

## Introduction

On the night when Tex Watson, Patricia Krenwinkel, Susan Atkins, and Linda Kasabian, members of Charles Manson's "family," dressed in dark clothes and armed with knives, "creepy-crawled" into 10050 Cielo Drive, I hadn't been born yet. But as a child, the heinous murders frightened and disquieted me. I remember visiting the Shalom Tower wax museum in Tel Aviv,<sup>1</sup> mostly devoted to the history of Israel and the Jewish people, which included a large-scale tableau of the murder of Sharon Tate and her friends. The diabolical, jeering expressions of the murderers haunted my childhood nightmares. That a California murder could be deemed so exceptional, cruel, and unspeakable as to terrorize an Israeli child is a testament to its legacy.

The murders' profound resonance in public consciousness cannot be understated. Commentators have famously identified them as a watershed moment that ushered in the end of an age of innocence, peace, and nonviolence. In her oft-quoted memoir *The White Album*, in an essay titled "On the Morning After the Sixties," Joan Didion writes:

This mystical flirtation with the idea of "sin"—this sense that it was possible to go "too far," and that many people were doing it—was very much with us in Los Angeles in 1968 and 1969. . . . The jitters were setting in. I recall a time when the dogs barked every night and the moon was always full. On August 9, 1969, I was sitting in the shallow end of my sister-in-law's swimming pool in Beverly Hills when she received a telephone call from a friend who had just heard about the murders at Sharon Tate Polanski's house on Cielo Drive. The phone rang many times during the next hour. These early reports were garbled and contradictory. One caller would say hoods, the next would say chains. There were twenty dead, no, twelve, ten, eighteen. Black masses were imagined, and bad trips blamed. I remembered all of the day's misinformation very

clearly, and I also remember this, and wish I did not: I remember that no one was surprised.<sup>2</sup>

Charles Manson and his followers became the personification of the flaws and monstrosity beneath the surface of American society. David Williams remarks,

“I am the man in the mirror,” says Charles Manson. And in that at least he may be right. “Anything you see in me is in you. . . . I am you. . . . And when you can admit that you will be free. I am just a mirror.” Nor is that the least that he is right about. . . . We found in him an icon upon which to project our own latent fears. No one was surprised because everyone knew the potential was there, in each and all of us. So Manson became a living metaphor of Abaddon, the God of the bottomless pit. We, as a collective culture, looked into Manson’s eyes and saw in those dark caves what we most feared within ourselves, the paranoia of what might happen if you go too far. He was the monster in the wilderness, the shadow in the night forest, the beast said to lurk in the Terra Incognita beyond the edges of the map. By projecting our monsters onto Manson, and then locking him up for life, we imagined we had put the beast back in its cage.<sup>3</sup>

### WHY VIOLENT CRIME?

Sensational and heinous crimes such as the Manson Family murders—in criminological parlance, “redball crimes”—have fueled not only public imagination, but also public policy. Many accounts of the emergence of mass incarceration point to the immense sway of heinous crimes as an important factor in the American punitive turn. In *Making Crime Pay*, Katherine Beckett shows how Nixon’s election propaganda and later Reagan’s war on drugs played on public fears of the “worst of the worst.”<sup>4</sup> Punitive new laws against violent and sex offenders in the 1980s and 1990s—the “decade of the victim”—bore the names of victims of such crimes: Megan’s Law,<sup>5</sup> the Adam Walsh Act,<sup>6</sup> the Jacob Wetterling Act,<sup>7</sup> the Matthew Shepard and James Byrd Jr. Hate Crime Act,<sup>8</sup> Jessica’s Law,<sup>9</sup> Marsy’s Law.<sup>10</sup>

The high valence of these crimes meant that, until 2008, it would have been nearly impossible for any politician, Republican or Democrat, to appear “soft on crime.” Indeed, as Jonathan Simon powerfully explains in *Governing through Crime*, the resulting culture reshaped the master status of the American citizen as a potential crime victim and led to a profound transfor-

mation of public and private life into spaces of prevention, oppression, and social control.<sup>11</sup> Recently, however, as an effect of the Great Recession of 2008 and other developments,<sup>12</sup> political and economic changes have enabled lawmakers, policy makers, and advocates across the political spectrum to espouse a retreat from the carceral project. Several states have abolished the death penalty or placed moratoria upon its use,<sup>13</sup> legalized recreational marijuana,<sup>14</sup> and introduced sentencing and incarceration reforms.

