

1 Juvenile and the Psychiatric Division have been under my
2 supervisor's control.

3 As far as the duties are concerned, until just
4 two years ago I was not only responsible for the division but
5 we had divided up the work of the Criminal Division so that
6 I remained in direct charge of the Court Clerical Unit and
7 my Assistant Chief was in charge of the office portion.

8 Just recently we had an additional person become
9 what we call the Head of Court Services and that person is in
10 charge of the Court Clerical group. So I don't have the direct
11 contact with the Court Clerical Group that I once had.

12 As a part of my duties I have three levels of
13 supervision above me, which whom I must maintain contact and
14 liaison.

15 We have many meetings, discussing the departmental
16 policies, working out the departmental policies, correlating
17 division policies with those of the different departments.

18 I'm responsible for maintain liaison between the
19 division and other county departments.

20 I deal -- this past week, for example, I had a
21 meeting with the Assistant Chief of the Bureau of Criminal
22 Statistics, who came down from Sacramento with a team of two
23 others, and I have to deal with the Judges.

24 I have to deal with the Appellate Court, with the
25 Supreme Court. I deal with the Probation Department and also
26 with certain internal departmental policies.

27 I deal with other state agencies. Besides the
28 Bureau of Criminal Statistics, I deal with the CII,

1 the California Bureau of Identification and Investigation

2 I have to respond to inquiries made by the
3 Board of Supervisors and I have to respond to inquiries made
4 by the County Counsel.

5 I have to respond to inquiries made by members of
6 the Chief Administrative Office.

7 During the past year I have been in what is
8 known as the R.J.I.S. Project, which is concerning Regional
9 Justice Information Service on a county-wide basis.

10 I've had occasion to review the work that has
11 been done as it relates to my division.

12 I might say that the parties participating in it
13 are not only criminally-oriented but that the civil is also
14 involved in this type of thing.

15 I have been involved in this review of the Court
16 Clerks that have full-time assignments on a full-time basis.

17 I have attended meetings for the past year and I
18 have been called personally to attend the meetings at the
19 Assistant Chief's request, where the R.J.I.S. Project is being
20 developed.

21 I have spent hours on different occasions
22 informing and discussing with them, being the object of the
23 subject -- no, not the object of the subject, but being the
24 person to respond because of my familiarity with the type of
25 questions that are involved in the criminal court process.

26 Within the local operation I have been consultant
27 to the department on criminal matters and matters referring to
28 the criminal court clerks. We have a number of districts that

1 are decentralized and that is operated on a decentralized
2 basis.

3 Once upon a time we were the depository for all
4 criminal work and we received the work product of all the
5 districts and we did the processing here.

6 The districts have been decentralized and,
7 however, the staffing at most of these districts are not
8 as familiar with the criminal aspects as I am and I have
9 been the department consultant on criminal court and
10 clerical procedures, and the office procedures that relate
11 to criminal processes.

12 We continued to do the appeals work centrally
13 and the bail posting and forfeiture centrally so we have
14 constant contact with them in those particular areas.

15 I have occasionally been contacted relative to
16 just central court clerical problems.

17 Q How many employees do you have in your division
18 under you?

19 A Approximately 100.

20 Q Are they all located on the 4th Floor downstairs?

21 A No, sir.

22 Q Where are they located?

23 A The office staff is located downstairs on the
24 4th Floor, but they are in two different rooms.

25 The court clerical staff is scattered through the
26 whole of the Hall of Justice, and also the Brunswick Building,
27 which is a block and a half away from here, and the Old Hall of
28 Records where there are actual court proceedings being

1 conducted in the various courtrooms.

2 Q Let me go back to your meeting in Mr. Hatcher's
3 office that you and Mr. Don Smith attended in connection with
4 making plans for the reproduction of the documentary evidence
5 in the Sirhan case.

6 Was that after the discussion in chambers with
7 Judge Loring and Judge Walker, can you tell us that?

8 A I'm sorry; I don't recall the meeting.

9 Q Mr. Talmachoff, have you been able to locate any
10 other copies of pages from Mr. Sirhan's notebook that was
11 trial Exhibit Number 71 or any other pages relating to 71-
12 Alternate or any of these?

13 A The only pages I have are those that I said that
14 I made up myself in an attempt to evaluate the copying
15 capability of my machine.

16 Q They are copies solely made by yourself out of
17 natural curiosity on your part, in terms of the feasibility
18 of doing the reproduction within the criminal division, when
19 you found you could not, it went over to the Reproduction
20 Unit?

21 A Yes; and, as well, because our process was much
22 too slow for such volume work.

23 Q Do you normally secure your prospective employees
24 from the Civil Service Pool, or do you get them from some other
25 source?

