in R and R and I see I'm losing my life over  
9 the fact that I can't get those things --

10 **PRESIDING COMMISSIONER PECK:** Yeah.

11 **INMATE LAZOR:** -- the copies, the stuff in court.  
12 Uh, my 602 papers down in R and R, that's extreme to me.  
13 That's my life. You know, so yeah, I get upset with it  
14 and I'm going to maybe something extreme but to say that  
15 my writing of something like that has anything to do  
16 with being a danger to anybody or ever hurting anybody  
17 or even committing any kind of crime that wasn't even a  
18 -- a -- or hurt somebody crime, I don't have crime  
19 inclination in my life. I never have. I've had the  
20 same opportunities everybody has had to commit crimes.  
21 I never committed them. Never.

22 **PRESIDING COMMISSIONER PECK:** What do you need  
23 about your 602s that prevent you from -- you said  
24 something about my -- I need my 602s because --

25 **INMATE LAZOR:** They're stuck down in R and R for

1 years at a time sometimes.

2           **PRESIDING COMMISSIONER PECK:** What 602s are you  
3 talking about?

4           **INMATE LAZOR:** Some of these 602s for these 115s.  
5 I'm still trying --

6           **PRESIDING COMMISSIONER PECK:** Which ones?

7           **INMATE LAZOR:** I'm still trying to 602 115s that  
8 go back 25 years.

9           **PRESIDING COMMISSIONER PECK:** You -- if there's  
10 anybody I've ever seen -- you have a ton of 602s right  
11 in your file.

12           **INMATE LAZOR:** Right. I do. And -- and how many  
13 of them are trying to get a gateway opened, a doorway  
14 opened, a lock opened that locks me into not being able  
15 to get access to my property or not being able to get  
16 legal files -- copies made or -- or my court deadline  
17 being blown by me being blocked in some other way or my  
18 cell being --

19           **PRESIDING COMMISSIONER PECK:** Well, I'm not --  
20 I'm not suggesting that you stop writing 602s. I'm not.  
21 That certainly is your right and that certainly is --

22           **INMATE LAZOR:** It wouldn't be a bad idea.

23           **PRESIDING COMMISSIONER PECK:** No, I mean it's  
24 your choice. I mean you know listen. You -- you -- you  
25 -- you've got to do your time. I -- I -- everybody's

1 got to do their time their way. I mean you know I'm not  
2 -- I'm not here -- I mean if you -- if -- if you writing  
3 a 602 prevents you from getting involved that's --  
4 that's -- if that's -- if that's helpful for you and if  
5 that helps resolve your issues that's certainly is  
6 something that's important right? But I will tell you  
7 that everything you have -- there's not -- you don't  
8 need access to your 602s in records because I'm looking  
9 at your 602s all the way back to 1984.

10 **INMATE LAZOR:** Right.

11 **PRESIDING COMMISSIONER PECK:** So you have access  
12 to any 602s you want as long as you write a letter to  
13 your counselor.

14 **INMATE LAZOR:** Oh no, no, no. We can never -- I  
15 mean I can write these counselors until I'm blue in the  
16 face and what they do is they put me up for transfer and  
17 that's why I've had 51 transfers. They do not want to  
18 deal with long file reviews like this. It would take me  
19 forever to find a 602. Nothing's in order in that file.  
20 Also --

21 **PRESIDING COMMISSIONER PECK:** Everything's in --  
22 I'm looking right at your file right now. It's in  
23 order.

24 **INMATE LAZOR:** There's pages you'll find that -  
25 for example I'm just randomly saying this but like for

1 example it could be page 3742 would be the next sheet  
2 after page 6 because you have to go there to see it and  
3 I'm going what is all this stuff over here 4000 pages,  
4 8000 pages down the way that belongs to that I saw on  
5 page 144. My file is full of that kind of thing but  
6 there's more -- there's more to it, uh, sir, uh, Mr.  
7 Peck -- is that it's not only a 602 but it's -- it's  
8 documents that I need to attach to the 602, like the  
9 Vanisri chrono for example. I fortunately happen to  
10 have that but there's a lot of other stuff that is -- is  
11 important -- is that to show my innocence on some of  
12 these 115s that I didn't have when the deadline expired.

13 **PRESIDING COMMISSIONER PECK:** Okay.

14 **DEPUTY COMMISSIONER JOHNSEN:** Okay, one more  
15 thing. Since your last hearing, I noticed, uh, this  
16 isn't a 128A or a counseling chrono although you've a  
17 lot of them over your history. I haven't gone into any  
18 of them. This is a 128B and it says on Tuesday July 9,  
19 2013. That's the next month after your hearing. Uh,  
20 this is, uh, psychiatric technician J. L. Barrato  
21 (phonetic). Did you read this?

22 **INMATE LAZOR:** I have no idea who that is.

23 **DEPUTY COMMISSIONER JOHNSEN:** Uh, facility three  
24 EOP clinic California State Parole of Corcoran, 2013.  
25 It's -- it's, uh -- I observed inmate Harwood, now that

1 was a cellie of yours right?

2 **INMATE LAZOR:** Oh, yeah.

