

ORLEANS PARISH GRAND JURY

SPECIAL INVESTIGATION

June 28, 1967

ORLEANS PARISH GRAND JURY

PROCEEDINGS OF

JUNE 28, 1967

PRESENT: MR. JIM GARRISON, DISTRICT ATTORNEY,  
MESSRS. ALVIN OSER, JAMES ALCOCK, RICHARD  
BURNES, ANDREW SCIAMBRA AND WILLIAM MARTIN

MEMBERS OF THE ORLEANS PARISH GRAND JURY

WITNESS:

MR. WILLIAM MONAGHAN

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Reported By:  
Maureen B. Thiel  
Secretary, Orleans  
Parish Grand Jury

WILLIAM MONAGHAN, who after being duly sworn by the Foreman of the Orleans Parish Grand Jury, was questioned and answered as follows:

FOREMAN:

Mr. Monaghan, we are concerned about the letter you sent. We think it was uncalled for and tends to destroy more than it helps and if you had something you wanted to talk about you should have come and talked with us. We think we know the facts and we think you all are supporting and giving breath to some people who are helping to destroy our law and order and you are working in reverse to what you are organized for. We know what you were organized for as I have been a member of the Board for a number of years and helped to organize you. Now one of the things we really wanted to ask you (to Juror), you ask the way you wanted to put it.

JUROR:

Did the Executive Committee of the Crime Commission directly and specifically examine and approve this publication? The letter to the Attorney General on June 21, was this specifically approved by the Executive Committee with your knowledge of all of the words that were in it?

JUROR:

These copies were sent to each of us, to our homes by Aaron Kohn.

A. I assume this is a copy of the letter?

Q. You have read the letter?

A. Yes, I have read the letter sent to Gremillion.

Q. It was approved by the Crime Commission.

A. Yes.

Q. We just wanted that for the record.

FOREMAN:

We do not want to take a lot of time nor repeat ourselves, but one of the things we felt was that if you had any information against the District Attorney's office you should have brought it in here. We think that you are wrong and wanted to bring you in here to tell you that we do know what is going on, and we do not agree with you that Mr. Garrison has done anything wrong. We also thought that if you had any information against the District Attorney we wanted to have it. You all haven't any. You have no evidence to give us. There is nothing you can add to our case except you picked up some news media and television people and gave them this information with no facts behind them.

We will eventually call all of these people in and try to clarify  
~~xxxxxx~~ some of this stuff and find out what is the truth.

I think that is just about our opinion.

JUROR:

We might pose a question to Mr. Monaghan, does he have any specific information this jury should have in connection with the reported accusations?

- A. No, we have nothing, we have no evidence to put before the Grand Jury.

JUROR:

What was the specific purpose of releasing this letter to the paper at this particular time? Was this the opinion of the group, or how did this get to the paper?

- A. It was released to the paper and news media.

Q. What was the procedure, was there any discussion by the Commission as to how this should be handled?

- A. This is a customary procedure and I believe I discussed at the specific occasion of this release.

Q. It was discussed?

- A. To my recollection, it was.

FOREMAN:

We think you all have done harm in our opinion.

- A. Why?

Q. I think Mr. Oser cited a specific case they were going to try this month, but your attempt to let people think that this office browbeats people, witnesses, and doing a lot of think illegal things to people and petit jurors would/witnesses

were being paid and corruption was going on in this office.

A. This information did not come from us, it came from other media and we in recognition of the fact that many allegations were being made asked that they be looked into for the purpose of either verifying either that they were or were not the case.

Q. We know that, we are not concerned about TV as much as we are concerned about you all. We all have a great respect for the Crime Commission, its <sup>very</sup> a/fine body and is greatly respected by the community, and for you all to do this is quite different from the news media. We are accustomed to the exaggerated stores of the news, but in your case you are not such a body, you are a fact finding body, when you say something the public takes it as a fact and you have endorsed these people. We know that in many cases they are lying, they have made a lot of accusations that were not truthful and we know they are lying and you have given confidence to what they are saying.

A. I would not say we agree with the term endorse. We did not say what they said was true, or endorse it. We pointed out the fact that the accusations had been made and they were of sufficient seriousness that investigation seemed to be warranted whether or not they were true, if true New Orleans

is getting a bad name, if not true ....

Q. We are not here to be concerned with what is good or bad for New Orleans, we are here to prove facts, whether good or bad for New Orleans, and we are not concerned with the rest of it. Unfortunately it is not good publicity for New Orleans, but that is not our responsibility.