Efforts to combat mass incarceration are generally more palatable when they address nonviolent offenders.<sup>15</sup> It is easier to obtain support for downgrading simple possession offenses or for trying nonviolent offenses as misdemeanors rather than felonies.<sup>16</sup> However, such reforms alone are insufficient for transforming incarceration patterns because most state inmates are incarcerated for violent felonies.<sup>17</sup> In some states, indeed, the Obama-era bipartisan retreat from incarceration made headway in addressing punishments that are usually reserved for the “worst of the worst”: the death penalty, life without parole, and solitary confinement.<sup>18</sup> Despite California’s leadership in prison decrowding, reform for violent offenders has had mixed results. The effort to abolish the death penalty failed in 2012 and again in 2016,<sup>19</sup> reflecting California voters’ enduring appetite for capital punishment.<sup>20</sup> The struggle against long-term solitary confinement produced a settlement that emptied segregation units but left some enforcement issues unaddressed.<sup>21</sup> The efforts to ameliorate severe sentences for juveniles have been tempered by court discretion.<sup>22</sup> Indeed, California’s contribution to the decline in incarceration mostly involved nonviolent offenders: the Schwarzenegger administration “downgraded” nonviolent felonies to misdemeanors; the Public Safety Realignment Act of 2011, which considerably reduced California’s prison population and was described by Joan Petersilia and Jessica Snyder as “the biggest penal experiment in modern history,”<sup>23</sup> targeted only nonserious, nonsexual, nonviolent offenders, colloquially known as the “non-nons”; Proposition 36, which successfully amended the Violent Crime Control and Law Enforcement Act of 1994, improved the lot only of felons whose third “strike” was nonviolent;<sup>24</sup> and Proposition 47, which led to the release of a considerable number of inmates, targeted only nonviolent offenses and left violent offenses intact.<sup>25</sup>

The reluctance of California, a blue, progressive state with a Democratic legislature, to extend its recession-era policies to violent criminals, might be attributed to its political culture. In *The Politics of Imprisonment*, Vanessa Barker argues that the extent to which public involvement produces harsh

justice depends on the patterns of civic engagement and trust in government.<sup>26</sup> California features a combination of extreme political polarization and neopopulism. The impasse in California's legislature, which is limited in its ability to change budgetary and constitutional provisions, has created a political environment in which reforms are often pursued via referendum. Consequently, complicated proposals have to be oversimplified into yes/no questions, and voters are bombarded with propaganda that often obscures the real motives and consequences of the proposed reform.<sup>27</sup> To attract voters, proponents of punitive policies—primarily California's victims' movement, supported and funded by its influential prison guards' union<sup>28</sup>—craft arguments that bring an emotive, passionate quality to crime control, making the victims' pain central to the justification and legitimacy of punishment. The legislative apparatus appears weak and unresponsive by comparison. As a result, penal policies, targeting particularly violent crime perpetrators, have spiraled out of control and, more importantly, cemented the legitimacy of harsh punitive policies with arguments of victims' rights and public safety. As Jonathan Simon argues in *Mass Incarceration on Trial*, this led to a regime of "total incapacitation," regardless of offense or dangerousness, characterized by abysmal prison conditions and unacceptable health care standards rife with iatrogenic disease and death, which were justified because the recipients of this so-called health care were violent, monstrous inmates.<sup>29</sup> The reliance on long-term solitary confinement, widely recognized as torture by psychologists and international officials,<sup>30</sup> was also justified by targeting the "worst of the worst."<sup>31</sup> These trends have effectively retrenched public opinion regarding violent offenders, regardless of their deeds, personal conditions, age, or health, as a monolithic category of irredeemable individuals who must be subjected to incapacitating control—a trend noticeable for sex offenders as well.<sup>32</sup>

