

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

NOVEMBER 16, 2017

10:25 A.M.

PANEL PRESENT:

JOHN PECK, Presiding Commissioner  
WALTER JOHNSEN, Deputy Commissioner

OTHERS PRESENT:

P. F. LAZOR, Inmate  
MICHELLE GARFINKEL, Attorney for Inmate  
RONALD RICO, Deputy District Attorney

CORRECTIONS TO THE DECISION HAVE BEEN MADE

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

Jil Olsen, Transcriber, DE

I N D E X

	<u>Page</u>
Proceedings.....	3
Case Factors.....	--
Pre-Commitment Factors.....	--
Post-Commitment Factors.....	25
Parole Plans.....	37
Closing Statements.....	82
Recess.....	112
Decision.....	113
Adjournment.....	121
Transcript Certification.....	122

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, we're on  
5 the record, this is a continued Parole Consideration  
6 Hearing for Mister, um, P.F. Lazor C-73842. Today's  
7 date is 11/16/2017, time is approximately 10:25 a.m.,  
8 located at Salinas Valley. Um, all the factors that  
9 were -- as far as the case goes, are still present, I'm  
10 not going to go over that again, since we're starting  
11 where we left off in this hearing. But, there has been  
12 some changes, Mr. Lazor, that I have to go over with you  
13 a little bit before we get started --

14           **INMATE LAZOR:** Okay.

15           **PRESIDING COMMISSIONER PECK:** Um, because, um,  
16 last time we allowed you -- I know you didn't like Mr.  
17 Eisenstat, and so you asked that you could represent  
18 yourself, with Mr. Eisenstat?

19           **INMATE LAZOR:** I like Mr. Eisenstat very much, as  
20 a matter of fact, but I had reasons that I thought I --  
21 I -- I needed to present my case, I felt I wasn't going  
22 to be allowed to with an attorney.

23           **PRESIDING COMMISSIONER PECK:** Okay.

24           **INMATE LAZOR:** That's -- that's happened in so  
25 many previous hearings, that's the reason. But I want

1 to clarify --

2 **PRESIDING COMMISSIONER PECK:** All right, well --

3 **INMATE LAZOR:** I like Mr. Eisenstat.

4 **PRESIDING COMMISSIONER PECK:** I -- I -- I had a  
5 different impression, because it looked like Mr.  
6 Eisenstat couldn't get out of that door fast enough,  
7 right?

8 **INMATE LAZOR:** No, no, he's a fine person, he's  
9 probably overwhelmed with my many questions.

10 **PRESIDING COMMISSIONER PECK:** I -- I know he's a  
11 fine person, I've -- I've -- he's -- he's been before me  
12 many, many times and I'm very impressed with his -- with  
13 his big brain and five Jeopardy wins.

14 **INMATE LAZOR:** Good man and very competent, in my  
15 opinion.

16 **PRESIDING COMMISSIONER PECK:** He had five -- five  
17 -- five Jeopardy wins. So, you know, when you can win  
18 Jeopardy five times in a row, that's a -- that's a big  
19 moment. So anyway, I digress. So let's get back to  
20 you. Um, so, you've had a change as of September -- a  
21 mental health status change, as of 09/06/2017, and as  
22 that mental health status changed from CCCMS to EOP, we  
23 are required, per ADA, to assign you an attorney, to  
24 make sure that your rights are met.

25 **INMATE LAZOR:** Yes.

1           **PRESIDING COMMISSIONER PECK:** So, I have an -- I  
2 have seen all the documents that you've been writing,  
3 because we don't have any secrets at the Board. I know  
4 you haven't been writing it to the Panel, you've been  
5 writing it to the Board, right?

6           **INMATE LAZOR:** Both, I've written you some, by  
7 name, and I've written some --

8           **PRESIDING COMMISSIONER PECK:** I don't get them.

9           **INMATE LAZOR:** -- to the Board Panel.

10          **PRESIDING COMMISSIONER PECK:** I don't get them.

11          **INMATE LAZOR:** Okay, I have some copies.

12          **PRESIDING COMMISSIONER PECK:** It doesn't matter -  
13 -

14          **INMATE LAZOR:** I understand.

15          **PRESIDING COMMISSIONER PECK:** -- because guess  
16 what? I got what the Board sent me. So, um, I  
17 understand that you wanted not to have -- even though I  
18 think it's a huge mistake, um, but I understand that you  
19 don't want to have Miss Garfinkel as your attorney.

20          **INMATE LAZOR:** We've just settled that matter,  
21 there was some miscommunication, some letters that  
22 didn't arrive to her that I'd written.

23          **PRESIDING COMMISSIONER PECK:** Okay.

24          **INMATE LAZOR:** I had thought that I was being  
25 neglected, so I did write some, you know, requesting

1 that she not be my attorney, but we just resolved all  
2 that in our meeting over the last half hour, and, uh, --  
3 and everything seemed to be fine with me having her as a  
4 -- can I have -- like can I sort of represent myself and  
5 have has an advisory attorney, that's what we talked  
6 about, basically.

7 **PRESIDING COMMISSIONER PECK:** Absolutely. That's  
8 what we were going to do anyway.

9 **INMATE LAZOR:** That -- that's ideal for me.

10 **PRESIDING COMMISSIONER PECK:** That -- that's  
11 exactly what we want her to do. Because frankly, I -- I  
12 want to make sure -- one of the most important things  
13 that we can do, right? Is make sure that no one in here  
14 violates your rights, and that your rights are  
15 protected, right? So we always like to have an  
16 attorney, especially if you're at the left of care of  
17 EOP, um, and I don't know anything about your mental  
18 health status. I don't -- I don't have access to your  
19 mental health records, right? So I don't know -- I  
20 don't know your mental health at all. Nor -- nor is it  
21 required that I do, right? Um, the only thing that I  
22 need to know is what level -- level of care you are, and  
23 what medications you're on, right? So we can kind of  
24 gauge kind of the things that we need to gauge to make  
25 sure that your rights are -- are re -- that your rights

1 are represented, and you're represented. So with that  
2 being said, um, we are going to assign, um, Attorney  
3 Garfinkel as your reasonable accommodation.

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

5 **PRESIDING COMMISSIONER PECK:** You're good with  
6 that, okay.

7 **INMATE LAZOR:** And are we on the record right  
8 now?

9 **PRESIDING COMMISSIONER PECK:** Yeah, we're always  
10 on the record.

11 **INMATE LAZOR:** I just wanted to make sure,  
12 because I didn't hear anything said about, or didn't  
13 remember anything being said about it. May I clarify  
14 quickly about my mental health status? Just -- I think  
15 it's important in light of what you just said. Although  
16 there's been a change, I -- I don't take any  
17 medications, I'm not issued any, there's also been a --  
18 a major change in, uh -- since the last hearing, in the  
19 psyche's recognizing what I've been saying for years and  
20 years and years, that I am not quote unquote, mentally  
21 ill, even though I'm in EOP, I have a depression  
22 situational to prison environment. I have a very -- I  
23 guess a very heavy depression.

24 **PRESIDING COMMISSIONER PECK:** Okay.

25 **INMATE LAZOR:** It's not psychotic, it's not

1 antisocial, it's not any of those things, and I want to  
2 clarify that, because they've finally come to say well,  
3 yeah, we -- we totally agree with you, and these past  
4 diagnoses were not correct. So there is documentation  
5 now in the files as to that effect, so I just wanted --

6 **PRESIDING COMMISSIONER PECK:** Not the files that  
7 I have available to me.

8 **INMATE LAZOR:** Okay.

9 **PRESIDING COMMISSIONER PECK:** So -- and -- and --  
10 no one's going to be critical of you because of your  
11 mental health situation. That's not what we're here to  
12 decide, those doctors decide all that stuff, not this.

13 **INMATE LAZOR:** The last parole hearing, I believe  
14 it was denied solely or close to solely on the basis of  
15 a psyche report, all those psyche reports were based on  
16 the 115s, that I have always claimed are false,  
17 truthfully.

18 **PRESIDING COMMISSIONER PECK:** Well, we did an  
19 investigation into that, as you know.

20 **INMATE LAZOR:** Okay, but --

21 **PRESIDING COMMISSIONER PECK:** Did you get a copy  
22 of that report?

23 **INMATE LAZOR:** Uh, the only thing I've gotten is  
24 that one-page memo --

25 **PRESIDING COMMISSIONER PECK:** Yeah, it's a one-

1 page memo, yeah.

2 **INMATE LAZOR:** Yeah, now, uh, Miss Garfinkel and  
3 I had a -- a different understanding of what that meant,  
4 can we get that clarified at some point at least,  
5 because --

6 **PRESIDING COMMISSIONER PECK:** Let's talk about --  
7 once we get through this --

8 **INMATE LAZOR:** Okay.

9 **PRESIDING COMMISSIONER PECK:** -- preliminary  
10 stuff.

11 **INMATE LAZOR:** Got you. Okay.

12 **PRESIDING COMMISSIONER PECK:** What -- what we're  
13 going to do this is, I want to make -- I want to be  
14 clear. We're not going to go over all the other stuff  
15 that we went through, because it's not necessary.

16 **INMATE LAZOR:** Right.

17 **PRESIDING COMMISSIONER PECK:** Because was can --  
18 it was a continued hearing, right?

19 **INMATE LAZOR:** Yeah.

20 **PRESIDING COMMISSIONER PECK:** So we're going to  
21 take -- we're going to take up with Commissioner  
22 Johnson, once we get through with ADA, right? Right  
23 where we left off.

24 **INMATE LAZOR:** Okay.

25 **PRESIDING COMMISSIONER PECK:** Right? And then

1 some point, we'll talk about -- it'll either be me or  
2 it'll be Commissioner Johnson, whoever, right? We'll  
3 talk about -- it's usually -- usually, um, Commissioner  
4 Johnson is the one that talk about post-conviction, so  
5 it -- it probably will be him, right? But, we'll talk -  
6 - we can't -- obviously, even though we've read the  
7 confidential document, as you know, right?

8 **INMATE LAZOR:** Yes.

9 **PRESIDING COMMISSIONER PECK:** It's a long,  
10 lengthy, uh, six-page, five-page doc -- no, six-page  
11 document --

12 **INMATE LAZOR:** Okay, that I didn't know about.

13 **PRESIDING COMMISSIONER PECK:** -- with attachment.

14 **INMATE LAZOR:** Okay, I -- I didn't --

15 **ATTORNEY GARFINKEL:** (inaudible) confidential,  
16 you don't have access.

17 **PRESIDING COMMISSIONER PECK:** Yeah, you don't  
18 have access to confidential.

19 **INMATE LAZOR:** Right.

20 **PRESIDING COMMISSIONER PECK:** And the re -- and  
21 it wasn't written for you, just so you know. It was  
22 written for me, because I'm the one that was like, okay,  
23 you're making allegations about green wall stuff and  
24 you're making allegations about staff misconduct --

25 **INMATE LAZOR:** Right.

1           **PRESIDING COMMISSIONER PECK:** -- and what I did  
2 not -- because my history is with corrections, right?  
3 And I didn't want to make it seem like I was trying to  
4 protect anything, and -- and -- and cover anything up,  
5 so I wanted to make sure that we had an -- another set  
6 of eyes, another set of investigator eyes take a look at  
7 this, right? To find out what they could discover.

8           **INMATE LAZOR:** Right.

9           **PRESIDING COMMISSIONER PECK:** Right?

10          **INMATE LAZOR:** Got you.

11          **PRESIDING COMMISSIONER PECK:** So, with that being  
12 said, a confidential report was done and it was done --  
13 it was finished on November -- or it was done on  
14 November 1, 2017, and it was done by investigator --  
15 senior investigator K. M. Pool, P-O-O-L.

16          **INMATE LAZOR:** Right.

17          **PRESIDING COMMISSIONER PECK:** And it was -- we  
18 always have a review process and an approval process,  
19 and that was reviewed by B. Kelly, Brian Kelly, who's  
20 the acting chief of OISD.

21          **INMATE LAZOR:** Okay. Uh, may I ask a question  
22 about that? I understand that certain things are  
23 confidential and -- and can't be shared with me, or even  
24 my attorney. But, can I get at least some --

25          **PRESIDING COMMISSIONER PECK:** Yeah, that's why

1 you got that one-page document.

2 **INMATE LAZOR:** -- but that talked only about one  
3 person's --

4 **PRESIDING COMMISSIONER PECK:** That's right.

5 **INMATE LAZOR:** Can I find out -- I mean, do you  
6 guys feel like I made my case, that there are so many --

7 **PRESIDING COMMISSIONER PECK:** No.

8 **INMATE LAZOR:** -- proven rule violation reports?

9 **PRESIDING COMMISSIONER PECK:** No, but we'll talk  
10 about that later.

11 **INMATE LAZOR:** Okay.

12 **PRESIDING COMMISSIONER PECK:** No, we didn't think  
13 you made your case, based on the confidential inves --  
14 investigation.

15 **INMATE LAZOR:** Okay.

16 **PRESIDING COMMISSIONER PECK:** Okay? Just so you  
17 know.

18 **INMATE LAZOR:** Okay.

19 **PRESIDING COMMISSIONER PECK:** All right. Um, so,  
20 let's go back over ADA, and we'll talk about it, make  
21 sure we met your -- and then we'll go right into post-  
22 conviction, okay?

23 **INMATE LAZOR:** Yes sir.

24 **PRESIDING COMMISSIONER PECK:** All right, so --

25 **DEPUTY DISTRICT ATTORNEY RICO:** Sir, I'm sorry to

1 interrupt --

2           **PRESIDING COMMISSIONER PECK:** Oh, yeah, we need  
3 to reintroduce ourselves, that's true.

4           **DEPUTY DISTRICT ATTORNEY RICO:** (inaudible)  
5 changed, and we're --

6           **PRESIDING COMMISSIONER PECK:** Yeah, Ron, I'm with  
7 you, we're going to do it, I got it. Okay, so let's all  
8 introduce ourselves on the record, uh, my name is John  
9 Peck, P-E-C-K, I'm the Presiding Commissioner.

10           **DEPUTY COMMISSIONER JOHNSEN:** And my name is  
11 Walter Johnsen, J-O-H-N-S-E-N, Deputy Commissioner with  
12 the Board of Parole Hearings.

13           **INMATE LAZOR:** My name is Free Lazor, also named  
14 P. F. Lazor in the legal documents. Uh, I'm the parole  
15 candidate.

16           **PRESIDING COMMISSIONER PECK:** L-A-Z-O-R?

17           **INMATE LAZOR:** L-A-Z-O-R.

18           **PRESIDING COMMISSIONER PECK:** And your number?

19           **INMATE LAZOR:** C-73842.

20           **PRESIDING COMMISSIONER PECK:** Thank you.

21           **ATTORNEY GARFINKEL:** Michelle Garfinkel,  
22 GARFINKEL, state-appointed attorney for Mr. Lazor.

23           **DEPUTY DISTRICT ATTORNEY RICO:** Ronald Rico,  
24 RICO, Deputy District Attorney, Santa Clara County.

25           **PRESIDING COMMISSIONER PECK:** Thanks Mr. Rico,

1 for reminding me of that. I'm sure, um, I'm sure I  
2 would have figured it out eventually, though. Um, all  
3 right. So, you wear glasses?

4 **INMATE LAZOR:** Yes sir.

5 **PRESIDING COMMISSIONER PECK:** Your attorney is  
6 your reasonable accommodation for your mental health  
7 status, but you can represent yourself as much as you  
8 want to in today's hearing.

9 **INMATE LAZOR:** Thank you.

10 **PRESIDING COMMISSIONER PECK:** Um, (inaudible) did  
11 I see somewhere you have hearing aids?

12 **INMATE LAZOR:** I have a hearing aid.

13 **PRESIDING COMMISSIONER PECK:** Okay, good.

14 **INMATE LAZOR:** It's not working well, but I'm not  
15 --

16 **PRESIDING COMMISSIONER PECK:** Can you hear me?

17 **INMATE LAZOR:** -- it's not an issue at this  
18 point, yeah.

19 **PRESIDING COMMISSIONER PECK:** Okay.

20 **INMATE LAZOR:** My -- my main thing, just so you  
21 know, in terms of my hearing, it's not so much that I  
22 can't hear, it's that I sometimes can't distinguish  
23 well, and I also, this happened when I got, um, tr --  
24 traumatic brain injury, head stomping, so it -- there's  
25 also like -- like brain stuff, confusion and -- and, you

1 know, focus problems, stuff like that associated with  
2 it. So it's more than just the hearing, but I will -- I  
3 will let you know, you know, if I can't hear. Mostly  
4 it'll be, maybe I'll need to have somebody slow down,  
5 especially if I need to take notes (inaudible) can you  
6 pause for a moment, that kind -- that kind of thing.

7 **PRESIDING COMMISSIONER PECK:** That's fine.

8 **INMATE LAZOR:** So, uh --

9 **PRESIDING COMMISSIONER PECK:** We have a Pocket  
10 Talker, too, if that would help.

11 **INMATE LAZOR:** Yeah, I think we'll be find.

12 **PRESIDING COMMISSIONER PECK:** Yeah, if you -- if  
13 -- anything you need, you just let us know.

14 **INMATE LAZOR:** Okay, thank you.

15 **PRESIDING COMMISSIONER PECK:** How about mobility?

16 **INMATE LAZOR:** Pardon me?

17 **PRESIDING COMMISSIONER PECK:** Mobility issues?

18 **INMATE LAZOR:** Mobility, I'm okay.

19 **PRESIDING COMMISSIONER PECK:** Okay. Um, 12.9

20 TABE score, right?

21 **INMATE LAZOR:** Pardon me?

22 **PRESIDING COMMISSIONER PECK:** Twelve point nine

23 TABE score, right?

24 **INMATE LAZOR:** Yes sir.

25 **PRESIDING COMMISSIONER PECK:** Okay. Um, oh,

1 education level? How far did you get in school?

2 **INMATE LAZOR:** I had six years of college on an  
3 off before I came, and I'm in college right now.

4 **PRESIDING COMMISSIONER PECK:** Okay.

5 **INMATE LAZOR:** Finally. Tried for many years,  
6 and finally I'm in college and doing very well on the --  
7 on our current -- current courses.

8 **PRESIDING COMMISSIONER PECK:** Mr. Lazor, there's  
9 no doubt in my mind that you would not be extremely --  
10 do extremely well in college, you're a pretty smart guy.  
11 Um, all right, so with that, um, as -- is there any of  
12 the admonishments that I need to remind you of in  
13 today's hearing? Um, we're not here to retry your case,  
14 I already told you that before.

15 **INMATE LAZOR:** I understand all that.

16 **PRESIDING COMMISSIONER PECK:** You know, we're  
17 here, uh -- we're here for the sole purpose of  
18 determining your suitability for parole.

19 **INMATE LAZOR:** Right.

20 **PRESIDING COMMISSIONER PECK:** We've already  
21 covered your childhood and adolescent development, we've  
22 already covered pro -- pri -- prior, uh, we covered  
23 your, um -- your life crime while you were here. You  
24 don't have any prior juvenile or adult criminal history.  
25 Um, and we started talking about post-conviction

1 factors. I haven't -- I don't think I -- I don't  
2 remember going over the risk assessment with you, um --

3 **INMATE LAZOR:** What -- what -- if I may -- if I  
4 may, uh, what we talked about on that was that, um, you  
5 said that you had thought there was a -- a flaw, or  
6 mistaken information in the latest one, which is the one  
7 I had done privately by Mr. Yang.