26 A Ordinarily their employees are what we call on
27 the entry level and are provided by Civil Service.

28 On occasion a person may transfer from another

1 division to our division from some other county department;
2 but his initial recruitment would have been through the same
3 process, through a Civil Service list.

4 Q Do you have an operations manual for your clerks
5 down there that would include references to exhibit
6 custodian clerks?

7 A We have the exhibit manual, yes, sir.

8 Q How old is it in terms of revision dates?

9 A I first prepared the manual in either 1963 or
10 1964. The oldest version that I have now I cannot say for
11 certain whether it was '63 or '64 but I believe there have
12 been some minor changes made in it by one of my assistants.

13 Q How much freedom do you have in choosing
14 staff, particularly your exhibit custodian clerks, one of
15 the Grand Jurors wants to know?

16 A Well, if I may, I would like to give you a little
17 history of what we have done down here.

18 Prior to obtaining that classification of
19 criminal exhibit custodian, we had to select from clerks and
20 intermediate clerks and there was no separate classification
21 so as vacancies occurred we drew on our own experience as much
22 as possible, and by drawing on our own experience we had some
23 idea of their abilities and capabilities.

24 However, in 1967, I believe it was, I became
25 aware of the fact that the Sheriff's Department had personnel
26 doing work that was almost identical except, I think, that in
27 our case I think that our work was more important because our
28 items of property were exhibits, not just items of property;

1 and, as a consequence, I was finally able to convince the
 2 Personnel Department and the Chief Administrative Officer's
 3 Office that they should allow us this level, just as the
 4 Sheriff's Department had people doing personal property work,
 5 that they allow us this level for criminal exhibit custodian
 6 which gave us an entry level for that position which was
 7 higher than that of the clerical level.

8 We had an examination in 1969 and in the process
 9 of that examination, I did have occasion to go to discuss with
 10 the Department of Personnel, as did our personnel officer,
 11 in trying to set up the standards for the examination.

12 As a matter of fact, I participated as one of
 13 the oral interviewers during the examination.

14 The list that came out at that time was a highly
 15 unfavorable list. It contained the names of people that we
 16 had already had experience with and which we felt were quite
 17 unsatisfactory.

18 I recommended that we appoint nobody from that
 19 list. We dealt with the Civil Service or the Department of
 20 Personnel staff trying to have the list vacated and
 21 unfortunately the list wasn't vacated before its normal
 22 expiration date, which was six months after it was first
 23 promulgated.

24 In any event, we felt that this list was
 25 entirely unsatisfactory and we decided to hold back any
 26 appointments.

27 We had a second examination and we again discussed
 28 with the Department of Personnel our problem and we had a new

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1 examination and a new list and from this list we started to
2 make appointments.

3 Now, in the sense that the list has been
4 established, then I have nothing to say about who we pick
5 from this particular list.

6 Q Now, the people that you hire down there,
7 particularly Exhibit Custodian Clerks, do they take Civil
8 Service examinations?

9 A Yes, sir.

10 Q As you sit here, do you have any knowledge of
11 any irregularities whatsoever and that term should be
12 interpreted by you in the broadest sense possible, in
13 connection with the handling of the Sirhan exhibits on the
14 part of anyone in the Clerk's Office during the length of
15 time you have been down there, since those exhibits came into
16 your care, custody and control?

17 A If you're talking in the broadest sense I really
18 don't know exactly how to answer that because we have found
19 clerical errors when we went through the viewing slips --
20 incomplete dates and that sort of things.

21 Aside from this discovery you indicated the other
22 day that Mr. Buckley had said something to the effect that
23 I had said that he shouldn't have shown something to someone.
24 I don't know what it is or specifically what you're referring
25 to at the time, what item it may have been and if I had my
26 recollection refreshed, I might be able to say that is one of
27 those type of situations, but, unfortunately, I do not recall
28 the situation.

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Q Setting that event aside if it occurred at all, do you have any other information?

A I'm trying to think of what I think is the context of your question, I can't think of anything else.

Q One of the Grand Jurors would like to know what reforms, if any, would you recommend for the County Clerk's Office to adopt as a result of this investigation?

A Well, one of the immediate things we have to do and this goes without saying, is to have a personnel improvement.

One of the things I failed to state when I talked about getting that new position is that we were given the position of senior exhibit custodian clerk and then five or six positions of criminal custodian clerks.

We had hoped in getting this position that we would fill them at least we hoped we could develop our own supervision to the top level.

In my opinion we do not have anybody out of the group who can satisfactorily fill the position of supervising criminal exhibit custodian clerk.

That is a fairly high level position. It requires a person of a great deal of ability, sense of responsibility, initiative, and it requires ability to not only work -- and I don't mean that person does physical work -- but it requires a person to be an energetic person and it requires him to have a pretty fair academic type background because he is going to have to communicate.

