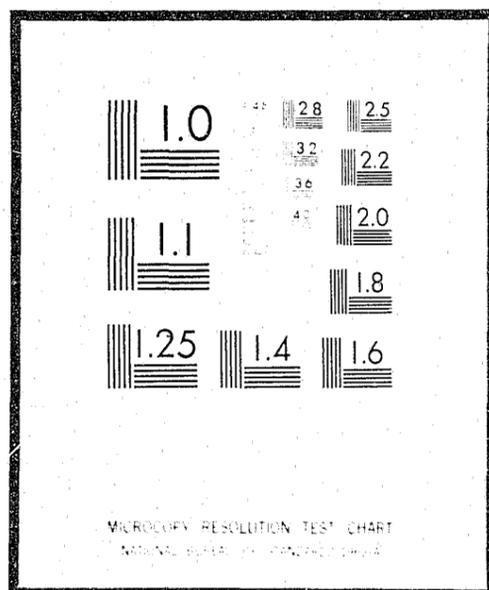


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EXECUTIVE SESSION

SENATE SUBCOMMITTEE

ON

CIVIL DISORDER

California Legislature

SENATOR DENNIS E. CARPENTER, CHAIRMAN

GANG VIOLENCE IN PENAL INSTITUTIONS

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March 15, 1974

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The original transcript of this testimony is maintained under security by the Subcommittee staff.

GANG VIOLENCE IN PENAL INSTITUTIONS

DON ELDER, SPECIAL AGENT, CALIFORNIA DEPARTMENT OF CORRECTIONS Overview of Prison Gang Problems	5
WITNESS NO. 1 Activities of Mexican Mafia, New Family and their Liaison with Black Guerrilla Family and Influence of Venceremos on Prison Gangs	7
WITNESS NO. 3 Activities of Aryan Brotherhood	34
WITNESS NO. 4 Activities of New Family and their Liaison with Black Guerrilla Family	55
WITNESS NO. 6 Activities of Venceremos Within Prisons	63
WITNESS NO. 7 (Correctional Officer, Department of Corrections) Activities of Venceremos and Related Groups Within and Outside Prisons	82
WITNESS NO. 5 (Undercover Law Enforcement Officer) Activities of Venceremos	93

LOS ANGELES, CALIFORNIA, FRIDAY, MARCH 15, 1974, 9:05 A.M.

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CHAIRMAN CARPENTER: Gentlemen, could I have your attention.

Before we start the formal hearing, I would like to comment that two of my colleagues are going to be here but I am going to go ahead because the main purpose of this hearing is to secure certain testimony for the record, and I think it is appropriate that we begin so we don't get behind in our time schedule.

I am Senator Carpenter, the Chairman of the Subcommittee on Civil Disorder of the California Senate.

We are going to hear from several witnesses and from some correctional department personnel.

I would like to make a comment that primarily the interest of the Subcommittee of the Senate in this area is based on the observation that our penal system and institutions in California are experiencing a siege of violence that we could all agree is the worst in our history. It's been building up. In the past two years we have received word of some 57 fatalities, including six correctional personnel, and perhaps more than 300 stabbing incidents in institutions. According to prison authorities, some of whom we will hear from in this hearing and subsequent public hearings, the majority of these incidents are the result of activities that are perpetrated by some gang-type activity, principally four major gangs within the system, and gang members outside of the system who are allegedly connected with revolutionary groups and are concentrating on the recruitment of inmates for radical purposes.

It appears that these groups may have some considerable organization, that they are highly motivated and that they are dedicated to violence against our system in general and the prison system in particular.

The gangs allegedly have gained control over some other illegal activities within the prisons, and relating to other street crime on the outside, such as narcotics, and perhaps even controlling some from within the institutions. This would indicate the necessity for there being some organizational sophistication that is of great concern, I think, to the people of California.

The level of violent activities constitute a threat to the safety of the citizens of California that we think requires and justifies some legislative interest and action, if indicated.

I think that in some sense this stage that we have reached today is no longer tolerable and the intention of this Committee, with the complete cooperation of the Department of Corrections, is to determine as closely as possible the extent and nature of the problem and through the testimony that we might develop here and later in the public hearings to determine what measures may be taken by the State Legislature through the recommendations of our Committee to deal effectively with this problem.

I want to especially note and thank the Department of Corrections for the extraordinary cooperation and assistance they have given us in setting up these hearings and for most of the preliminary information that we have received leading up to it. I sincerely hope that these findings and recommendations will be of great assistance to the Department as well as the people of California.

We are going to start with an opening statement from Mr. Don Elder of the Department of Corrections.

Mr. Elder, would you come forward.

MR. DON ELDER: My name is Don Elder, I am a Special Agent with the California Department of Corrections and in the past three years I have been extensively involved with investigations regarding the prison gangs which exist in our system.

The testimony which is to be given before this Senate Subcommittee will hopefully cover a wide spectrum of prison inmate involvement in violence throughout the prisons and free society. It should also disclose that the acts of violence committed are of an organized nature rather than numerous isolated instances. Statistical analysis of violent assaults committed on inmates and staff throughout the California Department of Corrections from 1960 through 1973 reveals a dramatic increase in the instances of assault, (and a) climb in the number of murders occurring within the prison system.

The growth and solidification of different prison gangs is not only perpetuated and supported by its own members, but has had support and assistance from community-based Third World revolutionary organizations for motives and goals that are directed at the destruction of the so-called "Establishment."

I think that when all the testimony has been heard, this Committee will understand how a basically criminally-oriented organization will use a revolutionary group to serve its own purpose. This statement can also be applied in reverse. There are several organizations, both criminal and revolutionary in nature, that will be brought out during this hearing. I would like to first of all identify these groups by their most common name and give a description of their goals and activities as I know them. The groups that I am going to mention are the most prominent groups in the prison system.

The first would be the Mexican Mafia, otherwise known as "La Eme." The major goals of this group are to control the prison rackets and narcotic trafficking in free society.

The second group is the Aryan Brotherhood, otherwise known as the "A.B." Basically a prison gang which is aligned with the Mexican Mafia for control of the prison rackets.

The third group would be the Nuestra Familia, otherwise known as the "Family" or the "NF." This also is an organized criminal group whose major goals are to control prison rackets and narcotic trafficking in free society.

The fourth would be the Black Guerrilla Family, also referred to as the "BGF." This is an organization aligned with the Nuestra Familia to control other prisoners and violently overthrow the prison system.

The fifth group would be the Venceremos Organization, otherwise known as the "VO." This is a Third World revolutionary organization whose goal is to unite all prison gangs to disrupt and destroy the correctional system.

There are many prisoners in the California correctional system who want nothing more than to serve their sentence as best they can. However, as I think you will all discover after all the testimony is in, the prison gangs who are violent in nature and the agitation by outside revolutionary groups have made this task difficult, and in some cases virtually impossible. Not only are these organizations a threat to any type of rehabilitation process for other prisoners, but are also a very serious threat to state, local and federal law enforcement and to all persons in a free society.

CHAIRMAN CARPENTER: Mr. Elder, thank you.

I think there are a number of questions that I

could direct to you, and that I have an intention to direct to you, but it would probably serve our purposes better in this hearing if I postpone them in order that we might hear from the prisoner witnesses so that we can control our time. Perhaps at the end we could come back to you or, if necessary, have you come to the public hearings.

MR. ELDER: I will be available for the public hearings.

CHAIRMAN CARPENTER: I think that that would be the best approach.

MR. ELDER: Thank you.

CHAIRMAN CARPENTER: Off the record.

(A discussion was had off the record.)

CHAIRMAN CARPENTER: Let us have Witness No. 1, if we could, please.

Sir, for your protection in the record we are creating here we are going to refer to you as Witness No. 1.

I would appreciate it if you would first read or present your statement. It is our understanding that you are going to comment about the general activities of the Mexican Mafia, New Family and their relationship with the Black Guerrilla Family and the influence of Venceremos on prison groups. So I think without interruption I would like you to just proceed and tell us your story as you best see it.

WITNESS NO. 1 (A prisoner presently incarcerated in the California prison system): Okay. I wrote up a --

CHAIRMAN CARPENTER: It isn't necessary for you to stand, but read loud enough so that at least I and the reporter can hear, please.

WITNESS NO. 1: Okay. I wrote a statement on all of these organizations within the prison system, the violence and their involvement in different crimes and executions and what have you, you know. I will just read the statement out to you gentlemen.

CHAIRMAN CARPENTER: That would be fine.

WITNESS NO. 1: "Organized prison violence. Violence within the California prison system has become a very

dangerous epidemic which has spread to society. It has caused, and will continue to cause, the innocent lives of prison officials as well as inmates. It is a very serious and dangerous threat not only to the prison system, but to the whole Establishment as well.

"If known steps are not taken by authorities to intervene and stop the violence and bloodshed that is being caused by such violent organizations as the Nuestra Familia, Mexican Mafia, Black Guerrilla Family, Black Liberation Army, Black Guard Family and the Aryan Brotherhood, there will continue to be bloodshed within prison and society.

"At the present time every black organization within the prison system has united into one organization, which is known as the 'Black Guerrilla Family.' Their main goal is revolution, revenge and to free all political prisoners through revolutionary tactics, such as kidnaps of federal and state executives, as well as other influential figures, and hijacks. They will not hesitate to execute their victims or sacrifice their own selves for their struggle.

"Their leadership structure is as follows: James Holiday, Hugo Pinnell, Howard Tole, David Johnson, Lill John, Whiteside, Brownie, Chico, Chili Red and Jimmy L.

"The Black Guerrilla Family is united with the NF against the war with the EME," which is the Mexican Mafia, "and AB," which is Aryan Brotherhood, "with the understanding that the NF will support them in their struggle and start executing prison officials, and to establish a unity with them in the streets.

"All these violent organizations that exist within the prison system are supported and covered by radical attorneys and Third World organizations so that the public will not be aware as to how violent and dangerous these organizations really are to society. Whenever the prison officials attempt to expose the seriousness of these violent organizations, they are always accused by radical attorneys and Third World organizations as to being racial and discriminating towards brown and black minority groups. In order to obtain public support they will use whatever form of propaganda to deceive the public.

"They must always support and protect the most violent organizations in prison, for it is from prisons that Third World organizations recruit their most dangerous revolutionaries. Third World organizations and radical attorneys will always conspire with inmates when it pertains to executing prison officials. They will always obtain

support and form a political defense ahead of time.

"Radical attorneys and law students are the best means of communication between prisoners. They will act as messengers and use their office as a private post office for prison organizations, for it is easier for an attorney to visit and correspond with an inmate than it would be for a normal individual. They encourage and contribute a great deal to prison violence. Their profession is their protection.

"The Nuestra Familia organization was first founded at Soledad in the year of 1967 by Consuelo Hernandez. It started off as a Latio culture organization. However, as time went by it changed its course and started exploiting and pressuring other inmates for canteen and homosexual acts. They sold protection to other inmates who were being pressured by the Mexican Mafia. When the NF started to take over the narcotics racket in San Quentin in the late '60's, it caused a violent conflict with the EME, which led to a bloody war.

"The war between the two organizations lasted quite a while, then it ceased for a while and again broke out strong in the year of 1972. However, this time the war had become more violent and bloodier than ever. The war between the two organizations has spread to society where new recruiting is being made and executions are being carried out. Members in both organizations who refuse to follow orders are executed by their own organizations.

"Every member who is in the NF is brainwashed with violent propaganda against the Eme and the system. Every day he is schooled by a lieutenant or a captain who instructs him on how to use people and obtain their sympathy and support. He must study different topics in order to be able to relate with the classes of people. He must also learn how to use revolutionary tactics against the NF enemies.

"The most important thing that a member must learn is to know his enemies' characteristics and capabilities so that he can destroy them faster. He must never have mercy for an enemy or show favoritism or sympathy among his brothers. He must learn how to play different roles like an actor so that he can fake people out of position and gain a striking position against the enemy.

"When one marries into the Nuestra Familia, it is like signing a death contract on himself, because he can never get out. Since the General of the NF has intentions of making the NF an interracial political organization, a lot

of members wish to get out the NF but they fear the consequences. A great deal of them are very young, who were influenced by older members into joining the NF. Most of them are trying to find a way to get out of the NF. The NF even exists in some of the California Youth Authority institutions, Y.T.S. and P.S.I.

"Youths who are in Y.A. institutions are being corrupted and brainwashed with NF violent propaganda by some of their relatives who are members of the NF. Most youngsters are easily influenced into joining the NF because they are always looking for something to identify with. They are also easier to school and train, because they are looking for recognition and a bad reputation.

"Violence and corruption in the prison system has become outrageous. One can no longer serve his own time without having to answer to some violent member of an organization. A lot of inmates who try to do their own time so they can get out are usually forced into locking up for protection or get killed or else they end up picking up new cases.

"Ever since the war started between the NF and EME and AB there has been over 30 killings and a great deal of numerous stabbings. Robert Rio Sosa, who is the General of the Nuestra Familia organization, has declared an everlasting war with the Mexican Mafia and the Aryan Brotherhood. He has ordered all N.F. members to kill A.B. and EME on sight. He has also established an execution death squad out in society.

"Nowadays an inmate must think and act violent in order to survive the forces and pressure that he is confronted with in a violent prison environment.

"There have been cases where prison officials have been threatened with death if they should ever testify against members of prison organizations. A lot of prison officials find themselves in a state of fear and paranoia because of all the violent killings that are being carried out by violent prison organizations.

"Members of the Nuestra Familia organization and the Mexican Mafia who are locked in some of the most maximum security adjustment centers in the prison system can still send orders to any prison in California or out to society to have people executed. If they can't obtain an attorney to deliver a message, they will use their own relatives as messengers or else they will code an order in a letter and send it to a mail drop who will readdress the envelope and

send it to whatever prison it is supposed to go to.

"Violent organized crime has become the number one priority with the Mexican Mafia and the Nuestra Familia organizations. They both deal in narcotics, robberies, burglary and executions. These organizations are organizing themselves out in society into a deadly violent force. If these bloodthirsty organizations are not broken up, they will spread terrorism throughout the whole Establishment. Both organizations are trying to establish their own syndicates, such as the Costa Nostra and Sicilian Mafia.

"Members of the Black Guerrilla Family have carried out most of the executions against prison officials. Their main leader, who is Doc Holiday, is a cold-blooded calculating revolutionary. The goal of every member in the Black Guerrilla Family is to pick up where George Jackson left off.

"Doc Holiday has intentions of establishing one of the most effective and deadly revolutionary forces out in society. He greatly identifies with violent armed struggle and terrorism. He has a great deal of influence among Third World organizations and inmates. If the Black Guerrilla Family should ever become fully organized out in society, Venceremos and the Symbionese Liberation Army will not be able to compete with them.

"Radical attorneys advise members of prison organizations that the best defensive tool that can be used whenever prison officials attempt to disorganize them is racism, harassment and discrimination. They know that the public will support and sympathize with them.

"Violent inmates are always complaining to the courts as to how they are harassed and mistreated by prison officials. However, they never admit to the courts as to how they harass and mistreat prison staff with violent assaults and spitting on them and throwing urine and waste on them. I know by experience, for I in the past have done the same thing.

"Crime and violence has taken the place of rehabilitation in the prison system. The ones that are responsible are the violent organizations within the prison system, as well as radical attorneys and Third World organizations who are allowed to come into the prisons and corrupt inmates with violent revolutionary propaganda.

"Third World organizations and radical attorneys contribute a great deal of violent revolutionary reading material to inmates, which has been considered by the courts

as being educational literature. If learning how to make explosive devices, weapons and how to use violent revolutionary tactics to overthrow the government is educational, then I would have to say that the courts are also responsible for the violence within the prison system.

"Authorities who are doing their utmost to break up all these prison organizations that are violent are one of the best law enforcements that have ever come on the scene. They are highly intelligent and professional in breaking up organized crime and violent organizations. A lot of inmates who want to disassociate themselves from some of the most violent organizations within the prison system are turning to this law enforcement for their support and protection.

"If it wasn't for the effectiveness of this law enforcement, executions within the prison system and in society would have reached a very drastic level.

"Members of violent prison organizations take advantage of the leniency of the courts and spread terrorism throughout the prison system. Leniency of the courts encourages violence and executions.

"The best thing that has happened was to place the gas chamber back into effect. However, it only protects certain crimes, but denies the same equal protection to other crimes.

"The Nuestra Familia organization is establishing recruiting centers in colleges and communities under the false pretense of being culture centers. Each member must learn how to organize and spread propaganda against the enemies of the Nuestra Familia. When a member is released from prison he must report to the General who is running the NF out in society. The General will then decide what type of crime the soldado is qualified to deal in. Money that is made through committing crimes is used to build the Nuestra Familias. It is invested into business and property is also bought. If a member steals from the NF he is executed or sent on a suicide mission.

"If a member disassociates himself from the Nuestra Familia a death contract is placed on him. If he can't be located, his relatives will usually be harassed and threatened by members of the NF. Three lists with names and addresses are kept by the First Captain. A list of names and addresses of every enemy of the Nuestra Familia is sent to the General out in society. The second list consists of every member of the NF. The third list consists of the 10 most wanted enemies of the Nuestra Familia. The enemy list

and the Constitution of the Nuestra Familia is sent to different prisons where NF members exist.

"Whenever a new arrival enters prison, members of the Mexican Mafia and Nuestra Familia, who are at war with each other, will always pay cigarettes to an inmate clerk who is working in the prison administration building or Captain's office to run a make on inmates. If an inmate happens to be an informer, he is usually pressured for canteen, or else he is pressured into becoming a homosexual. If he should happen to be a member of an enemy organization he is killed.

"If an inmate shows any kind of weakness, he will be taken advantage of and be used to hold weapons or narcotics, or else he will be pressured into taking the blame for a crime he did not commit. If he refuses to take the blame and locks up, a jacket of being a coward and informer is hung on him. This jacket will follow him to whatever prison he goes to and it will create nothing but chaos for him, or cause him to lose his life.

"The Mexican Mafia and Nuestra Familia organizations control most, if not all, of the narcotics rackets in the prison system. Relatives and members are runners. They bring very large quantities of heroin, marijuana and LSD into the prison system. They also control a great deal of the homosexual prostitution racket in prison. Homosexuals who refuse to participate in prostitution are beaten up or made to lock up, or else they are sold to other inmates for cigarettes or canteen.

"A great deal of violent force is used to rob another man's manhood. Prisons are overflowing with sex perversion and violence. There are so many undercover sexually violated inmates in the prison system that it's pathetic. The majority of violated inmates are kept enslaved through threats of being exposed or killed.

"Members of the Nuestra Familia and Mexican Mafia have a violent reputation of forcing themselves into an inmate's cell with pieces, and violently violating an inmate sexually and robbing him of all his personal belongings. There have been cases where members of the Mexican Mafia have stabbed or killed inmates for stepping on their shoes or looking at them too long. A lot of members in both organizations have complexes and are very paranoid, which makes them very unpredictable and dangerous.

"Members in both organizations like to kill people for no motive whatsoever. Example: Louis Flores, who is a ranking member in the Mexican Mafia, was at one

time an attendant in the San Quentin prison hospital. Flores informed me that while he was an attendant in the prison hospital he would torture patients who were in critical condition into committing perverted sexual acts upon him. He also informed me that while he was working in there they brought a patient into the hospital who was in very critical condition. The patient had to be given oxygen in order to breathe and stay alive. Flores told me that he would go into the patient's room and torture him by turning the oxygen gas off for long periods of time until the patient would turn purple. He would then turn the oxygen back on and ask the patient how it felt to be so close to death and to know that he would soon be dying. He said that the patient would start to cry and attempt to call for help, but that he would turn the oxygen back off and laugh at the patient. He said that he kept this torture up for quite a while, then he finally turned the oxygen completely off until the patient was dead, then turned it back on and left the hospital.

"Example: Robert Rio Sosa is the number one General and Chieftan of the Nuestra Familia organization. In the year of 1973 (a meeting of the NF was held) at Palm Hall, Chino State Prison. In the meeting Sosa felt very strongly that sacrifices and examples of NF members had to be made in order to unite the Nuestra Familia as one. He stated that fear must be spread within the Nuestra Familia organization so that members would fear the NF more than they feared the enemy. He also wanted to set examples as to what the consequences would be for members who refused to execute the enemies of the Nuestra Familia organization.

"He then made up a list of members he disliked who were to be sacrificed and used as examples. (When one man) tried to speak up for some of the members that he had placed on the death list who were mentally ill, he (said) that the reason he had placed them on the list was because they couldn't contribute nothing to the Nuestra Familia and that, besides, he was only doing them a favor by taking them out of their misery.

"As soon as he was transferred back to Tracy, the violent sacrificing examples were carried out. One member was killed and four other members were critically stabbed. Robert Rio Sosa has a great complex due to his many homosexual tendencies. He projects sadistic violence to cover up his feminism.