Is there redemption for violent offenders? The decisions regarding their fate are made by the Board of Parole Hearings behind closed doors. I set out to examine the parole process, inspired by Joan Petersilia's scholarship<sup>33</sup> and Nancy Mullane's and John Irwin's books on lifers, which contain interviews with parolees and information on the parole process.<sup>33</sup> Apart from those, and from Frederic Reamer's monograph on his experiences as a parole board commissioner,<sup>34</sup> very little scholarship has examined parole hearings. The few scholars who analyzed parole hearing transcripts—such as Laqueur and Copus, "Synthetic Crowdsourcing"; Liberton, Silverman, and Blount, "Predicting Parole Success for the First-Time Offender"; Weisberg, Mukamal,

and Segall, *Life in Limbo*; Vilciã, “Revisiting Parole Decision Making”; and Young, Mukamal, and Favre-Bulle, “Predicting Parole Grants”<sup>35</sup>—used them mostly quantitatively, to predict parole suitability. I therefore focused my effort on a qualitative understanding of the process.

### WHY THE MANSON FAMILY CASES?

This book examines the Manson Family from an uncommon perspective: their later lives as prison inmates filtered through the prism of their parole hearings. The shocking facts are familiar: Manson, a long-time convict and aspiring musician, acquired a considerable number of followers, many of them young women, in San Francisco’s Haight-Ashbury district, who traveled with him to Southern California.<sup>36</sup> In 1969, Manson and his followers committed several heinous murders: the killing of musician Gary Hinman; the murders of actress Sharon Tate, eight months pregnant at the time, and her house guests Jay Sebring, Abigail Folger, Wojciech Frykowski, and Steven Parent; the murders of Leno and Rosemary LaBianca; and the murder of ranch hand Donald “Shorty” Shea.<sup>37</sup> In 1971, after a lengthy police investigation and a dramatic trial in Los Angeles County, Manson and the other perpetrators were sentenced to death, but they benefited from an unexpected legal occurrence: on April 24, 1972, the California Supreme Court ruled in *People v. Anderson*<sup>38</sup> that the death penalty statute was unconstitutional. Consequently, 107 California death sentences were commuted to life imprisonment, and they so remained even after the state’s capital punishment scheme was “fixed” by Proposition 17.<sup>39</sup> Therefore, the Manson Family defendants became eligible for parole as early as 1978 and have been attending parole hearings for almost forty years. With the exception of Steve “Clem” Grogan, who was released in 1985, seven of them have remained in California prisons: Bruce Davis, Charles “Tex” Watson, Susan Atkins (who died in 2010), Patricia Krenwinkel, Leslie Van Houten, Robert “Bobby” Beausoleil, and Manson himself (who died in 2017). Three of the inmates (Davis, Van Houten, and Beausoleil) have been recommended for parole, but as of 2019 the governor has reversed all Board decisions to release them.

In choosing these cases I hoped that their high profile would encourage the public to learn more about an opaque process that is subject to minimal judicial review. The media has invariably covered each of the Manson Family parole hearings, yielding predictable public commentary about the

deservedness of continued incarceration for the inmates, which I felt could yield public interest in parole in general. The cases are also important because of their emotional valence: the victims' families pioneered the rise of the victim movement in California and provided a very public face to the pain and devastation wreaked by homicide. At the same time, the passage of decades since the crimes and the maturation and transformation of the offenders from teenagers and adolescents to people in their 60s, 70s, and 80s provides an interesting dimension not often covered by the public accounts of the crimes and trials.

The Manson Family cases are obviously atypical. For one thing, all inmates in this study are white, whereas California's lifer population is plagued by an overrepresentation of inmates of color. In addition, the high profile of the cases suggests unique political dimensions. Despite these limitations, these case studies have unique strengths. First, these cases are historically interesting in their own right, not only because of the original crimes but because of their unique contribution to the formation of extreme punishment in California; the Manson cases shaped the state's parole process and were shaped by it in return. Second, the extensive timeline and abundant materials enabled me to examine longitudinal changes during the entire era of California parole hearings since the decline of parole board power in the late 1970s. Third, and perhaps most important, while the parole board does, of course, recommend inmates for release, it is also helpful to see what it *can do* when it is unmotivated to recommend release and how it can subvert judicial review to interpret facts and reactions in an environment of almost unfettered discretion. Some of my findings are specific to these particular defendants (especially regarding the effects of the crimes' notoriety) but, according to the attorneys I interviewed, other findings reflect common occurrences in parole hearings of their other clients—an observation validated by the few existing qualitative studies of parole hearings.

