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L.A. County Grand Jury
Transcript re: L.A. County Clerk Office

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C.O. Richards 4/3/86

Revised 6

1 THE GRAND JURY OF THE COUNTY OF LOS ANGELES

2 STATE OF CALIFORNIA

3 * * * * *

4
5 THE PEOPLE OF THE STATE OF CALIFORNIA,

6 Plaintiff,

7 vs.

No. A-233,421

8 SIRHAN BISHARA SIRHAN,

9 Defendant.

SEP 7 1971

10
11 REPORTER'S TRANSCRIPT OF GRAND JURY PROCEEDINGS

12 AUGUST 17, 1971

13 (P.M.ONLY)

14 AUGUST 18, 1971

15 VOLUME 2 of 3 VOLUMES

16 Pages: 242 - 476, incl.

17 APPEARANCES:

18
19 (See Volume 1.)

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56-1562-1

1 LOS ANGELES, CALIFORNIA, TUESDAY, AUGUST 17, 1971

2 1:20 P. M.

3 --o0o--

4
5 THE FOREMAN: Let the record show that the Grand Jury
6 has reassembled and that all 21 Grand Jurors who were present
7 at the inception of this case are present for further pro-
8 ceedings.

9 MR. HECHT: Mr. Gingold, please. Howard Gingold.

10 THE SERGEANT AT ARMS: He is not here yet.

11 MR. HECHT: Mr. Talmachoff, then, please.

12 (Thereupon, the witness, Peter John Talmachoff, was
13 then escorted into the Grand Jury Hearing Room by the
14 Sergeant At Arms.)
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16

17 PETER JOHN TALMACHOFF,
18 recalled as a witness before the Grand Jury, was previously
19 duly sworn, was examined and testified further as follows:
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21

22 EXAMINATION (CONTINUED)

23 BY MR. HECHT:

24 Q Mr. Talmachoff, I interviewed Kenneth Buckley in
25 my office on Wednesday, June 9, 1971, and during the course
26 of the conversation -- and I'm now referring to a transcript
27 I had made of that conversation -- I asked the following
28 question -- I'm referring to Page 12, Line 17 to 26.

1 "QUESTION:" -- this is by me to Mr. Buckley --
2 "When did it first come to your attention that
3 besides counsel of record, that Mr. Harper had access
4 to these exhibits?

5 "ANSWER: When I first checked the guide
6 envelope on that wondering why these people -- in
7 fact, I believe I spoke to Mr. Talmachoff and asked
8 him why they had seen it.

9 "QUESTION: Okay, what did he say?

10 "ANSWER: They were not supposed to -- they
11 should not have seen them."

12 Was there such a conversation?

13 A Does he indicate at what point the conversation
14 may have taken place?

15 Q Yes, going on Page 13:

16 "When did that conversation with Mr. Talmachoff
17 take place?

18 "ANSWER: I believe that, again, would be in
19 March or April of 1970."

20 A I cannot recall. I just cannot recall.

21 Q Do you deny it is possible that such a conversa-
22 tion took place?

23 A I cannot deny it, but I just cannot recall having
24 said that.

25 Q On a number of occasions, Mr. Talmachoff, you
26 were aware that Mr. Harper was coming into the clerk's office
27 on the 4th Floor, where your division was located, and bringing
28 with him a great deal of scientific equipment; were you not?

1 A Scientific equipment?

2 Q Yes.

3 A Yes, sir.

4 Q Were you aware at that time he was looking at

5 the original evidence, specifically some of the original

6 ballistics evidence in the Sirhan case?

7 A No, sir.

8 Q What impression were you under?

9 A I thought he was looking at the exhibits in the

10 Kirschke case.

11 Q You were asked to bring the Kirschke case enve-

12 lope?

13 A Yes, sir.

14 Q Did you bring it?

15 A Yes, sir.

16 Q Would you take it out, please?

17 A Yes, sir.

18 Q Can you remove from the guide envelope the

19 exhibit viewing slips that are in that envelope?

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

21 Q How many do you find?

22 A Five.

23 Q May I see them, please?

24 A Yes.

25 Q This one here is made by one Willard B. Allen,

26 if I read that accurately?

27 A Yes.

28 Q What does he appear to be?

1 A Special Agent for the CIA.

2 Q And one here appears to be made out to three
3 people; Bruce A. Geowey, Charlene Geowey and Philip O.
4 Robertson.

5 A Yes.

6 Q And another one for Bruce and Charlene Geowey?

7 A Yes.

8 Q And another one for Bruce Geowey and a fourth and
9 last one for Charlene Geowey?

10 A Yes.

11 Q In the interview you had with me and it will take
12 me just one moment to locate the precise page, referring to
13 Philip Robertson -- you recall that was the third name on one
14 of those slips, Philip O. Robertson?

15 A Yes.

16 Q Now, I'm referring to Page 20 of the interview I
17 had with you on Thursday, June 10, 1971.

18 My question to you:

19 "Now, we received a number of statements, we took
20 a number of statements from your people, who indicated
21 in substance on occasion a good deal of equipment was
22 brought into the Clerk's Office, equipment being
23 microscopes, comparison microscopes, cameras, and
24 things of that nature, and one or more people were
25 engaged in the Sirhan case -- they could not have
26 gone unnoticed.

27 "Did you have occasion to see any such equipment?

28 "ANSWER: I have seen people coming in with

1 equipment as you describe, but I wasn't aware
2 that they were looking at exhibits in the Sirhan
3 case. I was under the impression that they were
4 looking at exhibits in the Kirschke case.

5 "QUESTION: Can you tell me what led you to
6 that conclusion?

7 "ANSWER: Because I think the same people had
8 initially started looking at the exhibits in the
9 Kirschke case -- this goes back in time -- and they,
10 I believe, looked at the exhibits in the Kirschke
11 case a number of times.

12 "I was under the impression this was a similar
13 continuation of the same examination process..."

14 Q Which of the people you have named from these
15 exhibit viewing slips were, in your opinion, associated with
16 any of the scientific equipment that had been brought in?

17 A None of these people, as far as I know.

18 Q Can you tell me where these exhibit viewing slips
19 are for the people using scientific equipment on the Kirschke
20 case?

21 A I do not know.

22 Q In the conversation you had with the polygraph
23 examiner on July 22, 1971, and I'm pointing now to Page 1:

24 "From that point on apparently Harper was given
25 access because we had the letter from the attorney's
26 office and they should have signed that -- but I wasn't
27 aware that Harper was looking at the Sirhan exhibits,
28 until just about a month or so ago.

