

1 the time that these people came to see the evidence and they
2 were there with equipment or even without equipment that no
3 tampering occurred or any alterations occurred with the Sirhan
4 exhibits?

5 Can you tell me that I have your assurance to
6 that effect?

7 A I cannot.

8 Q There is no way that you can definitely know?

9 A Yes, because we cannot be 100 percent sure even
10 though we were watching constantly.

11 Q My question is:

12 What about the old system, what was there about
13 the old system where this kind of alteration or tampering
14 could take place?

15 In other words, having in mind that you did the
16 best you could.

17 A Right.

18 Q All right; what is your answer to that?

19 A Having them outside, like I say, there were five
20 gentlemen, there were five people working there. You know
21 five people have ten hands and you only have two eyes.

22 Q Your answer is you only have two eyes and you
23 can't watch five people, is that it?

24 A I would say yes.

25 Q Then you didn't know what was going on, really?

26 A I didn't know what was going on, really.

27 Q Do you recall making a statement like that?

28 A Yes.

1 Q Was that a truthful statement by you?

2 A Yes, it was.

3 Q As I understand your testimony, the first time
4 that this photographic equipment was out there you really
5 didn't know what was going on?

6 A That's right.

7 Q Now, when a person comes to see the exhibits and
8 if there is more than one person in the party, I take it they
9 all did not have to place their names on the exhibit review
10 form; isn't that true?

11 A That's true.

12 Q Did it enter your mind when you saw these people,
13 this group of people out there in connection with the Sirhan
14 evidence, did you wonder if they could do that?

15 A Yes, I did, but I assumed when the bosses,
16 Mr. Talmachoff and Mr. Sours, were there that they could do
17 it.

18 MR. HECHT: All right; thank you.

19 I have no further questions.

20 THE FOREMAN: Any questions to be asked of this witness
21 by any member of the Grand Jury?

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

25 BY MR. HECHT:

26 Q I have a number of questions from the Grand
27 Jurors.

28 One of the Grand Jurors is making reference to

1 the failure to keep up, to completely fill out the exhibit
2 review forms.

3 In what other areas do you feel there was a
4 general attitude of laxity in connection with the operation
5 of the Clerk's Office?

6 A Is that concerning the Sirhan case?

7 Q Let's take, first, about the Sirhan case.

8 A Well, the main thing I can think is the viewing,
9 as far as the people viewing the exhibits there should have
10 been and there is a new system where the person actually
11 comes in -- I mean, he comes inside. I think if that had
12 been installed earlier we wouldn't have the problem that you
13 have now.

14 Q In your opinion, the articles that you were
15 handling were pretty important?

16 A Most definitely.

17 Q All exhibits are important, not just the exhibits
18 that we are inquiring into?

19 A Yes.

20 Q What area of improvements would you suggest insofar
21 as your particular area of work is concerned?

22 A Well, the main thing, I would say, is more
23 security as far as the handling of all exhibits and more room
24 and space where we could store the exhibits better.

25 Q Did you observe, when you saw this group of five
26 or more people and the cameras and so forth, did you observe
27 whether they were looking at the copies of exhibits or the
28 original hard exhibits themselves?

1 A I cannot say.

2 MR. HECHT: That is all.

3 THE FOREMAN: Anything further?

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, Dale P. Hall, was then
16 escorted from the Grand Jury Hearing Room by the Sergeant
17 At Arms.)

18 MR. HECHT: Mr. Burnett.

19 (Thereupon, the witness, William R. Burnett, Jr., was
20 then escorted into the Grand Jury Hearing Room by the Sergeant
21 At Arms.)

22
23
24 WILLIAM R. BURNETT, JR.,
25 recalled as a witness before the Grand Jury, was sworn again
26 as follows:

27 THE FOREMAN: You do solemnly swear the evidence you
28 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 (CONTINUED)

7

BY MR. HECHT:

8

Q Mr. Burnett, does the name Guy Tracy have any
9 significance to you?

10

A Yes, it does.

11

Q At my request did you try to find Mr. Tracy?

12

A I have.

13

Q Can you tell us what efforts you made?

14

A Mr. Tracy has not been located.

15

We have attempted on numerous occasions to serve
16 him.

17

I have talked to his mother at the location I
18 have been where he lives and at that location I have left
19 subpoenas with my business card to contact me and we have
20 yet to hear from Mr. Tracy.

21

Q Has his mother indicated to you whether he is
22 available locally?

23

A She indicated to me that he is a very hard
24 individual to find, that he is around and that she would have
25 him get in touch with me but he has never done so.

26

Q At my request did you go up to the Supreme Court
27 office in San Francisco within the past two weeks?

28

A Yes, I did.

1 Q Do you recall when that was?

2 A I believe that was Friday, the 13th of August.

3 Q Now I'm going to introduce certain materials that
4 you brought back at this time from there.

5 MR. HECHT: At this time I would like to introduce
6 certain materials, with your permission, Mr. Foreman.

7 I have here a certified copy of a document which
8 I would like to mark at this time as Grand Jury Exhibit Number
9 57.

10 There is a certification that reads as follows:

11 "SUPREME COURT OF CALIFORNIA

12 "CERTIFICATE

13 "PEOPLE v. SIRHAN

14 "CRIMINAL 14026

15 "L. A. SUPERIOR COURT

16 "Number A-233,421

17 "I, G. E. BISHEL, Clerk of the Supreme Court
18 of the State of California, hereby certify that
19 the attached pages 1 through 76 plus the front and
20 back covers (4 pages) but excluding pages 15, 16,
21 35, 36, 39, 40, 47 and 48, represent a true and
22 correct copy of the People's Exhibit Number 71
23 lodged in this court in connection with the above
24 entitled appeal.

25 "I further certify that the excluded pages
26 are not a part of People's Exhibits Number 71
27 as lodged with this court, but are lodged as
28 People's exhibits bearing different numbers.

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

3 "G. E. BISHEL

4 "Clerk of the Supreme Court

5 "of the State of California

6 "MARK THOMPSON

7 "Deputy."

8 Now I have another document that I ask be marked
9 as Exhibit Number 58, and it reads as follows:

10 "SUPREME COURT OF CALIFORNIA

11 "CERTIFICATE

12 "PEOPLE v. SIRHAN

13 "CRIMINAL 14026

14 "L. A. SUPERIOR COURT

15 "Number A-233,421.

16 "I. G. E. BISHEL, Clerk of the Supreme Court
17 of the State of California, hereby certify that
18 the attached pages represent a true and correct
19 copy of People's exhibit Number 71-47, lodged in
20 this court in connection with the above entitled
21 appeal.