"Example: Mike Ison and Eddie Moreno, two Mexican Mafia members, killed an inmate who was mentally ill in the year of 1971 at Folsom State Prison. This inmate used to hold weapons for the Mexican Mafia members, and his

cell would always be used to make wine. One day Ison and Moreno were playing with this inmate and he happened to step on one of Ison's shoes. Ison told the inmate to go and pick up his stuff and to meet him in the chapel. The inmate thought Mike Ison was still playing with him, so he went into the chapel and waited for Ison. After a little while Mike and Eddie walked into the chapel and stabbed and piped the inmate. He died in the prison hospital.

"Most members will react to violence at the spur of a moment without even stopping to think of the consequences. A lot of members are trying to build a bad reputation for themselves and want to get a ranking position. Some members will go as far as volunteering to carry out executions.

"There are a lot of members that join the Nuestra Familia for protection against other organizations or because of the identity or the narcotics. Then you have the 'hope to die' dedicated members who don't identify or relate to nothing other than the Nuestra Familia. These are the most violent and dangerous ones. The dedicated members feel they have nothing to lose because they are never getting out of the penitentiary. These members are at war with the Mexican Mafia and Aryan Brotherhood for revenge, whereas other members of the Nuestra Familia are fighting to survive.

"The Nuestra Familia also has a lot of undercover NF members who will go into enemy territory to spy on the enemy or to carry out executions. Most undercovers are only known by the member that recruited them and the Captains and General.

"Young girls are also being recruited and are used as mail drops and runners. These young girls are being brainwashed with NF propaganda and promises or romance and a better and brighter future. The Nuestra Familia has plans of going into the prostitution racket out in society. The Nuestra Familia is making attempts to recruit women from some of the women's institutions and county jails.

"A great deal of NF members are being recruited throughout the city and county jails. Most of the county jails in California are either controlled by the Mexican Mafia or the Nuestra Familia organizations.

"Members of both organizations even exist in federal institutions. Both organizations are spreading like fire throughout the whole system. A great deal of undercover recruiting is being made, not only in the prison system but in society as well.

"If city, county, state and federal do not support and contribute to the breaking up of these violent organizations, their jails and prisons will be overflowing with violence and executions. The war between both organizations exists within city and county jails.

"The Black Guerrilla Family and Aryan Brotherhood organizations, who are also included in the war, only add more to the violence and bloodshed."

CHAIRMAN CARPENTER: Thank you.

I think I at least have some questions, and perhaps Senator Harmer and Senator Wedworth do also.

Let me start. How do you get involved with one of the organizations in prison? You say some people seek them out. Is there open recruitment going on?

WITNESS NO. 1: Yes, there is. Say, for instance, you know a member that is in the organization, he puts the word in for you and he is responsible for you.

CHAIRMAN CARPENTER: I understand once in you can't get out, whether you get out of prison or not; is that correct?

WITNESS NO. 1: Yes, sir.

CHAIRMAN CARPENTER: Well, do the organizations sometimes go to a prisoner and tell him he is in, whether he wants in or not?

WITNESS NO. 1: There have been cases where that has occurred, yes, where an inmate, you know, that is well-known in the prison population and is supported is usually forced into becoming a member or else he locks up or else he gets executed, one of the two.

CHAIRMAN CARPENTER: How did you get into the Mafia?

WITNESS NO. 1: Well, I got involved with the Mafia (deleted to protect identity) in the year of (year). But at that time the Mafia was just getting organized and one didn't have to be really voted in by the whole majority. Just one member could --

CHAIRMAN CARPENTER: Did it have a less violent nature then?

WITNESS NO. 1: Yes.

CHAIRMAN CARPENTER: What position did you hold in the Family?

WITNESS NO. 1: I was (rank indicated) in the Nuestra Familia organization.

CHAIRMAN CARPENTER: What responsibilities did that give you?

WITNESS NO. 1: I used to hand out the orders that came down from the General and (others in positions of authority).

CHAIRMAN CARPENTER: You were just kind of translating and a conduit for the orders?

WITNESS NO. 1: Also in the schooling and brainwashing violence.

CHAIRMAN CARPENTER: Did you ever use lawyers for the transmission of information, you personally?

WITNESS NO. 1: Yes.

CHAIRMAN CARPENTER: Where did you come by these lawyers? Were these people you chose or did the organization send them to you?

WITNESS NO. 1: Well, each member that joins the Nuestra Familia must do his utmost to get whatever support and attention he can by himself, add to the support. This is how I became involved with attorneys, radical attorneys, that would take messages for me to different penitentiaries and orders and what have you.

CHAIRMAN CARPENTER: Well, an attorney that is carrying a message, does he just carry it orally? You give him the message and then he goes to another prison and delivers it by word of mouth to the prisoner in mind?

WITNESS NO. 1: Yes.

CHAIRMAN CARPENTER: Because he has the right to visit that prisoner also?

WITNESS NO. 1: He could visit mostly any prisoner that he wants to visit, as long as he gets a name and his booking number.

CHAIRMAN CARPENTER: Let's assume a prisoner is in Folsom and he wants to send a message to San Quentin. The fellow in San Quentin may not know it is coming, but if some lawyer shows up and he wants to see Prisoner X and they ask

Prisoner X if he wants to see the lawyer, does he know he should see him and receive the message?

WITNESS NO. 1: Most of them do, yes.

CHAIRMAN CARPENTER: How about the mail, is that device frequently used for transmitting messages and orders?

WITNESS NO. 1: Oh, yeah. Widely used, you know. Orders and messages are sent in the mail in different coding forms. Like, say, for instance, I write a letter and I say, "You know what, my sister just had a little baby,"

CHAIRMAN CARPENTER: That might mean something else?

WITNESS NO. 1: That might mean we just had another new recruit, "She had a beautiful baby."

CHAIRMAN CARPENTER: What do you think the impact would be on the ability of these organizations to function if we changed the rules back to the old way and made all mail totally capable of being examined or interrupted by prison officials? Would that help?

WITNESS NO. 1: It would only -- It would stop. It will stop a lot of the communication. But, like I say, you know, there's relatives also or mail drops in society. Their wives.

CHAIRMAN CARPENTER. I understand that. But communication is very important to these organizations, is it not?

WITNESS NO. 1: Yes. Yes, it is.

CHAIRMAN CARPENTER: You say one way for these people to function is always allege that there is racism or harassment or mistreatment by prison people, by the guards and other prison personnel. Aren't there guards and other prison personnel who do harass and mistreat prisoners and have bad attitudes?

WITNESS NO. 1: There is. Everyone has a little racism in them, you know. But since I have been in prison -- I have been coming in and out of institutions since I was the age of (indicates pre-teen age) -- I have never seen a prison official go up to someone and harass him or what we would say use violence against him.

CHAIRMAN CARPENTER: Without provocation?

WITNESS NO. 1: Without provocation. I have seen prison officials that have had urine thrown on them or

waste react like that.

CHAIRMAN CARPENTER: When you talk about the person being discharged from the institutions who is a member he has to report to the General on the outside, suppose he doesn't? Is that a killing violation?

WITNESS NO. 1: Well, usually someone is sent to his home. Before a member gets out of the penitentiary the General in the streets gets word already that a new member is getting out.

CHAIRMAN CARPENTER: So he is expecting him?

WITNESS No. 1: Yes. If you don't want to move, the General sends his orders to the one that is running the execution squad outside, who will send a hit man to make a hit out in the street.

CHAIRMAN CARPENTER: Just for not contacting and reporting in?

WITNESS NO. 1: Just for not contacting and reporting in, after he is warned to report.

CHAIRMAN CARPENTER: What percentage of prisoners, in your opinion, are connected with or a part of any of these organizations inside the prisons?

WITNESS NO. 1: There's a great deal.

CHAIRMAN CARPENTER: Half of them, 10 percent of them?

WITNESS NO. 1: I would say about half.

CHAIRMAN CARPENTER: About half of them?

WITNESS NO. 1: Yes.

CHAIRMAN CARPENTER: Among all the organizations?

WITNESS NO. 1: Yes.

CHAIRMAN CARPENTER: Do the organizations have as their goal to enlist all of the prisoners they can? They aren't selective; they don't want a small organization?

WITNESS NO. 1: No. They want to become widely organized.

CHAIRMAN CARPENTER: So they can control all of the prisoners?

WITNESS NO. 1: Yes.

CHAIRMAN CARPENTER: You mentioned drugs are introduced into the prison system. That interests me, because although some drugs can, of course, be passed in small quantities, of course some of them require the hypodermic and what have you. I think we are all familiar with those physical necessities.

How in fact can drugs be given by a visitor who doesn't have physical contact with the prisoner or by gifts being sent in and so forth? Isn't this a very difficult thing to do?

WITNESS NO. 1: You know what, sometimes a visitor doesn't have to bring in dope. They could either leave it outside the prison where a worker that is working in the farm or outside worker will bring it in. Say, for instance, if the inmate should be in an adjustment center and he can't have no contact visit with his relatives, visitors, it is arranged for him sometimes to get into the hospital, prison hospital, where he will be given his share of narcotics.

(A substantial portion of testimony is deleted here because it was impossible to edit in a manner which would retain the meaning of the questions and answers without revealing the identity of the witness.)

CHAIRMAN CARPENTER: Sometime, in your own knowledge, do you know that the subpoena power is used for other than legal proceedings in order to bring people to a place for the purpose of a meeting? Are you familiar with that?

WITNESS NO. 1: How is that again?

CHAIRMAN CARPENTER: The use of the subpoena, say, by lawyers in order to get together members of, say, the Family or the Black Guerrilla Family or Nuestra Familia, the utilization by lawyers of the subpoena to get them together in one place for a meeting -- in other words, kind of a sham or phony meeting -- do you know of any circumstances where, in your opinion, that has happened?

WITNESS NO. 1: Yes, I do. It happened this meeting (describes meeting and location). I didn't know nothing about the case, you know. They just said they wanted to talk to me. An attorney wanted to see me at (location) and he told me that (deleted).

CHAIRMAN CARPENTER: So the attorney would issue a subpoena for you in order to get you to the meeting or to any other person?

WITNESS NO. 1: Yes. This happened to me (number).

CHAIRMAN CARPENTER: Where do you get these lawyers? Are they paid for by the organization?

WITNESS NO. 1: Some of them are furnished by their own families or some of them are just volunteers.

CHAIRMAN CARPENTER: Do the attorneys belong to any organizations?

WITNESS NO. 1: A lot of attorneys in San Francisco are involved in a lot of these organizations within the prison system, you know.

CHAIRMAN CARPENTER: Do the organizations pay the law protective or any other legal organizations any moneys on the outside?

WITNESS NO. 1: No. For the simple reason that when a person picks up a case they raise funds, which they keep.

CHAIRMAN CARPENTER: Senator Harmer.

SENATOR HARMER: Is there any mechanism for literature to be printed and distributed among the members of EME or NF either inside or outside the prison? Do they have a propaganda sheet, any type of literature?

WITNESS NO. 1: Yes. I could just speak for the Nuestra Familia, because I haven't been a member -- I got out of the Mexican Mafia in (year). But the Nuestra Familia does have a Constitution that they must go by.

SENATOR HARMER: Do they have a form of communication with literature, any type of regular newspaper or mimeographed literature that they distribute?

WITNESS NO. 1: No. At the present time, no. It's in a state where they are trying to organize themselves first, form a strong construction before they start publicizing anything.

SENATOR HARMER: Do they have any individuals who are not in prison who they think sympathize with them or helping them? Are there any political leaders or business leaders or known underworld figures who are on the outside who are supporting or they believe are supporting them with whom they identify in any way?

WITNESS NO. 1: Well, a lot of organizations out in society, you know, do support and contribute to them, you know..

SENATOR HARMER: Can you name any of these organizations?

WITNESS NO. 1: Well, mostly like Venceremos and the Sietos, Organization of Sietos. There's also the members of the Black Liberation Army, which broke out from the Black Guerrilla Family but then united again. Panthers were also involved in the supportment. Agalito, other Mexican organizations that were corresponding and supporting them.

SENATOR HARMER: Are you familiar with any type of fund-raising activity for the benefit of any of these groups which is not overtly illegal? Obviously the narcotics trafficking and prostitution, things like that I understand would be the ways in which they might raise money, but do they try to engage in any money-raising schemes which would be considered to be legal on the surface?

WITNESS NO. 1: Yes. A lot of them have culture centers where they have fund raising and money is used for the bank, goes into the bank. Like in colleges, you know, they also have -- The money that they are financing to run these culture centers, also part of it goes to the bank.

SENATOR HARMER: And the outside General controls the bank?

WITNESS NO. 1: Yes. He's the financier.

SENATOR HARMER: Are there any type of plans being made for revolutionary activity by either the NF or EME that you know of, revolutionary activity similar to what the Panthers have engaged in or the Symbionese Liberation Army or others?

WITNESS NO. 1: Yes. They do want to form a revolutionary branch. It's going to go into different branches on a political thing, things like this. They reached an agreement already with the Black Guerrilla Family that they are going to support them not only with arms, they are going to support one another, help one another establish themselves out in society.

SENATOR HARMER: Are they able to establish or have they attempted to establish any chapters of the NF or Mexican Mafia among the student radicals on college or university campuses, or just off the college or university campuses?

WITNESS NO. 1: Well, U.C.L.A., they have a cultural center already established there, which is supposed to be spreading to different other colleges.

SENATOR HARMER: And is that cultural center being used as a focal point for communication for the NF?

WITNESS NO. 1: Well, it is mostly being used for recruitment on different students with different professions.

SENATOR HARMER: Who may never see the inside of a prison, but are still being recruited to participate?

WITNESS NO. 1: Yes. These are known mostly as undercover members who are not up front.

SENATOR HARMER: Do you have reason to believe that that recruitment is successful?

WITNESS NO. 1: Yes, for the simple reason that a college student, a graduate could go into different professions, where I couldn't go in. I couldn't buy a business, where he could. I couldn't become an attorney, I couldn't become a policeman. He could.

SENATOR HARMER: What is the appeal made in this recruitment? Is it a financial appeal, is it a racist appeal? What is the basis for saying to these people, "Come and join us"?

WITNESS NO. 1: It is more or less -- It is used on a revolutionary basis, revolutionary propaganda spread and also --

SENATOR HARMER: It's a political appeal, then, basically?

WITNESS NO. 1: Yes. Under false pretense a lot of them are united -- I mean, recruited.

SENATOR HARMER: The Mexican-Americans in California are very involved in some of the professional athletics of the state, particularly boxing. Do they try to develop any relationship between the Mexican-American athletes who are the champions or the leading boxers or the leading athletes and any of these revolutionary organizations?

WITNESS NO. 1: At the present time, no, that I know of. But, like I say, you know, they have a tendency of going into different things. Really what is mostly on their mind right now is this war, revenge. Everybody seems to want to execute everybody, you know. It's just come to the point where nobody thinks of the street anymore. Just to build Nuestra Familia is the main goal, their identity. It's their life right there. They will sacrifice to protect it and they will do anything to build it up, use anyone in any

way, shape or form that they possibly can.

SENATOR HARMER: Do I infer from that that they consider living in prison for the rest of their lives the way they are going to live and they are really trying to make sure that they are the most powerful ones in the prison?

WITNESS NO. 1: There is some that feel that way, yes. Because some of them feel they are never getting out, so they don't have anything to lose, really. They also have to keep the Familia united not only to gain a position but also for their own support against other organizations.

SENATOR HARMER: You mentioned earlier in your testimony about the number of prisoners who are forced into homosexual activity. Is there any way to protect them from this? Is there any way to stop this assault on the other prisoners?

WITNESS NO. 1: There is.

SENATOR HARMER: How?

WITNESS NO. 1: In the first place, they should never be placed in a prison where they find themselves under this pressure by these organizations. Like you go to San Quentin, Folsom, any prison, you know, you just got homosexuals running all over the place.

SENATOR HARMER: And the pressure is either you participate or you get beaten up?

WITNESS NO. 1: Or they get sold for cigarettes or canteen or what have you, you know.

SENATOR HARMER: The homosexual gets sold?

WITNESS NO. 1: Yes.

SENATOR HARMER: He is literally sold to a group that wants a homosexual for themselves?

WITNESS NO. 1: Sold to a group or another certain inmate or whoever is paying the highest.

SENATOR HARMER: So an identified homosexual shouldn't even be put in the situation where he is going to be put under this pressure?

WITNESS NO. 1: No. For the simple reason that he is also forced to sometimes recruit other homosexuals, which only keeps adding and building up to the prostitution within

the prison system.

SENATOR HARMER: Has anyone, to your knowledge, ever gone to the prison authorities who has been forced into this and asked for protection, or would a prisoner do that?

WITNESS NO. 1: Yes. I have known one or two that have, you know, locked up because they didn't want to participate in homosexual activity or what have you. They were locked up with a jacket hung on them for being an informer.

SENATOR HARMER: The jacket was hung on them by the other prisoners?

WITNESS NO. 1: Yes. By the ones that were trying to force him into this. Word is sent to other penitentiaries, you know, and different members to expect this certain person or individual that is going there; he might have a jacket because he's an informer or get him killed or hurt.

SENATOR HARMER: Any time that a prisoner goes to the authorities he is automatically branded an informer?

WITNESS NO. 1: Yes.

SENATOR HARMER: Thank you.

CHAIRMAN CARPENTER: Senator Wedworth.

SENATOR WEDWORTH: How old were you in (year)?

WITNESS NO. 1: I was 17 or 18, I think. 18. I was still under juvenile commitment when I went up to (name of prison).

SENATOR WEDWORTH: So you were tried in Juvenile Court?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: You mentioned a code through the mails, like "My sister had a beautiful baby." How many codes other than that particular one could you tell us about?

WITNESS NO. 1: Oh, there's also a code of puzzle code.

SENATOR WEDWORTH: I beg your pardon?

WITNESS NO. 1: Puzzle code.

SENATOR WEDWORTH: Puzzle?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: Crossword puzzle type?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: Okay.

WITNESS NO. 1: There's also another one with pictures of like a card deck.

SENATOR WEDWORTH: A picture?

WITNESS NO. 1: Like an ace or a spade. The forms of a card deck, you know. There's others with numbers.

SENATOR WEDWORTH: What would an ace mean? "A" I assume refers to the deck of cards; would that be right?

WITNESS NO. 1: Yes. You could either put it as any letter of the alphabet, you know.

SENATOR WEDWORTH: Fine. Let's stay with the deck of cards-type thing. Name some cards, if you can, other than "A" or the ace.

WITNESS NO. 1: Spade of deuce, three A's. Every deck of cards represents a letter.

SENATOR WEDWORTH: Yes?

WITNESS NO. 1: Sometimes even stars or X's or crosses are used for different letters.

SENATOR WEDWORTH: How do they teach members to understand what the code means?

WITNESS NO. 1: Well, when the code is made you are always given the first word of the first letter.

SENATOR WEDWORTH: Of a code?

WITNESS NO. 1: Yes. Say, for instance, the deuce of diamonds is going to be "A." You take it from there. For each card you give a different letter until you get the whole alphabet. Sometimes you receive a letter with different designs on it; it's a code.

SENATOR WEDWORTH: You mentioned subpoenas. You have been subpoenaed you said, what, (number)?

WITNESS NO. 1: Yes. I was subpoenaed (number and locations) by the Mexican Mafia and Aryan Brotherhood to (location), too.

SENATOR WEDWORTH: Do you remember the exact dates of these subpoenas?

WITNESS NO. 1: No, I can't recall the exact dates.

SENATOR WEDWORTH: How about the year?

WITNESS NO. 1: It was (year).

SENATOR WEDWORTH: (Question)

WITNESS: NO. 1: (Answer deleted)

SENATOR WEDWORTH: Where were you in (year) when you were subpoenaed?

WITNESS NO. 1: I was in (name of prison).

SENATOR WEDWORTH: And (year)?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: Still in (name of prison)?

WITNESS NO. 1: No. I was transferred to (name of prison).

SENATOR WEDWORTH: Was it spring, summer, winter, fall?

WITNESS NO. 1: It was winter.

SENATOR WEDWORTH: Wintertime?

WITNESS NO. 1: Yes, sir.

SENATOR WEDWORTH: Before Christmas or after Christmas?

WITNESS NO. 1: Before Christmas.

SENATOR WEDWORTH: Before Christmas. Shortly before Christmas? Between Thanksgiving and Christmas, would you say?

WITNESS NO. 1: I would say it was -- Yes. I would say it was around September or October.

SENATOR WEDWORTH: Prior to Thanksgiving?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: Are you single?

WITNESS NO. 1: Yes, sir.

SENATOR WEDWORTH: Can you name any lawyers that you referred to by name?

WITNESS NO. 1: I have a list, you know, of attorneys.

SENATOR WEDWORTH: You have a list?

WITNESS NO. 1: Yes. More or less three or four attorneys that I was communicating with.

SENATOR WEDWORTH: How long is that list? Would it be a dozen, half dozen?

WITNESS NO. 1: Well, the list that I got --

SENATOR WEDWORTH: More? Don't give me it in exact numbers.

WITNESS NO. 1: Four.