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1 "I was under the impression he was looking
2 at the Kirschke stuff. He has been looking at the
3 Kirschke stuff for some time back and -- that --

4 "QUESTION: Where was he looking at it?

5 "ANSWER: He was looking at it in the Assistant
6 Division Chief's Office. He wasn't just out there
7 in the public area looking at the stuff.

8 "QUESTION: Was that your statement you made
9 to me?

10 "ANSWER: Yes."

11 I'll go on.

12 "He was looking at it in Mr. Sour's
13 office.

14 "No, that was before Sours. I think it
15 goes back to before Sours was in that office, be-
16 cause that was the Kirschke case and that's a
17 pretty old case now.

18 "QUESTION: Well, what about in Mr. Sour's
19 office, did he look at the Sirhan stuff?

20 "ANSWER: I don't know.

21 "You see, my only information --
22 initially he may have looked at the Sirhan
23 exhibits on the table just outside the window
24 we have there. But thereafter he looked at
25 them at the table that we have adjacent to
26 what we call the intake area right where we
27 have the exhibits -- the guys have a little better
28 direct line shot and view of what is going on back there."

1 Have I quoted you accurately?

2 A Yes, sir.

3 Q Is it your position, Mr. Talmachoff, that
4 Mr. Harper on a number of occasions came into your office
5 downstairs in your division with a certain amount of
6 scientific equipment, whatever that equipment might be, and
7 on a number of those occasions looked at the ballistics
8 evidence in the Kirschke case without having filled out an
9 exhibit review slip?

10 A I have no knowledge that he did that without
11 having completed his slip.

12 Q Can you tell me where are the exhibits review
13 slips?

14 A I cannot tell you, sir, because I do not know.

15 Q In the conversation I had with one of the former
16 employees of your office, Gary Hairston, he indicated to me
17 he had served Mr. Harper on the Kirschke case and he assured
18 me that slips had been made out.

19 I subpoenaed you to bring today all of the
20 exhibit reviewing slips in the Kirschke case, have I not?

21 A Yes.

22 Q Did you make an effort to have your people make
23 an effort to find those slips?

24 A Yes.

25 Q And you were unable to find those slips in that
26 case?

27 A That's correct.

28 Q Is it possible in connection with the Sirhan case

sp?

1 the same situation exists that there are exhibit viewing slips
2 that your office has not found?

3 A It is possible.

4 Q Can you assure this Grand Jury that situation does
5 not exist with respect to the Sirhan case?

6 A I cannot make such an assurance.

7 Can I make a comment, sir?

8 Q Please do.

9 A In this case, the Sirhan case, in that envelope,
10 again we have a large number of guide envelopes and we changed
11 from the old form to the new form and my impression is that
12 Ken Buckley is the one who made the change and we felt that
13 perhaps in making the change he may have discovered the old
14 slips. In asking him, however, he felt that all of the slips
15 he had in the old guide envelopes were transferred into this
16 particular guide envelope.

17 Q Is it possible, Mr. Talmachoff, that some effort
18 has been made to deliberately remove certain documents from
19 your office in connection with either the Kirschke case or the
20 Sirhan case?

21 A I suppose anything is possible but I would not
22 say that has, in fact, occurred.

23 Q I asked you to bring all correspondence but not
24 limited to that, all correspondence, letters, memoranda and
25 so forth by the county clerk to any personnel or members of the
26 county clerk's office pertaining to the Sirhan case.

27 A We have no correspondence.

28 Q I asked you to bring all correspondence but not

1 limited to that, all correspondence and directives sent by
2 Mr. Talmachoff, Mr. Sours, Mr. Buckley and Mr. Walker to any
3 member of the Clerk's Office relating to the handling of
4 exhibits in the Sirhan case.

5 Do you have any of those?

6 A No, sir.

7 Q I asked you to bring any communications written
8 by any member of the clerk's office, whether addressed
9 individually to members of the clerk's office or collectively
10 to certain members of the clerk's office as a group, related
11 to the handling of the exhibits in the Sirhan case.

12 Are there any such communications?

13 A No, sir.

14 Q Did you bring a letter or a copy of a letter
15 contained in your file sent by Attorney George Shibley dated
16 August 12, 1970?

17 A Do you want the original?

18 Q Yes; if you have it.

19 A I have the original; I believe I gave you a copy
20 yesterday.

21 Q This is Exhibit Number 43?

22 A Yes.

23 Q All right; I've asked you to bring a copy of the
24 court order allegedly kept by the door of the vault and
25 allegedly pertaining to the Sirhan case.

26 A I do not have the original.

27 Q I asked you to bring that, Mr. Talmachoff, as
28 one or more of your employees told me that such a document

1 existed.

2 Did you bring it?

3 A If you're speaking of that specific document,
4 no, sir; we do have one but whether it was there at the time
5 I don't know.

6 Q Is the one that you have the original?

7 A No, sir.

8 Q What is there now?

9 A The order of Judge Walker dated May 20, 1969.

10 Q When was that put on there?

11 A Well, this last one I cannot say for sure but it
12 would be within the past month.

13 I really cannot say.

14 Q Who put it there?

15 A I cannot say that, either.

16 Q Have you asked who put it up?

17 A No, sir.

18 Q Would you do me the personal favor of inquiring
19 when you get back to your office?

20 A Yes, sir, certainly, sir.

21 MR. BECHT: I have no further questions of this
22 witness.

23 THE FOREMAN: Any other questions of this witness by
24 any member of the Grand Jury? If so, please write them out
25 and they will be directed to the witness through the Deputy
26 District Attorney.

27 Apparently not.

28 MR. TALMACHOFF: May I say something?

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THE FOREMAN: Do you desire to make a statement, sir?

MR. TALMACHOFF: Yes.

THE FOREMAN: Please go ahead.

MR. TALMACHOFF: In relation to the order on the wall from my standpoint the most effective place for an order is in the guide envelope and not on the wall, although we do have special notices on the wall.

But employees, in getting the guide envelope, they are supposed to look into the guide envelope to see what order it contains and that is the most significant order.

The order on the board is a duplication but that is put there in the hope it will catch the eye.

THE FOREMAN: Thank you very much.

I don't believe there's any necessity to give you the admonition as to the secrecy of these proceedings before the Grand Jury.

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

MR. HECHE: Mr. Gingold.