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

24 "G. E. BISHEL

25 "Clerk of the Supreme Court

26 "of the State of California

27 "MARK THOMPSON

28 "Deputy."

1 Q All right; now, I invite your attention to
2 Exhibit Number 50.

3 Have you seen that before?

4 A Yes, I have.

5 Q And you recall when you first saw it?

6 A Approximately, I think, August 11th.

7 Q And where was it when you saw it?

8 A At the County Clerk's Office.

9 Q When you went down there, did someone go down
10 with you?

11 A Yes, sir.

12 Q Who went down with you?

13 A Deputy District Attorney Trapp.

14 Q The distinguished gentleman sitting to my right?

15 A That's right.

16 Q Did you at that time inventory those documents,
17 I mean inventory this particular exhibit to determine what
18 pages, if any, were missing, if you found pages to be missing?

19 A Yes, I did.

20 Q How many pages did you find to be missing?

21 A Approximately seven.

22 Q Of those seven pages are Pages 4 and 6 missing?

23 A That's correct, they are.

24 Q And in connection with the other pages you made
25 reference to, did you find an explanation as to why they were
26 missing?

27 A Yes; they had been taken out and marked People's
28 71-47, 71-39, 71-35, and 71-15.

1 Q How did you make that determination?

2 A I requested the exhibits from the County Clerk's
3 Office and Mr. Trapp and I sat down at the table and we pre-
4 pared for going through the exhibits and marking off the pages
5 as we progressed and after completing that, we looked at the
6 exhibits and we then located the folders which contained the
7 missing pages which had been introduced as an exhibit them-
8 selves.

9 Q The only two pages that were not included in a
10 separate exhibit were pages 4 and 6?

11 A That's correct.

12 Q In other words, if you combine Grand Jury
13 Exhibit Number 57 and Grand Jury Exhibit Number 58,
14 then you will have the notebooks complete?

15 A That's right.

16 The separate missing pages, pages 15, 35, 39 and
17 47, were taken from People's Exhibit 71 and made separate
18 exhibits themselves.

19 Q So if you combined the two, you'll have the
20 complete notebook?

21 A Yes.

22 MR. HECHT: Thank you.

23 I have nothing further of this witness.

24 THE FOREMAN: Any questions?

25 Apparently not.

26 I'd like to caution you not to discuss or impart
27 at any time, outside of this jury room, the questions that
28 were asked of you in regard to this matter, or your answers,

1 until authorized by this Grand Jury or the Court to discuss
2 or impart such matters.

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

6 Do you understand that?

7 THE WITNESS: I do.

8 (Thereupon, the witness, William Burnett, Jr., was then
9 escorted from the Grand Jury Hearing Room by the Sergeant At
10 Arms.)

11 MR. HECHT: Mr. Lightner.

12 (Thereupon, the witness, De Witt C. Lightner, was then
13 escorted into the Grand Jury Hearing Room by the Sergeant At
14 Arms.)

15
16
17 DE WITT C. LIGHTNER,
18 called as a witness before the Grand Jury, was duly sworn as
19 follows:

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

25 THE WITNESS: I do.
26
27
28

EXAMINATION

1
2 BY MR. HECHT:

3 Q What is your business or occupation, sir?

4 A I'm an investigator with the District Attorney's
5 Office.

6 Q Have you been working with myself, Mr. Trapp and
7 Mr. Burnett in connection with this matter?

8 A Yes, I have.

9 Q I direct your attention to Grand Jury Exhibit
10 Number 52, have you seen that before?

11 A Yes, I have.

12 Q At my request, did you in the past few days, in
13 this room, examine this document to determine what pages,
14 if any, are missing?

15 A Yes, I did.

16 Q Did you make a determination as to what pages, if
17 any, are missing?

18 A Yes, I did.

19 Q For the record, what pages did you find to be
20 missing?

21 A I made a notation on Wednesday, August the 18th,
22 and compared Exhibit 51 with another exhibit, 52, and found
23 the following pages missing -- it's approximately 22, I
24 believe.

25 Number 15.

26 Number 16.

27 Number 19.

28 Number 20.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- Number 21.
- Number 22.
- Number 24.
- Number 29.
- Number 30.
- Number 34.
- Number 35.
- Number 36.
- Number 37.
- Number 38.
- Number 39.
- Number 40.
- Number 41.
- Number 46.
- Number 47.
- Number 48.
- Number 56.
- Number 68.
- Number 72.

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

THE FOREMAN: Any further questions?

Apparently not.

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

1 You will understand that a violation of these
2 instructions on your part may be the basis for a charge
3 against you of contempt of court.

4 Do you understand that?

5 THE WITNESS: I do.

6 (Thereupon, the witness, De Witt C. Lightner, was then
7 escorted from the Grand Jury Hearing Room by the Sergeant At
8 Arms.)

9 MR. HECHT: Mrs. Castellano, please.

10 (Thereupon, the witness, Lillian E. Castellano, was
11 then escorted into the Grand Jury Hearing Room by the
12 Sergeant At Arms.)

13
14
15 LILLIAN E. CASTELLANO,
16 called as a witness before the Grand Jury, was duly sworn
17 as follows:

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

23 THE WITNESS: I do.

24
25
26 EXAMINATION

27 BY MR. HECHT:

28 Q Mrs. Castellano, I notice you brought a tape

1 recorder into the room outside. I asked you to leave it
2 outside?

3 A Yes, you did.

4 Q It was not on?

5 A No, I had a tape on it that I thought the jury
6 might be interested to hear.

7 Q What is your present address?

8 A 8636 Lookout Mountain Avenue.

9 Q We were informed last week that you had a heart
10 attack.

11 A Well, I had an attack that was not a heart
12 attack; I couldn't get my breath, but, thank God, it wasn't
13 a heart attack.

14 Q Well, we're all pleased to hear that you are in
15 better health, Mrs. Castellano.

16 Will you just sit back and relax and I'll ask
17 you some questions.

18 Mrs. Castellano, have you ever heard of the
19 Kennedy Assassination Truth Committee?

20 A Yes.

21 Q Do you have any connection with that committee?

22 A I am a member of it.

23 Q How long have you been a member of it?

24 A I don't remember. I wasn't a member of it at the
25 very beginning but I have been a member of it since for quite
26 some time, about the time -- well, I went there because of
27 my interest in the Robert Kennedy Assassination and the
28 John Kennedy Assassination and it was started before the

1 Robert Kennedy Assassination and, naturally, it progressed
2 and what I was most interested in, as a member of the Kennedy
3 Assassination Truth Committee, that I found out about the
4 photographs that a man by the name of Mr. Clements had taken.