3 **DEPUTY COMMISSIONER JOHNSEN:** Entered his cell  
4 and stood at the entrance at which point I heard some  
5 shouting coming from inside the cell. The shouts were  
6 stating get out cellie along with further grunts.  
7 Inmate, uh, Harwood stood there approximately a few  
8 seconds longer then he exited his cell and proned  
9 himself on the day room floor. Do you remember reading  
10 this chrono?

11 **INMATE LAZOR:** I've never read that chrono.

12 **DEPUTY COMMISSIONER JOHNSEN:** Okay.

13 **INMATE LAZOR:** But I -- but the incident is very  
14 -- is a very significant one. The incident is like it  
15 happened yesterday. I absolutely -- I can tell you what  
16 happened if you want to hear it.

17 **DEPUTY COMMISSIONER JOHNSEN:** Yes.

18 **INMATE LAZOR:** Brian Harwood, um, was trying to  
19 get a cell move from my cell and he went to again the  
20 same CO, uh, that set up the Brian Casigas attack on me,  
21 the same one that is talked about -- I really wish you'd  
22 let me submit this.

23 **PRESIDING COMMISSIONER PECK:** Bring it. Let me -  
24 - we'll take a look at it.

25 **INMATE LAZOR:** Okay. It's -- it's very accurate

1 and it's very, very powerful. Um, he just signed it  
2 recently.

3 **PRESIDING COMMISSIONER PECK:** Some inmate did?

4 **INMATE LAZOR:** Yeah.

5 **DEPUTY COMMISSIONER JOHNSEN:** Let's get to this,  
6 uh -- this --

7 **INMATE LAZOR:** Okay. So, so back to here. Um,  
8 Harwood went six times to, um, officer Daluz and officer  
9 Holguin, the two that keep setting these -- kept setting  
10 these things up at the time. Uh -- uh -- to have me  
11 attacked and he, uh, kept begging them for a cell move  
12 cause he wanted to move in with somebody else because he  
13 said he was a homosexual and wanted to, you know, be  
14 with somebody else and not me because I don't partake in  
15 that stuff. So Holguin -- he kept coming back and  
16 saying that Holguin told him he'd have to do something  
17 in order to get the cell move and give it to him and I  
18 said what and he wouldn't tell me. So finally the --  
19 the last time he came back from Holguin, I was, um -- I  
20 was using the toilet. I was standing up urinating --  
21 the -- my back was to the door of the cell which was  
22 open a few inches because Harwood was walking back and  
23 forth to go talk to the cops. And the cell door opened  
24 real quietly. I knew it was him so I didn't even turn  
25 around and all of a sudden a fist bashed me right in the

1 side of the head, side of the face, bashed me over and  
2 over, knocked me to the floor. My face, my head was all  
3 bloody, uh, they had photographs of me all bruised up  
4 and what not. And, uh, and then he -- he walked out and  
5 they -- all the COs Daluz and Holguin and the medical  
6 person was there. They started laughing and laughing  
7 and -- and took Harwood back over with them and said  
8 okay now you can get our cell move. That's exactly what  
9 happened.

10 **DEPUTY COMMISSIONER JOHNSEN:** And Jay Alvarado,  
11 he wasn't, um, in any position to decide where there was  
12 a cell move or not. He's the psych tech.

13 **INMATE LAZOR:** Alvarado the psych tech -- now I  
14 know who you're talking about. Um, he was the person  
15 that was passing meds right there and when that  
16 happened, they locked me in the shower like they often  
17 do with -- usually with the victor and not the victim.  
18 They locked me in the shower and he came over to check  
19 me out for wounds for which I had a lot and he became  
20 accusatory and saying this was all your fault and, um,  
21 you look like you're fine. Nothing's wrong with you and  
22 you shouldn't have done whatever you did to, uh, Mr. uh,  
23 uh, Harwood and that's sort of thing. So it was obvious  
24 you know -- he made it clear that he was part of the  
25 little thing they had going between the few staff

1 members and him so -- I never saw this chrono. I never  
2 knew -- I never knew he filed a chrono.

3           **DEPUTY COMMISSIONER JOHNSEN:** All right. Well  
4 here -- here's -- here's what he says. This -- the  
5 first paragraph was where he witnessed in his words  
6 Harwood stand at the front door and heard yelling coming  
7 from the inside. The next paragraph, during the 7219  
8 medical assessment on inmate Lazor he mentioned to me  
9 that inmate Harwood went into the cell and made  
10 threatening comments to him and went quote two or three  
11 steps into the cell and punched him three or four times  
12 end quote causing him paren Lazar closed paren to fall  
13 backwards on the floor and his TV falling on him. Did  
14 you say that?

15           **INMATE LAZOR:** I didn't say all of that but as  
16 far as being hit and knocked down to the floor. I  
17 definitely said that. As far as my TV falling down and  
18 hitting me, yes I said that. The first part it's just a  
19 little bit off what I said. I said -- I don't remember  
20 saying anything about him you know actually he did move  
21 into the cell a couple steps for the last blows that  
22 finally knocked me down off my feet because I --

23           **DEPUTY COMMISSIONER JOHNSEN:** All right. All  
24 right.

