

SECRET O'HARA GRAND JURY DATA ASKED

Gremillion Seeking Testimony

Louisiana Atty. Gen. Jack P. F. Gremillion, who has started a removal suit, against Criminal District Court Judge Malcolm V. O'Hara, today asked the federal district court for transcripts of all testimony regarding O'Hara given before the federal grand jury here.

The move to unseat O'Hara is based on his relationship with Zachary R. Strate Jr., a New Orleans builder. It involves efforts to have Strate's and Teamster Union President James R. Hoffa's federal court convictions set aside.

The SUIT WAS instituted by Gremillion after several New Orleans groups, including the Metropolitan Crime Commission, filed petitions requesting such action.

Gremillion said in his petition filed today that "the testimony of the witnesses appearing before the federal grand jury is pertinent to the proceedings pending before the Louisiana Supreme Court and, further, that the interest of justice would be served herein by affording to your petitioner the grand jury proceedings relevant to the removal proceedings filed against Malcolm V. O'Hara."

He said he has reason to believe that the following persons have testimony regarding O'Hara:

Strate; Edward Grady Partin, Baton Rouge Teamsters official; James H. Gill; Edward M. Baldwin; Julian M. Levy; Walter Sheridan and O'Hara himself.

TESTIMONY BEFORE a federal grand jury is, by law, secret. Gremillion said today, "This removal suit, raising the question of the propriety of a judge's actions, goes to the very heart of fair and impartial administration of justice, and, as such, outweighs the doctrine of secrecy of the grand jury."

Proceedings in the O'Hara suit are being conducted in the Supreme Court's chambers by order of Chief Justice John B. Fournet in accordance with printed rules of the court.

The hearing is to be conducted in secrecy, so the testimony of the grand jury witnesses would not necessarily

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be made public if the federal court grants Gremillion's request.

GREMILLION, however, has opposed the idea of conducting the hearing in secret. Michael M. Irwin has been appointed a commissioner to hear testimony and gather evidence in the trial, which means he will put together the trial record and submit it to the court. He will not make suggestions or conclusions, as to disposal of the case.

O'Hara, in federal court testimony in Chicago last August, said he had been the expense-paid traveling companion of Strate, a New Orleans builder convicted with Hoffa in 1964 on charges of fraud.

He further testified that he acted as a messenger in an attempt to get Partin, whose testimony was instrumental in convicting Hoffa in an earlier jury-tampering trial at Chattanooga, to sign an affidavit that Hoffa was convicted on the basis of illegal wiretap information.

The government is probing charges of a conspiracy to get Partin's testimony changed.

Following this testimony, petitions were filed for his removal from office.

O'Hara took a leave of office pending the district