

VOL. III

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

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INVESTIGATION

62-587
Bureau File Number

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PENDING LITIGATION

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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.)

10 SEP 7 1971

11
12 REPORTER'S TRANSCRIPT OF GRAND JURY PROCEEDINGS

13 AUGUST 19, 1971

14 AUGUST 23, 1971

15 VOLUME 3 of 3 VOLUMES

16 Pages: 477 - 690, incl.

17 APPEARANCES:

18
19 (See Volume 1.)
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1 LOS ANGELES, CALIFORNIA, THURSDAY, AUGUST 19, 1971

2 9:30 A. M.

3 --o0o--

4
5 THE FOREMAN: Let the record show the Grand Jury has
6 reassembled and the court reporter is present.

7 The Secretary may call the roll.

8 (Thereupon, the Secretary complies with the Foreman's
9 request.)

10 THE SECRETARY: There are twenty-one Grand Jurors
11 present.

12 THE FOREMAN: The record may show the same twenty-one
13 Grand Jurors are present that have been present since the
14 inception of this case.

15 You may proceed, Mr. Hecht.

16 MR. HECHT: Mr. John Walker.

17 (Thereupon, the witness, John M. Walker, was then
18 escorted into the Grand Jury Hearing Room by the Sergeant
19 At Arms.)

20
21
22 JOHN M. WALKER,
23 called as a witness before the Grand Jury, was duly sworn as
24 follows:

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

1 you God?

2 THE WITNESS: I do.

3
4
5 EXAMINATION

6 BY MR. HECHT:

7 Q Good morning, Mr. Walker.

8 Can you tell us what your occupation is?

9 A I am head of the court services in the central
10 district criminal division, County Clerk's Office.

11 Q When you say "head of court services", can you
12 tell us in somewhat greater detail what precisely that
13 position is?

14 A I'm actually supervisor for all of the Superior
15 Court Clerks who are assigned to a criminal court from
16 Department 100 through 120, in the downtown area.

17 Q Prior to the time you were head of the court
18 services, were you employed by the Clerk's Office?

19 A Yes, I was.

20 Q In what capacity?

21 A I was a Superior Court Clerk assigned to the
22 Northwest District in Van Nuys.

23 Q How long have you been in the Clerk's Office?

24 A Since November, 1966.

25 Q When were you brought down to the 4th Floor of
26 this building?

27 A I believe that was August of 1969.

28 Q From August of 1969 up until the present time have

1 you had any business relationship or business duties in
2 connection with either the Exhibit Custodian Clerks down
3 there or in exhibiting exhibits yourself?

4 A I have.

5 Q How is it that someone in your position, the
6 head of court services, would be involved in the displaying
7 of criminal exhibits?

8 A Initially, when I was sent down to the criminal
9 division it was in the capacity of a management trainee and
10 one of my first projects was to look into the operations of
11 the exhibit process.

12 It was to survey the situation and make some
13 recommendations as to the procedures they had and recommenda-
14 tions for storage, disposition and other matters connected
15 with the exhibits themselves.

16 Q Can you please tell us what your educational
17 background is?

18 A I have a Bachelor of Arts Degree from Cal. State
19 in English and a major in English and a minor in speech.

20 I have taken courses through La Salle in law.

21 Q Who is your immediate supervisor?

22 A Pete Talmachoff, Chief of the Criminal Division.

23 Q When you first came into this building and worked
24 on the 4th Floor of the County Clerk's Office, did you become
25 acquainted with what we have referred to as the exhibit reviewing
26 slip or the exhibit reviewing form?

27 A Yes, I did.

28 Q At that time did you make any changes in the form

1 of that exhibit viewing slip?

2 A Not initially, no.

3 Q Do you know, as you sit here now, that there was
4 a court order issued by Judge Walker in connection with the
5 exhibits in the case of People versus Sirhan Bishara Sirhan,
6 which prohibited anyone from handling the original exhibits
7 in this case without a court order with the exception of
8 counsel of record?

9 A I am aware of it now.

10 Q When did you find that such a court order was
11 in existence?

12 A In August of 1970.

13 Q What were the circumstances that led up to your
14 becoming acquainted with that court order in August of 1970?

15 A I was acting as the division chief in the absence
16 of the regular division chief, Pete Talmachoff, and there was
17 a request by one of the exhibit custodians to view one of the
18 exhibits and at that time I asked if there were any unusual
19 circumstances connected with the viewing of the exhibits and
20 at that time, that is when the exhibit custodian brought out a
21 copy of the court order to me to read prior to allowing the
22 exhibits to be viewed.

23 Q Can you tell me if you are certain that it was
24 Judge Walker's court order, or could it have been the earlier
25 order of Judge Alarcon?

26 A I'm pretty sure it was Judge Walker's court order.

27 Q You say you were replacing Mr. Talmachoff who was
28 on vacation?

1 A Yes, sir.

2 Q Prior to Mr. Talmachoff's leaving on his vaca-
3 tion, had he ever alerted you to the existence of
4 Judge Walker's Court Order in the Sirhan case?

5 A I don't recall that he had.

6 Q All right; at that time, that is, at the time
7 the Court Order was first brought to your attention, you
8 said that was August of 1970?

9 A Yes, sir.

10 Q Did you personally read the Court Order?

11 A I did.

12 Q In connection with the Sirhan case, have you ever
13 received any specific instructions from any of your co-
14 supervisors or any of the persons above you, included but not
15 limited to Mr. Talmachoff, with respect to the method of
16 handling the exhibits in the Sirhan case?

17 A I did.

18 Q When was that?

19 A Approximately five or six months after I was
20 assigned to look into the exhibit process.

21 Q What is the approximate date that you received
22 these instructions?

23 A I believe it was early in 1970.

24 Q That would be before this August date that you
25 just made reference to?

26 A That's correct.

27 Q And what instructions did you personally receive
28 at that time?

1 A Well, to use the term "instructions" is not quite
2 accurate.

3 We know that certain things had to be done, such
4 as the copying of the exhibits and I recall that Mr. Talmachoff
5 and I had talked to the then present supervisor of the
6 exhibit custodians regarding the security of those specific
7 exhibits and when they were going to complete the copying work
8 on the original exhibits, and we moved the original exhibits
9 out of the vault in Room 448 over to our death penalty locker
10 in the adjacent building next to the Hall of Justice.

11 Q During that period, which you indicated was early
12 in 1970, did Mr. Talmachoff tell you about the existence
13 of Judge Walker's Court Order?