5 These are the photographs that appeared first in
6 the Los Angeles Free Press and then it was reprinted in the
7 Midlothian Mirror.

8 Q Let me show you Grand Jury Exhibit Number 27,
9 Mrs. Castellano.

10 Is the Lillian Castellano on this Exhibit your
11 signature?

12 A No.

13 Q That is not your signature?

14 A No.

15 Q I'm talking about the second line.

16 A I know; no.

17 Q How about the third line; is that your printing?

18 A No.

19 Q Did you, in fact, come down to the Clerk's Office
20 on October 30th and October 31st, 1968?

21 A To get the Grand Jury transcript, yes.

22 Q You did come down?

23 A Yes.

24 Q All right, that's what I wanted to make sure.

25 A I signed all over the place.

26 You should have my signature because I signed up.

27 Q Calling your attention to this Grand Jury Exhibit
28 Number 27, do you have any idea as to why your name appears

1 there?

2 A The gentleman that was there, he is telling me
3 I couldn't bring anything in to record it and all this and
4 all that.

5 I came from the Kennedy Assassination Truth
6 Committee and we had taken up a collection to get it.

7 Let me ask you this, Mrs. Castellano; after the
8 Sirhan trial was over, did you again come back to the County
9 Clerk's Office downstairs and make some efforts to see any of
10 the exhibits or copies of the exhibits that had been intro-
11 duced?

12 A Yes.

13 Q How many times did you go to the Clerk's Office
14 for that purpose?

15 A Well, the first time I did sign by Mr. Nelson,
16 Floyd Nelson, another member of the committee and he
17 signed and he was with me.

18 Q Do you remember when that was?

19 A I think that was sometime in June.

20 Q When was the next time you came back?

21 A We didn't get anything at that time and the next
22 time was much later, the latter part of 1970.

23 I had gone down because I had appealed to
24 Supervisor Hahn's Office.

25 Q Then you say you came in December?

26 A The latter part of 1970, I think so.

27 Q Let me show you Grand Jury Exhibit Number 27
28 again.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A Yes.

Q Is that your signature?

A Yes.

Q Now, setting this aside, did you ever come back into the office again to look at something in the County Clerk's Office?

A Yes; I wanted to get a copy of the autopsy report and I wrote to Dr. Noguchi asking him how I go about it, getting a copy of the autopsy report, and I didn't receive an answer. I didn't receive an answer.

Q Mrs. Castellano, did you come back to the Clerk's Office after December of 1970?

A Yes, I did.

Q How many times more?

A Well, I came back and I finally got the autopsy report.

I think the most recent time I got a copy of the Booker Griffith file, out of this, which I asked for.

Q How many times did you fill out the documents like the one in front of you, Grand Jury Exhibit Number 27?

A That is the only time I filled one out.

However, it was arranged on the telephone for me from Supervisor Hahn's Office and I paid and I have the receipt.

Q You paid for certain copies?

A For the autopsy report I paid \$34 and for the Booker Griffith file I paid \$15.

Q In the upper right-hand corner of this exhibit w

1 have the number 84, 85, 86, 87, 88 and 115.

2 Did you write those numbers down there?

3 A Yes, I did.

4 Q And what are these numbers?

5 A That's what I asked to see.

6 Q You asked to see those numbers?

7 A They wouldn't show them to me, but they said they
8 would bring them out in a great big box and there is 100 files
9 in here.

10 They did bring out these big brown envelopes
11 and I knew that my time was limited and I knew I couldn't
12 hope to possibly go through all of them so at that time I did
13 get a copy of it.

14 At that time I got a copy of the Robert Jindraw
15 file.

16 I checked the others.

17 I checked some other figures, including the
18 Booker Griffith file and I made notes from it.

19 I didn't get that other file at that time but I
20 got the index and the names contained in each one of these
21 because each one had a lot of files of all the peripheral
22 witnesses.

23 That had been announced in the Los Angeles Times
24 by the District Attorney's Office, that these witnesses were
25 not called but that their files, nevertheless, were being made
26 a part of the record.

27 Q You mentioned just now in your testimony that
28 your time was limited; what did you mean by that?

1 A I work and this was my day off.

2 Also, it's hard for me to get around. I'm old
3 and fat and I haven't got much breath.

4 Q During the time that you were at the Clerk's
5 Office, did you see any of the original hard exhibits, like
6 ballistics evidence or anything like that?

7 A No, I didn't.

8 MR. HECHT: Thank you.

9 I have nothing further.

10 THE FOREMAN: Any questions to be directed to this
11 witness by any members of the Grand Jury.

12 If so, please write them out and they will be
13 directed to the witness through the Deputy District
14 Attorney.

15 BY MR. HECHT:

16 Q One of the Grand Jurors wants to know if you
17 only saw copies of exhibits?

18 A Yes, the young lady at the desk, she gave them
19 to me at that time.

20 Q Who waited on you at that time?

21 A When he got the exhibits, the young man, they had
22 me check them against the envelope to make sure they were all
23 there.

24 Q I'm sorry; one of the Grand Jurors wants to know
25 what is on the tape recording which you brought and which I
26 asked you to leave outside?

27 A The reason why we had the Kennedy Assassination
28 Truth Committee. We have definite evidence, hard evidence of

1 more than one gun firing in the pantry and it is not dependent
2 on any of the exhibits on file at the Clerk's Office.

3 Q You brought with you a tape recording of that,
4 Mrs. Castellano?

5 A Well, Evelle Younger's answer to the article
6 that appeared in the Free Press showing the photographs and
7 asking about mentioning that 10 bullets from an 8-shot revolver
8 and, of course, that was quite a flap, but nobody ever answered
9 the question about Robert Dornan.

10 There is Evelle Younger doing his best after
11 first giving his disclaimer and holding the article in his
12 hand and the photograph showing that there are too many
13 bullets in the pantry.

14 He gave the disclaimer, well, of course, at that
15 time I thought we were going to be lucky and they were going
16 to look at the evidence, but they kept on talking about these
17 nuts here, you know, on conspiracy.

