

1 A Yes, sir.

2 Q Is Mr. Tracy still employed by your office?

3 A No, sir.

4 Q When was it that Mr. Tracy left your employment?

5 A I'm afraid I cannot recall the exact date.

6 I believe it was in 1970, but I cannot say when -- possibly
7 in May or in April, I'm not sure.

8 Q Was there some unusual circumstances connected
9 with his leaving your employment?

10 A Yes, sir.

11 Q Was he asked to resign?

12 A I don't recall whether he was asked to resign
13 or whether he resigned of his own volition.

14 I know that I had been dissatisfied with his
15 work. In fact, I had, in effect, fired him from the super-
16 vision of the Exhibit Section and put him in another section.

17 The actual circumstances of his leaving, as I
18 recall, were, I think, of his own volition.

19 I would just like to say that he was not
20 considered an acceptable employee, one whom we wanted to
21 retain.

22 Q In any event, was Mr. Tracy given any instruc-
23 tions in connection with making any copies of documentary
24 evidence that was introduced in the Sirhan case?

25 A Yes, sir; he was.

26 Q What instructions?

27 A On several occasions I told him to get those
28 things reproduced.

1 Q You're talking about the documentary evidence
2 that was introduced in the trial?

3 A Not only the documentary evidence introduced
4 in the trial but there were some other exhibits that were
5 also introduced but not to the jury.

6 Q How did you expect him to get those reproduced?
7 I'm talking now about the documentary material itself.

8 A We have certain copying devices in our office
9 and if the item can be reproduced on those copying devices,
10 it was supposed to have been.

11 I recall that one was a short ledger of one or
12 two pages and it was possible to use our own devices.

13 However, there were a number of documents and
14 it was a sort of production time job that our machinery could
15 not Xerox. Our machinery was the Xerox 914 and it couldn't
16 do it in very short order.

17 So Mr. Tracy was instructed to go to our
18 reproduction unit which is located in the county courthouse
19 where, at the time, we had a machine called the Copy-flow
20 which could produce many copies in a short period of time and
21 that machine was kept in the county courthouse.

22 Mr. Tracy was instructed to have the documents
23 taken over to the reproduction division and have them copy it
24 on that machine.

25 Q Did he carry out your instructions and secure
26 copies of the documentary evidence?

27 A To my knowledge, he did a certain amount of it.
28 I don't know if he did it completely.

1 Q Have I asked you to bring to the Grand Jury
2 today your division's copy of Exhibit Number 71 introduced
3 in the Sirhan trial?

4 A Yes, sir.

5 Q May I see it, please?

6 A Yes; here it is.

7 Q You're taking out of an envelope a folder that
8 you have?

9 A Yes, sir.

10 Q Where was it kept in your division?

11 A I cannot say that was the way it was kept from
12 the very beginning but that is the way we had it in recent
13 months.

14 Q With your permission I would like to attach to it
15 a Grand Jury label and offer this as Grand Jury Exhibit Number
16 50 for identification.

17 THE FOREMAN: It will be so marked.

18 BY MR. HECHT:

19 Q So we're perfectly clear about this, this is a
20 copy of the original exhibit which you have kept in your
21 division and shown to those people who have requested to see
22 copies of Exhibit 71?

23 A I can't answer that question that simply,
24 Mr. Hecht, because, as I recall, I have been looking at that
25 exhibit and it appears that a number of these pages are copies
26 of a copy, rather than perhaps a copy of the original exhibit
27 71 itself.

28 Q Let me ask you at this time, and perhaps this will

50 id

1 answer the question as to this document.

2 The document that you have brought with you
3 purports to be a copy of Exhibit 71, which you have shown
4 to members of the public who are interested in seeing it?

5 A If I understand your question I would say yes,
6 that is a copy of Exhibit 71 that we show the public.

7 Q If I came into your office two months ago and
8 said, "I would like to see a copy of the original exhibit 71
9 introduced in trial," would that be the exhibit that you would
10 show me?

11 A Yes, sir.

12 Q Was it taken from that place within your division
13 where such copies of the exhibits were stored?

14 A I'm not sure I understand the question in terms
15 of "that place".

16 We have storage in a number of areas.

17 Q Was it taken from that storage area where you
18 keep or where you had kept the copies of the documentary
19 evidence in the Sirhan case?

20 A I would say yes.

21 MR. HECHT: Mr. Foreman, I have here a number of
22 other documents.

23 I have from the Supreme Court of California,
24 from the Clerk's Office of the Supreme Court of California, I
25 have a certification that reads as follows, attached to
26 certain documents.

27 The certificate reads, the heading of the
28 certificate is:

1 "Supreme Court of California Certificate

2 "People versus Sirhan, Criminal 14026

3 L. A. Superior Court, Number A-233,421.

4 "I, G. E. Bishel, Clerk of the Supreme Court
5 of the State of California, hereby certify that the
6 attached pages 1 through 76 plus the front and back
7 covers represent a true and correct copy of the
8 exhibits lodged in this court in connection with the
9 above-entitled appeal, except that the original
10 exhibits lodged in this court do not have the
11 identification label of the FBI laboratory attached
12 thereto.

13 "WITNESS my hand and the seal of this court this
14 13th day of August, 1971.

15 "G. E. BISHEL

16 "Clerk of the Supreme Court

17 "of the State of California".

18 And it is signed Mark Thompson, Deputy.

19 The 76 pages attached constitute a copy of
20 Exhibit Number 71.

21 I would ask that this certificate together with
22 a copy of the pages making up trial exhibit Number 71 be
23 marked as Grand Jury Exhibit Number 51.

24 THE FOREMAN: It will be so marked.

25 BY MR. HECHT:

26 Q Now, Mr. Talmachoff, I would like you to compare
27 these two copies of Exhibit Number 71.

28 The one you have brought is Grand Jury Exhibit

51 ID

1 Number 50 and the one we have just marked as Grand Jury
2 Exhibit Number 51.

3 The first page purports to be the cover of
4 a particular notebook of Mr. Sirhan?

5 A Yes.

6 Q Skipping over to the next page, to the second
7 page, or, rather, the first page of the notebook, you see
8 the notation "Q1-1 FBI Laboratory"?

9 A Yes.

10 Q That appears both on Exhibit 50 and on Exhibit
11 51?

12 A Yes.

13 Q And that appears to be the same page?

14 A Yes, it does, sir.

15 Q All right, let's turn the page over.

16 Now, you have a second page that has the FBI
17 mark with the number 2?

18 A Yes.

19 Q And that is also the same in Exhibit 51?

20 A Yes.

21 Q Also, on Exhibit 50, in the upper portion it
22 says "P-71" and then there's a number 2 in a circle?

23 A Yes, it does.

24 Q So those two same pages, which represent Page
25 number 2, appear to be the same page; is that correct?

26 A Yes, it does.

27 Q And the page, in Exhibit 51, is exactly the same
28 as the page in Exhibit 50 except that Exhibit 50 has the "P-71"

1 with the circled 2 notation?