14 A He did not.

15 Q Had you been handling exhibits or any requests
16 to see exhibits in the Sirhan case prior to the August 1970
17 incident wherein you learned of the existence of the Court
18 Order?

19 A No, I don't believe so.

20 Q Are you involved, actually, in the displaying or
21 finding exhibits for people who come to the counter on the 4th
22 Floor?

23 A I have been involved in the exhibits, as I have
24 indicated, but that is not strictly within my responsibility.

25 Q Have you had any written instructions setting
26 forth the procedure the Clerk's Office should follow in obeying
27 the mandate of Judge Walker's Court Order?

28 A Recently, yes, sir.

1 Q How recently, sir?

2 A Within the past two or three weeks.

3 Q And what was the nature of the information
4 communicated to you at that time?

5 A These were instructions, I believe they emanated
6 from the chief deputy, Mr. Cabell

7 Q Can you tell us the contents of that statement?

8 A One statement that I know of was with the chief
9 of the division and the head of the court services, which I
10 believe was Mr. Sours and myself would be held personally
11 responsible for special handling of exhibits in special
12 cases.

13 Q Did you take that to mean the Sirhan case?

14 A Yes, I did.

15 Q Did you have in mind, when you received the
16 instructions, that the vast majority of exhibits had been
17 shipped off to the Supreme Court?

18 A Well, I realized that had happened but I didn't
19 have it in mind.

20 Q Does it ever get very busy in the Clerk's Office
21 on the 4th Floor?

22 A I would say so.

23 Q Does it get crowded?

24 A On occasions it gets crowded.

25 Q Are there many people that come in at or about the
26 same time requesting service in connection with the exhibits?

27 A Occasionally that occurs.

28 Q Have you heard any of your supervisors make a

1 statement to the effect that it was a mistake to permit one
2 or more persons to see the original exhibits in the Sirhan
3 case?

4 A No, I haven't.

5 MR. HECHT: May I have one moment?

6 THE FOREMAN: Certainly, sir.

7 BY MR. HECHT:

8 Q I would like to invite your attention, excuse me,
9 to Grand Jury Exhibit Number 1, which I believe you will
10 recognize as the photograph of what we have referred to as
11 an exhibit viewing slip.

12 Do you recognize the form, without concerning
13 yourself with the notations thereon?

14 A I do.

15 Q When you first assumed your duties as head of
16 court services and made your inquiry into the exhibit section,
17 did you run across the use of that form?

18 A No, not specifically.

19 If I could elaborate on this?

20 Q Please do, yes.

21 A The former chief deputy, Emory Hatcher, had
22 specifically instructed me not to get involved with the day-to-
23 day routine and details of the exhibit custodians.

24 Therefore, I didn't pay too much attention
25 to, let us say, an item like that.

26 I was supposed to get a pretty big overview of what
27 was happening and find out if there could be some improvement
28 in the procedure.

1 Q Let me show you Grand Jury Exhibit Number 2,
2 which appears to be a form used for the same purpose but
3 is somewhat different in heading and contents than Grand
4 Jury Exhibit Number 1.

5 Are you familiar with this form?

6 A Yes, I am.

7 Q Are you acquainted with the fact that both
8 forms have been used in connection with the duties of the
9 exhibit custodian clerks downstairs?

10 A I am.

11 Q Did you recently change or revise the exhibit
12 review forms in the Clerk's Office?

13 A We did.

14 Q And were you personally responsible for having
15 that form revised?

16 A Yes, pursuant to an order of the assistant chief
17 deputy, Ed Kristman, and we were to look into the still
18 existing procedures and close any gaps that we recognized on
19 the procedure and form.

20 When we did this, we did revise the form.

21 Q Did you revise the form because you found it to
22 be a poor form to record the information that should be
23 recorded in connection with the viewing of the exhibits?

24 A Well, I don't know that I would use the term
25 "poor", but I did recognize that more information probably
26 should be recorded on the form and perhaps another form could
27 be more easily interpreted and controlled.

28 Q All right, now, Mr. Walker, you had an interview

#21

1 on Tuesday, July 13, 1971, beginning at 2:00 P.M., in the
2 District Attorney's Office, Bureau of Investigation, in Room
3 113, at 524 North Spring Street; is that correct?

4 A Yes, sir.

5 Q And you were aware that conversation was recorded
6 by a reporter?

7 A Yes, I was.

8 Q She was there in your presence, was she not?

9 A Yes, she was.

10 Q I have what purports to be a transcript of that
11 particular conversation and on page 7 of the transcript,
12 starting from line 6, I have the following appearing in front
13 of me.

14 (Reading:)

15 "Now, getting into specifically these requests
16 that your speaking of, made by certain people, that
17 is on a form for viewing the exhibits that you have
18 in your custody?

19 "ANSWER: That's right.

20 "QUESTION: If I show you a photostatic copy,
21 would you recognize one of the exhibit viewing
22 forms?

23 "ANSWER: Yes.

24 "QUESTION: Showing you a photostatic copy of
25 an exhibit review form, would that be a reasonable
26 example, even though this is a photocopy of the
27 exhibit review form?

28 "ANSWER: Up until last Wednesday. I immediately

1 had that form revised because it does not give
2 information and it is a poor form, so I had it
3 revised."

4 Do you recall that statement?

5 A Yes.

6 Q Would it be accurate to say that your opinion
7 of it is that it does constitute a poor record?

8 A I certainly made that statement and I suppose
9 at that time I felt the term "poor" may not have been too
10 strong, but, in looking at it today, I probably wanted to
11 indicated that maybe the term "poor" was not exactly the
12 term I wanted to use, but I'm sure I used it that day.

13 Q Let me go on to the questions and answers, if I
14 may.

15 "QUESTION: Okay, your opinion now is that
16 is not a complete form in your mind at that
17 time?

18 "ANSWER: That is not a complete form as
19 to what?

20 "QUESTION: To show the exhibits, or to keep
21 track of the exhibits in some manner.

22 "ANSWER: That's right."

23 You were asked those questions and those are your
24 answers?

25 A Yes.

26 "QUESTION: And for instance, the request to
27 review exhibits doesn't show which exhibits are
28 requested, although there are some numbers listed

1 on them?

2 "ANSWER: It indicates exhibits they want to
3 see. It doesn't describe with specificity the
4 exhibits because I note that some of these numbers
5 were changed in later trial proceedings."

6 Do you remember making that statement?

7 A I do.

8 Q Continuing with your answer:

9 "It doesn't distinguish between the motion to quash
10 and later trial proceedings where the numbers may
11 be somewhat different."

