

February 12, 1986

Proposal for Phased Release and Related Actions Regarding LAPD
Robert F. Kennedy Assassination Files

Many specific proposals have already been submitted by petitioners before the Police Commission on the Robert Kennedy files disclosure matter, concerning procedures and standards for disclosure. (See prior testimony and correspondence.) The primary criteria for effective disclosure are that it be efficient, forthcoming, well-planned, and that it draw on existing knowledge and independent and expert advice. The petitioners remain available to meet or confer with the Commission and to offer whatever reasonable help or input they can provide. A voluntary and expedited process of release is still in the interest of all.

The 1500 page LAPD summary, as emphasized repeatedly before, has very little importance in comparison with the main primary files. The work now completed on it, however, should logically speed and assist the next vital stages of work on the main files. In the first of these stages, a formal panel should be enlisted to plan and implement future work in concert with the Commission and with reference to legal requirements. Names of some expert individuals potentially available for help have already been submitted to the Commission. (August 21, 1985) Of these, for example, a panel might be established consisting of Ms. Nixon (Federal Archives, Los Angeles), Professor Pitt (Cal State Northridge), a representative of the Los Angeles ACLU, and Professor Gerstein (UCLA). Other specific assistance, from inside and outside city government, should be drawn on as needed, and the panel should remain open to specific inputs from interested parties.

Among its early tasks, this panel would help to: 1.) insure the most effective preservation and storage of existing files; 2.) consider and establish standards for redaction of the entire 50,000 pages; 3.) develop a specific plan and timetable for phased release of all material; 4.) release at once the Filing Guide and other inventory information on the files; 5.) facilitate the earliest possible release of the large bodies of material which present no or minimal privacy or related concerns; 6.) recommend procedures for disclosure review or appeal; 7.) develop standards and solicit proposals for a long-term repository and examine related administrative and legal issues. It is worth repeating that the vital Filing Guide and inventory information should be made available to the public at an early point and that broad categories of the existing files present few or no privacy or related problems. These categories include crime scene information and interviews, property reports, photographs, audio/video and administrative materials (see list of examples) and should be made available as early as possible as part of phased release.

These tasks can all be pursued concurrently and at an efficient pace. No major decisions should be finalized without fair opportunity for informal and/or formal comment from interested parties. The information necessary to informed and constructive input should be available. In particular, opportunities for comment should be afforded on policy drafts concerning standards and timetables.

For over 15 years, in contrast to the files of other comparable assassinations, these files have been unavailable to the American public. Absent contrary information, it is reasonable to assume that substantial material from the primary RFK records can be released in a space of

months and that most or all of the records can be reviewed and made available within two years. Furthermore, such disclosure is required by law.

-Professor Philip Melanson

-Paul Schrade

-Gregory Stone