2 A That's correct.

3 It appears to be the same page.

4 Q All right; let's turn to the next page and that's
5 page number 3 and it is marked Q1-3, is that correct?

6 A Yes.

7 Q And the pages in both Exhibit 50 and 51 appear
8 to be the same except that Exhibit 51 has in the corner
9 P-71 with a circled 3?

10 A That's correct.

11 Q All right, now, let's turn to page 4.

12 In Exhibit 51 you find the page Q1-4 with the
13 laboratory mark, is that correct?

14 A Yes.

15 Q Do you find the page 4 in Exhibit 50?

16 A It's not in this particular order. May I look to
17 see if it may be out of order?

18 Q Would you please?

19 A (The witness examines the exhibit.)

20 Q Can you find that page?

21 A I do not find that page.

22 Q For the sake of clarity the document that you
23 have brought to the Grand Jury today purports to be a
24 photographic copy of Exhibit 71 which you have shown to the
25 public, and that does not contain that fourth page which we
26 find in Exhibit 51; is that correct?

27 A Yes, sir.

28 Q All right; will you turn to the next page,

1 please?

2 A (The witness complies with counsel's request.)

3 Q That is marked Q1-5 on both copies?

4 A Yes.

5 Q And copy 50 has in the upper right-hand corner
6 P-71 with a 5 in a circle?

7 A Yes.

8 Q And that is the same page in both exhibits?

9 A Yes, it is.

10 Q All right; will you turn to the next page.
11 First, let me call your attention to exhibit
12 51.

13 You see the marking Q1-6?

14 A Yes, I do.

15 Q Would you see if page 6 is in Exhibit 50?

16 A It is not here.

17 Q When you say, "It is not here", you mean it is
18 not in your copy?

19 A Yes.

20 Q You previously looked through the exhibit to
21 see if Page 4 was somewhere out of order?

22 A Yes, I did.

23 Q And you did not find page 4?

24 A No, I didn't.

25 Q Will you please do the same for page 6?

26 A (The witness examines the exhibit).

27 Q Can you find page number 6?

28 A No, it's not here.

1 Q Have you given anyone permission to remove any
2 pages from your copy, to wit, Grand Jury Exhibit Number 50?

3 A No, sir.

4 Q To your personal knowledge has anyone removed
5 any pages from your copy?

6 A No, not to my personal knowledge.

7 Q Did you call me Saturday afternoon?

8 A Yes, sir.

9 Q You were in your office?

10 A Yes.

11 Q And you found me in mine?

12 A Yes.

13 Q And you found something?

14 A Yes, I did.

15 Q Will you tell the Grand Jury what you had found?

16 A I had found in a reinforcement ring the exhibit
17 that had been left with us in the Sirhan case.

18 Among the exhibits I found a copy, a set of that
19 Exhibit 71.

20 Q Where did you find it?

21 A With the exhibits that were left with us.

22 Q Where?

23 A In our exhibit room.

24 Q Was it in the Death Penalty Locker?

25 A No; that was upstairs.

26 Q Upstairs where?

27 A Upstairs in our office; I had it brought
28 upstairs.

1 Q And did you bring that copy with you?

2 A Yes.

3 Q May I see it, please?

4 THE FOREMAN: I think you want some time to examine it
5 and this might be a good time to take a morning recess.

6 We'll take a 10-minute recess, please.

7 (Short recess.)

8 THE FOREMAN: The record will show that the Grand
9 Jury has reassembled and the same 21 Grand Jurors who were
10 present at the inception of the case have returned for
11 further proceedings in this matter.

12 Let the record show that Mr. Talmachoff is still
13 on the witness stand, and that he has previously been sworn.

14 You may continue, Mr. Hecht.

15
16
17 EXAMINATION (CONTINUED)

18 BY MR. HECHT:

19 Q Mr. Talmachoff, showing you Exhibit 50, did you
20 ever give anyone permission to remove pages 4 and 6 from
21 that particular document?

22 A No, sir.

23 Q Did you ever give anyone permission to remove
24 any portion of any pages from that document?

25 A No.

26 Q Did you give anyone authorization or permission
27 to remove anything at all from that document?

28 A No.

1 Q Now, looking at that document you called me
2 about Saturday, that is the document here (indicating)?

3 A Yes, sir.

4 MR. HECHT: With your permission, Mr. Foreman, I will
5 take that and staple an evidence tag on it and I ask that it
6 be marked as Grand Jury Exhibit Number 52.

7 THE FOREMAN: It will be so marked.

8 BY MR. HECHT:

9 Q So that the record is clear, Exhibit 50 is the
10 copy of Exhibit 71 that you had in your custody and showed to
11 the public; Exhibit Number 51 is the copy of the document from
12 the Supreme Court of the State of California; and Exhibit
13 Number 52 is another copy of Exhibit 71 that you found in
14 your files and that you called me about Saturday?

15 A That's correct.

16 Q All right; let's talk for a moment about this
17 Exhibit 52.

18 That exhibit does have in it Page Number 4 with
19 the FBI number Q1-4, does it not?

20 A That's correct.

21 Q And on that same page, in the right-hand corner
22 there is P-71 with a 4 in a circle?

23 A Yes, there is.

24 Q And that is the page missing from Grand Jury
25 Exhibit Number 50?

26 A Yes.

27 Q Now, turning to Exhibit 52, to page 6 thereof,
28 you see on the left-hand side the FBI laboratory mark Q1-6?

1 A Yes, I do.

2 Q And that is the page that appears to be missing
3 from Grand Jury Exhibit Number 50?

4 A Yes, sir.

5 Q All right; and certain of the exhibit viewing
6 forms, Mr. Talmachoff, -- may I have just one moment now --
7 in looking over the index to the exhibits there was a gun
8 introduced in evidence and that is referred to as People's
9 Exhibit Number 6, and I assume that number was kept as
10 People's Number 6 during the course of the trial of
11 Mr. Sirhan?

12 A Yes; that's correct.

13 Q Now, in a number of these exhibit viewing forms
14 they make reference to Exhibit Number 6.

15 Can you tell us from taking a look at those
16 particular documents, these exhibit viewing forms, whether
17 the original gun was shown or a photograph of the gun was
18 showing to the persons viewing the exhibit?

19 A In the case of the first viewing slip,
20 Mr. Charach, it says 6 and then it says photo.

21 Q That leads you to believe that this gentleman
22 was shown a photo rather than the gun itself?

23 A Yes, it is possible.

24 Q Would you take a look at Exhibit Number 10, on the
25 second page, also a viewing slip of Mr. Charach, there are a
26 number of references to Exhibit 6, is that correct?