12 Do you remember making that statement?

13 A Yes.

14 Q Going on with your answer:

15 "Therefore, I don't know what that individual saw,
16 which exhibits, and I don't know when he actually
17 made the request and what he did see, if he did see
18 those exhibits.

19 "Now, also, it doesn't indicate the exhibit
20 custodian clerk, who presented the exhibits, and if
21 the exhibits were returned to its proper place."

22 Is that your statement?

23 A Yes.

24 Q Were you at that time candidly indicating what
25 impression you had as to the use of the previous exhibit
26 forms?

27 A Yes.

28 Q Were these statements truthful?

1 A They were.

2 Q I take it, then, you did feel that the previous
3 form was, in fact, one that would not permit the persons later
4 to fully reconstruct the event that the form was supposed to
5 record?

6 A I do feel that way.

7 Q You have, as I understand from your previous
8 testimony, switched into using a newer form?

9 A We have.

10 Q When has that new form been instituted?

11 A Several weeks ago when we made a modification of
12 this form,

13 I understand there has been even another
14 modification because some improvement was made even on
15 the ideas that I had.

16 Q On the previous forms, either one of the two
17 forms in front of you, was there any place on those exhibit
18 review forms where the clerk would check the identity of
19 the customer in the Clerk's Office and would initial it
20 or in some way indicate which clerk it was?

21 A I believe only on this form on my right.

22 Q It has a number on a piece of paper stapled
23 to it?

24 A Yes; that's Grand Jury Exhibit Number 2.

25 Q Grand Jury Exhibit Number 2?

26 A Yes, sir.

27 I believe there is an indication of the individual
28 custodian who had some connection with the form, or the viewing

1 of these specific exhibits, and evidently it indicates the
2 initials and it appears to be F.K. and I believe on this
3 particular form there is a place for the exhibit custodian
4 to initial that he had some connection with allowing things
5 to be viewed.

6 Q Let me refer to page 10 of the same transcript,
7 the question was put to you:

8 "Is there any place on this exhibit
9 review form for the clerk who requests the
10 identity of the viewer to initial it?"

11 And you say:

12 "There is now."

13 I assume referring to the new form rather than the old form?

14 "Yes; in the investigation I made
15 that was one of the real gaps in the record
16 keeping."

17 Do you recall being asked that question and giving
18 that answer?

19 A Yes.

20 Q Do you make any distinction that maybe one clerk
21 would request the identification from the person coming to your
22 office and perhaps another clerk would then be assigned to
23 get the exhibits and display them to the person?

24 A No.

25 Q Do you follow my thinking in that regard?

26 A Yes, I do.

27 Q So, is it fair to say, or is it accurate to say
28 that there is no place for recording the identity of the clerk

1 who initially makes the initial request insofar as the older
2 forms are concerned?

3 A You're correct.

4 Q From the period of May 1969 and thereafter, who
5 was the supervisor or who was in charge of the exhibit
6 custodians?

7 A Well, in August of 1969 I think the exhibit
8 custodian supervisor at that time was Guy Tracy.

9 Q Is he presently employed by the Clerk's Office?

10 A No, he isn't.

11 Q Did he resign under somewhat unusual circum-
12 stances?

13 A Yes, I would say so.

14 Q Will you tell us very briefly why?

15 A Well, in the process of my assignment duties
16 to look into the exhibit operations, there were thefts
17 discovered and we were to cooperate with the District
18 Attorney's Investigative Unit in taking polygraph examinations
19 and making some attempt to find out who stole the money,
20 either to preclude any further thefts or, perhaps, recover
21 some of the stolen money.

22 I recall that Guy Tracy took one polygraph
23 examination and then upon being requested to return to that
24 investigative unit for another, he indicated that rather than
25 return he would resign.

26 Q Did he, in fact, do so?

27 A Yes, he did.

28 Q And as to the exhibit custodian clerk -- referring

1 back to your initial familiarity with the existence of the
2 Court Order, I believe you said that was in August of 1970?

3 A Yes.

4 Q All right; do you know an exhibit custodian clerk
5 by the name of Loyless Williams?

6 A Yes, I do.

7 Q Did Mr. Williams have some connection leading to
8 the event of your becoming aware of the Court Order in the
9 Sirhan case?

10 A Yes.

11 Q Can you tell us the event that involved
12 Mr. Williams and perhaps a letter that was received by your
13 office?

14 A I seem to recall there was a letter presented
15 to Loyless Williams connected with the request to see and
16 to review certain Sirhan exhibits.

17 Q Was that letter addressed to you or to Mr. Sours?

18 A Mr. Sours.

19 Q Was he present at the time the letter was brought
20 to your attention by Mr. Williams?

21 A No, he wasn't.

22 Q What happened then?

23 A I read the letter and then requested they bring
24 the guide envelope.

25 In the guide envelope we keep certain documents
26 connected with the exhibits, to check and to see if there
27 are any special instructions connected with the exhibits.

28 That is the reason I called for the guide

1 envelope in the Sirhan case.

2 At that time is when I became aware of Judge
3 Walker's Court Order.

4 I read the Court Order but before I actually
5 allowed, I believe it was Mr. William Harper, who was
6 requesting to review the exhibits, before I allowed him to
7 review the exhibits I made a call to the Assistant Chief
8 Deputy's Office because since the letter was addressed to
9 Bob Sours I wanted to check with Bob to see if he was aware
10 of the letter and I seem to recall that I did talk to him
11 and discussed the letter and the Court Order with Bob.

12 I then requested if he interpreted the Court
13 Order similarly to the way I interpreted it that this would
14 be an authorized person to see the exhibits.

15 We seemed to agree and I told Loyless it's okay
16 for him to view certain exhibits.

17 Q Did you ever consider, and you understand I'm
18 not attempting to challenge the validity or the integrity of
19 the decision you made at that time, but did you ever consider
20 calling, because of the importance of the case, calling the
21 District Attorney's Office or the County Counsel's Office or
22 the Superior Court for an opinion in connection with the
23 language used by Judge Walker in that Court Order?

24 A No, I did not.

25 Q Did Mr. Sours indicate to you during that tele-
26 phone conversation that he had made either one of those
27 contacts or any one of those contacts?

28 A No.

1 Q I take it that at the time you gave Mr. Loyless
2 Williams permission to show Mr. Harper the original exhibits
3 in the Sirhan case or at least those that he was interested
4 in looking at?