8 **PRESIDING COMMISSIONER PECK:** Oh, yeah, yeah,  
9 yeah.

10 **INMATE LAZOR:** Dr. Yang.

11 **PRESIDING COMMISSIONER PECK:** Yeah.

12 **INMATE LAZOR:** And I had tried to get  
13 clarification -- I -- I didn't feel I got clarification  
14 on what the error was, I don't think there was an error,  
15 but if there was, I think it doesn't reflect on the  
16 whole report being erroneous in any way, and that is the  
17 latest report now, so I'm -- my position is, I'm asking  
18 if you folks would, you know, strongly consider that  
19 that's the latest one, and that the -- as far as the  
20 other one by, um, Doctor --

21 **ATTORNEY GARFINKEL:** Wildman?

22 **INMATE LAZOR:** Pardon?

23 **ATTORNEY GARFINKEL:** Wildman?

24 **INMATE LAZOR:** Yes, Dr. Wildman, thank you, uh,  
25 counselor. Uh, by Dr. Wildman is not only has a lot of

1 errors in it, but -- please excuse me for saying so --  
2 but it's totally fraudulent. There's so much  
3 information in there that's just made up out of thin  
4 air, that has nothing to back it up. So I have -- you  
5 know, I just want to get that on the record --

6 **PRESIDING COMMISSIONER PECK:** Okay.

7 **ATTORNEY GARFINKEL:** If I can actually just cut  
8 you off for a second --

9 **INMATE LAZOR:** Okay.

10 **ATTORNEY GARFINKEL:** -- (inaudible) one thing I  
11 do want to point out that I noticed in the recent  
12 assessment from Dr. Wildman, the FAD one from January of  
13 2016?

14 **INMATE LAZOR:** Um-hmm.

15 **ATTORNEY GARFINKEL:** On page two, the doctor  
16 references that he used his history and summary from an  
17 Alameda County Court decision from 1995?

18 **PRESIDING COMMISSIONER PECK:** Yeah.

19 **ATTORNEY GARFINKEL:** And this is a 1980 something  
20 Santa Clara case? So that is a concern, that maybe some  
21 of this information was confused from a prior evaluation  
22 this doctor did.

23 **INMATE LAZOR:** Yeah, that's a good point.

24 **ATTORNEY GARFINKEL:** In a cut and paste, so I do  
25 have concerns regarding that, even though I wasn't at

1 the last hearing to make that objection, um, I have a  
2 huge concern with that.

3 **PRESIDING COMMISSIONER PECK:** I will note that,  
4 counselor.

5 **ATTORNEY GARFINKEL:** And it's on page two.

6 **PRESIDING COMMISSIONER PECK:** Yeah, I know, I see  
7 it, I'm looking at it. The problem that I have with  
8 this, though, just so you know --

9 **ATTORNEY GARFINKEL:** Um-hmm.

10 **PRESIDING COMMISSIONER PECK:** -- um, both, um,  
11 Miss Garfinkel and Mr. Lazor, is that you declined to be  
12 interviewed, which is certainly your right, right? But,  
13 if you would have participated, right? Then you could  
14 have cleared all these things up in the first place.

15 **INMATE LAZOR:** Again, if I may respond to that,  
16 with all due respect to -- to your position on that,  
17 I've been through -- I've been through about 11 or -- or  
18 12 or 13 psyche reports over the years, starting with  
19 the first one -- I have a copy of it here -- that --  
20 that rates me excellent, and none of them ever rated me  
21 as a high risk, or even a moderate risk, until they  
22 started the FAD program.

23 **PRESIDING COMMISSIONER PECK:** Um-hmm.

24 **INMATE LAZOR:** And the FAD psyches, the first one  
25 -- I mean, as soon as I told her in the interview --

1 this was Dr. Hoyt, Susan Hoyt -- as soon as I told her  
2 in the interview that I was claiming self-defense and  
3 was not acknowledging that I committed murder --

4 **PRESIDING COMMISSIONER PECK:** We're not using Dr.  
5 Hoyt's report.

6 **INMATE LAZOR:** -- she got hostile.

7 **PRESIDING COMMISSIONER PECK:** I know, I don't  
8 care about Dr. Hoyt's report.

9 **INMATE LAZOR:** Okay, but -- but --

10 **PRESIDING COMMISSIONER PECK:** We're talking about  
11 Dr. Wildman's report.

12 **INMATE LAZOR:** -- but the next report then was  
13 based on that one, largely. He basically used that to  
14 come up with his same things and use some of the same  
15 material that she just invented out of thin air, and so  
16 -- and then the third one, the Dr. Wildman one, bases  
17 again, it's like they -- they stand on the one before  
18 it. And all three FAD reports are so bad. So -- so,  
19 getting back to the point you were making is that when I  
20 had two -- I mean, I don't ha -- I -- I like to -- to  
21 pride myself on learning my lessons one time, all right?  
22 Maybe sometimes, if I give somebody a chance, I get  
23 burned twice. So, I got -- I felt like I got burned  
24 twice on false information, actually fraudulent reports,  
25 and I proved that to the, uh, Psyche, uh, Department

1 when I, you know, submitted the information on what --  
2 what they just made up out of thin air that clashed with  
3 my un rebuttable true history of my life.

4 **PRESIDING COMMISSIONER PECK:** Um-hmm.

5 **INMATE LAZOR:** And -- and so, the third one, I  
6 told -- first of all, I didn't -- I didn't refuse to  
7 talk to him. What I said was, and I have the --

8 **ATTORNEY GARFINKEL:** It says in the report that  
9 you didn't have your paperwork and (inaudible).

10 **INMATE LAZOR:** I didn't have my paperwork with me  
11 and I needed that, because I have this brain damage, I  
12 need paperwork to -- to reference things, I have -- I  
13 have long -- great long-term memory, but I have short-  
14 term memory confusion when I got all this paperwork.  
15 So, I would have been willing, maybe, to have a report,  
16 but I have some considerations, too, about getting  
17 burned again by a FAD psyche, and my position was, all I  
18 want to do is get a fair psyche from the street, that's  
19 independent, and I did do that eventually. So, that's  
20 my position, I --

21 **PRESIDING COMMISSIONER PECK:** Yeah, but those are  
22 -- the problem is this, is that -- the problem with  
23 private is they don't use -- they're not -- they -- they  
24 don't use the same kind of format that we use. They're  
25 -- they're not reviewable, they don't -- there's not a -

1 - there's not a process where they're -- I mean, I -- I  
2 don't know, to be honest with you, whether -- whether,  
3 um, this is a bought and paid for low risk assessment or  
4 not. You understand what I'm saying?

5 **INMATE LAZOR:** I do understand.

6 **PRESIDING COMMISSIONER PECK:** So I mean -- the --  
7 these -- these FAD risk assessments, in my opinion, are,  
8 um, are nonbiased. I mean, I read them all the time,  
9 right? And -- and I have probably 70 -- I don't know --  
10 70 perce -- throwing this number out of the air, but I  
11 think there's some vali -- validity to it. I would say  
12 there's probably 70 percent of the risk assessments that  
13 I look at are low.

14 **INMATE LAZOR:** Okay.

15 **PRESIDING COMMISSIONER PECK:** You know, so, I  
16 mean, it's -- it's -- it's not like -- and the numbers  
17 of high risk assessments that I see are -- are very  
18 minimal.

19 **INMATE LAZOR:** Right.

20 **PRESIDING COMMISSIONER PECK:** Very small.

21 **INMATE LAZOR:** And -- and, okay, what I want to,  
22 you know, to clarify on that is, I had 20 some years of  
23 psyche reports, none of which ever rated me, uh, a high  
24 or even moderate.

25 **ATTORNEY GARFINKEL:** That was the point I was

1 making, because you didn't meet with her, which is your  
2 right, and so we don't know what information she used,  
3 which is why I brought up the fact that she --

4 **PRESIDING COMMISSIONER PECK:** Yeah, that --

5 **ATTORNEY GARFINKEL:** -- used an Alameda County  
6 case from 12 years --

7 **PRESIDING COMMISSIONER PECK:** So let's do this --

8 **ATTORNEY GARFINKEL:** -- after your crime.

9 **PRESIDING COMMISSIONER PECK:** -- so let's do  
10 this, because this -- because right now, we're just  
11 talking about -- we're arguing about shadows.

12 **INMATE LAZOR:** Okay. If I may make one more  
13 point, though, please, just -- just one more point.

14 **PRESIDING COMMISSIONER PECK:** Listen to what I'm  
15 saying.

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

17 **PRESIDING COMMISSIONER PECK:** Right? Um, we're  
18 happy to go over any discrepancies that you have in the  
19 risk assessment when we get to that time.

20 **INMATE LAZOR:** Okay.

21 **PRESIDING COMMISSIONER PECK:** Right? But -- but  
22 let's -- but I don't want to focus on -- on, um -- on  
23 the FAD risk assessment -- assessments or not, right?  
24 Whether they're -- because frankly, I -- I'm not -- I'm  
25 not look -- I'm not looking at them in general, I'm

1 looking at your individual case.

2 **INMATE LAZOR:** Okay.

3 **PRESIDING COMMISSIONER PECK:** Right?

4 **INMATE LAZOR:** Okay.

5 **PRESIDING COMMISSIONER PECK:** So we're happy to  
6 look at your private investiga -- your private, um --  
7 uh, psychological evaluation also. We'll certainly give  
8 that, um, we'll make a weight analysis of it, right?

9 **INMATE LAZOR:** Okay.

10 **PRESIDING COMMISSIONER PECK:** When we're in  
11 deliberations, and we'll, um, you know, we'll see --  
12 we'll -- we'll make that determination when we're in  
13 deliberation.

14 **INMATE LAZOR:** Okay, so I'll hold what I wanted  
15 to say until we get to that point, right?

16 **PRESIDING COMMISSIONER PECK:** Hold what you've  
17 got to say until we get to that point.

18 **INMATE LAZOR:** Very good.

19 **PRESIDING COMMISSIONER PECK:** Now, usually what's  
20 helpful is, is when we go to the risk assessment, and  
21 we'll go to the risk assessment after we do post-  
22 conviction factors.

23 **INMATE LAZOR:** Okay.

24 **PRESIDING COMMISSIONER PECK:** Right?

25 **INMATE LAZOR:** Okay.

1           **PRESIDING COMMISSIONER PECK:** What we'll do is,  
2 is that, um, we'll go over any discrepancies, um,  
3 errors, significant errors, your attorney pointed out a  
4 pretty good attorney -- um, yeah, a pretty big error in  
5 the risk assessment.

6           **INMATE LAZOR:** Yes.

7           **PRESIDING COMMISSIONER PECK:** Right? But if you  
8 note any more, right? Then I want to know what you --  
9 what else you see. But not now.

10          **INMATE LAZOR:** Got you.

11          **PRESIDING COMMISSIONER PECK:** When we get to that  
12 point. So, with that being said, focus your attention  
13 on Commission Johnsen, we'll talk about --

14          **INMATE LAZOR:** Yes sir.

15          **PRESIDING COMMISSIONER PECK:** -- your post-  
16 conviction factors.

17          **INMATE LAZOR:** Okay.

18          **DEPUTY COMMISSIONER JOHNSEN:** Thank you, um, just  
19 to bring us current, we were partially through the  
20 institutional behavior.

21          **INMATE LAZOR:** Right.

22          **DEPUTY COMMISSIONER JOHNSEN:** We had completed  
23 all of the, uh, discussion regarding, uh -- uh, parole  
24 violations, or probation -- strike that -- institutional  
25 violations. We were starting, and a fair distance into

1 self-help. Uh, I wanted to just bring us current on  
2 that. It was during that course of the, um, hearing  
3 that topics came up regarding the, um, affidavit you  
4 provided in Sutton so we had an investigation done, as  
5 the Commissioner's noted. He's noted there's  
6 confidential related to it, and on page two of the of  
7 ten-day, there is a memorandum dated November 1, 2017,  
8 authored by Senior Investigator Pool, and in the middle  
9 paragraph, he states, quote, a confidential source  
10 provided information that you frequently drafted and  
11 manipulated the confidential sources into signing a  
12 document purportedly corroborating your allegations  
13 against staff. The information provided by the  
14 confidential source is considered not reliable.  
15 Specifically, as to inmate Lazor in accordance with CCR  
16 33201(c), or paren small cee, close paren, the  
17 confidential source has not previously provided  
18 information, which provided to be -- proved to be true,  
19 and part of the information provided has not been  
20 corroborated through investigation or by information  
21 provided by non-confidential sources, period, end quote.  
22 So, that is, uh, the results of why we stopped the  
23 hearing, and, uh, that has to do with the investigation,  
24 uh, that we requested. I want to pick up right there,  
25 and start, uh, to, uh, elaborate on more of

1 institutional conduct that is, uh, commonly referred to  
2 as self-help. As noted before, I believe I talked  
3 about, uh, you, uh, participated in, uh, Grief Support.  
4 There's several (inaudible) uh, chronos to that effect.  
5 A Victim's Impact, you had four months of that,  
6 handicraft chronos in 2016, Self-Awareness, um -- uh, in  
7 -- in -- in April of 2017, Addiction Recovery, uh,  
8 Freedom, uh, within Prison Project. And I noted there  
9 was one dated after the last hearing a few days, called  
10 Alternatives to Violence, you completed a workshop, and,  
11 uh, the chrono is June 11, 2017. You participated 22  
12 hours in that. Uh, since that two -- June 2017 chrono,  
13 have you participated in any self-help groups from then  
14 until now?

15 **INMATE LAZOR:** Many. I'm in something like, uh,  
16 at least 12 a week right now.

17 **DEPUTY COMMISSIONER JOHNSEN:** Is that through  
18 your EOP process, or EOP status?

19 **INMATE LAZOR:** Uh, on -- only, uh, I -- only part  
20 of those, I -- I have right now --

21 **DEPUTY COMMISSIONER JOHNSEN:** I didn't see any  
22 memos in the, um -- uh, or chronos in the C-file, or in  
23 the ten-day beyond what I've just --

24 **INMATE LAZOR:** Okay.

25 **DEPUTY COMMISSIONER JOHNSEN:** -- mentioned.

1           **INMATE LAZOR:** I have, um -- I'm in a -- uh,  
2 seven different groups in EOP. Some of these are very  
3 recent, because they have a computer --

4           **DEPUTY COMMISSIONER JOHNSEN:** Well Victim's  
5 Impact is noted, uh, you've participated in that.

6           **INMATE LAZOR:** Right.

7           **DEPUTY COMMISSIONER JOHNSEN:** Uh, and -- and  
8 Grief Management, but I didn't see anything else in  
9 there. Do you have any more documents you provided to  
10 Counsel?

11          **INMATE LAZOR:** I do, uh --

12          **DEPUTY COMMISSIONER JOHNSEN:** Are they stacked up  
13 there?

14          **INMATE LAZOR:** Well, here's, um, here's, uh, the  
15 -- the latest one I just got the other night from --

16          **ATTORNEY GARFINKEL:** He's doing the 12-step  
17 Mormon program, and so he has two certificates -- or a  
18 certificate for that from September 26<sup>th</sup> of 2017 for  
19 active participation and completion of the 12-step  
20 recovery program through the Church of Jesus Crist of  
21 Latter Day Saints.

22          **DEPUTY COMMISSIONER JOHNSEN:** Now, that's a  
23 repeat one, you, uh -- you've done that before, right?

24          **INMATE LAZOR:** I have, (inaudible) but it's a --

25          **DEPUTY COMMISSIONER JOHNSEN:** This hasn't been

1 placed in the C-file or in the ten-day.

2 **INMATE LAZOR:** Yeah, just so you know, it's a --  
3 it's a whole different process going through twice. It  
4 was led by a different person on a different yard than  
5 the other one, and going through it again, we used the  
6 same book and material, but you have a lot of different  
7 input and you got the group leader bringing up a lot of  
8 different stuff, so it's -- it's essentially a whole  
9 second, uh, you know -- like a separate type of thing.  
10 Now, I also have, um, a couple of chron -- uh, a chrono  
11 here from -- this is educational, I guess. Does that  
12 fit within this, too, more or less? So that's very new,  
13 I just got that recently as well. Uh, I'm sure you  
14 don't have that yet. Um, I actually have quite a few  
15 here. Um --

16 **ATTORNEY GARFINKEL:** That's from -- this is from  
17 November 4<sup>th</sup>, regarding his, um, participation at  
18 Hartnell College.

19 **DEPUTY COMMISSIONER JOHNSEN:** Okay, so you have,  
20 um -- we have two, we'll get copies of these and make  
21 these --

22 **ATTORNEY GARFINKEL:** Those are copies that I gave  
23 you.

24 **DEPUTY COMMISSIONER JOHNSEN:** Those are copies?

25 **ATTORNEY GARFINKEL:** Yeah.

1           **DEPUTY COMMISSIONER JOHNSEN:** Thank you, so we'll  
2 make these part of the record. Right now, I'll just  
3 note the September 17<sup>th</sup>, as Counsel has stated, there  
4 was, uh, a, uh, certificate regarding the 12-steps  
5 Addiction Recovery Program, and then, uh, Hartnell  
6 College, uh, there's another one on November 4, 2017,  
7 and we will make these part of the record.

8           **INMATE LAZOR:** Okay, uh, there's -- I think  
9 there's more as well. Do you have, um -- let me just  
10 ask if you have some of these and see which ones, uh,  
11 that you may not have. This -- just give me moment  
12 please, to get these out of the folder here. Um, do you  
13 have June 11, 2017, uh -- oh yeah, that's the AVBP,  
14 yeah. By the way, I'm doing AVP again tomorrow, so as  
15 of tomorrow and Sunday, I'll have another 26 hours.  
16 Yes, current -- currently involved in that. Do you  
17 have, um, uh, May 3, 2017, signed by, uh, C. Hernandez  
18 about the Grief Support?

19           **DEPUTY COMMISSIONER JOHNSEN:** Yes, we have that.

20           **ATTORNEY GARFINKEL:** He said that one already.

21           **INMATE LAZOR:** I also am in a new grief, uh,  
22 group, which is called Alternative Grief Group that  
23 started just about a month ago, so there'd be no chrono  
24 for that yet, but I am actively in that group. Uh, the  
25 -- the Freedom Within Group, even though they did that

1 one chrono, that's an ongoing, every week thing, in  
2 fact, we just had it last night.

3 **DEPUTY COMMISSIONER JOHNSEN:** So you're  
4 participating in self-help groups currently.

5 **INMATE LAZOR:** All the time.

6 **DEPUTY COMMISSIONER JOHNSEN:** And when you get  
7 those completed, you will, uh, hopefully get those in  
8 the C-file, should we need to see those, or after our  
9 decision, uh, the governor may want to see what's  
10 current as well.

11 **INMATE LAZOR:** Okay, I did also an Anger  
12 Management Group, but I was two, uh, things short of it  
13 when they put me in EOP, and once you go over EOP, even  
14 though you're right there in the same yard, the CCCMS  
15 group terminates. So, I didn't get the last two of  
16 that, but I did, you know, a good deal of it, because I  
17 think it's like 13 weeks or something like that. And  
18 also a Stress Management Group and about two others, all  
19 with, uh, Miss Sanchez, who has those groups for CCCMS.

20 **DEPUTY COMMISSIONER JOHNSEN:** You don't have any,  
21 uh, chronos or paperwork on those?

22 **INMATE LAZOR:** I don't because they --

23 **DEPUTY COMMISSIONER JOHNSEN:** Okay.