25           **INMATE LAZOR:** -- like I said I had my back to

1 him to start with. He came like this and then as I got  
2 stunned and turned around and I'm -- excuse me but I'm  
3 holding onto my penis and you know finishing -- taking  
4 the last of my urination and as I turn around he just  
5 blasted me a few more times so he probably did step in  
6 the cell. So I -- I might've said he stepped in the  
7 cell but it doesn't sound quite exactly like I would've  
8 said what you just stated.

9           **PRESIDING COMMISSIONER PECK:** How was this guy  
10 deposed?

11           **INMATE LAZOR:** Just the fact that he's, uh -- I  
12 interviewed him. I said what can you state about this.  
13 That's the way a standard affidavit is written, the  
14 beginning of it.

15           **PRESIDING COMMISSIONER PECK:** Deposed as a  
16 certain meaning to it.

17           **INMATE LAZOR:** Well, yeah but standard affidavits  
18 mean that you're just stating that you're going --  
19 you're testifying --

20           **PRESIDING COMMISSIONER PECK:** Okay. That's fine.  
21 So it wasn't actually --

22           **INMATE LAZOR:** -- going to tell the truth.

23           **PRESIDING COMMISSIONER PECK:** So it says here  
24 that it said the fifth day of May 2015 and that's  
25 crossed out to being the first day of June 2017.

1           **INMATE LAZOR:** Right.

2           **PRESIDING COMMISSIONER PECK:** What's the accurate  
3 date?

4           **INMATE LAZOR:** Well, the accurate date is the one  
5 that's crossed out and written in because he just --  
6 just signed it the other day because he was, uh -- by  
7 the time this was actually written up, they had  
8 separated us and they had moved me, thrown me in the  
9 hole or whatever transferred me so we tried to get this  
10 to him through an attorney. It never got to him and so  
11 I -- he pulled me over on the yard about two weeks ago  
12 and said do you remember me? I said no. He said I --  
13 my name's, uh, Sutton. I said -- and it came to me who  
14 he was and I said I've got that declaration I've been  
15 trying to get to you that we talked about. He said well  
16 -- he said I'm really worried about staff retaliating  
17 cause he said I see what they did to you. I'm afraid  
18 they're going to do the same thing to me.

19           **PRESIDING COMMISSIONER PECK:** Mmmmm.

20           **INMATE LAZOR:** So I went out again, uh, ran into  
21 him a few days ago. The date this is signed and he goes  
22 you know what I thought about it. You know what it's  
23 fair. They did you so dirty. He said, uh, I'll take  
24 the chance. Hopefully they won't retaliate. He said  
25 I'll go ahead and sign that if you want.

1           **PRESIDING COMMISSIONER PECK:** So, don't they have  
2 signs around here where if you have a situation that  
3 with staff misconduct there's a number you're supposed  
4 to call or isn't there some --

5           **INMATE LAZOR:** Sexual. Only sexual misconduct I  
6 believe.

7           **PRESIDING COMMISSIONER PECK:** So there's not a --  
8 there's a not a if -- there's not a process here in  
9 prison where as if --

10          **INMATE LAZOR:** Well, there's processes -- they're  
11 all supposed to have processes where we go to -- we can  
12 go to IA. Believe me, Gail Travis (phonetic) contacted  
13 IA about this numerous times, uh, on my behalf and I  
14 wrote them numerous times. She talked to Jerry Baird  
15 (phonetic) at least three or four times.

16          **PRESIDING COMMISSIONER PECK:** So did -- did you  
17 go through IA on this.

18          **INMATE LAZOR:** We tried. Nothing happened.  
19 Jerry Baird said -- promised Gail Travis at least three  
20 times. I will personally go and talk Lazor about this.  
21 Never came. Several other incidences that were just as  
22 bad as this and some even worse same thing, never came.

23          **PRESIDING COMMISSIONER PECK:** All right. All  
24 right. Thank you for showing that to us.

25          **DEPUTY COMMISSIONER JOHNSEN:** Well anyway to

1 finish this comment from the Jay Alvarado's psychi --  
2 psychiatric tech -- he says, um, I assessed inmate A --  
3 Harwood for injuries, didn't find any injuries on his  
4 hands or knuckles. Um, he -- he -- he -- Alvarado says  
5 that Harwood told him as soon as he got in the cell you  
6 yelled at him through a cup striking him in the  
7 shoulder. Uh, and he further commented that he didn't  
8 go completely into the cell because he heard custody  
9 issues statement quote through the speaker and got  
10 scared so he went outside and put myself on the floor  
11 end quote. The last paragraph, this is written by this  
12 guy who's supposedly observing it and he's a psych tech  
13 -- says it is my assessment that inmate Lazor is being  
14 less than truthful and manipulative with the version of  
15 the story as I witnessed inmate Harwood never fully  
16 enter cell 110 or swing his arms in any aggressive  
17 manner. I saw inmate Harwood come out of the cell and  
18 prone himself on the day room floor. This concludes  
19 this report. So, from his observations assuming he's  
20 not fabricating this is that he witness enough of this  
21 to say that it was -- the yelling came from inside from  
22 you presumably, that inmate Harwood didn't go in there  
23 and take two or three steps in but he was, uh, received  
24 a, uh, a hit from a cup that you threw and that he is  
25 corroborating -- Alvarado's corroborating by saying he

1 didn't see him go in there. So that's all not true I  
2 take it. You're saying Alvarado is being, uh, part of  
3 this conspiracy to get the cell move.