5 A Well, those that he was interested in looking at.

6 Q Would it be fair to say that insofar as those
7 exhibits were concerned, Judge Walker's Order relating to
8 the display of the exhibits was a unique Court Order, based
9 on your own experience in the Clerk's Office?

10 A To be very truthful, I don't recall prior to that
11 time I had ever seen any Court Order which either restricted
12 access to the exhibits or had any other connection with the
13 exhibits.

14 I don't recall that I had other than a Superior
15 Court Judge making a specific order that a certain gun is to
16 be destroyed.

17 Q Forgetting about such routine court orders, and
18 focusing in particular on Judge Walker's Court Order, what
19 methods were used to alert the personnel, the exhibit custodian
20 clerks in the clerk's office to the fact that there is an
21 existing court order in connection with a particular criminal
22 case that must and should be adhered to?

23 A Well, simply we would have adequate copies of the
24 court order made for dissemination among everyone involved.

25 Q Do you know in connection with Judge Walker's
26 Court Order that there was any dissemination of Judge Walker's
27 Court Order?

28 A I would not because I'm sure that order must have

1 existed before I was reassigned to the criminal division.

2 So I have no personal knowledge that it was
3 distributed although I seem to recall there was a court
4 order on the bulletin board inside the exhibit intake door.

5 Q Let's talk about that.

6 Do you know of your own knowledge that it related
7 to the Sirhan case?

8 A No, I don't.

9 Q Do you know whether that was Judge Alarcon's
10 court order, if it did relate to the Sirhan case or if it
11 was Judge Walker's court order?

12 A I don't know.

13 Q Would you also consider it good management to
14 discuss the court order with the exhibit custodian clerks
15 down there to see if there were any problems relating to
16 interpretation?

17 A I would.

18 Q Do you know if that was done in connection with
19 Judge Walker's court order?

20 A I don't know.

21 Q Do you consider it, based upon your experience,
22 a good management principle to have everyone not only read
23 such a court order but to initial it to show that, in fact,
24 they had read it?

25 A Yes.

26 Q Did you ever initial a copy of Judge Walker's
27 court order in this particular case?

28 A I did not.

1 Q I take it that was because there was no one
2 showed you a court order up until the time Mr. Williams
3 presented it to you; is that correct?

4 A That's correct.

5 Q You have made reference to what I gather is a
6 death penalty locker.

7 Can you tell us what that is?

8 A It is a special area assigned to store extra
9 exhibits connected with death penalty cases.

10 They are steel lockers with one key, and it's
11 located next to the Hall of Justice, I think it's called the
12 Hall of Justice Annex.

13 Q Do you know in what room?

14 A It is Room 102.

15 We utilize that area to store death penalty
16 exhibits so there isn't the possibility of inadvertent
17 destruction of exhibits connected with that kind of case.

18 Q Is there a log of any kind which shows the
19 transfers that may be made between the 4th Floor of this
20 building, the Clerk's Office on the 4th Floor and the material
21 coming from or going to the death penalty locker?

22 A You mean existing now?

23 Q Yes.

24 A I believe there is now.

25 Q I notice you emphasize "now".

26 How recently is "now"?

27 A Within the last month I believe we instituted a
28 system to show this kind of traffic.

1 Q Was that one of the suggestions made by one of
2 my investigators when they were interviewing you?

3 A Well, I don't know whether he put it in the form
4 of a suggestion.

5 I think I hit upon it as a method that probably
6 we should institute.

7 Q Did you, in fact, institute that method?

8 A I recall talking to Bob Sours who was really the
9 supervisor of the exhibit custodian clerks and made that idea
10 known to him and he thought that was a pretty good idea and
11 that we should do that, also.

12 Q Mr. Walker, I want to direct your attention to
13 this Grand Jury Exhibit Number 2 form.

14 We'll start here on the left-hand portion; I'm
15 referring to this line where it says, "OUT/TIME" then a space
16 and then "INT" and then "IN/TIME" and then again "INT".

17 What is the significance of that language?

18 A Well, the "OUT/TIME" is the time certain exhibits
19 were checked out and the "INT" is the name of the person who
20 handed the exhibits out.

21 Then the "IN/TIME" means the time the exhibits
22 were returned and the "INT" is the person who received the
23 exhibits back.

24 In other words, if you just have a "OUT/TIME" and
25 there is no "IN/TIME" there is a big gap because there is no
26 record when these exhibits were returned or if, in fact, they
27 did get back into the vault.

28 If you have something like that, we have to start

1 searching and looking into the situation.

2 Q So these notations down here are just to advise
3 the time the exhibits were sent out and the time they were
4 received back?

5 A Yes.

6 Q And the "INT" has to do with the person either
7 putting them out or the person taking them back?

8 A Yes.

9 Q And they would be the initials of the person who
10 was actually showing or receiving back the exhibits?

11 A Yes.

12 Q Would it be fair to say that as recently as
13 the date of your interview on Tuesday, June 13, 1971, that
14 you were not even sure what the notation "INT" stood for?

15 A Yes, that is pretty accurate.

16 Q Now, insofar as the physical premises of the
17 4th Floor of the County Clerk's Office are concerned, you
18 have a public area, do you not and by that I mean you have a
19 public counter?

20 A Yes, we do.

21 Q In fact, you can take a look at the exhibit
22 behind you?

23 Do you recognize that diagram as being generally
24 and fairly representing the premises in the Clerk's Office,
25 and I'm specifically concerned right now with the public
26 area?

27 A Yes.

28 Q And you notice the notation "Table" as we are

1 looking at Room 448, there is a table to the left of that
2 counter?

3 A Yes.

4 Q Were you acquainted with the older method of
5 examining the exhibits by members of the public, where they
6 took the exhibits given them by the exhibit clerk and
7 examined them on the table in the public area?

8 A Yes.

9 Q There has been a change?

10 A That's correct.

11 Q Do you recall the date or the approximate date
12 of that change?

13 A Yes; it was in the latter part of 1970, during
14 Mr. Talmachoff's vacation.

15 We changed it during his absence.

16 Q Had he suggested to you that it be changed before
17 he left on vacation?

18 A I believe there was some talk as to changing that
19 area but we hadn't taken the specific steps to do it.

20 At that time there had, I believe, been some talk
21 about it.

22 Q Did you institute the change yourself during his
23 absence?

24 A I was involved in it.

25 Q I would refer you now to page 55 of your interview
26 on July 13th by my investigators and the question was asked
27 you:

28 "QUESTION: Is there any method of maintaining

1 control and insuring the same exhibits are returned
2 or were returned?"