24 **INMATE LAZOR:** -- they didn't issue them because  
25 they weren't completed, even though they -- I just want

1 you to know, though, that, you know, I completed like 95  
2 percent of them, so I want to get that on the record.

3 **DEPUTY COMMISSIONER JOHNSEN:** Okay. Excellent --  
4 excellent. Uh, just to -- to, uh -- uh, review, and  
5 there was -- your last classification chrono was done  
6 January 24, 2017. It noted your work, uh, rating was  
7 A1A. Are you currently assigned?

8 **INMATE LAZOR:** Uh, I lost my assignment when I  
9 went over to EOP. I have been assigned most of the last  
10 few years, to different, uh, jobs as porter -- porter  
11 jobs. Uh, and I -- every time they move you from that  
12 building, if you're assigned as a porter in that  
13 building, you lose that job. So as of my move over to  
14 EOP, which was just, uh, what --

15 **DEPUTY COMMISSIONER JOHNSEN:** September.

16 **INMATE LAZOR:** -- yeah, I lost that job, so I'm  
17 no longer assigned to that job. But I would like to  
18 make on the record that I -- I'm -- I -- I work so full  
19 time even without the job, I do a lot of positive  
20 things, which I hope you give me an opportunity to put  
21 in, in terms of some of the other stuff I do with my  
22 time.

23 **DEPUTY COMMISSIONER JOHNSEN:** Okay. Uh, you're  
24 double cell, still?

25 **INMATE LAZOR:** I am double cell.

1           **DEPUTY COMMISSIONER JOHNSEN:** How are you getting  
2 along with your in -- uh, your cellie?

3           **INMATE LAZOR:** I get -- I have the best cellmate  
4 I've had in 35 years.

5           **DEPUTY COMMISSIONER JOHNSEN:** Excellent.

6           **INMATE LAZOR:** I'm -- and I have a letter from  
7 him, as well as, uh, several other, uh -- uh, prisoners  
8 on the E yard. I went to, uh, a life --

9           **DEPUTY COMMISSIONER JOHNSEN:** Did you provide  
10 those to Counsel?

11           **INMATE LAZOR:** I just got them, uh, like a coup -  
12 - in the last day or two.

13           **DEPUTY COMMISSIONER JOHNSEN:** Okay.

14           **INMATE LAZOR:** So, um, there's a copy of the  
15 typed one, but there's no copies of the others. I was  
16 not able to get copies.

17           **PRESIDING COMMISSIONER PECK:** Since we're getting  
18 stuff, um, do you have a copy of that, um, risk  
19 assessment? Dr. Chen risk assessment?

20           **ATTORNEY GARFINKEL:** Um --

21           **INMATE LAZOR:** Dr. Yang? Yang?

22           **ATTORNEY GARFINKEL:** Yes.

23           **INMATE LAZOR:** I do, I have a copy of it. Uh,  
24 give me a moment.

25           **PRESIDING COMMISSIONER PECK:** Oh, never mind, I

1 got it. Never mind, I got it. I got it.

2 **INMATE LAZOR:** All right.

3 **DEPUTY COMMISSIONER JOHNSEN:** All right, well,  
4 uh, provide those to Counsel, we'll get copies of those,  
5 we'll add those to the record. Uh, I noticed that, uh,  
6 your placement score is 86. I, uh, suspect that will  
7 change in January when you get a new, uh, classification  
8 chrono.

9 **INMATE LAZOR:** Excuse me, Mr. Johnson, if I may  
10 interject, I just went to my annual committee about five  
11 or six days -- actually, they did it in absentia, but  
12 she gave me the information ahead of time, I just  
13 dropped 12 points, I think it's 74 now.

14 **ATTORNEY GARFINKEL:** And it was 90 at your  
15 psyche, so that's good.

16 **INMATE LAZOR:** (inaudible)

17 **ATTORNEY GARFINKEL:** It was 90 at your psyche  
18 assessment, so that's (inaudible).

19 **INMATE LAZOR:** Yeah, so I've dropped a -- dropped  
20 a lot, moving in the right direction.

21 **PRESIDING COMMISSIONER PECK:** Okay, that's not,  
22 uh, of record, but we noted that, and it's, uh,  
23 consistent with probably, uh -- (inaudible).

24 **INMATE LAZOR:** Okay.

25 **DEPUTY COMMISSIONER JOHNSEN:** Regardless of our

1 last record, was January 2017. Uh, you did participate  
2 in college and you presented, uh, this is, uh, you were  
3 -- you were requesting to go to voluntary, uh, college  
4 courses, and you -- you've apparently done that, because  
5 was have this November chrono so stating that you  
6 participated, in, uh, the Hartnell College. Does this  
7 say -- this is a correspondence course, or is that at  
8 one --

9 **INMATE LAZOR:** No, this is in -- in the prison,  
10 and it's actually -- they come in the prison. Uh, there  
11 were several others, if I may, and I -- you know, I'll  
12 leave here and I'll -- and I'll know I forgot to tell  
13 you some things, and right now, a couple of things just  
14 come to mind. Uh, I am in not only the Hartnell  
15 College, both classes that they offer. They only offer  
16 two, one is, uh, US history and one is sociology. And  
17 as I said, I'm -- I'm -- I just did the midterm exams  
18 and I aced them. Uh, and -- and this was actually about  
19 Coastline College, and as I was coming to the parole  
20 hearing this morning, as I was walking over here a -- a  
21 short time ago, the, uh, proctor came to me and told me  
22 that Monday I'll be doing another English placement  
23 exam, but I already aced one of the English placement  
24 exams for Coastline. So I've actually done a lot of  
25 Coastline, but when I moved over to this yard, I had to

1 drop that. So I did 90 percent of the work again, and  
2 I'll get no credit for it, but I just want it on the  
3 record that I -- I did Coastline as well. I -- I, uh,  
4 also have signed up for a theater group, we just finally  
5 started. We've been on a lockdown for a couple weeks,  
6 we finally started this last week, and it is one of the  
7 most powerful groups I've ever done in 35 years as far  
8 as self-development, self-help. Even though it's just  
9 theater, we get so deep into the, you know, like inner  
10 workings of ourselves. It's just a -- a powerful group.  
11 So I wanted to let you know, I'm in the theater group as  
12 well. Uh, I had taken, uh, Malachi Dads, I'm holding up  
13 -- just for the record, I'm holding up the booklet for  
14 it, and some of my notes and homework and such. But  
15 this class suddenly ended before -- nobody knows why.  
16 Uh, so anyway, I want you to know I did a number of --  
17 of weeks in the Malachi Dads group as well.

18 **DEPUTY COMMISSIONER JOHNSEN:** Malachi Dance?

19 **ATTORNEY GARFINKEL:** Dads -- fathers.

20 **INMATE LAZOR:** D-A-D apostrophe S, this is a -- a  
21 Christian based group, based on how to not only be a  
22 better father, but just the whole Christian walk.

23 **DEPUTY COMMISSIONER JOHNSEN:** All right. Um,  
24 well, let's, uh -- let's shift over to, um -- I know  
25 you've been a porter before, but right now you're not

1 assigned, so we noted, uh, your ability to work. Uh, I  
2 see that you have, um -- if you were to ob -- obtain a  
3 date, um, would you think that, uh, a transitional  
4 living home would be appropriate, or could you have just  
5 -- do you have other alternate plans?

6 **INMATE LAZOR:** Well, let -- let me say that I  
7 have, I think 13 acceptance, uh -- uh, for alternative  
8 housing. Do you have any of those yet? Did I present  
9 any of those to you guys? I -- I have the -- copies --

10 **DEPUTY COMMISSIONER JOHNSEN:** From transitional  
11 living homes?

12 **INMATE LAZOR:** -- from (inaudible) transitional  
13 living homes. I wrote 78 places, and I -- I got 13  
14 approvals, so I have those here, uh, somewhere. They  
15 may be in the -- the -- I have a box with some other  
16 stuff I didn't bring in the room here. They're either  
17 in front of me or they're there.

18 **DEPUTY COMMISSIONER JOHNSEN:** Did you submit --

19 **INMATE LAZOR:** I did --

20 **DEPUTY COMMISSIONER JOHNSEN:** -- those to your  
21 counselor?

22 **INMATE LAZOR:** No -- no I didn't, be -- I think I  
23 did submit them to, uh, you folks, to the Parole Board,  
24 though. I'm pretty sure I sent one copy --

25 **ATTORNEY GARFINKEL:** What is your first choice?

1           **INMATE LAZOR:** Uh --

2           **ATTORNEY GARFINKEL:** Do you know what program is  
3 your first choice?

4           **INMATE LAZOR:** In terms of -- yeah, I -- I don't  
5 remember from memory, but I will show you whenever I can  
6 find it here.

7           **DEPUTY COMMISSIONER JOHNSEN:** When's the latest  
8 one you received?

9           **INMATE LAZOR:** The latest one? They were all  
10 received as of about three months ago, I would say. I  
11 wrote them all --

12           **DEPUTY COMMISSIONER JOHNSEN:** I've looked in the  
13 ten-day, and there is nothing in the ten-day, so --

14           **INMATE LAZOR:** Oh.

15           **DEPUTY COMMISSIONER JOHNSEN:** Which -- which ones  
16 do you think would be most suited to you? One or two  
17 that you think would be most suitable.

18           **INMATE LAZOR:** I would have to see them to tell  
19 you the name, to be honest with you. Um, I'm -- I'm  
20 doing so much, and I'm overwhelmed by the amount of  
21 paperwork I'm --

22           **DEPUTY COMMISSIONER JOHNSEN:** Well, what -- what  
23 issues do you think a transitional living home would be  
24 helpful for you about?

25           **INMATE LAZOR:** Well, let -- let me be very honest

1 with you, as I'm -- as I'm trying to be about  
2 everything, and I will be about everything. I  
3 personally don't believe that I need it.

4 **DEPUTY COMMISSIONER JOHNSEN:** Okay.

5 **INMATE LAZOR:** I personally believe that there's  
6 a lot of demand for -- for it, and a lot of guys are  
7 complaining that they can't get them, because there's  
8 not room. And I would really -- you know, out of care  
9 for those people, like to free up some of that space for  
10 somebody else. But, having said that, and -- and, I  
11 base that on the fact that I've got something like 12,  
12 uh, residence offers, I think you guys have seen those.  
13 I think they're in the letters of --

14 **DEPUTY COMMISSIONER JOHNSEN:** Your letters of  
15 support have multiple, uh, offers, yes, but I was  
16 thinking of --

17 **INMATE LAZOR:** For -- for housing and for jobs.

18 **DEPUTY COMMISSIONER JOHNSEN:** Transitional  
19 living, as we're on right now.

20 **INMATE LAZOR:** I understand. But -- but what I'm  
21 saying is -- is -- is, I'm willing to do, uh,  
22 transitional housing, absolutely. I'm willing to do  
23 anything that the Board wants me to do. Anything to get  
24 my freedom.

25 **DEPUTY COMMISSIONER JOHNSEN:** Mister -- Mr. Lazor

1 --

2 **INMATE LAZOR:** Yes sir.

3 **DEPUTY COMMISSIONER JOHNSEN:** -- I'm asking you  
4 if you think you need transitional living and why, and  
5 you said you don't think you need it.

6 **INMATE LAZOR:** I -- I actually don't believe it,  
7 I think I'm well adjusted, even -- even after 35 years,  
8 I keep up with what's going on in society, I'm well  
9 adjusted to -- to, you know, coping with everything when  
10 I get -- get out of here.

11 **DEPUTY COMMISSIONER JOHNSEN:** And society in 35  
12 years has changed substantially.

13 **INMATE LAZOR:** Absolutely, it's a whole different  
14 world.

15 **DEPUTY COMMISSIONER JOHNSEN:** And you think you  
16 could accommodate those changes without assistance from  
17 transitional living?

18 **INMATE LAZOR:** Without assistance of transitional  
19 living, yes, I do think I could. Without assistance  
20 period, no, of course not, I have so much support from  
21 so many people in so many areas in so many ways, that  
22 that's why I believe I would do fine without it. But,  
23 again, I'm open minded, just like I do all these groups,  
24 I'm totally willing to do whatever the Board wants me to  
25 do in terms of transitional housing or anything else.

1           **DEPUTY COMMISSIONER JOHNSEN:** Okay. Well, uh,  
2 you've mentioned, there are dozens -- and there were  
3 dozens at the last hearing, of support letters from  
4 members in the family -- in -- in the community, that  
5 write very strong letters of support. We have noted  
6 those several dozen, uh, and, uh, just for the record,  
7 um, let me get to the right computer screen here -- and  
8 I'm not going to go over all -- there's multiple, uh,  
9 ones since your last hearing that have been, and are in  
10 the ten-day. Uh, as an example, um, we have one from  
11 Sandy Kyle, who -- this is a November 16 letter.

12           **INMATE LAZOR:** Okay.

13           **DEPUTY COMMISSIONER JOHNSEN:** Um, it's a support  
14 letter and it was received August 2017. And likewise,  
15 there's a subsequent one from, um, a Dr. Lawrence  
16 Blanchard, who's, uh, said he's been corresponding with  
17 you for five years, and there are a number of them. I'm  
18 not going to go into them all, but there are a number of  
19 them, where you've corresponded with people for not just  
20 five years, some of them for a lot longer than that, uh,  
21 and we've read those. Dr. Lawrence Blanchard, uh, is,  
22 uh, a, uh, an important letter, and we have considered  
23 that. Let me -- let me proceed. There's another one, I  
24 think, bears mention as an example of the many that  
25 you've offered. Um, and this one is from a licensed

1 psychologist, he's a PhD, I take it, in psychology. He  
2 apparently, has, uh, corresponded with you over, uh, 11  
3 years. Uh, he spent several hours with you face to  
4 face, and he's given careful and thoughtful, uh, thought  
5 about this, and his name is David Antione (phonetic),  
6 he's a licensed psychologist, and he gives a tremendous  
7 support letter. Uh, and his letter was rec -- was dated  
8 the date of the last hearing, so I'm sure it wasn't part  
9 of the record then. And I wanted to make sure that you  
10 know, we have seen these, uh, supplemental, um, support  
11 letters, and note the quantity and the quality of the  
12 persons who are writing them. There's other documents,  
13 uh, that are supplemental to your last hearing. One is,  
14 uh -- uh, noteworthy over ten years, this person's been  
15 corresponding with you, this is James R. Lambert, uh, I  
16 think he's a pastor?

17 **INMATE LAZOR:** He's a -- he's a Christian  
18 minister, yes.

19 **DEPUTY COMMISSIONER JOHNSEN:** Right. And -- and  
20 there's a lot of those, so, uh, we see that there is  
21 substantial support in the community, um, you -- now,  
22 uh, you have not submitted a formal written relapse  
23 prevention plan or parole plan.

24 **INMATE LAZOR:** I have, I thought that, uh -- uh,  
25 Attorney Eisenstat, before we came into the hearing,

1 when he was still assigned as my attorney, uh, before  
2 the -- part one of this hearing on June 6<sup>th</sup>, he had -- I  
3 believe he had sent a -- a very elaborate, word  
4 processed, uh -- uh, parole plan to the Board. I have a  
5 copy of it, uh, somewhere here.

6 **DEPUTY COMMISSIONER JOHNSEN:** Well, uh, I -- I  
7 was, uh, discussing whether there was anything new since  
8 the last hearing. The last hearing was six months ago.

9 **INMATE LAZOR:** There's a lot.

10 **DEPUTY COMMISSIONER JOHNSEN:** And I wanted to  
11 make sure we had any extra information, um --

12 **INMATE LAZOR:** There's quite a bit. Uh --

13 **DEPUTY COMMISSIONER JOHNSEN:** So, uh --

14 **INMATE LAZOR:** -- uh, here, if I may, um, maybe  
15 pass over my copy of the parole plans itself.

16 **DEPUTY COMMISSIONER JOHNSEN:** Show it to your  
17 attorney, and, uh, is that the one you submitted before,  
18 or is that a -- a revised one?

19 **INMATE LAZOR:** This was updated somewhat, uh --  
20 uh, June 6, 2017, for -- for that hearing. But some of  
21 the additional things for that are in my hand right here  
22 that I wasn't able to get a copy of it -- it's hard to  
23 get copies of some of this stuff on the prison yard  
24 (inaudible).

25 **DEPUTY COMMISSIONER JOHNSEN:** Please show that to

1 your -- and that has to do with a parole plan or a  
2 relapse prevention plan?

3 **INMATE LAZOR:** Oh, uh --

4 **DEPUTY COMMISSIONER JOHNSEN:** What you're holding  
5 in your hand right now?

6 **INMATE LAZOR:** -- actually, it's a whole parole  
7 plan, but in it, I -- I believe there's a section that  
8 we could call a re -- relapse pre -- uh, prevention  
9 plan.

10 **DEPUTY COMMISSIONER JOHNSEN:** Well, uh -- uh,  
11 Counsel, when you -- when she sees it, if you want to  
12 submit it as a part of the record --

13 **INMATE LAZOR:** Yes sir.

14 **DEPUTY COMMISSIONER JOHNSEN:** -- I will so -- I  
15 will make it part of the record, so --

16 **INMATE LAZOR:** Oh, okay.

17 **DEPUTY COMMISSIONER JOHNSEN:** -- um --

18 **INMATE LAZOR:** May I make a comment on this, um -

19 -

20 **DEPUTY COMMISSIONER JOHNSEN:** On what?

21 **INMATE LAZOR:** -- actually, can I consult with my  
22 Counsel, just for a moment, off -- off the record?

23 **DEPUTY COMMISSIONER JOHNSEN:** Yeah, sure.

24 **PRESIDING COMMISSIONER PECK:** Let's, um, let's  
25 take a break -- let's take a break. You know, the

1 problem is I'm hearing you.

2 **INMATE LAZOR:** Oh, okay.

3 **PRESIDING COMMISSIONER PECK:** So let's talk --  
4 talk out of the room.

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

7 **R E C E S S**

8 --oOo--

9 **DEPUTY COMMISSIONER JOHNSEN:** We're back on the  
10 record.

11 **INMATE LAZOR:** Uh, Mr. Johnsén, I found one or  
12 two more things that -- that I've been involved in that,  
13 you know, I had out here, can I put those on the record  
14 (inaudible)?

15 **DEPUTY COMMISSIONER JOHNSEN:** It's eleven, uh,  
16 nineteen, we're back on the record, uh, I have received  
17 some documents, additional documents. Uh, I'm unclear  
18 right now, now that you're asking to put more on the  
19 record, whether I already have those. Counsel, do you  
20 know what he's, uh, he's referring to?

21 **INMATE LAZOR:** (inaudible) that started, uh, just  
22 in the last --

23 **ATTORNEY GARFINKEL:** They don't need your notes  
24 for that, um --

25 **INMATE LAZOR:** But --

1           **ATTORNEY GARFINKEL:** -- but we can let them know  
2 that you're doing it. He's also doing the Toastmasters  
3 Gabble (phonetic) Club.

4           **DEPUTY COMMISSIONER JOHNSEN:** Oh, great.

5           **INMATE LAZOR:** It's one more group that I'm in.

6           **DEPUTY COMMISSIONER JOHNSEN:** All right, well --

7           **ATTORNEY GARFINKEL:** That looks recent, um, as  
8 recent as last month.

9           **INMATE LAZOR:** Yeah.

10           **PRESIDING COMMISSIONER PECK:** You know, I -- I've  
11 just got to tell you guys on the -- that I remember what  
12 I saw that -- that was a problem with the risk  
13 assessment.

14           **ATTORNEY GARFINKEL:** Um-hmm.

