

DEAR READERS,

OREGON LAW ALLOWS ME TO REQUEST AN INTERIM PAROLE CONSIDERATION HEARING (BEFORE MY NEXT SCHEDULED PAROLE HEARING) WHEN I HAVE INFO THAT IS LIKELY TO CHANGE THE OUTCOME OF THE PREVIOUS HEARING.

IT SEEMS TO ME THE BEST WAY TO REVERSE THE PREVIOUS BOARD'S MIND SET IS TO RESPOND TO EVERYTHING THEY HAD THEIR MINDS SET ON. THAT'S WHAT I'VE DONE IN THIS REQUEST FOR INTERIM REVIEW.

SHOULD THE BOARD OF PAROLE GRANT A HEARING, IT WILL BE CONDUCTED IN SEPTEMBER OF 2022. IF THEY REFUSE, THE BOARD'S DECISION WILL BE POSTED AFTER I RECEIVE IT.

THANK YOU AGAIN FOR ALL YOUR KIND WORDS + SUPPORT. THEY REALLY DO GIVE ME THE STRENGTH TO CARRY ON. YOU ARE APPRECIATED.

Diane

You have received a **JPAY** letter, the fastest way to get mail

From : ELIZABETH DOWNS, ID: W49707  
To : James Frederickson, CustomerID: 19172033  
Date : 3/18/2022 2:24:08 PM EST, Letter ID: 1442279438  
Location : CCWF  
Housing : C 512 1|002001L

May 6, 2022

Oregon Board of Parole  
321 Tandem Avenue  
Salem, Oregon 97301

IN RE: Downs --- SID #6546106 --- Request for Interim Review

Honorable Members of the Board:

On 9-23-2020, you set my next parole consideration hearing for September 2025. Pursuant to ORS 144.228, I have the right to request an interim review every two years for the purpose of demonstrating there is reasonable cause to believe I may be granted a change in the terms of confinement. That is the purpose of this letter.

The 2020 Board listed five reasons to deny me parole under OAR 255-062-0016 (1), (3), (4), (5), and (9). I'll present NEW EVIDENCE that resolves each of the five reasons in turn. By way of example:

The 2020 Board used my 2018 Freedom of Information (FOIPA) Request against me.  
They said I was full of myself because I wrote to the FBI in the first place.  
Then they denied me parole because the FBI didn't write back.

The NEW EVIDENCE I'm offering on this particular topic is the letter I received from the FBI a year after the 2020 hearing. That's the sort of new evidence I'll attach to every section of OAR 255-062-0016 (1), (3), (4), (5), and (9) in turn. After a review of the attached evidence, I respectfully request an Interim Review Hearing in September 2022.

Sincerely,

Elizabeth Diane Downs W49707  
CCWF 512-02-1L  
PO Box 1508  
Chowchilla, CA 93610-1508



enc: Attachments responsive to OAR 255-062-0016 (1), (3), (4), (5), and (9)

**JPAY** Tell your friends and family to visit [www.jpays.com](http://www.jpays.com) to write letters and send money!



OAR 255-062-0016 (1) --- A determination by the Board, based on the psychological evaluation ... that the inmate has a mental ... disorder predisposing him/her to the commission of any crime to a degree rendering the inmate a danger to the health or safety of others.

The 2020 Board checked this box because Dr. Guyton found I exhibited the following features of a narcissistic personality disorder (BAF# 14, page 2):

- (1) grandiose sense of self-importance
- (2) preoccupied with fantasies
- (3) believes she is special and unique
- (4) requires excessive admiration
- (5) has a sense of entitlement
- (7) lacks empathy

"During the hearing, the Board found that AIC ... displayed a grandiose sense of self-importance by believing that the FBI is interested in her with no basis in any sense of reality".

The 2020 Board based their decision to deny me parole because I made a 2018 FOIPA (Freedom Of Information/Privacy Act) Request (as is the right of every American citizen). I didn't make a FOIPA Request because I thought I was special, unique, or lived in a fantasy world. I made the Request because:

- In 2011, I received a 1967 book titled HAND ANALYSIS. On page 194 is the palm print of a 4-year-old girl. That palm print is mine.
- In 2013, I received a WORLD BOOK ENCYCLOPEDIA (Library of Congress Number 64-7000), printed by the Quarry Corporation in 1964. FBI Director J. Edgar Hoover entered my newborn footprint on page 321 of Volume F.
- In 2018, I made a FOIPA Request to ask if the Director of the FBI had a file on Elizabeth Diane FREDERICKSON (b. 8-7-1955) in 1964. I sent the FBI my current footprint alongside the newborn footprint in the encyclopedia.
- In 2020, the FBI posted a response online (FOIPA Request Number 1420499-000). They confirmed they had information potentially responsive to my request (about Elizabeth Diane FREDERICKSON - 1955).

I shared this with the Prosecutor who adopted my children, not because I think I'm important, but because I suspected these ancient documents might help find the people who wanted my children dead.

The 2020 Board gave these letters to Dr. Guyton. She asked me about them. I explained all I could. Dr. Guyton decided I was making up fantastical stories to make myself seem important (Features 1-4 of the narcissistic personality disorder spectrum --- grandiose sense of self-importance, preoccupied with fantasies, believes she is special, and requires excessive admiration).

Dr. Guyton pressed me for proof of what I said and I expressed frustration that I couldn't get the answers I needed from the FBI. It's my file, about me. Right?! I must have a right to know what the government has on me (Feature 5 --- sense of entitlement).

Dr. Guyton threw in Feature 7 of the narcissistic personality disorder spectrum because (in her opinion) I lacked empathy for my children by making up fantastical stories about the FBI when she wanted me to make a false confession to crimes I didn't commit.

I hoped to alert the Prosecutor to information that might protect my children. That doesn't meet with the OAR 255-062-0016 (1) requirement that the inmate must have a mental disorder predisposing her to the commission of a crime to a degree rendering the inmate a danger to the health or safety of others to deny parole. Even if I was making this up (which I wasn't), nothing in my narrative was criminal or posed a threat to anyone. I was trying to protect the Hugi family.

NEW EVIDENCE ----- RESPONSE TO MY FOIPA REQUEST

On 8-7-2021, I finally received a formal letter from the FBI in response to my 2018 FOIPA Request (SEE ENCLOSED). I quote:

"Please see the paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum ... 'Part 2' includes additional standard responses that apply to all requests for records about yourself ..."

✓ See additional information which follows.

"Records that may have been responsive to your request were destroyed ... For your information ... there were additional records ... the potentially responsive records were not in their expected location and could not be located ..."

It's important to remember my request was narrow in scope. Did FBI Director J. Edgar Hoover have a file on Elizabeth Diane Frederickson (1955-1964)? The 2021 FBI Analyst indicated there is a file responsive to my FREDERICKSON request, but part of it has been destroyed and another part of it is missing.

Since I haven't been a Frederickson since 1973 (when I married Steve Downs), that means the Frederickson file predates the 1983 attack on my children. That isn't some fantastical story I made up to deflect from the attack on my family. The information in this letter is proof I didn't make up a fantastical story about the FBI to make myself seem important.

The 2020 Board's decision to deny me parole was based on OAR 255-062-0016 (1). They improperly found I "displayed a grandiose sense of self-importance by believing that the FBI is interested in her with no basis in any sense of reality". In reality, the FBI was interested in me long before I even thought of writing to them.

In this request for an interim hearing, I've given reasonable cause under ORS 144.280 to believe I should be paroled in September 2022.





rec'd  
8-7-2021

U.S. Department of Justice

Federal Bureau of Investigation  
Washington, D.C. 20535

July 28, 2021

MS. ELIZABETH DIANE DOWNS  
\*\*W49707  
CCWF 512-02-2L  
POST OFFICE BOX 1508  
CHOWCHILLA, CA 93610-1508

FOIPA Request No.: 1420499-000  
Subject: DOWNS, ELIZABETH DIANE

Dear Ms. Downs:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Below you will find check boxes under the appropriate statute headings which indicate the types of exemptions asserted to protect information which is exempt from disclosure. The appropriate exemptions are noted on the enclosed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely and identify which exemptions were applied. The checked exemption boxes used to withhold information are further explained in the enclosed Explanation of Exemptions.

Section 552

- (b)(1)
- (b)(2)
- (b)(3)

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- (b)(4)
- (b)(5)
- (b)(6)

- (b)(7)(A)
- (b)(7)(B)
- (b)(7)(C)
- (b)(7)(D)
- (b)(7)(E)
- (b)(7)(F)
- (b)(8)
- (b)(9)

Section 552a

- (d)(5)
- (j)(2)
- (k)(1)
- (k)(2)
- (k)(3)
- (k)(4)
- (k)(5)
- (k)(6)
- (k)(7)

102 pages were reviewed and 59 pages are being released.

Please see the paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

- Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].
- This information has been referred to the OGA(s) for review and direct response to you.
- We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. "Part 1" of the Addendum includes standard responses that apply to all requests. "Part 2" includes additional standard responses that apply to all requests for records about yourself or any third party individuals. "Part 3" includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.



For questions regarding our determinations, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

See additional information which follows.

This is the **final release** of information responsive to your FOIPA request. This material is being provided to you at no charge.

The enclosed documents responsive to your request are exempt from disclosure in their entirety pursuant to the Privacy Act, Title 5, United States Code, Section 552(a), subsection (j)(2). However, these records have been processed pursuant to the Freedom of Information Act, Title 5, United States Code, Section 552, thereby affording you the greatest degree of access authorized by both laws.

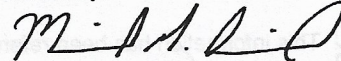
Duplicate copies of the same document were not processed.

Records that may have been responsive to your request were destroyed. Since this material could not be reviewed, it is not known if it was responsive to your request. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA), Title 44, United States Code, Section 3301 as implemented by Title 36, Code of Federal Regulations, Part 1228; Title 44, United States Code, Section 3310 as implemented by Title 36, Code of Federal Regulations, Part 1229.10. #1

For your information, a search of the indices to our Central Records System reflected there were additional records potentially responsive to your Freedom of Information/Privacy Acts (FOIPA) request. We have attempted to obtain this material so it could be reviewed to determine whether it was responsive to your request. We were advised that the potentially responsive records were not in their expected location and could not be located after a reasonable search. Following a reasonable waiting period, another attempt was made to obtain this material. This search for the missing records also met with unsuccessful results. #2

If an alternate address is provided, digital media can be released on CD. The FBI located audio files that are potentially responsive to the subject of your request. If all of the potentially-responsive media is released, you will owe \$75.00 (5 CDs at \$15.00 each).

Sincerely,



Michael G. Seidel  
Section Chief  
Record/Information  
Dissemination Section  
Information Management Division

Enclosure(s)



## FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

### Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the [www.fbi.gov/foia](http://www.fbi.gov/foia) website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

### Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

### Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems or locations where responsive records would reasonably be found. A standard search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. Unless specifically requested, a standard search does not include references, administrative records of previous FOIPA requests, or civil litigation files. For additional information about our record searches, visit [www.fbi.gov/services/information-management/foipa/requesting-fbi-records](http://www.fbi.gov/services/information-management/foipa/requesting-fbi-records).
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at [www.fbi.gov/about-us/cjis/identity-history-summary-checks](http://www.fbi.gov/about-us/cjis/identity-history-summary-checks). Additionally, requests can be submitted electronically at [www.edo.cjis.gov](http://www.edo.cjis.gov). For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private Citizens cannot request a name check.



0AR 255-062-0016 (1) --- A determination by the Board, based on the psychological evaluation ... that the inmate has a mental ... disorder predisposing him/her to the commission of any crime

The 2020 Board wrote (BAF #14, page 2, paragraph 10):

"The Board relied on the psychological evaluation prepared by Dr. Guyton. Dr. Guyton ... writes: 'In Ms. Downs' case, she exhibits the following feature of narcissistic personality disorder: (1) grandiose sense of self-importance, (2) preoccupation with fantasies of unlimited success, power, brilliance, (3) believes that she is special and unique'

Dr. Guyton wrote that in response to my parole plan (which included income potential). Dr. Guyton decided my plan was "fantastical". It wasn't. All my prison jobs and training are documented in my prison e-File. I'd be a fool to embellish when I don't need to.

Oregon Taxpayers have spent roughly \$2 million to incarcerate me for 38 years. Rather than waste their hard earned dollars I decided to turn prison into the most expensive trade school on the planet. I'm a Registered Carpenter's Apprentice (capable of earning a Union wage). I'm CalTrans qualified to install commercial waterlines (at \$20 an hour). Dr. Guyton (having no access to my prison e-File) decided I was displaying a "grandiose sense of self-importance", claiming I can do these things.

As an "excon", I qualify for Small Business Loans (and Federal Grants I don't need to repay). I'm able to start a Landscaping business based on the number of years I maintained the living environment for this community of 3000 people. I can open a Bicycle Shop to sell new (and repair used) bicycles based on the years I spent repairing Correctional Officers' bikes.