18 But he never really answered the question about
19 the 10 bullets from an 8-bullet revolver.

20 He just kept jumping around on the tape recorder.

21 But he doesn't even answer it in any way and he
22 gives the same answer every time he's asked about any of
23 these.

24 He mentions 4,000 interviews.

25 We have never seen any of these 4,000 interviews.
26 Nobody ever saw these 4,000 interviews.

27 Q One of the Grand Jurors wishes to know if you
28 brought these pictures with you today?

1 A Yes, I have them here. I have copies to show
2 you and you can distribute them.

3 One is the picture of two bullet holes and you
4 see Robert Kennedy was going from the stage towards the east
5 side of the Colonial Room on the other side of the pantry.

6 After coming out the door on the back of the stage
7 he came down, this little room, and then there are two swinging
8 doors which are separated by a center divider, a board there,
9 and that door was open and he came through which would be the
10 left-hand side door being led by Carl Uecher, the maitre de
11 or assistant maitre de .

12 These two bullet holes have been encircled by the
13 police and they have numbers and letters around them and they
14 are in the center divider between these two swinging doors
15 which he had passed through and they are in the direction in
16 which Sirhan was shooting, east to west.

17 There were five people behind Robert Kennedy and
18 each one with a bullet taken out of him.

19 So you have five bullets, one bullet from each
20 and three bullets that went through the center divider and
21 the pantry door plus another one in the Associated Press which
22 shows two police officers pointing out the bullet.

23 The Associated Press, I have a copy of that and
24 it shows them both pointing out the bullet with the caption
25 saying, "Two Police Officers inspecting bullet holes found
26 in the framework of the door and the kitchen pantry where
27 Robert Kennedy was shot early today."

28 It's here, the whole thing, and the bullet is still

1 in the wood.

2 It shows two policemen and one of them has his
3 penknife, pointing to this bullet in the wood.

4 All right; you've got five bullets behind
5 Robert Kennedy in the direction Sirhan was shooting, you
6 have three holes in the pantry, two in the center divider
7 and one on the side of the stage door and Robert Kennedy
8 was shot three times and Paul Schrader had a fourth bullet
9 wound.

10 Those are all his shots, according to the
11 autopsy report, and he was shot going from west to east and
12 upwards.

13 I also have another committee photograph which
14 was not published -- we didn't have the money -- that shows
15 the ceiling of the pantry and it is removed over the table
16 where these bullets were.

17 Now, remember that one of these bullets entered
18 the back of the armpit and exited five and three-quarter
19 inches front-center, right over the collarbone.

20 That's from here to here (indicating).

21 Now, we did an experiment and Carl Uecher's
22 testimony is quite clear that he was with his left hand
23 leading Kennedy by his right hand and they were right close
24 to the steam table and Kennedy stopped to talk and Uecher
25 had taken his hand again and they were fairly close to the
26 steam table and then he felt the rush on his right.

27 The way he describes it, Sirhan fell over the
28 steam table and started shooting and we did an experiment and

1 he couldn't get by Uecher because he was shooting straight at
2 Kennedy. Kennedy had his hand held straight out and then
3 the autopsy report, Dr. Noguchi gives the testimony that that
4 particular wound that exited, when from the back to the front
5 and from the right to the left and upward, that wound tract
6 could not be made unless the Senator's arm was extended right
7 out.

8 Now, Kennedy received a particular wound, the
9 wound that had been in the back of the armpit and exited under
10 the collarbone and wound up in the ceiling and his arm was
11 extended forward and his hand was being held by Uecher and
12 at that time Sirhan could not possibly have shot him even as
13 they were saying if Kennedy twisted around.

14 Every way we tried it, with someone taking the
15 part of Kennedy and even laying across the steam table to
16 shake hands -- and supposedly Uecher was there -- and we had
17 someone taking the part of Uecher and Sirhan.

18 There is no way he could get his hand turned
19 around, even with Kennedy lying across the steam table, which
20 he was not, and get that to go in at that angle from the back
21 of the armpit and exiting here (indicating). It was just
22 impossible.

23 MR. HECHT: All right, thank you.

24 Nothing further.

25 THE FOREMAN: Are there any further questions to be
26 directed to the witness by any member of the Grand Jury?

27 Apparently not?

28 THE WITNESS: Could I say something?

1 THE FOREMAN: Yes; please do.

2 THE WITNESS: Well, please, I know, I have always heard
3 that the Grand Jury is the protection of the people.

4 Is there any way -- there has never been any
5 official notice taken of this material. I have a folder
6 here and may I turn it in to somebody so that it may become
7 part of the evidence of this Grand Jury?

8 THE FOREMAN: Well, I think that would have to be
9 submitted to the District Attorney for disposition of the
10 matter.

11 THE WITNESS: I have brought it in, I have brought the
12 whole thing.

13 You see the ballistics report -- all we have to
14 go by is Kaiser's book.

15 It isn't a part of the evidence of the trial and
16 of the official police department report.

17 As I say, there are only 8 bullets and there are
18 10 bullet holes.

19 THE FOREMAN: Mrs. Castellano, do you wish to leave
20 that here and then it can be returned to you?

21 THE WITNESS: I would like you to keep it. I would like
22 everybody to have an opportunity to look at the material.
23 We have spent so much time accumulating this material and I
24 would like everybody to look at it. I would like somebody to
25 take official notice of it.

26 THE FOREMAN: If you wish, you may leave it here and
27 we'll send it back when you are through.

28 THE WITNESS: That is not necessary. I would like

1 nothing better than for you to keep it.

2 It is a responsibility and I wish some official
3 notice would be taken of it.

4 THE FOREMAN: I imagine we can receive that as an
5 exhibit and make that a part of the record and keep it
6 here, if that's what you prefer.

7 THE WITNESS: Please do.

8 THE FOREMAN: As I understand it, Mrs. Castellano,
9 you probably feel you would rather not have this in your
10 possession any longer?

11 THE WITNESS: No, I have copies of everything.

12 I just want to get -- I mean, I want somebody
13 to take official notice. I want official notice to be taken
14 of it.

15 THE FOREMAN: You understand, it will just be made a
16 part of our records and kept in our files.

17 THE WITNESS: Well, I think it would be good to have it
18 left here.

19 Here is something that maybe you don't know
20 about.

21 This kitchen worker with the car keys that was
22 found in Sirhan's pocket.

23 His name, we found it and got it from Sacramento,
24 and his name is Robert Jindraw and he appeared in the newspaper
25 as being the owner.

26 I believe that is in the Pasadena Star News and I
27 have a copy of the newspaper here.

28 We have the name of the owner as Robert Jindraw

1 and he makes the name Robert Costa, a Spanish name.

2 You might think that Mr. Houghton was trying to
3 protect some innocent person but I got this from Metro
4 Media.

5 Here is a copy of it.

6 Here is the letter I sent them.

7 It says,

8 "Federal Agency investigating murder
9 of Robert Kennedy has uncovered some evidence
10 that hints at conspiracy."