15           **PRESIDING COMMISSIONER PECK:** Dr. Lang's --

16           **ATTORNEY GARFINKEL:** Oh, Dr. Lang, okay.

17           **PRESIDING COMMISSIONER PECK:** -- risk assessment.  
18 Was when you look at the controlling offenses, he said  
19 PC 187 with a 12022.5(a) attempted murder with the use  
20 of a firearm.

21           **ATTORNEY GARFINKEL:** I thought there was -- hold  
22 on, I don't have it in front of me, I'm sorry.

23           **PRESIDING COMMISSIONER PECK:** Well, here, I do.

24           **DEPUTY DISTRICT ATTORNEY RICO:** And I'm sorry, I  
25 didn't get the reference as to where that came from?

1           **ATTORNEY GARFINKEL:** His private psyche.

2           **DEPUTY DISTRICT ATTORNEY RICO:** Thank you.

3           **INMATE LAZOR:** Oh, okay, I see what he's saying.

4 Um, and you wanted to copy that.

5           **PRESIDING COMMISSIONER PECK:** I don't think

6 there's an attempted murder. I think it was --

7           **ATTORNEY GARFINKEL:** It looks like he's got three

8 charges, it says PC 187 and then -- unless he's counting

9 the gun charges and attempted --

10           **PRESIDING COMMISSIONER PECK:** Well, I don't know

11 what he's -- I don't know what he's meaning. He didn't

12 -- he wasn't clear.

13           **INMATE LAZOR:** It -- it's -- if I may -- oh,

14 okay.

15           **ATTORNEY GARFINKEL:** Hold on just one second.

16           **PRESIDING COMMISSIONER PECK:** It's faster if I

17 just have your attorney do it.

18           **INMATE LAZOR:** Yeah.

19           **PRESIDING COMMISSIONER PECK:** I want you involved

20 in it, but, you know something --

21           **INMATE LAZOR:** I understand -- I understand.

22           **DEPUTY COMMISSIONER JOHNSEN:** Well, Counsel,

23 while you're going through that --

24           **ATTORNEY GARFINKEL:** I was looking to see if the

25 doctor had put in a -- a listing of the life crime.

1           **PRESIDING COMMISSIONER PECK:** Well, the doctor in  
2 the -- in the report basically said that was -- that  
3 what caused me to go back and look at it was, is that  
4 the doctor assessed plausibility to, that, um, that your  
5 client was targeted by inmates and correctional staff,  
6 given a lack of antisocial behavior prior to coming to  
7 prison, right?

8           **ATTORNEY GARFINKEL:** Um-hmm.

9           **PRESIDING COMMISSIONER PECK:** So I wanted to go  
10 back and look and see what crime he thought he committed  
11 when he came to prison, right?

12          **ATTORNEY GARFINKEL:** Right.

13          **PRESIDING COMMISSIONER PECK:** Which led me to  
14 attempted murder, right?

15          **ATTORNEY GARFINKEL:** And I'm not sure, because  
16 that would be 664 --

17          **INMATE LAZOR:** I was originally charged with  
18 attempted murder --

19          **ATTORNEY GARFINKEL:** The or --

20          **INMATE LAZOR:** -- because he hadn't died.

21          **ATTORNEY GARFINKEL:** Oh, because that was the  
22 original arrest, was attempted murder, and then he --

23          **PRESIDING COMMISSIONER PECK:** So, do I -- do I --  
24 my problem is -- is was the doctor assessing an  
25 attempted -- I mean, if you're going to bring up --

1           **ATTORNEY GARFINKEL:** (inaudible) what we could do  
2 is -- is -- since all psyche evaluations are tools and  
3 not mandatory, um, and they don't dictate your decision,  
4 maybe you can just give less weight to both of them,  
5 since they both might have errors, and use your own  
6 judgement from your presentation and your experiences  
7 with Mr. Lazor.

8           **PRESIDING COMMISSIONER PECK:** What do you think,  
9 Mr. Lazor?

10          **INMATE LAZOR:** Uh --

11          **ATTORNEY GARFINKEL:** Would that be all right with  
12 you?

13          **INMATE LAZOR:** That would be all right to some  
14 degree, but if I may also put on the record, and -- and  
15 to both of you as well, is that he spent a good deal of  
16 hours with me, as well as, uh, phone communication a  
17 number of times prior to that meeting together, and some  
18 time afterward and letters back and forth as well,  
19 clarifying things. So, he -- just so you know from my  
20 point of view, he knew very well that I was in here for  
21 murder. So it was more of a -- probably an academic  
22 error that he was going back to the original, where I  
23 was charged with, uh -- uh, attempted murder originally,  
24 before the man died.

25          **PRESIDING COMMISSIONER PECK:** Yeah, but see, the

1 problem that I have is this. Remember this. You had a  
2 chance to talk to Dr. Wildman. Dr. Wildman could have  
3 given you three hours also. You just (inaudible)  
4 decided I'm not going to participate, for whatever  
5 reason.

6 **ATTORNEY GARFINKEL:** If I can just say, on page  
7 four of this exam, under insight and self-assessment --

8 **PRESIDING COMMISSIONER PECK:** Yeah.

9 **ATTORNEY GARFINKEL:** -- the doctor says, and I  
10 quote, he takes responsibility for the murder of the  
11 victim.

12 **PRESIDING COMMISSIONER PECK:** Okay.

13 **ATTORNEY GARFINKEL:** So he knows he killed  
14 somebody. I think it's a typo on the first page --

15 **PRESIDING COMMISSIONER PECK:** Well --

16 **ATTORNEY GARFINKEL:** -- he was trying to follow  
17 the FAD format.

18 **PRESIDING COMMISSIONER PECK:** And I could say the  
19 same thing about the comprehensive risk assessment by  
20 Dr. Wildman.

21 **ATTORNEY GARFINKEL:** Well that's very different.

22 **PRESIDING COMMISSIONER PECK:** Maybe.

23 **ATTORNEY GARFINKEL:** When she's talking about  
24 another county, from a crime that happened 12 years  
25 later, and he's just listing the charges on the

1 identifying information (inaudible).

2           **PRESIDING COMMISSIONER PECK:** But when I read --  
3 but when I read the risk assessment from Dr. Wildman,  
4 the -- Dr. Wildman talked -- spoke very specifically  
5 about the charges that Mr. Lazor was involved in.

6           **ATTORNEY GARFINKEL:** That -- that's true, but he  
7 does say that -- he does say the victim was murdered, so  
8 it's not like he assumed it was an attempted murder, he  
9 knows the guy died. That's all I'm saying. And that's  
10 the only thing --

11           **PRESIDING COMMISSIONER PECK:** You're a very --

12           **ATTORNEY GARFINKEL:** -- the only thing --

13           **PRESIDING COMMISSIONER PECK:** -- you're a very  
14 good attorney.

15           **ATTORNEY GARFINKEL:** -- the only place he writes  
16 attempted murder is under identifying information, where  
17 he lists the names, CDC number and date of birth, and  
18 the controlling offense. But it doesn't appear anywhere  
19 in the assessment that he's using attempted murder for  
20 his diagnosis --

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

22           **ATTORNEY GARFINKEL:** -- or his assessment.

23           **PRESIDING COMMISSIONER PECK:** Well, we'll make  
24 that assessment. I just want you to --

25           **ATTORNEY GARFINKEL:** Which is why I said -- I

1 know, I do see that, but I do also see where he says  
2 that victim was murdered, so.

3 **INMATE LAZOR:** So, that's this that you were just  
4 looking at, right?

5 **ATTORNEY GARFINKEL:** Yes -- yes.

6 **INMATE LAZOR:** So you -- so you don't -- or you  
7 do need this?

8 **ATTORNEY GARFINKEL:** Well, that's his, I'll take  
9 yours, thank you.

10 **INMATE LAZOR:** Okay.

11 **PRESIDING COMMISSIONER PECK:** All right. Go  
12 ahead, I'm sorry, I didn't mean to interrupt with that -  
13 -

14 **ATTORNEY GARFINKEL:** No, I appreciate it.

15 **PRESIDING COMMISSIONER PECK:** -- because --  
16 because I just want you to -- frankly, what I'm not  
17 going to do, is I'm not going to -- you know, I mean --  
18 so I'm trying to figure out how much weight we're going  
19 to give this, right? I'm just trying to figure -- I  
20 mean, that -- that -- that was a -- that was an issue  
21 that I saw --

22 **ATTORNEY GARFINKEL:** Sure.

23 **PRESIDING COMMISSIONER PECK:** -- in his report,  
24 that is that the doctor seemed to believe that he didn't  
25 have any antisocial behavior prior -- prior to coming to

1 prison, and that's a hard stretch for me, when he's in  
2 here on a murder second.

3 **ATTORNEY GARFINKEL:** Right.

4 **PRESIDING COMMISSIONER PECK:** Whether you -- and  
5 the thing about it is this. Whether you claim innocence  
6 or not innocence, right, that's not the issue. You were  
7 found guilty of that, and that is some sort of evidence  
8 that there's some antisocial behavior, so for him to  
9 say, oh, there's -- there's nothing to see here.

10 **ATTORNEY GARFINKEL:** And I don't know this  
11 doctor, obviously, um, --

12 **PRESIDING COMMISSIONER PECK:** He's new.

13 **ATTORNEY GARFINKEL:** -- I wasn't the attorney at  
14 the last hearing, so this is quite a bit of information.

15 **PRESIDING COMMISSIONER PECK:** That's all right,  
16 we'll talk about it later.

17 **INMATE LAZOR:** I can do this where they can hear  
18 it, it's okay, but I just want to let you know, this is  
19 the -- if it's of any use --

20 **ATTORNEY GARFINKEL:** They -- they know that you  
21 have a right not to participate in the FAD exam.

22 **INMATE LAZOR:** But -- but if -- if this -- if  
23 it's of no use, I'm just putting it in front of you --

24 **ATTORNEY GARFINKEL:** Thank you.

25 **INMATE LAZOR:** -- in case it is of use, and I'll

1 let you make the decision --

2 **ATTORNEY GARFINKEL:** Thank you.

3 **INMATE LAZOR:** -- uh, that that is the letter  
4 that I had -- trying to give to -- I actually sent it in  
5 and then was trying to give it to, uh, Doctor, uh,  
6 Wildman --

7 **ATTORNEY GARFINKEL:** Sure.

8 **INMATE LAZOR:** -- to say, I just needed this  
9 paperwork, right?

10 **ATTORNEY GARFINKEL:** Right. It -- it's your  
11 right not to participate in the exam, what the  
12 Commissioner, I think, is saying, is that you chose to  
13 participate in your own doctor's exam, and not the one  
14 that FAD sent to you.

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

16 **ATTORNEY GARFINKEL:** So it's difficult to give  
17 greater weight to yours, because that was who you chose.

18 **INMATE LAZOR:** Okay.

19 **ATTORNEY GARFINKEL:** Versus who they sent to  
20 assess you.

21 **PRESIDING COMMISSIONER PECK:** And -- and -- and  
22 it's all about bias, and that's what -- that's -- that's  
23 what we're trying to decide. Is there bias in your --  
24 is there bias in your -- because you paid him. So is  
25 there bias?

1           **INMATE LAZOR:** I did, but -- but --

2           **PRESIDING COMMISSIONER PECK:** No -- no, I want --  
3 so that's what this discussion is all about.

4           **ATTORNEY GARFINKEL:** And the same argument is the  
5 state pays the FAD --

6           **PRESIDING COMMISSIONER PECK:** Yeah, so there's a  
7 --

8           **ATTORNEY GARFINKEL:** So that's why I'm saying, as  
9 far as it being a tool that they can give the weight  
10 that they feel --

11           **PRESIDING COMMISSIONER PECK:** I understand, yeah.

12           **ATTORNEY GARFINKEL:** Because there's apparently  
13 errors in both of them.

14           **PRESIDING COMMISSIONER PECK:** I -- I do  
15 understand.

16           **INMATE LAZOR:** If I may say about payment, um,  
17 Dr. Yang actually reduced his pay to something like half  
18 of what it was, because we couldn't afford it.

19           **ATTORNEY GARFINKEL:** Even if he did it for free,  
20 he's doing it for you.

21           **INMATE LAZOR:** The doctor actually did it for  
22 free.

23           **ATTORNEY GARFINKEL:** This is what he's saying,  
24 right.

25           **PRESIDING COMMISSIONER PECK:** We just want to

1 know bias. Because you know something, that's what we  
2 want to do, we want to rate non-bias reports.

3 **INMATE LAZOR:** I understand.

4 **PRESIDING COMMISSIONER PECK:** So anyway, that's -  
5 - that's all I wanted to say.

6 **INMATE LAZOR:** I understand.

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

8 **DEPUTY DISTRICT ATTORNEY RICO:** (inaudible)

9 **PRESIDING COMMISSIONER PECK:** And I don't like to  
10 pull things out of the air, right? I don't like you not  
11 to know what we're doing over here, what's going through  
12 my mind, right?

13 **INMATE LAZOR:** (inaudible)

14 **PRESIDING COMMISSIONER PECK:** So I always want to  
15 give you a chance to speak to these things that we see,  
16 so when we go into deliberations, we have your side of  
17 the story, too.

18 **INMATE LAZOR:** And thank you for that, I -- I do  
19 appreciate that.

20 **PRESIDING COMMISSIONER PECK:** All right, go ahead  
21 Mr. Rico, I hear you talking.

22 **DEPUTY DISTRICT ATTORNEY RICO:** Thank you,  
23 Commissioner, just, uh, very short input. On page ten  
24 of Dr. Lang's report, um, he also writes in the second  
25 paragraph, record states the victim was shot four times,

1 it was actually five. And on that same page, he  
2 indicates in the last paragraph that Mr. Lazor has been  
3 disciplinary-free for over three years. Uh, those are  
4 also errors.

5 **PRESIDING COMMISSIONER PECK:** Yeah, I got it, I  
6 saw that, too.

7 **INMATE LAZOR:** Uh, excuse me. On that, if I may?

8 **PRESIDING COMMISSIONER PECK:** Yes.

9 **INMATE LAZOR:** The -- the shooting, uh, it might  
10 be a technical point, but the fact is there were four  
11 shots that were determined to have hit the guy, the one  
12 shot -- the first shot went through his hand before it  
13 went in, so it was actually four shots that were -- and  
14 I know it's a technical point, and it -- and -- but, and  
15 the other thing about the three years, I believe I was  
16 disciplinary-free for three years at the time Dr. Lang  
17 either wrote the report, or at least started on writing  
18 the report and did the interview with me, because I had  
19 that whole period, uh, of --

20 **ATTORNEY GARFINKEL:** It's from March of 2017.

21 **INMATE LAZOR:** So it was close or at three years,  
22 so I don't think that was an error. I don't believe so.

23 **ATTORNEY GARFINKEL:** Okay.

24 **DEPUTY DISTRICT ATTORNEY RICO:** Thanks.

25 **PRESIDING COMMISSIONER PECK:** All right, thank

1 you, Mr. Rico. Okay, let's get back to the real hearing  
2 now.

3 **DEPUTY COMMISSIONER JOHNSEN:** Thank you, I have -  
4 - I have received more documents, I want to note there's  
5 a letter, this is a December 1992 letter from Stanford  
6 University Medical Center signed by Dr. William Fee. It  
7 has to do with, uh, auditory issues. Did you intend to  
8 submit this?

9 **INMATE LAZOR:** We did, there's a purpose.

10 **DEPUTY COMMISSIONER JOHNSEN:** And, uh, it says,  
11 uh, a reason for, uh, your issue -- why you're suitable?

12 **INMATE LAZOR:** Let me explain the reason why we  
13 submitted it. I had a whole stack of things to show you  
14 -- you folks what I do with my time, that I do a lot of  
15 constructive things that never get on the record,  
16 because the CDC doesn't have a system set up where they  
17 go, okay, this individual prisoner did this and does all  
18 these great individual things for society. They don't  
19 have that kind of a system set up if it's not their  
20 group --

21 **DEPUTY COMMISSIONER JOHNSEN:** So, you're saying  
22 that this evidences some effort that you've made to be  
23 productive in society?

24 **INMATE LAZOR:** Exactly, it -- it actually -- it's  
25 not for my personal thing, but they're thanking me for,

1 uh, giving them an idea. I'm -- I'm a -- I'm a patents  
2 holding inventor. So I -- I --

3 **DEPUTY COMMISSIONER JOHNSEN:** Well --

4 **INMATE LAZOR:** -- give ideas a lot of times to  
5 corporations and universities and businesses, and this  
6 is showing that, you know, that I did that, so --

7 **DEPUTY COMMISSIONER JOHNSEN:** So you presented  
8 some idea to them in writing?

9 **INMATE LAZOR:** Yes.

10 **DEPUTY COMMISSIONER JOHNSEN:** Uh-huh.

11 **INMATE LAZOR:** And --

12 **DEPUTY COMMISSIONER JOHNSEN:** And this is their  
13 response?

14 **INMATE LAZOR:** Yes.

15 **DEPUTY COMMISSIONER JOHNSEN:** But I noticed this  
16 is in '92 and you have a hearing aid currently, were you  
17 suffering from hearing issues back then?

18 **INMATE LAZOR:** Uh, not primarily, although I had  
19 a slight one since 80 -- 80 something, but this isn't ab  
20 -- that isn't about that.

21 **DEPUTY COMMISSIONER JOHNSEN:** Were you suffering  
22 from tinnitus or ringing in the ear back then?

23 **INMATE LAZOR:** Uh, yes. Since 80 -- '87 when I  
24 had the first injury in CDC.

25 **DEPUTY COMMISSIONER JOHNSEN:** And you had not --

1 did not contact them relating to your consult -- uh,  
2 consultation regarding your hearing deficits back then?

3 **INMATE LAZOR:** Well, it wasn't specifically about  
4 me, the idea was to present them with something that  
5 could -- they could research, that I felt I had done  
6 some research on, that maybe was not discovered yet, and  
7 they were thanking me for that, and acknowledging that  
8 it might be a valid point for them to do further  
9 research.

10 **DEPUTY COMMISSIONER JOHNSEN:** All right, with  
11 that -- with that as a context for anyone reading it,  
12 I'll make this part of the record, if that's what you  
13 want --

14 **INMATE LAZOR:** Thank you sir.

15 **DEPUTY COMMISSIONER JOHNSEN:** -- and, uh, put it  
16 as perhaps in support letters, um, might be a good  
17 category to place it in. Um, but --

18 **INMATE LAZOR:** May I also make one comment,  
19 please about support letters that I feel is really  
20 important? I know we call these support letters all the  
21 time. I also want to get on the record that to me,  
22 these are letters of evidence, because they're not only  
23 support, somebody saying please give this guy parole,  
24 but they're letters of evidence as to my history. So  
25 many of them -- you've mentioned, you know, I wrote

1 these people for 11 years, and six years and whatnot,  
2 but there are a lot of letters in there that go back to  
3 people knowing me since I was five or six years old.

4 **DEPUTY COMMISSIONER JOHNSEN:** One -- one moment,  
5 sir. We -- we use that as a category, the description  
6 stated in those letters are taken at face value --

7 **INMATE LAZOR:** Okay.

8 **DEPUTY COMMISSIONER JOHNSEN:** -- and it's many of  
9 them, over a cross section of many hearings, we find not  
10 only, uh, they're -- they're willing to support you, but  
11 they're observations of growth and so on. And all that  
12 will be made -- taken in context.

13 **INMATE LAZOR:** Thank you, that's exactly  
14 (inaudible).

