

CRIME PANEL JUDGE O'HARA DEMANDS RESIGN

9-6-67 *Sh...*



JUDGE
MALCOLM V. O'HARA

The Metropolitan Crime Commission called publicly today for the resignation of Criminal District Court Judge Malcolm V. O'Hara.

Judge O'Hara gave controversial testimony during a Chicago hearing last month on an appeal for a new trial of Teamster Union president James R. Hoffa, who is now in a federal prison.

During the federal court hearing, Judge O'Hara testified that he had acted as a "messenger" in an attempt to get Baton Rouge Teamster official Edward Grady Partin, whose testimony was instrumental in convicting Hoffa in an earlier jury-tampering trial at Chattanooga, to sign an affidavit of "confessed wiretapping."

THE MCC SAID today that it sent a private letter to Judge O'Hara Aug. 29 urging that he "immediately resign from any further performance of judicial functions in

the Orleans Parish Criminal District Court."

MCC managing director Aaron M. Kohn said that although receipt for the registered letter apparently was signed by Judge O'Hara, it was resealed and returned unopened to the Crime Commission office yesterday.

Judge O'Hara issued the following statement:

"I understand from various news media that a letter written by Aaron Kohn calls for my resignation. I returned this registered letter addressed to me from the Metropolitan Crime Commission unopened and I have the following comments and explanations:

"While I am positive that most members of this group are well intentioned and well respected citizens of this community, I am equally certain that its managing director,

Aaron Kohn, is nothing more than a professional muckraker, charlatan and a genius at spewing forth a great volume of half truths and innuendos.

"THEREFORE, I WISH to inform the MCC's executive committee that I will continue not to answer mail from them, and will return its mail unopened until such time as Kohn is no longer officially affiliated with them. At this time, I will be more than happy to meet with and discuss any questions they may have.

"I would like to remind the gentlemen who comprise the executive committee of the Metropolitan Crime Commission that Kohn's lies on me began in 1954, so I know him for what he is. He may have forgotten how he helped engineer two phony, politically inspired indictments against me in 1957, which were immediately thrown out of court, but I most certainly have not forgotten.

"So, if Kohn or any group he is connected with think for a moment that I will lower myself to discuss or

correspond with anyone from Kohn's level, they are sadly mistaken. If anyone should resign, it should be Aaron Kohn."

Week before last, the commission and the New Orleans Bar Association both said they had requested transcripts of the hearing to study the judge's testimony.

Today, Kohn said, "The executive committee of the Crime Commission believes that Judge O'Hara's conduct, revealed by his sworn testimony Aug. 21, 1967, in the Federal District Court at Chicago, renders him unfit to continue serving in the critically important duties of a judge."

KOHN SAID THE Chicago court proceeding was an unsuccessful attempt to "revoke one of the convictions of imprisoned labor racketeer Jimmy Hoffa."

During the hearing, Judge O'Hara also testified that he had been the expense-paid traveling companion of New Orleans builder Zachary A. "Red" Strate, who was convicted with Hoffa in 1964 on charges of conspiracy and fraud.

Strate testified that O'Hara had set up a meeting between Strate and Walter Sheridan, an aide to former Atty. Gen. Robert F. Kennedy during the Hoffa investigation and now an investigative reporter for the National Broadcasting Co.

Strate said Sheridan offered to help him in Chicago if Strate would help him to discredit Dist. Atty. Jim Garrison's probe of the Ken-

nedy assassination. Sheridan has called the Strate testimony untrue.

Judge O'Hara was asked if he owed Strate \$30,000 and if he had ever been paid any money by the Teamsters. There were objections to both questions and they were sustained by presiding Judge Richard B. Austin.

THE JUDGE ADMITTED that he had taken several trips with Strate, to Washington and Las Vegas, and that the expenses were paid by Strate. He also said that he was present during Teamster meetings in Washington.

Kohn said today that during some of these travels Judge O'Hara "was absent from his court duties because of 'ear trouble', despite a large backlog of major criminal cases awaiting trial."

He said: "Judge O'Hara's testimony revealed other uses of his respected status as a judge in efforts to privately manipulate witnesses or potential witnesses. He arranged a meeting on behalf of Strate, who then unsuccessfully attempted to influence Walter Sheridan to make statements which might free Jimmy Hoffa from imprisonment."

"By his own sworn admissions, Judge O'Hara used an employe of his court to assist one of Hoffa's lawyers prepare an affidavit.

THE JUDGE THEN went to Baton Rouge and attempted to induce Edward Partin to sign the affidavit, intended to help racketeer Hoffa secure release from prison by falsely

claiming that Partin's testimony in Chattanooga was based on wire-tap information.

"The judge stated his travels with Strate were as a 'companion', and his services on behalf of convicted felons Strate and Hoffa were as a 'messenger'.