4 **INMATE LAZOR:** I didn't call it a conspiracy  
5 because I know what connotation that carries but --

6 **DEPUTY COMMISSIONER JOHNSEN:** Okay.

7 **INMATE LAZOR:** -- but --

8 **DEPUTY COMMISSIONER JOHNSEN:** He's part of it to  
9 get the --

10 **INMATE LAZOR:** Well, absolutely he's part of it  
11 because the way he -- he was so hostile to me at the  
12 shower door saying he wasn't going to write the extent  
13 of my injuries, saying he you know Harwood didn't do  
14 anything wrong and bas -- you know taking his whole side  
15 and they were laughing. They were laughing when they  
16 saw Harwood bash my face and knock me to the floor.  
17 They were laughing. My cell door was wide open at that  
18 point. They were standing out in the day room, Huguin,  
19 I forgot the other CO, I think it was Daluz, one other  
20 one and then the medical person you're talking about  
21 there. And they were laughing about it. So you know  
22 obviously he was part of that whole thing and that's not  
23 all that unusual for a medical person to be like that.  
24 The same mentality as the CO.

25 **DEPUTY COMMISSIONER JOHNSEN:** Repeatedly

1 throughout these conversations, you've -- you've  
2 suggested that it's, uh, COs and people fabricating  
3 things to keep you in prison. Uh, and at some point  
4 when it happens over and over again at different  
5 institutions from different people one becomes concerned  
6 that maybe this is through your eyes and it's and  
7 inappropriate view of what really happened that you see  
8 yourself as a victim or you're not being truthful with  
9 us. Do you have any comments about that?

10 **INMATE LAZOR:** I do. I mean that -- that's why I  
11 said I was concerned about digging into all this stuff  
12 because that's what I know is the response I'm going to  
13 ultimately get because I know what it looks like to you  
14 guys to be sitting over there and saying -- and me  
15 saying I didn't do this, I didn't do this, I didn't do  
16 this, I didn't do this. The staff did this, the staff  
17 did this, they set up this, this, this. I know what  
18 that looks like. I know what it sounds like but I can  
19 only state the truth and the facts.

20 **PRESIDING COMMISSIONER PECK:** Yeah but see the  
21 problem is this.

22 **INMATE LAZOR:** I understand.

23 **PRESIDING COMMISSIONER PECK:** And maybe the  
24 unfortunate part is this -- that maybe you have me as  
25 your Commissioner, maybe that's the problem.

1           **INMATE LAZOR:**   Maybe what?

2           **PRESIDING COMMISSIONER PECK:**   Maybe you have me  
3 as your Commissioner that's the problem, right?  And  
4 that's because I've been around the system for a long  
5 time and if what you're saying is true, if what you're  
6 saying is accurate, right?  There are ways that all  
7 these things can be investigated by people.  If you're  
8 trying to say that there are a few corrupt officers.  
9 There's a way to deal with a few corrupt officers,  
10 believe me I've dealt with them in my career right?  But  
11 what it appears you're saying is and this is the problem  
12 is that they're all corrupt and they're all in a way of  
13 trying to keep you in prison because the bottom line is  
14 this Mr. Lazor and this is my problem that I'm having.  
15 And I've been listening as you know pretty attentively  
16 to what you've been saying and I've been doing my best  
17 much to my partner's chagrin to keep my mouth shut over  
18 here, right?  And I don't do it very well especially  
19 when I hear things that are frankly false.  There are  
20 ways to get a hold of IA.  There are ways to get a hold  
21 of the squad.  There are ways for you to get with the  
22 appropriate staff members to investigate the issues that  
23 you're bringing up and to come to that conclusion -- if  
24 you think -- I mean green wall didn't happen.  Green  
25 wall happened because there was an investigation into it

1 right?

2 **INMATE LAZOR:** Yes.

3 **PRESIDING COMMISSIONER PECK:** There was.

4 **INMATE LAZOR:** You mean exposure of green wall.

5 **PRESIDING COMMISSIONER PECK:** Absolutely.

6 **INMATE LAZOR:** I agree.

7 **PRESIDING COMMISSIONER PECK:** And -- and -- and --  
8 - and there is a way if you feel that there are  
9 situations where you think staff is -- is -- is  
10 falsifying reports on you. There are ways for those  
11 things to be investigated that doesn't even involve  
12 where you're at. Right? Now an affidavit from another  
13 inmate that's dated frankly a long time ago. It's hard  
14 for us to really put -- to make that into a -- for that  
15 -- for us to really take that into -- into too much  
16 consideration for a lot of reasons, right? Number one  
17 we're not an investigative body.

18 **INMATE LAZOR:** Yes.

19 **PRESIDING COMMISSIONER PECK:** Right? We have no  
20 way of investigating that situation. We don't. We  
21 don't have that ability right? The only thing we could  
22 do frankly and I hesitate to even suggest because I've  
23 invested so much of my life into your hearing right?  
24 And that would for us to stop the hearing and continue  
25 it -- boy that means I have to go through this all over

1 again. Um, and investigate what allegations you're  
2 making.