Dr. Guyton thought I was PREOCCUPIED with fantasies of unlimited success, power, and brilliance because I made the time to prepare a parole plan for the Board. I took classes to learn about Federal Grants and loans (to prepare to succeed). I have the skill, experience, and determination to be a success. Somehow that translated to a "preoccupation" in Dr. Guyton's mind.

I've also written five books I've never published. When Dr. Guyton asked why I thought people would purchase my books I said, "Oregon and the media have gone to a lot of trouble to commercialize my name. Ann Rule told the Seattle Times she made \$200 million on one book with my name on it. I figure I can make enough money to support Mom by selling five books with my name on them".

WELL! It probably goes without saying, but needs to be said anyway, this provoked Dr. Guyton to say I believe I'm "special and unique". Why?! I didn't write Ann Rule's book. I didn't contribute to her book. Rule admitted to Oprah in September 1988 she imagined what she would say, think, and feel if she was in my place and that's how she wrote HER book.

I haven't granted the media an interview since 1994, but Dr. Guyton says I think I'm "special and unique" because I offered a realistic parole plan, complete with income potential. She believes my plan is pure fantasy and without an income she thinks I'll commit crimes to make money.

**NEW EVIDENCE ----- NEW INCOME PLAN**

Even though the 2020 Board required a parole plan, they said I couldn't prove the worth of my potential income. My brother offered me a job, but the Board didn't seem impressed. One year after the parole hearing, I received my official retirement letter from the Social Security Administration. **SEE ATTACHED**

Simply put: The State can't deny me parole because I don't have a job waiting for me, when the Federal Government says I'm officially retired.

That still doesn't answer the question of income so I asked my sister to help me get printouts regarding SSDI. **SEE ATTACHED**

This prison has a prerelease agreement with the Social Security Administration. That's how I know I'll receive \$2000 a month (\$15 an hour for a 40 hour week) for Social Security Disability Income. The VTC assists their residents with their SSDI applications. It usually takes 3-6 months to get approved, but the checks are paid retroactively. The VTC houses, feeds, and clothes their residents until the SSDI payments come in.

If one of my books sells, the SSDI checks will stop, but until then I'll certainly have an income that no one can call "fantastical". There's no risk I'll commit a crime to support myself. My fantastical income potential is no longer a reason to deny me parole.





Connect with Social Security  
at [socialsecurity.gov](https://www.socialsecurity.gov)



G4072-4-0015889 0527 00015889 1 AB 0.428 P2 T45  
ELIZABETH D. DOWNS  
PO BOX 1508  
CHOWCHILLA CA 93610-1508

May 27, 2021

## Your Social Security Statement

Are you thinking about retirement? Are you ready for retirement?

We have tools that can help you!

- Estimate your future retirement benefits at [socialsecurity.gov/estimator](https://www.socialsecurity.gov/estimator)
- Apply for retirement, spouse's, Medicare or disability benefits at [socialsecurity.gov/applyforbenefits](https://www.socialsecurity.gov/applyforbenefits)
- And once you receive benefits, manage your benefits at [myaccount.socialsecurity.gov](https://myaccount.socialsecurity.gov)

Your *Social Security Statement* tells you about **how much you or your family would receive** in disability, survivor or retirement benefits. It also includes our record of your lifetime earnings. Check out your earnings history, and **let us know right away if you find an error.** This is important because we base your benefits on our record of your lifetime earnings.

Social Security benefits are not **intended to be your only source of income when you retire.** On average, Social Security will replace about

To view your *Social Security Statement* online anytime create a **my Social Security** account today!



**my Social Security**  
[myaccount.socialsecurity.gov](https://myaccount.socialsecurity.gov)

40 percent of your annual preretirement earnings. You will need other savings, investments, pensions or retirement accounts to live comfortably when you retire.

To view your *Statement* online anytime, create a **my Social Security** account at [myaccount.socialsecurity.gov](https://myaccount.socialsecurity.gov).

*Social Security Administration*

Follow the Social Security Administration at these social media sites.





# Your Estimated Benefits

- \*Retirement** To get retirement benefits, you need 40 credits of work. Your record shows you have at least 28 credits at this time, including assumed credits for last year and this year if you continue to work.
- \*Disability** To get benefits if you become disabled right now, you need 40 credits of work. Your record shows you have at least 28 credits at this time.
- \*Family Survivors** If you get retirement or disability benefits, your spouse or children may also qualify for benefits. For your family to get survivors benefits if you die this year, you must have 40 credits of work. Your record shows you have at least 28 credits at this time.
- Medicare** Although you do not have enough credits to qualify for Medicare coverage (you need 40, and you have 36), you can contact Social Security to learn whether you are eligible to buy Medicare coverage.

**\*Your estimated benefits are based on current law. Congress has made changes to the law in the past and can do so at any time. The law governing benefit amounts may change because, by 2035, the payroll taxes collected will be enough to pay only about 79 percent of scheduled benefits. We based your benefit estimates on these facts:**

Your date of birth (please verify your name on page 1 and this date of birth).....August 07, 1955  
Your estimated taxable earnings per year after 2021.....None  
Your Social Security number (only the last four digits are shown to help prevent identity theft) XXX-XX-8163

## How Your Benefits Are Estimated

To qualify for benefits, you earn "credits" through your work — up to four each year. This year, for example, you earn one credit for each \$1,470 of wages or self-employment income. When you've earned \$5,880, you've earned your four credits for the year. Most people need 40 credits, earned over their working lifetime, to receive retirement benefits. For disability and survivors benefits, young people need fewer credits to be eligible.

We checked your records to see whether you have earned enough credits to qualify for benefits. If you haven't earned enough yet to qualify for any type of benefit, we can't give you a benefit estimate now. If you continue to work, we'll give you an estimate when you do qualify.

**What we assumed** — If you have enough work credits, we estimated your benefit amounts using your average earnings over your working lifetime. For 2021 and later (up to retirement age), we assumed you'll continue to work and make about the same as you did in 2019 or 2020. We also included credits we assumed you earned last year and this year.

Generally, the older you are and the closer you are to retirement, the more accurate the retirement estimates will be because they are based on a longer work history with fewer uncertainties such as earnings fluctuations and future law changes. We encourage you to use our online Retirement Estimator at [www.socialsecurity.gov/estimator](http://www.socialsecurity.gov/estimator) to obtain immediate and personalized benefit estimates.

We can't provide your actual benefit amount until you apply for benefits. **And that amount may differ from the estimates stated above because:**

- (1) Your earnings may increase or decrease in the future.
- (2) After you start receiving benefits, they will be adjusted for cost-of-living increases.

- (3) Your estimated benefits are based on current law. **The law governing benefit amounts may change.**
- (4) Your benefit amount may be affected by **military service, railroad employment or pensions earned through work on which you did not pay Social Security tax.** Visit [www.socialsecurity.gov/myaccount](http://www.socialsecurity.gov/myaccount) to learn more.

**Windfall Elimination Provision (WEP)** — If you receive a pension from employment in which you did not pay Social Security taxes and you also qualify for your own Social Security retirement or disability benefit, your Security benefit may be reduced, but not eliminated, by WEP. The amount of the reduction, if any, depends on your earnings and number of years in jobs in which you paid Social Security taxes, and the year you are age 62 or become disabled. To estimate WEP's effect on your Social Security benefit, visit [www.socialsecurity.gov/WEP-CHART](http://www.socialsecurity.gov/WEP-CHART). In 2021 the maximum monthly reduction is \$498. For more information, please see *Windfall Elimination Provision* (Publication No. 05-10045) at [www.socialsecurity.gov/WEP](http://www.socialsecurity.gov/WEP).

**Government Pension Offset (GPO)** — If you receive a pension based on federal, state or local government work in which you did not pay Social Security taxes and you qualify, now or in the future, for Social Security benefits as a current or former spouse, widow or widower, you are likely to be affected by GPO. If GPO applies, your Social Security benefit will be reduced by an amount equal to two-thirds of your government pension, and could be reduced to zero. Even if your benefit is reduced to zero, you will be eligible for Medicare at age 65 on your spouse's record. To learn more, please see *Government Pension Offset* (Publication No. 05-10007) at [www.socialsecurity.gov/GPO](http://www.socialsecurity.gov/GPO).



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## Contacting Social Security

The most convenient way to do business with us from anywhere, on any device, is to visit [www.ssa.gov](http://www.ssa.gov). There are several things you can do online: apply for benefits; get useful information; find publications; and get answers to frequently asked questions.

Or, you can call us toll-free at **1-800-772-1213** or at **1-800-325-0778** (TTY) if you're deaf or hard of hearing. We can answer your call from 7 a.m. to 7 p.m., weekdays. You can also use our automated services via telephone, 24 hours a day. We look forward to serving you.

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**If there is no prerelease agreement,** when you know your anticipated release date, contact us to apply for benefits if you think you may be eligible. You can call us toll-free at **1-800-772-1213** and explain you're scheduled to be released and want to ask about applying for benefits. Please have your Social Security number handy when you contact us.

**Social Security Administration**

Publication No. 05-10133

June 2021 (Recycle prior editions)

**What Prisoners Need To Know**

Produced and published at U.S. taxpayer expense



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## How do I file an application if I am in prison?

After you learn your release date, notify someone at your facility that you want to start your Social Security benefits or SSI payments. **If your institution has a prerelease agreement with the local Social Security office**, it will notify us if you're likely to meet the requirements for SSI payments or disability benefits. We'll need an application from you several months before your anticipated release. That way, we can begin processing your application and your benefits can start as soon as possible after your release.

If you're filing for benefits based on disability, we'll gather medical evidence from your doctors to help us decide whether you still meet our definition of disability.

Family members or a social worker can help you by contacting Social Security to let us know of your upcoming release. A family member may also serve as your representative payee if your medical condition prevents you from handling your own finances.

OAR 255-062-0016 (1) --- ... this inmate has a mental ... disorder ... rendering the inmate a danger to the health or safety of others

The 2020 Board wrote (BAF #14, page 3, paragraph 1):

"AIC plans to develop a close relationship with family members, including the possibility of caring for her elderly mother, but the ... AIC does not understand the risk she can pose to vulnerable individuals."

What an odd thing to say. This statement gives the false impression I've been estranged from my family the past 38 years and I'm going to attempt to develop a close relationship with them AFTER I leave prison. This prison keeps a digital archive of how regularly my family visits with me, but the archive doesn't show what my family must endure to see me twice a year. I'll explain it here:

- \*\*\* They drive for two days (from Texas to California)
- \*\*\* They rent a motel
- \*\*\* They arrive at the prison at 8 am to wait in their car for a 9 am visit
- \*\*\* They and their car are subject to being searched
- \*\*\* They are given State-issue clothing to wear when an officer doesn't approve of their attire
- \*\*\* They stand in the visiting check-in line for an hour
- \*\*\* They sit in the visiting room waiting another half hour for me to be called
- \*\*\* They visit with me for four hours (sometimes wearing someone else's clothing)
- \*\*\* They stand in another line for half an hour waiting to leave the prison
- \*\*\* They drive to the motel, and wait for 15 hours to start the process all over again
- \*\*\* They do this twice, then drive two more days to return home

The 2020 Board knew this when they made it appear my family and I are estranged by writing, "AIC plans to develop a close relationship with family members" AFTER my release from prison. AND NO MEMBER EVEN HINTED I POSE A RISK TO MY FAMILY during the hearing.

In fact, a reading of the transcript shows Board Member Taylor encouraged Mom to join me in California after I parole to the Veterans Transition Center (VTC). He simply felt I needed VTC's help getting on my feet before joining Mom in Texas.

**NEW EVIDENCE ----- REMOVES HEALTH AND SAFETY CONCERNS**

After my 2020 Hearing VTC Operations Manager Jennie Nestler sent me a renewed letter of interest, welcoming me to the Veterans Transition Center. Executive Director Ron Self followed with a current letter of acceptance (for the 2022 Board). **SEE ATTACHED**

This Board has the option to parole me to the Veterans Transition Center in California. There is no longer any basis for denying me parole because my family loves me. I've given reasonable cause under ORS 144.228 to believe my parole in 2022 is not a health and safety concern.

*Post-COVID  
Follow-up*



**Veterans Transition Center  
and  
Veterans Healing Veterans**



VETERANS HEALING VETERANS  
FROM THE INSIDE OUT

July 1st, 2021

Downs, Elizabeth W-49707  
CCWF 512-02-L  
P.O Box Chowchilla, CA 93610-1508

Mrs. Downs,

I wanted to formally introduce myself as the new Operations Manager at VHV. My name is Jennie Nestler and I previously worked as a LTORRP case manager at VTC/VHV with formerly incarcerated veterans. Angie has been promoted to a new position; we wish her the best with her new endeavors. I want to thank you for your letter, and I look forward to working with you.

I apologize for any delay in correspondence. I wanted to know if you were still interested in our transitional housing. I know we started a file on you awhile back but we haven't heard anything. I look forward to hearing back!