A. But when there are improper accusations against a public official it must be cleared up one way or another. We would like to see it cleared up.

JUROR:

Do you have any suggestions how it could be cleared up?

A. We ask that it be investigated.

Q. The Crime Commission should not have done what it did, if it thought that it had any information that we should have had then the information should have been brought to us.

A. The question is what could we come to the Grand Jury with that had not already been publicized. The accusations that we refer to have been publicly made by many sources and we have felt that the Grand Jury wanted evidence and we knew that what we had was not evidence, it was merely a request by a citizen group that something be done, an investigation be made to determine whether or not these things had taken place, whether or not they were true. It is not clear to me

what we could have come to you with, anything that was appropriate.

Q. You don't think that you could have come to us with what you sent to the Attorney General?

A. Everything that went there you already know. What is referred to in that letter, all of the publicity, is well known to you.

JUROR:

What would you suggest that we do to clear the doubts and accusations, what would be your approach to this matter?

A. It may be that you have gone into this and talked to all the people concerned, and you may have satisfied yourselves that there is nothing to any of these accusations. And if so, I think it desirable that the public knew this. If you have talked to these people and you have found there is nothing to it, then I could not suggest anything if that is the case. If you have talked to all of these people and found it not to be a one-sided story, then .....

Q. The thing that concerns us is the fact that ~~you~~<sup>we</sup> listened to the whole case and we felt it was prima facie, the Judge had pre-a/hearing on it and he decided that Shaw should go to trial.

A. I have no question about that at all. I certainly have no feeling that I would have any right to question the statement



of the Grand Jury on anything that it did.

Q. It goes a little further than that, Mr. Monaghan, I think. Statements that there are probably people languishing in jail unjustly accused create an awful impression in the minds of the public. I don't see how you can get a jury to hear this case without having some pre-determined opinion about statements that the District Attorney is not fairly prosecuting. I think the basic aim of your organization is asserted in your title, you are against crime. Here is a case where we feel that a group of judges have determined that a crime has been committed and it should be tried, now we are not trying this case, and you are not trying this case, there are going to be appointed 12 competent jurors to try this case and I think you are familiar enough, I am, and I believe that there are more people walking around guilty than there are inside innocent by an awful long point, don't you think so?

A. I don't think my opinion is pertinent.

Q. It isn't? Well, I wish you felt that way about this letter, and that your opinions hadn't been written so formally if your opinion isn't pertinent.

A. I am speaking of the specific point of people walking around guilty ...

Q. Well, there is a reference to that in this communication,

Witnesses are being coerced, page 6, first 2 paragraphs.

(reads): "Implications of the allegations against District Attorney Garrison and his staff now reach far beyond the assassination probe. They raise justifiable doubts about handling by that office of the hundreds of cases each year in which persons are charged with crimes against the State.

Almost one-half of all such cases in the State of La. are entrusted to the Orleans Parish District Attorney's office for handling.

" If accusations broadcast throughout the nation on Monday night are true, the people of New Orleans are without basis for confidence that the laws of this State will be applied so as to convict the guilty and exonerate the innocent. On the contrary, there is reason for fear that anyone may be charged and prosecuted based upon contrived false evidence."

If

- A. /The accusations made were true I think it would lead to this fear. You are in a position and you have reached conclusions based on thousands of investigations and all pertinent matters we did not have the benefit of that, the public has not been informed that these things have been investigated, all the public knows is what Mr. Garrison <sup>says</sup> /that these accusations are beneath his notice, no comment on them, or give them any consideration publicly or not publicly, the public does not know that an investigation has been made by an impartial body

then determination that there was nothing to it and reached a conclusion, that they were or were not true. We had nothing to set our minds at rest about the disposition of these matters.

JUROR:

I don't think that the District Attorney has an obligation , after handling all these case as he sees fit, to answer all of these allegations that are made, when many of them we know, are untrue. He would spend all of his time answering these things and there is a point where he has to draw a line.

- A. I did not say that he has an obligation to do this. But the public has been told nothing that all of this has been done. Now the public does not know that anything has been done. You tell me that something has, so now I know, but the public does not know.

MR. ALCOCK:

Didn't the police have an investigation in the Beauboef case?

- A. That was an administrative investigation.....

Q. That's right.

- A. And as far as I know, did not get beyond an administrative investigation.

Q. Didn't they say they were not guilty of violation of any code of conduct - certainly if they had committed a crime they would have violated a code of conduct. Isn't that correct?