3 **INMATE LAZOR:** I would ask that that be done if  
4 that can be done. I actually would ask that. I  
5 actually am asking that based on the fact that you just  
6 brought that idea to mind because I can't get a -- from  
7 what my perspective is fairness. Now I'm not saying  
8 you're -- you're being unfair or you're being unfair.  
9 I'm saying obvious we can where the momentum of this is  
10 going. You're looking at me and you're -- you can only  
11 be thinking this -- this guy is either way off base in  
12 his head. He can't perceive things right or he's lying  
13 and I understand what it looks like to you. I'm saying  
14 there's so much of it that I can prove. I've had over  
15 300 declarations and affidavits sworn under penalty of  
16 perjury. Now inmates of course lie a lot. Staff lies a  
17 lot. People lie a lot. But they also tell the truth.  
18 I won't allow a declaration. I will not allow it. When  
19 guys have come to me and said hey you know I'll do a  
20 declaration for you this or that and it's a lie or even  
21 a little part of it is a lie. I say I don't want  
22 anything to do with you. So these declarations over 300  
23 saying things like we have never, ever, ever seen --  
24 been in prison 35 years, uh, uh, what's his name, uh, uh  
25 it will come to me in a second. Old, uh, Forest Tucker

1 did time at Alcatraz. We were at San Quentin together  
2 in 1986, 87 he said never said anything like this even  
3 going back to Alcatraz. Hundreds of people from that  
4 era all the way to -- to three days ago. My own  
5 cellmate going I can't believe the way they way they're  
6 doing this all -- all of a sudden to you right before  
7 your parole hearing. He said for the last month I've  
8 been in here they haven't bothered you --

9 **PRESIDING COMMISSIONER PECK:** Yeah but you got  
10 115s that's not all around your hearing date. I mean  
11 that's not -- that's not all --

12 **INMATE LAZOR:** They almost all are.

13 **PRESIDING COMMISSIONER PECK:** But they're not. I  
14 mean when I look -- I mean -- I mean I'm looking at the  
15 dates of your 115s and they're not.

16 **INMATE LAZOR:** Almost every one of them is right  
17 before a parole hearing.

18 **PRESIDING COMMISSIONER PECK:** They're -- they're  
19 -- they're kind of all over the place. But anyway I'll  
20 tell you what we'll do.

21 **INMATE LAZOR:** So, I asked them if they could --

22 **PRESIDING COMMISSIONER PECK:** Right. Did you  
23 want to make any comments about that before we just --

24 **DEPUTY DISTRICT ATTORNEY WEST:** Well, I would be  
25 -- I -- if -- if what's being proffered is to continue

1 this hearing for --

2           **PRESIDING COMMISSIONER PECK:** I think that's what  
3 his request is.

4           **INMATE LAZOR:** I am.

5           **DEPUTY DISTRICT ATTORNEY WEST:** -- for an  
6 investigation, the people would be opposed. I don't  
7 think this is the appropriate venue. There are approp -  
8 - appropriate avenues for that and this is not. This is  
9 a parole hearing and we should finish it.

10           **PRESIDING COMMISSIONER PECK:** Let's, uh, let's  
11 take five.

12           **DEPUTY COMMISSIONER JOHNSEN:** Okay.

13           **PRESIDING COMMISSIONER PECK:** All right. We'll  
14 consider it.

15           **DEPUTY COMMISSIONER JOHNSEN:** It is, uh, 1:40  
16 p.m. We're off the record.

17           **INMATE LAZOR:** Do I --

18           **PRESIDING COMMISSIONER PECK:** Yes you do. Okay  
19 we will.

20                                   **R E C E S S**

21                                   --oOo--

22           **DEPUTY COMMISSIONER JOHNSEN:** We're on the  
23 record.

24           **PRESIDING COMMISSIONER PECK:** Okay we're back on  
25 the record. You know we carefully considered your

1 recommendation, uh, Mr. Lazor about looking into, uh,  
2 the -- the affidavit by Dante Maurice Sutton. Um, that  
3 you claim was dated, um, June 1<sup>st</sup> 2017 that was written  
4 May 5, 2015. We're not -- we're not going to have  
5 every, um, 115 that you've ever had investigated because  
6 that is impossible for us to do at this time but we will  
7 continue your hearing based on, um, the information that  
8 you're providing for us. Um, we're going to ask the BPH  
9 investigators to look into that 115 that happened July  
10 2013 at Corcoran State Prison regarding that fight and  
11 specifically what we're trying -- what we want to figure  
12 is -- is -- is if your allegations and, um, his  
13 statements are true, um, to make a determination of your  
14 suitability.

15 **INMATE LAZOR:** Okay.

16 **PRESIDING COMMISSIONER PECK:** Now the other thing  
17 we want the staff members to look into also is there's a  
18 Jay Alvarado wrote a, uh, 128, uh, B dated July 9, 2013,  
19 um, basically, um, Mr., uh -- Mr. Alvarado thought you  
20 were being less than truthful and manipulative with your  
21 version of the story so we would like that case also  
22 investigated as well.