Kind Regards,

Jennie Nestler Operations Manager  
Veterans Healing Veterans from the Inside Out  
Outreach Specialist VHV-VTC  
Martinez Hall 220 12<sup>th</sup> street Marina, CA,93933  
[jennie@vhvftio.org](mailto:jennie@vhvftio.org)  
831.883.8387 Ext.226

POST-COVID  
Follow-up

Martinez Hall

● 220 Twelfth Street, Marina, CA. 93933-6001

● (831) 883-VETS

● [www.vtcmonterey.org](http://www.vtcmonterey.org)

● [www.veteranshealingveterans.org](http://www.veteranshealingveterans.org)

● Fax (831) 883-3024



JANUARY 14, 2022

VETERANS TRANSITION CENTER  
230 12<sup>TH</sup> STREET MARTINEZ HALL  
MARINA, CA 93933-6001

IN RE: UPDATED ACCEPTANCE LETTER

MS. JENNIE:

YOUR PREDECESSOR, RON SELF WROTE  
AN ACCEPTANCE LETTER TO THE OREGON  
BOARD OF PAROLE ON MY BEHALF IN  
2020. MEMBERS OF THE BOARD FELT  
YOUR PROGRAM WOULD HELP ME  
TRANSITION BACK INTO SOCIETY, BUT  
I WAS DENIED PAROLE ON OTHER  
GROUNDS.

I'LL BE REQUESTING ANOTHER  
HEARING (FOR SEPTEMBER 2022)  
IN A COUPLE MONTHS. ALOT HAS  
CHANGED IN THE WORLD BECAUSE OF  
THE COVID PANDEMIC AND I'M THINKING

PAGE 1 OF 2

THE BOARD MIGHT NEED TO KNOW  
YOUR PROGRAM IS STILL RUNNING  
AND STILL WILLING TO ACCEPT ME AS  
A PARTICIPANT.

FYI - I HAD COVID IN APRIL 2020. I  
HAD THE COVID VACCINE IN APRIL 2021.  
AND I'LL BE SENDING MY LETTER TO THE  
OREGON BOARD TO REQUEST AN INTERIM  
HEARING IN APRIL/MAY 2022. I'D  
BE PLEASED TO INCLUDE A LETTER  
FROM YOU, ACCEPTING ME INTO  
THE VETERAN'S TRANSITION CENTER  
THIS YEAR.

THANK YOU,



ELIZABETH DIANE DOWNS W49707  
CCWF 512-02-14  
PO Box 1508  
CHOWCHILLA, CA 93610-1508



**Veterans Transition Center  
and  
Veterans Healing Veterans**



VETERANS HEALING VETERANS  
FROM THE INSIDE OUT

Downs, Diane W49707  
CCWF 512-02-1L  
P.O Box 1508  
Chowchilla, CA 93610-1508

January 23, 2022

To Whom It May Concern,

Mrs. Downs has been accepted into the Veterans Transition Center. It is our intent to provide services to Mrs. Downs through our Long-Term Reentry Recovery Program. The Long-Term Reentry Recovery Program is a transitional housing program located in historic Fort Ord. Our program's main goal is to help Veterans secure permanent housing with the ability to pay their way. We facilitate this by providing fulltime Case Management that works closely with them to connect Veterans with county, state, and VA benefits.

Every Veteran will immediately be connected with VA Health and referred to their VA financial benefits. The VA is directly across the street, and we are able to provide transportation to and from appointments as needed. They will also be assessed for employment and/or educational needs through VTC's Job Development and Education Center (JDEC). This center will assist with the process of securing employment, acquiring interviewing skills and help with developing professional resumes. Veterans are supported with Relapse Prevention courses, onsite AA/NA classes, Life Skills education courses, and the peer support of 58 other Veterans. Our facilities are also ADA accessible. They have access to free food, free clothing, and free transportation vouchers.

As a Veteran, Mrs. Downs will immediately be eligible to enroll in the VA/HUD (HUDVASH) subsidized housing program. This program allows income eligible Veterans to secure housing at only 30% of their income. Mrs. Downs will also be able to utilize the VA's Supported Services for Veterans Families (SSVF), a rapid rehousing program that provides Veterans with security deposits, first month's rent, and other financial services.

The Veterans Transition Center works closely with Department of Adult Parole in Monterey County, and we are proud to say that since 2013 we have accepted 30 Veterans previously serving indeterminate sentences. To date, they have a zero-recidivism rate and a 100% success rate at re-integration.

If you have any questions regarding this letter of intent to provide services, or about the services provided please feel free to contact me directly.

Best Regards,

Ron Self, U.S.M.C. Ret: Founder & Executive Director  
Veterans Healing Veterans from the Inside Out  
Outreach Specialist VHV-VTC  
Martinez Hall 220 12<sup>th</sup> street Marina, CA,93933  
[ron@vhvftio.org](mailto:ron@vhvftio.org)  
(831) 883-8387 x 242

**Martinez Hall**

**220 Twelfth Street, Marina, CA. 93933-6001**

**(831) 883-VETS**

**[www.vtcmonterey.org](http://www.vtcmonterey.org)**

**[www.veteranshealingveterans.org](http://www.veteranshealingveterans.org)**

**Fax (831) 883-3024**



OAR 255-062-0016 (3) --- Commission of crimes subsequent to the crime of conviction.

The 2020 Board wrote (BAF #14, page 3, paragraph 5):

"Subsequent to AIC's murder and attempted murder convictions, she was convicted of escape."

In 1987, I escaped from prison to investigate a lead on the man whom others believed may have shot my children. The Lane County Sheriff's Department told the media they weren't going to look for evidence that would potentially reopen the Diane Downs Case.

One of the women in prison with me said her ex-husband would drive me to Seaside to find the suspect, so I escaped from prison to investigate the lead myself. Turns out her ex-husband didn't have a car at all when I got there.

A week later the woman who encouraged me to escape from prison told the State Police where to find me. She knew I'd still be at her ex-husband's residence because he only had a 10-speed bicycle. In exchange for my capture her sentence was shortened by three years. I was returned to prison and charged with escape. I took responsibility for my actions and pled guilty to a Class C Felony.

After my 1987 escape, the practice of accusing me of planning to escape became quite popular among people wanting to make a name (and turn a dollar) for themselves.

In April 1989, Robert Seaver visited me at the New Jersey prison six times. In May 1989, he told prison officials I was planning to escape with him. The New Jersey County Prosecutor asked him to take a polygraph test to prove his allegation was true. Seaver failed the polygraph and the Prosecutor refused to charge me with planning to escape from prison. Prison Administrators still found me guilty of planning to escape and I spent a year in Ad Seg.

Seaver later apologized to me for lying. The letter was more a grievance than an apology. He said his friends (John Stevens and Frank) had a great idea to make money. They sent Seaver to New Jersey to marry me. They had a contract to sell HIS story as "the man who married Diane Downs". I refused to participate in their charade.

Their backup plan was to falsely accuse me of planning to escape with Seaver. They assured Seaver he'd not be prosecuted and they'd all split the money they made on the story.

Four months after falsely accusing me of planning to escape, Seaver complained to me that his friends sold HIS STORY for \$25,000 and didn't give him a penny. He said he got "Saved", felt bad about what he did, and wanted to start up fresh with me again. Seriously?! Their treachery "rehabilitated" me from meeting strangers in the prison visiting room.

In May 1991, I was again charged with planning to escape. Prison Administrators said my light blue, sleeveless, knee length denim romper could be transformed into a replica of a New Jersey officer's navy blue, polyester, long sleeved uniform. SEE ATTACHED photos of a NJ officer in uniform.

I actually believed the prison hearing officer (wearing a navy blue polyester uniform) would have the integrity to find me not guilty while holding the light blue denim romper in hand. SEE ATTACHED disciplinary report. I was wrong.

#### NEW EVIDENCE ----- NO ESCAPE SINCE 1987

Since my escape in 1987, when I tried to find the man who shot my children, people have offered me information about the shooting. I rarely know what's real and what's fake, but never again have I acted independently to investigate their leads. I've turned the information over to Authorities every time.

In 1993, Fran Wirta said her son-in-law (Jim Haynes) confessed to shooting my children. I didn't escape from prison to investigate her claim. I gave the information to a Federal Investigator who, through proper channels, got a subpoena to FORCE Lane County to give us a police report that proves they knew Jim Haynes confessed to shooting my children TWO DAYS after he did it. You can see the LEGAL STEPS I took to get the evidence by going to

[dianedowns.com](http://dianedowns.com) and clicking on KILLER'S CONFESSION and BRADY MATERIAL.

I've shown I don't feel the need to escape from prison to investigate this case all by myself. Now that I know who shot my children, I don't need to escape from prison to prove it at all. That's the State's job. That's reasonable cause under ORS 144.228 to believe I should parole in 2022.



- I HAD NO BLACK SHOES (ONLY WHITE TENNIES).
- I OWNED NO SILVER BADGE (OR ANY SORT OF JEWELRY).
- I HAD NO BLACK UNDER SHIRT (ONLY PINK + WHITE).
- I HAD NO BLACK LEATHER BELT (OR ANY SORT OF BELT).
- I HAD NO WHISTLE.
- I HAD NO CORRECTIONAL OFFICER ID CARD.

I DID HAVE A SLEEVELESS, KNEE-LENGTH, LIGHT BLUE DENIM, ONE PIECE ROMPER.



I HAD NO  
SHOULDER PATCH







1991-

A. DISCIPLINARY REPORT - INSTITUTION'S COPY

PRINT CLEARLY

1. NAME OF INMATE (Last, First): Downs D. Elizabeth  
 INSTITUTION: E. M. C. F. WING: North JOB ASSIGNMENT: Houseperson

2. PROHIBITED ACT (with code number): \*102 Attempting or planning escape

3. REPORTING EMPLOYEE'S NAME: R. COBA TITLE: Correction Sergeant  
 DATE: May 9, 1991 SIGNATURE: Sgt. R. Cobb

4. PLACE OF ALLEGED INFRACTION: North Wing South Hall DATE: May 9, 91 TIME: 2045

5. ANY IMMEDIATE SPECIAL ACTION TAKEN: Placed in Pre Hearing Detention - West Court.  
 AUTHORIZED BY: Supt. Blackwell DATE: MAY 9, 91 TIME: 2050

6. WITNESS(ES), NAME(S) AND NUMBER(S): S. C. O., R. Williams  
Sgt. Stasulli

7. PHYSICAL EVIDENCE - DESCRIPTION AND DISPOSITION: Black material Approx 2 yards  
Approx 4 foot of blue denim material, 1 Home made case  
Covered with black material, 1 pkg of assorted buttons

8. DESCRIPTION OF ALLEGED INFRACTION: In a room search of inmate  
Downs, DE 11918 The following items were found, Approx  
2 yards of black material, 2 pieces of altered light  
denim material, The altered denim jumpsuit "light  
blue", 1 pkg. of assorted buttons, brass & 1 officers  
uniform buttons, 1 hand sewn pouch type case  
resembling a D.O.C. officers cuff case. All  
The confiscated materials assembled would  
constitute the appearance of an N-T, D.O.C  
officers uniform, As such The assembled

9. COPY OF THIS REPORT DELIVERED TO ABOVE INMATE BY: \_\_\_\_\_  
Printed Name

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

INMATE READ "USE IMMUNITY" RIGHTS:  YES  NO

B. DISCIPLINARY REPORT - INSTITUTION'S COPY  
INVESTIGATION (reverse side of this sheet)

THERE ARE 2 NUMBER OF ADDITIONAL PAGES ATTACHED TO THIS REPORT.

App (continued)



OAR 255-062-0016 (4) --- Inmate's failure to demonstrate understanding of the factors that led to his/her criminal offense(s).

The 2020 Board wrote (BAF #14, page 3, paragraph 6):

"AIC continues to struggle to understand the various factors that led to the offense".

This statement is inaccurate and not in line with Oregon Administrative Rules. I do understand the factors that led to the offense. And subsection (4) only requires me to "demonstrate" my understanding of the factors that led to the offense. I've been doing that since the Board denied me parole in 2020.

NEW EVIDENCE ----- [dianedowns.com](http://dianedowns.com) --- click on BRADY MATERIAL

In 2005, my Dad opened a website for the purpose of showing people why he believed in my innocence. He asked me to help but I never did. I honestly believed Oregon would send me home and I'd let them talk smack behind my back.

If the Board paroles me, Lane County can say anything they want about me and no media outlet will question the State's narrative. If the Board discharges me, I'll be legally barred from suing the State to prove my innocence.

Oregon State Attorneys know that. I know that. I genuinely believed Oregon would discharge me to permanently silence me. I didn't contribute to my Dad's website to send a message to Oregon (without saying a word) that I was in silent agreement with those terms. But Oregon never did the right thing.

In fact, the 2020 Board actually denied me parole because I failed to demonstrate my understanding of the factors that led to the offense. Isn't that a kick in the butt?! You have no idea how much I regret the years I didn't work with Dad on his website. All he thought about was this case. Perhaps if I'd talked to him about this, Alzheimer's wouldn't have stolen his mind.

Well, no more regrets. No more silence. The 2020 Board denied me parole because I failed to DEMONSTRATE my understanding of the factors that led to the offense. Since 2020, I have been actively demonstrating my understanding of the facts on Dad's website. I hope he's as proud of me as I was of him.