3 They were then talking about the giving out of the
4 exhibits and making sure the same exhibits were returned and
5 your answer was, as I have it here:

6 "ANSWER: Well, in this sense if a person
7 made a request to see this number of exhibits,
8 we limit him to a certain number. We only bring
9 so many at a time so in our process of checking
10 it back in we're fairly sure that they are the
11 same exhibits that are checked out.

12 "Then, number two, ever since, well,
13 for some time we have not allowed a review of
14 exhibits outside, only inside the ante-room."

15 Do you remember that answer?

16 A Yes.

17 Q Did you then continue and make the following state-
18 ment:

19 "We used to have a table outside and
20 there was no surveillance and
21 /that was a pretty wide breach of security and that
22 was changed. We moved the table inside."

23 Do you recall that statement?

24 A Yes.

25 Q Was it, in fact, true, "We used to have a table
26 there and there was no surveillance"?

27 A Yes, I was being truthful.

28 Q Is there any interpretation of that language you
want to make at this time as to the statement you then made so

1 that we may have a sense of completeness insofar as your
2 current thinking is concerned?

3 A Yes; I think when I used the term "there was no
4 surveillance" I think that was a little strong.

5 I think it would have been more accurate to say
6 that when the table was outside there was not as great a
7 surveillance as we would like. Therefore, by moving the table
8 inside we had a much better surveillance of the exhibits.

9 Q Without quibbling with semantics, would it be
10 fair to say that there was not as much surveillance as you
11 would like?

12 A Yes, we would have a greater amount of observa-
13 tion and surveillance.

14 Q That would be based on your particular working
15 conditions and the members of the public or the number of
16 members of the public that may have been in the office at the
17 time, and things of that nature?

18 A Yes, sir.

19 Q As you sit here now, Mr. Walker, are you aware of
20 any irregularities in connection with the handling of exhibits
21 in the Sirhan case, insofar as the clerk's office is concerned
22 on the 4th Floor of this building?

23 A No, I'm not aware of irregularities, in other
24 words, I presume you mean if there are specific methods to
25 showing the exhibits, if there were violations of those rules
26 and regulations.

27 Q I would like to make it a little broader than
28 that and include in the use of the word "irregularities" the

1 possibility of perhaps handing out original exhibits to
2 unauthorized persons, the taking of documents from the
3 Sirhan documentary evidence and either selling it or
4 distributing it in any other way.

5 Having in mind that broader use of the term
6 "irregularity", do you have any personal knowledge that there
7 was any such irregularity in connection with the Sirhan
8 case?

9 A I have not.

10 Q As you sit here now and based upon your discussion
11 with my investigators and your own personal experience in
12 connection with this matter, would it be fair to say that
13 there was a tremendous room for improvement in connection
14 with the handling of the Sirhan exhibits?

15 A I would say, as in any large operation like this,
16 that there was room for improvement which I believe has been
17 an on-going matter, at least since I was reassigned to the
18 criminal division.

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

20 THE FOREMAN: Are there any further questions to be
21 directed to this witness from any Grand Jury member?

22 If so, please write them out and they will be
23 directed to the witness through the Deputy District
24 Attorney.

25 MR. HECHT: I have one further question; I am sorry.

26 Q Mr. Walker, I believe you have already told us,
27 and please correct me if I am wrong, you were not personally
28 involved in waiting on people in the sense of handling

1 customers or requests to see exhibits; is that correct?

2 A That's correct.

3 Q Did you have occasion to talk to other exhibit
4 custodian clerks in the Clerk's Office to find out whether
5 they had been instructed in any unique procedures in connec-
6 tion with the Sirhan case?

7 A I have.

8 Q Did anyone ever tell you that -- strike that.

9 How many persons did you speak to in connection
10 with this inquiry on your part?

11 A At least three.

12 Q Who are they?

13 A Ken Buckley, the supervisor and I believe two
14 or maybe three of the other exhibit custodian clerks were
15 present at the time.

16 Q Who were the other two or three?

17 A I believe it may have been Ken Douglas and possibly
18 Loyless Williams. It is difficult for me to recall.

19 Q Did any of these gentlemen, Mr. Williams or
20 Mr. Douglas, tell you that they had been specifically in-
21 structed that when anyone came to the Clerk's Office to look
22 at the Sirhan exhibits, or the copy of the Sirhan exhibits,
23 that they were immediately to notify Mr. Buckley of that
24 fact?

25 A I cannot recall that they did.

26 Q May I ask you not to discuss that particular
27 question with any of the other clerks during the proceedings
28 here?

#22

1 A Yes; I will not discuss it.

2 Q Do you have copies of this new exhibit review
3 form?

4 A No, not with me.

5 Q When you return to the Clerk's Office, and I
6 believe the next witness we're going to call is going to be
7 Mr. Abdelmalak, would you give one of the others a copy of
8 that form, so we can have it when we call that gentleman in?

9 A Right.

10 Q Are you familiar with the notation that exists
11 on the Sirhan guide file that says, "See Court Order"?

12 A Yes, I'm familiar with that.

13 Q Do you know -- strike that.

14 Are you aware of any policy in the Clerk's
15 Office that would require an eye-catching notation of that
16 kind to be placed on any guide envelope in major cases, or
17 in any cases where there was a court order that concerned
18 itself with the responsibilities of your department?

19 A Yes, I'm aware of that policy.

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

22 Why couldn't "See Court Order" be printed in bold
23 type in another color to attract the attention of the exhibit
24 clerk?

25 Do you have any answer to that?

26 A Yes; as a matter of fact, that idea did come up.

27 We used the red ink on most of our notations,
28 and it is a very sensitive exhibit, if it is thought to be a

1 sensitive exhibit, it must be done in red ink and we do use
2 color coding.

3 Q There is a question from another of the Grand
4 Jurors which I'm going to paraphrase in my own way.

5 You were aware, at least reasonably so, after
6 the investigation by my office commenced, that we were
7 interested in looking into the handling of the exhibits in
8 the Sirhan case, were you not?

9 A Yes.

10 Q Had you had any conversations with any members
11 of your department where it was suggested that you were to
12 minimize the criticism or the inadequacies, if any, of your
13 department in connection with the Sirhan case?

14 A Absolutely not.

15 Q Did you personally see any of the Sirhan note-
16 books in the Sirhan case?

17 A Yes, copies of the Sirhan notebooks.

18 Q Do you recall approximately when it was that
19 any one of those notebooks was brought to your attention?

20 A Yes; that was on the return of Mr. Talmachoff
21 from San Francisco.

22 Q After he had gone up to see the Clerk of the
23 Supreme Court?

24 A Yes, sir.

25 Q And what were the circumstances under which you
26 recall seeing any of the notebooks or copies of the note-
27 books?