"The Metropolitan Crime Commission believes the evidence clearly disqualifies Judge O'Hara from serving the public interest in the trusted role of a judicial officer," he concluded. **EM**

MCC Writes McKeithen

Increase Pressure For O'Hara Ouster

9-8-67
State
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The Metropolitan Crime Commission today asked the governor to start proceedings aimed at removing New Orleans Criminal District Court Judge

Malcolm V. O'Hara from office.

In a letter to Gov. John J. McKeithen, the MCC said Judge O'Hara should be ousted because he "has betrayed

his trust as an elected judicial officer. . . ."

The request to McKeithen was a new round in the MCC campaign to strip the judge of office. Its request to O'Hara earlier this week asking him to resign was an-

swered by a heated denunciation from the judge.

THE LETTER to McKeithen said Judge O'Hara had admitted under oath to serving "as a 'companion' to, and 'messenger' for, a felon convicted in the federal courts on multiple counts of offenses which constitute labor racketeering."

The reference was to the judge's testimony during a federal court hearing in Chicago last month when convicted Teamster Union President James R. Hoffa was appealing his federal convictions on charges of bribing a juror and misusing union funds.

Judge O'Hara told the court he had accompanied New Orleans contractor Zachary A. Strate Jr. on several trips and had helped with attempts to procure evidence that Hoffa was convicted on the basis of wiretap information.

Strate was convicted with Hoffa in the misuse of union funds case and is appealing.

THE MCC accused Judge O'Hara of participating in "unsuccessful efforts to influence Walter Sheridan and Edward Partin to falsely allege circumstances which might help to free from prison America's most destructive labor racketeer . . ."

Strate testified at the Chicago hearing that Sheridan, a National Broadcasting Co. reporter, offered to provide evidence that Hoffa's conviction was based on wiretapping in return for help in halting Dist. Atty. Jim Garrison's inquiry into the assassination of Pres-

ident John F. Kennedy.

Neither Sheridan, a onetime investigator for the Senate Labor Rackets Committee, nor Partin, head of the Baton Rouge Teamsters local, was called to testify at Chicago.

WRITING McKeithen, MCC President E. C. Upton Jr. and Managing Director Aaron M. Kohn cited state code sections which they said provided for the removal and impeachment of state officers.

Their letter said the Louisiana Supreme Court has jurisdiction in the removal of

judges and added that the suit must be brought by the state attorney general at the request of the governor.

"We believe the evidence establishes gross misconduct and possible crimes on the part of Judge O'Hara," the MCC request declared, adding:

"WE RESPECTFULLY request that you formally instruct Attorney General Jack P. F. Gremillion to initiate a hearing before the State Supreme Court where all evidence and witnesses can be produced for the judgment of that court."

When the MCC asked O'Hara to resign, the judge returned the group's letter unopened and blasted Kohn as a "professional muckraker, charlatan and a genius at spewing forth a great volume

OF HALF TRUTHS
AND INNUENDOS."

DA'S STAR WITNESS

9-8-67
State

Shaw Attorneys Subpena Russo

In a surprise move, attorneys for Clay L. Shaw today subpoenaed Perry Raymond Russo, the state's star witness, for Monday's pre-trial hearing.

Russo, a Baton Rouge insurance agent, testified for the state in the preliminary hearing against Shaw, a retired New Orleans businessman. It was largely on the basis of his testimony that Shaw was held for trial on charges of criminal conspiracy in the slaying of President John F. Kennedy.

No explanation was given for the defense move.

The address given for Russo on the original subpoena was the Orleans Parish District Attorney's office. Today, however, the DA's office gave Russo's address as 4122 Prytania, and a new subpoena was issued giving this address.

Sheriff's deputies were attempting to serve the subpoena today.

Russo testified at the preliminary hearing that he had heard Shaw discuss the President's murder in September, 1963, with David William Ferrie and Lee Harvey Oswald, both now dead.

In other action related to the Kennedy probe today, a new set of attorneys for Dean Adams Andrews Jr. appeared before Judge Frank J. Shea and asked for a transcript of proceedings in Andrews' trial.

Andrews was convicted last month of perjury and faces

an 18-month jail term. His new attorneys say they are preparing an appeal to the Louisiana Supreme Court.

THIS IS THE fourth set of attorneys for Andrews in less than a month. His original counsel, Sam Monk Zelden, quit at the outset of his trial. Andrews then represented himself for two days, after which three brothers, Cecil, Harry and Bruce Burgess took over.

The new attorneys are chief counsel John P. Dowling, Walter D. Kelley and Lillian M. Cohen. In their petition for recognition as counsel, they said they were appearing without compensation.

Their motion for a transcript included proceedings not only of the trial but also of Andrews' appearances before the grand jury and statements he made to Dist. Atty. Jim Garrison and members of his staff.

Andrews was convicted on the basis of his statements to the grand jury concerning the Kennedy probe. **END**