OAR 255-062-0016 (4) --- Inmate's failure to demonstrate understanding of the factors that led to his/her criminal offense(s).

Dr. Guyton, the 2020 Board psychologist, wrote in her report (page 41, paragraphs 2 and 4):

"Ms. Downs is at low risk for violence, as she has been for decades ... Although her risk for violence remains low, this risk is not zero ... Ms. Downs is continuing to spend considerable time organizing information ... that she is innocent of these crimes ... and it is unclear to what extent she would pursue these in social media and other forms when released ... if she pursues these theories by continuing to contact lawyers and law enforcement ... she may be at more increased risk for engaging in negative behavior related to these claims".

Dr. Guyton cautioned against my parole (even though I'm not violent) because IF I parole I'll have Law Enforcement's (the FBI's) ear. The State's psychologist failed to demonstrate how my contact with the FBI is considered negative behavior.

Dr. Guyton urged the 2020 Board to deny me parole to keep me from accessing the Internet to prove my innocence. Again, the State's employee failed to demonstrate how my use of social media would pose a threat to the State of Oregon.

On the surface it's also unclear why the Oregon State Board of Parole would agree with State employee, Dr. Guyton, but I know why.

NEW EVIDENCE ---- [dianedowns.com](http://dianedowns.com) --- click on KILLER'S CONFESSION

It was actually Dr. Guyton's report that turned my attention back to Dad's website. She urged the 2020 Board to keep me in prison to prevent me from posting the truth of my innocence on social media.

The only way I could challenge this fallacy was to post the truth on the Internet while I'm still in prison. Unfortunately (for Dr. Guyton's employer), the only way I can prove I was wrongfully convicted is to post State-generated documents that prove the State committed crimes to illegally imprison me. Ironically, I never would've posted a thing on the Internet if the Board had discharged me from prison in 2020.

Picture my first day of freedom after 36 (now 38) years in prison. My brother will pick me up. We'll go out to eat. He'll take me shopping for clothes. Lots of phone calls with siblings, nieces, and nephews. By the end of the day I'll be exhausted and too happy to think about anything except hugging Mom again.

Would you want to visit a social media site in the middle of all that? I wouldn't. Actually, my brother and I are in agreement that we'll have an "Unplug Party" the day I'm discharged, to shut down Dad's website. That's our idea of a celebration!

Let's look at my first week. I can't get on a plane without proper identification so we'll have to drive three days to get to Mom's home. I'll spend the next week getting reconnected to society. Proper identification. Health insurance. Driver's licence (might want to put that one off for awhile). Open a bank account. Things of that nature.

When will I have time to go online? Mom doesn't have a computer!! Dad's website will be off-line. All of you evolved with the computer age. I didn't. You check your IN BOX dozens of times a day. I don't. You rely on social media to tell you if you're popular or good looking or politically correct (which changes with the wind). I don't. I'll never be a contributor to any social media site after my release from prison.

What will happen the first six months I'm free? I've written five books. Science fiction and fantasy. Those will be published when I get home. The proceeds from MARA and THE MOUNTAIN KING will be banked for Christie and Daniel if they want it.

With the rest of the money I'll buy my 85 year old Mom a home where the media can't find us. There's no way I'll be on the Internet after I spend money to purchase a safe place for Mom and me to get away from social media.

I can't prove this to you, but I don't need to. All I need to do is disprove Dr. Guyton's claim that keeping me in prison prevents me from using social media to prove my innocence. No longer is that a reason to deny me parole. I've already done it. [Go to dianedowns.com](http://dianedowns.com) and click on KILLER'S CONFESSION.

I've now given this Board reasonable cause under ORS 144.228 to believe I should parole in 2022.



OAR 255-062-0016 (4) --- Inmate's failure to demonstrate understanding of the factors that led to his/her criminal offense(s).

The 2020 Board wrote (BAF #14, page 3, paragraph 7):

"The Board concluded that AIC ... refused to acknowledge that she committed murder and aggravated (sic) murder".

The 2020 Board was obviously under the mistaken impression a prisoner must confess to crimes he/she didn't commit to earn parole. This is error. ORS 144.228 doesn't require a confession from a prisoner before parole. But this 2020 finding must be addressed to show there's reasonable cause to believe this Board will find me suitable for discharge from custody.

NEW EVIDENCE ----- [dianedowns.com](http://dianedowns.com) --- click on DNA TEST MANDATED

All I wanted to do was go home to Mom. Had the 2020 Board discharged me from custody the media would've howled for a couple days and moved on to another story. Diane Downs would've been in your rear view mirror before the weekend.

Not so now.

The 2020 Board's decision to deny me parole because I refused to confess to a murder and attempted murders I didn't commit has forced me to file a PETITION FOR POST CONVICTION RELIEF in Lane County Oregon under ORS 138.690. My goal is to identify the man who shot my children by tracing the DNA in the chewed gum he left at the crime scene. SEE ATTACHED

It's often said there's a reason for everything that happens in life. I'm a subscriber to that belief, though I'm not always sure what the reasons are up front.

In this case, the DNA Law can only be exercised by prisoners in custody. IF the Board had discharged me from custody in 2020, I'd not be able to petition the Court for Post Conviction Relief to have the DNA tested. Almost makes you think the 2020 Board denied me parole because they wanted me to force Lane County to test the evidence.

What if Lane County says the gum has been destroyed? Then it really is over. I possess a Federal Affidavit that proves two things (SEE ATTACHED):

\*\*\* Laureli (the Lane County evidence manager) said evidence in a murder case is preserved forever.

\*\*\* In 1997, Terry Bekkedahl, supervisor of the Oregon State Police Laboratory (where Jim Pex sent the chewed gum) said the Oregon Attorney General wasn't going to let us see any evidence in the State Crime Lab.

Lane County Detective Doug Welch (whom this Board relies on for guidance) coerced Laureli to lie to a Federal Officer of the Court, to withhold evidence from a Federal Judge.

In 1997, the gum was still being maintained in the Oregon State Crime Lab.

In 1998, a Federal DNA Law was enacted.

In 2000, an Oregon DNA Law was put on the books.

IF the gum disappeared from the Crime Lab after that date there can be only one reason. Destruction of evidence. I'll take that claim straight to the Federal Court. My name will be cleared because the State knowingly withheld and then destroyed exculpatory evidence they knew would overturn the conviction.

Again, there's irony in the fact we wouldn't be here if the Board had discharged me from custody in 2020. I'd have gone home with the dark cloud of guilt hanging over my head for the rest of my life. Now, because of the 2020 Board decision, I'm on the path to having my name cleared.

There's a reason for everything. You decide what you think the reason is, but in the end I've shown reasonable cause to believe I should be paroled because ORS 144.228 doesn't require me to confess to crimes I didn't commit to earn parole.



1 State's Exhibit No. 15 is some strawberry-  
2 flavored bubble gum that I found on the roadway near  
3 where the cartridge casings were found.

DNA

4 Q. Perhaps we could go on to Number 21 at this  
5 time.

6 A. Those may not be in the courtroom right now.

7 Q. Let's move to 35.

8 A. State's Exhibit 35 is the rubber floor mat  
9 that was on the right rear side of the Downs' vehicle.

10 Q. Did you do any testing of it?

11 A. Yes, I did.

12 Q. For what purpose?

13 A. I examined this floor mat under the  
14 microscope for trace evidence materials and also  
15 obtained some vacuumings from this.

16 What I did observe on this floor mat were  
17 some gunpowder particles.

18 State's Exhibit 36 is the floor mat from the  
19 left front floor of the Datsun. This would be the  
20 driver's side.

21 Q. Did you likewise examine it?

22 A. Yes, I examined it microscopically, and on  
23 this particular item I did not find any gunpowder  
24 particles.

25 This is State's Exhibit 37. This is the

15-CV-11115  
DOWNS V. OREGON

IN 2015 LAKE COUNTY REFUSES TO TEST THE DNA  
TO LEARN THE IDENTITY OF THE MAN WHO SHOT MURDER  
VICTIM



OREGON STATE POLICE - Crime Detection Laboratory  
1500 Valley River Rd., Eugene, Oregon 97401

Agency Case No. 83-139  
State Laboratory No. 20836

EVIDENCE TRANSFER REPORT (Request for Lab Analysis)

OFFENSE HOMICIDE

COUNTY OF VENUE Lane

INVEST. AGENCY Lane S/D

OFFENSE DATE 5/19/53

VICTIM/COMPLAINANT (Establishment and/or Individual):

INVEST. OFFICER Reuther

OWNS, VIANE ELIZABETH  
OWNS, SHARAH LYNN

ADDITIONAL EVIDENCE \_\_\_\_\_

SUSPECT INFORMATION:

EVIDENCE SUBMITTED: (Describe)

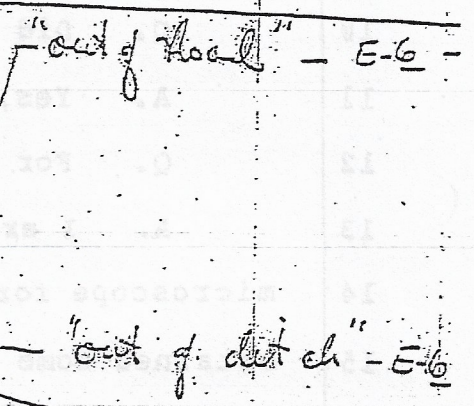
(2) .22 Lead Bullets

(4) .22 Rem-UMC CASINETS

(2) .22 casing from \_\_\_\_\_

(1) bullet

several brass casing



EXAMINATION(S) REQUESTED:

RESPIRATOR TAKEN: YES NO (BLOOD ALCOHOLS)

OFFICER'S REPORT REQUESTED ON PHYSICAL EVIDENCE CASES

DATE 5/20/53

SIGNATURE James O. Reuther

Wendy R. Willis, OSB No. 94496  
Assistant Federal Public Defender  
101 S.W. Main Street, Suite 1700  
Portland, OR 97204  
(503) 326-2123

Attorney for Petitioner

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ELIZABETH DIANE DOWNS,	)	CV No. 96-900 HA
	)	
Petitioner,	)	AFFIDAVIT OF
	)	WILLIAM J. TEESDALE
vs.	)	
	)	
SONIA HOYT, Superintendent,	)	
Oregon Women's Correctional Center,	)	
	)	
Respondent.	)	
	)	
STATE OF OREGON	)	
	) ss.	
County of Multnomah	)	

I, William J. Teesdale, being duly sworn, depose and say:

A. Introduction

I am a staff investigator employed by the Federal Public Defender for the District

PAGE 1 - AFFIDAVIT OF WILLIAM J. TEESDALE

EXHIBIT A

62



of Oregon. I am also an attorney licensed to practice before the bars of England and Oregon. In September 1996 I was assigned to work on Diane Downs' federal habeas corpus case, *Downs v. Hoyt*, CV No. 96-900 (HA).

B. Attempts To Obtain Access To Evidence

On January 15, 1997, I telephoned Laureli at the Lane County Sheriff's Office evidence room. I identified myself to Laureli as an investigator with the Federal Public Defender's office and asked her some general questions about access to evidence and documents in closed criminal cases. Laureli told me that in most cases, after a defendant's direct appeal has finished, the evidentiary material is kept for a period of 30 days. Laureli told me that in murder cases, most items are usually kept forever. Laureli said that the process to view evidence in a closed criminal case was by making an appointment through her. I then requested such an appointment to view the remaining evidentiary material in the Diane Downs case. Laureli told me that she would check to see what was still available and call me back.

About half an hour after my initial telephone call, I received a call back from Laureli. Laureli told me that she had spoken to Detective Doug Welch in the Lane County Sheriff's Detective Unit who said that my request should go through the Lane County District Attorney's office. Laureli said that the information she had given me during the first telephone conversation was inaccurate and that it was the usual practice for requests to look at evidence to be referred to the district attorney's office. Laureli apologized for



giving me incorrect information. Laureli suggested that I contact Assistant District Attorney Fred Hugi and make the request through him.

After my conversation with Laureli, I telephoned the Lane County District Attorney's office and left a message for Mr. Hugi to contact me. About 10 minutes after leaving that message, I received a telephone call from Detective Doug Welch with the Lane County Sheriff's Office. Detective Welch explained that he was calling me about my request to review the Downs evidence. I explained to Detective Welch the nature of my request, and he asked when I would want to come and look at the material. Detective Welch also said that I should contact either Fred Hugi or another Assistant District Attorney, Paul Graebner, at the district attorney's office with my request. I told Detective Welch that I was hoping to come and look at the material in the following two weeks and that I would make the request to either Mr. Hugi or Mr. Graebner.

Detective Welch also told me that he could not remember what material was left in the Downs case, given the passage of time. Detective Welch said that he thought that the Lane County Sheriff had much of the material but that he was almost certain that the car had been sold or otherwise disposed of several years ago. Detective Welch said that he thought there was an evidence log which would give an inventory of the remaining evidence. I then asked Detective Welch for a copy of the log, and Detective Welch responded that he would check with Laureli in the evidence room.