## METHODS

The hearing transcripts, spanning the years 1978–2019, were provided by California Department of Correction and Rehabilitation's Executive Analysis Unit in accordance with the Public Records Act. Because of the project's time span, many transcripts were made before there were computers

and digitalization, and the pdf files are photocopies of typewritten records. I conducted a three-phased analysis of the records.

The first phase was done with the help of four research assistants, who were at the time law students at University of California, Hastings College of the Law: Rachel Aronowitz, An Dang, Philip Dodgen, and Rachel Lieberson. After familiarizing ourselves with the legal landscape of parole, each of us listed themes we expected to find in the hearings, and we built our initial codebook from a long brainstorming session in which all of us contributed themes and nodes. There was considerable overlap in the themes we expected to find. I then introduced the students to the concept of grounded theory analysis,<sup>40</sup> in which the themes and nodes emerge from the source material itself. The choice to generate our own initial list of codes proved helpful to the subsequent enrichment of the codebook with additional themes and nodes,<sup>41</sup> which we created communally on a shared online platform to ensure consistency. Initially, each of us was responsible for analyzing all the parole hearings pertaining to one or two inmates, which enabled each student to become familiar with individual incarceration journeys. I monitored coding consistency by analyzing random hearings for each inmate and comparing my own coding to those of the students, and I was encouraged to see overwhelming overlap in our collective coding choices.

Following the first phase, we attended a “lifer school” offered by UnCommon Law, a nonprofit dedicated to representation of lifers on parole and litigation on their behalf; we watched Olivia Klaus’s documentary *Life After Manson* about Patricia Krenwinkel<sup>42</sup>; and each student wrote a short reflection paper. All the students reported a deep sense of meaning and satisfaction with the project, a profound understanding of the complexities of the parole process, and a deepened ability to empathize with the inmates, regardless of their opinion about their parole suitability.

I pursued the second and third phases of the analysis on my own in order to become more personally engaged with the book’s subjects. Using the same codebook, I conducted a second content analysis of the entire corpus, this time by year. Starting with the 1978 hearings, I analyzed all hearings pertaining to all inmates that occurred that year, then moved to each subsequent year, until I reached the present. I took this new tack not only for internal validation but also to identify longitudinal developments and changes in emphasis, vocabulary, and process and to examine whether the penological changes in California were reflected in the transcripts. The second phase

yielded more factors and identifiers for the codebook, which focused on longitudinal developments in California: notably, the rise of the victim movement in the late 1980s and early 1990s and the rediscovery of age (particularly adolescence) as a mitigating factor in the mid-2000s.

In the third phase, I analyzed the transcripts by their own structure, reading first the sections about the inmates' past, then those about their prison experiences, and finally those addressing their postrelease plans. This phase enriched the codebook with themes pertaining to the stranglehold of the "past" phase of the hearing on the "present" and "future" phases, thus adding an important dimension to my understanding of the locus of "insight."

I triangulated my findings from the transcripts with other archival materials, including the California Senate hearings on cults and newspaper coverage of the hearings. Also, people interested in the Manson Family approached me to raise various issues, such as the availability of life without parole in Leslie Van Houten's third trial and Tex Watson's alleged taped confessions. These issues were largely irrelevant to my inquiry, but I pursued them to the extent that they clarified themes from the parole hearings.

To complement the archival research, I conducted interviews with several attorneys that represented the inmates in parole hearings, most notably Keith Wattley, founder of UnCommon Law and Patricia Krenwinkel's attorney, and Jason Campbell, Bobby Beausoleil's attorney. The interviews with the lawyers were journalistic in nature and therefore did not require Institutional Review Board approval, but I did create a consent form that emphasized that the publication of this book while its subjects are still imprisoned and at the mercy of the parole board would require caution.