27 A Yes.

28 Q Now, there are certain markings, there are circles

1 and certain other markings and the right next 6 would be a
2 circle and then it says "Photo"; is that right?

3 A That is correct.

4 Q Can you tell the Grand Jury what is the meaning
5 of those circles and notations and the word "photo" on that
6 exhibit?

7 A I'm not certain in my own mind what the
8 significance is.

9 Q Would it be fair to say, aside from the entries
10 where it definitely says "photo", you cannot tell from these
11 exhibit viewing slips whether the original exhibits were
12 displayed or the photos of the exhibits?

13 A No, sir; I cannot say for certain.

14 Q One of the Grand Jurors has asked the question,
15 when someone requests the exhibits, how do you find the proper
16 guide envelope that goes with the case that they are
17 interested in?

18 A If the person making the request has a case
19 number, that will enable us to locate it quickly because all
20 of these guide envelopes are in case guide number order.

21 If he doesn't have the case but gives us the name
22 of the individual, we go to the index and we get the case
23 number.

24 The case number is the means by which we index
25 the guide envelopes.

26 MR. HECHT: Mr. Foreman, I have no further questions
27 of this witness at this time.

28 I may request that he be brought back but with

1 that understanding, if there are no further questions to be
2 asked by the Grand Jurors at this time, the witness may be
3 excused.

4 THE FOREMAN: Are there any further questions to be
5 directed to the witness by any members of the Grand Jury?

6 Apparently not.

7 I'd like to caution you not to discuss or impart
8 at any time, outside of this jury room, the questions that
9 were asked of you in regard to this matter, or your answers,
10 until authorized by this Grand Jury or the Court to discuss
11 or impart such matters.

12 You will understand that a violation of these
13 instructions on your part may be the basis for a charge
14 against you of contempt of court.

15 Do you understand that?

16 THE WITNESS: I do.

17 MR. HECHT: Would you take back with you just the
18 documents that you have which have not been referred to.
19 You'll have to leave those that have been introduced in
20 evidence here.

21 MR. TALMACHOFF: Yes; I understand.

22 MR. HECHT: Just take those other documents back and
23 keep them together as we may require them at a later time.

24 (Thereupon, the witness, Peter John Talmachoff, was
25 then escorted from the Grand Jury Hearing Room by the
26 Sergeant At Arms.)

27 MR. HECHT: Mr. Wilson, please.

28 (Thereupon, the witness, Richard H. Wilson, was then

1 escorted into the Grand Jury Hearing Room by the Sergeant
2 At Arms.)

3
4
5 RICHARD H. WILSON,
6 called as a witness before the Grand Jury, was duly sworn as
7 follows:

8 THE FOREMAN: You do solemnly swear that the evidence
9 you shall give in this matter now pending before the Grand
10 Jury of the County of Los Angeles shall be the truth, the
11 whole truth, and nothing but the truth, so help you God?

12 THE WITNESS: I do.
13
14

15 EXAMINATION

16 BY MR. HECHT:

17 Q Mr. Wilson, what is your business or occupation,
18 please?

19 A I'm a Budget Analyst employed by the Chief
20 Administrative Office of the County of Los Angeles.

21 Q How long have you been so employed by the Chief
22 Administrative Office?

23 A Just about two years now.

24 Q Prior to the time you became a Budget Analyst,
25 were you connected in any way with the County of Los Angeles?

26 A I was Assistant Chief of the Criminal Division
27 in the Clerk's Office.

28 Q Who was your boss or chief?

1 A Peter J. Talmachoff.

2 Q You have just seen him in the witness room?

3 A Yes, sir.

4 Q How long were you Assistant Chief of the Criminal
5 Division of the Clerk's Office?

6 A Almost exactly three years.

7 Q And what date did you start and what date did
8 you conclude your service in that capacity?

9 A It would be the same day in August of 1966.

10 I don't remember whether it was the 1st or the
11 15th.

12 I believe I left, I would say about the last
13 day of August.

14 I had a two week vacation and then I reported to
15 the Chief Administrative Office.

16 Q What was the year you left?

17 A '69.

18 Q Did it come to your attention at the time you
19 were Assistant Chief of the Criminal Division that Sirhan
20 Bishara Sirhan had been indicted by the Grand Jury on June 7,
21 1968?

22 A It did.

23 Q Were you in court when an Indictment was
24 returned?

25 A No, sir.

26 Q It is our understanding, based on the evidence
27 here, that Judge Alarcon at the time the Indictment was
28 returned had issued an order directing the Clerk's Office not

1 to make the exhibits available, which had been introduced
2 in the Grand Jury presentation; did that court order ever
3 come to your attention?

4 A It did come to my attention.

5 Q When did it come to your attention?

6 A I don't remember the date, but shortly after the
7 Indictment was returned.

8 Q What were the circumstances leading up to it
9 being brought to your attention?

10 A Someone in the office, either Mr. Talmachoff
11 or somebody else, I'm not quite sure who presented it to
12 me, but they came in and said, "We have an order no one is
13 to examine the exhibits unless there is a court order."
14 At that time I think there was a no-publicity order and we
15 discussed it.

16 Q As a result of your discussion, what, if anything,
17 did you do to implement that order in connection with the
18 exhibits?

19 A Well, sir, I receipted for the exhibits when
20 they were returned from the Grand Jury. We had a special
21 place in our vault where we locked them up.

22 We discussed the matter with various people in the
23 office and told them that no one is to look at these exhibits
24 unless either the boss or I so said.

25 We took the publicity order and we discussed it
26 with various people in the office and basically told them to
27 comply with the order.

28 Q Did you show them a copy of the order?

1 A I don't recall definitely handing a copy to
2 each individual of the order but I remember we had orders
3 on the no-publicity order and we had copies of the no-
4 publicity order posted in our record section so that the
5 clerks on the telephone could immediately refer to it.

6 Q How many so-called exhibit custodian clerks
7 did you talk to at that time, sir, do you remember?

8 A Well, we had arranged about -- I would say about
9 five fellows in the criminal exhibit room and I'm sure we
10 talked to them.

11 Q During the time that you were in the clerk's
12 office in the capacity you have already described, did you
13 have a certain amount of unusual turnover?

14 A I think our turnover is higher than usual.

15 Q Is there any reason?

16 A You want my personal opinion?

17 Q Yes.

18 A This was a very low-paying job and we couldn't
19 keep fellows on the job.

20 As I recall, the starting salary was slightly
21 less than \$400 a month.

22 We would get a man in and he would work and then
23 he would get a better paying job some place else.

24 Q Were you then concerned with replacement personnel
25 insofar as people who worked as exhibit clerks were concerned?