(Thereupon, the witness, Howard Gingold, was then escorted into the Grand Jury Hearing Room by the Sergeant At Arms.)

HOWARD GINGOLD,
called as a witness before the Grand Jury, was duly sworn as follows:

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

5 THE WITNESS: I do.
6
7

8 EXAMINATION

9 BY MR. HECHT:

10 Q Mr. Gingold, what is your business or occupation?

11 A I'm a news reporter for KNXT, Channel 2.

12 Q How long have you been so employed?

13 A Seven years.

14 Q Recently, did you have occasion to go to the
15 clerk's office in an effort to look at some of the business
16 records, the official records, in connection with the Sirhan
17 case?

18 A Yes, I did.

19 Q Can you recall the date that you went there?

20 A Well, I was there on several occasions and it
21 was the first time on or about July 11th or 12th, somewhere
22 in that neighborhood -- I'm not sure of the date.

23 Q What was your purpose in doing that?

24 A My purpose was to examine the clerk's exhibit
25 review forms to try to determine who had been given access to
26 the exhibits in the Sirhan trial.

27 Q Were you successful in obtaining access to the
28 exhibit review forms during your first visit you made there?

1 A No, sir.

2 Q Why not?

3 A I was informed that Judge Hayden had issued an
4 order, I believe it was a verbal order, restricting access to
5 those files.

6 Q And what, if anything, did you do, upon being
7 informed of that?

8 A Well, it was my impression that the clerk's
9 records were a matter of public record and I contacted the
10 Clerk of the California Supreme Court because it was my under-
11 standing that Judge Hayden's order was issued in response to a
12 request from the California Supreme Court.

13 So I contacted the Clerk of the Supreme Court
14 in an attempt to obtain a clarification of that order.

15 Q Did you obtain a clarification that you felt was
16 desirable?

17 A Yes, sir.

18 Q Did that clarification permit you to go back to
19 the clerk's office and see the exhibit review slips in the
20 Sirhan case?

21 A Yes, sir.

22 Q I recall you brought some cameras and photographed
23 the event?

24 A Yes, sir.

25 Q While you were there, did you have occasion to
26 inquire about the exhibit review forms in the Kirschke case?

27 A Yes, I did.

28 Q What prompted you to inquire into that case?

1 I remarked so to the clerk's office employee who
2 was helping me go over the record and I asked him if he
3 thought it was odd that only one person had expressed an
4 interest in the Kirschke evidence.

5 He said, "Yes, I do", or words to that effect.

6 Q Were there any further efforts made to find any
7 further exhibit review forms in the Kirschke case at that time?

8 A Not that I know of.

9 I was assured the packet I was given represented
10 the record in its entirety.

11 MR. HECHT: I have nothing further.

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

16 BY MR. HECHT:

17 Q Could you tell us, Mr. Gingold, a member of the
18 Grand Jury has inquired, what was the date of the visit that
19 you just referred to?

20 Do you recall that?

21 A I believe that must have been on the 14th.

22 As I recall, our television show was on Thursday
23 and that's the 16th and I believe I inspected the clerk's
24 records on the 14th.

25 THE FOREMAN: Which month?

26 THE WITNESS: July 14th.

27 THE FOREMAN: Of this year?

28 THE WITNESS: Yes.

1 MR. HECHT: That is all.

2 I have nothing further.

3 THE FOREMAN: Any further questions?

4 Apparently not.

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

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

13 Do you understand that?

14 THE WITNESS: I do.

15 (Thereupon, the witness, Howard Gingold, was then
16 escorted from the Grand Jury Hearing Room by the Sergeant
17 At Arms.)

18 MR. HECHT: Mrs. Hassett.

19 (Thereupon, the witness, Marilyn M. Hassett, was then
20 escorted into the Grand Jury Hearing Room by the Sergeant
21 At Arms.)

22
23
24 MARILYN M. HASSETT,
25 called as a witness before the Grand Jury, was duly sworn as
26 follows:

27 THE FOREMAN: You do solemnly swear that the evidence
28 you shall give in this matter now pending before the Grand Jury

1 of the County of Los Angeles shall be the truth, the whole
2 truth, and nothing but the truth, so help you God?

3 THE WITNESS: I do.

4
5
6 EXAMINATION

7 BY MR. HECHT:

8 Q Mrs. Hassett, what is your business or
9 occupation?

10 A I'm Chief Clerk of the District Attorney's
11 office.

12 Q That is the same office I work for; is that
13 correct?

14 A Yes, sir.

15 Q And prior to the time that you became an
16 employee of the District Attorney's office, had you worked
17 in the clerk's office?

18 A Yes, I had.

19 Q What was your capacity in the clerk's office?

20 A I was a Senior Clerk.

21 Q In what building did you work?

22 A In the courthouse.

23 Q That is the main courthouse?

24 A Yes.

25 Q While you were working in the clerk's office, did
26 you become acquainted with Mr. Peter J. Talmachoff?

27 A No, sir.

28 Q When you came into the District Attorney's office,

1 did you then become acquainted with Mr. Peter J. Talmachoff?

2 A Yes, I did.

3 Q Directing your attention to the month of July,
4 1970, up until that particular month, had your business
5 relationship grown to the point where you would see him
6 rather frequently?

7 A Yes, sir.

8 Q During the month of July 1970 did you attend one
9 or more meetings where Mr. Talmachoff was also present?

10 A Yes, sir.

11 Q Where were those meetings held?

12 A Either in my office or his.

13 Q During the course of one of those conversations
14 during the month of July 1970 did Mr. Talmachoff ever make
15 any comments regarding his exhibit section?

16 A Yes; he did tell me about it.

17 Q What was said, please?

18 A That things were in such a mess that Mr. Sharp
19 didn't seem to understand he needed to hire a better caliber
20 of personnel in order to keep his exhibits straightened out.

21 Q Did you ever have a conversation with
22 Mr. Talmachoff wherein he made a reference to something
23 terrible happening or may happen?

24 A Yes.

25 Q How many such conversations did you have with
26 him?

27 A Three or four over the year.

28 Q Can you tell us the substance of these

1 conversations?

2 A Just some day that something bad was going to
3 happen and it would draw attention to the problem.

4 MR. HECHT: I have nothing further.

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

9 Apparently not.

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

15 You will understand that a violation of these
16 instructions on your part may be the basis for a charge
17 against you of contempt of court.