SENATOR WEDWORTH: You mentioned a cultural center at U.C.L.A. Do you remember mentioning the cultural center?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: To your knowledge, there is only one in the state among colleges and universities?

WITNESS NO. 1: In colleges that I know of there's one and another was supposed to be developed at San Jose.

SENATOR WEDWORTH: San Jose State College?

WITNESS NO. 1: I mean Fresno.

SENATOR WEDWORTH: Fresno.

WITNESS NO. 1: Santa Barbara. When it first started it was more or less as an experiment.

SENATOR WEDWORTH: Experiment by the colleges or experiment by the people that you deal with?

WITNESS NO. 1: With the people that I was dealing with, yes.

SENATOR WEDWORTH: The Familia?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: You referred to the money going into the "bank." Is an individual called a "bank"?

WITNESS NO. 1: No. The bank is the General who holds the -- The gentleman that is the financier, that's what I referred to as the "bank."

SENATOR WEDWORTH: In your vocabulary or their vocabulary "bank" is a person that handles finances?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: In the case of narcotics, you referred to the way it's brought into the prisons and you said it would be dropped, I believe, outside and there would be convicts that worked outside the prison. Is that what you said?

WITNESS NO. 1: Some of it is brought and left outside the prisons and some of it is brought in.

SENATOR WEDWORTH: Could you just tell us exactly how stuff is brought from outside in?

WITNESS NO. 1: By visitors?

SENATOR WEDWORTH: No. By prisoners, inmates.

WITNESS NO. 1: It is --

SENATOR WEDWORTH: Just be as specific as you can on how this would eventually get to where it was supposed to go.

WITNESS NO. 1: It could be thrown over the wall, it could be brought in in the mouth or in shoes or anywhere, because it's a pat-down - shake-down when you come in from outside. A balloon of heroin could be brought in the mouth or anything, you know.

SENATOR WEDWORTH: Would you say that narcotics are plentiful inside?

WITNESS NO. 1: Yes, sir.

SENATOR WEDWORTH: Would you say it's easiest to get it outside than it is inside?

WITNESS NO. 1: No.

SENATOR WEDWORTH: Just plenty of it everywhere; is that right?

WITNESS NO. 1: If you can't find no heroin inside, you might find marijuana or acid or what have you.

SENATOR WEDWORTH: What about arms?

WITNESS NO. 1: Inside the prison?

SENATOR WEDWORTH: Inside, yes.

WITNESS NO. 1: Arms are made in different -- just about everything for you to get ahold of.

SENATOR WEDWORTH: How about sidearms regularly manufactured outside?

WITNESS NO. 1: There's some in prisons, regular push-button knives or butcher knives or what have you.

SENATOR WEDWORTH: In other words, the way a visitor is searched as they come in, they could just about bring anything in?

WITNESS NO. 1: Well, like at Folsom, for instance --

SENATOR WEDWORTH: Tell us exactly about Folsom.

WITNESS NO. 1: At Folsom, for instance, they have to go through a metal detector before they come in.

SENATOR WEDWORTH: So you can't get metal arms through?

WITNESS NO. 1: Not through the main gate.

SENATOR WEDWORTH: How about San Quentin, do they have a metal detector?

WITNESS NO. 1: San Quentin is about the same thing, you know. But every penitentiary has their outside crews that do work outside the prison, which anyone could just throw anything in a certain spot.

SENATOR WEDWORTH: Have you ever worked outside on an outside crew?

WITNESS NO. 1: Just at (name of prison).

SENATOR WEDWORTH: What kind of work did you do outside?

WITNESS NO. 1: I was working on the (type of work).

SENATOR WEDWORTH: A (type of work)?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: (Activity)?

WITNESS NO. 1: Yes.

SENATOR WEDWORTH: Is there ammunition available to members on the street?

WITNESS NO. 1: Well, everything -- everything, really, like their arms and like that they get in burglaries, burglarizing farms where guns are kept or ranches. You can get weapons or arms, too, from different organizations, like Venceremos or different revolutionary organizations that will support them with weapons.

SENATOR WEDWORTH: Do you know a person by the name of Hugo Pinnell?

WITNESS NO. 1: Yes, sir.

SENATOR WEDWORTH: How do you know him?

WITNESS NO. 1: I knew him at (name of prison) when he was main General of the Black Guerrilla Family.

SENATOR WEDWORTH: He was the head of it at (prison)?

WITNESS NO. 1: (Name of prison).

SENATOR WEDWORTH: When you were there?

WITNESS NO. 1: When I was there. I was also with him at (name of prison).

SENATOR WEDWORTH: (Deleted question)

WITNESS NO. 1: (Deleted answer)

SENATOR WEDWORTH: (Deleted question)

WITNESS NO. 1: (Deleted answer)

SENATOR WEDWORTH: Is he a member of any of the prison groups?

WITNESS NO. 1: He was one of the heavies in the Black Guerrilla Family.

SENATOR WEDWORTH: He's a black?

WITNESS NO. 1: Black Guerrilla.

SENATOR WEDWORTH: By "heavy" what do you mean?

WITNESS NO. 1: In rank.

SENATOR WEDWORTH: He runs it? .

WITNESS NO. 1: He was a general and he dropped down to captain.

SENATOR WEDWORTH: Who dropped him down?

WITNESS NO. 1: He dropped himself down because he was going into this political thing executing prison officials and trying to get in the political arena, so he gave his position to Doc Holiday first and -- Well, Doc Holiday was the main one, but Hugo Pinnell was also a general which was under Doc Holiday. When Hugo Pinnell dropped out he gave the position to Howard Tole. Now that he is over there, he is getting his position back because Howard Tole is supposed to be getting a parole date pretty soon and supposed to be going out to organize. He's got a commitment to Hugo Pinnell when he gets out he is going to try to free him from prison, you know.

SENATOR WEDWORTH: When he gets out, then he is going to try to free --

WITNESS NO. 1: That's the agreement that they have. They are very close friends.

SENATOR WEDWORTH: How is he going to do that, do you know?

WITNESS NO. 1: Mostly he was -- (deleted identifying information) ...the best form is kidnaps of different executives, wardens or directors or families of officials or what have you.

SENATOR WEDWORTH: (Do you know) any names of anyone they might kidnap, industrialist or politician?

WITNESS NO. 1: No. Just anyone that was an influential figure in the system.

SENATOR WEDWORTH: Can you give us some written example of a code given to you by Hugo Pinnell? Just write it down on something.

CHAIRMAN CARPENTER: Off the record.

(Whereupon, there was a discussion had off the record.)

SENATOR WEDWORTH: I think we will let you do that some other place.

When prisoners have a visitor, such as a wife,

are they left alone unobserved?

WITNESS NO. 1: Yes. Like if you receive a visitor in a visiting room, you know, there's only one or two officials that are usually sitting in the office.

SENATOR WEDWORTH: These rooms are off from the office?

WITNESS NO. 1: Yes. For instance, like in (prison) where you visit in the cage the office is outside the room and you can't hear what you are saying.

SENATOR WEDWORTH: They can't see, either?

WITNESS NO. 1: They could see in, but they can't hear what is going on.

SENATOR WEDWORTH: If someone brought some narcotics in, a visitor, in their mouth, could they see them if they took it out? Do they pass it by kissing, or how do they do it?

WITNESS NO. 1: They could pass it by a kiss or the balloon or the heroin usually is either left outside or it's put in a pack of cigarettes or it could be in a Coke when they come in, drop it in a Coke and down, something heavy in it it would go down. Sometimes they let you kiss your visitor, sometimes they don't. Regardless, you always have the Coke. They give you your Coke or cigarette or candies or what have you.

SENATOR WEDWORTH: They have it in that?

WITNESS NO. 1: Yes.

MR. PHILLIPS: And the prisoner can bring it in in his mouth?

WITNESS NO. 1: Either swallow it or carry it in his mouth until he gets in and then go back in and dump it out.

(A substantial portion of testimony is deleted here because it was impossible to edit in a manner which would retain the meaning of the questions and answers without revealing the identity of the witness.)

CHAIRMAN CARPENTER: Well, thank you very much.

Off the record.

(Whereupon, a discussion was had off the record.)

CHAIRMAN CARPENTER: This is Witness No. 3.

We appreciate your talking to us. We understand and are informed that you are best qualified to give us some information and discussion with regard to the organization known as the Aryan Brotherhood.

WITNESS NO. 3: Yes, sir.

CHAIRMAN CARPENTER: Perhaps it would be helpful if you could without identifying yourself for the record tell us something about the organization and how it functions in your own words.

WITNESS NO. 3: Well, the Aryan Brotherhood was first formed in 1968 at San Quentin Prison in order to combat growing racial attacks by the blacks on whites more or less as a defense. From there it grew to or spread to various other prisons -- Folsom, Soledad, DBI. There was recruiting, constant recruiting.

Myself personally became a member of the Aryan Brotherhood in (year) at (name of prison). In the latter part of 1970 four members of the Aryan Brotherhood were visited by Fay Stender at Folsom Prison. At that time she was representing George Jackson in the Soledad murder trial. The purpose of her visit was to convey a message from George to the members of the Aryan Brotherhood that the blacks requested a peace amongst the blacks and whites, and the purpose for this was to unite, if possible, all the ethnic groups and concentrate all hostility towards staff, disruption of prisons, attacks on staff and what have you.

(The AB members) agreed to the peace. (The AB members) refused to go along with the attacks on staff.

At the same time, or during the same -- well, within the same week or so they also called out members of the Mexican Mafia and the same thing was ran down to them. Members of the Aryan Brotherhood, (deleted), along with members of the Mexican Mafia, who were incarcerated at the Adjustment Center at Folsom at the time discussed (the) meeting with Fay Stender and her group, (deleted), in the yard and decided to go along with the peace but under no circumstances would (the AB members use their) influence to disrupt the prisons, and especially use their influence to commit attacks on staff or, you know, influence other whites or Mexicans who more or less looked up to our groups to commit attacks on staff.

During 1971 quite a few outside radicals -- college students, law students, lawyers, members of the

Lawyers Guild, Fay Stender's law collective -- began writing on a personal basis to inmates from the Aryan Brotherhood and the Mexican Mafia, and this continued right on until 1972, when I myself was transferred to (prison). From (prison) I was transferred to (prison) and from there I escaped after about (deleted).

(A substantial portion of testimony is deleted here because it was impossible to edit in a manner which would retain the meaning of the questions and answers without revealing the identity of the witness.)

Since return to prison, or once I did return to prison, the Aryan Brotherhood had changed a great deal. Several members of the Aryan Brotherhood had been killed by their own members for little or no reason at all, and there was quite a bit of a split, a lot of disillusionment, a lot of paranoia and we were pretty heavily involved in a war with the NF and the black militants, or the Black Guerrilla Army, or whatever they call themselves. The Aryan Brotherhood is allied with the Mexican Mafia against the -- this is the way the split is. It's the black militants and the NF against the Aryan Brotherhood and the Mexican Mafia.

I was transferred from (name of prison) to (name of prison), and while at (name of prison) I had an opportunity to speak to one of the members of the Aryan Brotherhood through the AC fence. He was on the main line and he asked me about a brother who had just returned from the streets by the name of -- Well, I won't even give his name. But, anyway, he asked me about him and I told him he was a good guy. And he told me, "Well, he is acting kind of funny."

And I told him, "What do you mean, he is acting funny?"

"Well, he's just acting kind of strange."

And I told him, "You know, give the guy a chance, man. Get to know him anyway."

A couple of days later another brother came by while we were on the exercise yard and we were just talking back and forth and I asked him, "How's (name) doing," and he told me that he had been stabbed several days before, you know, and it was at that time that I said that was it. I had been disillusioned upon my return to prison with the AB, and this is when I just decided to drop out completely.

If there's any questions you want to ask, you know, like any more questions you would like to ask, if I can answer them, I will.

CHAIRMAN CARPENTER: Yes, I think we do have some questions.

How many members of the Brotherhood do you think there are in the California prison system?

WITNESS NO. 3: I would estimate at this time roughly approximately 150, but there's, from what I understand, pretty heavy recruiting going on, so like it could be -- I would say anywhere from 125 to possible 200 at this time, and maybe -- growing all the time.

CHAIRMAN CARPENTER: Do you consider them highly organized?

WITNESS NO. 3: No, I don't. No, I don't. I don't consider them highly organized. I consider them like a ship without a rudder, really. There is a definite split in the ideology, more or less.

CHAIRMAN CARPENTER: Is that split among those who want to see the Brotherhood increasing its violent activity and those --

WITNESS NO. 3: No.

CHAIRMAN CARPENTER: -- who really see it still as a protective organization?

WITNESS NO. 3: Well, it began as a protective organization. The violence -- There's an element that are concerned with violence. And like it's a prestige thing. There's a lot of younger members coming in who feel that they have to assert themselves in a violent manner in order to be accepted by the people they look up to. There's another party that feel that they realize that they are caught up in a war that nobody can win. They want to go home, they want to get out, they want trouble only if they have to have it, you know.

CHAIRMAN CARPENTER: Let me ask you this. Does the Brotherhood have an organization outside also?

WITNESS NO. 3: Right now I don't think there are over three or four members of the Aryan Brotherhood who are on the streets. I don't think they have too much going for them at this time.

The Aryan Brotherhood, national associationism, nationalism just doesn't go over very big, man, as far as gaining support. I think that there are members in prison right now who have organizational potential if they ever

could reach the streets, but I couldn't really give you an answer there.

CHAIRMAN CARPENTER: How would you describe the Brotherhood as you view it today, as revolutionary in nature?

WITNESS NO. 3: I would say that there are a growing number of members who are leaning towards the revolutionary thing. And for this reason: There's quite a few members of the Aryan Brotherhood that are doing more time than they can handle. In other words, they are booked solid. They are in long-term segregation, they have lost all hope of ever gaining a parole. Once they get to a mainline -- another thing to get back to this war I mentioned -- once they get to a mainline they realize that more than likely they are going to have to either move on someone or they are going to be moved on; in other words, take someone's life or their life will be taken. They feel that their best hope and their only support is and would be from the radicals from the outside. There's the other half -- I say "half", and I guess that's just about the way it breaks down -- who --

CHAIRMAN CARPENTER: Is the Brotherhood's principal form of passing information, network of communication, through lawyers?

WITNESS NO. 3: Well, it has been in the past. At one time that was the principal means of passing communication, but because of the breakdown in the alliance or the attempt at alliance between the various ethnic groups, the Aryan Brotherhood has or had lost just about all of its support, you know, or whatever support they might have had from the Prison Law Collective and those type of people. Their main communication now is girlfriends, wives, brothers, sisters, family members on the streets. That would be their main source of communication at this time.

CHAIRMAN CARPENTER: Do you feel that some of the lawyers in these organizations are actually thinking up and instigating the revolutionary activity or violent suggestions that are coming?

WITNESS NO. 3: There's no doubt in my mind. I have had them tell me point blank that this is what it's all about, this is the thing -- this is what they -- this is the objective. "Stop fighting among yourselves." You are the enemy, you know. "All you guys are doing" -- I have had them tell me all that bop about like I am not really a criminal, I am oppressed, I am a poor white, I am a political prisoner and all that jazz. And that stop killing each other, you know, direct your hostility to the Establishment

because they are the real enemy. I have had this told to me personally a number of times, so have any number of other members of the Aryan Brotherhood. I have never been able to picture myself as a political prisoner.

CHAIRMAN CARPENTER: Some of your activities were decidedly non-political?

WITNESS NO. 3: Right.

(A substantial portion of testimony is deleted here because it was impossible to edit in a manner which would retain the meaning of the questions and answers without revealing the identity of the witness.)

CHAIRMAN CARPENTER: The Brotherhood doesn't give its members instructions on the outside for narcotics activity, prostitution, heists or anything else?

WITNESS NO. 3: There's never been that many out there yet. It seems like every time one of them gets ready to get out of the joint he gets a new beef in the joint and instead of going to the Parole Board he goes to the Superior Court in Sacramento, so there really haven't been that many paroled. Three were paroled and went to Texas and were busted for robbery down there.

CHAIRMAN CARPENTER: Does the Brotherhood recruit only long-timers on the inside?

WITNESS NO. 3: They recruit mostly maniacs.

CHAIRMAN CARPENTER: Senator Harmer.

WITNESS NO. 3: Really. I am not trying to be -- I am not trying to be funny or anything, but they recruit -- The main requirement is in the joint -- the main thing they are concerned with is their ability to fight -- to get down, you know. How much heart they have got. Their whole trip in the joint is war, you know, and that's all they think about and that's all they talk about. "We have got this group here and we have got that group there and when we get this mainline here, so and so and so is on this mainline. We have got to hit them or they are going to hit us."

CHAIRMAN CARPENTER: What is a "mainline" as you use the expression?

WITNESS NO. 3: That's the general population. That's anywhere outside of an adjustment center. That would be the general population at Folsom, San Quentin, Soledad, DBI, CNC, Soledad-Central, Soledad-North, Susanville, Sierra --

any mainline population at a California institution.

What it is, is an unbelievable nightmare. That's what it has turned into. And I think -- Well, I know that some people are beginning to snap and beginning to realize just what it is turning into.

CHAIRMAN CARPENTER: I take it what you are telling me is that these people on the inside, like yourself, and don't laugh at me here, in a sense because of their susceptibility to it are being led by and used by people on the outside who have some revolutionary or other purpose they want carried out either because the inside inmates are susceptible to having their hate turned on towards society or blaming somebody else or what have you?

WITNESS NO. 3: Right.

CHAIRMAN CARPENTER: I refer primarily to the lawyers.

WITNESS NO. 3: Right.

CHAIRMAN CARPENTER: How do we get at the specifics of who these lawyers are and what their activities are?

WITNESS NO. 3: Well, the only -- The last contact I have had with these lawyers was -- Well, the last real contact was with Patti Roberts while I was at (prison). My conversation with her there was more or less concerned -- (identifying remarks deleted) why we hadn't been able to get it together and stop the violence among the various ethnic groups, man, and channel our hostilities toward the Establishment, the power that be because they were the ones that were really keeping us down, they had the steel boot in our neck and what have you. And that was my last conversation. I just spun out on her there.

I was just fed up with all of that bop. I let her know then in no uncertain terms "As far as I am concerned, I don't want to have anything more to do with you or any of your people."

But there are other members of the Aryan Brotherhood right now at Folsom Prison who, like I said, they are in security housing and it's no longer 4-A. They're all-day yard now. It's long-term segregation. A lot of these guys are doing life or life without possibility of parole, or they have numerous stabbings and what have you on their jacket who they weren't able to get court cases against but, nevertheless, man, they are facing forever and a day. In other words, there's no light at the end of the tunnel.

I can see a trend towards getting back together with these lawyers from the outside, you know, more or less. I see members of the Aryan Brotherhood drifting over to the revolutionary side again, you know.

CHAIRMAN CARPENTER: The promise being attractive that this type of thought might ultimately spring them?

WITNESS NO. 3: They feel this may be their only hope of ever being free again.

Another thing that you people should take into consideration is that you have a lot of people locked up in adjustment centers who, like I said, are doing life or life without, and an adjustment center is a pretty dreary existence. Like I have been in the Department almost (number) years and half of that time I have spent in adjustment centers, through no fault but my own. Anyway, it's a pretty drab, dull, dreary existence.

You just passed the death penalty on 11 charges, 11 crimes, one of them being killing of a guard. You have got a lot of people locked up in adjustment centers, man, who laugh about that. Like there's nothing they would rather do than go up on Death Row and watch television rather than lay in their cell in an adjustment center and stare at the walls. This may seem kind of macabre to you, but some of these guys have spent eleven, eight, ten years in adjustment centers. Like they would rather be on Death Row watching television than laying there.

CHAIRMAN CARPENTER: Possibly "What more can you do to me"?

WITNESS NO. 3: That's about what it is.

CHAIRMAN CARPENTER: Senator Harmer, do you have some questions?

SENATOR HARMER: How is the Aryan Brotherhood structured in terms of its organization? Is there one man at the top, a group of men, or is it a loose federation of just associated people?

WITNESS NO. 3: It's pretty loose. Let me put it this way. Like at Folsom Prison whoever has the most influence, whoever is -- whoever has the most respect, whoever is the most forceful, whoever is the most looked-up-to more or less calls the shots. And that would be the same in any of the other institutions -- Soledad, San Quentin. But as far -- They have labeled various members as

generals and field marshall and what have you, but there is no chain of command. It's more or less who carries the most weight, who carries the most influence, who carries the most respect.

SENATOR HARMER: Among the white prisoners are there other organizations besides the Aryan Brotherhood?

WITNESS NO. 3: Yes. There's the Hell's Angels -- scooter brigade -- there's the Nazi Party, American Nazi Party. I believe there's another group in DBI similar to the Nazi Party. It's the White --

MR. PHILLIPS: Polar Bear?

WITNESS NO. 3: Polar Bear is a radical revolutionary organization. You are right there, there's a Polar Bear organization.

This other one is the United White Peoples Nationalist Party, or something like that. It's very similar to the Nazi Party.