26 A Very definitely.

27 Q What efforts were made by you to instruct
28 new personnel that you would have coming in to fill these job

1 vacancies about the existence of Judge Alarcon's court
2 order?

3 A Well, Judge Alarcon's order -- there were two
4 separate orders --

5 Q I've only been talking about Judge Alarcon's
6 order, the order he made for non-dissemination of information
7 and the non-viewing of the exhibits introduced in the Grand
8 Jury Hearing.

9 A Well, I have been referring to --

10 Q Have you been referring to something else?

11 A Well, there were two separate orders.

12 Q Well, I haven't got to Judge Walker's order
13 yet.

14 A I don't recall personally telling any new man
15 that there was an order in the case. The supervisor in
16 charge of the vault was to keep all the personnel posted.

17 Q Who was that?

18 A Well, we had quite a few. We had a fellow by
19 the name of Guy Tracy in charge for a while.

20 We had another clerk, Richard Silver. Then we
21 had Richard Wilcox supervise for a very brief period of time.
22 I'm not quite sure what time Wilcox was there.

23 Q In any event, Judge Walker issued a court
24 order towards the end of the actual trial and I believe that
25 was May 17, 1969.

26 At that time were you still in the clerk's
27 office in the capacity you have referred to?

28 A Yes, I was.

1 Q When was that order brought to your attention, if
2 at all?

3 A As most court orders, usually Mr. Talmachoff would
4 receive the order and come out and show it to me and say,
5 "This is what we have."

6 Q Do you have a specific recollection that Judge
7 Walker's Court Order was brought to your attention in the
8 manner that you describe?

9 A I do not.

10 Q Do you have a recollection that this was, in
11 fact, a very unique court order issued by Judge Walker in
12 connection with the Sirhan exhibits?

13 A Well, yes, not specifically, but I remember there
14 was an order in the case and that's about as far as it goes.

15 Q Can you tell us what, precisely, you did to
16 implement the provisions of Judge Walker's order, if anything?

17 A I personally don't recall that I was involved
18 with it.

19 I was aware of the order and I'm sure that the
20 supervisor in charge of the vault was informed of it, and
21 as I remember, the only change in the order was something to
22 do with reproducing of exhibits -- that rings a bell but
23 exactly what we are supposed to do, I'm sorry, I don't
24 remember.

25 Q Can you tell the Grand Jury whether you have a
26 precise recollection of reading Judge Walker's Court Order?

27 A Not a precise recollection.

28 Q As you sit here, do you have any recollection of

1 what the contents of that court order was?

2 A I vaguely remember that the order stated that no
3 one, with the exception of counsel, was to look at the exhibits
4 in the matter without further court order.

5 I remember there was something to the effect --
6 but I'm a little vague on this one -- something about the
7 county clerk making copies of the exhibits and we were not
8 to show the originals.

9 I'm sorry, but that is about as much as I can
10 remember.

11 Q I appreciate your candor.

12 Did you discuss the existence of Judge Walker's
13 court order with Mr. Sharp?

14 A With Mr. Sharp?

15 Q Yes.

16 A No.

17 Q Did Mr. Sharp ever discuss it with you?

18 A I don't recall he ever did.

19 Q Did Mr. Sharp ever discuss with you the Sirhan
20 case in general insofar as any duties of the clerk's office
21 were concerned?

22 A No, sir. Normally Mr. Sharp would have
23 discussed that with Mr. Talmachoff.

24 Mr. Talmachoff and I might have been present
25 some time when he discussed it, when there would be a general
26 comment like, "This looks like a hot one. Be extra careful",
27 that sort of thing, you know.

28 Q Do you have any precise recollection of such a

1 conversation?

2 A Of such a conversation?

3 Q Yes, sir.

4 A No, sir, I don't.

5 Q Did you engage in any of the actual transactions
6 where the people would come in and want to see exhibits and
7 you would show them the exhibits?

8 A Do you mean just in the Sirhan or in any case?

9 Q Well, let's take any case?

10 A Oh, yes.

11 Q And that was one of your duties, too?

12 A Yes; that's part of my duties.

13 Q That's a normal duty of the Assistant Chief of
14 the Criminal Division?

15 A Yes, if I was available, sir.

16 Q I am not minimizing its importance, but, frankly,
17 I was surprised to learn that that was one of your duties.

18 I'm going to ask you to check the exhibit viewing
19 slips. I have here approximately -- in fact, precisely --
20 37 photographs of what purports to be exhibit viewing slips.

21 Will you take a look at them and tell me if you
22 participated in any of the transactions that are reflected
23 in those records?

24 A (The witness examines the exhibits.)

25 Normally I would not have made out these slips,
26 if that's what you're referring to here.

27 Q Why would you not have made out these slips
28 if you participated in the transactions? Would you have made

1 out any portions of those slips?

2 A I doubt it.

3 Q Why would that be, sir?

4 A Well, what would usually happen, say, for
5 example, an attorney on a particular case would come in
6 and what would usually happen is that he might come to me
7 and say, "I want to see the exhibits in such and such a
8 case."

9 I would say, "Fine."

10 What I usually do is go out to the vault and
11 have one of the fellows make out this slip and either that
12 clerk or some other clerk would go to the vault and would
13 go to the place where the exhibits were kept and get those
14 particular exhibits, or I would walk over and get it,
15 depending on the circumstances and how busy I was and how
16 busy the other fellows were.

17 Usually the logging and the exhibit slips were
18 usually made out by a clerk.

19 Q When you say the logging is made out by a clerk,
20 what do you mean?

21 A I should say that the clerk made out these
22 exhibit slips.

23 Q I got from you the impression you would tell the
24 clerk in the vault what was needed and he would make out the
25 slips. Is my impression correct?

26 A It could have gone that way.

27 There was no set procedure.

28 In other words, what normally would happen if a

1 person came in and wanted to see an exhibit, the exhibit
2 clerk would have them make out one of these exhibits slips.

3 After he had checked the man's identification and
4 so forth, then he would put this slip in what we call the
5 exhibit control envelope, that is, the guide envelope, and
6 the guide envelope would inform him where the exhibits were
7 and he would go to where the exhibits were physically located.

8 If there was something unique or unusual, or if
9 the clerk wasn't sure about the procedure, he might come back
10 and talk to me about what he should do.

11 Say, for example, we had an exhibit of, well,
12 let's say, of \$500 or whatever the amount might be. I would
13 have the clerk make out the paper work and I would go in and
14 take out this particular exhibit and physically bring it out
15 and in the meantime the clerk would make the slip out.

16 I would show the attorney or the investigator
17 or whoever it was what the exhibit was, and I would let him
18 examine it and after he finished examining it, I would take it
19 back and lock it up.