28 A I think we were making our second or third

1 inventory of the exhibits and I believe I saw either copies
2 of pages from a notebook because I believe there were certain
3 photographs and copies being brought back for authentication
4 by Mr. Talmachoff and I believe there may have been copies of
5 those pages.

6 Q I direct your attention to the exhibits brought to
7 us by Mr. Talmachoff, Grand Jury Exhibit Number 52, and I'll
8 ask you to look at that and be as careful as you possibly can,
9 can you tell me if you ever saw that before?

10 A Yes, sir.

11 Q When did you first see that, sir?

12 A Yesterday.

13 Q What were the circumstances leading up to your
14 seeing that document?

15 A I just happened to walk into Mr. Talmachoff's
16 office and I knew he had a box of documents connected with
17 that investigation and I saw Alice Nishikawa, the clerk who
18 was assigned to this case at the time it was being tried,
19 and I just happened to see it in this box.

20 Q Was there any discussion during the time, any
21 discussion about this particular document?

22 A I don't recall any discussion about it at all.

23 Q One of the Grand Jurors has asked the following
24 question:

25 Have you ever seen the recommendations of the
26 1968 Grand Jury in connection with the operation of the
27 Clerk's Office?

28 A I did.

1 Q When did you first see them, sir?

2 A When I was first reassigned as a management
3 trainee, Mr. Emory Hatcher, the former Chief Deputy, suggested
4 I could get some needed background by reading the 1968 manage-
5 ment audit report.

6 Q Did you then read it?

7 A I did.

8 Q You realize at that time there was some concern
9 expressed by the 1968 Grand Jury in connection with certain
10 things in the management and control of the exhibits that
11 were in possession of the Clerk's Office?

12 A Yes.

13 Q One of the Grand Jurors has asked me to inquire
14 whether all of your time on the job is devoted to improving
15 the methods and systems of the department in connection with
16 the handling of exhibits; and, if not, what else, or what
17 other kind of work did you do in the Clerk's Office during
18 this period of time?

19 A I was responsible for the written performance
20 evaluations for the court clerks, and I had to see judges
21 regarding county policy on anything connected with court
22 procedures, and I had to assist the chief of the division in
23 writing a manual for the criminal division, and familiarize
24 myself with Mr. Talmachoff's job, and the employees under
25 him in the Clerk's Office.

26 Q You mentioned something about preparing a manual
27 for the criminal division?

28 A Yes.

1 Q Does that manual now exist?

2 A Well, the manual I was referring to in that
3 instance was the manual for the court clerks.

4 Q Is there a manual for, say, the exhibit
5 custodian clerks?

6 A There is.

7 Q When was that first developed and printed?

8 A That had been in existence when I got there and
9 I knew it was going to be revised and I was also involved
10 in that.

11 Q Does that manual make reference to the use of
12 the exhibit review forms?

13 A I can't state very accurately, but I'm sure it
14 does because I recall acting in the capacity of the acting
15 chief and I was given the assignment to see that the manual
16 was revised and I turned it over to Bob Sours.

17 Q One of the Grand Jurors asks if you would
18 briefly list the major improvements you feel that you were
19 responsible for during the time you served downstairs in
20 the Clerk's Office.

21 Please don't be modest in this regard.

22 A Well, I do recall one of the things that I
23 noticed was the manner of handling cash and after I had some
24 involvement in that, I was contacted by the County Counsel
25 as to how many claims had been made against the county for
26 cash that could not be returned by the County Clerk's Office,
27 even though we had become the bailee of said money.

28 With the assistance of Mr. Talmachoff we

1 instituted a checking system with all of the branches, and our
2 trust and revenue officers so that any money that is received
3 from the Grand Jury, the Municipal Court or by any of the
4 Superior Courts, there would be a method of checking and re-
5 checking so that we could close some gaps as to possible
6 theft. So we have instituted a system which runs to about
7 four or five pages of written instructions.

8 To this date, even though there has been no
9 specific audit, we have not had any claims for return of
10 money because they would have to prove it.

11 In other words, I'm not aware of any loss of
12 money since July 20, 1970, when the system was instituted.

13 I think I was also involved in the decision
14 regarding the speed-up or disposing of all exhibits by
15 instituting a procedure whereby rather than being as
16 crowded as we were we would provide more room to handle
17 the exhibits.

18 I think that as far as the court clerks too
19 that under our instructions they have become more aware of
20 the security of the exhibits by the staff meetings that we
21 have held.

22 We instituted a system of constant counseling
23 with the court clerks, making them aware of the operations
24 that are going on in the office, not just a little bit in
25 the courtroom whereby they make a judge happy and where they
26 were not concerned about the larger problems being faced by
27 our staff.

28 We have conducted a number of staff meetings

1 so that these people would not only get to know their jobs
2 but the jobs of others that they might be concerned with.

3 Q Did you conduct those staff meetings?

4 A Yes, I did.

5 Q Does Mr. Talmachoff attend them?

6 A Mr. Talmachoff attends and conducts them, also.

7 Q What is your impression as to the caliber of the
8 exhibit custodian clerks that you now have?

9 Are they adequate insofar as doing the job that
10 has to be done?

11 A I would say they are. I would say they are far
12 above the caliber that we have had in the past.

13 I believe that is directly attributable to the
14 efforts of Mr. Talmachoff.

15 We had made some efforts to upgrade the quality
16 of personnel in that office for quite some time.

17 Q Is it possible for an exhibit custodian clerk to
18 find and take out an exhibit without reference to the guide
19 envelope from that particular case?

20 A Well, yes, the exhibits are in open bins within
21 a vault and also the room downstairs and he could pick up an
22 exhibit just occasionally.

23 He doesn't necessarily have to have a guide
24 envelope to be able to pick it up.

25 Q How far are the guide envelopes kept from where
26 the bulk of the exhibits are?

27 A It's kind of difficult to answer.

28 We have guide envelopes that are only six feet

1 from some exhibits, but we have five rooms. We have some
2 rooms in the basement in the Hall of Justice and we have
3 some rooms next door, but all of the guide envelopes are
4 upstairs in Room 448.

5 Q Another question from one of the Grand Jurors.

6 You have indicated that you have a great deal
7 to do in connection with the operation of the court clerks,
8 the Superior Court Clerks; do you feel that you could put
9 that knowledge and experience to better use in another location
10 or another job in the Clerk's Office?