18 Do you understand that?

19 THE WITNESS: I do.

20 (Thereupon, the witness, Marilyn M. Hassett, was then
21 escorted from the Grand Jury Hearing Room by the Sergeant At
22 Arms.)

23 THE FOREMAN: We'll take a 10-minute recess.

24 (Short recess.)

25 THE FOREMAN: Let the record show the Grand Jury has
26 reassembled and the court reporter is present.

27 You may proceed, Mr. Hecht.

28 MR. HECHT: Mr. Collins.

1 (Thereupon, the witness, Charles E. Collins, was then
2 escorted into the Grand Jury Hearing Room by the Sergeant At
3 Arms.)

4
5
6 CHARLES E. COLLINS,
7 called as a witness before the Grand Jury, was duly sworn as
8 follows:

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

13 THE WITNESS: I do.

14
15
16 EXAMINATION

17 BY MR. HECHT:

18 Q Mr. Collins, what is your business or occupa-
19 tion?

20 A Police Officer for the City of Los Angeles.

21 Q How long have you been so employed?

22 A Twenty-two years.

23 Q Are you one of the investigating officers in the
24 case of Sirhan Bishara Sirhan?

25 A Yes, I was.

26 Q Did you know a Deputy District Attorney, but now
27 a Superior Court Judge, by the name of David Fitts?

28 A Yes, I do.

1 Q I direct your attention to one of the exhibit
2 viewing forms, Grand Jury Exhibit Number 31, which has a
3 date on it, 1-31, but no year.

4 Do you recall going with Deputy District Attorney
5 Fitts to the 4th Floor of the Clerk's Office in this building
6 to look at any exhibits in the Sirhan case?

7 A Yes, I do.

8 Q Do you recall that particular visit,
9 Sergeant Collins?

10 A Yes, I do.

11 Q Do you recall whether or not you were shown any
12 exhibits?

13 A I don't recall.

14 Q I invite your attention to Grand Jury Exhibit
15 Number 37, dated June 17, 1971; is that your handwriting?

16 A Yes, it is.

17 Q Did you, in fact, on June 17, 1971, go to the
18 Clerk's Office once again?

19 A Yes, I did.

20 Q Why did you go there?

21 A I have been called back downtown to make an
22 investigation regarding the Sirhan case and to check and to
23 see what evidence had been checked out in the Clerk's Office
24 and I reviewed the slips.

25 Q You mean the exhibit review slips?

26 A Yes, they were all included in one group and I
27 didn't see one with my name on it.

28 Q Well, I take it that you filled out an exhibit

1 review form to look at any other exhibit review form slips they
2 may have had there?

3 A Yes.

4 Q Are you telling me that the first exhibit review
5 form I showed you, Grand Jury Exhibit Number 31, made out by
6 Mr. Fitts was not displayed to you on June 17th?

7 A No, that one was there, but I made out one on
8 that date. I didn't realize that this one was in the file but
9 I made out one myself.

10 Q You found the slip made out by Deputy District
11 Attorney now Judge David Fitts?

12 A Yes.

13 David Fitts' slip was there, but I made one out
14 and they refused to show us the evidence when we were there.

15 Q Pardon me; you're saying on this January 31st
16 date, after Deputy District Attorney Fitts made out his slip,
17 they refused to show you the evidence?

18 A Yes, and we had to get Alice Nishikawa, who was
19 then the Court Clerk in Judge Walker's Court, and Mr. Fitts
20 told them that he was the Deputy District Attorney trying this
21 case and they said, "Sorry, we can't show you the evidence.
22 There is a court order on it."

23 Then he had to go back upstairs and get Alice to
24 get us the exhibits, whatever they were.

25 Q Do you remember which exhibits they were?

26 A I have forgotten what we wanted to look at.

27 MR. HECHT: I have nothing further.

28 THE FOREMAN: Any questions to be directed to this

1 witness by any member of the Grand Jury? If so, please write
2 them out and they will be directed to the witness through the
3 Deputy District Attorney.

4 Apparently not.

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

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

13 Do you understand that?

14 THE WITNESS: I do.

15 (Thereupon, the witness, Charles E. Collins, was then
16 escorted from the Grand Jury Hearing Room by the Sergeant At
17 Arms.)

18 MR. HECHT: Mr. Robert Sours.

19 (Thereupon, the witness, Robert E. Sours, was then
20 escorted into the Grand Jury Hearing Room by the Sergeant At
21 Arms.)

22
23
24 ROBERT E. SOURS,
25 called as a witness before the Grand Jury, was duly sworn as
26 follows:

27 THE FOREMAN: You do solemnly swear that the evidence
28 you shall give in this matter now pending before the Grand Jury

1 of the County of Los Angeles shall be the truth, the whole
2 truth, and nothing but the truth, so help you God?

3 THE WITNESS: I do.

4
5
6 EXAMINATION

7 BY MR. HECHE:

8 Q Mr. Sours, what is your business or occupation?

9 A I'm Head of Court Services in the County Clerk's
10 Office, Criminal Division.

11 Q Who is the Chief in that particular department?

12 A William G. Sharp.

13 Q Who is the Chief of that Division?

14 A Peter J. Talmachoff.

15 Q Are you the Office Manager?

16 A Yes, I am.

17 Q In that capacity, if we wanted to use a cliche,
18 do you run the office, so to speak?

19 A Yes, I do.

20 Q What did you do before you went to the Clerk's
21 Office?

22 A I was a civil bailiff.

23 Q Now, if anyone wants to review an exhibit, a
24 member of the public wants to review an exhibit, which your
25 Division has under its custody and control, would you explain
26 what they have to do in order to have access or to attempt to
27 get access to such an exhibit?

28 A They have to fill out -- well, first they have to

1 find the case number and bring the case number to the exhibit
2 room.

3 Then, when they have the case number, they fill
4 out an exhibit reviewing form and request which exhibits they
5 want to see.

6 Q What happens then?

7 A Then the case is checked to see what the status
8 of the case is, and if the exhibits are available to public
9 viewing.

10 If they are available for public viewing then
11 the exhibits would be brought to a viewing table and the person
12 would be seated at the viewing table and allowed to look at the
13 exhibits.

14 Q All right; may I invite your attention to the
15 document directly behind you which purports to reflect the
16 general plan of the criminal division of the County Clerk's
17 Office.

18 MR. HECHT: With your permission, Mr. Foreman, I'd like
19 to mark this document as Grand Jury Exhibit Number 53.

20 THE FOREMAN: It may be so marked.

21 BY MR. HECHT:

22 Q Does that particular plan appear to you to be a
23 reasonable, accurate plan of the Criminal Division of the
24 County Clerk's Office?

