

# County Withdraws One Count Against Noguchi

## Incompetence Charge in Kennedy Autopsy Operations Dropped

BY RICHARD WEST

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One of the charges against former Coroner Thomas T. Noguchi—that he acted in an incompetent manner during the Robert F. Kennedy autopsy—was suddenly withdrawn by the county Monday during the hearing into Noguchi's dismissal.

The action came after Noguchi's attorney, Godfrey Isaac, called the first of several witnesses who were to testify on what actually occurred in the autopsy room at Good Samaritan Hospital last June.

Richard H. Kottke, a medical photographer, had just testified that there were "15 to 20 people in the autopsy room" when Dep. County Counsel Martin Weekes interrupted and asked that he and Isaac be permitted to approach the bench of the three Civil Service commissioners who are conducting the hearings into the dismissal by the Board of Supervisors.

"This is a terribly serious matter," Weekes said.

Commission President O. Richard Capen, who is presiding at the hearing, granted the request.

After about 20 minutes of closed conversation at the bench with Isaac and the three Civil Service commissioners, Weekes left the Board of Supervisors hearing room to make a telephone call to his chief, County Counsel John D. Maharg.

On returning, Weekes moved to strike the charge relating to the Robert F. Kennedy autopsy, noting that the county had "offered no evidence" relative to it.

Further delving in the matter "would be totally immaterial," he said.

Isaac declared that he had already said he would prove that "this charge is totally, unequivocally untrue."

The Robert F. Kennedy post-mortem, he went on, was "the most

perfect autopsy ever performed in the opinion of some medical experts."

Weekes agreed to stipulate that the autopsy was performed in a "superior" manner.

Capen then ordered the charge dismissed and all allegations relative to it stricken from the record.

The charge relating to the Kennedy autopsy was made April 30 by Weekes himself on behalf of Maharg. It read in part:

"During the Kennedy autopsy four (Noguchi's) eyes were glazed, your behavior was erratic and your dictation of the events surrounding the autopsy was so disassociated that it was all but unintelligible."

Weekes added that if two other autopsy surgeons present "had not preserved extensive notes on the autopsy it is doubtful that any autopsy report of scientific value could have been produced re the autopsy of Sen. Kennedy."

One of these surgeons, Weekes said in the charge, "specifically requested you to catalog and arrange in some logical order the working papers, photographs, etc., re the Kennedy autopsy."

"He even volunteered his services to help you in this regard. To date the working papers have not been cataloged or arranged in any logical order."

During a recess in the hearing, Isaac said Weekes told the commissioners at the bench he feared "international repercussions"—such as

those which followed the autopsy of President John F. Kennedy in 1963—would result from arguments over the charge.

Isaac said this was simply a "ploy" on the part of Weekes to block evidence that Noguchi had actually performed the autopsy on the senator in a "magnificent" manner.

**Wants Public Testimony**

The lawyer said he

would fight to make public at the hearing, through testimony by witnesses present at the autopsy, what went on at the senator's postmortem.

But Capen later said from the bench, "We don't want to get into the autopsy of Sen. Kennedy, per se."

Isaac—again commenting during the recess—said Noguchi performed in an exemplary manner during the autopsy, working for six straight hours while at the same time dictating his findings.

**Second Recess**

During a second recess requested by Weekes so he could telephone his chief, Isaac said the deputy county counsel is "in virtual panic" and that the county's case is dissolving in front of their eyes.

The lawyer predicted additional withdrawals of charges.

Kottke testified earlier that Noguchi appeared "very serious" when they met at the coroner's office before going to Good Samaritan Hospital for the Kennedy autopsy.

"He was upset" about the senator's death, Kottke said, and "shook his head" in a sad manner when he greeted the photographer, a friend of Noguchi's for "13 or 14 years."

When the automobile they were in arrived at Good Samaritan, Kottke went on, Noguchi asked the driver to go to a back entrance to avoid a group of television photographers in front of the hospital.

**Saw No Drug-Taking**

Kottke said that in all the years he has known Noguchi he has never seen him take drugs or show any signs of erratic behavior.

Nor, the witness added, has he ever heard Noguchi swear at anyone or demean or discriminate against any person.

The only change he noticed in Noguchi in recent years, he said, was

that "perhaps he was more dedicated to his work."

#### Another Witness

Another witness for ~~Noguchi~~ Monday was Dr. Cyril Wecht of Pittsburgh, chief forensic pathologist for Alleghany County, who testified that the Robert F. Kennedy postmortem was "the most complete, thorough and medically extensive autopsy I have ever seen."

He said he came to Los Angeles after the autopsy and was shown a "rough draft" of the postmortem report.

Wecht said he found the "masive compendium of documents . . . in very good order."

Wecht chuckled at a statement attributed to Noguchi that a "forensic mafia" should be established under which Noguchi would handle all coroner cases west of the Mississippi and Wecht all cases east of the river.

"I have enough problems in Pittsburgh and Alleghany," he said. "I'm not looking to expand."

The hearing at the Hall of Administration will be in recess today and will resume Wednesday at 9:30 a.m.