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County Clerk Disputes Jury's Criticism on Sirhan Evidence

BY RON EINSTOSS

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County Clerk William G. Sharp Wednesday denied as "totally unfounded" stinging criticism of his office by the Los Angeles County Grand Jury for its handling of evidence in the assassination of Sen. Robert F. Kennedy.

The 58-year-old department head said he has seen no indication that anyone in his office has done anything improper.

He welcomes an investigation by a special task force appointed by Board of Supervisors Chairman Warren M. Dorn, he added.

He is confident, Sharp said, that the inquiry under the direction of Asst. County Administrative Officer Harry L. Hufford will confirm the efficiency of the management of the clerk's office.

And, Sharp said, he does not plan any changes in the operation of his office as a result of the grand jury's criticism.

Sharp also told a press conference that "no regular records or exhibits" used in the trials of Sirhan B. Sirhan and Jack Kirschke are missing.

Sirhan was convicted and condemned to death for the slaying of Kennedy. Kirschke, a former county prosecutor, is serving a life term for killing his wife and her paramour.

According to the county clerk, the only missing or incomplete documents are the applications to view the exhibits in the cases and, he explained, there are no statutory requirements that he keep these.

Commenting on the grand jury's charge that numerous pages from two photostatic copies of Sirhan's three so-called "RFK Must Die" notebooks are unaccounted for and that the copy of another of the notebooks is missing in its entirety, Sharp said the original notebooks

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are intact and in the hands of the California Supreme Court (which is reviewing Sirhan's appeal).

He conceded that certain photostatic copies made to preserve the integrity of the three notebooks themselves are incomplete. However, he said these can be reconstructed from the original exhibits if necessary.

As to the grand jury's charge of misfeasance—a lawful action done in an illegal or improper manner—Sharp said that if, after reading the transcript containing the testimony of 35 witnesses who testified during the five-day hearing, he finds evidence of misconduct by anyone in his office, he will "take the appropriate action."

The transcript, according to Sharp, will not be available until next week. It is being released by special order of Superior Judge Richard F. C. Hayden at the request of the grand jury and Dep. Dist. Atty. Richard W. Hecht, who conducted the inquiry.

Sharp said his office has fully cooperated with the district attorney in the matter.

He conducted his own investigation of the case, he added, including an audit of all exhibits in the possession of the clerk's office here.

In reply to criticism that his office did not specially pack its ballistics evidence in the Sirhan case as suggested by the court, Sharp said, "There is nothing in Judge (Herbert V.) Walker's order which required evidence to be specially packaged."

No Policy Change

He said bullets fired from Sirhan's gun were handled only by a criminologist who received authorization from one of the attorneys of record and that he was given access to them only under surveillance of personnel of the clerk's office.

Sharp explained that until he sees the transcript he cannot "intelligently comment" on an allegation that there is a general lack of security precautions in his office.

He said, however, that

all exhibits are kept in a strong vault under strict security regulations and that only certain exhibit personnel have access to it.

The grand jury also rebuked Sharp because he was not informed prior to June of this year of the existence of Walker's order that evidence in the Sirhan case should be given special handling.

Sharp said his top aides attended the conference with the judges and did not consult with him because no change in office policy was required by the court's order.

There are many such conferences with judges, Sharp said, and although they do not always concern cases of "historical importance" such as Sirhan, they do, he said, concern many matters of "major importance."

Most of them, he said, are not brought to his attention unless they require a decision on his part or a change in policy.

Sharp claimed that his office has complied with most of the recommendations contained in a 1968 Los Angeles County Grand Jury report which was critical of the han-

dling of exhibits in criminal cases. He said that in complying with the suggestions he "went far beyond the report."

Any "objective analysis" of his office, Sharp said, will "prove wrong" the grand jury's statement that his department is concerned only with "minor details of reform" at the expense of overlooking its major responsibilities.

Present during Sharp's meeting with the press was Peter J. Talmachoff, who heads the clerk's criminal division.

Talmachoff also was criticized by the grand jury, but Sharp said he has seen no evidence of improper conduct by his aide.

The grand jury's bearing into Sharp's operations were part of an inquiry by the district attorney's office into allegations of irregularities in the original ballistics investigation that led to Sirhan's conviction.

Chief Dep. Dist. Atty. John E. Howard said Wednesday that his office now is evaluating the grand jury's action. The panel's findings will be "an integral part" of the district attorney's final report on the ballistics matter, he added.