ALLARD K. LOWENSTEIN

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July 30, 1975

Honorable Samuel L. Williams, President Board of Police Commissioners Executive Office Suite 144-150, Parker Center 150 North Los Angeles Street Los Angeles, California 90012

Dear Mr. Williams:

I want to thank you and the other members of the Commission for your patience and courtesy last Thursday. I write now in the hope that the spirit of cooperation can produce, under your leadership, a constructive resolution of the complicated problems presented by the petitions that are now before the Commission seeking various degrees and forms of access to the material dealing with the assassination of Senator Kennedy.

As you may recall, it is more than a year and a half since I submitted a list of questions, first to the District Attorney's office and subsequently to other officials concerned with law enforcement in Los Angeles. I believe answers to these questions are essential if we are to determine whether a full-scale reinvestigation of the assassination is necessary. I am enclosing a copy of these questions, many of which remain pertinent and have been virtually ignored by the authorities, despite repeated promises that efforts would be made to resolve these issues.

Since the list was first submitted, a special committee of the American Academy of Forensic Scientists, the Los Angeles Times, the New York Post, the Washington Star, Mr. William F. Buckley, Jr., Members of the California State Legislature and of the United States Congress, among others, have joined in raising or discussing these and other questions.

I am not insensitive to the dilemma presented by the petitions, but it seems to me they present the Commission with a great opportunity as well. Your decision could, in fact, be a first step toward easing public cynicism about official handling a seme of the grave events that have shaped our history over the past decade. I believe the Commission can sculpt a formula to deal with the legitimate questions that have arisen in a manner that would be consistent with legal precedents, the public interest, and the rights of everyone concerned.

Such a formula would involve both more and less than the ten-volume Police Department summary of the assassination investigation. It would include granting appropriate access to certain physical items, such as ceiling panels and articles of clothing, access which in no way would risk disclosures that could be embarrassing to any private citizens. It would not, however, require automatic access to all investigative material, and could therefore avoid both jeopardizing individual reputations unfairly and setting potentially troublesome precedents. In short, the dangers that Commissioners Weil and Pfaelzer wisely warned against—and that concern all of us—tould be avarted without falling into other dangers. I would be glad to try to help work out such a formula, if the Commissioners think that would be a useful way to proceed.

But whatever your decision, I believe it would be most unwise if the Commission were to appear to be using legal technicalities to delay once again meaningful access to relevant materials. The Commission has an obligation to decide, on the basis of the issues and questions that have been raised, whether such access is desirable, and, if so, to join in removing any obstacles that may exist.

Surely there can be no disagreement that the public has a stake in the thoroughness and fairness of the investigation of any crime. When the crime is murder, that stake is high, no matter who the victim. When the victim is a widely beloved figure, a U.S. Senator who is running for President of the United States, it is inevitable that the public concern will be substantial. That concern will not subside until serious and legitimate questions have been dealt with.

I believe the members of the Commission share this concern and can be helpful in dealing effectively with these questions. I believe further that the Commission clearly has the authority to devise a method for providing access to those materials which affect the public interest while preserving the privacy of any other materials which would unnecessarily infringe on individual rights. If, however, the Commission is advised that it is prohibited from releasing even that portion of the material voluntarily, I would strongly urge you to join in petitioning a court or other officials to grant such access.

In any event, I know we share a desire to clarify the circumstances attending the murder of Senator Kennedy, and I would be glad to do anything you and the other Commissioners feel would be helpful to achieve that result.

Sincerely,

ALLARD K. LOWENSTEIN

AKL:esz Enclosure

cc: Mariana R. Pfaelzer Salvador Montenegro Robert Irving Weil James G. Fisk