15 **DEPUTY COMMISSIONER JOHNSEN:** So -- and we have a  
16 number of those, they'll be made part of the record. I  
17 did find a Francisco Home letter that appeared to be  
18 received about -- on or about the day of the last  
19 hearing, that's going to be a part of the record, that's  
20 a, uh, acceptance at a, uh, transitional living. And,  
21 uh, two other documents, one of which I have in front of  
22 me that's a -- it's, uh, titled Parole Hearing  
23 Presentation and it has a -- a chronological history  
24 that, uh -- of -- of various things you've done, as well  
25 as, in the last few pages, it has a parole plan, uh,

1 relapse prevention plan, uh, or at least discussions,  
2 and it will be, uh -- this will be made part of the  
3 record in parole plans.

4 **INMATE LAZOR:** Thank you, Mr. Johnsen.

5 **DEPUTY COMMISSIONER JOHNSEN:** Um, and, um, is  
6 there anything else about your plans once you are  
7 released, not only of where you might live immediately,  
8 or -- or after. Also, uh, what type of employment you  
9 think you could, uh, obtain to earn a lawful living.  
10 Um, I know there's some offers of, uh, jobs, uh, or at  
11 least assistance to get jobs. Do you have any  
12 particular field of employ that you think you're not  
13 only qualified to do, but you really like to do?

14 **INMATE LAZOR:** Two of them. One is, uh, the  
15 offer for my teaching music. I teach guitar and voice  
16 lessons, which I -- I did teach, uh, voice lessons when  
17 I was out there, and as you may know, I was a  
18 professional, uh, musician. Somewhere here I have a  
19 little bit about my background, if it would help to show  
20 it.

21 **ATTORNEY GARFINKEL:** You can just tell them, they  
22 don't need to see every document.

23 **INMATE LAZOR:** Oh, okay.

24 **DEPUTY COMMISSIONER JOHNSEN:** I've actually read  
25 something that was in the probation report that

1 discussed the -- the -- discussed that.

2 **INMATE LAZOR:** Okay.

3 **DEPUTY COMMISSIONER JOHNSEN:** But go ahead.

4 **INMATE LAZOR:** So I -- I would like to resume,  
5 uh, teaching, and it's something that I don't even need  
6 transportation, a lot of times, they would usually come  
7 to my place for those lessons, that's the way we did it  
8 on the street. I had my own studio, and so that's also  
9 a plus, in terms of, um, you know, not having that extra  
10 burden of, you know, me going somewhere, uh, with  
11 transportation, so with the cost of gasoline and, you  
12 know, getting, uh, transportation, that sort of thing,  
13 when I first get out there and try to get on my feet.  
14 Uh, the other thing is -- oh, and I -- I have people  
15 lined up that want to take lessons from me already. Uh,  
16 you have some previous letters, uh, maybe not this time  
17 around, but you have some previous letters to that, uh,  
18 effect of -- of, uh -- of a man that has taught piano  
19 lessons for about 30 or 40 years that wants me to work  
20 under him -- um, I can't remember his name right off the  
21 bat. One of the people that have written support  
22 letters on a regular basis. And, uh -- uh, a man named  
23 Link Demario (phonetic), who has written a letter this  
24 time around, and many previous times, that is a, um --  
25 was a college student at the same time, we went to

1 college together, and we both are in the music field.  
2 He's been teaching guitar lessons for, oh, probably 40  
3 some years, and, uh, he teaches in the, um, Iver  
4 Johnson's Music in Fremont, which is, uh, owned by my  
5 ex lead guitar player of my band, and so I have all  
6 these things lined up already, as to where to start and  
7 how to get on my feet and do these things. The other  
8 one is Linda Lucero and -- and her husband, Mike, have  
9 offered me to do financial work for them, and her letter  
10 is in your file for this time around, uh, offering me  
11 employment on that. So those two things I could do, and  
12 again, she says the same thing, a lot of that work that  
13 I do for them in the financial business can -- can be  
14 done on computer, and so it saves a lot of  
15 transportation problems and that sort of thing.

16 **DEPUTY COMMISSIONER JOHNSEN:** Well, speaking of  
17 that, I noticed that you have received some certificates  
18 relating to, um, office service -- services and related  
19 technology --

20 **INMATE LAZOR:** Yes sir.

21 **DEPUTY COMMISSIONER JOHNSEN:** -- and, uh,  
22 sometimes this is historical, but you also received a  
23 certificate of completion, uh, I believe it had to do  
24 with yard maintenance and landscape. Um, those should  
25 be, uh, at least, uh, stated for the record. They're in

1 the record, but I'll -- I'll make a note that we have  
2 seen that, so --

3 **INMATE LAZOR:** Thank you.

4 **DEPUTY COMMISSIONER JOHNSEN:** -- um -- uh, if  
5 there's, uh, nothing further about your parole plans,  
6 uh, or, uh, what you would like to do on the outside  
7 once out that relates to success in being on parole, I'm  
8 going to defer back to the Chair.

9 **PRESIDING COMMISSIONER PECK:** Do you want to  
10 cover the confidential?

11 **DEPUTY COMMISSIONER JOHNSEN:** I -- I covered this  
12 already.

13 **PRESIDING COMMISSIONER PECK:** Oh, did you? Okay.

14 **DEPUTY COMMISSIONER JOHNSEN:** I read that into  
15 the record, that paragraph.

16 **INMATE LAZOR:** Can I respond to some of the  
17 confidential, there was not only that one report, but I  
18 recently got something from BPH, uh, directly in the  
19 mail that says something about, uh, there were several  
20 other confidential things over the years, I think going  
21 back to 2008, or something like that, and coming up to  
22 more current.

23 **PRESIDING COMMISSIONER PECK:** Yeah.

24 **INMATE LAZOR:** Uh, if I could comment on a few of  
25 those, I know what most of those are. I want to make it

1 clear that the one thing that they said I was, uh -- uh,  
2 trying to manipulate and extort a lower functioning  
3 inmate that --

4 **PRESIDING COMMISSIONER PECK:** Um-hmm.

5 **INMATE LAZOR:** -- that -- the -- the man that I  
6 was accused of doing that to, uh, was a lower  
7 functioning EOP inmate. I looked out for him like a big  
8 brother, which I often do to low functioning guys on the  
9 yard. And he was coerced into that by two other inmates  
10 and a few staff members. He named all of them in a  
11 sworn affidavit, which was sent to, uh -- uh, Kevin, uh,  
12 Pool.

13 **PRESIDING COMMISSIONER PECK:** Um-hmm.

14 **INMATE LAZOR:** So those, you should have that, so  
15 it rebuts that. His own rebuttal, the man that I'm  
16 accused of doing that to, states Lazor didn't do this to  
17 me at all, uh, I was -- I was pressured to say this at  
18 some point, and he didn't really even understand, he's  
19 so low functioning, the consequences to me of doing  
20 that. So, I want to clarify that. Another one, uh --  
21 um, where it said I -- I, uh, threatened -- a  
22 confidential thing where I threatened staff. I know the  
23 person who did that, we've talked about it, his name is  
24 Dale Medor (phonetic). I don't know, he maybe even died  
25 in the last few years, because he was -- he was old and

1 frail and having some real bad health problems. But he  
2 -- it was a simple matter of -- of, uh, I went out of my  
3 way to help him out with can -- canteen food, and he, to  
4 avoid paying me back a lousy few dollars of canteen, he  
5 went and told staff that this -- so they would lock me  
6 up so he wouldn't have to pay me the canteen stuff back.  
7 So these things happen --

8 **PRESIDING COMMISSIONER PECK:** Are you supposed to  
9 be doing that kind of stuff?

10 **INMATE LAZOR:** These things happen -- you were a  
11 captain, right? These things happen in prison, you know  
12 they happen in prison.

13 **PRESIDING COMMISSIONER PECK:** That's not what I  
14 asked.

15 **INMATE LAZOR:** I'm sorry the question  
16 (inaudible).

17 **PRESIDING COMMISSIONER PECK:** There's a lot of  
18 things that happen in prison that I never -- that I  
19 don't approve of.

20 **INMATE LAZOR:** The question was, again?

21 **PRESIDING COMMISSIONER PECK:** Is that the way  
22 it's supposed to be done in prison?

23 **INMATE LAZOR:** No sir -- no sir.

24 **PRESIDING COMMISSIONER PECK:** Well, why were you  
25 involved in it?

1           **INMATE LAZOR:** I'm -- well, trying to help  
2 somebody out. Trying to help a fellow man out.

3           **PRESIDING COMMISSIONER PECK:** What happens when  
4 you try to help your fellow man out in prison?

5           **INMATE LAZOR:** Some -- sometimes I get screwed.  
6 So I've learned a lot of lessons in not to do this, so  
7 you see I haven't done that at any other time, where  
8 anything is reflected on the record of that, so I've  
9 learned my lesson on that. It was quite -- quite a few  
10 years -- I mean, a handful of years back, anyway.

11           **PRESIDING COMMISSIONER PECK:** I mean, the reason  
12 why we don't let inmates do business dealings with each  
13 other, is because --

14           **INMATE LAZOR:** I understand.

15           **PRESIDING COMMISSIONER PECK:** -- nine times out  
16 of ten, it ends up tragically bad.

17           **INMATE LAZOR:** I understand.

18           **PRESIDING COMMISSIONER PECK:** (inaudible) any  
19 other, right?

20           **INMATE LAZOR:** You're -- you're right -- I  
21 learned my lesson, and it was -- I was trying to help  
22 somebody. My intentions were good, but the results were  
23 bad, and I learned my lesson.

24           **PRESIDING COMMISSIONER PECK:** Um, I don't have  
25 any more questions. We'll -- we're going to make --

1 just so you know, Counsel, we're going to make a  
2 confidential tape.

3 **ATTORNEY GARFINKEL:** Okay.

4 **PRESIDING COMMISSIONER PECK:** I have no other  
5 option of how to deal with this confidential  
6 information, other than a confidential tape. Why we're  
7 making a confidential tape is -- is that, um, your  
8 client -- as you know, your client has certain rights.  
9 After this is done, he can file a writ, and if this goes  
10 before a judge, a judge may choose, if he -- or she, if  
11 they have the opportunity is to take this enclose and  
12 review the tape in order to make --

13 **ATTORNEY GARFINKEL:** Yes.

14 **PRESIDING COMMISSIONER PECK:** -- if we were to go  
15 that direction.

16 **ATTORNEY GARFINKEL:** Okay.

17 **PRESIDING COMMISSIONER PECK:** I think it's  
18 basically, we do the confidential for a couple of  
19 reasons, one, because we let the -- the people that are  
20 in our chain, up to the governor, know they have the  
21 information that we had available to make our decision.  
22 And we also give your client and you, obviously, an  
23 opportunity to, um -- to go through other legal methods,  
24 where you might have a chance, because the -- to have a  
25 chance to review that in a closed session.

1           **ATTORNEY GARFINKEL:** Thank you.

2           **PRESIDING COMMISSIONER PECK:** That's why we do  
3 that. Do you understand that, Mr. Lazor?

4           **INMATE LAZOR:** I -- I didn't catch all of what  
5 you were saying, to be honest with you.

6           **ATTORNEY GARFINKEL:** They're making a  
7 confidential tape --

8           **INMATE LAZOR:** Right.

9           **ATTORNEY GARFINKEL:** -- because we don't have  
10 access to that information.

11          **INMATE LAZOR:** But I didn't understand how that  
12 works.

13          **ATTORNEY GARFINKEL:** Because basically, no matter  
14 what happens here today, you have rights of appeal and  
15 those types of things, if you're not successful today  
16 and even if you are successful, then the governor's  
17 office needs to review everything that they used to make  
18 their decision.

19          **INMATE LAZOR:** Okay.

20          **ATTORNEY GARFINKEL:** So that tape is made so that  
21 anyone reviewing the decision, whether it be the Parole  
22 Board, the governor, or a court, then they have all the  
23 information that the Panel used in their decision today.

24          **INMATE LAZOR:** Okay, so you and I don't  
25 (inaudible) --

1           **ATTORNEY GARFINKEL:** We -- we don't get it, but  
2 there is a separate tape that's made for anyone in the  
3 future that's reviewing the decision.

4           **INMATE LAZOR:** Reviewing, right -- right.

5           **PRESIDING COMMISSIONER PECK:** I can't make -- I  
6 can't provide you this information --

7           **INMATE LAZOR:** I understand.

8           **PRESIDING COMMISSIONER PECK:** -- because I'm no  
9 authorized by CDCR to provide in -- to -- to provide  
10 confidential information, right?

11          **INMATE LAZOR:** Right -- right.

12          **PRESIDING COMMISSIONER PECK:** Because  
13 confidential information with people -- could put people  
14 in jeopardy, as you know, right?

15          **INMATE LAZOR:** Okay.

16          **PRESIDING COMMISSIONER PECK:** But, we do a  
17 confidential tape because -- because we want to get --  
18 there are peo -- certain people that are authorized to  
19 review confidential information.

20          **INMATE LAZOR:** Right.

21          **PRESIDING COMMISSIONER PECK:** It may be a judge  
22 in a writ of habeas.

23          **INMATE LAZOR:** Right.

24          **PRESIDING COMMISSIONER PECK:** Right? It may be  
25 the governor that wants to review this, right?

1           **INMATE LAZOR:** Right.

2           **PRESIDING COMMISSIONER PECK:** It may be the Board  
3 wants to review why we made the determinations we made,  
4 in order to come to a suitability factor or  
5 unsuitability factor. If we decide not to use the  
6 information, they -- they're going to want to know, why  
7 didn't we use it, and what was the information in the  
8 first place, right?

9           **INMATE LAZOR:** Right.

10          **PRESIDING COMMISSIONER PECK:** And if you were to  
11 -- if you were to decide, as is your right, to file a  
12 writ of habeas, if you were getting denied parole based  
13 on the confidential information, right? We want to be  
14 able to have the judge be able to have -- to make a  
15 determination on -- at least of what the confidential  
16 information that we used to deny you parole.

17          **INMATE LAZOR:** I appreciate your fairness on  
18 that.

19          **PRESIDING COMMISSIONER PECK:** Okay.

20          **INMATE LAZOR:** Um --

21          **PRESIDING COMMISSIONER PECK:** All right, so let's  
22 move on to Mr. Rico. Mr. Rico, do you have any  
23 clarifying questions for us?

24          **DEPUTY DISTRICT ATTORNEY RICO:** (inaudible) very  
25 limited --

1           **PRESIDING COMMISSIONER PECK:** Go ahead.

2           **DEPUTY DISTRICT ATTORNEY RICO:** Very limited.

3 Um, Mr. Lazor mentioned in terms of parole plans, that  
4 he would like to, um, return to music. Uh, and he  
5 mentioned, uh, support in that regard, uh, an individual  
6 whose name he couldn't recall. I note in the file,  
7 there is a support letter and job offer dated April 24<sup>th</sup>  
8 of 2014, from a Dom. O. Curtis (phonetic) of the Curtis  
9 School of Music in Stockton. Um, is Ms. Lazor counting  
10 on that as a possible, um, source of employment?

11           **INMATE LAZOR:** Yes, but not Mr. Curtis himself,  
12 but he had other people working under him, who I've also  
13 been in contact with, who are now, you know, running --  
14 basically running that show. He's no longer --

15           **PRESIDING COMMISSIONER PECK:** Let me -- let me --  
16 let me caution you, though --

17           **INMATE LAZOR:** Okay.

18           **PRESIDING COMMISSIONER PECK:** -- Mr. Lazor, I  
19 want to caution you for your own protection. Mr. Rico  
20 is not allowed to cross examine you directly, right?  
21 Now, I don't -- if you just answer directly like that,  
22 right? You don't give me a chance to make a ruling on  
23 that question, whether I'm going to ask it or not. You  
24 do so at your own peril, right? Because I don't know  
25 how -- nor does the transcript know how to not hear what

1 you just said or not document what you just said. So  
2 please be patient. Sometimes it takes me a minute to  
3 kind of mull through it, to find out if this Panel  
4 really even cares.

5 **INMATE LAZOR:** Okay, thank you.

6 **PRESIDING COMMISSIONER PECK:** Right? So --

7 **DEPUTY DISTRICT ATTORNEY RICO:** And,  
8 Commissioner, (inaudible) in that regard, so there's no,  
9 um, ambush here, or anything. It would appear that Mr.  
10 Curtis, um, passed away on July 29<sup>th</sup> of 2016. So, I'm  
11 just inquiring if Mr. Lazor was aware of that and if  
12 that somehow affects his parole plans?

13 **PRESIDING COMMISSIONER PECK:** Do you know that?

14 **ATTORNEY GARFINKEL:** He didn't submit that as a  
15 plan at this hearing, that's from 2013.

16 **PRESIDING COMMISSIONER PECK:** Okay. So that's  
17 not his -- he's not planning on working for Mr. Curtis.  
18 He's planning on working for people who work for Mr.  
19 Curtis.

20 **ATTORNEY GARFINKEL:** Right, he's planning on  
21 doing music and stuff --

22 **INMATE LAZOR:** Exactly.

23 **ATTORNEY GARFINKEL:** -- but not with him,  
24 specifically.

25 **PRESIDING COMMISSIONER PECK:** All right, go

1 ahead, Mr. Rico.

2 **DEPUTY DISTRICT ATTORNEY RICO:** And, uh, one  
3 clarifying question I -- I feel compelled to ask. Um,  
4 can Mr. Lazor shed any light on the facts about how he  
5 is able to manage, uh, and maintain a website and a  
6 Facebook page from prison?

7 **PRESIDING COMMISSIONER PECK:** That's a good  
8 question. Did you have a website while you were  
9 incarcerated?

10 **INMATE LAZOR:** I have two websites and I have  
11 Facebook as well.

12 **PRESIDING COMMISSIONER PECK:** Okay. How are you  
13 able to do that?

14 **INMATE LAZOR:** Totally legal.

15 **PRESIDING COMMISSIONER PECK:** Okay.

16 **INMATE LAZOR:** I don't have any direct contact  
17 with that myself.

18 **PRESIDING COMMISSIONER PECK:** Okay.

19 **INMATE LAZOR:** I've never had a cell phone, just  
20 so you know.

21 **ATTORNEY GARFINKEL:** He just wants to know if  
22 someone's running it for you.

23 **PRESIDING COMMISSIONER PECK:** Yeah, that's it.

24 **ATTORNEY GARFINKEL:** Who's running it?

25 **INMATE LAZOR:** Yeah, uh -- uh, (inaudible) a

1 friend named Sam Milan (phonetic) is running my websites  
2 --

3 **PRESIDING COMMISSIONER PECK:** Okay.

4 **INMATE LAZOR:** -- and a friend named Don, um, Don  
5 Sena -- S-E-N-A, is running my Facebook.

6 **PRESIDING COMMISSIONER PECK:** Okay. So it's --  
7 you don't -- you're not doing it, he's running it out  
8 there (inaudible)?

9 **INMATE LAZOR:** Correct.

10 **PRESIDING COMMISSIONER PECK:** Got it. Okay. Go  
11 ahead Mr. Rico.

12 **DEPUTY DISTRICT ATTORNEY RICO:** Thank you. Um,  
13 on one of the websites, there is a version of the life  
14 crime that purports to be from Mr. Lazor. Uh, did  
15 someone else write that, or is that his product?

16 **ATTORNEY GARFINKEL:** This is not information  
17 that's on the record.

18 **PRESIDING COMMISSIONER PECK:** I don't have any of  
19 that information. Um, yeah, I don't have that  
20 information right now, Mr. Rico.

