

# EMERGENCY AFFIDAVIT

Internal Affairs, Attn: Kevin Pool  
California Dept. of Corrections  
P.O. Box 4036  
Sacramento, CA 95812

In Re: State of California v. Free Lazor, C-73842

## EMERGENCY AFFIDAVIT PRESENTED BY AMICUS CURIAE

I, Kenneth Masat, a Christian male of legal age and a citizen of the state of Texas, hereby make the following declaration and affidavit based on personal knowledge and of my own free will. I make this special appearance in the form of an EMERGENCY AFFIDAVIT relating to the imprisonment of California inmate Free Lazor / C-73842 A3-120, Soledad.

1) I am the Pastor of Covenant Christian Church at Alba, Texas. I am a former Navy fighter pilot with service in Viet Nam, and am presently a retired airline pilot. Our family of 6 traveled the United States for 15 years with our bluegrass gospel family band, producing 10 albums, and focusing on ministering to American families. We have been featured in 45 states, including Six Flags, Silver Dollar City, Fort Leonard Wood, and countless churches.

Since our family members have gradually married and grown out of the nest, we no longer travel as a band. Our current ministry includes regular communication with prisoners. I have corresponded and counseled with and ministered to Mr. Lazor for well over 20 years. I believe he is well deserving of parole at this time as conditions are not only ripe for his release, but urgent justice at this point demands same.

2) I am aware of the current recess of Lazor's June 6<sup>th</sup> hearing due to the powerful and shocking testimony of Dante Maurice Sutton D-44869 A5-241 by way of AFFIDAVIT verifying the heinous treatment of Free Lazor. I am the third witness of injustice as per Deuteronomy 19:15-21, after Mr. Sutton and Lazor, verifying the urgent nature for Mr. Lazor. Mr. Sutton's Affidavit is attached as Exhibit (A).

3) Further supporting evidence appears in the following prisoner AFFIDAVITS:

Ex. B: 3 pages, Inmate David Spooner, 2013. Extreme "jaw dropping" evidence of guards' abuse of Lazor, and substantiating Lazor's peaceful demeanor.

Ex. C: 1 page, Inmate Henric Anthony Aimes, 2013. Egregious false and open accusations by guards of Lazor being a child molester to deliberately cause him physical harm within the system.

Ex. D: 2 pages, Inmate Rafael Perez, 2013. Detailed report of a violent inmate (Brian Casillas) being placed deliberately in the cell with Lazor, and the subsequent lies about an altercation with Lazor.

Ex. E: 1 page, Inmate Johnny Rotgaber, 2013. Substantiating evidence of Ex. D. Prison records will likely reveal that Lazor was penalized more than Casillas for this incident.

Ex. F: 2 pages, Inmate Jose Cruz, 2013. Further evidence of unprovoked violence toward Lazor, yet unpunished behavior on the part of inmate Casillas.

Ex. G: 1 page, Surrogate Mother Gayle Travis, 2013. This stirring testimony by a visiting civilian is first hand evidence of the injuries and injustice Lazor has routinely endured.

Lazor has pain stakingly accumulated much more evidence, most of which has been destroyed by lawless guards over the many years of testing confinement. The foregoing evidence alone is more than sufficient to demand outright and immediate release of Mr. Lazor. More to follow.

4)The Parole Board will address the question of any inmate's potential for violence prior to release and his ability to resume citizenship after such a lengthy incarceration. The following will not only lay aside that question, it will magnify the opposite – Lazor's record of having actively intervened at the risk of his own safety to rescue endangered persons.

Ex. H: 12 pages, a collection of character witnesses to Lazor's unselfish character, having often risked his own life and safety in the interest of others. One can not over look this critical information.

Ex. I: 1 page, a letter of support from the Catholic Chaplain.

Ex. J: 2 pages, AFFIDAVIT by Inmate Arnold Rodriguez revealing the corrupt actions and harassment of guards in relation to squelching CDCR-602 reports. This only substantiates any claim by Lazor or other prisoners that the system is rigged, and Lazor has felt the brunt of this underground treachery for far too long.

Ex. K: 6 pages, by longtime friend, Marlene Hepp. A most impressive summary of Lazor's life and many contributions to society.

Ex. L: 7 pages, AFFIDAVIT by Michael Brodeur. A very sensitive story and testimony of Lazor's kind and thoughtful character.

5)The nature of this EMERGENCY AFFIDAVIT is based not only on the revelations of all the foregoing evidence, but also the gross excess of incarceration Mr. Lazor has endured – 34 years and counting for a 2<sup>nd</sup> degree murder. (!) Also the fact that he has endured the indignity and harassment of OVER 50 moves in prison and counting, and Lazor's legal material has been unlawfully destroyed on numerous occasions, should activate immediate review. Although a prisoner of the State of California, Mr. Lazor is still worthy of protection under the California and U.S. Constitutions and shall not be deprived of life, liberty, property, privileges or immunities, or in any manner disenfranchised, except by the due course of the law of the land, which due course is being denied during the pending recess of Lazor's Parole Hearing.

In addition to the foregoing facts and the need for mercy and justice, I believe Mr. Lazor is well deserving of parole for the following reasons:

1) I am aware of the charges against Mr. Lazor, but I believe him to be a non-violent individual and would not be a danger to any community. I would not hesitate to have him staying in our own home here in Texas, and have repeatedly offered such along with accountability.

2) Based on his life prior to prison, he could be useful to any community in which he would choose to resume his life.

3) He has served more time than most hardened, dangerous criminals, and is long overdue for consideration for release.

4) I hereby commit myself to provide him with living quarters and a job if he is released.

• It is my fervent prayer that you will seriously consider releasing Mr. Lazor, and I would be willing to accept the responsibility for his supervision. I am confident you will never regret your just and merciful decision.

“Withhold not mercy when it is in the power of thine hand to do it.” Proverbs 3:27

Please respond to this EMERGENCY AFFIDAVIT within thirty (30) days from receipt hereof and provide me with any possible counter affidavit regarding the allegations herein. Your silence stands as consent to, and tacit approval of, the factual declarations herein being established as fact as a matter of law.

OATH

I, Kenneth Masat, do hereby declare under penalty of perjury under the laws of the United States of America, that the foregoing AFFIDAVIT is true and correct based on my own personal knowledge and research.

Dated: \_\_\_\_\_

Kenneth Masat  
277 CR 2958  
Alba, TX 75410

VERIFICATION

Before me, a Notary Public in the State of \_\_\_\_\_, County of \_\_\_\_\_

Mr. Kenneth Masat appeared and voluntarily signed the foregoing document this

\_\_\_\_\_ day of \_\_\_\_\_, 2017.