23 **INMATE LAZOR:** Thank you. Thank you very much.

24 **PRESIDING COMMISSIONER PECK:** So we'll have those  
25 two situations, uh, investigated. You'll come back to

1 us again. You'll have the same panel. We don't have to  
2 worry about getting an attorney for you because you  
3 don't have one. So, um, as soon as these things are  
4 investigated we'll get you back here. We're gonna start  
5 the hearing at this point though.

6 **INMATE LAZOR:** Okay. Understand. Uh, let me ask  
7 you this. Couple of things cause this changes -- kind  
8 of changes things for me in a lot of ways and from the  
9 time we started to where I'm at now seeing where this  
10 has gone, some things have changed in my mind too. I'm  
11 not saying I would demand it or anything but if I wanted  
12 an attorney from this point on because I see I kind of  
13 maybe you know screwed some things up a little bit or  
14 things might've gone better, am I allowed to have one.  
15 If not that's fine but if I am I might -- it's something  
16 I might consider so I'm just asking the question, I  
17 would like to know yes if that's a yes or no.

18 **PRESIDING COMMISSIONER PECK:** I'll defer this to  
19 my partner.

20 **INMATE LAZOR:** Because you kind of convinced me  
21 that it would've gone a lot better if I had one and I --  
22 I want things to go better obviously. You know. I want  
23 to go home and -- and the way it's going does not seem  
24 too good so --

25 **PRESIDING COMMISSIONER PECK:** Um, I'll tell you

1 what we'll do.

2 **DEPUTY COMMISSIONER JOHNSEN:** The attorney's  
3 gonna wanna be able to speak to what transpired before,  
4 um --

5 **PRESIDING COMMISSIONER PECK:** Yeah.

6 **INMATE LAZOR:** Yeah.

7 **DEPUTY COMMISSIONER JOHNSEN:** -- before at this  
8 point that he takes over. So he's gonna have to have a  
9 copy of the transcript and review it and be willing to  
10 act as your lawyer.

11 **INMATE LAZOR:** Uh huh.

12 **DEPUTY COMMISSIONER JOHNSEN:** Uh, despite not  
13 being here with that information that he can get, uh,  
14 and that could be a problem. Mr. Eisenstat knows a  
15 little bit about the case but, uh, someone could bone up  
16 on it as well.

17 **PRESIDING COMMISSIONER PECK:** Well, I'll tell you  
18 what we'll do. Let's -- let me -- let me offer -- let  
19 me offer you another perhaps another avenue. Um, I  
20 think you probably should know what the results of the  
21 investigation are. You will get a copy of the what the  
22 -- what the results of the investigation is. Based on  
23 what the findings that could influence your decision on  
24 whether you want have counsel or not.

25 **INMATE LAZOR:** Uh huh.

1           **PRESIDING COMMISSIONER PECK:** Right?

2           **INMATE LAZOR:** Yes, a lot of things could -- even  
3 between now and whenever I make that decision.

4           **PRESIDING COMMISSIONER PECK:** Yeah. So rather  
5 than make that decision today, right? You certainly  
6 have options.

7           **INMATE LAZOR:** Do --

8           **PRESIDING COMMISSIONER PECK:** So you can make a  
9 request to the board.

10          **INMATE LAZOR:** Okay.

11          **PRESIDING COMMISSIONER PECK:** Um, write -- write  
12 a -- write a letter to the board of parole hearings.

13          **INMATE LAZOR:** Okay.

14          **PRESIDING COMMISSIONER PECK:** Right? And if you  
15 -- if -- if nothing changes right? Then you don't have  
16 to write any letter. If you just want to do it like we  
17 are today, right, no letter is required right? But if  
18 you think about this and you think counsel would be, uh,  
19 the appropriate -- would be appropriate for you, right,  
20 then perhaps write a letter and say that you're  
21 requesting counsel for the next. You did the hearing  
22 without an attorney and you -- you think you'd like to  
23 have counsel the next time. Right? Or you could wait  
24 until the investigation gets done, right? And then you  
25 know if you want counsel based on what the -- what --

1 after the result of the investigation, right, as long as  
2 it's deemed non-confidential. That's key right there.  
3 Right? If it's confidential you won't see what -- you  
4 won't see what the investigation, um -- you won't see  
5 the investiga -- you might may know the conclusions but  
6 you're not going to know what the investigation -- how  
7 that was.

8 **INMATE LAZOR:** Okay. And we are on the record  
9 right now right?

10 **PRESIDING COMMISSIONER PECK:** Yeah.

11 **INMATE LAZOR:** Yeah. So I want --

12 **PRESIDING COMMISSIONER PECK:** We don't do  
13 anything off the record Mr. Lazor just so you know.

14 **INMATE LAZOR:** Okay I just wanted to -- I had  
15 forgotten if he had done that now I remember he did. I  
16 just want to say on the record that and I want this done  
17 and I'm very grateful. This is like a breakthrough for  
18 me that I've tried to get for 30 some years believe it  
19 or not.

20 **PRESIDING COMMISSIONER PECK:** Uh huh.

21 **INMATE LAZOR:** I've had me and other people try  
22 to get internal affairs. I asked you and various others  
23 --

24 **PRESIDING COMMISSIONER PECK:** We're -- we're --  
25 we're doing it so what's -- what's your point?