21 **DEPUTY DISTRICT ATTORNEY RICO:** (inaudible)  
22 withdraw that, thank you.

23 **PRESIDING COMMISSIONER PECK:** Thank you. I have  
24 two more questions. One of them is if Mr. Lazor were to  
25 be released back into the free world at this time in his

1 life, what does he believe would be the biggest stressor  
2 or challenge for him?

3 **PRESIDING COMMISSIONER PECK:** That's a good  
4 question. What do you think your biggest challenges are  
5 going to be? Stressors, challenges, if you were  
6 released?

7 **INMATE LAZOR:** Let -- let me think about that  
8 just for a moment, please.

9 **PRESIDING COMMISSIONER PECK:** Okay, yes.

10 **INMATE LAZOR:** It's -- it's -- it's not a new  
11 thought, but I want to gather my thinking on it. Okay,  
12 I think this goes back to something Mr. Johnsen brought  
13 up earlier. Even though I have kept up with the many  
14 changes in society, it -- it's a whole different world.  
15 I'm well aware of this. I do a lot through television,  
16 a lot of educational stuff. I do a lot through  
17 magazines, I do a lot through newspapers, and these type  
18 of things, and a lot of different publications, and  
19 through communication and through visits, and regular  
20 phone calls with people. So I keep up with a lot, but  
21 still, I acknowledge, it's a whole different world. So  
22 I've got a lot to learn in far -- as far as computers,  
23 I've got a -- um, you know, a lot to learn as far as,  
24 uh, you know, communications and everything that's going  
25 on with the high-tech world we live in now. So really,

1 for me, that -- that would be the biggest stressor, and,  
2 uh, one of the reasons I say that is because the -- the  
3 things that are stressors for a lot of other people, I  
4 just don't have. No drug, no crime orientation, no  
5 alcohol problems and this sort of thing, and -- and  
6 also, I have somebody providing transportation for me as  
7 soon as I get out. I -- I will have to find a way to,  
8 you know, make money for gasoline and such right away,  
9 and I have several people that have, uh, committed to  
10 donating about ten thousand dollars combined for what  
11 I'm going to have as soon as I get out there. And I  
12 have, uh, a friend, for example, Michael Long, uh, whose  
13 letters you have this time around, and -- and all my  
14 other previous paro -- parole hearings, who has  
15 committed to buying me a computer -- a whole computer  
16 setup for my music, for my graphic arts and all other,  
17 you know, work that I might be doing on computers out  
18 there. So I have most of those things taken care of.  
19 I'm ready, but I do acknowledge it's a different world.  
20 So that would be my -- my biggest challenge --  
21 challenge.

22 **PRESIDING COMMISSIONER PECK:** Okay. Mr. Rico?

23 **DEPUTY DISTRICT ATTORNEY RICO:** Thank you, and  
24 two more questions. Um, given what Mr. Lazor just said,  
25 does he believe that he would have any inclination, or

1 impulse, to try to manipulate circumstances to alleviate  
2 any stressors that he found out there?

3 **PRESIDING COMMISSIONER PECK:** I don't know what  
4 you mean, I'm sorry. I don't understand the question.

5 **DEPUTY DISTRICT ATTORNEY RICO:** I -- I -- I  
6 guess, let me withdraw that and leave with one final  
7 question.

8 **PRESIDING COMMISSIONER PECK:** Okay.

9 **DEPUTY DISTRICT ATTORNEY RICO:** (inaudible) into  
10 specific detail about the life crime, (inaudible) Mr.  
11 Lazor has indicated, um, that basically the shooting was  
12 in self-defense, and that the victim was moving towards  
13 him at the time the victim was shot. Up until today,  
14 does Mr. Lazor have anything more to add to the Panel to  
15 explain why the victim appears to have been shot from  
16 behind, rather than from in front?

17 **PRESIDING COMMISSIONER PECK:** Can you explain  
18 that?

19 **INMATE LAZOR:** I -- I can. Um, my Counsel told  
20 me a little while ago that, um, the Board had received  
21 this thing I call a 3552 document. Um, it's a very  
22 expensive document, about 400 some pages, and it has  
23 the, um, you know, various things that -- that were done  
24 in trial that I -- you know, I claimed to be wrong to  
25 have done, uh, to -- to -- win the murder conviction.

1 Uh, if you go to this, because we all have this, the DA  
2 has been sent a copy of this --

3 **PRESIDING COMMISSIONER PECK:** Just tell us.

4 **ATTORNEY GARFINKEL:** Just -- yeah --

5 **PRESIDING COMMISSIONER PECK:** Just tell us.

6 **INMATE LAZOR:** Okay. Um, I've drawn diagrams as  
7 to how all the shots could have gone, could have -- I'd  
8 like to maybe pass this over to you so you can see --  
9 there's actually four succession in a row right here.

10 **PRESIDING COMMISSIONER PECK:** Well, it's not --  
11 it's not my question.

12 **ATTORNEY GARFINKEL:** It's in the master file, so  
13 I know that Mr. Rico has all of this.

14 **PRESIDING COMMISSIONER PECK:** What page -- what  
15 page are you talking about?

16 **ATTORNEY GARFINKEL:** Um, unfortunately, I don't  
17 know what -- it's S2 in that document, I don't have the  
18 electronic page number, because I've got the paper in  
19 front of me, but it's under the body shot charts.

20 **PRESIDING COMMISSIONER PECK:** Hold on.

21 **INMATE LAZOR:** And the point being that -- that -  
22 - when they say it was from the back or in the back,  
23 first of all the one that went straight -- straight  
24 through was not -- and we have photographs, it took me  
25 18 years to dig up, uh, from -- from the official

1 records, that show that the -- and I, you know, I don't  
2 like talking about this, but unfortunately I have to to  
3 answer your question.

4 **PRESIDING COMMISSIONER PECK:** (inaudible)

5 **INMATE LAZOR:** The guns -- the gunshot hole in  
6 the back is larger than the one in the front. Well, we  
7 all know that that's a pretty -- pretty standard thing  
8 when you -- when somebody gets shot, it spreads and it  
9 comes out bigger than it goes in. So we know from the  
10 photographs that that's error. And in terms of all the  
11 other -- all the -- all the other shots, and actually an  
12 alternative for that, if he was falling over forward,  
13 which -- which he apparently was when, uh, in a panic, I  
14 -- I, you know, continued to shoot.

15 **ATTORNEY GARFINKEL:** (inaudible)

16 **PRESIDING COMMISSIONER PECK:** I got it.

17 **ATTORNEY GARFINKEL:** Okay, it's around page four.

18 **PRESIDING COMMISSIONER PECK:** Mr. Rico, just to -  
19 - to make things easier for you, um, to answer your  
20 question, um, if you look at page 1020 of the, um,  
21 master, or of the WatchDocs master copy, you'll see, um,  
22 the work, that, uh, Mr. Lazor has done as far as how  
23 that could have happened.

24 **DEPUTY DISTRICT ATTORNEY RICO:** Thank you.

25 **PRESIDING COMMISSIONER PECK:** It's actually --

1 actually, I'm sorry, I'm -- I'm -- I'm -- I'm -- it  
2 starts on page 1017, 1018, 1019, 1020.

3 **DEPUTY DISTRICT ATTORNEY RICO:** Commissioner?

4 **PRESIDING COMMISSIONER PECK:** Yes?

5 **DEPUTY DISTRICT ATTORNEY RICO:** Uh, my only  
6 purpose in asking the question was to give Mr. Lazor,  
7 um, a final opportunity, for purposes of this hearing,  
8 as to whether he had any additional information in that  
9 regard.

10 **PRESIDING COMMISSIONER PECK:** Okay, I thought --

11 **DEPUTY DISTRICT ATTORNEY RICO:** I would submit it  
12 on that.

13 **PRESIDING COMMISSIONER PECK:** Okay, I was -- I  
14 thought you wanted to know, so I apologize.

15 **DEPUTY DISTRICT ATTORNEY RICO:** And I have, um,  
16 nothing further to ask.

17 **PRESIDING COMMISSIONER PECK:** All right. Do you  
18 have any questions for your client?

19 **ATTORNEY GARFINKEL:** I don't have any questions,  
20 thank you.

21 **PRESIDING COMMISSIONER PECK:** All right, Mr.  
22 Rico, what do you, uh -- what's your, uh, -- what's your  
23 opinions about Mr. Lazor getting a parole date today?

24 **DEPUTY DISTRICT ATTORNEY RICO:** Uh, thank you.  
25 Um, first of all, I think that Mr. Lazor is -- is very

1 articulate. Uh, he appears to, you know, consider the  
2 questions asked, and try to explain them in (inaudible).  
3 I think earlier in the hearing, when it started out on  
4 June 6<sup>th</sup> of this year, he mentioned that one of, um --  
5 one of the negative aspects of his personality, I think  
6 as he referred to it, was that he was somewhat wordy,  
7 and he does have, um, that inclination. But, he sounded  
8 very reasoned today. I looked at -- in the prior  
9 transcript, and I'm looking for a reference here, there  
10 was, um, (inaudible) Commissioner that he said, and I  
11 think it was on page 110 and 111 of the transcript, and  
12 he talked about making determinations about the inmate's  
13 credibility. And, specifically, I think it started at  
14 page 109, you indicated there's a couple of things that  
15 I'm trying to figure out right now, A) are you credible,  
16 do I believe you? And on page 110, (inaudible) is do  
17 you have any kind of insight or understanding into your  
18 behaviors? And when you talked about, at the bottom of  
19 -- of that page, um, so people absolutely, um, everyone  
20 at the time, um, when they're saying maybe I was  
21 pretending before, it wasn't quite accurate, so you were  
22 giving him an opportunity to correct. And I think  
23 that's kind of the key here today, in terms of  
24 credibility and insight. Now, I would submit that the  
25 inmate's version of the life crime is inconsistent with

1 the facts. In terms of how the life crime took place,  
2 the shooting, I think that it's important to, um -- for  
3 the Panel to review the autopsy report, and consider,  
4 um, where those shots were fired, and I think that it's  
5 troubling that I -- I recognize that Mr. Lazor has  
6 attempted to, um -- um, explain how it happened. But,  
7 uh, he has consistently indicated that the victim was  
8 coming at him, that he had broken through, I think even  
9 this hearing, on June 6<sup>th</sup>, the inmate indicated that the  
10 door was kicked down by the victim, um, Mr. Allred  
11 (phonetic), and that he hacked -- the victim hacked his  
12 way through the door with a meat cleaver. Um, and that  
13 in a panic, Mr. Lazor, um, defended himself. And he  
14 claimed to have repeatedly shot him, as he was  
15 explaining -- as he was advancing on him. The autopsy  
16 report, which again, is in the file, shows the gunshot  
17 wounds are (inaudible) one, two -- well, there's one in  
18 the forehead, which is from the front. There is one in  
19 the, uh, left upper back, another one in the left upper  
20 back. The bullet (inaudible) not necessarily the one  
21 that's through the -- the back of (inaudible) between  
22 the base of the thumb and the index finger, but the one  
23 that's in the back of the head, in the left occipital  
24 region, where there's an entrance type gunshot wound,  
25 and it proceeded downward at an angle of approximately

1 ten degrees, um, and it's recovered from the left  
2 parietal region. So basically, that gunshot went in  
3 above and behind the victim's left ear, which is  
4 suggestive of, um, an execution type of killing. And,  
5 Mr. Lazor has tried to explain how this could have  
6 happened. But I think this falls back into that  
7 question of credibility. Does his version of the life  
8 crime, um, match the facts? Or is it inconsistent? And  
9 I think one of the -- one of the significantly  
10 disturbing factors here, is that Mr. Lazor's version of  
11 reality -- it's not so much what reality is, but rather,  
12 what he wants it to be. And I think that his history,  
13 um, has demonstrated that he will go to great lengths,  
14 often with a great expression of anger or intimidation  
15 to others, in an attempt to make things as he wants them  
16 to be, or as he wants them to be perceived. So, I have  
17 to refer briefly to that affidavit of Dante (inaudible),  
18 that was referred to at the last hearing, which  
19 purportedly, um, corroborated Mr. Lazor's version of  
20 what he claimed correctional officers had done. And I  
21 think that if one looks at what the -- the facts are,  
22 you tend to -- I think the timing is important. On June  
23 7<sup>th</sup> of 2013, three days after Mr. Lazor's 2013, um,  
24 lifer hearing, he got in a fight with his cellmate,  
25 Inmate Casias (phonetic). There were two other 115s in

1 2014, uh, January 21<sup>st</sup> and February 4<sup>th</sup>. Now, the  
2 affidavit of Inmate Sutton appears to be prepared, um,  
3 in somewhat of the fashion that Inmate Lazor prepares  
4 documents. It was footnoted. And I think that it's  
5 important to note that the affidavit purportedly of  
6 Inmate Sutton, types the inmate's name wrong. It types  
7 it D-A-N-T-E, and refers to it that way. The inmate's  
8 name is actually D-O-N-T-E, and that's how the inmate  
9 signed it. And I believe that this is another example  
10 of the inmate manipulating and taking advantage of  
11 perhaps a lower functioning individual, to accomplish  
12 his purposes. I think that, uh, Dr. Wildman's psyche  
13 eval, although he was not afforded the opportunity of  
14 interviewing Mr. Lazor, to Mr. Lazor's own, um,  
15 (inaudible), is more valid than the others. I think  
16 that -- excuse me -- I think that Mr. Lazor lacks  
17 insight, he remains a high and unreasonable risk if he  
18 were to be released, and that he has consistently  
19 demonstrated either the inability or refusal to comply  
20 with Board direction about not picking up additional  
21 115s. I would submit that he is not ready for release,  
22 and if he were to be released, he would constitute an  
23 extremely unreasonable risk of re-offense. I would ask  
24 that he be denied. Thank you.

25 **PRESIDING COMMISSIONER PECK:** Thank you, sir.

1 Counsel?

2           **ATTORNEY GARFINKEL:** Thank you. Mr. Lazor does  
3 not believe he would be an unreasonable risk of danger  
4 to society, and does ask that you find him suitable  
5 today. I do want to start with some of Mr. Rico's  
6 points, um, regarding the fact that Mr. Lazor's version  
7 is not consistent with the facts in the record. I do  
8 want to point out that under Penal Code 5011, he is not  
9 required to agree with the facts in the record. The  
10 most recent case law says that if his version is  
11 different than the official version, that then we have  
12 to look at, is his version plausible. Mr. Rico himself  
13 was talking about the meat cleaver that Mr. Lazor  
14 indicated that Mr. Allred came at him with at the time  
15 of the commitment offense. If you look in the  
16 transcripts that are provided to us from the trial, I  
17 think it was some of the sentencing transcripts, there's  
18 an entire discussion about that meat cleaver and the  
19 fact that no one even dusted it for fingerprints. So it  
20 is plausible that Mr. Lazor did feel threatened by Mr.  
21 Allred, and it is possible that Mr. Allred did come at  
22 Mr. Lazor with the meat cleaver, because if you look at  
23 the history and you look at the transcripts, there was  
24 no dusting of the fingerprints of that meat cleaver, nor  
25 did the police take it into custody for evidence. So,

1 then we have to look at, is his version plausible? And  
2 he believes it is. When you look at the factors of  
3 suitability, he does not have a record of assaultive  
4 behavior as a juvenile, nor does he have any criminality  
5 as a juvenile that I saw in my file. He's upgraded  
6 himself while he's been in prison. He's gotten college  
7 education. He has a solid work ethic and he has  
8 marketable skills. Regarding the confidential memo from  
9 November 1<sup>st</sup> of 2017 -- I think the officer's changing.  
10 Oh, we lost the DA.

11 **PRESIDING COMMISSIONER PECK:** Can -- does that  
12 have a redial on it, officer?

13 **ATTORNEY GARFINKEL:** We're still recording, but  
14 the DA hung up.

15 **PRESIDING COMMISSIONER PECK:** We're still on the  
16 record. How many correctional staff to call -- does it  
17 take to call --

18 **DEPUTY DISTRICT ATTORNEY RICO:** Hey. I'm on the  
19 call.

20 **PRESIDING COMMISSIONER PECK:** All right, go  
21 ahead, I'm sorry.

22 **DEPUTY DISTRICT ATTORNEY RICO:** We're good.

23 **ATTORNEY GARFINKEL:** Okay. Furthermore, um,  
24 regarding the life crime, I do want to point out that  
25 after I believe the life crime was in 1983, at this

1 point it's immutable. The bottom line is he accepts  
2 responsibility for the death of Mr. Allred and that is  
3 throughout the -- the file, it's even in the most recent  
4 risk assessment, that he accepts responsibility. Um,  
5 again, he doesn't have a record of assaultive behavior  
6 as a juvenile and he's upgraded himself while he's been  
7 incarcerated. Regarding the confidential memo from  
8 November 1<sup>st</sup> of this year, I just want to point out that  
9 if CDCR found the information from the informant to be  
10 unreliable based on the fact that the informant had  
11 never provided information that had been deemed useful  
12 in the past, that that informant is not reliable, so  
13 then I would also argue that that same informant is not  
14 reliable as to this alleged manipulation that Mr. Lazor  
15 put on him. I don't have the confidential memo, but it  
16 would seem to me that if this inmate is not reliable for  
17 one aspect, then he shouldn't be reliable for the other.  
18 And with that, I'll leave it to you, because you have  
19 the full memo in the file, but that is something I do  
20 want to point out. Um, he's been actively involved in  
21 self-help. He participates in the EOP programs, he's  
22 told us today he no longer takes medication, he is just  
23 situationally depressed from his situation of being in  
24 prison for well over 30 years. He's actively  
25 participating in 12-step programs. He's a religious

1 individual, he participates in Alternatives to Violence  
2 and Grief Support. He's done Anger and Stress  
3 Management. And I think it's also interesting when he  
4 talked about the theater group and the Toastmaster stuff  
5 that he does, because that shows that he's actually not  
6 antisocial, that he does care about people around him  
7 (inaudible) would be involving himself with them, and he  
8 must have some sort of morals, um, because that's --  
9 he's working with other inmates. He's socializing with  
10 them, he's participating in extracurricular activities  
11 that are not required of him. So obviously, he's a  
12 different person now than he was at the time of the  
13 crime. Briefly, as far as the risk assessment, I've  
14 said it a few times, I would just ask that it not be  
15 given very much weight. The doctor did say that he  
16 politely refused to participate, because he didn't have  
17 his paperwork with him. Again, on page two, the doctor  
18 says that the information comes from an Alameda Superior  
19 Court case from 1995. This case was from 1983 in Santa  
20 Clara County. This doctor is also the only doctor that  
21 I've seen in all of his risk assessments, to give him an  
22 above average risk, ever. He's always been moderate.  
23 He's been very, very low in the past. So we're just  
24 going to ask that due to the -- the substantial errors  
25 that -- that came out from the psyche report that it not

1 be given much weight at all. Um, I also want to point  
2 out that there are several different psychological  
3 evaluations from doctors that have maintained contact  
4 with him for years, and all felt that he was a low risk.  
5 His parole plans are feasible, he has a tremendous  
6 amount of support on the outside. He has chosen to go  
7 to Francisco Homes, which is a great program, they've  
8 never had a lifer return to custody since they've been  
9 open. He has plans to continue with his musical  
10 talents, and to teach others musically. But taken all  
11 of together the fact that he's older now than he  
12 definitely was at the time of the crime, which reduces  
13 his risk of recidivism, and looking at the work that he  
14 has done, he doesn't feel that he would be a danger to  
15 society, and does ask that you find him suitable today.  
16 Thank you.