20 Q Do you recall participating in any of the
21 transactions that are reflected in any of the viewing slips
22 that are in front of you, referring to the Sirhan case?

23 A No, sir.

24 Q Is it possible you did, insofar as these
25 transactions are concerned, but you don't recall it right
26 now?

27 A Well, yes, it's possible. I don't recall. I
28 remember only handling the Sirhan exhibits, I believe, the one

1 time; as I remember I originally receipted for the exhibits
2 when they first came into our office.

3 Q As I recall -- I recall that incident very
4 hazily and I think there weren't too many exhibits at that
5 time, but I think I took them back and locked them up and I
6 was talking to the clerks and so forth that were involved in
7 the case.

8 Q Do you recall at all seeing the exhibit guide
9 envelope in the Sirhan case?

10 A I have no specific recollection right now, --
11 no.

12 Q How many exhibit custodian clerks did you have
13 down there when you were in the clerk's office; approximately?

14 A Well, between four and five.

15 Q Does it ever get very busy down there?

16 A I'm sure it did.

17 Q What happens if you have more than four or
18 five people wanting to see exhibits at or about the same
19 time?

20 A That is one of the cases when I come out and
21 I would assist.

22 Mr. Talmachoff would come out and assist.

23 We constantly had those occasions and we had
24 to handle it as it came up and sometimes the people had to
25 wait.

26 Q If someone came in and wanted to see an exhibit
27 in a particular case, and I'm referring to the old procedure,
28 I understand they were asked to look at it at a little table

1 outside the main premises down there.

2 Am I referring to anything that makes sense to
3 you?

4 A Yes, sir.

5 Q Is it possible that the clerk might be called
6 away to wait on someone during the time that this person was
7 still there viewing the exhibit?

8 A Most definitely.

9 Q What security arrangements would have
10 existed with respect to the person who was still looking at
11 the exhibit, while the exhibit custodian clerk was running
12 around trying to help someone else?

13 A Well, it was the best we could do.

14 Q I wish we could record your expression on the
15 record.

16 MR. HECHT: I have no further questions of this
17 witness.

18 THE FOREMAN: Any questions to be directed to this
19 witness by any member of the Grand Jury? If so, please
20 write them out and they will be directed to the witness
21 through the Deputy District Attorney.

22 BY MR. HECHT:

23 Q Did you ever see anybody hand out the Sirhan gun
24 in this case?

25 A No, not other than myself, no.

26 MR. HECHT: Thank you. I have nothing further for
27 this witness.

28 THE FOREMAN: I'd like to caution you not to discuss or

1 impart at any time, outside of this jury room, the questions
2 that were asked of you in regard to this matter, or your
3 answers, until authorized by this Grand Jury or the Court to
4 discuss or impart such matters.

5 You will understand that a violation of these
6 instructions on your part may be the basis for a charge
7 against you of contempt of court.

8 Do you understand that?

9 THE WITNESS: I do.

10 (Thereupon, the witness, Richard H. Wilson, was then
11 escorted from the Grand Jury Hearing Room by the Sergeant
12 At Arms.)

13 MR. HECHT: Roger T. Brooke.

14 (Thereupon, the witness, Roger T. Brooke, was then
15 escorted into the Grand Jury Hearing Room by the Sergeant
16 at Arms.)

17
18
19 ROGER T. BROOKE,
20 called as a witness before the Grand Jury, was duly sworn
21 as follows:

22 THE FOREMAN: You do solemnly swear that the evidence
23 you shall give in this matter now pending before the Grand
24 Jury of the County of Los Angeles shall be the truth, the
25 whole truth, and nothing but the truth, so help you God?

26 THE WITNESS: I do.
27
28

EXAMINATION

BY MR. HECHT:

Q Mr. Brooke, what is your business or occupation, please?

A Right now I'm unemployed.

Q Did you ever work for the County Clerk's Office, more specifically, in the Criminal Division?

A Yes, sir, I did.

Q When did you first start there?

A October 1964.

Q And what was your job title at that time?

A I was a regular clerk.

Q Where were you working at that time?

A At the Criminal Office, Room 448.

Q Right down here on the 4th Floor of the Hall of Justice?

A Yes.

Q How long did you work in the Clerk's Office?

A Five and one-half years.

Q Until what date?

A March 1970.

Q At the time you left what was your job title?

A I was an intermediate clerk in Room 448.

Q Did you have some connection or work as a custodian of exhibits?

A Yes, I did.

Q What was that connection, sir?

A I worked in the exhibit custodian job.

1 Q I understand you left under rather strange
2 circumstances; did you not?

3 A Yes, sir.

4 Q Would you very briefly tell us why you left?

5 A Well, I was told to leave because I had, well --
6 dipped into the till, so to speak.

7 Q To what extent?

8 A \$1,600.

9 Q Where did you get the \$1,600 from?

10 A The safe.

11 Q The safe kept in the clerk's office?

12 A Yes, sir.

13 Q As a matter of fact, that money was repaid to the
14 county, was it not?

15 A Yes.

16 Q How was it repaid?

17 A Through my retirement. I had a retirement
18 fund of \$1,300 and then I had severance pay and so forth.

19 Q Was there an investigation into this episode?

20 A Yes, sir, there was.

21 Q Do you recall a case called People versus Sirhan
22 Bishara Sirhan?

23 A Yes, I do.

24 Q With reference to that particular case, do you
25 know, as you sit here, whether there was a court order issued
26 by Judge Herbert Walker in connection with that particular
27 case shortly after that case was concluded?

28 A I was not aware at that time.

1 Q You are now?

2 A Yes.

3 Q When did you first find out or sense or feel or
4 understand that there was a court order issued by Judge Walker
5 in connection with the Sirhan case?

6 A Well, I don't know exactly when the case was
7 finished or whether it was at the beginning of the case.

8 Q Well, you do know that Judge Alarcon issued a
9 court order at the time the indictment was returned?

10 A That's the one I was aware of.

11 Q Were you aware at the end of the case that
12 Judge Walker also issued a court order in connection with the
13 exhibits?

14 A I have read of it but I don't recall it, I am
15 sorry.

16 Q Did anybody in your office specifically bring
17 to your attention Judge Walker had issued a court order in
18 connection with the showing of the original exhibits of the
19 Sirhan case?

20 A Someone may have, but I don't recall now.

21 Q You don't have any present recollection of it?

22 A No, I do not.

23 Q Do you have any recollection of personally reading
24 the contents of that court order?

25 A The second court order?

26 Q Yes, sir.

27 A No.

28 Q And in connection with the Sirhan case, did you

1 ever receive any specific instructions from any of your
2 supervisors in the clerk's office with respect to the handling
3 of requests to see the original evidence in the Sirhan case?