11 It goes on to say that Sirhan had a car key in his
12 pocket and the car belonged to one of the kitchen workers at
13 the hotel where Senator Kennedy was shot.

14 It goes on to say that reliable sources also
15 report that the Secret Service had a file on that kitchen
16 worker and had his presence been known in the hotel, the
17 police or the Secret Service would have detained the man
18 before the President ever came to town.

19 That was from Metro Media.

20 THE FOREMAN: All right; thank you, Mrs. Castellano.
21 We appreciate it if you'll just leave it here.

22 BY MR. HECHT:

23 Q Wasn't Sirhan's defense attorney interested in
24 that material?

25 A Evidently not because the man who was the head
26 of the Kennedy Assassination Truth Committee, an actor named
27 Mike Farrell, at the time, when we first got the photographs
28 he took it to someone who was supposed to be one of the

1 investigators for the defense team who said at the time that
2 they were most anxious to see that picture.

3 He said, "Why, they are not trying to save
4 Sirhan."

5 I said, "Well, maybe after seeing this they will
6 want to."

7 So I rushed with them and had them Xeroxed and
8 we had the original copies but they were most anxious to see
9 them and he took them to the man and I believe that was
10 Ron Allen, who was supposed to be one of the investigators
11 for the defense team.

12 I understand he not only took it to him but he
13 also took it to Lynn Compton.

14 Q Mrs. Castellano, have you answered my question
15 as to whether this material was of any interest --

16 A I'm trying to tell you.

17 Q Would you please wait until I finish my question?

18 A I'm sorry.

19 Q Have you answered my question as to whether the
20 defense attorneys for Mr. Sirhan were interested in the
21 material that you're talking about here?

22 A To my personal knowledge I gave it to Mr. Farrell
23 to take it to Mr. Ron Allen who was supposed to be one of the
24 investigators for the defense and that's all I know about
25 it.

26 THE FOREMAN: All right, thank you, Mrs. Castellano.

27 I'd like to caution you not to discuss or impart
28 at any time, outside of this jury room, the questions that

1 were asked of you in regard to this matter, or your answers,
2 until authorized by this Grand Jury or the Court to discuss
3 or impart such matters.

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

7 Do you understand that?

8 THE WITNESS: I do.

9 THE FOREMAN: Thank you for coming in.

10 Thank you for leaving those documents.

11 MR. HECHT: At the suggestion of the Foreman, may these
12 be marked Grand Jury Exhibit Number 59 and Jindraw file No. 60?

13 THE FOREMAN: It will be so marked.

14 Thank you for coming in.

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

18 MR. HECHT: Mr. Faura, please.

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

22
23
24 FERNANDO FAURA,

25 called as a witness before the Grand Jury, was duly sworn as
26 follows:

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

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

4 THE WITNESS: I do.

5
6
7 EXAMINATION

8 BY MR. HECHT:

9 Q Mr. Faura, what is your business or occupation?

10 A I'm a writer, newsman.

11 Q Are you employed by anyone or are you what is
12 referred to as a free-lance writer?

13 A I have my own business, Pacific Press, and
14 Spanish Media Sales.

15 Q Are you familiar with the Sirhan case?

16 A Yes.

17 Q In the sense there was such a case and Mr. Sirhan
18 was tried in this building?

19 A Yes.

20 Q Did you, after the Sirhan case was over, go to
21 the 4th Floor of the County Clerk's Office in an effort to
22 see the original or copies of the various exhibits or documents
23 that had been introduced during the course of the trial?

24 A Yes, I did.

25 Q Approximately how many times did you go down to
26 the Clerk's Office and make an inquiry in that regard?

27 A Twice.

28 Q May I show you two exhibit review forms which have

1 your name on it.

2 That is Grand Jury Exhibit Number 2 and Grand
3 Jury Exhibit Number 3.

4 Do you see your name written on those two forms?

5 A That's correct.

6 Q Would you please take a look at Grand Jury
7 Exhibit Number 2; in the upper left-hand corner it just has
8 the number 7 and that must mean July.

9 Do you remember the date and the year?

10 A Well, I came in on two consecutive days.

11 Q Well, the date on Grand Jury Exhibit Number 3
12 is 7-21, is that correct?

13 A Yes.

14 Q So you either came in on the 20th and the 21st
15 or the 21st and the 22nd of July?

16 A Yes.

17 Q Do you remember the year?

18 A Not really, but I know it was immediately after
19 or a couple of months after the Sirhan trial was over.

20 Q What specific items were you asking for on both
21 of these occasions, do you recall, generally?

22 A Yes; there were some police and FBI records or
23 papers which concerned the involvement of a man called
24 John Fahey, a witness that was present, and my interest was
25 in getting a copy of that document because I was involved in
26 a portion of that document.

27 Q You wished to peruse these documents and see what
28 was said?

1 A Things of that nature.

2 Q Did you see what you came to see?

3 A Yes, I did.

4 Q Did you ever ask to see any of the hard or

5 ballistics evidence or copies of the ballistics evidence?

6 A No.

7 Q Do you know Mr. John Christian?

8 A Yes.

9 Q How is it that you know him?

10 A Well, John Christian is a former newsman, I

11 understand, and he had developed an interest in the investiga-

12 tion, just like I had and several other newsmen, and I don't

13 recall who told me that he was working on a portion of the

14 investigation of the Robert Kennedy killing.

15 Q Did you actually speak to him, did you?

16 A Oh, yes.

17 Q On how many occasions, do you recall?

18 A A couple of dozen occasions.

19 Q Did Mr. Christian ever discuss with you, or you

20 with him, the fact that there were some missing documents or

21 stolen documents from the Clerk's Office here in this

22 building?

23 A Yes; that was very recently.

24 Q How recently was that?

25 A Maybe, oh, I would say, it was -- well, first of

26 all, he was the one that made me aware that these records had

27 been made public and that is how I came down to the Clerk's

28 Office to look for that particular record because he saw my

1 name there.

2 He told me that my name was in there and I came
3 over to secure them.

4 Then there was a discussion about this two-gun
5 theory and I called John Christian, just to keep in touch with
6 him, and so he said he understood that some of the records
7 were now missing.

8 I asked him how he knew that and he said it was
9 on the air, Channel 9, or he heard a broadcast somewhere.

10 Q Do you know a Mr. William Farr, Bill Farr?

11 A Yes.

12 Q Did you have a meeting with him at my request
13 within the past couple of days?

14 A Yes.

15 Q During the time that you had the meeting with him,
16 did you have occasion to discuss with him about the lack of
17 security in the Clerk's Office in connection with the Sirhan
18 exhibits?

