

# O'Hara Back On Bench; 'Leave' Over

Criminal District Judge Malcolm V. O'Hara resumed his duties today after a nine-month layoff while misconduct charges against him were disposed of.

The Louisiana Supreme Court Friday paved the way for the judge's return by setting aside its order of Oct. 11 granting Judge O'Hara a leave of absence. O'Hara asked for the leave when impeachment proceedings were lodged against him.

A SUIT TO remove Judge O'Hara from office permanently was filed last fall by Louisiana Attorney General Jack P. F. Gremillion after several New Orleans groups, including the Metropolitan Crime Commission, filed petitions requesting the action.

On June 4, the Supreme Court ruled that, while Judge O'Hara was guilty of misconduct, he was "not guilty of the gross misconduct which would warrant his removal."

The attorney general had charged that Judge O'Hara violated both the Louisiana Code of Judicial Ethics and the state Constitution through activities to overturn the convictions of Teamsters Union President James R. Hoffa and New Orleans builder Zachary "Red" Strate.

THE HIGH COURT voted 6-1 not to remove Judge O'Hara. The vote Friday on allowing him to resume the bench was 6-0.

In reprimanding Judge

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O'Hara, the court declared that he "has compromised his office and the high degree of trust placed in him by the electorate."

The court said it was fair to conclude from the record that the judge 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)."

THE RECORD also showed that Judge O'Hara received gifts and gratuities from Strate, the court said.

In asking for the leave of absence, Judge O'Hara said he believed it was "in the best interest of the dignified administration" of the office.

Judge O'Hara, 44, presides in Section A of the Criminal District Court. A former assistant district attorney and state senator, he took the judgeship in 1962 when his father, William, retired.

He was twice defeated in races for the DA's post. In 1965, he took a leave of absence from the bench to oppose present DA Jim Garrison.