4 A Yes, sir, after a little bit they told me not
5 to let anybody see it at the time of the original court order.

6 Q That was the time the Indictment was returned?

7 A Yes.

8 Q Who told you that?

9 A That was told to me by Mr. Talmachoff, as I
10 remember.

11 A Since the Court Order was issued by Judge Alarcon,
12 were any written instructions given to you specifically setting
13 forth how Judge Alarcon's instructions were to be complied
14 with?

15 A Yes, sir.

16 Q What kind of written instructions?

17 A It was just stated, just a series of instructions
18 stating what to do and what not to do and do not expect any
19 of the information in the case other than that -- that, well,
20 they said, "Don't tell anybody what you have been instructed
21 on it."

22 Q All right; I direct your attention to these
23 photographs which we have here and these are photographs
24 of exhibit viewing slips.

25 Are you familiar with these slips?

26 A Yes, sir.

27 Q Can you tell me by looking at these slips whether
28 or not you participated in any of the transactions you see

1 referred to on them?

2 A Just pull them out, is that all right?

3 Q Yes, that's all right.

4 A (The witness examines the exhibits.)

5 Q You are referring now to Grand Jury Exhibit
6 6, are you not?

7 A Yes.

8 Q And you have taken that out from the other
9 exhibits?

10 A Yes.

11 Q What is there about Exhibit 6 that indicates
12 that you had any connection with that transaction?

13 A Because it has my handwriting.

14 Q You're referring to Exhibit Number 6 which is
15 dated 6-26-69 and it indicates that J. G. Christian was the
16 person viewing the exhibits?

17 A Yes, sir, that's right.

18 Q Which part is your handwriting?

19 A This part.

20 Q You're referring to the numbers in the lower
21 right-hand corner; 21-A, 109-B, 161-B, 120-A and then
22 something that is scratched out?

23 A Yes, sir, that's right.

24 Q Do you recall specifically showing those
25 exhibits?

26 A Yes, I think I did. I handed them to the person
27 who wanted to look at them and when he was finished I had it
28 returned to me.

1 Q How about the other exhibit numbers on that
2 slip; are they in your handwriting?

3 A No, sir.

4 Q Does that indicate to you that there were other
5 persons besides yourself that attended to the needs of this
6 particular man?

7 A That's correct.

8 Q Is it the same handwriting of the same person
9 throughout the entire exhibit that you've looked at?

10 A Not necessarily because of the fact we many times
11 are busy marking cases or bringing in cases for other
12 customers.

13 Q Is it common for you to be serving one or more
14 people at the same time?

15 A Sometimes as many as five or six people.

16 Q Then on any one viewing one or more clerks might
17 handle the Sirhan exhibits?

18 A That's correct.

19 Q Was it uncommon for you to bring out certain
20 exhibits which a person wanted to see and then you would be
21 called away to take care of other people to see what their
22 requests were?

23 A No, that would not be uncommon.

24 It would happen all the time.

25 Q Can you tell me what security precautions were
26 taken as far as the exhibits being given to the person that
27 you waited on?

28 Let me make it more clear.

1 What kind of security would you have from the
2 person that you had given the exhibits to in case you were
3 called away to wait on other people?

4 A The security would be less in the extent that
5 you're referring to.

6 Q All right; you have also shown us Grand Jury
7 Exhibit Number 7.

8 Can you look at this and tell us what, in fact,
9 if anything, you had to do with the exhibits?

10 A This is one I'm sure of.

11 Q Grand Jury Exhibit Number 7?

12 A Yes.

13 Q Why is that?

14 A My handwriting.

15 Q Incidentally, with respect to the two Grand
16 Jury exhibits you have referred to, where you showed exhibits
17 in the Sirhan case, can you tell us whether you showed
18 original exhibits or photographs on those occasions?

19 A The photographs, sir.

20 Q Do you mean photographs or photocopies?

21 A Well, let's call them photocopies.

22 I showed them the photocopies.

23 Q Are there any other of these viewing slips that
24 you recognize or recall?

25 A I think this one.

26 Q You're talking about Grand Jury Exhibit Number
27 8?

28 A Yes; but I'm not sure.

1 Q Do you know what exhibits you gave out in
2 connection with Grand Jury Exhibit Number 8?

3 A Well, Exhibit 19.

4 Q How do you know that?

5 A Well, most of the time I can recognize my own
6 handwriting.

7 Q This is your handwriting?

8 A Yes, sir.

9 Q Is there anything on this slip, if you look at
10 them, that enables you to tell whether it was the original
11 exhibits that were shown to any particular person?

12 A No notation on there.

13 Q Can you tell us -- let me back up first.

14 Referring to the notation circled on the right-
15 hand portion of Grand Jury Exhibit Number 8; is that your
16 handwriting, also?

17 A I don't believe so.

18 The number looks like something I might have
19 written but I don't even know who Wayne is.

20 Q You don't recognize the name "Wayne"?

21 A No, sir.

22 Q You don't recall who he is?

23 A At least I don't recall right now.

24 Q All right, sir, go ahead and tell us if you had
25 any connection with any other transaction?

26 A Well, Exhibit 9.

27 Q You're referring to Grand Jury Exhibit Number 9?

28 A Yes; I think I gave him this 109-B.

1 Q - You're referring to the 109-B circled at the
2 very bottom of the page, towards the center?

3 A Yes.

4 Q How about these others?

5 A Yes, I think so.

6 Q Exhibit 166, which is circled?

7 A Yes.

8 Q And how about Exhibit 56-B?

9 A I think so.

10 Q How about the next one, 62-R?

11 A That looks like mine.

12 Q How about the other numbers showing on, that
13 exhibit?

14 A They are not mine.

15 Q They are not yours?

16 A No, I don't believe so.

17 Q All right; go ahead, please.

18 A Exhibit 10.

19 Q Will you please point it out to me?

20 A In the lower left-hand corner.

21 Q What significance are the circles and the "X"
22 marks through the number?

23 A Probably means I couldn't find this exhibit and
24 it was crossed out.

25 I mean, someone wrote that up but that is my
26 handwriting but this is someone else.

27 Q How about this 124 and 160, did you place that on
28 there?

1 A No, I don't think so.

2 Q How about on the first sheet, 154-A and 156-A?

3 A Yes, I think that is mine.

4 Q I referred briefly to the back of the page,
5 apparently the back of the document.

6 There were additional notations?

7 A Well, I don't think that is my handwriting.

8 Q Would it be fair to say from looking at this
9 exhibit viewing slip, a number of people participated
10 in this transaction in addition to yourself?