1           **INMATE LAZOR:** The point is -- I want to get it  
2 on the record that Dante Sutton was you know feeling  
3 like an intimidated witness at one point and backed out  
4 and said you know what I -- I -- I really don't want to  
5 put myself in jeopardy on this so I just want to make it  
6 on the record that's he's a little concerned about that  
7 and I don't want to -- I know -- I said I'm not going to  
8 put you in a bad spot but this is honest he said yes it  
9 is honest.

10           **PRESIDING COMMISSIONER PECK:** Wait a minute. The  
11 minute he wrote that affidavit --

12           **INMATE LAZOR:** Yeah.

13           **PRESIDING COMMISSIONER PECK:** -- and the minute  
14 you presented it to me --

15           **INMATE LAZOR:** Yeah.

16           **PRESIDING COMMISSIONER PECK:** Right? There -- we  
17 -- I don't do anything under the cloak of darkness sir.

18           **INMATE LAZOR:** Okay. I'm glad to hear that.

19           **PRESIDING COMMISSIONER PECK:** Right? We're going  
20 to do everything above board and we're going to  
21 investigate everything to make sure, um, that we come to  
22 the truth.

23           **INMATE LAZOR:** I'm -- I'm so glad to hear that.

24 Can I then -- I'm not trying to pile a lot more stuff  
25 but I have a couple of other affidavits here from other

1 people. They -- they pertain to the very same thing.

2 **PRESIDING COMMISSIONER PECK:** No.

3 **INMATE LAZOR:** The same treatment I was given at  
4 the same time.

5 **PRESIDING COMMISSIONER PECK:** We've already --  
6 we've already determined what we're investigating right  
7 now.

8 **INMATE LAZOR:** Okay. So --

9 **PRESIDING COMMISSIONER PECK:** Um, and to be  
10 honest with you -- you're the one that requested the  
11 investigation.

12 **INMATE LAZOR:** Oh yeah. Absolutely.

13 **PRESIDING COMMISSIONER PECK:** And the  
14 continuance.

15 **INMATE LAZOR:** I absolutely --

16 **PRESIDING COMMISSIONER PECK:** Now we're not gonna  
17 -- we're not gonna make this more complicated than what  
18 it is.

19 **INMATE LAZOR:** But will they come and interview  
20 me or -- or at least maybe or probably.

21 **PRESIDING COMMISSIONER PECK:** I would guess they  
22 would.

23 **INMATE LAZOR:** Because then I can maybe submit  
24 these other affidavits and that would be --

25 **PRESIDING COMMISSIONER PECK:** What happens

1 between you and investigations is what happens between  
2 you and investigations.

3 **INMATE LAZOR:** How long are we talking about?  
4 This is a concern of mine because every day of my life  
5 this is postponed it's another day eaten up even if I  
6 didn't get a date because everything gets pushed up and  
7 -- and every day I'm in here and -- and --

8 **PRESIDING COMMISSIONER PECK:** Well --

9 **INMATE LAZOR:** -- this is why I get extreme about  
10 using the word kidnapping and stuff. It -- I'm dying.  
11 Okay I just want to make this clear. I'm dying. I  
12 don't -- on the street I don't eat anything but, um,  
13 absolutely, uh, organic foods. I'm eating 99%  
14 genetically modified foods and I'm bring chlorinated,  
15 fluorinated water that's killing me. So I'm not only  
16 losing every day of life that I'm in prison, I'm losing  
17 off the end of my life for every day I spend in here so  
18 yeah because that's the way it happens when you eat this  
19 kind of food.

20 **PRESIDING COMMISSIONER PECK:** Okay. I don't want  
21 what your point -- what's your point?

22 **INMATE LAZOR:** Okay so the point is how long we  
23 are looking at do we even know. Can we get a ball park?  
24 I don't want this thing dragged on for half a year.

25 **PRESIDING COMMISSIONER PECK:** No, it's not going

1 -- it's not going to take that long. But I will tell  
2 you this --

3 **INMATE LAZOR:** So a month or two?

4 **PRESIDING COMMISSIONER PECK:** I have no idea.

5 **INMATE LAZOR:** Okay.

6 **PRESIDING COMMISSIONER PECK:** And you know -- and  
7 I'll tell you why I don't know. Right? And that's  
8 cause I have been an investigator. Right? And I never  
9 -- you never know -- it's like asking -- somebody asked  
10 me one time, um, how long is this hearing going to take.  
11 And I said well, how many words are you going to speak.

12 **INMATE LAZOR:** Kind of difficult (inaudible).

13 **PRESIDING COMMISSIONER PECK:** So when you -- when  
14 you can tell me how many words you're gonna speak,  
15 right?

16 **INMATE LAZOR:** Yeah.

17 **PRESIDING COMMISSIONER PECK:** When you're gonna  
18 tell me where this -- one -- one thing that I will tell  
19 you once an investigation starts, right, then I want --  
20 my expectation is is that they carry it all the way  
21 through. I want a thorough investigation. Right?