SENATOR HARMER: Are any of these groups as big as the Brotherhood?

WITNESS NO. 3: No.

SENATOR HARMER: The majority of the Caucasian or white prisoners don't belong to any group, do they?

WITNESS NO. 3: No, they don't. No, they don't.

SENATOR HARMER: The --

WITNESS NO. 3: I think that the majority of not only the white prisoners but the blacks and Mexican prisoners don't belong to any group. I think a lot of them are pressured into identifying with either one group or the other.

And I think that right now throughout the Department damn near the entire inmate body is living in fear daily. That goes along with staff also, man. I don't think there's a guard, especially up north in the heavier joints, who doesn't come to work each day with the thought in the back of his mind that this might be his last day on earth. I think right now there's more fear, you know.

SENATOR HARMER: This fear is the product of the tension between these organizations, or simply between the races themselves within the prisons?

WITNESS NO. 3: On one hand, on the prisoner level it's fear of tension between them. On the officer level it's fear of the influence that the radicals on the outside have on certain elements of the militant segment.

Look what has happened in the last three or four years as far as attacks on staff. That's never happened in the Department of Corrections before. How many guards have been killed, how many guards have been stabbed. This could start all over again tomorrow. The trend is going to that way.

SENATOR HARMER: Why is this happening? Why over the past 10, 12 years has there been this transformation within the prison population?

WITNESS NO. 3: I really don't have the answer to that. I think that Mr. Procunier -- Not to change the subject, to get right back to that, I don't have the answer. I wish I did, you know.

I think that one thing is that the younger prisoners coming into the prison system now are a lot more hard core than they were -- this generation is more hard core than my generation when I came up through Youth Authority.

SENATOR HARMER: By "hard core" do you mean more violent?

WITNESS NO. 3: More violent. Maybe they liked the Korean War, the Vietnam War, television. When I was a kid in junior high school and on the streets kids weren't shooting each other in the parking lot and behind the gym. This is happening all over. Like I read about it in the papers. It wasn't happening when I was going to school.

You have kids 14 and 15 -- 13, 14, 15 years old in the Los Angeles area who are having gun battles in the streets, and that wasn't going on in the streets when I was that age.

SENATOR HARMER: So the younger prisoner is more prone to be violent, less concerned with the effects of violent behavior?

WITNESS NO. 3: I will put it this way. When I came into the Department of Corrections in (year) there were hard-core prisoners. I will say that now, 1974, there are probably 15 to 20 times as many hard-core prisoners. In other words, where there may have been 15 hard-core white prisoners, I mean really hard core who would go out and kill

somebody in a minute at San Quentin, right now there may be two or three hundred.

SENATOR HARMER: There are a lot of things I would like to pursue with you, but our basic purpose here is to determine the extent to which revolutionary groups are existing within the prison facility and are being developed by outside elements, so though I am tempted to ask you a number of other questions, that's where we have to concentrate our attention.

WITNESS NO. 3: I think that when George Jackson was killed at San Quentin that there were some pretty sweeping reforms throughout the Department, at Soledad, at Folsom, at San Quentin. For instance, you can be represented by counsel, so to speak, in (Disciplinary) Committee now. They gave a lot of concessions as far as televisions and what have you, and this kind of -- The whole radical trip kind of died down, you know, but now it's beginning to -- you can see where it's beginning to grow again, you know.

Anyway, I just see 1970, '71, '72 -- to me I can see it coming, and it seems to me that it's on the way back.

SENATOR HARMER: Are you conscious of any organizations on the outside which are trying to establish communications with the radical groups in the prison and provide propaganda to them, provide money to them, provide anything that would help them?

WITNESS NO. 3: Well, the only one that I knew of for sure was the VO, but then there's that Prison Law Collective, who are always into some type of agitation. You have some pretty heavy Panthers in prison now who -- Remember, the Panthers split between Huey Newton and Cleaver. Cleaver wants to get down, he wants the gun. Elmer Pratt is at Folsom Prison. He carries quite a bit of influence, not only on the inside but on the outside. He was one of Eldridge Cleaver's lieutenants.

SENATOR HARMER: You are talking now primarily about a black group, are you not?

WITNESS NO. 3: Right.

SENATOR HARMER: What about within the --

WITNESS NO. 3: But this guy Pratt is not opposed to -- In other words, like he's a member of the Black Panther Party in Cleaver's group, but he's not opposed to a multi-racial thing. As a matter of fact, he encourages multi-

racial-type of guerrilla armies, urban guerrilla warfare and what have you.

SENATOR HARMER: His basic purpose is violent activity?

WITNESS NO. 3: Right.

SENATOR HARMER: Did you ever have any contact with what has become known as the Symbionese Liberation Army?

WITNESS NO. 3: No, sir, I haven't. The first -- I haven't been to (name of prison) in about three months. The first I heard of this Symbionese Liberation Army was when that school superintendent was killed in Oakland and I read about it in the newspapers. I have no idea what or who is behind this organization, but I know that Elmer Pratt has quite a bit of influence on the outside and could very well be -- some of his people could very well be connected with that group there.

SENATOR HARMER: Is there any type of distribution system for propaganda within the prisons, revolutionary propaganda of any type? Do you find it --

WITNESS NO. 3: I don't know. They let it in. The officials let it in. You can get anything you want.

SENATOR HARMER: Who sends it?

WITNESS NO. 3: You can order from bookstores. What is it? One bookstore in San Francisco, China Books and Periodicals. Anybody on your correspondence list can send you any type of literature you want. It's admissible.

While I was in the adjustment center at (prison) I lived next door to (prisoner's name) for about a period of a month and a half and he had every kind of revolutionary propaganda book you could imagine in his cell. He had them stacked that high. They were being sent to him by 15 or 20 different people, plus he was ordering them from bookstores. They are just -- They can just be had, if you have got the money to buy them, you know.

SENATOR HARMER: Are you conscious of anyone actively suggesting among the prisoners that the use of this revolutionary material and engaging in revolutionary conduct is the only way they could really hope to get out of the system?

WITNESS NO. 3: This talk here is pretty prevalent in the adjustment centers. I can't speak for the (prison) mainline, because I haven't been on the mainline since (month)

of (year). But this is pretty much what is being talked about in the adjustment center at (prison).

SENATOR HARMER: By the prisoners themselves who are leaders among the inmates?

WITNESS NO. 3: Right.

SENATOR HARMER: But you can't really identify any specific source of this material or any specific organization, like the SLA or the Communist Party or some other group, that is sending it in beyond the Panthers to whom you have made reference?

WITNESS NO. 3: Well, what other groups are there besides the SLA, the Communist Party, the United Lawyers Guild?

SENATOR HARMER: How about some of the radical student groups, SDA, Students for Democratic Action?

WITNESS NO. 3: They are all one and the same. They are all connected in one way or another. They may be -- Like we call ourselves this, we call ourselves that and we call ourselves this, but they are all striving for the same thing and they are all working together. I don't really see any difference in any of them myself.

SENATOR HARMER: You are right, there is no basic difference. I am trying to decide or trying to find out if there is any one of them which is more aggressive than the other or if there is a central focal point of what they are trying to do in terms of building a base of support among the prisoners. For instance, if it was building to a day where everybody would say "Today's the day, we are going to tear this apart," is there any organization or any individual that you can think of who would be in a position to make that decision and make it go? Get all of the radical groups at a given hour on a given day just to start war.

WITNESS NO. 3: Not on any mainlines that I know of, not in general population right now that I know of. Most -- I would say all of the -- I would say all of those that you have just named who might be able to do that are housed in security housing units at this time.

SENATOR HARMER: Thank you very much.

CHAIRMAN CARPENTER: Senator Wedworth.

SENATOR WEDWORTH: Do you know of a group known as RAFF, R-A-F-F?

WITNESS NO. 3: Yes.

SENATOR WEDWORTH: Tell us about that, please.

WITNESS NO. 3: That was Tank Noah's brainchild. When (identifying phrase deleted) he was continuing to get visits from Patty Roberts and Fay Stender and what have you. He came up with this RAFF, which is Revolutionary Alliance For Freedom, and it was supposedly a white revolutionary group. What Tank wanted to do was use the Aryan Brotherhood's influence on the rest of the white prisoners to recruit members for RAFF.

(Identification deleted) and Ronnie Perin received a visit from Fay Stender at (prison) and was given a list -- more or less a chain of command. I think there was a Chairman, Defense Minister, Security Minister or some bop. It was just a chain of command like that designating various people who would be in those positions at the various institutions, you know. When this was presented to (name) at (prison) (name) tore it up and told her to go back and tell Tank that (deleted) were in the Aryan Brotherhood and that (deleted) didn't want to have anything to do with RAFF and that under no circumstances was he to use the influence of the Aryan Brotherhood to sponsor membership in this RAFF. In other words, the Aryan Brotherhood was the Aryan Brotherhood. If you wanted to be a member of RAFF, or kick off this RAFF organization, that was cool, go ahead and do that. But you couldn't be both. You had to be one or the other.

He got his chain of command breakdown from Satcher -- what was his name (Earl) Lemar Satcher. He was a Black Panther who at one time was at Soledad and was housed in the adjustment center at Folsom Prison.

Anyway, RAFF was sort of nipped in the bud right there. It really never got on its feet.

SENATOR WEDWORTH: When did this happen, when he tried to organize this thing and it was turned down?

WITNESS NO. 3: In the early part of 1971.

SENATOR WEDWORTH: There's been a change in the authorities system of operation recently, and we find there's less violence, murder, stabbings and so forth. What do you hear about that?

WITNESS NO. 3: Among the inmate body?

SENATOR WEDWORTH: Yes, among the inmate body. The new system of handling inmates.

WITNESS NO. 3: What are you speaking of? You mean there's less stabbings and violence among the inmates themselves?

SENATOR WEDWORTH: Yes.

WITNESS NO. 3: I see that as bad for staff.

SENATOR WEDWORTH: Bad for staff?

WITNESS NO. 3: Yes.

SENATOR WEDWORTH: Tell me how.

WITNESS NO. 3: I see it as the inmates are getting together.

SENATOR WEDWORTH: Doing what?

WITNESS NO. 3: More or less getting together.

SENATOR WEDWORTH: Organizing among themselves to get staff?

WITNESS NO. 3: The first step would be peace among the various militant groups; right?

SENATOR WEDWORTH: You tell us.

WITNESS NO. 3: All right. I am just giving you my opinion.

SENATOR WEDWORTH: Yes.

WITNESS NO. 3: The first step would be a peace or a truce among the various militant groups, ethnic groups. If that happens, where are they going to channel their hostility?

SENATOR WEDWORTH: You tell me, or us.

WITNESS NO. 3: Towards staff, of course.

SENATOR WEDWORTH: Well, I believe now under the new rules of operation, staff is not so available to prisoners, so how are you going to get to them?

WITNESS NO. 3: Wait a minute.. Wait a minute. Don't say how am I going to get the staff. I am not going to get the staff.

SENATOR WEDWORTH: I can't say "we," because I am not -- Let's just say "X."

WITNESS NO. 3: I see what you mean. I was talking it over with (deleted) and like you are on the right track as far as there is a definite need for security housing units for those type of inmates. They do have to be housed in a maximum security situation in order to protect the inmate body and staff, you know. And I agree -- He mentioned that there was a need for a separate facility to house these type of people, and I agree -- I agree with that. I think one is needed.

One other thing, if you don't mind me bringing it up, I think Mr. Procnier had a real good idea one time. I believe at one time he wanted to implement a tentative parole date deal. In other words, what I am speaking about is the indeterminate sentence. He wanted to implement like, say, an inmate goes to the Parole Board, the Adult Authority, when you go to the Adult Authority right now -- Let's say if I was to go to the Adult Authority tomorrow, well, they would say, "So and so, we see that you have done this, that and the other," blah, blah, blah and "Whether it's good, bad or otherwise, have you anything to say?" Then I would give my spiel, and when I finish they would look around to each other and they would say, "Do you have anything to say, Mr. So-and-so? Do you have anything further to add?"

"No, I don't.

"Well, you will hear from us."

Now, this is on a Monday I went to the Board. Thursday or Friday I receive my results in the mail. I have already been to the Board four years running. I open my results. "Denied one year." I have had a good housing report, I have had a good report possibly from my work supervisor, I have several 115's during that year for infractions, but like I do have -- I do have hope of going home, man, and two to three weeks prior to going to the Board I am really up tight and I am writing home and I am telling Mom "Get me a job offer. I think I might have it this time." And I open my paper and bam, there it is, "Denied." So I write home and I say, "Well, maybe next year."

Mr. Procnier was going to institute, or was thinking about instituting, a deal where every inmate who

went to the Parole Board who was within his minimum eligible parole date would be issued a tentative date contingent upon how he conducted himself within that period.

Like myself, say I went to the Board tomorrow and they said, "All right, X, you have got so much time in, your minimum is in. We are going to set" -- "We are going to give you a tentative date for March of 1976, but during that time we want you to complete this, this and this. We are putting it in your hands. You have the date. And if you comply with what we expect of you during that time, your tentative date will become a reality on March 13th, 1976." I can't begin to tell you the psychological pressure that would relieve off of so many people's mind. Man, I have got it, it's mine to do with what I want.

SENATOR WEDWORTH: To go back, how can X get at staff? You kind of wandered away. We have a lessening of serious violence in the institutions at the moment compared to the last year and the year before and so on and so forth because I assume -- I don't know anything about it. I would have to call that a crackdown or something. There's been a drastic change in violence in the last few months, has there not?

WITNESS NO. 3: There's been a drastic crackdown by staff security-wise.

SENATOR WEDWORTH: That crackdown evidently has stopped violence, hasn't it?

WITNESS NO. 3: To a great extent it has.

SENATOR WEDWORTH: You have said, I believe, this would result in getting at staff. How can X get --

WITNESS NO. 3: Wait a minute. Wait a minute. No. I think you misunderstood me.

SENATOR WEDWORTH: Maybe I did.

WITNESS NO. 3: In other words, I must have led you to believe that this crackdown by staff was going to --

SENATOR WEDWORTH: Result in getting at staff again.

WITNESS NO. 3: -- getting at staff at the first opportunity. That's not what I meant.

SENATOR WEDWORTH: What did you mean?

WITNESS NO. 3: What I meant, we were speaking of the

inmate body itself.

SENATOR WEDWORTH: Right.

WITNESS NO. 3: I see what you mean. You mean lock-down at -- For instance, the lock-down at San Quentin. The classification, I hear they have a 1, 2, 3, 4 as far as violence potential is concerned. If you are classified No. 4, you are tightly -- you are maximum security and you are really locked down and 3 isn't much better and 2 they give you a little more leeway and No. 1 you are regular mainline.

Isn't this what is going on at San Quentin right now?

MR. ELDER: Basically, yes.

WITNESS NO. 3: I think it's had a pretty good positive effect, man, as far as reducing violence. But is this how you are going to run the California prisons from now on?

SENATOR WEDWORTH: I don't run them, but --

WITNESS NO. 3: What I am saying, is this what it's going to be?

SENATOR WEDWORTH: Well, I am trying to find out the results of what is going on.

WITNESS NO. 3: What I meant by this, Mr. Wedworth, how long do you lock a man in a cell, you know?

SENATOR WEDWORTH: I think you should lock him down so damn tight he can't breath until he learns whatever the hell got him there is wrong. That's what I believe. I believe if you hadn't got in trouble in the beginning you would be free.

WITNESS NO. 3: I agree with you 100 percent, if you hadn't gotten in trouble in the first place --

SENATOR WEDWORTH: You would probably be sitting here.

WITNESS NO. 3: -- you wouldn't be there.

Where I disagree with you wholeheartedly is if you lock a man down for life, six or seven years, and that's all you do is lock him down, you better keep him locked down the rest of his life.

SENATOR WEDWORTH: What's wrong with that?

WITNESS NO. 3: All right. Fine.

SENATOR WEDWORTH: Someplace along the line, in my opinion, you have got to get through your head that whatever in the hell got you there is wrong and you better change. If you have a system that proves to you there will be a change if you do certain things, then I think that's an educational process. For instance, if I do certain things, I am going to get locked up, too.

WITNESS NO. 3: Right.

SENATOR WEDWORTH: But I don't want to do that.

WITNESS NO. 3: I agree. I see where you are coming from, and I agree with you. But once a person is in prison and like he's locked down in a situation like that, where I disagree with you is don't just lock him down and leave him locked down.

SENATOR WEDWORTH: What do you want to do with him?

WITNESS NO. 3: Work with him while you have got him locked down. People can be helped by other people. I believe this. Now, maybe we have a difference of opinion there.

SENATOR WEDWORTH: No. I do not want to philosophize, and I apologize for this. I want to get back.

I am trying to determine with whatever information you have, since there's been a drastic change -- you can call it classifying 1, 2, 3, 4, whatever you want --

WITNESS NO. 3: I think it's been very effective.

SENATOR WEDWORTH: There's been a drastic reduction in violence, which even could have saved your own life.

WITNESS NO. 3: I think it's been very effective.

SENATOR WEDWORTH: How are you going to get back at killing staff again, or among yourselves, with this system? If it's working, how are you going to get back to the violence thing that has been knocked off?

WITNESS NO. 3: Let me answer it this way. What you need is a separate facility for the type of people who would attack -- who do pose a threat to the inmate body and staff both.

SENATOR WEDWORTH: Segregation?

WITNESS NO. 3: Right. Right.

SENATOR WEDWORTH: Would this include ethnic groups, also?

WITNESS NO. 3: Sure. This includes anybody who is going to stick a knife or bend a pipe over somebody's head. You need a separate institution for those people to make a mainline like San Quentin safe for staff and inmates alone. This is what I was talking about a little while ago when I was talking to (deleted). This is definitely needed, a separate prison, a separate housing area where you could keep these people but at the same time you could work with these people, you know. In other words, you can't just give up on everybody. You just can't slam the door on everybody's face. Put them in a situation, man, where they can't hurt no one, but don't just leave them in that situation.

SENATOR WEDWORTH: Graduate and --

WITNESS NO. 3: Or making the prison safe for staff and inmate body who want to better themselves and want to get themselves out of prison and at the same time, man, you have got this hard core, these madmen, you have got them over and you have got them locked in the unit, in a high-security unit where they can't hurt anyone and at the same time, man, you can have staff trained, professional people working with them to try to bring them around. I just don't see where you just give up on people.

SENATOR WEDWORTH: Thank you.

CHAIRMAN CARPENTER: Sir, we got off on a little philosophy, but it's easy to do on this subject.

What you are saying is, you are saying that the mix of prisoners with regard to violence and revolutionary activity and the organizations we are discussing, including the Brotherhood, and the indiscriminate mix of prisoners puts all people in the same position so if you have to lock down everybody, whatever rehabilitative or other enhancing values that might occur in prison are going to be lost to everybody and will end up with 100 percent hard-core guys you don't ever turn loose?

WITNESS NO. 3: Right. I wish I were better able to express myself, but you hit it right on the head right there.

CHAIRMAN CARPENTER: You do it very well.

I guess what you are saying that I am mostly interested in for purposes of our meeting here, you don't

feel that the Brotherhood is perhaps one of the more effective organizations in terms of impact that we are concerned about on society on the outside in terms of its ability to be involved in narcotics, hits and other criminal activity on the outside?

WITNESS NO. 3: No, I don't. I think that the Aryan Brotherhood is very effective at killing people.

CHAIRMAN CARPENTER: On the inside?

WITNESS NO. 3: On the inside. On the outside, too, for that matter, or anywhere -- on the moon. But as far as organized crime, you know, I don't think they are very sophisticated at all. Most of them are state-raised hoodlums.

CHAIRMAN CARPENTER: The final question area I would have then, with regard to RAFF, Revolutionary Alliance For Freedom, do you feel that the Brotherhood, whether it is this organization as a structure or any conglomeration of revolutionary or terrorist activity, has rejected the peace concept and really elected to go on its own and maintain its identity and function as it has within the system of prisons?

WITNESS NO. 3: I believe that the biggest majority of the Aryan Brotherhood are -- They want to be just A.B. No, I wouldn't even say that. They don't even know what they want. There are a few, a minority of them, leaning towards this revolutionary bit. The rest of them are more or less rolling along just like they always have. They really don't have any purpose or direction at all.

CHAIRMAN CARPENTER: You indicated earlier that you were not impressed that the reinstatement of the death penalty, let's say, for killing staff was a particularly impressive deterrent to inmates who are lifers or what have you.

Can you suggest any device by which the impression might be made on people that they have to pay the ultimate price for this type of activity? I agree with you, that the man who can see no light at the end of the tunnel, as you put it, who says "I have nothing to lose" may not be as impressed by it. But might it not have some other considerable impression on other inmates?

WITNESS NO. 3: Sure, sure, I was speaking solely in terms of those people who see no light at all.

CHAIRMAN CARPENTER: We can't give an inmate a free shot every week at a guard --

WITNESS NO. 3: No, you can't.

CHAIRMAN CARPENTER: -- just because he doesn't give a damn.