25 A Yes, it does.

26 Q Now, has the procedure changed as to where a
27 person would view exhibits?

28 Has that procedure changed within the past year or

53 id

1 so, to your knowledge?

2 A Yes, it has.

3 Q And under the old procedure, where would such a
4 person view the exhibits, assuming that they were being given
5 access to the original exhibits?

6 A They would view them at the table, to the left
7 of the word "Room 448", except on certain occasions.

8 Q There is an area marked "table" on the chart?

9 A Yes, it is.

10 Q Now, is that table outside the area where your
11 employees generally perform their respective functions?

12 A Yes.

13 Q It is in a public area as distinguished from the
14 area behind the counter; let's call that a private area?

15 A Yes.

16 Q Would that be accurate?

17 A Yes.

18 Q The counter would separate the public from the
19 private area?

20 A Yes; that's correct.

21 Q How has that procedure changed as to where they
22 would view the exhibits today?

23 A Yes, that procedure has changed.

24 Q In what respect?

25 A Well, the table that is now behind what we call
26 the vault door, there is a room marked there and there is a
27 door swinging out on the right.

28 That door is the vault door and when it is open

1 it is relatively straight out and there is a table sitting
2 right there and that table is used for viewing.

3 If there are two people we use part of the counter
4 in that area.

5 Q When was that change made; do you know,
6 Mr. Sours?

7 A I would be guessing, but, approximately, about
8 September of 1970, maybe October -- I'm not sure.

9 Q Was there reason for that change being made?

10 A Yes.

11 Q Can you tell us that reason?

12 A Well, we decided, that is, Mr. Kristman and
13 myself, we decided it would be much easier to view inside the
14 counter and also give us more exhibit security.

15 Q Now we have here, and the term used is, I believe,
16 exhibit guide envelope.

17 Are you familiar with that term?

18 A Yes.

19 Q Can you describe an exhibit guide envelope?

20 A Yes; it's an envelope about five by eleven
21 inches and it is used to locate exhibits and it indicates the
22 type of exhibits and it is used for disposition purposes and
23 it is used to store exhibit receipts and exhibit records.

24 Q Would it be used to hold such items as exhibit
25 review viewing slips?

26 A Yes, it would.

27 Q It is my understanding from the exhibits we have
28 had here that the guide file in the Sirhan case was exchanged

1 from an old one to one that is now currently being used.

2 Are you familiar with that?

3 A Yes, I am.

4 Q Can you tell us when that change came into
5 existence in connection with the Sirhan case envelope,
6 particularly?

7 A I have no idea of the exact date.

8 Q Can you tell us the reason for that change?

9 A Yes; we changed from practically an unmarked
10 envelope to this new envelope that was preprinted with certain
11 blank spaces to be used in our procedures.

12 Q Have you seen the guide envelope or guide
13 envelopes in the Sirhan case?

14 A Yes, I have.

15 Q When was the first time you saw them?

16 A I have no recollection of the first time.

17 Q Was it recently or has it been some time ago?

18 A I would say in the last two months.

19 Q Do you recall that you and I had a conversation
20 in the District Attorney's Office on June 9, 1971?

21 A I recall having a conversation with you but I
22 don't know the date.

23 Q I represent to you that I have a transcript of
24 that conversation.

25 Do you recall a court reporter being there?

26 A Yes, I do.

27 Q And you recall the conversation was tape
28 recorded?

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Well?

A Yes.

Q I asked you, at that time, on Page 5, Line 26:

"Approximately how many times have you seen the guide envelope in the Sirhan case since the day they came into existence?"

Your answer was:

"I first saw them yesterday."

Does that refresh your recollection?

A Well, I recall I saw them about two months ago today.

Q All right; I think that is clear.

Now, based on what you know today, when did you first become aware that Judge Alarcon issued an order in connection with the handling and display of the original exhibits in the Sirhan case?

A Approximately the same time.

Q When did you become aware that Judge Walker had subsequently issued a court order on the very same subject, almost about the time the Sirhan case was concluded upstairs?

A About the same time.

Q What procedures, if any, did you engage in to satisfy yourself there was compliance with the provisions of Judge Walker's Court Order?

A Well, we gave numerous procedures.

Q Tell me what procedures you personally engaged in.

A Well, we made sure that the order was being

1 complied with at the time.

2 Q Tell me what you personally did, Mr. Sours.

3 A Could I have that question repeated?

4 Q Yes.

5 The question is simply this:

6 What did you personally do in order to make sure
7 that there was compliance in the Clerk's Office with
8 Judge Walker's Order?

9 A Well, we stored -- I must answer, first, that
10 we were aware that there would be a group of people -- well,
11 we expected to have a good number of individuals who would
12 come in to see the evidence --

13 Q Can you tell me what you did, if anything, or
14 what you did in concert with others?

15 A I obtained the Sirhan guide envelope.
16 We looked at all the viewing slips.
17 We talked to our people who were there at that
18 time.

19 Q Let me interrupt.

20 You said you looked at the viewing slips.

21 Were there viewing slips in existence prior to the
22 time Judge Walker's Court Order was issued?

23 A I was not there prior to the time his Court
24 Order was issued.

25 Q Were you working in the Clerk's Office at the time
26 Judge Walker's Order was issued?

27 A No, sir.

28 Q When did you first come into the Clerk's Office

1 in your present capacity?

2 A September 8, 1969, as Assistant Division Chief.

3 Q All right; at the time you came into the Clerk's
4 Office, at that time were you told about the existence of
5 Judge Walker's Court Order?

6 A No, sir.

7 Q When was the first time you became aware of the
8 existence of the Court Order?

9 A You gave me a date before; June 8, 1971.

10 Q How was that order brought to your attention?

11 A A gentleman from the Los Angeles Police Department
12 came in and wanted to see the Sirhan guide envelope and the
13 contents and that started a chain of events that we started
14 checking into what we had done, collectively, in this particular
15 case.

16 Q So that we are precisely clear about what you
17 told us, are you telling us that you, as office manager, first
18 became aware of the existence of Judge Walker's Order some
19 time in this year, 1971?

20 A Yes, sir.

21 Q Did the exhibit custody clerks work in the same
22 chain of command as you do?

23 A Yes, sir.

24 Q Would it be fair to say, based on what you
25 testified here, that prior to the time you became aware of
26 the existence of the court order, you didn't personally
27 instruct any of your exhibit custodian clerks as to the
28 procedure that should be used if someone wanted to see the

1 exhibits in the Sirhan case?