This caution was at the forefront of my concerns when reaching out to the inmates themselves. It arose from my interview with Karlene Faith, who had tutored the Manson Family girls in the early period of their incarceration. Faith's friendship with Leslie Van Houten yielded a rich correspondence, much of which was reproduced, with Van Houten's permission, in Faith's book *The Long Prison Journey of Leslie Van Houten*.<sup>43</sup> After the book's publication, to Faith's dismay, the parole board referred to it at Van Houten's 2003 hearing to the latter's detriment, deducing "lack of insight" from the letter snippets in the book. I wanted to avoid a similar scenario in which my own work could become a negative factor in my subjects' parole hearings. I therefore carefully cautioned all the inmates in my introductory letters to them that their collaboration with me could yield legal consequences and that I would do everything in my power to ensure that my critique of the

parole process not be attributed to them. Most of the inmates did not respond to my invitation to be interviewed and, for the reasons explained above, I did not push them to do so. One inmate—Bobby Beausoleil—graciously agreed to participate and we spoke several times on the telephone; at no point did he ever express criticism of the Board or the parole process.

To emphasize: this book's critical analysis of the parole board and its processes is *mine alone* and should in no way be attributed to any of the people I interviewed or to the people whose stories are depicted in it. I have taken special care not to attribute my own critiques to my interlocutors, and to the extent that the book reflects participants' hopelessness or frustration, I hope the Board will take these as natural human reactions rather than interpret them negatively.

Despite my critique of California's parole system, *Yesterday's Monsters* takes no stance on these inmates' parole suitability. I leave it to my readers to form their own judgment. This position also enabled me, in good faith, to approach the Tate family with genuine compassion for their plight and invite them to contribute their perspectives. They did not respond to my inquiry.

I also wanted to distinguish my project from the opportunistic exploitation of the Manson Family members in popular culture. It was an easy decision to donate all book royalties to UnCommon Law. This was not only a moral choice but a way to assure my interviewees that I had no intention of commercially benefiting from their cases; rather, my intention was to encourage open debate about the parole process in California.

## PAROLE AS A PERFORMATIVE SPACE

The unique source material for this book offers not only an account of the Manson Family's parole hearings but also general findings about parole. My point of departure is that the hearing is a performative space in which inmates are expected to conform to a meticulously choreographed set of expectations. *Performativity*, a term coined by John Austin, is the capacity of speech and communication to act or to consummate an action (in contrast to simply conveying information).<sup>44</sup> In *The Presentation of Self in Everyday Life* Erving Goffman treated interpersonal interactions as theatrical performances, in which communicating with others is an effort to shape others' opinion of one's self by structuring one's appearance, mannerisms, and overall impression in a particular way.<sup>45</sup> Paramount to playing the role of the

“self” is the agreed-upon definition of the situation—in other words, the social context for a given interaction—which provides a framework for the performative interaction. Performativity was particularly useful to Goffman in his work on total institutions, where he identified the rites of passage, social expectations, and rigid hierarchies that characterize the all-encompassing experience of the inmates’ lives.<sup>46</sup>

Like other total-institution experiences, the parole hearing features a ritualized interaction between the board members, the inmate, and the other participants, according to clearly delineated rules that are closely related to the inmate’s incarceration. The inmate/performer is constantly guided—by the board and by his or her attorney—to behave in particular ways and to display and verbalize specific emotions and considerations using a particular verbal and nonverbal vocabulary. The board expects the parole candidate not only to pursue a particular course of action (namely, disciplinary obedience and participation in rehabilitative programming) but also to weave his or her past crime, present perceptions, and future prospects into an all-encompassing, coherent, and convincing presentation of self, referred to as *insight*. The meaning of *insight*, as the transcripts demonstrate, is elusive and ever-changing, but it can generally be understood as a narrative that demonstrates profound understanding of, and accountability for, the crime, the lifestyle that led to it, and the personal growth since then, as well as efforts to change one’s life course.

Reframing one’s criminal history in retrospective is not limited to the parole hearing. In *Making Good*, Shadd Maruna argues that people who desist from crime have constructed powerful narratives of their past, in which they demonstrate deep understanding of the causes of their behavior.<sup>47</sup> These narratives allow them to feel in control of their future and to take practical steps toward it. Similar narratives can be found in books in which lifers tell their personal histories to a sympathetic listener, such as journalist Nancy Mullane or criminologist John Irwin, and in works in which formerly incarcerated people discuss their feelings regarding reentry, citizenship, and identity, such as Jeff Manza and Christopher Uggen’s *Locked Out*.<sup>48</sup> Storytelling and autobiographies that frame the storyteller’s criminal behavior have been regarded an illuminating resource for researchers, from Clifford Shaw and Henry McKay’s interviews with Chicago juvenile delinquents all the way to today’s use of narrative criminology.<sup>49</sup> But autobiographical storytelling has as much to do with the listener as with the speaker. In *Showing Remorse*, Richard Weisman discusses the acceptable expressions of remorse

in the courtroom and on parole, highlighting the popular understanding that inability to show remorse in a way that is readable to the authorities is perceived as a serious human flaw.<sup>50</sup>