19 A Yes.

20 Q Did you make the statement to him that you felt
21 that the security in the Clerk's Office was very poor, when it
22 came to protecting the Sirhan exhibits?

23 A Yes, I did.

24 Q Why did you make that statement?

25 A Why?

26 Q Was it a true statement?

27 A Positively.

28 Q Will you tell the Grand Jury why you felt that

1 statement was true?

2 A When I first came -- it was actually, it grows
3 out of the way that they first stalled me for the documents.

4 When I first came in I always make it a point not
5 to show my press credentials because I'm requesting public
6 records and I think they should be allowed to the public with-
7 out any difficulty and they stalled me for awhile and so on
8 and so forth.

9 Finally I produced my press credentials and
10 started getting mad and raising hell about it.

11 Then they found the records, and they said they
12 knew where they were now.

13 When I filled out this portion here I was standing
14 and I asked him if I could go with him to get the records and
15 he said yes.

16 I don't remember where the room was that we went
17 to, if it was on the same floor or if we took the elevator to
18 go somewhere, I do not recall, but we went to a room where
19 there was all properties and all kinds of exhibits and so
20 forth.

21 Q Did that appear to be a room where they stored
22 exhibits?

23 A Yes, positively; it seemed to me where all the
24 cases, whatever they were, were stored.

25 Q You were actually given access to that room?

26 A Yes.

27 Q You went with a man to this room and you were given
28 access to that room where all these exhibits were?

1 A Yes, sir.
2 Q All right; go ahead, sir.
3 A At that time I felt how silly the whole situation
4 was.

5 First I'm getting double trouble getting records
6 that they are supposed to get free for the public and then I'm
7 allowed to go into a room where they have boxes and boxes and
8 so forth that were clearly marked "Sirhan".

9 I don't recall who started the conversation,
10 whether it was him or I, but there were some sealed boxes
11 which related to the Sirhan case.

12 It raised my interest and I am already alone with
13 this man and if I wanted to take this evidence and make it
14 disappear, all I have to do is to put a gun on his head and
15 tie him down and walk out with it.

16 Q Did you discuss this with him?

17 A No. No. I didn't discuss it with him because I
18 didn't want him to get scared and start running out.

19 Q I am amazed by your statement.

20 Did you ever see any of the so-called hard
21 exhibits, the ballistic evidence or anything like that?

22 A No, I had no interest in that.

23 MR. HECHT: I have no further questions.

24 THE FOREMAN: Are there any questions by any members
25 of the Grand Jury?

26 Apparently not.

27 I'd like to caution you not to discuss or impart,
28 at any time, outside of this jury room, the questions that

1 were asked of you in regard to this matter, or your answers,
2 until authorized by this Grand Jury or the Court to discuss
3 or impart such matters.

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

7 Do you understand that?

8 THE WITNESS: I do.

9 MR. HECHT: One of the Grand Jurors does have a
10 question.

11 Q What press credentials do you have?

12 A Foreign correspondent credentials, from RCA
13 National Radio and News from Mexico.

14 Q From what city do you have those credentials?

15 A Sacramento Police Department and
16 Police Department.

17 Q Mr. Faura, one of the Grand Jurors is asking the
18 following question:

19 Had you been inclined to do so, when you were
20 alone in the storage area, had you been inclined to do so
21 were you there long enough to make a deal with the Clerk?

22 A Well, I don't know.

23 Q How long were you there?

24 A I wasn't there very long, no, just a few minutes --
25 say five minutes, at the most.

26 Q Did they find what you wanted?

27 A I, frankly, don't even know what in the world they
28 were looking for or what I wanted.

1 What I wanted were papers which I think were
2 upstairs but it is possible that this is almost two years
3 ago and I don't recall where he went to secure these
4 papers.

5 I can't honestly answer that.

6 THE FOREMAN: Is there anything further?

7 Apparently not.

8 Please remember the admonition as to secrecy that
9 has already been given to you.

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

13 MR. HECHT: Mr. Smith.

14 (Thereupon, the witness, Donald Smith, was then
15 escorted into the Grand Jury Hearing Room by the Sergeant
16 At Arms.)

17
18
19 DONALD SMITH,
20 called as a witness before the Grand Jury, was duly sworn
21 as follows:

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

27 THE WITNESS: I do.
28

EXAMINATION

1
2 BY MR. HECHT:

3 Q Mr. Smith, what is your business or occupation?

4 A I work for the County Clerk's Office in the
5 Reproduction Section.

6 I am the supervisor.

7 Q How long have you been a supervisor of the
8 reproduction unit of the County Clerk's Office?

9 A Two and a half years.

10 Q Do you know Mr. Peter J. Talmachoff?

11 A Yes, sir.

12 Q Do you know a Mr. Guy Tracy?

13 A Yes.

14 Q All right; sometime after the Sirhan case had
15 been concluded, in the sense that the guilty verdict had
16 been rendered and the death penalty verdict had been returned,
17 did you ever have occasion to go into Mr. Sharp's office for
18 a meeting there?

19 A Yes, I did.

20 Q Do you recall when that was?

21 A I believe it was a few days before the sentencing
22 of Sirhan.

23 Q Who was present at this meeting?

24 A Mr. Talmachoff and Mr. Sharp, Mr. Sid Rogers, who
25 was my immediate supervisor. I can't recall, possibly one or
26 two others -- possibly Mr. Hatcher, but I don't recall.

27 Q What was the purpose of the meeting?

28 A After the sentencing of Sirhan, Judge Walker wanted

1 us to reproduce some of the documents of the trial and we had
2 the equipment to make the copies.

3 The reason for this is, I believe, that he didn't
4 want the public to touch the original evidence and so by us
5 doing the copies the public could see the copies of certain
6 documents.

7 Q Sir, during that meeting were you told that
8 Judge Walker had made a certain court order to that effect?

9 A Yes; he had issued or would issue it.

10 Q Was the existence or the contemplated existence
11 of the court order discussed at that meeting?

12 A Yes; like I have said.

13 Q Would you tell us again what was said in that
14 regard?

15 A Well, when Sirhan was sentenced we were to make
16 copies so that the people could see the copies rather than the
17 original documents. That was the purpose of the meeting.

18 Q As a result of that meeting, what happened as a
19 result as far as your own duties were concerned?

20 A We waited for the documents to be sent down to
21 us.

22 Q Were they?

23 A Yes; I believe possibly a week later. I don't
24 remember but I think it was about a week or so later we finally
25 saw the documents.