11 A That's right.

12 Q Can you tell us anything about Grand Jury Exhibit
13 Number 11?

14 A I can't tell on that one.

15 Q All right; go ahead, please.

16 A I think this one.

17 Q Grand Jury Exhibit Number 14?

18 A Yes, sir.

19 Q 4-9-70?

20 A Yes.

21 Q Does that indicate the exhibits that were given
22 to Mr. Christian on that date?

23 A No.

24 Q Were you given any instructions that these
25 exhibit viewing forms had to be filled out completely and
26 accurately?

27 A Well, they told us at all times we should fill it
28 out so that it is clear and that it can be read. I guess it

1 was assumed that I should fill it out correctly.

2 Q Can you tell from Exhibit 14 what exhibits were
3 given to Mr. Christian on 4-9-70?

4 A No, I cannot.

5 Q All right, would you please go on?

6 Let me show you the exhibit viewing slip for
7 June 25th.

8 That is Grand Jury Exhibit Number 29.

9 Does that look familiar to you?

10 A June 25th?

11 Q Yes.

12 A The exhibit itself?

13 No, sir.

14 Q I have another one for June 25th.

15 Does that look familiar to you?

16 A No.

17 Q How about this one for January 31. Did you have
18 any connection with that?

19 A No, sir.

20 Q Let me ask you this question, sir.

21 With reference to a person by the name of
22 John Christian, do you remember that name?

23 A Yes, I do.

24 Q Did you wait on him during the time, or were
25 there a number of occasions when you waited on Mr. Christian?

26 A Yes.

27 Q Were there a number of occasions when you waited
28 on a man by the name of Mr. Ted Charach?

1 A Yes.

2 Q Do you recall what, if anything, you brought for
3 his observation and inspection?

4 A Well, manila folders. There were two large
5 boxes and there was a listing of witnesses that might have
6 been called before the Grand Jury in the Sirhan case.

7 Q Were these the original exhibit folders?

8 A Yes.

9 Q Is it true, sir, that no copies had been made
10 of those original exhibit folders?

11 A That's correct.

12 Q During the time that the exhibits were being
13 viewed, would it be fair to say it was impossible for you to
14 watch every movement of either one of those persons made
15 during the time they viewed the exhibits?

16 A Yes, sir.

17 Q Was that because you had numerous other duties?

18 A Yes, sir.

19 Q Would it be fair to say that you did the best
20 possible job you could possibly do?

21 A To my way of thinking.

22 Q Insofar as where the exhibits were kept, do you
23 recall where the original exhibits were kept?

24 A The original exhibits were kept in the safe.

25 As the amount of the exhibits became larger
26 certain exhibits were not put in the same location in Room 448.

27 Q What is Room 448?

28 A It's the Criminal Division.

1 Q But they were kept in the safe?

2 A As some of the exhibits increased they were
3 stored under a table.

4 Q Where was that table located?

5 A Approximately two and a half or three feet
6 from the vault.

7 Q Insofar as the gun and bullets were concerned,
8 do you remember where they were kept?

9 A They were also kept in a safe.

10 Q Did you ever see Mr. Talmachoff or Mr. Wilson
11 look in the safe at those exhibits?

12 A I recall that they looked at them, but I
13 don't recall whether they actually took them out of the
14 safe or not.

15 Q Do you remember on how many occasions they
16 actually looked at them?

17 A I couldn't be sure but I would say not more than
18 three or four times.

19 Q Did you make any observations of the exhibits
20 yourself?

21 A Yes, sir; all of us did, as I recall --
22 well, maybe some of the others didn't.

23 Q Do you know why they would look at them?

24 A Curiosity. The same as I looked at them.

25 Of course, I took them in originally as they
26 came down and I looked at them, too.

27 Q Did it ever come to your attention that any of
28 the ballistics evidence in the case, either the bullets or the

1 shell casings had been dropped?

2 A Dropped?

3 Q Dropped, yes.

4 A On the floor or something?

5 Q Yes, sir.

6 A Not that I recall.

7 Q Do you have any recollection of exhibits being
8 lost in the clerk's office, when you worked there?

9 A Yes, that would happen occasionally.

10 Q One of the Grand Jurors has noted on some of the
11 exhibit viewing slips, some of the exhibit numbers are
12 circled.

13 Was that your practice, sir?

14 A To tell the truth, it was so long ago I don't
15 know the reason why we did it but I imagine it was to show
16 that it had been returned, but that is just a conjecture on
17 my part.

18 Q Would it be fair to say, Mr. Brooke, that there
19 was a certain laxity in the security in connection with the
20 exhibits?

21 A In all the exhibits?

22 Q Yes; in all the exhibits?

23 A Not in all the exhibits. In certain exhibits,
24 yes.

25 I thought it was important enough -- of course,
26 that wasn't any of my business, but I thought it should not
27 have been done.

28 Q I would like to hear your opinion?

1 A I thought someone should watch over people who
2 looked at all the exhibits at all times.

3 Q Why do you feel that way?

4 A Because many times the defendants want to look
5 at exhibits in a case and I suppose it is a fixed axiom
6 to me that all defendants are guilty.

7 Naturally I know it's not true but that's the
8 way it seems to me and it seems to me that they would like
9 to change the evidence in some sort of way.

10 Q Did you ever comment on that feeling to any of
11 the supervisors above you?

12 A No; it was a private thought, just a private
13 thought.

14 Q Did you ever obtain the gun for any individual
15 who wanted to look at it?

16 A The gun?

17 Q Did you ever bring the gun out, the original
18 gun or any of the ballistics evidence for people to look at?

19 A Yes, I did.

20 Q When, sir?

21 A Well, I can't tell you approximately, but it was
22 after the case was over.

23 Q Do you recall the circumstances that caused you to
24 bring out the original exhibits as distinguished from the
25 photocopies?

26 A I think it was the gentleman who was taking
27 ballistics tests, but they looked through the microscope at
28 the bullets and the gun and apparently they had a court order,

1 although I don't know what was included in it.

#12
2 Q What gave you the impression they had a court
3 order?

4 A Well, someone -- I don't know who it was --
5 I didn't pay that much attention -- told me.

6 Somebody told me they had a court order and I
7 think they told me and they might have gotten one of the
8 bosses to help set the things up.

9 Q On how many occasions did you bring out these
10 original exhibits, approximately?

11 A At least a dozen times.

12 Q And did you stand there during the entire time
13 these people were looking at the exhibits?

14 A No, sir, I took two slips and they were looking
15 at it a couple of hours.

16 Q Did you have any other duties to perform?

17 A Yes, I did.

18 Q Did anyone take your place in giving the kind of
19 security that might be necessary?

20 A Only as far as I was around there, I would look
21 at them and I'm sure the others did look at them, too.

22 But as far as the security is concerned, there
23 wasn't a real amount of security.

24 Q Can you say for certain that they always did
25 return the exhibits every time they finished with them?

26 A Yes, I think they did.

27 Q Maybe I need some clarification.

28 You brought out the original exhibits for them to

1 see?