A. I don't know that.

Q. And I asked Mr. Kohn if the alleged bribery of Beauboef took place in Jefferson Parish and he said absolutely nothing had been done in the way of addressing the District Attorney of Jefferson Parish, nor have you asked the Attorney General to ask the District Attorney of Jefferson Parish to do anything about it.

A. We asked the Attorney General to take action in any way which he thought pertinent.

Q. But you specifically referred to this office and no reference was made to Jefferson Parish and Mr. Kohn said perhaps some of it took place in St. Bernard and no reference is made to St. Bernard Parish. Everything is directed to Mr. Garrison and I don't think it takes anyone too intelligent to see that some kind of vendetta is going on between Mr. Kohn and Mr. Garrison. This seems to be Mr. Kohn's effort to get back at Mr. Garrison ....

A. My feeling is that is not the case. I am a former FBI Agent, as is Mr. Garrison, we've been members of the same organization and I have no reason for any personal feeling against him.

Q. Well, I certainly don't think that letter speaks otherwise.

A. If you gentlemen are in possession of certain evidence then you certainly have a different position to what we have.

JUROR:

Well, we have read all this stuff and I think probably we are a little suspicious. After we got into this thing deep down we found it was not true. We have never had a case yet where we have been able to find any truth where Garrison paid anybody or browbeat them to make them testify falsely. Not to our knowledge has any such information come to us. No one has come to us with any facts. We are fairly alert to what you all are saying, I think our Jury was very much upset with the letter you all sent out and one specific thing, what you did in this particular case. Read the two paragraphs referring to other cases in the D.A.'s office and certain cases in the future (reads):

"Implications of the allegations against D. A. Garrison and his staff now reach far beyond the assassination probe. They raise justifiable doubts about handling by that office of the hundreds of cases each year in which persons are charged with crimes against the State. Almost 1/2 of all such cases in the State of La. are entrusted to the Orleans Parish D. A.'s Office for handling.

"If accusations broadcast throughout the nation on Monday

night are true, the people of New Orleans are without basis for confidence that the ~~laws~~ laws of this State will be applied so as to convict the guilty and exonerate the innocent. On the contrary, there is reason for fear that anyone may be charged and prosecuted based upon contrived false evidence."

MR. OSER:

I asked Mr. Kohn if he had any knowledge of any case prosecuted by our office, by any of the Assistants of Mr. Garrison, in which he knew the witness was lying or we trumped up a case, misdemeanor or capital. He told us he had no knowledge of us ever doing anything like this in the past. However, as a result of this case we had intended trying the Falgoust brothers murder case this month, in June. Because of this, I, myself, since I try the capital cases, put it back to July because certainly this is going to be damaging to any petit jury who sits on it. And in fact anyone who does sit on a capital case from hereon out I am going to ask them the question if they read, or recall this reference made in this letter. The question of whether we may or may not have trumped up a charge and this is one of the results of these two paragraphs that can damage a case.

- A. I don't believe our letter can do more than all the publicity that has come out and on which our letter was based. And

this was an individual concern and since that time a member of this office has come out and made allegations that go far beyond this.

Q. Do you have any allegations or statements from witnesses that refer to cases in the past, or cases in the future?

It is very difficult to get 12 men to sit on juries nowadays. Much less with the insinuation that our office has trumped up charges in the past. Do you all have any witnesses or statements ..... about past cases?

A. I don't know that this is, or says past cases.

Q. The first paragraph says "hundreds of cases each year.... justifiable doubts about the handling of such cases ....

now I certainly interpret that in the handling of hundreds of such cases each year or in that hundreds of cases, trials that we are prosecuting out in the courts here.

A. Now, we say "these things raise doubts ...."

JUROR:

You ~~make~~ made reference to the fact that in justifying your letters that this has already been previously brought out by Newsweek Magazine and NBC, I would like to say to you as a citizen of New Orleans, we don't regard news from Newsweek and NBC in the same light as we regard the Metropolitan Crime Commission. We feel your purpose is not to make news, not to aid and abet some sensational article in some magazine, we try

to feel that your purpose is a little different from that. We do not feel that you should put yourselves in the same category with those people, who are on occasion been irresponsible. We don't like to feel that we, New Orleans people, are a party to such a thing.

- A. We do not make news, after the news of others came out it raised the question as to whether the news was correct. <sup>that</sup> I think this is important/<sup>this</sup> be investigated in public so the public will know that there is nothing to it and that the public has been misled by the news media, if that is the case. And if the allegations are true the citizens <sup>should</sup> of the State/<sup>be</sup> protected from that sort of thing.