26 Q Who brought them over?

27 A Tracy.

28 Q Did he bring them over to you?

1 A Yes.

2 Q Did you supervise the reproduction of these
3 documents?

4 A Yes, I did.

5 Q How careful were you?

6 A Well, they came over in boxes, I believe he
7 brought it over with a dolly and after he went through each
8 copy we matched it with the original to see if everything
9 was there and then we put it back.

10 Q When you say you compared it with the original,
11 do you mean to say if there was a multi-page document,
12 say in a book of some kind, you would check to see if you
13 reproduced each page of that book?

14 A Yes.

15 Q That was done carefully, was it?

16 A Yes, sir.

17 Q Now, I show you Grand Jury Exhibit Number 50,
18 and will you take a look at that and tell me if you recognize
19 that?

20 Let's strike that question.

21 You and I have discussed this document within the
22 past couple of weeks?

23 A Yes.

24 Q We had a meeting at your office?

25 A Yes, we did.

26 Q Did I show you this document?

27 A I believe you showed me this document here last
28 Tuesday, but I don't believe I saw that before.

1 Q In any event, do you recall any material that
2 you were asked to Xerox or duplicate over at the Clerk's
3 Reproduction Unit that had the kind of spiral binding that
4 appears on this page that I'm looking at, which happens to
5 be Page 41?

6 A There was, as I recall, a spiral book and it was
7 the same as what I see right here.

8 Q Do you remember how many spiral notebooks you
9 had?

10 A I believe there were three.

11 Q Did you duplicate all three of them?

12 A Yes; we duplicated all three of them.

13 Q What makes you sure of that?

14 A Because of the fact that there was this spiral,
15 we had no way of taking it apart, so we just turned the pages
16 and kept it in the spiral.

17 Q So you went through those notebooks page by page
18 so that you did a complete job?

19 A Yes.

20 MR. HECHT: Thank you.

21 I have nothing further.

22 THE FOREMAN: Any further questions by any members of
23 the Jury?

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

27 Apparently not.

28 I'd like to caution you not to discuss or impart

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

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

8 Do you understand that?

9 THE WITNESS: I do.

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

13 MR. HECHT: Mr. Talmachoff.

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

17
18
19 PETER J. TALMACHOFF,
20 called as a witness before the Grand Jury, was duly sworn
21 again, as follows:

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

27 THE WITNESS: I do.
28

EXAMINATION (CONTINUED)

1
2 BY MR. HECHT:

3 Q Mr. Talmachoff, we've had some evidence that
4 during the course of storing the so-called exhibits in the
5 Sirhan case, they were stored in different locations.

6 Can you tell us where those different locations
7 were?

8 A When the exhibits were first brought from the
9 courtroom after the trial they were kept in Room 448 in the
10 vault in Room 448.

11 They were kept there because we were going to
12 reproduce exhibits and after the reproduction they were moved,
13 I believe for awhile they were in Room 444, which is simply
14 another exhibit room.

15 After that they were moved to 330 North Broadway,
16 which is the building next door to the Hall of Justice and
17 they were kept in Room 102, in what we call the death penalty
18 locker.

19 At the time of this third move, the storage was
20 not in locker form. The bins were there but we had to have
21 the doors fastened to them so that they became a locker and
22 there were problems about the doors but those problems ^{were} worked
23 out and these items were stored in that locker.

24 Q So that we're perfectly clear on what the public
25 had access to and what the public does not have access to,
26 does the public have access to Room 448?

27 A That is the entire premises of the Clerk's
28 Office.

1 Well, Room 448 is downstairs. And that's the
2 main office of the Criminal Division.

3 Q All right; where in Room 448 were the Sirhan
4 exhibits originally stored?

5 A That was in the vault.

6 Q Does the public have access to the vault?

7 A No.

8 Q Does the public have access to Room 444?

9 A No.

10 Q Does the public have access to Room 102 at
11 330 North Broadway?

12 A Generally, no.

13 Q When you say "generally", are there exceptions?

14 A We have certain exhibits that are very awkward
15 to move.

16 For example, I might state in the Kirschke case
17 we have a very large bed. We have the headboard, the mattress
18 and the box springs which make it difficult to carry it back
19 and forth and if I had someone who wanted to look at that
20 particular item I would find it more convenient to take that
21 person there rather than bring the whole thing up to Room
22 448.

23 But, generally speaking, we did not give the
24 public access to Room 102 at 330 North Broadway.

25 Q If you can't find one of your exhibits or one of
26 your Exhibit Custodian Clerks cannot find an exhibit in
27 Room 444 or Room 102 at 330 North Broadway, would you invite
28 a member of the public who had requested that exhibit to go

1 down to that room to help look for it?

2 A No, sir.

3 Q You and I had a conversation this morning?

4 A Yes.

5 Q Did you indicate at sometime you had received
6 something from Mrs. Nishikawa in connection with the Sirhan
7 inquiry that we are conducting?

8 A Yes, I did.

9 Q Would you show me what you have, please?

10 A Yes.

11 Q You're showing me one, two, three, four, five,
12 six pages, two of which are totally alike?

13 A Yes.

14 Q I'm going to take those six pages and just for
15 the purpose of marking them so that if we have to refer to
16 them we can do so, I'm going to staple them altogether and
17 mark them Grand Jury Exhibit 61 for identification.

18 MR. HECHT: May it be so marked?

19 THE FOREMAN: It may be so marked.

20 BY MR. HECHT:

21 Q When did you receive that document from
22 Mrs. Nishikawa?

23 A I would say approximately a week ago or within
24 a week.

25 I can't say for certain.

26 Q What representations did she make to you about
27 those documents, when she gave them to you?

28 A She said that she was looking through her notes,

1 I might say that after the case was over she stored certain
2 of her notes here, the rough minutes and lists in my office.
3 At that time she was looking through her notes and she found
4 these particular items and gave them to me.

5 Q I show you Grand Jury Exhibit Number 52 and I
6 wonder if you'll look through Grand Jury Exhibit 52 and you'll
7 notice on the pages there are some FBI notations and that
8 these FBI notations appear on opposite sides of the page
9 alternately.

10 They appear on the side of the pages with the
11 exception of what appears to be the reproduced items which
12 says, "People's 71 back side of front cover" which appears to
13 be at the bottom.