I don't feel we have a person who is capable,

1 I don't think we have anybody in the exhibit custodians who can
2 now fill this particular spot, and I don't think we should
3 continue to try to develop it out of our current crew.

4 I don't think that any one of the current staff
5 is ready for that position and I think that none of them would
6 develop to that respect.

7 Q What do you pay the exhibit custodian clerks?
8 What is their present salary range?

9 A Well, you know we have different steps and I
10 can't tell you what the salary ordinance is or the exact
11 rate of pay without the schedule.

12 It is a five-step and I think the top step runs
13 over \$700 a month.

14 The last step for the supervisor of the criminal
15 custodian clerks runs over \$900 a month, and in the clerical
16 area that's a pretty good level of pay and that's why we feel
17 we're entitled to get a person of substance and ability for
18 that particular level.

19 Q Do you feel that you have received all the
20 assistance necessary from Mr. Sharp?

21 A I think we have to get that type of position,
22 and it is an activity that is not dependent solely on our
23 department. It requires liaison and selling the idea to the
24 Chief Administrative Office and it requires selling it to the
25 Department of Personnel so that they can appreciate the level
26 of importance of a particular position.

27 Q I don't think this question refers to that
28 particular activity.

1 I think it was asked in a broader sense, if I
2 interpret the question correctly.

3 A May I have the question again?

4 Q Do you feel in connection with your duties and
5 responsibilities you have received all of the cooperation
6 and assistance you believe you needed from Mr. Sharp?

7 A Well, I would say yes because I know the
8 limitations of a department head and I know the difficulty
9 he has in getting his budget requests through with the
10 Chief Administrative Officer.

11 I realize because I ask for something I'm not
12 going to get it and sometimes it takes a couple of years to
13 get it.

14 I have had past problems and I've had that back
15 since about 1965. I started to explain about the past.
16 We definitely felt that the personnel was inadequate, and we
17 made these attempts to up-grade the position, and we also
18 made attempts to get more space so that we wouldn't be so
19 crowded and that we could handle the exhibits in a proper
20 manner.

21 I don't know what dealings Mr. Sharp has had
22 with the Chief Administrative Officer's Office. I know he
23 was eventually able to get us additional space in the room
24 downstairs, I know he did get that for us.

25 Q One of the Grand Jurors wants to know how does
26 Mr. Cabell's position relate to your particular position?

27 A Mr. Cabell is the Chief Deputy and that makes him
28 the number two man in the entire department.

1 It places him a level above my immediate super-
2 visor.

3 Q When Mr. Hatcher left, there was an examination
4 for Chief Deputy County Clerk?

5 A Yes.

6 Q Did you take that examination?

7 A Yes, sir.

8 Q One of the Grand Jurors is inquiring whether you're
9 satisfied with the work of Mr. Buckley?

10 A Not quite, no, sir.

11 Q In what respects, sir, are you not satisfied
12 with his work?

13 A I think Mr. Buckley has a problem in what we call
14 follow-through.

15 It's one thing to tell people to do it and it's
16 another thing to make certain they do it.

17 In our present arrangement, myself being somewhat
18 removed from the direct operation, I cannot follow-through
19 with the work of each individual employee. I would expect the
20 Acting Supervisor, and that is what Mr. Buckley is, to follow-
21 through, to make sure that all of the clerical activity that
22 is a part of the entire process is being followed through.

23 I think that Mr. Buckley has some things to be
24 said in his favor.

25 I would say that he has done some good things.
26 I don't mean to say he is an out-and-out loss.

27 When Mr. Buckley first came in, he inherited a
28 situation that was a very crowded situation. He inherited a

1 brand new group of employees and he inherited the problem of
2 training this brand new group of employees.

3 So he had a situation where the prior supervisors
4 were in some cases unable to see the forest for the trees.

5 He was able to reorganize the work areas so that
6 the work could be done without people bumping into each other,
7 well -- this is kind of hard to describe the situation, but he
8 was able to rearrange the work area so the people could work
9 more directly, whereas, before, they were just bumping into
10 each other and crowded into each other.

11 Q Having in mind Mr. Buckley's deficiencies or
12 alleged deficiencies, what efforts did you personally make,
13 because of some of the deficiencies of Mr. Buckley to make
14 the personnel more aware of the problems, or at least more
15 aware of it than they were before?

16 A I might say we would like to fill this top
17 position and that, I feel, is a high-powered position and I
18 don't think that Mr. Buckley at this time has developed
19 sufficiently to the point where he can handle that level.