2 A I never instructed them, to my recollection, in
3 any way of handling the Sirhan exhibits prior to June 8 of
4 1971.

5 Q I direct your attention to Grand Jury Exhibit
6 Number 43.

7 Would you look at that, please?

8 That purports to be a letter from Mr. George E.
9 Shibley?

10 A Yes, sir.

11 Q Have you seen that letter before?

12 A Yes, I have.

13 Q That is a two-page letter dated August 27, 1970?

14 A Yes.

15 Q When did you first see that letter if, in fact,
16 you saw it before today?

17 A Sometime in the week of August 27th, 1970.

18 Q Can you tell me the circumstances leading up to
19 your seeing that particular letter?

20 A Well, on August 24th I came back from vacation
21 and sometime during that day I received a request to view
22 exhibits in the Sirhan case, the party requesting it was the
23 counsel in that case. I believe that was Mr. Lou McKissack
24 and he had with him some other gentlemen and I talked to
25 Mr. McKissack and he assured me he was counsel in that case on
26 appeal.

27 Q Why did you need such assurance?

28 A Because I knew this was a case on appeal and when

1 I first started in the criminal division as assistant chief
2 there was a file drawer located to the rear of the head of the
3 filing section which was marked "Sirhan" on the outer drawer
4 and I made inquiry of somebody, some worker at the time, as to
5 what was the particular significance about that case.

6 He said, "It's a no-no case. No one is to see
7 it."

8 And, from then on, as far as I was concerned,
9 it was a no-no case.

10 Q Let's then go back to your observations and
11 perhaps a conversation with Mr. McKissack at that time.

12 A Yes, sir.

13 Q What did you do? What happened then, you said
14 you had a conversation with Mr. McKissack, did you not?

15 A Yes.

16 Q What happened then leading up to this letter
17 and your seeing this letter?

18 A Mr. McKissack said he had a man with him whom he
19 wanted to see the exhibits and he was an expert of some kind
20 and he requested that he be allowed to see certain exhibits.

21 So I told them that they could see the exhibits.

22 Q You told them that they could see the exhibits?

23 A I told them that they could see the exhibits and
24 I referred them back to the exhibit custodian.

25 Q When you told them that they could see the
26 exhibits, would it be fair to say that you did not at that
27 time or you had not at that time seen Judge Walker's Court
28 Order?

1 A Yes, that's right.

2 Q Did it occur to you to look in the guide envelope
3 to see what the contents of the court order was?

4 A No, it didn't.

5 Q Are you telling us you made a determination that
6 Mr. McKissack's representations to you were good enough so that
7 Mr. Harper could see the original exhibits in the case?

8 A Yes, sir, he is an officer of the court.

9 Q When did you first see this letter?

10 A June 8, 1971.

11 Q Have you brought us up to date from the time you
12 told Mr. Harper that he could see the exhibits until the
13 receipt of that letter?

14 What I'm getting at is, what caused the receipt of
15 that letter by your division?

16 Was there any special reason for it?

17 A I asked Mr. McKissack if this gentleman was going
18 to see the exhibits just that time or to come back again.

19 Mr. McKissack informed me that he probably would
20 come back again and I said, "Why don't you send us a letter
21 requesting that this man be allowed to make future visits to
22 see the exhibits?"

23 That letter came in the mail.

24 Q Did you anticipate the fact that other experts
25 might come with Mr. Harper and be with him during the time he
26 had access to see the original exhibits of the Sirhan case?

27 A No, I did not.

28 Q Did you instruct your subordinates to ask any

1 person that might come with Mr. Harper for their identifica-
2 tion?

3 A No, sir.

4 Q Did you instruct your subordinates to restrict
5 the handling of the original exhibits to Mr. Harper alone,
6 in the event that other persons might be with him sometime?

7 A No, I did not.

8 Q During the questioning I engaged with you on
9 June 9, 1971, I read the letter which was introduced and at
10 the time I asked you what did you do after you got the letter,
11 Mr. Sours, in connection with complying with the request.

12 A I don't recall exactly what I did. I assume it
13 was good enough to instruct my people that if Mr. Harper would
14 arrive that he be allowed to look at the exhibits because
15 counsel had a right to look at the exhibits.

16 Q Do you recall who you gave those instructions
17 to?

18 A No, I don't.

19 Q Could you find out?

20 A I would assume it was Mr. Buckley, but I wouldn't
21 swear it was Mr. Buckley.

22 Q My next question, in fact, in the guide envelope
23 is there an order in the guide envelope regarding reproduction
24 of the exhibits.

25 Was that document in the guide envelope at the
26 time you got it.

27 Your answer to that was that it was not.

28 I believe you said, "It was not, not to my

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knowledge."

Was that an accurate answer to the question I was posing at the time?

A Yes.

Q And had you discussed with Mr. Talmachoff at any time prior to receiving the letter from Mr. Shibley the restrictions that had been placed on the Sirhan exhibits by Judge Alarcon or Judge Walker?

A No, sir.

Q Prior to the time of your receipt of that letter, had Mr. Talmachoff ever given you any instructions in connection with the method or the way the Sirhan exhibits would be handled by people in your department?

A No, sir.

Q Did Mr. Talmachoff specifically instruct you that the Sirhan exhibits were to be handled in any manner other than the customary manner in any other death penalty case that was being handled in the county clerk's office downstairs?

A No, sir.

Q Did Mr. Talmachoff ever specifically instruct you that the Sirhan Bishara Sirhan exhibits should be handled in any manner other than the customary manner of any other death penalty case exhibits, as they are handled in your clerk's office?

A Just recently.

Q When you say "just recently", how recent is "just recently", Mr. Sours?

A In the last few weeks.

1 Q Did Mr. Talmachoff ever specifically tell you
2 that there was a court order in existence that was contained
3 in the Sirhan Bishara Sirhan guide envelope?

4 A No, sir.

5 Q Were you personally aware of that fact?

6 A No, sir.

7 Q Did you personally participate in showing the
8 exhibits, that is, the Sirhan case exhibits to any member of
9 the public?

10 A No, sir.

11 Q You and I had another conversation on June 11,
12 1971, in the District Attorney's Office?

13 A Yes, sir.

14 Q At that time did we converse about the fact that
15 some effort had been made by members of your office, including
16 yourself, to get the Clerk of the Supreme Court to return the
17 original exhibits in the Sirhan case to the Clerk's Office
18 in this building?