17 **PRESIDING COMMISSIONER PECK:** Thank you. Mr.  
18 Lazor?

19 **INMATE LAZOR:** Yes sir.

20 **PRESIDING COMMISSIONER PECK:** Your turn.

21 **INMATE LAZOR:** Is this the, uh, the total --  
22 like, my reasons why I think I should be paroled?

23 **ATTORNEY GARFINKEL:** This is it -- this is your  
24 last chance to talk and tell them why you deserve to go  
25 home, why you're not dangerous.

1           **INMATE LAZOR:** Okay, is there anything else you  
2 feel was important, out of any of the stuff, I don't  
3 even know if you've (inaudible).

4           **ATTORNEY GARFINKEL:** I've looked at all of your  
5 stuff, I feel that I covered, um --

6           **INMATE LAZOR:** Okay.

7           **ATTORNEY GARFINKEL:** -- what has to do with  
8 today, and your current risk of dangerousness --

9           **INMATE LAZOR:** Okay.

10          **ATTORNEY GARFINKEL:** -- but it's your turn to  
11 speak now, so if you think I missed something, you're  
12 welcome to add to what I said.

13          **INMATE LAZOR:** Got it. Got it. Um, wow. Okay.  
14 Uh, may I, in my presentation here, um, add -- like read  
15 into the record some, uh, like --

16          **PRESIDING COMMISSIONER PECK:** All this part --  
17 this part of the hearing is -- you can submit anything  
18 you want to, right?

19          **ATTORNEY GARFINKEL:** I submitted all these  
20 (inaudible).

21          **PRESIDING COMMISSIONER PECK:** And all those have  
22 been submitted.

23          **ATTORNEY GARFINKEL:** Yes.

24          **PRESIDING COMMISSIONER PECK:** So when you -- when  
25 you -- when you submit it again, you're just -- you're -

1 - you're being redundant.

2 **INMATE LAZOR:** Okay, I -- I got it.

3 **ATTORNEY GARFINKEL:** I gave you back the  
4 originals, that's why (inaudible) I gave the Panel  
5 (inaudible).

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

7 **PRESIDING COMMISSIONER PECK:** So what right now,  
8 just -- just kind of what we want to hear from you -- I  
9 don't want to see -- we have all the documents that  
10 we're going to actually be going over, right? What we  
11 want to hear from you, in essence, is why are you ready  
12 to go home?

13 **INMATE LAZOR:** Okay.

14 **PRESIDING COMMISSIONER PECK:** Now is your time to  
15 plead your case.

16 **INMATE LAZOR:** I got it. Oh, I would like to  
17 talk about credibility, I -- I think that that's part of  
18 -- part of this, um, straighten some of this out. Uh,  
19 the letters that you received, I think, talk a lot about  
20 my credibility from the time I was a child. I have a  
21 reputation for being extremely honest, extremely  
22 credible, and so forth. So, I would rebut what the, uh,  
23 District Attorney had to say with those, as well as, I  
24 put together, I pulled out of the letters from previous  
25 parole hearings, although they're older, I think the

1 point is still well taken, that they show a whole  
2 pattern of my lifetime being honest and being credible.  
3 So I want to just read just a few passages, if I could,  
4 off some of these letters. Um, this is from a William  
5 Pedalfred (phonetic), who I grew up with, went to school  
6 with for years. Um, he -- he -- he became a medical  
7 attorney in Florida. It says I know of no other  
8 individual who is more decent and honest, and even  
9 tempered growing up. He's talking about me. Uh, from  
10 Carole Burke, one of my high school teachers -- and  
11 these -- these letters, by the way, are in the past  
12 parole hearings, so they can all be verified.

13 **ATTORNEY GARFINKEL:** Can I just make a suggestion  
14 to you?

15 **INMATE LAZOR:** Yes.

16 **ATTORNEY GARFINKEL:** Because they do have those,  
17 and I don't think that your level of support is at  
18 issue.

19 **INMATE LAZOR:** Okay.

20 **ATTORNEY GARFINKEL:** I think it might benefit you  
21 better to tell them why you're not dangerous today,  
22 because a lot of these were old and they were at prior  
23 hearings --

24 **INMATE LAZOR:** Okay.

25 **ATTORNEY GARFINKEL:** -- and they have those.

1 It's up to you, but --

2 **INMATE LAZOR:** So credibility is not --

3 **ATTORNEY GARFINKEL:** Credibility is an issue, but  
4 you can talk to them about today.

5 **INMATE LAZOR:** Okay.

6 **ATTORNEY GARFINKEL:** They've seen, you have  
7 hundreds of support letters --

8 **INMATE LAZOR:** Right.

9 **ATTORNEY GARFINKEL:** -- and, like I said, you're  
10 welcome to read them on the record, but I do believe  
11 this Panel's read all those letters.

12 **ATTORNEY GARFINKEL:** And all of the things that  
13 people have said about you.

14 **INMATE LAZOR:** Yes.

15 **ATTORNEY GARFINKEL:** So it might be more  
16 beneficial to you just to talk about your current risk  
17 of dangerousness.

18 **INMATE LAZOR:** Okay. What about -- I was told  
19 these might be beneficial to present, because I  
20 (inaudible) --

21 **ATTORNEY GARFINKEL:** These are your letters of  
22 remorse?

23 **INMATE LAZOR:** Yeah, from time to time --

24 **ATTORNEY GARFINKEL:** We -- I can -- I'll submit  
25 these to the Board.

1           **INMATE LAZOR:** And -- and this as well, I think  
2 it's along the same lines.

3           **ATTORNEY GARFINKEL:** Sure.

4           **INMATE LAZOR:** Maybe you can, you know, glance  
5 over that first and make sure.

6           **ATTORNEY GARFINKEL:** I'm going to pass those  
7 letters of remorse to the Allman family.

8           **INMATE LAZOR:** Okay. And those are not near the  
9 first that I've ever done.

10          **ATTORNEY GARFINKEL:** Sure.

11          **DEPUTY COMMISSIONER JOHNSEN:** Do you want copies  
12 of those back? Because we had -- the evidence has been  
13 closed, but I assume we'll reopen it.

14          **ATTORNEY GARFINKEL:** Do you want them just to  
15 read it in their deliberations, or do you need them to  
16 copy it and attach it as an exhibit?

17          **INMATE LAZOR:** What -- what do you think?

18          **ATTORNEY GARFINKEL:** I don't think it necessarily  
19 needs to be attached, I think you can --

20          **INMATE LAZOR:** Read -- read it --

21          **ATTORNEY GARFINKEL:** -- you can talk about your  
22 feelings of remorse.

23          **INMATE LAZOR:** Okay.

24          **ATTORNEY GARFINKEL:** It's up to you, and then we  
25 can ask them to read it in the deliberation. And if

1 they want it as part of the record, I can make a copy of  
2 it during the (inaudible).

3 **PRESIDING COMMISSIONER PECK:** You know, he can  
4 read -- he can read his letters if he wants to.

5 **ATTORNEY GARFINKEL:** You want to read them on the  
6 record?

7 **INMATE LAZOR:** I can do that.

8 **ATTORNEY GARFINKEL:** Then it will be in the  
9 record.

10 **INMATE LAZOR:** I can do that.

11 **PRESIDING COMMISSIONER PECK:** Yeah.

12 **ATTORNEY GARFINKEL:** Okay.

13 **INMATE LAZOR:** They were -- they were a little  
14 bit lengthy, so that's why I was concerned about --

15 **PRESIDING COMMISSIONER PECK:** You know, Mr.  
16 Lazor, with you, that's kind of not a surprise.

17 **ATTORNEY GARFINKEL:** So you can read them into  
18 the record, we can submit them as an exhibit, or you can  
19 just tell them why you feel (inaudible).

20 **INMATE LAZOR:** Um, I'll read them into the record  
21 --

22 **ATTORNEY GARFINKEL:** Okay.

23 **INMATE LAZOR:** -- because that way I don't  
24 (inaudible).

25 **PRESIDING COMMISSIONER PECK:** Yeah, read them

1 into the record, that's fine, you can do that.

2           **INMATE LAZOR:** Okay. Um, of course, we know John  
3 Allred has passed away at -- at my hand, and I feel very  
4 bad about it. This is a letter that I wrote to him  
5 nonetheless, and I've done some of these in the past,  
6 um, for my own therapy and -- and, you know, insight  
7 development and such. It says Dear John, this is a  
8 difficult letter to write. Like many others I've  
9 written to you over the years, beginning many years ago,  
10 somewhere around three decades ago. Even though time  
11 heals wounds and terrible sufferings, my heart still  
12 aches from the act I committed against you so many years  
13 ago in 1983 on my sister's birthday. Even though many  
14 who have reviewed the circumstances of the shooting in  
15 which I was responsible for the taking of your life,  
16 feel like it may have been an act of mitigated  
17 defensiveness to save my own self, my heart is still  
18 twisted and torn with deep anguish and sorrow that I  
19 took your life. Every time I reflect back to that  
20 regretful day that so destructively impacted so many  
21 lives, including yours, your mother's, your sister's,  
22 your brother's, and I'm certain many other friends,  
23 relatives, your colleagues at work at the pizzeria, your  
24 cousin Court and many others. Yes, after so many years  
25 and even several decades, the more I reflect on this

1 event, the more it wrenches my heart with regret and  
2 wishing it would have never happened, and that I would  
3 have avoided the taking of your life. Yes, my life too  
4 that day was ruined and the domino effect, the ripples  
5 from my action that day that caused you so much pain and  
6 took away your life, I wish I wouldn't have taken,  
7 continue without a doubt to negatively touch the lives  
8 and circumstances of my own family as well. My mother,  
9 too, my brothers, sister, my relatives, friends, church  
10 members, associates, just countless others that other  
11 circumstances I'm well aware of this. In the studies  
12 and growth I experienced as I remain in prison for this,  
13 I am reminded many times, almost daily, how we as people  
14 in general are all connected in oneness and to take the  
15 life of another person, or even to commit the slightest  
16 act of harm to another person or thing actually impacts  
17 everyone and everything, as a pebble dropped in a pool  
18 in its ripple effect. I painfully realize those  
19 consequences of my act on January 10<sup>th</sup>, 1983, against  
20 you, and every day I do strive to become a better person  
21 to all other people, and to my impact upon the whole  
22 environment in which I find myself every day. These  
23 teachings are especially deeply taught in Buddhist  
24 studies, which I -- in which I participate currently,  
25 and also are among the ye -- basic tenets in the essence

1 of my Christian beliefs I was raised with, and continue  
2 to do my best to apply in my daily life, still today and  
3 every day. For a long time after the shooting incident,  
4 although I have always felt very tenderly horrible and  
5 remorseful about my act and the consequences to you and  
6 to countless others, as I've stated above, I did also  
7 hold a hurtful -- a heart full of anger and blame toward  
8 you for the breaking in my room with such violent force  
9 that it took the right -- took me right out of my  
10 conscious mind with fear and panic, something so extreme  
11 it would be impossible to ever explain. However, after  
12 many years, as I studied the events of this episode of  
13 my life and yours, I learned that the SSRI medications  
14 you'd been taking and took that fateful morning, have  
15 been found to cause such mental imbalances in some  
16 people that homicidal rage attacks and even very grisly,  
17 violent murders were committed by otherwise completely,  
18 previously peaceful, loving, caring people, some who had  
19 even deep love and affection for the people they  
20 brutally attacked and murdered. In delving into this  
21 study of these facts, such as case studies and, uh,  
22 clinical investigations, I even got to know one such  
23 individual, Curt Danish, who brutally murdered his  
24 father, whom he had previously expressed only deep love  
25 and familial care for all of his life until that time.

1 His anguish, I've come to know well, from our  
2 correspondence. I know it will always taunt him with  
3 deep suffering all his life. The point in my explaining  
4 about Curt is that when I learned that you also were  
5 under the influence of those SSRI medications on that  
6 fateful afternoon, and that that was no doubt the  
7 catalyst for the violence in your actions toward me that  
8 day, and the weeks leading up to it. I suddenly -- it  
9 suddenly made sense that others who knew you, such as  
10 your mother, brother, sisters, your uncle, Paul Garnier,  
11 and cousin Court Garnier, all said you were always a  
12 peaceful person. I had rejected that notion as being  
13 impossible until I learned about the SSRI drugs.  
14 Suddenly, it -- it all made sense, it hit me like a  
15 massive freight train that you were a victim of the  
16 effects of those drugs that no one, including you, back  
17 in those days, knew had these -- had -- you didn't know  
18 had these type of effects on their users. Suddenly, it  
19 explained as sense of a reason for your part in the  
20 violent attack that so shook and panicked me to end your  
21 life. It explained other acts leading up to that  
22 fateful day, the attack on me on November 22 and  
23 December 10<sup>th</sup>. I tell you, John, when I learned that  
24 cause for your aggressions against me, I just collapsed  
25 inside and buried my face for hours in my blankets and

1 wept at how you were also a victim of those unknown  
2 medication reactions, affecting all of this and the  
3 whole event. Not only the January shooting you, which I  
4 took your life, but the weeks of events of November 22  
5 and December 10<sup>th</sup> and all that -- that ill will that  
6 Paul and Court and Bret later testified that you had  
7 toward me, that built up over a period of weeks. Had  
8 any of us known, I can -- I can't help but feel with the  
9 deepest regret, that it all could have been avoided and,  
10 of course, there's truly nothing in this life I'd wish  
11 for more than that. This whole episode -- episode had  
12 never occurred. Being that it did occur, however, I  
13 must move on with life, sometimes wishing I could give  
14 you a part of mine, so you could have some of what I  
15 took. As it is, short of that being possible, I do live  
16 my life, while not mistake-free, in such a way that  
17 every day I try to reach out to another person to see --  
18 another person I see that's in need, whether it be a  
19 very lonely looking guy in a wheelchair or the man with  
20 the bandage patch over his eye, the guy sitting on the  
21 sidelines who never gets invited to play volleyball, or  
22 Isaac, who trudges everywhere he goes with his crutch  
23 device, dragging his leg behind him, or the many others  
24 in need that I see here daily, as well as the thousands,  
25 even millions I know of out there who every day struggle

1 against great odds and difficulties. The homeless, the  
2 victims of crime and natural disasters, the addicts  
3 struggling to break free, the wretchedly poor and  
4 hungry, the disabled, every day and many times each day,  
5 I reach out to at least a few of these people, those I  
6 can, to help them a -- along their way. Whether it's a  
7 friendly hello and asking how they -- how their day is  
8 going, helping them with a question of school studies or  
9 -- or law, giving a word of encouragement, sharing some  
10 food, giving a hug or in countless other ways, as much  
11 as possible, as (inaudible) just given in secret. You  
12 could be assured you are a part of this, because I do it  
13 in part -- as part of my amends toward you and your  
14 family for the hurt I've caused by that terrible act I  
15 committed 35 long years ago. I do my best to live every  
16 day by a few of my favorite Bible quotes, one found at  
17 Matthew 7:12, the Golden Rule, another Luke 6:10, the  
18 one who proves they can be trusted with doing right in  
19 the small things proves he can be trusted with great  
20 undertakings as well. And James 2:13, let mercy triumph  
21 over judgment, I pray that for you and me, our families,  
22 loved ones and -- and everyone touched by the damaging  
23 past, and the healing present and future by my amends.  
24 Um, then, uh, let me gather myself for a minute, and  
25 I'll do the one to, uh -- uh, Mrs. Allred, John's

1 mother. Dear Mrs. Allred and family, I pray this letter  
2 does not come as an intrusion, nor cause any upset in  
3 stirring up old, hurtful sentiments, as my intentions  
4 are totally to the contrary reaching out to you with  
5 this letter. As you know, many years ago, I did reach  
6 out to you with letters of my deepest and utmost  
7 apologies and asking for your forgiveness, if you might  
8 be willing and ready for that. But I stopped writing  
9 you, only because I came to feel that you might deem my  
10 attempts of amends or -- or reconciliation to add to  
11 rather than diminish your anguish over the death of your  
12 son, John, caused by me. With the long passage of time  
13 since my last attempts to reach out to you previously,  
14 I've come to feel you may now wish to hear from me, or  
15 at least be willing to. If that is not the case, then I  
16 ask your forgiveness for this imposition and assure you  
17 that the last thing in the world I would want is to  
18 cause you any further misery. If, as I am hoping, you  
19 may be willing to hear from me, then I'd like to share  
20 with you a few things from my heart about the shooting  
21 of your son, John. Nothing in the way of excuses, nor  
22 rationalizing my act on that terrible day, but only  
23 sharing my heart and some facts I am hoping may, to at  
24 least some degree, make amends, heal or serve in some  
25 way to lessen the suffering I caused you. For all the

1 actions and events that I had a part of in this tragic  
2 situation, I can -- I come to you with my deepest  
3 apology, remorse and willingness, as well as offering to  
4 make amends to you and to all others hurt by this in  
5 whatever way I can within my means, now or in the  
6 future. Please accept all I have to say as being within  
7 that context. I am hoping it would heal your heart and  
8 sorrow, at least to some degree, to know that my act on  
9 January 10, 1983, was not motivated by a desire or  
10 intent to murder or even harm your son. You know my  
11 position of what I -- of what act I committed and why,  
12 from my previous explanations and testimony, which I  
13 have been -- in which I have been consistently truthful.  
14 It is my sincere hope, and one I feel may be accurate  
15 that by pos -- by putting myself in your shoes, as far  
16 as I possibly can do, that it might be somewhat of a  
17 healing balm to know that the killing of your son, who I  
18 know was so tenderly precious to you, was not done as a  
19 senseless, ruthless murder in my mind, but rather was  
20 done out of a sheer panic and fear. A fear so great  
21 that I feel certain that hardly anyone in a lifetime  
22 could ever experience such an intensity and degree of  
23 the fear that I felt. I realize fully that that does  
24 not diminish the fact of the act of the shooting, which  
25 of course, I did, and I've always taken full

1 responsibility for that from -- from the seconds after  
2 the shooting. But it is my hope as to try to fully  
3 empathize with your feelings that knowing it was not a  
4 deliberate, senseless, nor vengeful act, might offer you  
5 some degree of comfort. In realizing that fact,  
6 however, automatically the thought may arise as to what  
7 my fear and panic were based on. For years, I must  
8 confess, I was angry at John for the situation in which  
9 I felt I had to react as I did in the shooting for the  
10 extreme panic-inducing, kicking down my door and  
11 invoking in me the fear that my life was going to be  
12 taken at that time. The key to understanding how your  
13 son, whom you knew only as a peaceful man consistently  
14 could commit such a panic-causing, rageful attack came  
15 to me some years ago, yet not until years after the  
16 shooting. Please bear with me as I explain the facts  
17 with no judgment of mine inserted into the equation. As  
18 you probably know, John was prescribed SSRI drugs by his  
19 doctor for his various ailments. I fortuitously came  
20 upon information which I then proactively researched  
21 extensively on my own, that have shown that these SSRI  
22 drugs have frequently caused homicidal rage attempts by  
23 men and woman and even children, who at all times  
24 throughout their lives, never once previously exhibited  
25 a sign of aggressiveness or violent or criminal