11 A I'm not quite sure I understand.

12 Q The question goes on to ask:

13 You're specifically assigned to Room 448, and
14 that's on the 4th Floor of this building?

15 A Yes.

16 Q Is that in the natural process of advancement
17 for someone who has your knowledge and ability?

18 A No, it is not.

19 Q Would you explain your answer?

20 A Well, to go above the level of Superior Court
21 Clerk, then there are examinations given to all management
22 trainees and once you're appointed a management trainee you
23 attend certain seminars and then you're assigned to different
24 projects and I just happened to be assigned to the exhibit
25 project based on the 1968 -- well, not specifically based on
26 the 1968 audit, but based on the recognition of the
27 department, and also the chiefs of the division, that some-
28 thing should be done about the exhibit process.

1 When I was first approached to go into this,
2 I was so overwhelmed when they gave me a look at the
3 exhibit area I said, "Nothing doing."

4 But I was persuaded to give it a try anyhow.

5 Q Why did you say, "Nothing doing"?

6 A It was in a bad state of disrepair, at first
7 blush anyway.

8 Q Did the first blush prove to be an accurate
9 impression?

10 A It really wasn't as bad as I thought and that's
11 why I stuck with it.

12 MR. HECHT: Thank you.

13 I have nothing further.

14 THE FOREMAN: Any further questions to be directed to
15 this witness?

16 Apparently there are some.

17 BY MR. HECHT:

18 Q In your opinion, would it be possible to charge
19 a fee in connection with the showing of exhibits to members of
20 the public?

21 Let me back up and give you a particular
22 approach.

23 In view of the fact that if we accept the
24 proposition that when exhibits are shown to persons who are
25 interested in a particular case, aside from attorneys of
26 record, there should be some security in connection with their
27 observation of those exhibits; do you agree with my
28 statement so far?

1 A Yes, sir.

2 Q Do you further agree that someone could come
3 into the Clerk's Office and spend four, five or six hours
4 looking at the same exhibit or at least a number of exhibits
5 in the same case or a number of cases?

6 A Yes.

7 Q Do you agree that in order to maintain an
8 effective degree of surveillance that one or more employees
9 of the Clerk's Office really has to be right there to
10 precisely see what is going on?

11 A Yes.

12 Q Having all that in mind, would it be unreasonable
13 in your opinion, based on your experience in the Clerk's
14 Office, to charge a fee whether it be a set fee or an hourly
15 fee for those persons, aside from counsel of record, to look
16 at exhibits?

17 A I would not recommend it.

18 Q Why not?

19 A Well, I think that we are a service agency and
20 that those documents are public documents and that the public
21 is entitled to see them, and I believe there are taxes being
22 paid by the citizens to give them that service.

23 I think that since we are a public agency we
24 should be allowed to serve the public without a fee.

25 I think that is just one of those things that we
26 have to do in order to serve the public.

27 MR. HECHT: Thank you very much.

28 I have no further questions.

1 THE FOREMAN: Any further questions?

2 Apparently not.

3 Do you understand the rule of secrecy as it
4 applies to the Grand Jury, Mr. Walker?

5 MR. WALKER: Yes, I do.

6 THE FOREMAN: Then it is not necessary for me to give
7 you the usual admonition concerning secrecy.

8 Thank you very much for coming in.

9 We'll take a short recess.

10 (Short mid-morning recess.)

11 THE FOREMAN: Let the record show the Grand Jurors
12 have reassembled and the court reporter is present.

13 You may proceed, Mr. Hecht.

14 MR. HECHT: Mr. Abdelmalak, please.

15 (Thereupon, the witness, Fayek K. Abdelmalak, was then
16 escorted into the Grand Jury Hearing Room by the Sergeant
17 At Arms.)

18
19
20 FAYEK K. ABDELMALAK,
21 called as a witness before the Grand Jury, was duly sworn as
22 follows:

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

28 THE WITNESS: I do.

EXAMINATION

BY MR. HECHT:

Q Mr. Abdelmalak, what is your business or occupation?

A I am a clerk.

Q Is that in the County Clerk's Office?

A Yes.

Q I don't mean to embarrass you but I wish to ask you certain questions and if you're not sure what the question means, don't hesitate to ask me to repeat it or explain.

A Okay.

Q How long have you been with the Clerk's Office?

A Almost about seventeen months.

Q Are you an exhibit custodian clerk?

A No.

Q What is your job title?

A Just clerk.

Q What are your duties in the Clerk's Office?

A I work and give information in the Clerk's Office.

Q Do you come to the counter and wait on the people on the 4th Floor?

A Yes.

Q Do your duties include the handling of exhibits?

A Yes.

Q And what is the name of your immediate supervisor?

A Before.

1 Q Presently.

2 A Jack Trans.

3 Q You used the term "before". Who was that?

4 A Ken Buckley.

5 Q All right; will you tell us what your vocational
6 background is, Mr. Abdelmalak?

7 A I have a B.A.

8 Q From what University?

9 A Ainahams University in Cairo, Egypt.

10 Q Are you familiar with the exhibit review forms?

11 A Yes.

12 Q Are you familiar with the guide envelopes?

13 A Yes.

14 Q When I refer to the Sirhan case, do you know what
15 case I'm talking about?

16 A Yes.

17 Q As you sit here now, do you know that Judge Walker
18 issued a court order in connection with the display of the
19 original exhibits in the Sirhan case?

20 A Yes.

21 Q When did you first find out that Judge Walker had
22 issued that court order?

23 A There is a Minute Order for sealing some of the
24 exhibits by the door of the room.

25 Q Do you know whether that is Judge Walker's order
26 or Judge Alarcon's order?

27 A I don't remember the name of the judge.

28 Q Is it a one-page document or a two-page document?

1 A I cannot remember.

2 Q Is it still there?

3 A I no longer work there.

4 Q Where are you working now?

5 A In the office.

6 Q Where were you working in the office, which
7 desk in the Clerk's Office before?

8 A In the exhibit room.

9 Q How long did you work in the exhibit room?

10 A About four months.

11 Q And what were those four months specifically?

12 A I think the end of April to August.

13 Q What year?

14 A I can't remember what year.

15 Q Was it this year?

16 A No.

17 Q Last year?

18 A Yes.

19 Q 1970?

20 A Yes.

21 Q Did you ever personally read Judge Walker's
22 court order?

23 A Yes.

24 Q Where did you see it?

25 A It's by the door of the exhibit room.

26 Q I think you have already indicated to us you
27 are not certain whether it is Judge Walker's or Judge
28 Alarcon's order?