19 A Yes, sir.

20 Q Can you tell me why that effort was extended?

21 A Because Mr. Kristman, who is the assistant
22 chief of the department and Mr. Talmachoff's boss, called me
23 on the phone and told me we should get them back and see
24 what we had sent there so that we were sure what was what and
25 what was not there.

26 Q As a result of that instruction of Mr. Kristman,
27 was a contact made with the Clerk of the Supreme Court?

28 A Yes; two clerks, one locally and one in

1 San Francisco.

#12 2 Q And was it finally determined that you had sent
3 everything to the Supreme Court that they were entitled to
4 receive?

5 A Yes.

6 Q Did you become familiar with the fact that
7 in the filing of the exhibit review forms in connection with
8 the Sirhan case that a number of these exhibit review forms
9 had not been completely filled out?

10 A Yes, sir.

11 Q Has some effort to improve that procedure in the
12 clerk's office been made?

13 A Yes, sir.

14 Q What efforts have been made in that regard?

15 A We designed a new exhibit form.

16 We have instructed the eight members of the
17 exhibit section that the form must be filled out in its
18 entirety.

19 We have watched them fill out the form and made
20 sure they fill it out in its entirety.

21 Q To your knowledge, up to that time, that you had
22 the conversation with the District Attorney's Office, and this
23 is the first conversation in June of this year, had
24 Mr. Talmachoff established any procedures whatsoever whereby
25 the provisions of the Court Order issued by Judge Walker would
26 be complied with?

27 A To my direct knowledge, no, sir.

28 Q At the risk of being repetitious, do you, in fact,

1 supervise the exhibit custodian clerks in your office?

2 A Yes, I do.

3 Q Are you also responsible for their training?

4 A Somewhat, yes, sir.

5 Q What type of turnover have you had insofar as
6 the exhibit custodian clerks are concerned?

7 A From when to when?

8 Q During the time you have been there, and if there
9 has been a change, please tell us.

10 A Well, none of the people that are working there
11 today were working there when I started.

12 Q Is that the result of turnover?

13 A It's the result of reclassification of
14 position and examinations and other people were qualified.

15 Q Is the turnover, as far as the exhibit clerks,
16 more greater than usual in other sections of your office?

17 A Well, we have had an office turnover of 34
18 percent in the last year, 1970, and the exhibit turnover in
19 that year, due to the examination was 100 percent.

20 Q What bothers me, Mr. Sours, and I have to ask
21 you this question, if you were not aware of the existence of
22 the court order in the Sirhan case until recently, how could
23 the exhibit custodian clerks be expected to know the existence
24 and contents of that court order in order to possibly discharge
25 their duties thereunder?

26 A They were instructed to look at the guide
27 envelopes for any instructions that were there.

28 Q Do you have in mind that the notation on the

1 Sirhan guide envelope has just recently had printed on it:
2 "See court order"?

3 A Yes, I do.

4 Q And in the absence of that notation, would you
5 anticipate that they were expected to look for the entire
6 guide envelope to see if there was a court order in there,
7 before waiting on people who wanted to see exhibits?

8 A I would expect them to pull out the exhibit
9 receipt list and in doing so they would pull out the contents
10 of the guide envelope and look for whatever orders were in
11 there.

12 Q Is there any other way they could find out what
13 they were looking for?

14 A No, I don't believe so.

15 MR. HECHT: I have nothing further.

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

20 MR. SOURS: Could I have a moment; I would like to
21 present for your Honor's acceptance, as evidence, the efforts
22 that the county clerk has made to improve the exhibit division
23 since August of 1969.

24 THE FOREMAN: We will be pleased to accept that.

25 MR. HECHT: May this be marked Grand Jury Exhibit
26 Number 54, Mr. Foreman?

27 THE FOREMAN: Yes; it will be so marked.

28 Sir, would you be good enough to read it into

1 the record?

2 MR. SOURS: Yes, sir.

3 (Reading:)

4 "REPORT OF AFFIRMATIVE ACTION TAKEN
5 WITH RESPECT TO CRIMINAL EXHIBITS
6 AND THEIR SECURITY

7 "ACTIONS COMPLETED

- 8 "1. All exhibit rooms in Hall of Justice and Annex
9 at 330 N. Broadway cleaned up, and exhibits
10 relocated in orderly fashion.
- 11 "2. All work areas in exhibit rooms reorganized
12 and unauthorized persons denied access.
- 13 "3. All narcotics concentrated in one storage room.
- 14 "4. Hasps and padlocks installed on all safes in
15 addition to the combination locks for additional
16 security. Combinations restricted to management
17 personnel. Keys to padlocks restricted to
18 working exhibit personnel.
- 19 "5. Accounting system and special receipts for cash
20 exhibits established, with audit to be performed
21 by Accounting Division.
- 22 "6. Guide envelopes, which contain the receipts for
23 exhibits and serve as an item control showing the
24 location of each exhibit, were completely revised
25 and stored in one place.
- 26 "7. Disposition of exhibits by destruction or other
27 method imposed by law was accelerated, releasing
28 valuable storage space.

1 "8. The position of exhibit custodian was requested from
2 the Department of Personnel and established, and
3 budget allocations from the CAO allowed one super-
4 vising exhibit custodian, one senior exhibit
5 custodian, and six exhibit custodians. Prior to
6 the establishment of these positions, exhibits had
7 been handled at the clerk and intermediate clerk
8 level. The new positions introduced a higher
9 level of quality and responsibility in those
10 persons charged with exhibit care.

11 "9. A type of locked metal container was developed and
12 put in use for transporting exhibits between the
13 Central District and other Districts.

14 "10. Transportation of exhibits between districts was
15 removed from County Messenger Service for security
16 reasons, and rescheduled through use of criminal
17 exhibit custodians on a regular weekly basis by
18 truck.

19 "11. A Criminal Exhibits Manual was prepared and issued
20 for use of exhibit custodians.

21 "ACTIONS INITIATED AND ONGOING

22 "1. Conferences had with District Attorney to develop
23 a program to substitute photographs in lieu of
24 large and bulky exhibits for ease in handling and
25 saving of storage space. The Court is now being
26 consulted as to ways and means of putting this in
27 practice.