After my conversation with Detective Welch, I left a further telephone message for Fred Hugi and a detailed message for Assistant District Attorney Paul Graebner.

On January 22, 1997, after receiving no response to my telephone messages, I wrote a letter to Detective Welch suggesting that I come down to look at the remaining material in the week beginning February 3, 1997. A copy of that letter is attached as Exhibit B. On February 5, 1997, having received no response to my letter, I contacted Detective Welch at the Lane County Sheriff's office. Detective Welch told me that he had spoken to Assistant District Attorneys Hugi and Graebner, and their feeling was that we were "trying an end run around the attorney general's office." Detective Welch said because of that, the district attorney was refusing access to the material, and any request should be made through the state attorney general's office. After my telephone conversation with Detective Welch, I wrote a further letter to him on February 12, 1997, responding to his suggestion that we were "attempting an end run around the attorney general's office" and asking that we be provided a copy of the evidence log. I received no response to my letter of February 12, a copy of which is attached as Exhibit C.

On March 25 and 26, 1997, I made written Oregon Public Records Act requests to the Lane County Sheriff's office, the State Police forensics laboratory, the State Police District Patrol Office, and the Springfield Police Department. Copies of those requests are attached as Exhibits F, G, H, and I. On April 9, 1997, I received responses from both the Springfield Police Department and the Lane County District Attorney's office. The Lane



County District Attorney declined to make the records available, stating that the records were exempt from disclosure under the Public Records Act on the basis of continuing litigation. The Springfield Police Department advised me that the police reports they maintained on the case were available either in person or by requesting them through the mail. After sending a further letter to the Springfield Police Department, together with my check for the copies, the Springfield Police Department records were provided to me on May 12, 1997.

On June 12, 1997, I had a telephone conversation with Terry Bekkedahl, the supervisor of the Oregon State Police forensics laboratory. I explained to Mr. Bekkedahl that I was calling to inquire about my public records request, because I had received no response. Mr. Bekkedahl told me that he had received my March 26 request and that it was still sitting on his desk. Mr. Bekkedahl said that after he received the request, he spoke to Assistant Attorney General Lynn Larsen about how he should respond. Mr. Bekkedahl told me that Lynn Larsen said that many different people in the state police had received the same or similar requests. Mr. Bekkedahl told me that Lynn Larsen told him that the local district attorney's office took the position that the requests should be denied because there was continuing litigation and that he had the same opinion. Mr. Bekkedahl said that he was sorry that I had not received a formal response from the Oregon State Police and that he would call headquarters in Salem about that. Mr. Bekkedahl also



mentioned that he had assumed because of Attorney General Larsen's comments that someone at the state police in Salem would have written a formal response.

C. Attempts To Speak With Trial Counsel

After leaving two telephone messages with Diane Downs' trial lawyer, James Jagger, I had a conversation with Mr. Jagger on November 19, 1996. I identified myself to Mr. Jagger and explained that I wanted to review his files on his representation of Diane Downs and also discuss his recollection of the case. Mr. Jagger told me that he was perfectly willing to give us access to the documents but that he was not willing to discuss the case at that point, since he might have to testify.

D. Attempt to Interview Christie Hugi

On November 26, 1996, Assistant Federal Public Defender Wendy Willis and I went to Christie Hugi's (formerly Downs) residence in Eugene. We introduced ourselves to Ms. Hugi, provided her with our business cards, and explained our wish to talk to her about the case. Ms. Hugi told us that she was not sure whether or not she should talk to us. As we continued to discuss the matter with Ms. Hugi, we were interrupted by one of her roommates who asked Christie whether or not she wanted her to make us leave. I then asked Ms. Hugi whether or not she, indeed, wanted us to leave, and she responded: "No, I'm shocked. I just didn't know any of this was going on." After some further discussion and more emotional comments from Ms. Hugi's roommate, I suggested to her that it was

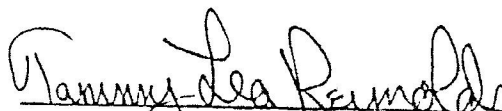
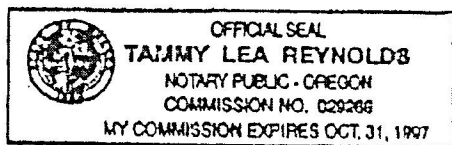


probably best that we leave and give her a chance to think about our request. Ms. Hugi agreed with that suggestion, so we concluded the conversation.



William J. Teesdale

SUBSCRIBED AND SWORN TO BEFORE ME this 16th day of JUNE, 1997.



Tammy Lea Reynolds  
Notary Public for Oregon



OAR 255-062-0016 (5) --- Inmate's demonstrated lack of effort to address criminal risk factors of psychological and emotional problems.

The 2020 Board wrote (BAF #14, page 3, paragraph 9):

"Without a recognition of her psychological and emotional problems AIC has not been able to effectively address criminal risk factors".

Let's begin by recognizing the so-called "psychological and emotional problems" the 2020 Board blindly used to deny me parole. What laid the foundation for this impass?

On 8-5-1983 (three months after my children and I were shot), I began treatment for depression. Dr. Jamison asked me to take an MMPI (psych) test. I did, but there were questions in the test that troubled me. For example:

\*\*\* I feel like people are talking about me.  
PEOPLE WERE TALKING ABOUT ME. My children and I were front page news every day. Literally!

\*\*\* I feel like people are following me.  
PEOPLE WERE FOLLOWING ME and pointing at me. It wasn't my imagination. When I'd step out of the house to go to the store, a media van would be blocking my car in the driveway. They'd order me to, "Go back inside and come out again, Diane. We weren't set up yet". They wouldn't leave!!

\*\*\* I can't stop crying and laughing.  
I DID CRY ALL THE TIME. My children had been shot. Cheryl was dead. My heart was broken.  
I WAS HAPPY every time I received news Christie and Daniel were making process in their medical care, then TERRIBLY SAD that I wasn't with them to help.

\*\*\* I feel other people are trying to control me.  
PEOPLE WERE TRYING TO CONTROL ME. The police and the media wanted me to say I shot my children when I know I didn't. They followed me and called me at all times of the day and night. They were relentless.

But I didn't feel that roller coaster of emotions before my children and I were attacked. Dr. Jamison told me to respond the way I felt the day I took the test so she'd know how to treat me. Then circle the questions that would be answered the opposite way before the shooting.

I did as Dr. Jamison directed. She ended up with two very different MMPI results. One showed a mentally healthy woman. The other showed a paranoid woman (because people aren't normally being talked about or followed).

Of course I really was being followed and people really were talking about me and my heart really was broken. If I'd failed to recognize (and report) those things I'd have been diagnosed with being out of touch with reality (or manipulation).

Dr. Jamison diagnosed me with a "cyclothymic disorder" because that's where my mind was three months after my children and I were shot. A cyclothymic disorder is defined as:

an effective disorder characterized by the alternation of  
depressed moods with elevated moods  
WITHOUT PSYCHOTIC FEATURES

I was treated by Dr. Jamison for seven months (until my arrest on 2-28-1984). My Trial Attorney gave Dr. Jamison's file to the State but failed to call her as a witness in my defense. Mr. Jagger later testified he believed her notes were helpful and he was afraid the Prosecutor would twist her around because she'd never testified in a Court of Law before.



Denied the opportunity to twist Dr. Jamison around on the witness stand, the Prosecutor opted to twist her words by proxy. During cross examination of me, Prosecutor Hugi asked:

Q. You were labeled a deviant sociopath by the tests she gave you?

A. I don't know. SEE ATTACHED

Prosecutor Hugi knew he was misrepresenting the facts and tampering with the jury verdict by introducing false testimony. Dr. Jamison waited but was never called to clear up this issue. The jury began deliberating my fate on 6-13-1984.

On 6-13-1984, Dr. Jamison wrote a note to the Prosecutor opposing his misuse of the term "deviant sociopath". She fiercely stated:

"I did NOT diagnose Diane with that diagnosis ... Plus --- Diane's score on the PD scale (scale #4) is within NORMAL limits ... I need to register a protest regarding this issue --- I am very unhappy w/ the jury being left with the impression that I gave that diagnosis to Diane". SEE ATTACHED

Dr. Jamison sent a copy of that note to Judge Gregory Foote and Defense Counsel Jim Jagger. Not one of these three Officers of the Court attempted to set the record straight. In fact, the State doubled down on their deception.

On 7-14-1984, the Prosecutor appointed Dr. George Suckow to meet with me for the first time. We talked for 40 minutes. His report says the interview lasted 90 minutes, but an examination of Lane County Jail records show Dr. Suckow exited the jail 90 minutes after he arrived. Subtract the time he had to travel from check in desk to interview room and time it took jailers to move me from my cell to the interview room. In truth, our time together was 40 minutes.

During that 40 minutes Dr. Suckow asked me scores of questions which he referred to in his report:

- \*\*\* My birth date and place of birth
- \*\*\* My parents' names and ages
- \*\*\* My parents' wedding and employment
- \*\*\* My siblings' names and ages
- \*\*\* My siblings' education and employment
- \*\*\* My education and employment
- \*\*\* My husband's name and age
- \*\*\* My husband's education and employment
- \*\*\* My marriage and divorce dates and places
- \*\*\* My children's names, birth dates, death dates
- \*\*\* My military history
- \*\*\* My medical history
- \*\*\* My mental health history
- \*\*\* My legal history
- \*\*\* My living conditions in jail
- \*\*\* My correspondence in jail

And on and on. This stranger spent 40 minutes asking ME questions about ME. I answered his questions. When appropriate, I asked what my brother's education had to do with his assessment of ME. What bearing did my Dad's place of employment have on the doctor's evaluation of ME? Why was my Mom's maiden name important in determining MY state of mind? What does it matter how many prisoners wrote to me after my arrest? What did their actions have to do with ME and his report about ME?

Three days later this same stranger submitted his report. He said he found me to be preoccupied with myself. No joke. Dr. Suckow spent more time asking ridiculous questions about my family than about me. When I said his questions seemed invasive of their privacy, he said I wanted the spot light on me. SEE ATTACHED

In the report Dr. Suckow (a stranger who talked to me for 40 minutes about everyone else) diagnosed me with a "narcissistic personality disorder". I don't have a document to prove it, but I'm inclined to think the Prosecutor who misled the jury with a false diagnosis he laid at the feet of Dr. Jamison, may have also misled Dr. Suckow the same way.

As I said, I don't yet have a document to prove that, but I do have Dr. Suckow's report that proves he never diagnosed me with a SEVERE personality disorder as required by ORS 161.735.



1       sometime toward the end of June, but I don't know.

2       Q.    End of June, and you went to Polly Jamison  
3       on August 5th?

4       A.    Yes.

5       Q.    Why did you wait that long?

6       A.    Because I'm a pretty obstinate person, and I  
7       didn't think my attorney knew what he was talking  
8       about.

9       Q.    And you went to her to help you to remember  
10      or to forget?

11      A.    Neither one, just to find me, to take some  
12      pressure off of me so that I could think clearly.

HUG 13

13      Q.    You were labeled a deviant sociopath by the  
14      tests she gave you?

DIANE

15      A.    I don't know.

16      Q.    She never discussed that with you?

17      A.    She didn't discuss names. She discussed  
18      different qualities that I carried at that time.

19      Q.    In August you went to Arizona with your  
20      attorney?

21      A.    Yes.

22      Q.    And spent four days there?

23      A.    Yes.

24      Q.    And the purpose of that was what?

25      A.    To gather information.

26



Fred Hugi

June 13

I understand from the newspaper (R-G) & from people in the courtroom that you asked Diane, "Are you aware that your psychologist has diagnosed you as a deviant sociopath?" This has not, as far as I knew, been cleared up in front of the jury - Is that true?

I want you to know that I did not diagnose Diane with that diagnosis - In fact, "deviant sociopath" is not even a psychiatric diagnosis at all in the official DSM III - Plus - Diane's score on the Pd scale (Scale #4) is within normal limits. Nobody would use <sup>JUST</sup> that to put such a diagnosis on a client.

I need to register a protest regarding this issue - I am very unhappy w/ the jury being left w/ the impression that I gave the diagnosis to Diane -

Why didn't you let me testify to explain my notes & tests to you?

Polly Tarnison



GEORGE R. SUCKOW, M.D.  
PHYSICIAN  
773 LINDA ST. N.E.  
SEASIDE, OREGON 97138

RECEIVED

JUL 1

CIRCUIT COURT, LANE CO

TELEPHONE 326-2000  
RECORDS SECTION

10-4

RECD.

A  
10-84-01377

July 17, 1984

Frederick Hugi  
Deputy District Attorney  
Lane County Court House  
Eugene, Oregon 97401

Dear Mr. Hugi:

At your request I conducted a psychiatric examination of Diane Elizabeth Downs at the Lane County Jail on July 14, 1984. The examination was in an interview room and lasted one and one half hours. Prior to the examination Mrs. Downs was advised that it was neither privileged or confidential and that the purpose was to determine the presence or absence of a serious personality disorder which would predispose her to subsequent commission of dangerous or antisocial acts. She stated she had discussed the examination with her attorney, Mr. Jagger, prior to this occasion.