20 I think, under other supervision, that the
21 custodian clerks might do better.

22 Q One of the Grand Jurors wants to know if you're
23 satisfied with Mr. Walker's performance?

24 A I think Mr. Walker is one of the best employees
25 I have in the division. I think he has more potential than
26 anybody else in the division and I went out of my way to get
27 Mr. Walker into that division and I am highly pleased with
28 him.

1 Q If the department requires a senior exhibit
2 custodian, what are the duties and responsibilities of the
3 chief and assistant chief custodian?

4 A Would you repeat that, please?

5 Q I'm reading from one of the questions submitted
6 by a Grand Juror.

7 If the department requires a senior exhibit
8 custodian, what are the duties and responsibilities of the
9 chief and assistant chief custodian?

10 A I think that is in error.

11 We don't have a chief or assistant chief
12 custodian.

13 In the exhibit operation we have a supervising
14 exhibit custodian and at the present we have an acting
15 supervising custodian and that is Mr. Buckley.

16 The supervising exhibit custodian is acting as
17 the senior exhibit custodian at this time.

18 Q Would it be inappropriate to refer to him as
19 the chief custodian?

20 A If you're talking in terms of functional title
21 rather than classification, I think that would be a correct
22 expression.

23 Q What difference is there between this functional
24 title and the title of senior custodian that you're describing?

25 A Well, at this particular time that is one
26 and the same thing. But, eventually, the top boss-man of
27 the unit would be the supervising exhibit custodian clerk.

28 Q One of the Grand Jurors asks if you have any

1 information whatsoever that would indicate that anyone in your
2 department has accepted monies or bribes in connection with
3 the handling of the Sirhan exhibits?

4 A No, sir.

5 Q Just to be sure, one of the jurors would like to
6 be sure again that your answer is absolutely clear.

7 Would you tell us, do you know of any
8 irregularities in handling the exhibits in the Sirhan case?

9 A No; I don't believe so except as I have
10 indicated here already. But there is one thing that I do
11 have in mind and I believe you referred that Mr. Buckley
12 made some statement where I said that he shouldn't have done
13 that.

14 I don't recall the incident and I don't recall
15 what exhibit you are referring to.

16 MR. HECHT: All right; I have nothing further.

17 THE FOREMAN: I'm sure there is no necessity to give
18 you the admonition as to the secrecy of your testimony before
19 this Grand Jury.

20 THE WITNESS: I'm sure I understand it.

21 THE FOREMAN: All right; thank you.

22 (Thereupon, the witness, Peter J. Talmachoff, was then
23 escorted from the Grand Jury Hearing Room by the Sergeant At
24 Arms.)

25 MR. HECHT: Mr. Foreman, I would like to offer all the
26 exhibits into evidence to bear the same numbers as they did
27 when they were offered for identification before the Grand
28 Jury.

1 THE FOREMAN: They will be so received.

2 MR. HECHT: I have no further evidence to produce,
3 sir.

4 THE FOREMAN: All right; we'll take a break for lunch
5 and resume at 1:30.

6 At that time the District Attorney may make a
7 statement to the Grand Jury, if he desires to do so.

8 MR. HECHT: Before we adjourn I would like to make one
9 further suggestion.

10 I know the question has been asked but I would
11 like to suggest that the Grand Jurors go down to the 4th Floor
12 and view the places where all these exhibits have been kept.
13 They have been kept in the vault on the 4th Floor and perhaps
14 in some other rooms and it might be helpful in the delibera-
15 tions.

16 THE FOREMAN: If any Grand Juror desires to go down and
17 take a look at the County Clerk's Office and the various rooms,
18 please go ahead and do so.

19 I understand that some of the Grand Jurors have
20 already done that.

21 I understand that your suggestion is that we do
22 that before your statement this afternoon.

23 MR. HECHT: I think it would be helpful, though it could
24 be done after but I was going to suggest it be done on a
25 surprise basis.

26 THE FOREMAN: Well, we won't have too much time to
27 surprise them.

28 Let's take a break and let's all try to get back

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here by 1:30, if you will.

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THE GRAND JURY OF THE COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

* * * * *

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

vs.

SIRHAN BISHARA SIRHAN,

Defendant.

No. A-233,421

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS..

I, JULIUS KOLINER, an Official Court Reporter of the Superior Court of the State of California, for the County of Los Angeles, do hereby certify that I was on the 16th day of August, 1971, appointed and sworn to report in shorthand writing to the best of my skill and ability all the testimony and proceedings had in the above-entitled matter before the Grand Jury of Los Angeles County; that I did so report in shorthand writing all such testimony and proceedings; and that the foregoing pages are a full, true and correct transcript of said shorthand notes of said testimony and proceedings.

Dated this 7th day of September, 1971.

/s/ JULIUS KOLINER

Official Court Reporter.