28 "2. Plans were developed for the Clerk's Office in

1 the new Criminal Courts Building which provide
2 for the installation of one large vault for
3 security instead of separate safes, separate
4 viewing areas for inspection of exhibits, and
5 work areas designed to keep the entire exhibits
6 area under complete security.

7 "3. Funds for purchase of a special wrapping machine
8 to wrap exhibits, particularly narcotics, in
9 plastic, were allocated on the 1971-72 budget, and
10 a Purchase Order has been filed with Purchasing
11 and Stores.

12 "4. A request was made to the CAO for a California
13 Council of Criminal Justice grant to study
14 security of exhibits in felony processing. The
15 CAO recommended approval and forwarded the re-
16 quest to the Board of Supervisors on May 18,
17 1971.

18 "5. A study was made of a mechanical exhibit storage
19 and retrieval system and submitted to the CAO
20 for inclusion in the Capital Projects for the new
21 Criminal Courts Building. The proposed system
22 (similar or like to Randtriever) would provide the
23 best available security for exhibit storage.

24 "6. A systems study is under way by departmental
25 systems personnel with respect to an improved
26 disposal system."

27 MR. HECHT: I have a number of questions from the
28 Grand Jurors.

1 Q Do you know Mr. Harper, Mr. William W. Harper?

2 A No, sir, I do not.

3 Q Have you ever seen him?

4 A Yes; I believe I must have seen the man.

5 Q When the conversation that you testified to
6 occurred with Mr. McKissack, was Mr. Harper present with
7 Mr. McKissack?

8 A I don't believe he was.

9 Q Do you remember when Mr. Harper was given access
10 to the exhibits prior to the receipt of the letter from
11 Mr. Shibley?

12 A He was given access on that day.

13 Q And you subsequently received a letter?

14 A That's right.

15 Q When Mr. Harper was given access on that day,
16 do you know whether Mr. McKissack was with him during the
17 time he had the exhibits?

18 A I do not know.

19 Q One of the Grand Jurors has asked the following
20 question:

21 Are there any circumstances when a clerk must
22 get higher authority before allowing anyone to view the
23 exhibits?

24 A Yes; if you are talking currently.

25 Q Yes; currently, today.

26 A Yes, sir.

27 Q What are those circumstances?

28 A When a case is on appeal, when it is a particular,

1 significant type of case or a case that we consider requires
2 special handling, like a death penalty case.

3 Q How do today's procedures differ from the
4 procedures that were in existence one year ago?

5 A We were not following the procedures of having
6 to get permission for every case on appeal.

7 Q You have a safe in the clerk's office, do you
8 not?

9 A We have three safes.

10 Q Are any exhibits kept in any one of those three
11 safes?

12 A They are.

13 They all contain exhibits.

14 Q Do each of these three safes contain an inner
15 compartment?

16 A One safe has shelving and also contains an inner
17 compartment.

18 Q How about the other two?

19 A The others have numerous shelving.

20 Q Do any of those operate by way of a combination
21 lock?

22 A Yes, they all do.

23 Q Were the Sirhan exhibits kept in the inner
24 compartment of one of those safes?

25 A Yes, they were kept in an inner compartment and
26 Mr. Talmachoff and myself were the ones who had the keys to
27 that inner compartment.

28 Q Was that inner safe routinely opened every day at

1 the start of the business day?

2 A I have seen the inner safe opened once and I
3 have never opened that safe myself.

4 Q Is the inner safe contained in the safe opened by
5 a combination or by a lock?

6 A It is opened by both, a lock and combination.

7 Q Is that safe routinely opened at the start of
8 each day's business?

9 A Not the inner safe.

10 We used to open the outer safe but today that safe
11 is locked.

12 Q I sense from your answer that is a recent practice?

13 A Yes; we started locking it because we have a
14 particular case that is in Department 109 at this moment.

15 Otherwise that safe would have been unlocked all
16 day except for a padlock which is on it all day long.

17 Q Mr. Sours, in going over the exhibits in the Sirhan
18 case, which we have here, we have noted that some of these
19 slips have been poorly filled out, if they, in fact, have been
20 filled out at all.

21 Did you ever feel the need for periodically
22 reviewing the exhibit review slips in the Sirhan case or in
23 any other case in order to make sure that they were being
24 filled fully and properly out?

25 A No, sir.

26 Q Where are the exhibits viewed?

27 A You mean about the tables?

28 Q Are exhibits viewed in areas other than a public

1 area?

2 A They are now, yes.

3 Q When was the practice changed with reference to
4 that?

5 A First, as to the general viewing, I don't know
6 if you're asking about a particular time or a particular
7 instance but I have been told, though I never saw it myself,
8 but I have been told that they have viewed exhibits in my
9 office and Mr. Talmachoff's office and in the lunch room behind
10 his office.

11 Q Were you present on any of those occasions?

12 A No, sir.

13 Q There's another question by a member of the Grand
14 Jury.

15 In your opinion, would it be possible for anyone
16 to walk out unobserved by your employees with exhibits that
17 you have under your care, custody and control?

18 A The possibility that might exist is the reason
19 that the table was moved from the public area to inside the
20 exhibit room area and that table is inside in the private
21 area where the exhibits are viewed.

22 I think it's the same table but it may be another
23 table.

24 But, in any event, we had a table there all the
25 time.

26 You recall that the table was outside and the
27 persons who were viewing the exhibits would look at them at
28 that table that was outside and the clerks were inside the

1 exhibit area and they watched them from inside the exhibit
2 area.

3 We now have changed that so that the table is
4 inside where the same clerk, one of the clerks, could keep
5 an eye on the person viewing the exhibits, and, to that
6 extent, we have improved the security of the exhibits.

7 MR. HECHT: Thank you.

8 I have nothing further.

9 Oh, yes, I do.

10 Q I notice that you have read Exhibit 54 into the
11 record. I notice that document is not dated.

12 Do you know when that document was prepared?

13 A Well, it was given to me today.

14 Do you want me to date it?

15 THE FOREMAN: If you will.

16 THE WITNESS: I'm dating it 8-17-71, and I'm putting
17 my initials "RAS".

18 You know, I was a court clerk and that's how
19 we were taught to do it.

20 BY MR. HECHT:

21 Q Can you tell us where you got that document from?

22 A It came to me from Mr. Ned Ramsey.

23 Q And can you tell us his position in the clerk's
24 office?

25 A He's acting assistant chief of the juvenile,
26 criminal and psychiatric division.

27 MR. HECHT: I have nothing further.

28 THE FOREMAN: Any further questions?