1 A Well, it is not my concern but I am aware that it
2 sealed the exhibits.

3 Q Do you know where the guide envelope is?

4 A Yes.

5 Q Do you know whether there is a copy of Judge
6 Walker's court order in that guide Envelope?

7 A I can't remember.

8 Q When you first started working the exhibits, did
9 anyone tell you that there is a court order issued by Judge
10 Walker in the Sirhan case?

11 A No.

12 Q Have any written instructions ever been given to
13 you specifically setting forth what procedures were to be
14 used in the handling of the original exhibits in the Sirhan
15 case?

16 A No.

17 Q Did Mr. Talmachoff or any of the supervisors
18 or anybody in the Clerk's Office ever tell you that none of
19 the original exhibits in the Sirhan case could be allowed to
20 be seen without a court order granting that kind of permission?

21 A No one told me about it.

22 Q Have you ever waited on people who came to see any
23 of the exhibits, copies of the exhibits from the Sirhan case?

24 A Yes.

25 Q Did you ever look at any of the documents in the
26 Sirhan guide envelope when these people came in?

27 A First of all, I started -- I can remember that
28 there were two kinds of exhibits.

1 Q Two kinds of exhibits?

2 A Yes.

3 Q Are you talking about the Sirhan case?

4 A Yes.

5 Q Go ahead.

6 A It's Room 444 on the floor where there were
7 regular exhibits and the sealed exhibits are next door.

8 I waited on two men, Mr. Harper and another man
9 that I cannot remember now.

10 Q All right; take a look at this, then.

11 I'm going to show you 37 review exhibit slips
12 that have been marked Grand Jury Exhibit 1 through 37.

13 Would you take a look at them and pull out those
14 slips that you have some connection with?

15 Just sift them over and put the others away.

16 A (The witness complied with counsel's request.)

17 Q You've pulled out two?

18 A Three.

19 Q All right; have you checked the rest of them?

20 A No.

21 Q Will you take a look through the rest of them
22 and see if you recognize any of them?

23 Just pull them out.

24 A Here's another one.

25 Q All right; you've pulled out four.

26 I believe number 2, 3, 18, 19 and 25; is that
27 correct?

28 A Correct.

1 Q All right; let's put that in front of you.

2 When I say Grand Jury Exhibit Number 2, you
3 see the number up here on the exhibit?

4 A Yes.

5 Q Now, please take a look at that first one,
6 please, Grand Jury Exhibit Number 2.

7 Do you have that in front of you?

8 A Yes.

9 Q How do you know that you were involved in that
10 particular transaction, Mr. Abdelmalak?

11 A I've been called by the District Attorney's
12 Office.

13 Q Sir, maybe my question is not clear.

14 Just from looking at the Grand Jury Exhibit Number
15 2, how can you tell that you had any connection with this
16 particular document?

17 A I don't understand.

18 Q Would you look at this document, Grand Jury
19 Exhibit Number 2?

20 A Yes.

21 Q Do you see your initials or name?

22 A Yes.

23 Q Where do you see them?

24 A It's right here.

25 Q You're pointing to where it says, "F.K."?

26 A Yes.

27 Q What does that mean, the first "F.K." under the
28 "INT"?

1 Does that mean that you have brought out some
2 exhibits?

3 A Yes.

4 Q In the upper left-hand corner where it says
5 "Date" I just see a 7 and a slash; do you follow me?

6 A Yes.

7 Q Do you remember the exact date that you were
8 involved in this transaction?

9 A No.

10 Q Now, beneath the line, where it says identifica-
11 tion, I see where it says "Exhibit 84-6-8-115."

12 Do you see what I'm looking at?

13 A Yes, I do.

14 Q Can you tell me if you brought all of these
15 items out and showed that person those items?

16 A Well, there is one person I would like to draw
17 attention to.

18 Q Let's, please, stick to this particular exhibit.

19 A Okay.

20 Q I want to draw your attention in connection with
21 this exhibit, first look at the whole thing.

22 A Okay.

23 Q Do you recall that particular exhibit and that
24 transaction or that event?

25 A I don't understand.

26 Q Well, the point is, that you have indicated that
27 there are some exhibits that were taken out on this out slip.

28 A I didn't pull the exhibits.

1 Q Who did, if you know?

2 A I pulled all the exhibits available in Room 444,
3 that is the unsealed exhibits.

4 Q Which are the unsealed exhibits; do you know?
5 Which are those exhibits in connection with the numbers that
6 are down here?

7 A Well, there is miscellaneous and there are
8 interviews by the people in the hotel and he had copies of
9 those exhibits -- I don't know the name.

10 Q Please take a look at the numbers.

11 Did you pull number 6?

12 A I don't know Exhibit Number 6.

13 Q Well, if it relates to the trial Exhibit 6 was
14 Mr. Sirhan's gun.

15 Did you pull the gun?

16 A Yes.

17 Q Did you show the gun to Mr. Faura?

18 A Who?

19 Q I'm showing you this document. You see the
20 name Fernando Faura?

21 A Oh, now I remember. I didn't see the name here;
22 okay.

23 Q That is Mr. Faura's slip?

24 A Yes.

25 Q Did he see the gun?

26 A That man I went to the exhibit first and in the
27 place I didn't find all those exhibits.

28 This is the unsealed stuff, so he asked to see my

1 boss, which is Kenneth Buckley.

2 Kenneth Buckley was not in at that time. So he
3 went to see Mr. Sours because he was angry.

4 At that very moment Ken Buckley walked in.

5 He showed him the court order and he said he
6 wanted to see Mr. Sharp and he was upset on that.

7 Q How do you know he went to see Mr. Sharp?

8 A He was kind of mad and Mr. Sours called me in and
9 I told him my story.

10 Q What did you tell him?

11 A I told him that he wanted to see some exhibits
12 and I didn't give him the allowance to see those exhibits
13 because they are sealed so he went out angry saying that he
14 will call Mr. Sharp.

15 Q What happened then?

16 A I had been called to Mr. Sours' office and I
17 told him the story.

18 Q What happened then?

19 A I don't know.

20 Q Did you ever show anything to Mr. Faura then?

21 A Only the unsealed exhibits.

22 Q What is the "X" mark that appears below the word
23 "Misc." and then the name "John Fahey"?

24 Do you see the "X"?

25 A Yes.

26 Q Is that your "X"?

27 Is that your mark?

28 A Well, I might be mistaken in saying yes or no. I