WITNESS NO. 3: I wasn't speaking of the inmate body as a whole. I was speaking of that one particular group of people we were talking about, and that's those people that are doing life without the possibility of parole or have no hope at all of ever getting out of prison again.

CHAIRMAN CARPENTER: There are those of us who don't really know what life without possibility really means.

WITNESS NO. 3: Life without possibility of parole means just that. The Adult Authority can't even let you go.

CHAIRMAN CARPENTER: That's what it says.

WITNESS NO. 3: Yeah.

CHAIRMAN CARPENTER: I would like to tell you we appreciate your coming down and discussing this with us. Good luck.

WITNESS NO. 3: Nice talking to you.

SENATOR WEDWORTH: I have one question.

You mentioned some lawyers that helped and carried messages. How many do you really know?

WITNESS NO. 3: Do I really know. Fay Stender, Patti Roberts, Elaine Wender, Eve Pell, Susan Kaplan, Richard Doctoroff, Marvin Stender.

CHAIRMAN CARPENTER: How about Mr. Bingham?

WITNESS NO. 3: Who?

CHAIRMAN CARPENTER: Bingham.

WITNESS NO. 3: Bingham, Bingham.

CHAIRMAN CARPENTER: Linda Lujan?

WITNESS NO. 3: I have heard of Linda Lujan and I have heard of this Bingham, but I have never really met him.

SENATOR WEDWORTH: Getting back to the track, you were naming the people.

WITNESS NO. 3: That was it. I named the people that I knew of that at one time were passing messages, what have you.

(deleted)

SENATOR WEDWORTH: Who is Paul Jacobs?

WITNESS NO. 3: He's some kind of radical, union organizer. I don't know.

Anyway, he's a Communist radical and he's got a lot of money.

SENATOR WEDWORTH: A lot of money?

WITNESS NO. 3: Yes.

SENATOR WEDWORTH: How does he make his money, do you know?

WITNESS NO. 3: I think he has any number of business interests.

SENATOR WEDWORTH: He's up North?

WITNESS NO. 3: Yes. In the San Francisco area.

SENATOR WEDWORTH: How about in the L.A. area, do you know anybody? Can you mention names down here?

WITNESS NO. 3: No, sir, I don't.

SENATOR WEDWORTH: That's it.

CHAIRMAN CARPENTER: Thank you very much.

WITNESS NO. 4: Thank you.

CHAIRMAN CARPENTER: Off the record.

(Whereupon, a brief recess was had.)

CHAIRMAN CARPENTER: For your protection, you will be known in our record as Witness No. 4.

And I might for the information of those present indicate that we don't have any plans to break for lunch. We have another hearing later this afternoon next door, so we are going to go through with the witnesses we have scheduled.

We are concentrating on the issue of some of the violent organizations that exist in the California prison system and their relationship after discharge or release to organizations of members of those groups on the outside.

We have been advised that you have information with regard to the Nuestra Familia, and particularly to their relationship with the Black Guerrilla Family.

I might ask first if you have a statement to read.

WITNESS NO. 4: I have a little bit here that I would like to read out.

CHAIRMAN CARPENTER: Would you speak as loudly as possible so the reporter can hear you.

WITNESS NO. 4: I was a member of an organization known as the Nuestra Familia. I became a member while at (prison) in (year).

To become a member someone has to sponsor you and also you have to be voted in. The vote has to be a majority. In other words, every member who is present at that particular prison must vote in favor of you becoming a member, or else you are not allowed membership. Membership into this group is limited only to those of Latin extraction: Mexican, Puerto Rican, Phillipino, things like that.

This group originated some time around 1966 at Soledad. At that time, and up until recently, the goals and objectives of this group were mostly to help the fellow members in sort of like a culture trip. Basically, the ideology of this group was somewhat split on nationalistic and Third World levels. Some would get into drug dealings and run the vice in the prisons just for the organization, while others were sort of on a revolutionary trip.

This group, Nuestra Familia, we are in coalition with another black revolutionary group which is known as the Black Guerrilla Family. Up to a few months back we didn't have no real strong ties with the Black Guerrilla Family, but right now it's a pretty good coalition going, you know. We provide arms for each other for whatever reason. If they need arms, you know, to carry out a hit against staff or another inmate, we would provide it for them and they would do the same for us.

Both the Nuestra Familia and the Black Guerrilla Family are in an all-out war with the Mexican Mafia and the Aryan Brotherhood. To begin with Nuestra Familia was sort of a passive group, you know. This no longer stands true, though. As the war started escalating between these different groups -- Mexican Mafia, Nuestra Familia, Aryan Brotherhood and Black Guerrilla Family -- leadership has gotten a little bit stronger in the Nuestra Familia. The organization is more aggressive, there's a lot more dis-

cipline within the group. For example, if certain people has to get orders to carry out a hit, they have to do it or else they will get hit themselves, you know. They have to be dedicated solely for the organization or else they will be eliminated.

The structure of the Nuestra Familia consists of one General, which is the top man, and next in line would be the Captains, which there's up to about -- well, there's allowed 10 Captains. After that it would be the Lieutenants. Each Lieutenant has about what you would call 10 soldiers or 10 fellow brothers in his command. He is responsible for their indoctrination, you would say, and making sure they have arms and their overall welfare.

I feel right now at the present time this group, man, is a pretty big threat to the staff and administration for the sole reason that they are not only dedicated to organized crime, a lot of them are on a revolutionary trip, too. I figure now that in this coalition with the Black Guerrilla Family that both of them would go out to hit staff together now, you know. As a group it likes to run the prison: Drugs, vice, whatever, homosexuals or whatever, anything to gain money for the organization or status, whatever.

I just know it's going to be a hard job to try to curb this, you know. Like at the present time right now you got guys up there, men that want to get out, man, and they can't go no place. They are stuck right there in that prison, you know.

I feel if there was a facility for them and there were more what you would call staff to work with these men, you know, I guess this would contribute a lot, man, to breaking the organizations up because you would be able to pull more at one time and the same time while you are doing those you are getting information as to what is going on inside prisons, outside prisons at the same time. This group here is operating outside on the streets I hear pretty good now, you know.

I don't know what more I can tell you.

CHAIRMAN CARPENTER: Thank you.

Let us perhaps ask you some questions, if we may.

How long were you a member of the Family?

WITNESS NO. 4: Well, since about 1970.

CHAIRMAN CARPENTER: Did you hold a position in the organization?

WITNESS NO. 4: Yes. I held a position of -- Well, then it was known as Padre, you know, which is right now equivalent to Captain. I held this position in (prison) and I was a Lieutenant in (prison) and I was responsible for the people that I had right there with me in the segregation unit while I was there. I stood there about (period of time) locked up.

CHAIRMAN CARPENTER: Did any hits happen at (prison) while you were there?

WITNESS NO. 4: I was involved in a hit there personally, yes.

CHAIRMAN CARPENTER: If you are going to hit a staff member, how would he be selected and for what reasons?

WITNESS NO. 4: Like you could say the way he would be treating inmates, you know. Maybe he wouldn't be getting along with inmates, would be what you call riding them.

CHAIRMAN CARPENTER: He might be a tough guard that the inmates didn't like?

WITNESS NO. 4: It could be a whole lot of things. Maybe personalities or, you know.

CHAIRMAN CARPENTER: May it sometimes be somebody to whom you would have access?

WITNESS NO. 4: Yes.

CHAIRMAN CARPENTER: You wouldn't say the staff member?

WITNESS NO. 4: Right.

CHAIRMAN CARPENTER: With regard to the outside, at what level within the organization inside, within the Family, would orders come for activities that were going to happen outside? For instance, if you want to make a hit outside, with regard to directing narcotics and drug activities outside, who does that come from on the inside?

WITNESS NO. 4: Well, it wouldn't necessarily have to come from the inside.

CHAIRMAN CARPENTER: It might or might not?

WITNESS NO. 4: Right. But I am pretty sure that they have someone on the outside that is responsible, too.

CHAIRMAN CARPENTER: You haven't been on the outside since you were in the Family, I take it?

WITNESS NO. 4: No. I have been inside about (number) years.

CHAIRMAN CARPENTER: To your knowledge, on the inside have there been discussions among the leadership of the organizations inside about hits on the outside, kidnappings or other violence, both against prisoners and other private citizens?

WITNESS NO. 4: Well, right before I left them people we were discussing getting arms together and going out to our enemies, whoever was out there, Mafia or Aryan Brotherhood, where we knew that they lived. And at that time if we wouldn't get them, we was going to try to get their families, too.

CHAIRMAN CARPENTER: On the outside?

WITNESS NO. 4: Yes. In other words, we were just going to kill somebody.

CHAIRMAN CARPENTER: What did the organization hope to gain from that?

WITNESS NO. 4: You know, I guess it would be, you know, if they couldn't get him, get someone close to him, someone that it would hurt him.

CHAIRMAN CARPENTER: What were they trying to accomplish; respect, maybe this other would fear them? How would you profit? How would the organization profit from a hit like that?

WITNESS NO. 4: It's hard to say. Maybe this guy done a certain thing. Maybe he had killed a Nuestra Familia member, maybe he had stabbed a Nuestra Familia member.

CHAIRMAN CARPENTER: It may be revenge is the motivation in many cases?

WITNESS NO. 4: Right.

CHAIRMAN CARPENTER: You talked about some of the members being nationalistic or involved or interested in revolutionary goals.

What would you say the dominating or controlling philosophy was among the members? Was it revolutionary in nature?

WITNESS NO. 4: Well, like I said, it was sort of split. Like some would, you know, just want to be, you know, just the brown people and like the others wanted to be on a revolutionary trip. They wanted to go out there and stab officers, man, and whatever, you know, be with other black comrades.

CHAIRMAN CARPENTER: Well, how new or how old, whichever is the best way to put it, is the relationship between the Black Guerrilla Family and the Nuestra Familia?

WITNESS NO. 4: I would say it was fairly new.

CHAIRMAN CARPENTER: Hadn't they been enemies for a long period of time on the inside?

WITNESS NO. 4: The Black Guerrilla Family and -- No. We have always got along with them.

CHAIRMAN CARPENTER: They were never against each other in that sense?

WITNESS NO. 4: No.

CHAIRMAN CARPENTER: To your knowledge, have there been any lawyers or organizations on the outside who have encouraged revolutionary activities or hits or other violence inside the prisons system?

WITNESS NO. 4: Well, they encourage us, you know, by, you know, sending us literature, books, things like that and support, you know, like saying, "If anything happens, we will see if we can get some help for you through the courts," and things like that.

CHAIRMAN CARPENTER: Are there particular lawyers that represent your group?

WITNESS NO. 4: At this time, no.

CHAIRMAN CARPENTER: Have there been in the history of the organization?

WITNESS NO. 4: No. We have been in contact with certain groups and things, you know.

CHAIRMAN CARPENTER: Can you tell us the names of any of them?

WITNESS NO. 4: A lot of us are in contact with the National Lawyers Guild in Frisco, and I was in contact with one there in Berkeley, you know, that was trying to support us. She was trying to get us air time on the radio so we could talk about what was happening inside the prison.

CHAIRMAN CARPENTER: Who was she?

WITNESS NO. 4: Her name, I think, was Annette Cripti, something like that. I don't remember.

CHAIRMAN CARPENTER: Senator Harmer.

SENATOR HARMER: I have no questions.

CHAIRMAN CARPENTER: Senator Wedworth.

SENATOR WEDWORTH: One thing here.

Could you explain why the Family attempted to kill a NF member by the name of Namito at Tracy?

WITNESS NO. 4: Well, he had been with one particular NF member when he had got killed and like he didn't help to do it or anything. In other words, he didn't do nothing, you know. He was to them like a coward, so he would have to be getting out of the organization, and the only way you get out of the organization is get hit, you know, because he probably knows there's no retirement or you can get hit anytime they want.

SENATOR WEDWORTH: Do you know when the decision to hit him was made?

WITNESS NO. 4: The decision came down in -- I think right around two or three weeks before that incident happened. It happened in Palm Hall in Chino.

SENATOR WEDWORTH: That's where the decision came from?

WITNESS NO. 4: Right.

SENATOR WEDWORTH: Do you know the exact person or committee, or the General or Captain, whatever it might be?

WITNESS NO. 4: Well, it was mostly the General and the Captains. From the General and the Captains.

SENATOR WEDWORTH: Is the General inside?

WITNESS NO. 4: Right. He was there with him.

SENATOR WEDWORTH: Can you tell us how they got together?

WITNESS NO. 4: Well, they would just -- They just started discussing it. In other words, they wanted to sort of like clean house, you know, get rid of the guys, men, that were of no use anymore. They just compiled a list saying, "This guy here, he didn't take care of business and we have to get rid of him. This guy here, he's on a wierd trip, man, and we are going to get rid of him." Things like that, you know.

SENATOR WEDWORTH: Would this include members in all the institutions?

WITNESS NO. 4: Right.

SENATOR WEDWORTH: How did they get word from one institution to the other?

WITNESS NO. 4: We use letters and sometimes visits.

SENATOR WEDWORTH: Who would these visitors be?

WITNESS NO. 4: Maybe someone that is on the visiting list or someone that is seeing them or something, maybe send a letter out to her, man, and she would go over there and take the message herself verbally.

SENATOR WEDWORTH: Did they have a list of females and a list of males separately, or are they all integrated, males and females, this list you are referring to?

WITNESS NO. 4: Well, actually we don't have any females in the Nuestra Familia. We might get some people to write certain people to keep in contact and we would use them, man, for to carry out messages. Like we would write them a letter and they would relay the message on out to the other party.

SENATOR WEDWORTH: What would happen if they didn't? Would you have a way of knowing they didn't deliver a message?

WITNESS NO. 4: Eventually we would find out.

SENATOR WEDWORTH: What do you think is the most effective weapon that the Family and other organizations have in prison? Would you say it's fear? Do they create fear among all prisoners that gives them a degree of respect?

WITNESS NO. 4: Well, you could say that. I mean, there's so many of them, you know. If there's a whole

bunch in one particular prison, you know, well, naturally they are running everything, you know.

CHAIRMAN CARPENTER: What is the size of the Family?

WITNESS NO. 4: Well, I would say from 100, 125, 150, around there.

CHAIRMAN CARPENTER: In one prison or altogether?

WITNESS NO. 4: Altogether. In one prison that I know I guess the most they have there is 40 or 50.

CHAIRMAN CARPENTER: In one institution?

WITNESS NO. 4: Right.

SENATOR WEDWORTH: Did you ever hear of an outfit named Prison Law Collective? Did you ever have any information from them or any correspondence?

WITNESS NO. 4: That's that particular group that I was talking to you about up in Frisco. I think it was the same thing.

SENATOR WEDWORTH: Can you remember some of the names of the people that were part of that?

WITNESS NO. 4: I know one. Paul Albert. That's about it.

SENATOR WEDWORTH: Paul who?

WITNESS NO. 4: Albert.

SENATOR WEDWORTH: Any girls or females? Do you remember any names of females?

WITNESS NO. 4: No.

SENATOR WEDWORTH: That's all.

CHAIRMAN CARPENTER: Very good.

Thank you very much.

(Whereupon, a brief recess was had.)

CHAIRMAN CARPENTER: Good morning.

WITNESS NO. 6: Good morning.

CHAIRMAN CARPENTER: For our purposes here we will just refer to you simply as Witness No. 6.

WITNESS NO. 6: All right.

CHAIRMAN CARPENTER: We are trying to examine the nature of the various violent organizations within the California prison system, and with particular reference to their communications with the outside and outside organizations and individuals encouraging and assisting on violence both inside and outside the prisons.

Toward that end I would like to know which of the organizations, Venceremos or whatever, that you might have some knowledge of and perhaps some brief statement or comment by you about the organization or the communications that might be involved.

Is that clear enough for you to start on?

WITNESS NO. 6: I believe so.

To begin with, I am a member, or was a member, of Venceremos, the National Lawyers Guild, United Prisoners Union. All three of those organizations I have considerable knowledge of by being a member of them. I have a number of at one time close acquaintances and some knowledge concerning other organizations besides those also.

CHAIRMAN CARPENTER: Can you tell us, are the goals of these three organizations that you have named roughly the same?

WITNESS NO. 6: Ultimately I guess you could say they were.

CHAIRMAN CARPENTER: How would you define their goals?

WITNESS NO. 6: The reason I say ultimately they are is because they are all one brand or another of Communist oriented. The only difference is they have different methods of obtaining the ultimate goal, which would be the overthrow of the United States Government and the ultimate establishment of some sort of Communism.

CHAIRMAN CARPENTER: Is Venceremos solely a prisoners' organization?

WITNESS NO. 6: No. Venceremos is primarily a revolutionary organization.

CHAIRMAN CARPENTER: Involving prisoners and non-

prisoners both?

WITNESS NO. 6: Yes. But their primary purpose is non-prisoners. They weren't set up as a prisoners' organization. And they were set up originally as a Maoist revolutionary group.

Through myself at the time before my escape I was one of two Venceremos members in prison, and it was through myself and this other member that they ultimately became interested in prisoners and things they could do to help prisoners escape or help them further their knowledge of Communism and supply them with agitating material and things of that nature. Then it gradually grew until the present day, and my information is they are pretty strong in prison.

CHAIRMAN CARPENTER: How many prisoners would you now think would be involved with Venceremos?

WITNESS NO. 6: That would be a very difficult thing to answer. With any organization like that, from my own experience, in the prison I was in I was the only member. But you don't sign up -- You don't recruit members, per se. You recruit supporters, in so many words. One member could probably at any given moment call on maybe 30 or 40 individuals that would participate in whatever you told them to.

Prisoners have a tendency to want to join things. When they can't, they will do everything they can to make whoever they are trying to impress make them feel they are worthy of joining. So you have to kind of classify all of the supporters as members. At least I would.

CHAIRMAN CARPENTER: Did you say you were a member of the National Lawyers Guild?

WITNESS NO. 6: Yes.

CHAIRMAN CARPENTER: The National Lawyers Guild involved non-attorneys?

WITNESS NO. 6: Yes. They have what they call a Prisoners Jailhouse Lawyers Program, and if you are a proven pro per-type of prisoner, then you can get a membership.

CHAIRMAN CARPENTER: And if you have some in pro per experience, you qualify as a jailhouse lawyers who becomes their jailhouse arm, as it were?

WITNESS NO. 6: That's true.

CHAIRMAN CARPENTER: About the National Lawyers Guild, did I understand you to say that the National Lawyers Guild is really a Maoist-oriented Communist group?

WITNESS NO. 6: Communist oriented. Venceremos is Maoist. There's a difference in philosophies. The National Lawyers Guild is, from my personal contacts with various members, kind of a conglomerate of philosophies. They are all Communist. Some of them are Maoist. It's more or less left to an individual preference, I believe. They all believe in the radical changes that they support and so forth. All of them are Communist oriented.

CHAIRMAN CARPENTER: Would it be a fair differentiation to suggest that Venceremos as a Maoistic group, as you described it, would be more interested in promulgating or inviting violent acts, such as killings and kidnappings and what have you, than would, say, an organization that you say is just Communist in nature, as you state the National Lawyers Guild is?

WITNESS NO. 6: I wouldn't say necessarily they were more liable to promulgate violence. They would be more liable to participate in it. The difference there would be the others may agitate it, aid it and openly support any violent act that they could agitate, but they wouldn't be willing to actually pick up a gun or, as in my own individual case, be on the scene and kill a man, and things of that nature. They wouldn't participate. In fact, there were several who did openly and willingly help me in my escape, but they would never have been on the scene. They are not that type.

CHAIRMAN CARPENTER: Well, let's talk about your particular case with reference to the National Lawyers Guild. Were they involved in the planning and the coordination and the communications involved therein?

WITNESS NO. 6: Some members were.

CHAIRMAN CARPENTER: Were some of those attorneys?

WITNESS NO. 6: Yes.

CHAIRMAN CARPENTER: Can you identify those people?

WITNESS NO. 6: One in particular. (Name of lawyer currently under investigation by the California Bar Association) is a member of the Guild. He participated sort of unknowingly and yet knowingly. If you will allow me to explain, he knew what I was doing, that I was ultimately going to escape; he knew one of the members of the ambush

team; and he knew that particular person was going to participate in the events that would evolve from my escape. He smuggled communications for me to the persons involved, he brought hacksaw blades to me in prison in case our plans didn't work and I had to saw my way out. He saw to it that I got the blades that were presented by this person.

So, as I say, he knew what was happening, but he didn't -- For example, the communications, he didn't know the contents of them.

CHAIRMAN CARPENTER: When he performed these rather extraordinary legal services was he a member of the California Bar?

WITNESS NO. 6: Yes.

CHAIRMAN CARPENTER: Is he still?

WITNESS NO. 6: To my knowledge, I believe, yes.

CHAIRMAN CARPENTER: You are not in touch with him currently?

WITNESS NO. 6: No, I am not.

CHAIRMAN CARPENTER: In what way would communications normally be handled in the transfer of information? By word of mouth, I suppose, with the lawyer?

WITNESS NO. 6: My own personal communications, you mean?