JUROR:

Mr. Monaghan, do you believe everything that you read in the papers or see on TV? Do you believe all of this?

- A. I don't believe all of this, I don't disbelieve all of it. Just because it comes from out of state I don't disbelieve it.

Q. How many lawyers do you have on your Executive Committee?

- A. Several.

Q. In talking to Mr. Kohn the impression I got was the Crime Commission is trying to supersede the District Attorney insomuch as they don't believe they are capable of performing their duties, the whole gist of the conversation of Mr. Kohn is



that the District Attorney and the Grand Jury are incompetent, not that they are trying to do something wrong, they are not capable of performing the duties that are given to them. I got the impression that the Crime Commission is trying to supersede the District Attorney and going over this body as a Grand Jury. Because you went directly to Gremillion, not to the Grand Jury, you went directly over our heads and then come back down to us again.

- A. We didn't come to you. And I don't understand on what basis we could have come to you. I think of the Grand Jury as a body to receive evidence and we have not indicated that we have any evidence. We have asked the question that - we think it appropriate if any public official is charged with violating a law in the rights of citizens it should be that the allegation should be examined and the facts be found and action be taken according to the facts. I don't take the position that Mr. Garrison is incapable, I have known Mr. Garrison a long time, we worked with him in the early days of the District Attorney and I would not say he was incapable at all. I know he can do and has done.

FOREMAN:

Let me give you one important thing that was said here.

Mr. Kohn said he fell out with Mr. Garrison and there was no communication between them, and that was the reason why you

did not take this to Garrison as he would not accept it. Now I let two people read this letter to see what they would say and in each case they felt this letter was that this Jury was being taken in by Mr. Garrison and that you all felt something should be done about it. This is the impression they got. Now, you all don't get this impression. Then it seems to me that you are worrying about this TV show and <sup>it</sup> the effect has on New Orleans. Two wrongs don't make a right. It looks to me like you all had to get into the act. You said this is crime in New Orleans and we are the Metropolitan Crime Commission, so you had to get into the act. Now we think this is a damaging letter to law enforcement in New Orleans contrary to what you all think. We brought you here to tell you this, because we felt that you should know how we feel. Your group should know how we feel. And when Aaron left here he gave us a list of names he thinks we should talk to and we told him anytime he thinks something is going wrong in the D.A.'s office or anything in the community we welcome you to call me and we will be glad to have him come tell us about it. I think that is about what we want to sum up about our attitude and feeling.

- A. A problem strikes me here. You said our body, or group, should know this. I can't tell them what has happened here today.

Q. Well, you can't tell your body, what happened here.

But you have leadership and you can imply when you go back that we do respect you and think you are important to the community.

A. But we are not important enough to the District Attorney's office for them to open the mail.

Q. Well, Mr. Garrison - that is something else, if he doesn't want to communicate .....

A. You say you have had a couple of people interpret this letter and that it indicates that somebody has a feud with Mr. Garrison, I think you have received information that would indicate that whatever differences there are between Mr. Garrison and the Crime Commission are certainly as strongly felt on his side, more so I would say, and we have always maintained a willingness to communicate with Mr. Garrison and a desire to do so with any matter of public interest whereas he has taken the position that we are - as he says - we should be growing camellias and not concerned with matters of public interest and should not concern ourselves with crime. So in the interest of impartiality I think it should be realized that this is not a one way street, or asked for or perpetuated <sup>by us.</sup> We want to be with the District Attorney's

Office and in a position to do the right thing, and that goes back to my statement that, if you think of yourselves as if you were not on the Grand Jury, and you only knew what is known on the outside, many things stated that raise questions in the mind and would indicate substantial problems and the most recent just coming out, Mr. Gurvich, is very meaningful and tends to confirm what otherwise allegations of individual and questionable people, people whose backgrounds and positions are such that you automatically question what they say, but you get somebody coming out of the District Attorney's Office - and outside this is all you hear and all you see - this raises questions which prompted our letter.

FOREMAN:

Thank you for coming in, we think we have helped the community by your coming in.

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C E R T I F I C A T E

I hereby certify that the preceding transcript is a true and correct copy of the testimony given, under oath, in the preceding matter, before the Orleans Parish Grand Jury, on the 28th day of June, 1967, and reduced to typewriting by me.

Maureen B. Thiel

