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LOS ANGELES AP -Some evidence used to prosecute Sirhan B. Sirhan for the assassination of Sen. Robert F. Kennedy is missing, the county grand jury says.

The panel, following a week's closed-door investigation ordered by the district attorney, said the county clerk's office, charged with custody of exhibits from Sirhan's 1969 trial, has demonstrated "probable misfeasance."

Deputy Dist. Atty. Richard Hecht said Tuesday no indictments would be returned because "there is insufficient evidence of a prosecutable crime." However, the county Board of Supervisors ordered an investigation into the practices and competency of the clerk's office.

Hecht said 25 pages are missing from two photostatic copies of three notebooks written by Sirhan. The prosecution labeled the notebooks "RFK Must Die," a title which was later used in a book on the trial.

Two judges ordered the evidence sealed before and after the trial and said a court order would have to be obtained before anyone could see the exhibits.

But the grand jury said the evidence was "handled, examined and photographed by unauthorized persons and mishandled by county clerk exhibit personnel." Because of this, the jury said, it has reservations about the integrity of other evidence, including the weapon and bullets used by Sirhan.

LOS ANGELES Sirhan Evi-  
dence take 2: Sirhan.

County Clerk William Sharp said his investigation determined that no evidence was mishandled. He said he had cooperated with the grand jury, adding he promised to take any necessary disciplinary action.

"The grand jury wishes to express emphatically concern over the apparent ease with which documents and other items under the custody of the county clerk can be unlawfully taken," the panel said in a five-page letter to the Board of Supervisors.

"Some of the original Sirhan exhibits, including but not limited to the bullets fired from Sirhan's gun, were handled by unauthorized persons on numerous occasions."

The jury did not identify the unauthorized persons but ordered that transcripts of its hearings be made public.

Jurors also said official records from another murder case are "incomplete, inadequate, confusing and, in some instances, simply missing." They referred to evidence from the trial of Jack Kirschke, a deputy district attorney convicted of killing his wife and her lover.

Sirhan was convicted and sentenced to death for first-degree murder in the killing of the late President John F. Kennedy's brother, Robert Kennedy was slain June 5, 1968, at a Los Angeles hotel after winning the California Democratic presidential primary.