**Diagnosis:** Narcissistic Personality Disorder, with features of Histrionic and Antisocial Personality Disorders.

**Medicolegal Opinion:** It is my opinion that Mrs. Downs has a serious personality disorder and that due to the same she is predisposed to the further commission of dangerous and antisocial acts.

Mrs. Downs was born in Phoenix Arizona on 7 August 1955, the eldest of four children. Her parents are living and together. She is a high school graduate. Her first and only marriage was at age 18 to a man of the same age. The marriage ended in divorce in 1981.

She has had six pregnancies, three by her husband, one ending in induced abortion, one by a surrogate father, and two by different men with whom she had affairs. She was recently convicted of shooting the three oldest children, killing one and permanently disabling the other two. Mrs. Downs continues to claim innocence and shows no remorse. She regards the children with no empathy and as objects or possessions. Feelings she has for them are superficial and only extend to how they are part of her and her life.

Mrs. Downs has been in active correspondence with a number of people since the shootings and especially since the trial commenced. She estimates that fifty percent of her correspondence is with inmates at the State Penitentiary which she states they initiated. As she discusses this she shows a preoccupation with herself as the center of the stage: she is self important, enjoys the attention, tends to be exploitive and manipulative, is easily influenced and gullible in spite of intellectual insight, and again shows no empathy regarding victims of violent crimes. She is instead preoccupied with her own role and its assumed importance.



Personal values are reported by Mrs. Downs as originating within herself although in years gone by she held religious values. This is basically a hedonistic approach to living in which the feelings of others are important only as they influence the feeling of self.

She denies close relationships with women and feels more comfortable in relationships with men. Her description of men however alternates between idealization, and devaluation. Mrs. Downs does not describe any past prolonged meaningful relations with either men or women.

Work history given by Mrs. Downs is that she has held positions as a waitress, electrician (constructing trailers), and postal employee. She states she has never been dismissed from a job.

Psychiatric history shows no prior treatment contacts and no psychiatric hospitalization.

Legal history: Speeding tickets and a arson investigation.

Service history: One enlistment in the Air Force lasting only three weeks before separation.

Medical-surgical history: Positive only for tonsillectomy as a child, induced abortion, and gunshot wound to the left arm. No history of seizures or blackouts.

Drug history: Marijuana used on a trial basis only. She does use alcohol but denies any other drug use.

Mental status: Oriented to time, place, and person. No history of delusions or hallucinations. She does have fantasies described as dreams regarding the shootings. She is above average in intelligence. She has no memory impairment. No thought disorder is present. Affectual responses are appropriate but tend to be euphoric. Abstract reasoning is normal.

Summary: Mrs. Downs has a Narcissistic Personality Disorder manifest by a grandiose sense of self importance, fantasies, exhibitionism, lack of empathy, exploitiveness, poor interpersonal relationships, physical aggressiveness, impulsivity, disregard for the truth, and at times angry irrational outbursts.

This personality disorder, although severe, does not impair her ability to understand the requirements of law nor to conform her conduct to the requirements of law.

Sincerely,

*GRS*

George R. Suckow, M.D.  
Psychiatrist

GRS:js

NOT A SEVERE  
PERSONALITY DISORDER



ORS 161.735 (3) says (SEE ATTACHED):

"The psychiatrist shall file with the court ... an evaluation whether the defendant is suffering from a SEVERE personality disorder ..."

IF a psychiatrist diagnoses a defendant with a SEVERE personality disorder, then the Court may sentence the defendant under ORS 161.725 and the Board of Parole shall conduct parole consideration hearings pursuant to ORS 144.228.

IF a psychiatrist does NOT diagnose a defendant with a SEVERE personality disorder, then the Court may NOT sentence the defendant under ORS 161.725 and the Board of Parole shall NOT conduct parole consideration hearings pursuant to ORS 144.228.

A review of the State's psychiatrist's report shows he diagnosed me with a "Narcissistic Personality Disorder", NOT a SEVERE narcissistic personality disorder. I have never been legally sentenced as a "dangerous offender" and am not legally subject to the mandates of ORS 144.228.

Still, the Board continues to require me to be subject to psychological evaluations, decade after decade. The Board has letters and reports from the following:

>>> 2000 ----- CALIFORNIA PSYCHIATRIST ----- Dr. Terry Kupers  
>>> 2008 ----- CALIFORNIA PSYCHIATRIST ----- Dr. Williams  
>>> 2009 ----- CALIFORNIA GERIATRIC PSYCHIATRIST ----- Dr. Rossi  
>>> 2009 ----- CALIFORNIA BEHAVIORAL PSYCHOLOGIST ----- Dr. Shoji  
>>> 2010 ----- CALIFORNIA PSYCHOLOGIST ----- Dr. Schulte  
>>> 2020 ----- OREGON PSYCHOLOGIST ----- Dr. Guyton

The Board said the mental health professionals agreed with each other and Dr. Guyton wrote of me:

>>> Low risk for future violence (page 2)  
>>> Risk of impulsive, reactive violence is very low (page 2)  
>>> Ms. Downs is patient, good-natured, and works collaboratively with others (page 3)  
>>> No history of violence beyond the (1984) conviction (page 31)  
>>> No previous criminal justice involvement (page 31)  
>>> No history of early behavioral problems (page 31)  
>>> Worked for the federal government and lived a prosocial lifestyle (page 31)  
>>> Supported herself and her children, paid her bills and owned her own vehicle (page 31)  
>>> DOES NOT HAVE AN ANTISOCIAL PERSONALITY DISORDER (page 33)  
>>> NO ACUTE MENTAL HEALTH DISORDER (page 35)  
>>> No psychotic, mood, or anxiety disorder (page 35)  
>>> Substance use --- NOT PRESENT (page 36)  
>>> Major mental disorders --- NOT PRESENT (page 36)  
>>> Positive work history in the community and in prison (page 36)  
>>> Received commendations for volunteer activities (page 36)  
>>> Violent attitudes --- NOT PRESENT (page 37)  
>>> Violent ideation --- NOT PRESENT (page 37)  
>>> Symptoms of major mental disorder --- NOT PRESENT (page 37)  
>>> Instability --- NOT PRESENT (page 37)  
>>> No aggression or anything approaching violence the past 37 years (page 40)  
>>> LOW RISK FOR VIOLENCE, AS SHE HAS BEEN FOR DECADES (page 41)

All six mental health clinicians named above agree I'm "low risk for recidivism" and I'm nonviolent. Still the Board denied me parole because I've not been engaged in psychological counselling. I told the 2020 Board my attempts to get counselling had met with failure:

\*\*\* In 1997, Dr. White said Oregon wouldn't let her diagnose me after a year of treatment

\*\*\* In 2010, Dr. Rossi said Oregon wouldn't let her diagnose me after two years of treatment

\*\*\* In 2012, Dr. Shoji said Oregon wouldn't let her diagnose me after two years of treatment

\*\*\* In 2018, California Mental Health Clinicians slipped in a diagnosis stating that I'M NOT A DANGEROUS OFFENDER. SEE ATTACHED



**161.725 Procedure for determining whether defendant dangerous.**

(1) Whenever, in the opinion of the court, there is reason to believe that the defendant falls within ORS 161.725, the court shall order a presentence investigation and a psychiatric examination. The court may appoint one or more qualified psychiatrists to examine the defendant or may order that the defendant be taken by the sheriff to a state hospital designated by the Mental Health Division for the examination.

(2) When the examination is conducted at a state hospital the superintendent shall notify the sheriff upon completion of the examination, and the sheriff shall return the defendant to the county in which the defendant was convicted. The defendant shall remain in the custody of the sheriff subject to further order of the court. All costs connected with the examination shall be paid by the county in which the defendant was convicted.

(3) The psychiatric examination shall be completed within 30 days, subject to additional extensions not exceeding 30 days on order of the court. The psychiatrist shall file with the court a written report of findings and conclusions, including an evaluation of whether the defendant is suffering from a severe personality disorder indicating a propensity toward criminal activities.

(4) No statement made by a defendant under this section or ORS 137.124 or 423.090 shall be used against the defendant in any civil proceeding or in any other criminal proceeding.

(5) Upon receipt of the psychiatric examination and presentence reports the court shall set a time for a presentence hearing, unless the district attorney and the defendant waive the hearing. At the presentence hearing the district attorney and the defendant may examine the psychiatrist who filed the report regarding the defendant.

(6) If, after considering the presentence report, the psychiatric report and the evidence in the case or on the presentence hearing, the court finds that the defendant comes within ORS 161.725, the court may sentence the defendant as a dangerous offender.

(7) In determining whether a defendant has been previously convicted of a felony, the court shall consider as prima facie evidence of the previous conviction:

(a) A copy of the judicial record of the conviction which copy is authenticated under ORS 40.510;

(b) A copy of the fingerprints of the subject of that conviction which copy is authenticated under ORS 40.510; and

(c) Testimony that the fingerprints of the subject of that conviction are those of the defendant.

(8) Subsection (7) of this section does not prohibit proof of the previous conviction by any other procedure. (1971 c. 743 §98, 1973 c. 836 §342, 1991 c. 892 §95, 1993 c. 740 §27)

SEVERE  
PERSONALITY  
DISORDER



**161.725 Standards for sentencing of dangerous offenders.** The maximum term of an indeterminate sentence of imprisonment for a dangerous offender is 30 years, if the court finds that because of the dangerousness of the defendant an extended period of confined correctional treatment or custody is required for the protection of the public and if it further finds, as provided in ORS 161.735, that one or more of the following grounds exist:

(1) The defendant is being sentenced for a Class A felony, and the court finds that the defendant is suffering from a severe personality disorder indicating a propensity toward criminal activity.

(2) The defendant is being sentenced for a felony that seriously endangered the life or safety of another, has been previously convicted of a felony not related to the instant crime as a single criminal episode, and the court finds that the defendant is suffering from a severe personality disorder indicating a propensity toward criminal activity.

(3) As used in this section, "previously convicted of a felony" means:

(a) Previous conviction of a felony in a court of this state;

(b) Previous conviction in a court of the United States, other than a court-martial, of an offense which at the time of conviction of the offense was and at the time of conviction of the instant crime is punishable under the laws of the United States by death or by imprisonment in a penitentiary, prison or similar institution for a term of one year or more; or

(c) Previous conviction by a general court-martial of the United States or in a court of any other state or territory of the United States, or of the Commonwealth of Puerto Rico, of an offense which at the time of conviction of the offense was punishable by death or by imprisonment in a penitentiary, prison or similar institution for a term of one year or more and which offense also at the time of conviction of the instant crime would have been a felony if committed in this state.

(4) As used in this section, "previous conviction of a felony" does not include:

(a) An offense committed when the defendant was less than 16 years of age;

(b) A conviction rendered after the commission of the instant crime;

(c) A conviction that is the defendant's most recent conviction described in subsection (3) of this section, and the defendant was finally and unconditionally discharged from all resulting imprisonment, probation or parole more than seven years before the commission of the instant crime; or

(d) A conviction that was by court-martial of an offense denounced only by military law and triable only by court-martial.

(5) As used in this section, "conviction" means an adjudication of guilt upon a plea, verdict or finding in a criminal proceeding in a court of competent jurisdiction, but does not include an adjudication which has been expunged by pardon, reversed, set aside or otherwise rendered nugatory. (1971 c.74) (6)





## CLASSIFICATION COMMITTEE CHRONO

Inmate Name: DOWNS, ELIZABETH

Date: 08/22/2018

CDC#: W49707

Date of Birth: 08/07/1955

Control Date: Life With Parole

Control Date Type: Other Jurisdiction Boarder

Hearing Date: 08/22/2018

Hearing Type: Annual

Committee Type: Institution Cls. Committee (UCC)

Correctional Counselor: J. Covita

### STATIC CASE FACTORS

### CRITICAL CASE FACTORS

### CLINICIAN COMMENTS

None.

### COMMITTEE ACTION SUMMARY

ANNUAL PROGRAM REVIEW: Reaffirm MED A custody due to LIF/VIO/PUB/ESC, WG/PG A1/A EFF. 03/12/13 and CPP. Subject requested to be P/O PIA Computer Coding, PIA Auto CAD, PIA GFMR, and to be removed from VOC Electronics, SAP(LTOP), PIA Fabric and to retain all other wait lists.

WF: Not clear due to PUB/LIF/ESC.

JRF: Not clear due to PUB/LIF/ESC.

CIW: Not Clear due to ENE.

CCWF A-YD: Not Clear. Minor Visiting: Not Clear. DD2 Housing: Clear.  
TimeStamp: 22 August 2018 12:09:08 --- User: J. Covita (COJE004)

I AM CLEARED BY MENTAL HEALTH TO  
LIVE WITH VULNERABLE INDIVIDUALS.

