

Judges Ponder Retirement Of O'Hara

The judges of Criminal District Court this afternoon again had under consideration the request to retire Judge Malcolm V. O'Hara because of mental disabilities.

Eight of the nine judges who must decide whether O'Hara can be given a \$22,000 a year pension for life heard a neurologist say that O'Hara's judgment is impaired by mild dementia and that in his opinion such a patient never returns to normal

functions.

Dr. Gregory Ferriss, who last month asked for more time to study O'Hara, said today he has found that the jurist is suffering from arteriosclerosis, toxicity and reduced pulmonary functions.

Ferriss said he felt that medical treatment could retard these conditions, but he would not say they could completely cure them.

He said mild dementia affects some regular functions

of the body but that severe dementia could place him in such a state that he could not remember his own name or relatives and could not speak properly.

On April 10, the members of the court denied O'Hara's request for the pension, but granted a rehearing on the grounds that he was denied a vested property right in the retirement program without due process of the law.



CHARLES R. WARD

Charles Ward Will Replace Judge O'Hara

Charles Roy Ward has been named to replace Judge Malcolm O'Hara on the Criminal District Court Section A bench.

Chief of the criminal division of the city attorney's office, Ward was appointed yesterday by Gov. John J. McKeithen for the remainder of a term expiring Dec. 31.

Judge O'Hara was recently retired from the court when his fellow judges ruled him mentally and physically incapable of performing his duties.

A member of the city attorney's staff since January, 1970, Ward is a former chief assistant to District Attorney Jim Garrison, but the two split over the DA's refusal to back Ward for a criminal district judgeship.

Ward received his education at Fortier High School and Louisiana State University in Baton Rouge. He holds a law degree from Tulane University.

He is a member of the mayor's advisory committee on crime, an instructor at the New Orleans Police Academy and an instructor for the Law Enforcement Conference for the City of New Orleans.

Judge O'Hara Is Retired With Salary

Criminal Dist. Court Judge Malcolm V. O'Hara has been declared mentally and physically incapacitated and will be retired on a salary of \$22,000 a year for life.

Seven of the nine judges of the Criminal Court made this decision late yesterday after a third hearing on O'Hara's mental capacity to continue on the job.

O'Hara, who is hospitalized now, was turned down for the retirement last month, but won a new hearing.

The only two judges of the

court who did not vote for the retirement were Judge Rudolph Becker Jr. who was absent and Judge Thomas M. Brahney Jr., who favored continuing Judge O'Hara on his present sick leave status.

Dr. Gregory Ferriss, a neurologist, told the court yesterday that O'Hara was suffering from cerebral arteriosclerosis, a hardening of the arteries to the brain, which reduced his mental capacity.

Dr. Ferriss said he feels O'Hara's condition could be retarded but he does not believe the judge could return to his normal healthy condition.

In two earlier hearings, doctors testified that O'Hara was suffering from mental depression and had been drinking excessively.

The judges of the Criminal Court said their order was in accordance with the state Constitution which reads, "Any judge who is or becomes physically or mentally incapacitated to perform his duties shall be retired."