2 A Only the weapons and the bullets.

3 Q Did you actually give the weapon and the bullets
4 to certain people?

5 A With the package that they were in, yes.

6 Q Did you then go back to your other duties?

7 A Yes.

8 Q Did any clerk replace you to the extent of
9 watching them?

10 A No, sir.

11 Q When they were finished they brought the exhibits
12 back to you and you then returned them to the vault?

13 A Yes.

14 Q Did anyone ever tell you to watch these people
15 when they had the original exhibits?

16 A No, not to my recollection. Otherwise I would
17 have.

18 Q Was there more than one person to whom these
19 original exhibits were given by you?

20 A Only two people.

21 Q Let me show you Grand Jury Exhibit Number 47.
22 Do you recall the person whose picture is in
23 that exhibit?

24 A Yes; I sort of have a vague recollection.
25 I recognize the picture but as to its positive
26 identification I cannot say.

27 Q Was he one of the persons to whom you showed the
28 original exhibits?

1 A If he is the person that is identified by that
2 picture, yes.

3 Q Do you think so?

4 A As I mentioned before, I don't know whether
5 that is the person.

6 Q This person is named William W. Harper.

7 Does that mean anything to you?

8 A Yes.

9 Q Do you remember the time you gave him the gun
10 whether there were any other people sitting with him?

11 A Yes, there were other people with the gentleman.

12 Q There were other people with the gentleman that
13 was Mr. Harper?

14 A Yes.

15 There was Mr. Harper and another person.

16 Q From the general public?

17 A Yes.

18 Q Who had access to the safe you mentioned?

19 A Everyone who had to work there in that section.

20 The two bosses had the key and they would open it
21 up in the morning.

22 Q Do you know what was ordinarily kept in that
23 safe?

24 A Well, they had all kinds of things but they
25 would keep money and certain large exhibits.

26 Q Did you have access to that safe?

27 A Yes.

28 Q When was that?

1 A During the day when it was open.

2 Q Did you ever hear any discussion among the
3 clerks regarding the security of the Sirhan exhibits them-
4 selves?

5 A Not specifically, no, sir.

6 Q When you say "not specifically", how about
7 generally?

8 A Only that there should be security, tighter
9 security than they had at the time.

10 But, as I say, nothing specific was brought up
11 about the security.

12 Q Did anyone ever show you a court order which
13 stated exactly who was permitted to have access to the
14 original exhibits?

15 A That's what I was trying to think about all
16 during the time.

17 All during the time I was made aware there was
18 going to be a problem in this case, but I don't recall.

19 Q Did anyone ever bring any scientific equipment
20 into the clerk's office?

21 A Yes, those two gentlemen that I mentioned.

22 Q Which two gentlemen?

23 Do you mean Mr. Harper and somebody else?

24 A Yes.

25 Q Do you know it was the Sirhan exhibits that you
26 showed to him?

27 A Yes.

28 Q Did you ever ask your supervisor if it was all

1 right if they brought in that type of scientific equipment?

2 A No, sir.

3 They could see it was there.

4 Q On how many occasions do you recall that the
5 scientific equipment of some kind had been brought to the
6 clerk's office in connection with the Sirhan case?

7 A At least seven or eight times.

8 Q Were you involved in any transactions with them
9 when they brought in this scientific equipment?

10 A I wasn't alone. I wasn't the only one.

11 Q Other than bringing out the exhibits to them,
12 did you observe these people handling the bullets and the
13 bullet fragments and the gun?

14 A In passing, perhaps, while I was going to and
15 from in my work I would look at what they were doing.

16 Q What did they seem to be doing?

17 A It appeared they were looking at it with the
18 microscope.

19 Q Are you certain it is a microscope?

20 A If it isn't a microscope, it looked just like
21 one.

22 They were looking at what appeared to be bullet
23 fragments through the microscope.

24 Q Can you say with any reasonable degree of
25 certainty that the original exhibits in the Sirhan case
26 have not been tampered with?

27 A To my way of thinking, I don't believe they have
28 been tampered with.

1 Q Can you with any reasonable degree of certainty
2 state they had not been switched during the time that you
3 were working in the clerk's office?

4 A I don't think that they had been switched,
5 either.

6 Q Are you basing that on your own experience,
7 sir?

8 A Yes.

9 Q You're not purporting to speak for the events
10 that may have occurred, of which you have no knowledge?

11 A That's correct.

12 Q Did you ever hear the supervisor say it was a
13 mistake to permit one or more persons to see the evidence in
14 the Sirhan case?

15 A No, sir.

16 Q I believe this question has been asked, but I
17 will ask it again so that there may be no confusion in the
18 record on it.

19 Do you remember the name of the man to whom
20 you actually showed the original gun and the bullets in the
21 Sirhan case?

22 A No, except for the one you mentioned.

23 Q Mr. Harper?

24 A Yes, I think so, but I don't even know if that was
25 his name or not.

26 Q There were a number of documents that were kept in
27 connection with the Sirhan case. Let me take one, let me show
28 you Grand Jury Exhibit Number 50.

1 Have you ever seen that document before?

2 A All I can say is that it looks familiar. It
3 looks like one of the exhibits that was handed out.

4 Q Did you ever authorize anyone to remove any of
5 the pages from that exhibit?

6 A No, sir.

7 Q Did you, yourself, remove any of the pages from
8 that exhibit?

9 A No, sir.

10 Q Have you heard any conversation down in the
11 clerk's office involving the removal of any pages from this
12 or any other exhibit?

13 A No, sir.

14 MR. HECHT: I have nothing further of this witness.

15 THE FOREMAN: Are there any questions to be directed
16 to this witness by any member of the Grand Jury? If so,
17 please write them out and they will be directed to the witness
18 through the Deputy District Attorney.

19 Apparently not.

20 I'd like to caution you not to discuss or impart
21 at any time, outside of this jury room, the questions that
22 were asked of you in regard to this matter, or your answers,
23 until authorized by this Grand Jury or the Court to discuss
24 or impart such matters.

25 You will understand that a violation of these
26 instructions on your part may be the basis for a charge
27 against you of contempt of court.

28 Do you understand that?

1 THE WITNESS: I do.

2 (Thereupon, the witness, Roger T. Brooke, was then
3 escorted from the Grand Jury Hearing Room by the Sergeant
4 At Arms.)

5 THE FOREMAN: We'll recess now until 1:15.

6 Would everyone please be on time.

7 (Whereupon, an adjournment was taken until 1:15 P.M.
8 of this same day.)

9 --oOo--