1 behavior. There is now plenty of information online  
2 which verifies these facts and show actual clinical and  
3 case studies. Sadly and even tragically, there are many  
4 victims of this SSRI homicidal rage and murder cases,  
5 even where children brutally killed parents they always  
6 loved deeply. I want to emphasize as strongly as  
7 possible that my sharing of this information is not in  
8 any way to minimize my act that took your John's life,  
9 nor to cast blame. I responsibly, uh -- nor to cast  
10 blame, that I take responsibility for it and put it on  
11 no one else. Without judgment, I merely relate the  
12 truthful facts, unknown until many years after John's  
13 death at my hand, that there was a cause that none of us  
14 knew about, and as I pensively put myself in your shoes,  
15 in my heart as best I can hope to do, if I were in your  
16 shoes, I would both want to know this fact and think I  
17 would feel some degree of comfort in finally knowing  
18 that it made sense as to why and how it happened, and  
19 actually what happened. There is, in all fairness to  
20 everyone involved, at least a shared responsibility by  
21 the pharmaceuticals for what occurred. It might also be  
22 somewhat of a healant for you to know that I have, all  
23 my life, been a tenderhearted, very sensitive and caring  
24 person, caring for all life, others often above my own,  
25 and wish for nothing more than that this incident had

1 never occurred. That if there was a way I could change  
2 it and reverse its occurrence, I surely would. That  
3 once I learned about the SSRIs causing John's violent  
4 action against me during those two months, including on  
5 January 10<sup>th</sup>, I sobbed bitterly for hours with my face  
6 in my bedding, and many times ashamed that I had blamed  
7 him for years for the attack and the resultant  
8 consequence that have spread damages in a ripple effect  
9 to countless thousands of lives. I only hope that now  
10 this explanation of the catalyst and my expressed deep  
11 sorrow and shame and heartfelt apology of the most  
12 ultimate sort, and my outreach to make whatever amends,  
13 will bring you to some degree of comfort and prop -- and  
14 proper closure, that you'll accept this. Thank you for  
15 hearing me out, with sorrow and apology, Free Lazor.  
16 Um, I wanted to mention, uh, just a couple other, um,  
17 brief things and then -- and then, uh, close this up.  
18 Um, one thing is, I was concerned about, in the last  
19 part of this hearing on June 6, Mr. Johnsen, you had  
20 asked me something about what I got out of the Freedom  
21 Within group, and I kind of froze and paused and  
22 couldn't really give you some really deep example. That  
23 -- there's a reason for that, since I had my head  
24 stomping in 2001, I'm not real good at, like, being  
25 spontaneous like that, when I'm put on the spot. But I,

1 you know, brought with me, I know we don't want to see  
2 it at this late point, but I brought with me some of the  
3 -- a lot of my notes and the things I do in that group,  
4 and I really do really deep, deep, deep work. One of  
5 the things we do is we strip ourselves totally  
6 vulnerable in that group, and -- and really get into our  
7 insights and feelings and I -- I think, uh -- I don't  
8 think my insights have been off, as the DA said, but  
9 even had they ever been, in this group, and then the --  
10 the, uh, AVP group, the Alternatives to Violence group,  
11 and in this theater group I just started, we go so deep  
12 into so much of that type of stuff, that I think my  
13 insights are extremely keen and good. And I -- I'm -- I  
14 do have concern, as I've had in the past, that just  
15 because we disagree on what happened sometimes,  
16 (inaudible) I lack insight, but I don't believe I -- I  
17 lack insight. I was there, I know what happened. You  
18 folks are looking at it, you know, from an objective  
19 viewpoint, but -- but somebody else's viewpoint, you  
20 weren't there. So I just want to share that I think my  
21 insight is -- is very good, and is, uh, is right on  
22 target. I might, um, let's see, I might close with, um  
23 -- uh, let's see. There are other letters and things we  
24 didn't put forth, I know there's enough of all of that,  
25 so, um, I'll just, I'll close with a -- a poem that I

1 wrote on October 26, 2010, that's been used many times  
2 in prisons and groups and things by people, and it's  
3 been published outside numerous times. And it's, uh, it  
4 kind of sums up the way I feel about taking  
5 responsibility and such, because I know that's very  
6 important to you folks. It's called the test. It says  
7 the whole of life was but a test to see what you'd be at  
8 your best. So when it's not your best you're giving,  
9 it's you losing the game of living. Though some will  
10 blame the circumstance, I've had bad luck, the fate of  
11 chance, a certain way to never learn, the greatest  
12 heights of life we earn. For all we gain and all we  
13 lose, we still respond by what we choose. To take  
14 responsibility, the key to being all we can be. Each  
15 man's circumstances -- each man is circumstances guessed  
16 in life, the proving ground, the test. To prove what  
17 character we'd be in varied weather, to what degree.  
18 Until deep in his soul it's known, among the greatest  
19 gems he'd own, is knowing each circumstance was his to  
20 but reveal the man he is. And so, I -- I'm closing with  
21 that to show, you know, that's the way I feel about  
22 life. I -- I know we disagree on a lot of things. I  
23 know -- I have faults, like every human being. I know  
24 sometimes I rub people the wrong way in prison setting.  
25 I don't think on the street, I had that problem in

1 general. Apparently, I had that problem with John  
2 Allred. But, um, I'll never be perfect. Thirty-five  
3 years is a long time to spend in here for what happened,  
4 and, uh --

5 **PRESIDING COMMISSIONER PECK:** Thank you sir. Are  
6 you done?

7 **INMATE LAZOR:** -- not quite, I just wanted to try  
8 to say the last part of that, I just hope that all of  
9 that will be taken into consideration, that you deem me  
10 suitable for parole. I, uh, have never in my life,  
11 other than the shooting -- I have never committed a  
12 violent act. The only destructive act I can find in my  
13 whole life that I've ever committed is, uh -- is, uh,  
14 when I was a youngster in -- in school, one day I toilet  
15 papered the bathroom with some guys that -- as kids  
16 sometimes do. I have done a destructive act, beyond  
17 that, in my whole life of 63 years, except for the  
18 shooting incident, and the circumstances that surrounded  
19 it, that led up to it. So, I just don't see how, with  
20 all that, and this one set of circumstances and the  
21 things that happened in CDC are CDC related, they're not  
22 the same -- we don't have the same circumstances in here  
23 that we have on the street. Take any of those  
24 accusations and they -- they vanish with what  
25 environment (inaudible) on the street. I worked well in

1 society, I did well, I was well suited for society, I'm  
2 not well suited for prison. I've clashed with it from  
3 day one, I understand that. I've done a lot of work to  
4 un-clash with it, and, um -- and, uh, I just pray that  
5 you will mostly focus on the fact that I've had a crime-  
6 free life, a violence-free life, a life that never did  
7 destructive things, except this -- this one, you know,  
8 the one act in the -- the things surrounding the  
9 shooting. And, uh, and I'll close with that.

10 **PRESIDING COMMISSIONER PECK:** Thanks. The time  
11 is approximately 12:30 p.m., we're going to recess for  
12 deliberations.

13 **DEPUTY COMMISSIONER JOHNSEN:** We're off the  
14 record.

15  
16 **R E C E S S**

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## 1 CALIFORNIA BOARD OF PAROLE HEARINGS

## 2 D E C I S I O N

3 DEPUTY COMMISSIONER JOHNSEN: We're on the  
4 record.

5 PRESIDING COMMISSIONER PECK: All right. All  
6 right, Mis -- Mr. Lazor, I know how hard this is going  
7 to be, but this is now your time to listen, not time to  
8 talk. And I will just tell you this, sometimes talking  
9 at this time is worse than not, right? And you can ask  
10 your attorney, so I really want you to just listen to  
11 what we have to say. You have other op -- if you don't  
12 like -- we ended up denying you parole, I just want to  
13 let you know off the top, but I want you to know that  
14 you have options of what you can do, on how you can deal  
15 with that, and you can certainly talk to your attorney  
16 after that. But I kind of wanted to let you -- up  
17 front, and I certainly want to talk to you about why we  
18 made that decision, um, but, um, we also have some  
19 suggestions for you, that I hope you listen to. You're  
20 looking at my cross-eyed again. All right, uh, Mr.  
21 Lazor was received 04/10/1983, murder second, Santa  
22 Clara County, case number 87874, minimum eligible parole  
23 date of 01/20/1994. According to the California Supreme  
24 Court, in making a parole eligibility decision, this  
25 **P.F. LAZOR C-73842 DECISION PAGE 01 11/16/17**

1 Panel must not act arbitrarily or capriciously and must  
2 consider all relevant and reliable information  
3 available. In your case, we looked at your central  
4 file. Frankly, we didn't really use the FAD risk  
5 assessment, uh, either one. Um, we, um, reviewed  
6 documents that you provided for us today. We listened  
7 to your testimony, we listened to your attorney  
8 articulate suitability factors. We listened to, and,  
9 uh, considered the, um, concerns of, uh, Santa Clara  
10 County, as articulated by, uh, Mr. Rico. We did use  
11 confidential information. The fundamental consideration  
12 in making a parole eligibility decision is the potential  
13 threat to public safety upon an inmate's release, and a  
14 denial of parole must be based upon evidence in the  
15 record of an inmate's current dangerousness. Well,  
16 let's -- let's start, kind of, with the thing that I'm  
17 most concerned about. It's just your disciplinary  
18 history. You just can't seem to stop getting counseling  
19 chronos and 115s. And they're for the stupidest things.  
20 I -- I get you're a smart guy. I get it -- you are.  
21 And you probably are smarter than a lot of people. But  
22 just because you're smarter than anyone else, doesn't  
23 mean that you've got to demean them. It doesn't mean  
24 you've got to put them down, it doesn't mean that you've  
25 **P.F. LAZOR C-73842 DECISION PAGE 02 11/16/17**

1 got to threaten them. It doesn't mean that you've got  
2 to talk down to them. And it doesn't mean that you  
3 don't have to listen to them. Your 115s, 05/30 -- I  
4 don't want to go to my appointment, but I'm not going to  
5 follow the rules on how I don't have to go to my  
6 appointment. Five twenty-six, same thing. Four four,  
7 lying, irate, angry at staff, argumentative, demeaning.  
8 Ten fourteen sixteen, manipulation, threatening staff.  
9 Two four fourteen, willfully refusing to follow  
10 instructions. One twenty-one fourteen, willfully  
11 resisting, delaying a peace officer, 06/07/13, fighting  
12 -- the list goes on and on. If you can't follow the  
13 rules in here, I have no belief you're going to follow  
14 the rules out there. This is a controlled environment.  
15 The rules are simple in prison. Do what they tell you,  
16 don't argue -- there's no need. I -- I -- I know you're  
17 under this impression that you get denied parole because  
18 of your life crime. That's not it. I don't care,  
19 frankly. This crime happened 35 years ago, or longer.  
20 You've been in prison since 1983, and frankly, for the  
21 Lawrence decision, I don't see a nexus right now. But I  
22 do see a nexus between you not being able to follow the  
23 rules in prison as they are -- fighting, threatening,  
24 manipulation, lying and just being a pain. If you put  
25 **P.F. LAZOR C-73842 DECISION PAGE 03 11/16/17**

1 in one quarter of the work in learning some decent  
2 people skills, rather than put all that work into all  
3 that other stuff that really doesn't matter anymore, you  
4 would probably get a date. Your people skills are  
5 horrific. I'm concerned about releasing you with the  
6 skills that you have -- well, the lack of skills as far  
7 as communication goes. If you want to work on something  
8 to get out of prison, that is where I'm pointing you to.  
9 Nobody is out to get you. They don't have to be, you do  
10 a good enough job all by yourself, to put yourself in  
11 situations that harm you. That affidavit that you  
12 wrote? And I know you wrote it, but that affidavit that  
13 you wrote? That guy can't even read. That guy has an  
14 education level -- because I looked it up -- of fourth  
15 grade. And there's no way he said that. No way. More  
16 manipulation. But that's on an affidavit. And you  
17 spelled his name wrong. You don't need to be  
18 manipulative to get a date. Just do the work, and get  
19 out the conventional way, through the front door, being  
20 open and honest, doing the work to get you out of  
21 prison. Confidential information is of significant  
22 concern. The, um, memorandum dated -- or the BPH  
23 number, uh -- BPH 20170443 was one of the documents that  
24 we used, dated November 4, 2017. You have credibility

25 **P.F. LAZOR C-73842 DECISION PAGE 04 11/16/17**

1 concerns, based on the information that we have  
2 available to us. Your remorse letter? Most remorse  
3 letters are, I'm sorry for what I did, not I'm sorry,  
4 victim, for you being on the kind of medications that  
5 led to this crime. Didn't seem very remorseful to me.  
6 Matter of fact, it seemed very blaming the victim for  
7 the whole situation. That's not a remorse letter. I --  
8 I've got to tell you, it -- it stopped me from what I  
9 was doing to look at you, to say, what are you thinking?  
10 Do you really have that poor social skills, where when  
11 you're supposed to be telling me how sorry you are for  
12 what happened, you turn it into something totally  
13 different? Please don't give that to him yet.

14 **ATTORNEY GARFINKEL:** (inaudible)

15 **PRESIDING COMMISSIONER PECK:** Because, what  
16 happens is, when you give it to him, then he starts  
17 looking at it, then he doesn't listen to what I'm  
18 saying. And I really want him to listen to what I'm  
19 saying. When you do a remorse statement, sir, it should  
20 mean just what it means -- be remorseful. Don't blame  
21 people in that remorse letter. Look at yourself. I  
22 don't care what the victim did, the victim's dead, for  
23 God's sake. Is there any more that can happen to him?  
24 You took away everything from him, for whatever reason,

25 **P.F. LAZOR C-73842 DECISION PAGE 05 11/16/17**

1 I'm not here to retry that case, but whatever happened,  
2 you pulled the trigger and he's dead. There should be  
3 some remorse for at least that. I don't like keeping  
4 elder parole people in prison. I have plenty of  
5 youngsters that want to take your bed, that I would be  
6 happy to get you out of here, so I could make room for  
7 someone younger and has much more of a propensity, or  
8 potential for violence. But you've got to meet me  
9 halfway. You've got to stop getting 115s, you've got to  
10 start getting along with staff. You've got to stop the  
11 manipulation, and you've got to start really working on  
12 your skills, for you to get ready to deal with people.  
13 You've been in prison for a long time, it's time for you  
14 to do the work to get out. We took into consider -- uh,  
15 elder parole, you've been in prison longer than 25  
16 years, you're over 60. We understand that age reduces  
17 the probability of recidivism. But you're just not  
18 showing the behavior yet. We gave you a five-year  
19 denial, kind of on the hope -- kind of putting the ball  
20 in your court, that you do a Petition to Advance, if you  
21 could show that you can stop getting 115s for a couple  
22 of years, if you can show that you can get the skills to  
23 be able to get along with people for at least a couple  
24 of years, you can do a Petition to Advance, let a Deputy  
25 **P.F. LAZOR C-73842 DECISION PAGE 06 11/16/17**

1 Commissioner look at it, and move your hearing forward,  
2 then at least we'd have a pattern of you being able to  
3 get away from that kind of antisocial behaviors that  
4 you've been involved in for so long. I did like talking  
5 to you, and you have done some good things while you've  
6 been in prison. And I believe you do try to help people  
7 to a certain level. But the other issues are just too  
8 big for me to overcome. Commissioner?

9           **DEPUTY COMMISSIONER JOHNSEN:** Uh, I, uh, agree  
10 with -- this is a unanimous decision, I agree with the  
11 comments of the Commissioner. Uh, I do want to, uh, let  
12 you know that in regard to your, uh, institutional  
13 behavior, there's some very positive signs, uh, there  
14 are negatives as well. However, uh, your, um -- uh,  
15 your comments today were taken in context, and there's  
16 much of it that showed interesting openings of insight,  
17 and I liked your poem, uh, and I thought that  
18 demonstrated some of that insight. You should pursue  
19 what the Commissioner is advising you to do, and, uh, I  
20 think you could have a very good chance at improving  
21 your position. And with that, I'll defer back to the  
22 Chair.

23           **PRESIDING COMMISSIONER PECK:** Um, we are required  
24 to do a term calc -- term calc with you means nothing,  
25 **P.F. LAZOR           C-73842           DECISION PAGE 07           11/16/17**

1 or frankly anyone, because of the Butler decision. We  
2 did a, um -- the Butler decision says we have to do term  
3 calcs because that's what they said. Um, we used an 18-  
4 year term, prior relationship with the victim, direct.  
5 We didn't aggravate it with mitigated, we gave you 18,  
6 216-month term, 18 years. Looks like you've already  
7 accomplished that term.

8 **ATTORNEY GARFINKEL:** It means, basically, once  
9 you're found suitable, you won't owe any time  
10 (inaudible).

11 **INMATE LAZOR:** What's the date? What is the  
12 date?

13 **ATTORNEY GARFINKEL:** Which date -- (inaudible)  
14 parole date, or --

15 **INMATE LAZOR:** No, the date they arrived at for  
16 25 years ago, or 23 years ago or whatever?

17 **PRESIDING COMMISSIONER PECK:** Oh, it doesn't show  
18 it on the -- you can look -- you can look at it on your  
19 paperwork, but it doesn't show it. But it was a while  
20 ago. You can add the 18 years and you could figure it  
21 out.

22 **ATTORNEY GARFINKEL:** You're well past your  
23 minimum date.

24 **PRESIDING COMMISSIONER PECK:** You are. And so,

25 **P.F. LAZOR C-73842 DECISION PAGE 08 11/16/17**

1 frankly, your elder parole, you've already accomplished  
2 your term, so that's not going to be a -- that's not  
3 going to be a problem for you. All right, the time is  
4 approximately -- oh, is there something else I forgot?  
5 Um, I do wish you the best of luck. The time is  
6 approximately 1:25 p.m., this hearing is concluded.  
7 Good luck to you, sir.

8 **A D J O U R N M E N T**

9 **THIS TRANSCRIPT CONTAINS THE PROPOSED DECISION OF THE**  
10 **BOARD OF PAROLE HEARINGS (BOARD) ANNOUNCED AT YOUR**  
11 **RECENT BOARD HEARING AND IS PROVIDED TO YOU IN**  
12 **COMPLIANCE WITH PENAL CODE SECTION 3041.5, SUBDIVISION**  
13 **(A) (4), AND CALIFORNIA CODE OF REGULATIONS, TITLE 15,**  
14 **SECTION 2254. THIS PROPOSED DECISION WILL BECOME FINAL**  
15 **WITHIN 120 DAYS OF THE DATE OF THE HEARING AS REQUIRED**  
16 **BY PENAL CODE SECTION 3041, SUBDIVISION (B), UNLESS THE**  
17 **BOARD NOTIFIES YOU IN WRITING BEFORE THEN THAT THE**  
18 **PROPOSED DECISION HAS BEEN MODIFIED, VACATED OR REFERRED**  
19 **TO THE FULL BOARD, SITTING EN BANC, DUE TO AN ERROR OF**  
20 **LAW, ERROR OF FACT OR NEW INFORMATION PURSUANT TO**  
21 **CALIFORNIA CODE OF REGULATIONS, TITLE 15, SECTION 2042.**  
22 **THEREAFTER, THE GOVERNOR HAS AUTHORITY TO REVIEW THE**  
23 **BOARD'S DECISION AND AFFIRM, MODIFY, OR REVERSE IT**  
24 **PURSUANT TO PENAL CODE SECTIONS 3041.1 AND 3041.2.**  
25 **P.F. LAZOR C-73842 DECISION PAGE 9 11/16/17**

**CERTIFICATE AND  
DECLARATION OF TRANSCRIBER**

I, Jil Olsen, 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

NOVEMBER 16, 2017

10:25 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.



\_\_\_\_\_  
Jil Olsen  
November 26, 2017  
Dictate Express  
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