

JUDGE O'HARA BACK ON BENCH

T.P. 4-23-68
Ends Impeachment Suit
Absence Period

Judge Malcolm V. O'Hara returned to his post in the Criminal District Court Monday after a nine-month absence during which he survived an impeachment suit alleging misconduct on his part.

Authorizing the return was a decision by the Louisiana Supreme Court Friday to set aside its order of Oct. 11 granting the 44-year-old judge a leave of absence.

O'Hara had requested the leave when impeachment proceedings were launched against him.

The removal suit was filed by Louisiana Attorney General Jack P. F. Gremillion in response to petitions by several New Orleans groups, including the Metropolitan Crime Commission.

The result of the suit was a decision by the Supreme Court on June 4 that O'Hara was guilty of misconduct, but "not guilty of the gross misconduct which would warrant his removal."

VIOLATIONS ALLEGED

In his suit Gremillion alleged that Judge O'Hara violated both the Louisiana Code of Judicial Ethics and the state constitution in activities to overturn the convictions of Teamsters union president James R. Hoffa and New Orleans builder Zachary "Red" Strate.

The vote not to remove O'Hara was 6-1. The court voted

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O'HARA REGAINS

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Friday 6-0 to allow O'Hara to resume his bench.

In a reprimand of the judge the court said that he "has compromised his office and the high degree of trust placed in him by the electorate."

It was fair to conclude from the record, the court said, that he associated with a convicted felon, Strate, and that he "used his title of judge and the prestige of his office in an attempt to obtain evidence in order to set aside a conviction (Hoffa's)."

According to the high court, the record also showed that Judge O'Hara received gifts and gratuities from Strate.

When he requested his leave of absence, the judge said he believed it was "in the best interest of the dignified administration" of his office.

A former state senator and assistant district attorney, Judge O'Hara presides in Section A of Criminal District Court.

He took the judgeship when his father, William, retired.

He has lost in two campaigns to become district attorney. One defeat was in 1965, when he took a leave of absence to oppose current District Attorney Jim Garrison.