### COMMITTEE COMMENTS

Inmate Downs, E. #W49707, was reviewed in absentia on 08/22/18 before Facility "C" Unit Classification Committee (UCC) for an Annual Program Review, which covered two review periods from 09/01/17 to 08/31/18. DECS, TABE, and MHSDS have been reviewed, during pre-committee interview it was determined that she did not require staff assistance. TABE Score is 12.9. A staff assistant was not assigned.

CASE FACTORS: Her placement score remained the same at 19 points due to Mandatory Minimum Score Factor; (5-Escape Exclusion). She is currently endorsed to CCWF-II, which is appropriate noting placement score. She was commended regarding her annual program, noting she has remained disciplinary free during this review period. The subject is currently assigned to Maintenance & Repair and has requested retention. The subject requested to be placed on the PIA Computer Coding, PIA Auto CAD, PIA GFMR, and Inmate Ward Labor. Special Program screenings reviewed and updated. The Non-Confidential Offender Separation Alerts is noted. The Confidential Offender Separation Alerts was reviewed and is clear.

CASE FACTORS FOLLOW-UP: None.

VIO AD REVIEW: Per Departmental Policy, subjects VIO administrative determinant is to be retained, as the offense requires an automatic VIO AD placement, in order to protect the safety of the public, staff, and other inmates.

BPH REVIEW: Subject is a Lifer from Oregon State, serving her life term in California per an Interstate Compact Agreement, due to the subjects PUB/ESC determinants. She does not qualify for BPH proceedings in California, as she is an Oregon State lifer inmate.

PREA REVIEW: PREA Assessment was completed on 08/17/18, as part of subjects Annual Review. The subject participated in the completion of the PREA Screening at CCWF, which included a review of all available documentation in SOMS and ERMS and a face to face interview. During the Annual Review, the chairperson reviewed the completed PREA Screening tool with the subject and asked her if she had any additional relevant information that should be considered for future housing and/or program/work Assignments. The subject stated she has no additional information to provide.

DOUBLE CELL REVIEW: Committee elects to continue double cell/dorm housing status based on no history of in cell/dorm victimization, assaultive, abusive, or predatory behavior towards a cellmate.

MEDICAL/MENTAL CASE FACTORS: Prior Medical Classification Chrono (CDCR 128-C3) dated 03/02/17 reflects permanent status with the following Intensity of Services: Proximity to Consult-No Particular Need, Functional Capacity-Vigorous Activity, Medical Risk-Low, Nursing Care Acuity-Basic Nursing; Specialized Services-None, Institutional/Environmental-(Cocci 2), Medical Restrictions-None. Mental Health Chrono (CDCR 128-MH1) In SOMS dated on 07/12/99 reflects she is not a participant of the Mental Health Services Delivery System at any level of care. Dental Class: 4 per CDCR 128-C Mental Classification Chrono in SOMS dated 07/27/16. Transport Precaution Code, (TB): 92 -03/02/17. Food Handling: Clear.

OTHER CASE FACTORS: It is noted that she completed her COMPAS assessment evaluation on 9/14/15. Inmate Downs was advised of her right to appeal this action within 30 calendar days. She does not meet criteria for MDO referral. For full case factors refer to ICC CDC 128-G dated 09/02/93,

NOT MENTALLY DISORDERED OFFENDER



(Initial Review) in ERMS Back file.

**RECORDER**

J. Covita

08/22/2018

Date

**CHAIRPERSON**

M. Dotson

08/22/2018

Date

CDCR SOMS ICCT162 - Classification Committee Chrono



I'm sure the Board didn't like the mental health clinicians' sneaky move, but acknowledged this all to be true. Still the Board said that didn't relieve me of the fact there was no actual "diagnosis" in my Board file saying I've been treated and my condition (diagnosed by Dr. Suckow in 1984) had changed.

I've said this before and I'll say it again. Dr. Suckow diagnosed me with a Narcissistic Personality Disorder (NOT a SEVERE narcissistic personality disorder required by Law because there is no such classification in the DMS III). Dr. Suckow himself admitted that at my Sentencing Hearing in 1984. SEE ATTACHED

MONROE v THIGPEN, 932 F2d 1442 (11th Cir. 1991)  
A parole board may not engage in "flagrant or unauthorized action" by knowingly relying on false information.

The Board can override my improper sentence. The Board has the authority to either parole or discharge me when they find my sentence to be unauthorized by Law. I'm still hoping this Board will do that, but I've also made a renewed effort to get treatment.

#### NEW EVIDENCE ----- PSYCH LETTERS

On 8-29-2021, I reached out to Veterans Claims Analyst Steven Smith to try to engage a military psychologist to meet with me in preparation of my 2022 Interim Review Hearing. He was of no help, but I tried. SEE ATTACHED

On 1-17-2022, I asked Dr. Polly Jamison to counsel with me in preparation of my 2022 parole hearing. She responded (SEE ATTACHED):

" ... if I serve as your individual therapist, I will be unable to write an official psychological evaluation for you "

So! The State of Oregon is permitted to hire a psychiatrist to meet me for the first time on 7-14-1984, and diagnose me (after a 40 minute session). But my psychologist (who treated me for seven months) isn't permitted to reevaluate and diagnose me for the State. How does that work?

It seems I can't get a diagnosis to save my life. Literally. Doctors White, Rossi, and Shoji were telling me the truth. The State of Oregon is actively blocking me from getting the diagnosis the Board requires before they will parole me. Apparently Oregon isn't alone in this scam.

CONNER v HALL, 645 F3d 1227, 1293 (11th Cir. 2011)  
When a prisoner is denied parole for lack of psychiatric care a Federal Evidentiary Hearing is required when the State denies the inmate's attempts to get a mental evaluation.

LEE v KINK, 922 F3d 772-774 (7th Cir. 2019)  
A Federal Evidentiary Hearing is required when the Board denies parole for a prisoner who didn't receive psychiatric care if the inmate tried to get a mental evaluation and the State blocked it.

I've given reasonable cause under ORS 144.228 to believe there's no reason to deny me parole in 2022.



1 A. Yes.

2 Q. There isn't any -- for example in DSM III,  
3 there isn't any sum classification of narcissistic  
4 personality disorder of being severe or not severe?

5 A. No.

6 Q. So that is pretty much left up to the  
7 individual practitioner, is that correct?

8 A. I think it is, yes.

IN ORDER TO SENTENCE A DEFENDANT AS A DANGEROUS OFFENDER, A PSYCH HAS TO DIAGNOSE THE PRISONER WITH A SEVERE PERSONALITY DISORDER.

DR. SUCKOW ADMITTED HE FABRICATED A NON-EXISTANT SEVERE NARCISSISTIC PERSONALITY DISORDER TO MEET THE CRITERIA FOR ALLOWING THE COURT TO SENTENCE ME AS A DANGEROUS OFFENDER.

AND YET, FOR THE NEXT 38 YEARS I WAS TOTALLY NONVIOLENT & NONTHREATENING.

21 Q. Now it was your opinion that based upon your  
22 analysis of her that she is predisposed to the further  
23 commission of dangerous and antisocial acts.

24 You wrote that in your opinion, correct?

25 A. Yes.



**You have received a *JPAY* letter, the fastest way to get mail**

From : ELIZABETH DOWNS, ID: W49707  
To : James Frederickson, CustomerID: 19172033  
Date : 8/29/2021 9:21:08 AM EST, Letter ID: 1259913659  
Location : CCWF  
Housing : C 512 1|002001L

MARLED  
8-30-21

August 29, 2021

California Department of Veterans Affairs  
Division of Veterans Services  
3046 Prospect Park Suite 200  
Rancho Cordova, CA 95670

ATTN: Steven Smith  
IN RE: Downs, Elizabeth Diane --- SS# 527-31-8163 --- USAF (1975)

Dear Mr. Smith:

I am 66 years old and I've been in prison 37.5 years. For 57% of my life I've been told to walk a yellow line and not cross the red one. Every hour of my day has been dictated by someone else. I'm told what to eat and when to eat it. Where to live and who to live with. For the most part, even my employment has been selected for me. Last month I received a Social Security notice in the mail saying I've reached the age of Full Retirement. I'm officially old!

My life hasn't been much different than the lives of Military Lifers, actually, but the Parole Board Members are convinced an elderly woman in my situation needs to go to a Transition Center to relearn how to function in the "real world". The Veterans Transition Center in Monterey has accepted me and at least one Parole Board Member openly approved my placement with the VTC at my parole hearing last year.

Lynn Noyes (Aasen) gave your name to me before she paroled three years ago. I figured I'd meet with you after I arrived at the VTC if I needed help they couldn't give. I never imagined the problem I'd have was getting to the VTC. The Board of Parole arranged for their psychologist to evaluate me by Skype. We met twice for a total of 8 hours. The psych found me to be nonviolent, nonaggressive, and nonthreatening the past 37 years. She determined I was a LOW RISK for violence if I parole.

BUT the Board denied me parole because I'd not been seen on a regular basis by a psychologist while I was in prison. They read my Central-File and saw I've tried to be seen by a psychologist on numerous occasions (for my parole hearings), but wasn't accepted for counseling because I don't qualify for the MDO program. I'm not a "Mentally Disordered Offender".

The Board acknowledged that is in my prison file but still denied me parole BECAUSE I'd not been in the care of a psychologist. My current roommate (Kelsey Moraschi) said you might be able to find a Military Psychologist who'd be willing to come to Chowchilla to meet with me (or Skype with me) for a year and make an evaluation for the Board of Parole for my next hearing in September 2022.

Kelsey also said you were instrumental in helping her receive some sort of benefits because of something traumatic that happened to her in the military. Nothing bad happened to me in the Air Force, but because of my advanced age and 57% of my life being imprisoned, I've been told I qualify for full SSDI benefits because I'm not considered employable ever again in life.

I figured I'd make arrangements to receive SSDI benefits after I arrived at the VTC, but was told by a Parole Board Member it takes months and many applications to get recognized by the SSDI benefits computer the first time. The Parole Board Member asked what I'd live on while I was waiting for my first SSDI check. If I need money to live on as soon as I parole, I need to start the application process now.

Steve, you helped Kelsey receive some sort of benefits. Please help me through the SSDI application process now, so I can show the Board of Parole I've made arrangements to have my SSDI benefits waiting for me as soon as I arrive at the VTC next year.

TO RECAP :

1. I need your help with finding a Military Psychologist who'll meet with me monthly for a year and prepare an evaluation for the Board of Parole.

***JPAY* Tell your friends and family to visit [www.jpayers.com](http://www.jpayers.com) to write letters and send money!**



**You have received a *jp*ay letter, the fastest way to get mail**

From : ELIZABETH DOWNS, ID: W49707  
To : James Frederickson, CustomerID: 19172033  
Date : 8/29/2021 9:21:08 AM EST, Letter ID: 1259913659  
Location : CCWF  
Housing : C 512 1|002001L

2. I need your help with applying for my SSDI benefits now so I can start receiving financial support the day I walk out of prison next year.

I await your reply,

Elizabeth Diane Downs W49707  
CCWF 512-02-1L  
PO Box 1508  
Chowchilla, CA 93610-1508

***jp*ay Tell your friends and family to visit [www.jp.com](http://www.jp.com) to write letters and send money!**



**DEPARTMENT OF VETERANS AFFAIRS**

Division of Veterans Services  
Oakland District Office  
3046 Prospect Park Dr., Suite 200  
Rancho Cordova, California 95670

**CONFIDENTIAL MAIL AS MARKED**

September 15, 2021

Elizabeth D. Downs  
PO Box 1508  
CDCR# W49707  
Chowchilla, CA 93610

Dear Ms. Downs:

This letter is to confirm receipt of your letter dated August 27, 2021.


In your letter, you requested assistance with the following:

- Finding a Military Psychologist on your behalf
- Assistance with SSDI Benefits

Please note: I am unable to assist you with either of the above-mentioned requests. I am a CalVet Representative that only assists Veterans with their VA Claims for benefits. Please let me know, if you are a Military Veteran and would like my assistance with applying for VA Benefits.

We thank you for your letter.

Sincerely,

  
**Steven Smith**

Veterans Claims Analyst  
California Department of Veterans Affairs

HONORING CALIFORNIA'S VETERANS



JANUARY 17, 2022

POLLY H. TAMISON, PC

2150 DALTON DRIVE

541-343-9697

EUGENE, OR 97404

IN RE: PRE-PAROLE CONSULTATION

DEAR DR. POLLY:

I WAS ONE OF YOUR CLIENTS IN 1983-1984.  
WENT TO PRISON IN 1984. BEEN TO BOARD  
FOR PAROLE CONSIDERATION IN 2008, 2010,  
AND 2020. EVERY TIME I GO TO BOARD THE  
MEMBERS DING ME FOR NOT SEEING A  
PSYCHIATRIST OR PSYCHOLOGIST.

EVERY TIME I EXPLAIN I'VE TRIED TO BE  
SEEN BY MENTAL HEALTH PROFESSIONALS  
BUT THEY WON'T SEE ME BECAUSE I'M  
PSYCHOLOGICALLY WELL. BOARD MEMBERS  
ACKNOWLEDGE THEIR AWARENESS OF  
THESE REPORTS, BUT STILL DENY ME  
PAROLE BECAUSE I'VE NOT BEEN  
TREATED BY A PSYCH.