In the context of the California parole hearings, what is deemed an acceptable performance of insight is malleable. As inmates and their lawyers construct what they deem to be a potentially successful insight performance, the Board continuously moves the goal posts. What counts as acceptable remorse, truthful account of the facts of the crime, a knowledgeable presentation of self, and a sensible rehabilitation plan is in constant flux, conforming to shifting legal requirements and political fashions. Consequently, the inmates must walk a tightrope between consistency and truthfulness in their retelling of the facts, between mitigation and accountability in their insight narrative, between authenticity and innovation in consecutive parole hearings, and between the optimal, the practical, and the acceptable paths to rehabilitation in prisons that offer meager, and declining, rehabilitative opportunities. Despite these contradictory and confusing requirements for acceptable performance, the Board preserves sufficient legitimacy to engender hope in the hearts of its subjects, generating a series of repeat performances, changing tactics, and periodic reinterpretations of the self, in the hopes of redeeming their spoiled identity and convincing the Board of their sincerity.

## PLAN OF THE BOOK

Chapter 1 lays out the structure of parole in California. It explains the basic setting of the California Board of Parole Hearings, its role in the context of a determinate sentencing system, and its processes. Relying on Title 15 of the California Code of Regulations, I explain the considerations for a suitability determination, emphasizing the considerable discretion entrusted to the Board and the governor's veto power. I then walk the reader through the structure of a typical hearing and explain the trajectory of a typical lifer case through a series of successive parole hearings. This chapter also explains the delicate interplay between the California Supreme Court and the correctional authorities, with particular attention to the renewed hope for parole prompted by the court's decision in *In re Lawrence* and its progeny.

In chapter 2 I explain the contribution of the Manson Family cases to the construction of California parole and, more generally, to the development of

the “extreme punishment trifecta”: the oft-imposed but seldom-executed death penalty; the latecomer sentence, life without parole; and the gradual politicization of life with parole from a sentence of approximately twelve years with a realistic chance of release to a *de facto* version of life without parole. As I show through primary archival sources, at every junction, the California legal process, heavily shaped by the nascent victims’ rights movement and the legislative initiative process, shifted away from a logic of professional, clinical assessment of rehabilitation toward a deeply politicized process largely reliant on the manipulation of public emotions and fears. Proponents of these shifts often invoked the Manson Family cases as a cautionary tale, eventually prevailing in merging the three most serious criminal sentences into one virtually indistinguishable regime of interminable incarceration.

Chapter 3 explains how the Manson cases came to occupy central stage in the California penal rhetoric. Relying on narrative theory, I show how one account of the murders—the “Helter Skelter” narrative, which attributes the murders to Manson’s theory of an apocalyptic race war and his plan for world domination—came to shape the public discourse around the Family’s crimes and crystallize their symbolic importance, muting two subversive, mitigating stories: the “cult” narrative, which perceives the Family through the lens of brainwashing and coercion and constructs Manson’s followers, particularly the women, as sympathetic victims, and the “common criminals” narrative, which explains the murders in the context of a drug deal gone awry and ordinary (albeit heinous) wrongdoing.

Understanding the rhetorical power of the Helter Skelter narrative is crucial for comprehending the Board hearings themselves, to which I turn in chapter 4. This chapter takes on the construction of the inmates’ past, particularly how their crime of commitment is framed. I find that, around the mid-1980s, the court record becomes calcified as the definitive account of the crime, any deviation from which is perceived as “minimizing.” I also identify the birth of “insight,” discussing how the carefully scripted atmosphere at the hearings renders impossible the authentic expression of remorse. I also show the longitudinal changes in the role of the prosecutor, whose input at the hearings shifts from a mere “legal helper” to the “moral memory” of the Board, commenting on the inmates’ present and future with the same comfort as on their past. Finally, I show how the expansion of victims’ voices in the hearings through Marsy’s Law created an opportunity for the Tate family to galvanize and organize the performance of victimization before the Board

in a way that silenced alternative experiences of victimization and frustrated real opportunities for apology and forgiveness.