14 Have I noted that accurately?

15 A I haven't looked at all the pages but I believe
16 you are correct.

17 Q Outside of that page they all seem to have the FBI
18 notation on the side.

19 A Yes.

20 Q And the spiral ring on the page wasn't reproduced?

21 A No, sir.

22 Q And the FBI notations appear to be at the bottom
23 of the page?

24 A Yes.

25 Q At the bottom of the four reproduced pages?

26 A Yes.

27 Q And, that does not appear to be any kind of a
28 spiral binder?

1 A That's correct.

2 Q Mr. Talmachoff, do you have any information
3 whatsoever with respect to the disposition or present
4 location of the missing pages from Grand Jury Exhibit
5 Number 50?

6 A No, sir.

7 Q All right; do you have any information with
8 respect to the disposition or the present location of the
9 missing pages from Grand Jury Exhibit Number 52, right in
10 front of you?

11 A No, sir.

12 Q Do you have any information with respect to the
13 disposition or present location of the copy of the trial
14 exhibit, People's 71, one of the Sirhan notebooks, made by
15 Mr. Smith in the Clerk's Reproduction Unit in accordance
16 with Judge Walker's Court Order?

17 A I believe that Grand Jury Exhibit Number 50 is
18 that copy.

19 Q I don't believe it has been so identified during
20 the course of this proceeding.

21 Let me explain because I invite an explanation
22 from you in response to what I have to say.

23 Grand Jury Exhibit Number 52 has been
24 identified for us by Mrs. Nishikawa as being a document
25 that was another copy, I believe she testified, of Grand Jury
26 Exhibit Number 71-Alternate and she made these pen notations
27 on there which do not appear on the Sirhan notebooks.

28 A May I say something at this point?

1 I think that is not 71-Alternate.

2 I think there is another one, another set.

3 Q Where is that?

4 A That was checked out or returned to Officer
5 Patchett.

6 Q Do you have any receipt for that?

7 Let me indicate to you Mrs. Nishikawa indicated
8 that there was a receipt for a return to the Los Angeles
9 Police Department, but she never identified Grand Jury Exhibit
10 50 as an alternate copy; at least that is my recollection as
11 I stand here now.

12 A I have receipt Number 378188 which says,

13 "Book containing photocopy of People's

14 71, 71-Alternate"

15 and that was given to Frank R. Patchett of the LAPD.

16 Q I'll ask you to take a look at Grand Jury Exhibit
17 Number 52. It appears to have some original notations which
18 Mrs. Nishikawa has identified as her own.

19 Those notations do not appear on the original
20 Sirhan notebook?

21 A That's correct.

22 Q If you take a look at Grand Jury Exhibit Number
23 50 you'll find the same notations, at least as to those
24 pages that appear in those documents.

25 A Yes, I do.

26 Q Mr. Smith, of your Reproduction Unit, indicated
27 that he has reproduced the three notebooks, the original three
28 notebooks, none of which contain Mrs. Nishikawa's marks in the

1 upper right-hand corner.

2 My question is:

3 Do you know what became of the copy that was
4 reproduced by Mr. Smith of the original Sirhan notebook?

5 A No, sir, I only know what we have here.

6 May I make a comment?

7 Q What comment do you want to make, Mr. Talmachoff?

8 A I may be mistaken because I wasn't present with
9 Mr. Smith and Mr. Tracy when the so-called copy that you're
10 referring to was made.

11 We did have some samples where I had attempted to
12 make some copies from the notebooks 71 on our reproduction
13 machinery which is Xerox Number 914 and it did not do too
14 well.

15 As a matter of fact, excuse me, but there were
16 certain exhibit pages that had been marred as a part of the
17 chemical testing the FBI used.

18 I cannot say for certain but I believe it was my
19 intention to have the reproduction to be fully complete, and
20 maybe that the pages out of that Grand Jury Exhibit Number 52
21 were, in fact, more legible and more complete than those in
22 the original Exhibit 71.

23 Q I have the original or at least a photocopy of
24 71 and it does not reflect what you have just made reference
25 to.

26 A I may be in error.

27 Q At least I would want the Grand Jury to look at
28 it and make the comparison themselves.

1 Can you tell us, one of the Grand Jurors has
2 asked for you to give us in more detail what your background
3 in the Clerk's Office has been and more specifically what
4 your duties and responsibilities presently are as Chief of
5 the Criminal Division.

6 A I believe I gave a rather brief listing of my
7 assignments when I first appeared.

8 I am now in my 30th year in the Clerk's Office.
9 I began in the office in 1971 and at that time I was at a
10 lower clerical level.

11 In 1947 I became a court clerk and I worked in
12 the civil side for about six and a half years. Thereafter
13 my assignment changed and I was a court clerk in the criminal
14 divisions. I took care of the Master Calendar Court in
15 Pasadena and came back from there and I was assigned to the
16 Master Calendar Criminal Department in Los Angeles.

17 I have been assigned to criminal departments
18 and most of these were annual assignments.

19 After my assignment to a trial department I was
20 reassigned to the Juvenile Court, where I worked at the
21 Juvenile Court for close to two years.

22 From Juvenile Court I went to the Psychiatric
23 Unit. I worked there approximately 10 months.

24 I might say that I was assigned to what might be
25 called the tough assignments. They weren't the easiest
26 assignments available.

27 I think I have proven myself in those departments
28 and I was tried there and at various other tough assignments.

1 That was both to broaden my background in the
2 Clerk's Office and after the Psychiatric Unit assignment, I
3 was reassigned to Juvenile as the Clerk in Charge.

4 I remained in charge of the Juvenile operation
5 which, incidentally, was a part of the Criminal Division.

6 The Criminal Division, at that time, consisted
7 of what we have here in Room 448 plus the Psychiatric Unit
8 out at the County General Hospital, plus the Juvenile Unit,
9 the court set up out on East Lake Avenue.

10 At that point, 1955, I became the person in
11 charge of the Juvenile Unit.

12 In 1966 I was promoted to Assistant Division
13 Chief.

14 In 1963 I was promoted to Division Chief and
15 I remained Division Chief over all of these units until
16 approximately 1966.

17 I had, at one time prior to 1966, made a
18 recommendation that the units be split so that the division
19 would not consist of the Criminal Division plus the Juvenile
20 portion plus the Psychiatric portion.

21 It was getting unwieldly for the Division Chief
22 to maintain contact, for several reasons.

23 The work is quite different in each one of these
24 sections and they are not really related and the geographical
25 locations are wide-spread.

26 So -- but, in any event, from 1966 the division
27 was divided up so that the Criminal was split from the
28 Juvenile and the Mental Health portion and since 1966 the