22 **INMATE LAZOR:** It's -- this is the best news I've  
23 had in -- in decades in terms of anything that's been  
24 going with me because I'm hoping that they let open this  
25 up into all the other stuff that I say is connected with

1 this -- it wasn't -- Hogue didn't just start this one  
2 day. Daluz didn't just start this one day. This came  
3 to them from the other people connected with this  
4 network. I'm not conspiracy theorist or anything, I'm  
5 just saying they -- they come to me and tell me --

6 **PRESIDING COMMISSIONER PECK:** Okay. Hey stop  
7 right there.

8 **INMATE LAZOR:** -- you know so I'm so happy with  
9 this.

10 **PRESIDING COMMISSIONER PECK:** The point is this.

11 **INMATE LAZOR:** Okay.

12 **PRESIDING COMMISSIONER PECK:** It's not for you  
13 that we're doing this investigation. Right? Just so  
14 you know.

15 **INMATE LAZOR:** Okay.

16 **PRESIDING COMMISSIONER PECK:** That investigations  
17 for us to make sure we have enough information to make a  
18 good decision. Right?

19 **INMATE LAZOR:** Okay. Everything else that would  
20 -- would've been presented in this hearing today. All  
21 that's on hold right now til the next part of the  
22 hearing. Is that right?

23 **PRESIDING COMMISSIONER PECK:** It's -- it's -- you  
24 -- you watch football?

25 **INMATE LAZOR:** No, never.

1           **PRESIDING COMMISSIONER PECK:** Never watch  
2 football. Uh, you watch any sports at all? No, you're  
3 not a sports guy.

4           **INMATE LAZOR:** Not -- not really. I play 'em but  
5 I don't watch 'em.

6           **PRESIDING COMMISSIONER PECK:** All right well the  
7 point is this. Just imagine right now that we're just  
8 on a time out.

9           **INMATE LAZOR:** Okay.

10          **PRESIDING COMMISSIONER PECK:** And that time out  
11 will continue. We're going to continue right where we  
12 stopped. Okay?

13          **INMATE LAZOR:** Okay. I -- I -- I do want to  
14 remind everybody, um, that, uh, um, Mr. Johnsen stated -  
15 - asked me early, uh, well what have you done then this  
16 last period since the last parole hearing that is self-  
17 development and stuff, and we -- I never did get a  
18 chance to answer so --

19          **PRESIDING COMMISSIONER PECK:** I know. We know  
20 that.

21          **INMATE LAZOR:** -- we want to make sure we get --

22          **PRESIDING COMMISSIONER PECK:** We never went over  
23 your support letters either.

24          **INMATE LAZOR:** Okay.

25          **PRESIDING COMMISSIONER PECK:** So we will -- we

1 will do all that.

2 **INMATE LAZOR:** And this. So this will all be for  
3 next time. All for next time.

4 **PRESIDING COMMISSIONER PECK:** All for next time.

5 **INMATE LAZOR:** Okay. Um --

6 **PRESIDING COMMISSIONER PECK:** And with you as lo  
7 -- as much as you like to talk frankly we're probably  
8 going to need a couple of days with you.

9 **INMATE LAZOR:** Put a muzzle on me.

10 **PRESIDING COMMISSIONER PECK:** Pardon me?

11 **INMATE LAZOR:** I said put a muzzle on me.

12 **PRESIDING COMMISSIONER PECK:** No, we're not  
13 trying to put a muzzle on you but it just -- you just  
14 are that guy. So anyway, we'll, uh, continue. The  
15 time's approximately, um, um, 10 -- 2:10 -- 14:10 p.m.,  
16 um, and we'll, uh, continue this. Good luck.

17 **DEPUTY DISTRICT ATTORNEY WEST:** We are --

18 **INMATE LAZOR:** So I'll just I'll be hearing from  
19 the board about this, uh, whenever the next thing is  
20 proposed for. I'll probably be hearing about the  
21 investigation in the mean time and --

22 **PRESIDING COMMISSIONER PECK:** Relatively soon I'm  
23 sure.

24 **INMATE LAZOR:** Okay.

25 **DEPUTY COMMISSIONER JOHNSEN:** We're off the

1 record.

2           **INMATE LAZOR:**   Okay.

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25 **PF LAZOR**

**C-73842**

**06/06/17**

**CERTIFICATE AND  
DECLARATION OF TRANSCRIBER**

I, JACKIE PIGEON, as the Official Transcriber,  
hereby certify that the attached proceedings:

In the matter of the Life	)	CDC Number: C-73842
Term Parole Consideration	)	
Hearing of:	)	
	)	
P F LAZOR	)	
_____	)	

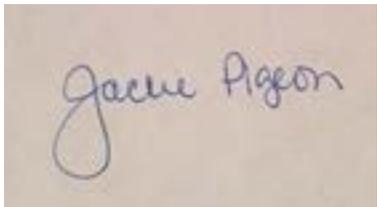
SALINAS VALLEY STATE PRISON

SOLEDAD, CALIFORNIA

JUNE 6, 2017

9:00 A.M.

were held as herein appears. Further, this transcript  
is a true, complete, and accurate record, to the best of  
my ability, of the recorded material provided for  
transcription.




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Jackie Pigeon  
June 13, 2017  
Dictate Express  
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