The manifestation and display of insight are further examined in chapter 5, which turns its attention to the inmates' incarceration experience. I start by examining the Board's discussion of the inmates' disciplinary write-ups, showing the frustrating aspects of correcting inaccuracies and misunderstandings in the inmates' central files, as well as the need to frame grievances as personal failings in order to effectively demonstrate insight. I then turn to the imperative to participate in "programming," framed not as an occupation or avocation, but as a karmic undoing of the personal flaws that led to the crime by reshaping and repairing the self. The Board's expectations ignore the paucity of rehabilitative offerings, as well as the inaccessibility of programming for inmates housed in heightened security conditions. The transcripts evince a clear preference for self-help drug programming, with a curious emphasis on technocratic memorization of the Twelve Steps and deep suspicion about any unofficial or individualistic paths for personal growth, especially academic and artistic. I also discuss the special case of religious programming: relying on the transcripts of three born-again Christian inmates, I show the Board's oscillation between suspicion of the converts' sincerity and rebuke of their overzealousness. This chapter ends with an analysis of the way the inmates perform and express their present selves, and more specifically with their attendance and willingness to answer questions. The Board's bafflement in hearings that the inmate does not attend shows cracks in the performative façade and demonstrates the Board's efforts to maintain ownership of the narrative as the commissioners address an absent actor.

Chapter 6 turns to the Board's construction of the inmates' future prospects, and specifically how these are eclipsed by the inmates' pasts. I begin by examining the Board's treatment of risk assessment evaluations. These turn out to be a panacea of diverse, and often conflicting, materials, offering the Board flexibility to find and cite evidence that confirms their intuitive sense of risk within the parameters allowed by judicial review. The chapter also discusses the Board's suspicion of unrealistic or ambitious parole plans. While skepticism about postrelease plans is definitely warranted in many cases, the focus on individual responsibility obscures the lack of a functional reentry continuum and blames the inmates themselves for their incomplete preparation for postrelease. I then discuss the role of letters of support and opposition. The discussion of support letters awards the inmate the opportunity to portray a harmonious family life, which is sometimes disrupted by objections

from the prosecutor and sometimes generates fodder for victims' families' arguments about the equivalence between the inmates' future hopes and the dashed hopes of the victims. The treatment of opposition letters is a good example of the politicization of the parole process, because the shift away from petitions filed by people directly impacted by the crime and toward petitions filed by strangers awards the public a form of moral participation at the hearing, orchestrated by the victims' families. Finally, even after *Lawrence*, I show how the inmates' past overshadows the physical reality of aging, disease, and dying, as well as the obvious decline in criminal risk with age.

Finally, chapter 7 attempts to predict the possibility that the Manson Family inmates will ever be granted parole. It examines sociolegal developments, such as the emergent understanding of youth as a mitigating factor and the increased understanding of cults, and institutional developments, such as changes in the Board's makeup. It also examines the enduring symbolism of the Manson crimes and other factors that might hinder release. I end with recommendations for reform in parole hearings: a reorientation of the process from past to future; a focus on external, measurable indicia of rehabilitation, rather than on surmises of insight and sincerity; a serious investment in evidence-based educational and vocational opportunities, as well as a state-mandated reentry pipeline, to offer inmates realistic avenues for seeking (and demonstrating) rehabilitation; a healthier role for victims in the parole process that allows for diverse narratives of victimization, memory, and compassion; and a healthy dash of humility about human ability to judge goodness, reform, and transformation.

This book strives not only to add to the academic conversation but also to provoke thought and discussion among policy makers. The Manson Family cases, albeit atypical in important ways, offer an opportunity to examine the contradictions that underlie parole hearings. Currently, the artificial nature of the hearings places an emphasis on performance, rather than authenticity, and risks producing both false positives and false negatives. It is important to offer lifers a prospect of hope, rehabilitation, and a law-abiding postrelease life. I invite you to honestly reexamine the parole ritual and the ways in which it frames, guides, and sometimes derails the inmates' process of rehabilitation and personal growth.