I FINALLY CONVINCED A SOCIOLOGIST TO MEET WITH ME ONCE A MONTH LAST YEAR, BUT I GUESS HE GOT BORED WITH MY NORMALCY + STOPPED CALLING ME OUT.

THE REASON I'M WRITING TO YOU IS BECAUSE THE LAST TIME I WENT TO BOARD ONE OF THE MEMBERS SPOKE OF YOU. NO OTHER MEMBER EVER SPOKE YOUR NAME BEFORE.

THIS PARTICULAR BOARD MEMBER PUT IT ON THE RECORD HE WANTED TO PAROLE ME TO THE VETERANS TRANSITION CENTER IN MARINA, CALIFORNIA, BUT ANOTHER MEMBER COMMENTED I'D NOT BEEN TREATED BY A PSYCH. THAT'S WHEN THE SUPPORTIVE MEMBER THREW YOUR NAME OUT THERE. HE SAID HE VALUES YOUR OPINION.

POLLY, I'D LIKE TO ENGAGE YOUR SERVICES FOR A FEW MONTHS. IF YOU'RE WILLING TO MEET WITH ME, THIS PERSON WILL ARRANGE SKYPE VISITS FOR US. I'LL PAY YOUR STANDARD HOURLY FEE.



I'll wait for your reply to go into more depth. I'll release every psychological test I've ever taken, to you. I've been administered several tests. In the end, all psychologists + psychiatrists agree I'm nonviolent, nonthreatening, and nonaggressive. BUT, I've not been under a psychologist's care the past 38 years.

Please let me know if you will meet with me to get me over that hump.

Thank you,



DIANE DOWNS W49707

CCWF 512-03-14

Po Box 1508

CHOWCHILLA, CA 93610-1508





Polly H. Jamison, Ph.D.

Clinical Psychologist

February 15, 2022

Dear Diane,

I have received your letter and would be happy to look at your situation.

I would need copies of all the psychological evaluations you have had. Also, I would need information from the mental health professionals you mentioned, who reportedly won't see you because you are psychologically well.

Please provide more detailed information ( "in more depth", as you said in paragraph 3 in your letter) regarding your history, behavior, relationships, etc, within the prison.

Please write again and let me know the next steps from your end. I will begin studying those evaluations as soon as I receive them. Same with your written input, as referred to in paragraph 3 above.

Once I evaluate the situation, I'll determine whether I'm able to do Skype therapy sessions with you. I need to remind you that if I serve as your individual therapist, I will be unable to write an official psychological evaluation for you.

I look forward to hearing from you soon, and I wish you well.

Sincerely,

Polly H. Jamison, Ph.D.

Clinical Psychologist

OR license 584

dr.pjamison@gmail.com

2150 Dalton Dr.

Eugene, OR 97404

541•343•9697

Fax 541•688•0068



3-20-2022

DEAR FOLLY,

THANK YOU FOR RESPONDING TO MY LETTER. SORRY I DIDN'T REPLY RIGHT AWAY. I HAVE FIVE LEGAL PROCEEDINGS IN THE WORKS AND TWO OF THEM NEEDED IMMEDIATE ATTENTION.

AS REGARDS YOUR LETTER, I HAVE A QUESTION.

→ WHY ARE YOU NOT PERMITTED TO DIAGNOSE ME FOR THE PAROLE BOARD? YOU TREATED ME FOR SIX MONTHS IN 1983-84. I'M GIVING YOU LEAVE TO TREAT ME FOR ANOTHER SIX MONTHS IN 2022. IT SEEMS YOUR INPUT WOULD BE OF VALUE. IN FACT, IT'S THE ABSENCE OF A DIAGNOSIS THE BOARD USES TO DENY ME PAROLE.

THE STATE PAYS THEIR PSYCHS TO TALK TO ME FOR 40 MINUTES + DIAGNOSE ME WITHOUT TREATMENT. I NEVER SAW THE STATE'S PSYCH BEFORE THE MEETING + NEVER SAW THE STATE'S PSYCH AFTER. HOW CAN THAT QUALIFY AS A CREDIBLE DIAGNOSIS?

AND WHY IS EVERY PSYCH WHO ACTUALLY KNOWS ME + TREATED ME FOR MONTHS + YEARS PREVENTED FROM DIAGNOSING ME? PLEASE ANSWER THIS QUESTION.

SINCERELY,

Diane Downs

YOU ARE THE FOURTH CLINICIAN TO SAY THIS TO ME.



OAR 255-062-0016 (9) --- Inmate's inability to experience or demonstrate remorse or empathy.

The 2020 Board wrote (BAF #14, page 3, paragraph 11):

"AIC's displays of remorse or empathy were performative and not genuine. She refuses to acknowledge that she committed murder and attempted murder, thereby failing to demonstrate remorse or empathy.

On the one hand, the Board admitted I experienced remorse during the parole hearing. On the other hand, they felt the only way I can demonstrate remorse is to make a false confession of murder and attempted murder. A false confession from me serves only to comfort the State. As seen in OAR 255-062-0016 (4), the State's only concern is that I stop trying to prove my innocence. They are not concerned with the mental and emotional health of my children.

If my sibling was murdered, and someone tried to kill me, and everyone around me kept saying Mom did it, I'd be shattered beyond repair if Mom said she did it when I knew "the mean man with a gun" shot me (as noted in Daniel's hospital records).

Christie told psychiatrists, doctors, police officers, State agents, and her father she genuinely didn't know what happened to her. Then she drew an accurate picture of the left-handed man who shot her (I'm right-handed). She also drew a picture of me (wearing my plaid shirt) with empty hands raised in the air. Christie clearly saw me face off with the shooter, but she doesn't recall the shooting. How could that be?

In 1985, my Psychology Professor presented a story to the class of a male amnesiac whose brother came to fetch him from the hospital. As time went on the amnesiac successfully recalled events from his past.

I asked the Professor, "Were his recollections real or learned? What if the brother wasn't really his brother? Would the amnesiac actually believe the lies he was taught? Would he believe they were his true memories and experiences?"

The Professor said, "Yes. But what sort of monster would remap an amnesiac's identity?!"

I asked, "If a grown man's memories could be replaced with lies, how hard would it be to script false memories for an 8-year-old child?"

The Oregon Professor knew who I was. He knew Christie had been used to testify against me. But the shock on his face indicated he'd never considered the possibility Christie said "mom did it" because she was taught to believe a false memory.

He gathered himself and said, "That's horrible. Criminal! She's an innocent child!! Why would anyone do that to her?!?"

I said, "Only they know that and I don't care why. That's between them and God. What I need to know is if it's possible for Christie to actually regain her own true memory?"

The Professor said, "Yes. Provide your daughter with physical evidence she can hold in her hands and see with her own eyes. Right now she is mindlessly trusting what she's being told because it's easy. She doesn't have to relive the painful experience of being shot because everyone else around her is doing that for her. Trusting them is her escape from remembering the event. If you can show Christie proof that her teachers lied, she'll begin to question everything they told her. That will force her mind to think for itself. In time she may recall her true memories. Or she may not. But at least the memories and the voids will be hers".

In 1990, 15-year-old Christie confessed to a 13-year-old that she didn't know what happened the night of the shooting and she lied in Court because Dr. Peterson wanted her to. She said she doesn't talk to her grandparents

because she's afraid they hate her for testifying against her mom. Who put those thoughts in her head to make her fear her grandparents? **SEE ATTACHED LETTER TO CHRIS + DAN'S GRANDPARENTS**

In 1993, 18-year-old Christie arrived at the Oregon prison to see me. The DA told prison Superintendent Sonja Hoyt to send Christie away. I was sent to California weeks later to put distance between us.



In 1998, 24-year-old Christie received a visit from a Federal Attorney. The attorney said she was working on an appeal for me. She asked Christie if she wanted to testify FOR her mom, to help her mom. Just as Christie said "yes", two women on the other side of the door began shouting, threatening to have the Federal Agent arrested. The attorney was doing nothing wrong. The women simply wanted to frighten Christie into submission. The attorney handed Christie a business card and asked her to call. She saw one of the women snatch the card out of Christie's hand just as the door slammed between them.

The State is afraid my children will see the physical evidence and give themselves permission to know the truth. That's what Dr. Guyton is really afraid will happen after I go home. She's afraid the evidence I've gathered will prove my innocence to my children.

#### NEW EVIDENCE ---- MAKING AMENDS

In 2005, Dad created a website to put the truth into the world for people to see. [www.dianedowns.com](http://www.dianedowns.com) He asked me to contribute to the site but I never did. I genuinely have no interest in proving my innocence to the world.

In 2017, Dad passed away. Three years later the 2020 Board denied me parole to keep me from going home and picking up where Dad left off. How's that for irony? I never would have. And, Dad would've given it up the minute I got home.

Now we're at a crossroads. I've taken self-help groups that stress the importance of making amends. There's a lot more to making amends than saying, "I'm sorry". I could walk you through the process, but the 2020 Board made it clear they weren't impressed with any of the self-help groups I've taken, so I'll cut to the chase.

I didn't shoot my children. There's no healing for my children in my making a false confession. The CIA took their motto from the Bible and I believe it serves here.

JOHN 8:32 --- YOU WILL KNOW THE TRUTH,  
AND THE TRUTH WILL SET YOU FREE.

Ever since Christie reached adulthood she's been trying to see me. She has questions others can't or won't answer for her. I love my children. My careless behavior the night of May 19, 1983 shattered their world. I don't want them to suffer doubt and confusion. The best way I can make amends for my foolishness is to show my children the truth of what happened to us.

My amends is to post the truth on Dad's website for my children to see. Dad was right. His grandchildren have a right to know what happened to them. If that means using social media, then so be it.

I'm a firm believer that everything happens for a reason. Maybe the reason the 2020 Board denied me parole was because I need to change my course. I thought I was looking out for my children's best interest by keeping silent the past three decades. Perhaps I've been wrong all these years.

My brother and I will post every bit of evidence we can find on Dad's website until I go home. It'll be there for Chris and Dan to see. In this way they can know the truth and finally the truth will set them free.



You have received a **jpay** letter, the fastest way to get mail

From : James Frederickson, CustomerID: 19172033  
To : ELIZABETH DOWNS, ID: W49707  
Date : 5/6/2022 12:21:56 PM EST, Letter ID: 1485771046  
Location : CCWF  
Housing : C 512 1|002001L

HENRY G. CAMPBELL, JR.  
ATTORNEY AT LAW  
46 West Broadway, Suite 202  
Eugene, Oregon 97401

Phone (503) 246-9251

January 16, 1989

Wesley Frederickson  
2237 Marcola Road  
Springfield, OR 97477

Dear Mr. Frederickson:

I represent Mr. and Mrs. Frederick A. Hugi. It is my understanding that you have attempted to contact them in order to see their children, Christie and Daniel Hugi.

These children fortunate enough to now have two stable, nurturing and caring parents who, along with the community in which they live, protect and support them. As should be the case with all parents, Mr. and Mrs. Hugi's first concern is the emotional and physical well-being of their children. The law gives them certain powers for meeting those concerns, one of the most important of which is the right to decide who may contact the children.

Mr. Hugi has shown me a letter you wrote him in which you refer to Christie and Daniel as your grandchildren and indicate you wanted a visit in order to "help the healing process." The children are not your grandchildren. You are legally, as well as factually, a stranger to them.

These children have been through too much already. Your daughter killed their sister and shot each of them. They have since been exposed to the harsh light of publicity. Christie went through the painful experience of testifying as a witness in the murder trial.

Contact with you or others from their past would reopen, not heal, old wounds. The children are healing now and their parents do not want them hurt any more.

The Hugs do not want you to contact them or either of the children by any means and do not want you anywhere near them. If you violate the parents' wishes in this respect, your actions will be met by whatever means, including recourse to the courts, may be appropriate.

SORRY THIS PRINT  
OUT IS SO SMALL.  
MY BROTHER HAS THE  
ORIGINAL LETTER,  
BUT HIS PRINTER  
IS ON THE RILTZ.  
A PROPER COPY  
WILL BE PRESENTED  
TO THE FEDERAL  
COURT, SHOULD  
THAT BE NECESSARY.

I INTRODUCE THIS  
LETTER HERE ONLY  
TO SHOW WHO MADE  
MY CHILDREN FEAR  
THE GRANDPARENTS  
THEY USE TO LOVE.

**jpay** Tell your friends and family to visit [www.jpayers.com](http://www.jpayers.com) to write letters and send money!



Dear Readers

Oregon Law allows me to request an Interim Parole Consideration Hearing (before my next scheduled parole hearing) When I have info that is likely to change the outcome of the previous hearing.

It seems to me the best way to reverse that previous boards mind set it to respond to everything they had their mindset on...

That's what I have done in this request for interim review..

[dianedowns.com/2022 REQUEST FOR PAROLE REVIEW.pdf](https://dianedowns.com/2022%20REQUEST%20FOR%20PAROLE%20REVIEW.pdf)