CHAIRMAN CARPENTER: Yes.

WITNESS NO. 6: Some were by word of mouth and some were written. The way I would write a secret document that I wanted to go to Venceremos, I would double envelope it so that he could never be questioned on to who it actually went to and he would never know. There would be a front address on the envelope and then inside would be another envelope with the proper address on it and the mail drop would in turn when they opened it deliver it.

CHAIRMAN CARPENTER: So he would only have knowledge that he was smuggling a communication for you, but he wouldn't know the nature of the message, nor to whom it was ultimately addressed?

WITNESS NO. 6: Right.

CHAIRMAN CARPENTER: What about hacksaw blades, in what form did they come to you?

WITNESS NO. 6: Well, he brought them to me taped in the back of a legal document, blue-back cover that you see on Superior Court documents. Taped on the back of its cover underneath a very thick-type document.

It was my understanding that even attorneys are -- at that point in time their attache cases and things like that were looked into to prevent anything like that happening, but they still had confidentiality with the client and the guards weren't allowed to look through papers individually for fear they may see the contents of a paper. And using that type of a rule, he was able to tape these -- they were jeweler's blades, is what they were -- tape these to the back and underneath his brief and the guard wasn't allowed to tamper with the brief itself.

He received them and he knew he was going to receive them. I talked to him about it on a prior visit, verbally told him who he would receive them from, which he ultimately did. He received them from this person who aided in my escape and delivered them to me.

CHAIRMAN CARPENTER: In your case were there not fire-arms involved also?

WITNESS NO. 6: In the escape itself, yes.

CHAIRMAN CARPENTER: Those were not inside the prison?

WITNESS NO. 6: No.

CHAIRMAN CARPENTER: Senator Harmer.

SENATOR HARMER: You have made several references to the fact that the various revolutionary groups are inspired by common threat of the Communist ideology. Is there a propaganda network or a communication network in existence, to your knowledge, among these groups supplying them with this information, with this ideology, the ideology of revolution, the ideology of violence?

WITNESS NO. 6: That supplies the prisoners, you mean?

SENATOR HARMER: Yes.

WITNESS NO. 6: I think you could definitely say it's a network but it's not a network per se as you are using the word.

There's a constant flow of revolutionary literature and information coming into the prisons from each of these sources and others. It's through the accumulation of

all this material in the prison. Like in my own particular case, at the time I escaped I had 50 or 60 considered very violent-type revolutionary books and literature that I used to spread around as much as -- to anyone I could find to read it.

SENATOR HARMER: What was the purpose in that?

WITNESS NO. 6: Each of us, it was our duty as a member to try and get as many people to understand our philosophy and to support it. And this is one of the ways we did that. In prison where you couldn't have actual classes, where you can on the streets, you create a friendship with a man and you start giving him literature of not too important nature and you gradually get him introduced to where then you can talk to him about heavier things: mass escapes or rights or whatever that you are planning at the time. And he will eventually come around or drop off by the wayside.

SENATOR HARMER: Was there some intention that after your escape you would continue in this type of activity? Was this understood with anybody?

WITNESS NO. 6: Yes. In fact, this was the main motive for my escape, was to set up an underground illegal arm of Venceremos. The mere fact that I would be an escapee, everything that I would do would be illegal.

SENATOR HARMER: What specifically would you be expected to do?

WITNESS NO. 6: Well, our plans were that we were going to set up -- The first thing we were going to do was set up a training camp wherein we could train small teams of volunteers from the Venceremos organization and from escaped prisoners that we assisted. We had planned on stopping CDC busses en route, commandeering them with weapons, freeing specific prisoners that we knew were being transferred and attempting to recruit others on the spot with reward of their freedom there. We would have a training camp where we would take these people and train them in illegal activities: Sabotage, assassination, kidnap, robbery. And we were preparing at the time I was out -- we were actually preparing then a manual of what we had done.

We had solicited each member of Venceremos if they had any special knowledge, like making bombs. If the man was a good explosives man, he was to summarize his knowledge in a workable manner. Criminal elements, like myself, hot wire cars and things of this nature; burglar alarms, how to get around them. We were summarizing as much

information for use in illegal activities as we could, and each member of these teams would be trained in every phase of this.

SENATOR HARMER: Is this still, as far as you know, an objective of the Venceremos organization?

WITNESS NO. 6: I believe more so.

SENATOR HARMER: Would this include kidnappings of public officials?

WITNESS NO. 6: Very definitely so.

SENATOR HARMER: Do you have any idea how big this organization is now?

WITNESS NO. 6: Well, our prospectus at the time -- Our plans were set so that each 60 to 90 days we would have approximately a 10-man squad at the end of 60 to 90 days fully trained. And this squad would be trained for a specific mission, is the best terminology I could use. For example, if we were going to kidnap you, per se, we would be trained for that one purpose, kidnapping you. In that training there would be several other crimes involved. We would maybe have to kill a police officer as final initiation rites, or we may have to commit a large burglary or robbery to finance ourselves. But our ultimate mission was you. Once we had completed this, once we had kidnapped you, then this 10-man squad disintegrated and went into five two-man teams and they went into five different parts of the country, five major cities. They created the whole evolution over again. They liberated from the town they were assigned to or recruited another 10 people, set them up, trained them for a period of 60 days, taught them everything that they had been taught, again for a specific goal in that town -- kidnap or assassination or sabotage or a major robbery.

Over a period of a year roughly with figures you can see how fast we intended that to multiply. With 10 teams or five teams breaking out of each one every 60 days, at the end of a year you have quite a number of cells established.

SENATOR HARMER: Is this a biracial group?

WITNESS NO. 6: Multi-racial, yes.

SENATOR HARMER: Geographically where does it have its major group right now?

WITNESS NO. 6: It's still, to the best of my knowledge, in the San Francisco Bay area.

SENATOR HARMER: Have you ever had any contact with anyone who claimed to be a part of the Symbionese Liberation group?

WITNESS NO. 6: All I can say at this time, I do know several of them personally.

SENATOR HARMER: You do?

WITNESS NO. 6: Yes. I am sorry to say I am not at liberty (reason given) to discuss that too deeply.

SENATOR HARMER: I won't discuss that.

Is there any real distinction between that group and the Venceremos organization in terms of its ideology?

WITNESS NO. 6: In name only.

SENATOR HARMER: Just in name only?

WITNESS NO. 6: In name only. In fact, I feel I can say this. The events since their action with Patty Hearst is practically out of the manual that we wrote. They are just six months behind schedule.

SENATOR HARMER: Eventually, may there be a union between the two groups?

WITNESS NO. 6: I am sure that there is now, to my knowledge, Venceremos elements involved in the Symbionese Liberation Army. I know this for a fact.

SENATOR HARMER: On an entirely different track for a moment, back inside the institution, do you have any idea as to why this phenomena is now taking place inside our prisons, the emergence of the revolutionary group committed to violence, other than just the nature of the people who are concentrated there? There seems to have been a very discernible change in the last few years in terms of the nature and the attitude of the prison population. Do you have any reason why that is the case?

WITNESS NO. 6: Well, I have my personal reasons why I believe it is evolving the way it is and growing. I have been a prisoner off and on for over 20 years, and I have been through all the systems, the old system as well as the new revolutionary one. Prisoners have always had a bitch.

There's always been a gripe. It's either been food or no hot water. In the old times it was mostly food and work strikes. Revolutionary theories tend to lean towards the man that has got a gripe, whether it be outside with poor people or inside with prisoners. They capitalize on these little things inside prisons. I don't believe anyone believes they are what they should be, even people that aren't there. They could be better.

Revolutionary theory teaches, in theory only, humanitarianism. And they play on the poor man that has got a gripe and isn't too content, and you play on him with we are going to make it better for you, we are going to change and going to do this, we are going to do that and you are going to be able to live like a human being again, won't be treated like a dog and an animal, screamed at, locked in a cage. You are constantly pounding this man's mind with these things until where he will eventually just sit back and watch you.

Some of these groups, like your National Lawyers Guild, they take credit for, well, "we have got a telephone in every prison now. You can call off to your mother and loved ones if your kids get sick. We got that for you. That is what we are after. We want to make it nicer for you." He sees something visible that he can benefit from, no matter how minute. They use that propaganda to really play it out of proportion. They convince him that they are right and they convince him that the guards are wrong, the administration is wrong.

Then pretty soon he will get into a position where he feels he has been done an injustice, and they will go to bat for him for free, won't charge him anything. And they hook him. Once they hook him, then they start throwing heavy books on him: Changes won't come unless you have a gun in your hand; the Establishment is not going to give him anything; there's only one way, you have to take it. Pretty soon he gets a little more violent, little more violent.

This man that was a quiet mouse prior to that turns into a vicious monster. I turned into one myself, and unfortunately this is why I am sitting here. I looked in the mirror one day and saw a thing that I didn't like. I was fortunate enough to have the opportunity to get out, to escape and go with these people and then I seen them for what they were. In prison it was all a beautiful painting and all the promises were -- I believed in them. I believed in them sincerely. When I got out and was living with them for two months, they weren't what they said they were. And I realized how I was duped. And this is the way everyone

else is in prison. You are in an atmosphere of misery and discontentment out front in the first place, and it's very easy for a humanitarian, as they profess to be, to convince you.

As a result of that, we have had four, five years in California prisons that I know of where the population has really been growing with revolutionaries. And this is what created it. They plan on a long-term thing. All Communist theory is based on protracted warfare or propaganda. They don't expect to convince anyone overnight. They are prepared to wait a long time.

SENATOR HARMER: You appear to have a fairly good working knowledge of Communist ideology. Where did you get it?

WITNESS NO. 6: Mostly in prison. I have spent about seven years studying it. I am probably one of the most well-read prisoners on Communist theory and ideology there is.

SENATOR HARMER: Was this material supplied to you by the revolutionary groups or just in the library or did you buy it?

WITNESS NO. 6: A lot of it came from Venceremos, the National Lawyers Guild and people. A lot of it I purchased myself. Some I received from other prisoners. As I say, we disseminate our own literature, we pass it around. I would say the majority of it I have purchased myself through the years.

SENATOR HARMER: Have you tried to think of ways in which we would be able to ease this pressure? We, members of the Legislature and members of the penal system family -- the guards, the administration, the Adult Authority -- what would you have us do to effectively combat this? Or am I being -- Am I showing my naivete?

WITNESS NO. 6: I had really never thought of it in those terms.

Just offhanded, off the top of my head, it's unfortunate that you allowed it to get as far out of hand as it is. In my own mind I am not certain that you can stop anything immediately. There's nothing immediately that I could see that you could do. Probably the best thing you can do is isolate your leaders. That's always effective. Isolate them to the degree where they can't agitate or recruit new malcontents.

You would have to work something within the boundaries of the law as it exists today to screen your attorneys better, because this isn't -- I named one man that I had a lot of personal dealings with, but I know from knowledge and fact that you are not dealing with just one or two or five or six attorneys. You have got a tremendous amount of attorneys going in and out of the California prisons that to one degree or another are revolutionary oriented, and if they won't pack hacksaw blades for a man today, within a year they will because they are just like prisoners, their dedication grows as time goes by, too. You would have to have some system of screening your attorneys a little better and screening the material that they carry with them in and out of prisons.

Another thing that if I was doing something like that I would say it's the old adage of forbidden things are always more desirable. Unfortunately, some of your officers in prisons in the system, if a man gets a book that is forbidden, they overreact to it, and this just makes him want it all the more. If he has come to the point where he wants the book in the first place, then the fact that they make just a big to-do about it makes him want it all the more. I don't know if you can do this in any way or not, but if you can take the ball away from them and play in your ball park, so to speak, you lessen this overreaction to a degree. "That book isn't anything," or something like that. "Sure you can have it." Pretty soon it's readily available and nobody wants it. This is a key factor with inmates when you are passing books around. "The War of the Flea," or "Stalin's Thesis on Lenin" are fairly violent books, but they are really nothing unless they are purported to be something. The fact that they were so illegal and so frowned upon by the administration, you just searched for an opportunity to see it. You just had to see what had to be so terrible that they were so upset about. This forces a lot of inmates into reading things that they shouldn't. If it was a book that they could buy in the canteen, they wouldn't waste their money and, therefore, they wouldn't read a lot of stuff that they are reading now. And this would slow it down. Primarily, like I say, off the top of my head, isolate your leaders as best you can from agitating other people.

SENATOR HARMER: Thank you very much.

CHAIRMAN CARPENTER: Senator Wedworth.

SENATOR WEDWORTH: I would like to get back to your escape.

Prior to your actual escape did you have a

place to go, prearranged place to go?

WITNESS NO. 6: No.

SENATOR WEDWORTH: You did not.

WITNESS NO. 6: It was prearranged, but I didn't have knowledge of it.

SENATOR WEDWORTH: You did not have knowledge of it?

WITNESS NO. 6: No.

SENATOR WEDWORTH: Did you have a person to see once you were outside?

WITNESS NO. 6: Well, the person was on the ambush team. My main contact was actually on the ambush team.

SENATOR WEDWORTH: You knew the name of that person?

WITNESS NO. 6: Yes. This was the person that visited me there.

SENATOR WEDWORTH: Was there any arrangement after that with the person on the ambush team that you were to see -- did he guide you to any specific people or person?

WITNESS NO. 6: That particular person had a hideout for me, maintained my food supply and any necessities I needed. Any contact that I needed was with the Central Committee of Venceremos, communications back and forth. Due to the nature of it they couldn't come to me freely or I couldn't go to them.

SENATOR WEDWORTH: But you had confidence that that was there waiting for you prior to your escape? You knew that you could rely on them?

WITNESS NO. 6: Yes.

SENATOR WEDWORTH: The only thing you had to do was get out?

WITNESS NO. 6: All I had to do was get a trip to court.

SENATOR WEDWORTH: Did they give you money?

WITNESS NO. 6: Yes. A considerable amount.

SENATOR WEDWORTH: Would you kind of take the word

"considerable" into an amount, or close?

WITNESS NO. 6: Actual cash in my hand?

SENATOR WEDWORTH: Actual cash.

WITNESS NO. 6: Actual cash in my hand over a period of 60 days, I would say \$1500. This is just cash. A considerable amount of other money was outlaid for equipment, weapons, food, clothing. The actual financing of the escape itself I was told by the Central Committee there was \$10,000 invested in that -- buying cars, weapons, transportation for people, several reconnaissance-type trips down here and so forth.

SENATOR WEDWORTH: I believe you named one attorney.

WITNESS NO. 6: (deleted). Yes.

SENATOR WEDWORTH: Could you name more than one for us?

WITNESS NO. 6: That are revolutionary oriented?

SENATOR WEDWORTH: That try to help prisoners in general, yes.

WITNESS NO. 6: From memory -- I have difficulty with my memory. Most of them I know by first names.

SENATOR WEDWORTH: How about first names?

WITNESS NO. 6: Out of the National Lawyers Guild in Frisco everyone practically that is involved with the prisoners law project, which was established by Fay Stender. Patti Roberts, Eve Pell are some of the more known ones. Practically all of their legal workers will assist convicts to one degree or another.

Steve in the National Lawyers Guild in Frisco was my personal contact at the Frisco office. He's extremely revolutionary oriented.

The Menlo Park Law Commune, that entire staff --

SENATOR WEDWORTH: Menlo Park?

WITNESS NO. 6: Law Commune. The entire staff is revolutionary oriented, and many of them are Venceremos members.

The National Lawyers Guild in Los Angeles, my personal contact was Susan Kaplan. She's extremely revolu-

tionary oriented. And there's another attorney there. I am trying to think of his name. He's closely associated with Alex Landon. He visited me once. Through my Venceremos contact I was told that I could trust him implicitly. For the life of me, I can't bring his name back.

SENATOR WEDWORTH: We will go to another question and maybe you can think of it as you go along.

Are you aware of or did you ever hear of any organizations affiliated with this organization that you are referring to on college or university campuses? Do they have units? Did you ever hear that there was any of these units operating on campuses?

WITNESS NO. 6: Venceremos units?

SENATOR WEDWORTH: Yes.

WITNESS NO. 6: Yes, there are.

SENATOR WEDWORTH: Could you name some?

WITNESS NO. 6: Stanford had a chapter.

SENATOR WEDWORTH: Stanford?

WITNESS NO. 6: Stanford University. There's a university in San Jose. I think it's San Jose University, or Cal State, one of the two. It's right there in San Jose. They have a chapter there. They also had in the local high schools of the Palo Alto area Venceremos chapters. It was primarily in the Bay area where they had their influence.

SENATOR WEDWORTH: You didn't hear of any units in Southern California?

WITNESS NO. 6: Not while I was out.

SENATOR WEDWORTH: While you were out did you ever hear the name of Paul Jacobs?

WITNESS NO. 6: Not to my memory, no.

SENATOR WEDWORTH: That's all I have.

CHAIRMAN CARPENTER: Are you acquainted with Joe Morgan?

WITNESS NO. 6: Yes, I am.

CHAIRMAN CARPENTER: What is his position in this?

WITNESS NO. 6: Well, Joe is a leader of the Mexican Mafia inside prisons, or was. My relationship with Joe was the initial softening of the Mexican Mafia's attitude towards revolutionary people. At the time that -- Prior to my escape I spent considerable time with Joe creating the atmosphere of friendship with him, his organization and Venceremos, and it was through our friendship at the time that he agreed to assist Venceremos or mutual assistance if they needed it. During my escape -- In fact, Joe was the contact I made. I personally had a Venceremos member visit him in order to establish a fence for some jewelry that Venceremos had obtained in a robbery, or a burglary.

CHAIRMAN CARPENTER: Is Venceremos the prime motivator for attempting to recruit the other violent in-prison organizations into the revolutionary stream?

WITNESS NO. 6: To my knowledge, we were the first to attempt to bring together some of these non-revolutionary organizations. Since the past year I have been out of the picture, but I would assume they still are, yes.

CHAIRMAN CARPENTER: They feel that the prisoner population, particularly in the already violent groups, all of them are an easy mark for the revolutionary recruiter?

WITNESS NO. 6: I don't think it would be in that term, an "easy mark." Their objective is to bring these elements together on the theory that once they stop fighting each other they will start fighting you and violence will continue to carry out violence -- violent people will continue to carry out violence. They just have to redirect that violence towards the staff and administration rather than Mexican against white or black against white.

CHAIRMAN CARPENTER: Are you acquainted with H. Bruce Franklin?

WITNESS NO. 6: He was the founder of Venceremos, yes, one of the founders.

CHAIRMAN CARPENTER: Was he the leader of the Stanford chapter?

WITNESS NO. 6: At one time, yes.

CHAIRMAN CARPENTER: To your knowledge, has he been involved in transmission of information or other contraband to prisoners, or had any relationship with the inside members?

WITNESS NO. 6: I would say -- I doubt very seriously

if he has any direct contact.

CHAIRMAN CARPENTER: You talked about a "Central Committee" in Venceremos. Can you tell me a little bit about the structure of the organization from the Central Committee down and the nomenclature of the various levels?

WITNESS NO. 6: The Central Committee consisted of eight or nine people at the time I was out.

CHAIRMAN CARPENTER: Do you run for election to that Committee?

WITNESS NO. 6: You are chosen by your dedication to the theories that they expound and you are chosen by your past performances in illegal activities, whether that be bombing, strikes and protests, things of that nature. With the exception of a few, who are original founders, like Bruce Franklin. He's a member of the Central Committee. Gene Hobson is one of the members of the Central Committee.

CHAIRMAN CARPENTER: Is there any fixed member or members of the Central Committee?

WITNESS NO. 6: Not usually. It's usually about eight or nine.

CHAIRMAN CARPENTER: Where does the organizational structure go from there?

WITNESS NO. 6: Area leader, and they set up their own little mini-Central Committee type.

CHAIRMAN CARPENTER: How many areas are there in California?

WITNESS NO. 6: I don't know. They're numerous.

CHAIRMAN CARPENTER: Would they be just like geographical segregations?

WITNESS NO. 6: Yes. In the Bay area, for example, where I was at while I was out on escape, Mountain View, that was an area, and Palo Alto was an area, Los Altos was an area, Stanford was an area. They would have their area leader. For example, Mountain View was Bruce Hobson, which is Jean Hobson's son. He was the area leader for Mountain View. And he's in charge of coordinating everything that transpires in that area. He gets his orders directly from the Central Committee, then he transfers them down to the necessary people.

CHAIRMAN CARPENTER: Then the area would be the secondary and only other real level of activity in the organization?

WITNESS NO. 6: Yes.

CHAIRMAN CARPENTER: What would you be called in a prison unit? Would that be an area, or is that just a separate activity?

WITNESS NO. 6: That would be a separate activity.

CHAIRMAN CARPENTER: What sort of activities, if you know, would an area group participate in on orders from the Central Committee?

WITNESS NO. 6: Whatever the Central Committee asks. Anything.

CHAIRMAN CARPENTER: Could you give me some examples?

WITNESS NO. 6: Well, again, an actual example is the Mountain View area. Bruce and several of his constituents in that area bombed the Army Recruiting office. At that point in time that was really something for that area; it was a big thing. So all the way from there down to having them sit on your doorstep with a peace sign or whatever. That's one of the rules of the organization. If you are told to do it, everyone is submissive to the Central Committee. Whatever you are told to do, you must do without question.

CHAIRMAN CARPENTER: Is this an organization from which one can withdraw with impunity, or do they carry out executions or other violence against the people who withdraw?

WITNESS NO. 6: It would depend. They have two memberships. Maybe I should have explained that earlier. They have what they call an open membership and a closed membership. The open membership is for, say, the Stanford chapter, they recruit any students that are willing to listen or participate in non-violent activities, like protests or sit-ins or something. And an open member can come and go freely. They never learn or obtain any knowledge of a type that would be damaging to the organization itself. This is the way you eventually move up the ladder, by the way. If you start, you start as an open member and through your participation in activities and your dedication to study, you may eventually participate in a little bombing and you may participate in a burglary for them, the performance they are looking for in addition to dedication. With this in mind, then you move up the ladder as you perform.

CHAIRMAN CARPENTER: One earns his advancement with violent deeds carried out on orders from the higher-ups?

WITNESS NO. 6: Right.

The closed membership is exactly what it means. No one knows. Everything is done on a need-to-know basis. Just as an example of my own escape, there were six members involved. No one of that six knew what the other's job was. If they got caught, they couldn't tell. Only I and Gene Hobson, who is the Central Committee member on the team, actually knew the entire plan. A closed member, depending on how long he had been and how many activities he had been involved in, I would say he would not live to tell about it if he wanted to leave, in other words.

CHAIRMAN CARPENTER: Within your own knowledge, would you estimate that the organizational structure and membership of Venceremos is under scrutiny of the appropriate agencies, such as the FBI?

WITNESS NO. 6: I am not sure. Do you mean do I think they are under scrutiny?

CHAIRMAN CARPENTER: Yes.

WITNESS NO. 6: I am sure the known members have a certain amount of surveillance on them, but not anything that would put a damper on their activities, by any means.

CHAIRMAN CARPENTER: Do you think they have been successfully infiltrated by any intelligence agencies?

WITNESS NO. 6: No. I know they haven't.

CHAIRMAN CARPENTER: Do you think that the type of activity that we might refer to generally as political kidnapping and such other forms of violence as might occur is the type of activity that they contemplate utilizing to a greater degree and with more widespread publicity and success than they have to date?

WITNESS NO. 6: I think it's a growing thing, yes.

CHAIRMAN CARPENTER: You think it has been discussed, to your knowledge, as a useful tool?

WITNESS NO. 6: That's true.

CHAIRMAN CARPENTER: To your knowledge, does Venceremos have any activities outside of the State of California?

WITNESS NO. 6: Yes.

CHAIRMAN CARPENTER: Is it national in scope?

WITNESS NO. 6: Yes. And -- In fact, it's international in scope. The summer that my escape transpired Venceremos sent representatives to a number of countries, and we even sent some temporary -- on temporary missions several people to stay with different groups in different countries and learn what they could learn: Their theories, their methods, their tactics, strategy. In addition to this, to try and create a mutual friendship between organizations. We were in the process the year of my escape in attempting a merger with a number of national groups, also.

CHAIRMAN CARPENTER: Do you feel that the -- we may have already covered this to a degree -- Venceremos Organization is totally identifiable as a Maoist Communist organization in terms of its leadership?

WITNESS NO. 6: Yes. At the time of my escape, yes. During this past year I am not too certain. They seem to have changed names and went under cover a little bit, so there may be some other elements involved in leadership now that I couldn't factually speak of.

CHAIRMAN CARPENTER: I think that that exhausts all the questions which we can identify at the moment. I appreciate your cooperation very much and your willingness to come here. If need be, we may get back to you again.

Good luck to you.

WITNESS NO. 6: Thank you.

CHAIRMAN CARPENTER: Off the record.

(Whereupon, a brief recess was had.)

CHAIRMAN CARPENTER: On the record.

This witness will be identified as Witness No. 7, and we will just ask for your statement now.

WITNESS NO. 7: I am employed by the California Department of Corrections. I am here today in a dual capacity, first as a correctional officer with the (prison) and also as an investigator in the escape of Ronald William Beatty and the participation of the Venceremos organization in that escape.

By way of history, I would like to just start with

the background of Venceremos. I think it's fairly common knowledge that it was originated by a group of radicals who belonged to a revolutionary organization that was not revolutionary enough so that they started their own. They created a series of publications. I have a little book called "Venceremos" which is published by the organization. I would like to read a part of it for you. It's a statement by the Chairman of the Central Committee of the Venceremos when the book was published.

"This book contains the Principles of Unity of Venceremos. We believe in the Principles and constantly struggle to put them into practice. This takes a continual remolding of our beings, from victims of U. S. imperialism and all its horrors, to Communist women and men.

"We are a small organization in the embryonic stages of a protracted war, waged by the peoples of the world, against a monstrous enemy. We have no long history with mounds of experience to speak from, but the significance of Venceremos is that it is a multi-national organization, collectively engaged in day-to-day practice and struggles, bounded by these Principles of Unity. Multi-national nationality does not mean that our white comrades from the exploited masses of the oppressor empire represent a separate nation-state, but they are united with and follow the Third World leadership that is guaranteed by our organizational structure.

"We know that the people of the world face a common enemy in U. S. imperialism, and we must use this communion, born within the belly of the oppressor empire, in order to gain final victory and realize the right to self-determination. Particularly here in the mother country this struggle must begin now because of the thorough bombardment of racism, individualism and chauvinism in all its forms.

"We stand for government by the poor and working people. The revolution and the new socialist society will be led by the proletariat.

"We feel that the Venceremos Principles of Unity is a working class document. With the experience we do have, we know that poor and working people desire and need a well-disciplined organization, capable of leading the masses to victory. The five Principles. One, national liberation and internal revolution. Two, dictatorship of the proletariat. Three, democratic centralism. Four, the liberation of women. And five, armed struggle together with the five basic demands and 10 rules of discipline will help build Communist women and men equal to just such a task. And hopefully, they will steer us away from the pitfalls of

revisionism which seem to plague the revolution at this time and is our greatest internal enemy."

This is signed by the Chairman of the Central Committee. It also includes the actual Principles, which I will not read. It's quite long. I would propose to leave you a copy of a Venceremos newspaper which contains, among other things, the entire Principles of Unity and a good cross section of their attitudes and thoughts and their areas of operation within the community.

The Venceremos organization is very active in recruiting convicts within the prison system. As previous witnesses have stated, convicts have no place else to go. They are also very interested in recruiting high school students that they can get in and educate them like them, they say. They are actively doing this.

As you read the Venceremos newspaper you will find articles written by persons who will identify themselves as belonging to the high school brigade or the whichever element, whichever part of the organization they belong to.

In the context of their principles (on) escapes from prison, and I will quote here from one of their writings, "A prison break is an act of survival."

After the escape of Ronald William Beatty they were quite proud of it. They published long newspaper accounts in their newspaper about the escape. And I will just quote a small portion of their newspaper release. "October 6. Ron Beatty, a member of Venceremos being held captive in Chino Prison was successfully liberated." The story continues, it gets to the point in the story where we have arrested a couple of their members. And it continues, "The secret police have framed Andrea Holman and Doug Bird." This is their attitude towards prisoners in the murder of correctional officers and all the other things attendant with framed political prisoners from the jails.

In investigating the Ronald William Beatty escape and the people who we believed were involved in it we found a long history of involvement of these same people with prisons all over California. The current defendant on trial in this courthouse in the escape of Beatty and murder of a correctional officer is a female by the name of Jean Hobson. Jean Hobson was a member of the Central Committee of Venceremos at the time of the Beatty escape. I have traced Jean's Hobson's activities back to 1971. She was visiting Tehachapi State Prison. She was visiting inmates there in the company of a great many other people from the

street.

They established organizations on the streets which have no apparent connection with each other. One would be, for example, an organization called the Committee of Concern. Another would be the Community Return Project. These organizations allegedly are concerned with the rehabilitation of offenders. They are cover organizations for the Venceremos, for the people who back the Venceremos, for the Communist Party of the United States. These same people who are on the Central Committee of Venceremos also are members of the Committee of Concern, the same people are members of the Community Return Project. They are going into prisons to identify convicts who they can recruit to their cause, convicts who they can obtain a parole for or manipulate a release for. The convict would be paroled to a member of this organization. I will give you an example in a minute.

The convict is financed and put to work in the local community for this organization doing all the things that they want done but that they don't want to expose themselves to publicly. I will give you an example. There's a convict by the name of Earl Lemar Satcher. Mr. Satcher was a militant black. He was originator of the Black Panther Party in Long Beach, California. Mr. Satcher went to prison. Mr. Satcher was visited at Tehachapi by Jean Hobson, by her son Bruce Hobson, by other persons, by a good businessman in Long Beach named Allen Ross, who is a veterinarian by trade. Mr. Satcher was ultimately paroled to Long Beach and became an employee of Mr. Ross in his veterinary clinic. Mr. Satcher was provided with a very expensive camper van, a little mini home; he was provided with gasoline credit cards; he was provided with a weekly paycheck, and allegedly worked for Mr. Ross. Satcher actually ran a thing in Long Beach called the Nom House, N-o-m. It was a black militant organization that attracted such visitors as Angela Davis, public activities - black militant leader - organizer. Mr. Satcher a couple of months ago was arrested in Berkeley, California, robbing a Bank of America in the same camper van. He had stolen \$16,000 out of this bank for the benefit of the organization. Most of the robberies are for the benefit of the organization, not personal gain. This camper van was co-registered to Satcher and Ross as joint owners. The credit card was in Mr. Ross' name, not Satcher's. These are examples of the kind of support offered to convicts who are known to be leaders among their own people.

When you get into the Third World aspect, a strong brown would be solicited to go out and lead in the streets in the barios, a strong black among his people, a strong white wherever. These are their methods. The guy

financing obviously stays clean and safe. When he loses Satcher, he recruits another front man and puts him out in the streets and manipulates him.

Mr. Satcher's affiliations included the Black Panthers, the Black Guerrilla Family, the Venceremos Organization. Mr. Satcher had a common-law wife who was visiting a number of organizations in the state, a number of prisons in the state. She was a visitor of James "Doc" Holiday, who you have heard about, while Holiday was at Chino Prison. Mr. Holiday, as a matter of fact, had been identified by the Venceremos Organization and by Ronald William Beatty to be the next convict to be liberated. Beatty had been liberated; Holiday was to be next.

Other Venceremos affiliations with people like Satcher would include the American Indian Movement, the Mexican Mafia, the Aryan Brothers, the New Family, the Black Liberation Army, the Black Guerrilla Family, the Vietnam Veterans Against the War, the Polar Bear Party, United Prisoners Union, Weathermen Organization, the Vanguard Suicide Squad, the Los Tres Organization, et cetera, et cetera. They have affiliations in all of these areas. They are actively recruiting the association of affiliations in all of these areas.

The "Third World" means just that -- any minority. A poor white is a minority, a female is a minority. Any minority would be convinced that he is being victimized by a system. They will actively seduce him.

The Venceremos Organization, per se, we are told has been disbanded, disorganized. I read a newspaper story by the same man who I read you the information from, the Chairman of the Central Committee. He had a news conference last year and announced that the Venceremos no longer existed; it had become unwieldy and non-functional. That's bull.

Venceremos have adopted some new names. Some of the members have departed, some of the weak links. The strong ones who started it are still there. They are active in a number of other organizations. They have scattered all over the United States. They are active on school grounds, college campuses, prisons, factories, anywhere they can exploit anyone.

An example would be members of the Venceremos Organization by the name of Lee and Cary Ballinger, who were active in the Bay area for a while. They have since moved to Columbus, Ohio, and they are now active with the Vietnam Veterans Against the War in that city. Cary Ballinger works

in a factory where she is actively recruiting the black element. There are Third World members in that factory in that town. She maintains all of her ties in this state with the organization that we knew as the Venceremos.

I could talk for hours about the relationships and interrelationships between the various militant organizations. In my opinion, they are all backed by Communist money. I think there's a competition in this country between conventional Communism and the Chinese brand of Communism. I think this organization gets stretched as a result of that competition, but it's all inspired from the same source.

Example: We had a trial in San Bernardino concerning the Ronald William Beatty escape, two defendants. The defense committee that was originated by the Venceremos Organization estimates that they spent \$175,000 for the defense in that trial. A bunch of low riders from Berkeley sure didn't raise \$175,000 to pay for that defense. They are estimating the current trial in this courthouse, two defendants on trial at this time, will cost a minimum of \$100,000. We have also had a trial in Federal Court in Arizona, we have an up-coming trial in Federal Court in the Bay area of this state. They are all being financed. They are being financed with big money, good attorneys. The money is coming from somewhere.

I will just summarize this with a comment. I have heard questions about the SLA. In my opinion, over half of the membership of the SLA were at one time members of the Venceremos. I believe that they continue to maintain all of the ties between the peoples of both organizations. I will close with a comment about the symbol that the SLA has adopted; namely, a seven-headed cobra. It's been suggested that that represents much more than what they propose, or what they say it represents. It's been suggested that it represents a strong body with seven individual striking forces capable of operating independent of each other but tied together in a single body with the strength and support of that body. I believe that's true.

I will be happy to answer any questions you may have.

CHAIRMAN CARPENTER: Thank you very much.

With reference to the Venceremos newspaper, where is that published?

WITNESS NO. 7: They were published in the Bay area. They are no longer published, since the Venceremos has allegedly gone out of business. They headline says: "Pamoja

Venceremos. Together We Will Win. Bay Area Revolutionary News Service."

The latest one I have is dated August 27, 1973, which talks about the Chino escape case, which is the Ronald William Beatty case. I have others going back to 1971. I can't leave them all. Some of them have some evidentiary value in a trial. I will leave you one.

The one I have in my hand is dated October 31, the headline is: "Ron Beatty: Prisoner of War Liberated. Two Comrades Framed." It also has stories about Vietnam, it has stories about how to resist the FBI, it has an entire page of voting suggestions on propositions which are to be decided on the ballot, it has an article on convicts and what happens when you open the door to prison, it has numerous articles on local politics in their area, unions, union activism, housing for the minorities, jail revolt, wildcat strikes, rent strikes in the area. There's stories about inmates being beaten by guards or officers, how to legally prevent the police from entering your house by meeting them at the door with a shotgun.

CHAIRMAN CARPENTER: Thank you.

One subject that I really intended to pursue further with some of the leadership in the California Department of Corrections is how the Department feels that it is qualified in terms of financial support and authorization, recognizing that it functions under a legislative mandate in terms of the investigation and control of this type of activity. One generally thinks of a department of corrections as being a warehousing operation responsible for the maintenance of prisoners, which we have some 20,000 plus of in the State of California, and walking the walls and observing their conduct and so forth.

It seems to me that the Department in California is now faced with extensive intelligence-gathering, outside activity outside the walls, normal police investigative-type work that may or may not have always been contemplated as a necessary part of the Department of Corrections' responsibilities. I don't mean to suggest that I think that it is improper. I mean to suggest that we intend to, or I intend at least, to inquire as to whether or not the Department has received adequate support for this activity because so much of it is related to the inside now. You might think about that for a moment while I switch gears to the subject of the Venceremos again.

Would it be a fair statement, in your opinion, and based on your background, to suggest that Venceremos is

the intellectual impetus for a number of, if not all, the violent organizations operating on the inside of prisons?

WITNESS NO. 7: No, sir. I think it's an organization which seeks to take advantage of those organizations by courting the leadership of those organizations by promise, by reward, recruit those people into the folds of the Venceremos, or into the organization, to use them as cannon fodder, if you will, front-line expendable troops in the revolution. They certainly don't want to put themselves out there. You have generals and you have privates. I think they are recruiting these groups of, as one of the inmates described, hoodlums. They certainly have no further use for them once the revolution has occurred. They are not smart enough to become members of the ruling class and they are hoodlums, they would steal from you anyway. I think they are being recruited as foot soldiers.

CHAIRMAN CARPENTER: I understand that analysis of it. On the other hand, is there or is there not evidence that Venceremos, the organization per se, is successfully recruiting and enlarging its activities within the prisons?

WITNESS NO. 7: Yes, sir. All of the activities evidence that. The Beatty escape, the planning of the escape and the execution of the escape, the activities of the militant groups inside the prisons, the success of the groups in the courts in forcing the Department of Corrections to allow them to have newspapers like this and to allow them to have all of the things that they need to have to fertilize their dreams, to inflate their fantasies. We are not allowed to be restrictive anymore in what a guy gets in the mail. He can get anything he wants to. If you take it away from him, you have violated his Constitutional rights: Freedom of thought, freedom of speech, freedom to read what he wants to read. That is not necessarily good in the prison structure.

They have nothing else to do 24 hours a day but justify to themselves why they are there, rationalize themselves into a better situation and find an outlet for their energies. They read all of this revolutionary radical propaganda and they have a guy like testified before whispering in their ear and pretty soon they believe it.

CHAIRMAN CARPENTER: We have the intention of pursuing the issue of what changes in what has to be called prisoner rights might be important to stifle the growth of revolutionary and particularly violent activity with the prisons and their ability to communicate freely and so forth with counsel, with radicals and others, but that is a whole new subject. I think it is primarily related to substantially

court decisions and legislative activities which are the controlling areas there that the Department of Corrections may or may not have much say over. I think we will pass that for this particular hearing and get into that subject in our subsequent hearings.

Senator Wedworth.

SENATOR WEDWORTH: You mentioned Angela Davis. Where is she now? I don't hear about her anymore.

WITNESS NO. 7: The last I heard she was in New York.

SENATOR WEDWORTH: She's not in California, to your knowledge?

WITNESS NO. 7: I don't know where she is today, Senator. I hope she is not.

SENATOR WEDWORTH: You mentioned attorneys at the trial. Where did you say that it was, in San Bernardino?

WITNESS NO. 7: Yes, sir.

SENATOR WEDWORTH: These attorneys were not furnished by the State?

WITNESS NO. 7: No, sir. They were private attorneys.

SENATOR WEDWORTH: Were they all from California?

WITNESS NO. 7: Yes. Mr. Charles Garry from San Francisco, who I understand is very famous in the Bay area. He's legal representative for the Black Panthers. He's a member of the National Lawyers Guild. He was the trial counsel in the San Bernardino trial. Co-counsel, Thomas Knowland.

SENATOR WEDWORTH: How about this trial that is going on here now?

WITNESS NO. 7: Two Los Angeles attorneys -- three Los Angeles attorneys who have no apparent ties to the revolutionary movement. Long-time established attorneys in this area.

SENATOR WEDWORTH: You have been here all day, haven't you?

WITNESS NO. 7: Yes.

SENATOR WEDWORTH: Do you know all of these other

people that the previous witnesses mentioned?

WITNESS NO. 7: I know most of them one way or another, yes, sir.

SENATOR WEDWORTH: The State, referring to you, your position here, do you know if they have a program of monitoring this stuff throughout each one of the institutions? Do they have staff to do that?

WITNESS NO. 7: Monitoring what, Senator? What aspects?

SENATOR WEDWORTH: The activities that these people have been telling us go on in the institutions.

WITNESS NO. 7: No, sir. You have a correctional staff who operate your prison. You are outnumbered one to one hundred. Each member --

SENATOR WEDWORTH: I know we have a staff at each facility; right. Do you have communication from one to the other?

WITNESS NO. 7: Yes.

SENATOR WEDWORTH: An intelligence, for instance? Do you have an intelligence operation?

WITNESS NO. 7: Quasi-official. You have employees who do this, but it's not their full-time duty necessarily. That would vary from institution to institution, depending on the past history of revolutionary activity at that prison, whether or not it was deemed needed at that particular prison. San Quentin, for example, would have a full-time investigative staff very interested in that area. Another prison with a very low rate of activity may not. They may have someone doing that as an additional duty.

SENATOR WEDWORTH: By the questions I have asked, I am a senator, but I don't know a damn thing about what goes on in the Adult Authority. On occasion a bill comes along and I get a chance to ask a few questions, but the total operation I don't know.

What division are you with?

WITNESS NO. 7: Department of Corrections.

SENATOR WEDWORTH: I know you are there, but do you have a breakdown?

WITNESS NO. 7: Custody, uniform staff as opposed to care and treatment as opposed to administration. I would have to go into an organizational breakdown of each institution to explain it.

SENATOR WEDWORTH: You mean each institution has a different organization?

WITNESS NO. 7: In some respects.

SENATOR WEDWORTH: It seems to me with what you are saying, the left hand doesn't know what the right hand is doing, and this could be a hell of a problem.

WITNESS NO. 7: I don't mean to convey that impression. Historically it's been a matter of need-to-know. The guy at Chino five years ago wasn't really interested in this kind of thing because it didn't happen at that prison. That prison was a good-guy prison where everybody went before they were going to get paroled or where the first-term offender who wrote a \$65 check would be housed for a year or year and a half and paroled. We are running out of those kinds of convicts as a result of probation, subsidies and all the other programs that have been initiated. The guy that ultimately goes to prison these days is a bad guy.

SENATOR WEDWORTH: Is a what?

WITNESS NO. 7: He's a bad guy. In comparison -- Percentage-wise we have a larger number of violent hard-core felons than we did two years ago who are ultimately sentenced to state prison. You have a changing complexion, you have a changing attitude. Your inmates are of a different kind and they are more susceptible to suggestions of violence.

SENATOR WEDWORTH: The ones that you are getting today, they are the real losers; is that right?

WITNESS NO. 7: Yes, sir.

CHAIRMAN CARPENTER: Off the record.

(Whereupon, a discussion was had off the record.)

SENATOR WEDWORTH: We can get this information from the Department. I don't want to take time on it now.

CHAIRMAN CARPENTER: Thank you very much.

WITNESS NO. 7: Yes, sir.

CHAIRMAN CARPENTER: Off the record.

(Whereupon a discussion was had off the record.)

CHAIRMAN CARPENTER: This witness will be known as Witness No. 5. (Undercover law enforcement officer)

As I have advised the previous witnesses, we would in your case just appreciate your discussion of your knowledge with regard to the organization known as Venceremos, or any others that are in a similar posture, if you would, please.

WITNESS NO. 5: Thank you.

I think to start off with I will go back a little farther than Venceremos, especially in the Bay area, and try to give an overview of why Venceremos was formed in the San Francisco Bay area.

In the late 1960's -- '66, '67, and '68 -- we had the Students for a Democratic Society, which was a national organization of mainly college students who were opposed to the war in Vietnam. The majority of the people who were involved in SDS were for the most part people who felt they were doing good for the country in trying to get them out of the war, but as always happens in any large organization the more militant people felt that not enough was being done and in 1969 they called a coalition meeting in Chicago for the benefit of the more militant people. At this meeting they were going to discuss a way to bring the Vietnam War more closely aligned with the thought of the militant people within the SDS, and at this time there was a violent split in the Students for a Democratic Society.

Out of this came two new groups. One was called the Revolutionary Union, a Maoist leaning Communist organization of young radicals. And the second group, probably the more famous group, was the Weathermen, Bernadine Dorn's group. It turned into a group of violence and terror to show that war was tearing the country apart, or this was the thought that was prevalent. The Revolutionary Union on the other hand was a more moderate group of intellectuals who believed that revolution was coming to the United States but that the time for violence was not now; that they had to go out into the communities, make the Third World people aware of what was happening, to infiltrate labor unions, to infiltrate places of business and also to go back onto the college campuses to recruit students who they thought would be the moving force behind the movement of the '70's.

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In the Bay area the Revolutionary Union had the blessing of a lot of money. However, as most groups do when they go into labor unions and start talking dialectics with the people, a violent group formed within the Revolutionary Union who were malcontents, discontent with the way the group was moving. And so there was a split in 1970, '71 with the Revolutionary Union. And this was the forming of Venceremos. It was a break-away with H. Bruce Franklin and the majority of the Venceremos people who were in the Palo Alto, Menlo Park, Mountain View area.

Venceremos, as the other person stated, gave a book on unity, and in there they stated their goals. And their goal is for the violent overthrow of the United States Government by force and fear. To do that they felt that the war at that time was still a viable issue. However, for most militant groups when the war was starting to wind down they realized that the college students were no longer interested. They were as tired of fighting the war as anybody else in society. And so Venceremos decided they had to find a more fertile field. And they picked the prison system and the high schools. They picked the prison system because they felt that here were people who were already into criminal activity and they would be an easy mark to turn in the revolutionary philosophy. And we have letters from people in Venceremos writing into the prison system trying to get into groups. There were many groups that were formed in the Bay area.

The Venceremos people in the beginning set up groups or infiltrated groups that were already set up to help prisoners. For instance, the United Prisoners Union in San Francisco, Leroy "Popeye" Jackson, a black parolee who had an organization already formed, an easy place for Venceremos to step in, take over and bring militant blacks out of the prison system into a group that took care of them on the streets, gave them clothes, indoctrinated them, tried to get them jobs, if that's what they wanted, committed armed robberies, burglaries, whatever they needed.

One of the people who came out of the prison system and into the United Prisoners Union was a man named Brady T. Moore, who went by the name of Caesar Moore on the streets. Caesar Moore became a convert to the Venceremos philosophy and ultimately was on the Central Committee in its reforming sessions in 1972-'73. Caesar Moore wrote to prison groups, the Polar Bear committee in San Quentin. He had contact with Venceremos people in -- with most militant groups on the street, he had the freedom of parole to move in and about the entire state and did so for quite some time. He is now heading back into the prison system. He was arrested for armed robbery in the Bay area just before the

first of the year.

We now know that Venceremos was involved with the TAG group at Tehachapi, which has already been mentioned. Earl Lemar Satcher and a white prisoner by the name of Terry Houston. We know that Jean Hobson was part of the TAG group, that Cary and Lee Ballinger were part of the group and that they offered help if those people could escape and, in fact, vehicles waiting on the outside when the escape was made. We know that Venceremos has visited most all the prisons in the state. They have spent much time at San Quentin, Folsom and at Vacaville, the medical facility, going in and interviewing prisoners who they felt had gained the revolutionary philosophy to the degree that if they did escape they would help the cause. We have 15 or 20 people that we can identify from written records that they have been in the prison system more than once visiting more than one prisoner.

We know that Cheryl Hawkins, who was or is a member of Venceremos, and was the common-law wife of Earl Lemar Satcher, was a go-between between Satcher and people still within the prison system and she was sent in to talk with other prisoners to see what their feeling was towards the revolution when they got out for Satcher. And she was also arrested in the bank robbery in Berkeley in November of 1973.

We know that some radical lawyers in the Bay area have direct involvement with Venceremos and/or are or were associated members of Venceremos at the time that they were above ground. This would be in 1971, 1972 before the Beatty incident occurred and then last year when the head of the Central Committee came out and said that Venceremos was disbanding, that they were disorganized, they were too big and that they could not bring together the Third World into a coalition. This seemed to be a great stumbling block for the majority of the hard core in Venceremos, because they could not pull in from the streets the people who had never been in the prison system to make a cohesive group of Third World people. And this was a fight, that is always common within groups on the outside, that there are too many chiefs and not enough Indians. So the more militant people that were in Venceremos continued to talk with and have dealings with the prison system and the people within the prison system.

We know that Venceremos were involved in almost all demonstrations in the Bay area on college campuses and marches for numerous causes off of campus onto a street where traffic was impeded or where police had to be called in to either keep peace or to keep the traffic moving or to stop fights from people who were standing on the street.

And in this way it became a police problem to know these groups, and this is why we started to delve into the background of these groups at some length.

We found that not only Venceremos but the Revolutionary Union, which is still a moving group within the Bay area, started to send their people out into legitimate jobs. They infiltrated trade unions, they infiltrated public utilities. PG&E was direct target in the Bay area. Western Electric, another part of the Bell System, was a direct object of infiltration, along with Pacific Telephone. The people inside these unions and working for these companies have been identified, and it has been stated to me that one of the companies could be taken out on strike at 48-hour notice, they have that many people inside of the group now, inside of the union, to take the union out on strike at 48 hours' notice.

These same people are the people that are communicating with the people we have in the prison system; namely, mainly in the Bay area.

CHAIRMAN CARPENTER: May I ask you, if you are able to tell me, how many criminal acts such as robberies and thefts and burglaries can be directly related to the activities of the Venceremos and related groups?

WITNESS NO. 5: I can't give you an exact number. Some of the individual acts committed by people who I have identified like Caesar Moore, some of that money undoubtedly went back into the fund for Venceremos or for the United Prisoners Union. The other acts that they committed and haven't been caught for would be something that we would be unaware of.

One of our problems, and one of the problems that we have found in telling somebody that these militants are in fact talking with prisoners in the prison system, is that the Venceremos Organization is smart enough not to use parolees or people with criminal records to go back into the correction system. They are sending people who have no criminal record. Unless you get a name, and they use a correct name -- Even if they use a driver's license as identification, it is of no value if they have used the wrong identification.

We know that one of the hardest things in this state is to tie together a birth and death certificate. A common ploy of Venceremos and militant people like Bernadine Dorn and the Weathermen moving in society is to go to a county like Los Angeles County, go to a place of birth records, find a birth record of somebody that is close to

their age, say 1949 or 1950, and find out if that person has died. If they find a person that was born in 1950 and, say, died in 1955 of leukemia or a car accident, they pull that name from that birth certificate and ask for a copy of that birth certificate. California does not correlate birth and death certificates. So they get a birth certificate, then they get a driver's license, then a Social Security card, then they get credit cards. They can get anything they want. And they move with a different name. There is no way without an arrest record and fingerprints that this person will be traced, even if he wants to get in and talk with a prisoner. So we find some people with two or three names and two or three sets of identification.

We have found places in the Bay area where this was a major way to make cash, to make false identification for radicals that were moving throughout the country; from here to New York to Puerto Rico and out of the country and back.

CHAIRMAN CARPENTER: In terms of the impact on the inmates that are still inside the prison system, you have spoken with regard to the Venceremos Organization and related organizations utilizing discharged prisoners who have been indoctrinated on the inside for revolutionary intent and then converting them to soldiers who would undertake violent or criminal acts on the outside. Have you found a relationship between Venceremos and the National Lawyers Guild?

WITNESS NO. 5: Yes.

CHAIRMAN CARPENTER: Can you expound on that somewhat?

WITNESS NO. 5: I think that the reason that Venceremos or any militant group is successful today is one underlying reason: They know the system better than the people that the system is trying to protect. By this I mean by making something a political or social trial, they beat the system because our system of government cannot handle -- our court system cannot handle a political trial. We cannot handle the publicity, we cannot handle the attacks against the state, because that is not the way the Constitution is basically set up. They know this and this is why they are so good at what they do, because they can beat the person that is playing the game the right way.

With the National Lawyers Guild help and attorneys who know the law -- they know criminal law, they know correction procedure and they know the way municipal and state agencies work and the FBI works that they could beat you in court because they could make a political trial out of it. By over-publicity you can get a change of venue

and change of venue and change of venue until you lose continuity. The papers come out with this every day. They have stymied the system, and it's very difficult for a police officer or a correctional officer or anybody concerned to try and deal with it because there's always another stumbling block to go over. I think this is the reason for the coalition or marriage between the National Lawyers Guild and Venceremos.

The people that are in Venceremos are very well-educated people, they are very intelligent. They know what they are after and they will continue to find a way to get to that end. If they run into a wall, they will move to the left and try another way, or move around the building and try another tack. We do the same thing the same way all the time.

CHAIRMAN CARPENTER: It has been stated to me that our correctional system is quite adequate in terms of keeping people in but its big weakness is its inability to keep people out or to keep information out, keep reading material out, visitors and lawyers and people of this type. I presume your last comment relates to some of those problems. I do not know the answer to those problems at the moment, obviously.

Senator Wedworth.

SENATOR WEDWORTH: Were you at San Francisco State during the riots there in 1967?

WITNESS NO. 5: Yes, sir. I went up in the capacity of mutual aid.

SENATOR WEDWORTH: I was sent up there by the Senate, and there was some well-known, well-identified pure revolutionaries up there. We saw them day after day after day and they didn't deny that. In fact, they gleefully went on the mike on the campus every day and identified themselves as that.

Do you know where these people are today? Do they operate in maybe Venceremos?

WITNESS NO. 5: Some of those people are still in our area, some of them have moved on. Some of them matured and graduated from college and went into what we would call legitimate businesses -- the practicing of law or teaching or into industry. Some of them have moved out of the state.

H. Bruce Franklin is still in the area. However, he has taken a fellowship, I believe, back East for

one year as a visiting fellow. Angela Davis is periodically in and out of the State of California.

SENATOR WEDWORTH: This was before Angela's time, really. Well, I don't know. Yes, it was, I believe.

WITNESS NO. 5: She was teaching then at U.C.L.A. in Southern California.

SENATOR WEDWORTH: She never appeared on the campus at that time.

WITNESS NO. 5: At San Francisco State, no. Some of the other people that were unique to San Francisco I would not have contact with. Other than being in the uniform position of on the line in those times, I wouldn't have known them.

SENATOR WEDWORTH: I have been sitting here and listening today and I didn't hear one of those names. Of course, they could have changed their names during the interim.

WITNESS NO. 5: I don't think they have changed their names. I think some of those people from that era, 1968-'69, have moved on into other areas. We find even people like Jerry Rubin and people in the Chicago Seven trial have since gained seven or eight years in knowledge and moved on to something that they would be working within the system to change the system.

We have younger people, newer people and the names have changed but the philosophy is the same. What we have found, or I have found, in studying this is that we started out with thousands and have narrowed down the spill until we have come out with 60 or 100 or 200 people who still want to continue the cause in a more violent way. Now they are taking people who are already violent and bringing them into their little clique or cadre and extending it that way. That's very difficult to fight on the street.

SENATOR WEDWORTH: That's all I have.

CHAIRMAN CARPENTER: Have you run across any indication of a relationship between new groups like we now hear of the Symbionese Liberation Army and Venceremos?

WITNESS NO. 5: I am really not at liberty, I think, to go into the Symbionese Liberation Army, other than if you listen to the communications that have come out; the rhetoric in the communications to the Hearst family is the same rhetoric that you hear in Venceremos. The same tactics that

a witness here talked to you about earlier are the exact tactics that seem to be the tactics that SLA are using now. Whether the federal agency that is working on the case has put those names down, and I am sure they know who a lot of them are, I don't know. It hasn't been in my jurisdiction. I would think that you will probably find a direct correlation someday when all the facts are out. They have such a tremendous problem of trying to keep that girl alive without giving too much out that I think they might be a bit afraid to tell other agencies about it, and we certainly don't push them.

As far as the people we know that are still in Venceremos, or even the new group, Radical Student Union, which is the newest thing on campus, focusing this whole thing on campus again, picking on Standard Oil again, the energy crisis, picking on Shell, PG&E, the bombings that we have had in the last two weeks in San Jose and San Francisco and San Ramon the day before yesterday, bringing this back to a college level, getting these young people who have not been radicalized, who are a newer generation of college students, it's starting all over again. Maybe different names, but the same people.

CHAIRMAN CARPENTER: Might it not be more difficult without the vehicle of the Vietnam War to motivate them in such large numbers into radical activity?

WITNESS NO. 5: Certainly. That was their problem in late '72, early '73 when we knew that the war was going to be over, that the colleges were going back to what we would consider normalcy. They had to find another vehicle, and they -- You could watch them prod if you stayed on any one campus. First prodding recruitment on campus by Standard Oil or any government agency that profited by the war, then the political trials. The Angela Davis trial, the Ruchell Magee trial, the San Quentin Six trial. The people in the San Quentin Six trial, those people were all still in Corrections because they were all convicts at the time or people inside the correctional system, and they were handled by state agencies or municipal agencies. We found Venceremos people sitting in the courtroom. We found them talking to the jurors or looking at prospective jurors, trying to find jurors' lists, having rallies in the streets to try and make it so hard to get a fair trial that they could get another change of venue or make it last for another six months until some other law came into effect. That's the harassment. That's the system that I talked about. They move in and move out and pick up something that is as uncommon in the United States as perhaps the Irish Republic Army calling for weapons to fight for war in their own country. We see them on the campuses actively talking out

before groups, that the Black September Group and the Palestine Liberation Army are people to support. They are pushing the aggressor out of the country, anything, anything to get Press to get their name known so people will say, "Maybe they are doing a good job, maybe there is something wrong with the system."

They picked the energy crisis up immediately. Anybody that is anybody in the government can expect a demonstration now, and it would be Venceremos or whatever name it goes under. We have the Radical Student Union, and I have some others written down. April Twentieth Coalition. Any number of groups. But they are still all the same people and they always prod in places where it's hard for law enforcement to go.

CHAIRMAN CARPENTER: In your experience, do you anticipate or speculate the utilization of political kidnapping and other violence like this which has succeeded in South America and some other places and now been introduced here might be a regular tactic that would become popular with Venceremos and other groups?

WITNESS NO. 5: In my experience, I can't see where else they can go. They have already committed themselves, and that's the direction that they are going to have to follow once the commitment has been made. And people are waiting to see if they will follow up with their original tack or whether they are going to shut up and fold up the shop and go home. In order to get these violent people that they have been talking about interested and give them something to motivate themselves on the street, get out there and kill policemen or whatever they do that excites them, these people now have to continue this tack. This is the tack that scares the American people the most because we can't combat it. We can't combat political kidnapping. We can't lock everybody that might be a person that would be kidnapped up. If they start taking, for instance, state legislators, how many police officers can you have for 24-hour surveillance on everybody in the Legislature?

CHAIRMAN CARPENTER: In that particular case we would appropriate enough money to adequately provide for it.

WITNESS NO. 5: I think that perhaps it scared a lot of people, but the killing of Marcus Foster, the senseless murder of a man that was trying to help blacks, whites, everybody in the Oakland school system, that reigns terror. People are afraid to talk to you. People won't let you in. They don't want to give any information out. In this way the people who come out from, say, the prison system who don't want any police contact anyway and want to move with

impunity in their own community and not have people telling on them, this is good, really good, because people are terrorized before they get there. This is what the scary thing is.

Even police officers become paranoid and scared because you know these people are running in the streets but you don't know who they are. Will they take a policeman, will they take a policeman's family, it would be the same to them as taking somebody who they can use for ransom who they think perhaps the Governor or the President will acquiesce and release what they want or pay money.

The other thing that has been thought of that is even more frightening is to make it international in scope like they have in other countries by taking foreign dignitaries. That way they take it out of the state's hands and put it in federal hands. There would be a tremendous problem in California here and in the Bay area, because of so many foreign consulates. It would create an international incident. And that's even out of the police realm.

CHAIRMAN CARPENTER: Could we establish a profile of the type of person who could let himself be involved in this kind of activity? Let's assume they could not be too numerous in our society. Is there any way from a police point of view that identification and surveillance might be a device that is necessary in order to nip in the bud activities of this kind?

WITNESS NO. 5: To answer the first part of the question, is there a profile of a revolutionary; is that what you are asking?

CHAIRMAN CARPENTER: Let's not just talk about a revolutionary who might have a fair radical interest in change but let's talk about the one who would translate that interest into kidnapping or killing or other violence.

We had some success in the area of skyjacking with the profile system. Of course, there you have people coming to an identifiable location to be observed. Could we not translate that in police terms to identification and surveillance of revolutionaries who have such violent tendencies? You may not get them all, but might that not be a device that is necessary?

WITNESS NO. 5: I believe personally that's a necessary device. First of all, I think that you would have to take police officers, correction officers, federal officers who would have to sit down and study the Communist philosophy. These people are, as I stated before, well-

educated and they have studied the Communist philosophy and they believe it. They do believe what they talk about. If you sit down with them, they could talk you out of your belief. And that is the way they win.

Another one of the great problems in our society is that these people believe so strongly and the majority of people don't have any belief to fall back on. The criminal has really no belief. He's a pragmatist and he's a criminal and he gets the revolutionary indoctrination. These people are extremely intelligent. They know what they are doing. And perhaps sometimes we are lacking in that training and expertise.

We could surveillance them and we could tell who was coming and going and who they were talking with and the young people that were getting involved with who had no criminal record who always end up on the front line of a demonstration and get arrested and get kicked loose because they didn't even know what they were doing. If there was a way to get to the people who conspired to create it, that would solve the whole problem. But that is the problem. We have a hard time getting to the people who conspire.

CHAIRMAN CARPENTER: Should this type of violence become a standard or an increasing activity in terms of numbers of incidents, we are faced with an extraordinary prevention problem?

WITNESS NO. 5: That's right. And the problem lies now in that if the police do move in and arrest people, that unless every movement in the legal system is taken care of that they will beat you on a technicality. And this is used in the political rhetoric of "these are political prisoners and they are innocent in the first place and it's been proven by a court of law and jury that they were never involved." This has happened before and it will happen again. Everytime that it happens to law enforcement again, everytime that they get beat in what is called the political prisoner movement, it makes law enforcement pull back and take a second look at is it worth the time and the money and the outlay to go ahead and arrest these people because they are going to get off anyway.

CHAIRMAN CARPENTER: A matter of discouragement.

WITNESS NO. 5: I am sure that that is one of the reasons for all of this happening now, that law enforcement is discouraged. They are not beaten. Ultimately we will win or we wouldn't be here. But, yes, there's discouragement.

CHAIRMAN CARPENTER: We thank you very much for taking

your time to visit with us on this subject, and we appreciate your input very much.

I think those witnesses will conclude the testimony that we will take today, and we will adjourn our hearing until the 28th of March when we have our first public meeting.

Thank you very much, gentlemen.

(Whereupon, at 2:45 P.M., Friday, March 15, 1974, the Executive Session of the Senate Subcommittee on Civil Disorder was adjourned.)

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