

AGREEMENT BETWEEN THE CITY OF LOS ANGELES AND THE  
STATE OF CALIFORNIA FOR THE TRANSFER OF THE SENATOR  
ROBERT F. KENNEDY ASSASSINATION INVESTIGATION  
MATERIALS TO THE CALIFORNIA STATE ARCHIVES

THIS AGREEMENT is made and entered into by and between the City of Los Angeles, a municipal corporation (hereinafter referred to as "CITY") and the State of California (hereinafter referred to as "STATE") with reference to the following facts:

WHEREAS, the Mayor's Advisory Committee Regarding the Senator Robert F. Kennedy Assassination Investigation Materials has recommended to the Mayor that the Los Angeles Police Department's records of investigation into the assassination of Senator Kennedy (hereinafter "materials") be transferred to the California State Archives; and

WHEREAS, said Committee has determined that the California State Archives has highly qualified, experienced personnel and the financial capability to review, administer, process and provide reference service on the materials; and

WHEREAS, California Government Code section 12226 allows for such a transfer to the California State Archives if the Secretary of State consents to the transfer and the governing body

of a City concludes that the materials have historical interest or value; and

WHEREAS, the Secretary of State, as provided in said Government Code section, has consented to receive the materials for inclusion in the State Archives; and

WHEREAS, in accordance with California Government Code section 12226, the City Council as governing body of the City of Los Angeles pursuant to Charter Section 22 has resolved that said materials have a historical interest and value; and that the preservation of the materials in the California State Archives is in the public interest; and

WHEREAS, the Los Angeles Police Department has determined that the materials need no longer be retained at a City facility for Police Department purposes.

NOW THEREFORE, in consideration of the premises, covenants, representations and agreements set forth herein, the parties hereby covenant, represent and agree as follows:

SECTION I - STATE'S OBLIGATIONS

1. STATE shall maintain the said materials in the State Archives in accordance with traditional archival standards.

2. STATE shall preserve and index the materials and make such materials readily available for use in accordance with California Government Code Section 12227.
3. STATE shall comply with California Government Code section 6250, et seq., otherwise known as the California Public Records Act in making the fullest disclosure possible to the public.
4. STATE shall recognize that the materials may include information about others the disclosure of which would constitute an unwarranted invasion of personal privacy or jeopardize the safety of persons involved in a criminal investigation; thus, STATE shall have the Keeper of the Archives or person(s) designated by the Keeper of the Archives to review the materials and redact the following classes of material:
  - (a) Papers, tape recordings, photographs and other materials the disclosure of which would constitute an unwarranted invasion of privacy or a libel of a living person unless previously released to the public; and
  - (b) Papers, and other materials the disclosure of which might reveal current Los Angeles Police Department undercover investigative techniques and possibly endanger the safety of a person involved in the Robert F. Kennedy investigation or any other investigation or constitute a

compromise of law enforcement techniques unless previously revealed to the public.

For purposes of this agreement "redact" means only to screen records for withholding from public access such record information that falls under the meaning of this paragraph. "Redact" does not mean to edit, or to edit for publication.

5. Following the review set forth in paragraph 4 above, STATE shall restrict the access to such redacted material to limited use by regular employees of the California State Archives in the performance of normal archival work on such materials; and to CITY or law enforcement personnel if the review of such materials becomes necessary for law enforcement purposes; and to members of the advisory committee provided for in Section II, Paragraph 3 herein in the performance of the committee's advisory function.

6. STATE shall review the redacted portion of the materials from time to time but not less than once every five years, and publicly release those materials which, because of the passage of time or other circumstances no longer require any restrictions to access.

7. STATE shall make public disclosure of the materials to which the guidelines in paragraph 4 above have no application. Such disclosure shall be accomplished over a two-year period from the date of receipt of the materials. The disclosure shall if possible be made by the phased release of segments of the files within the

two-year period as the materials are reviewed, indexed, and otherwise prepared for public disclosure.

8. STATE shall receive and consider the advice and recommendations of the advisory committee (See SECTION II, Paragraph 3.) regarding the review and redaction of the materials. STATE is not obligated to follow the advice and recommendations of said advisory committee.

9. If STATE considers it useful for eventual research purposes, STATE shall microfilm selected unredacted materials in order to preserve their integrity. In the event that any of the materials are copied or transferred to another medium, i.e. microfilm, STATE shall make such materials available to CITY for copying at CITY's expense. Any cost imposed by STATE for such copying shall be reasonable.

10. STATE shall permit researchers to use personal photocopying machines when in the opinion of the STATE's archivist the use of such machines will not harm the materials in any way. Such decisions permitting the use of personal photocopying machines shall be at the discretion of the STATE's archivist. STATE reserves the right to restrict the amount of material released for copying at any one time.

Further, STATE shall endeavor to set a fee of 10 cents per page for all copies of State Archives' documents made for a researcher unless statutory requirements preclude this fee amount.

11. STATE shall return the materials to CITY if STATE decides that it no longer wants them and CITY's authorized representative indicates in writing that CITY will accept the return of the materials. CITY shall respond within 90 (ninety) days from the date of notification by STATE. In the event that CITY refuses return of the materials, the advisory committee shall recommend an alternative repository to the STATE.

12. Subject to the restrictions imposed herein, STATE may dispose of any of the materials which it determines to have no permanent value or historical interest, provided that prior to any such disposal, STATE shall confer with the advisory committee referred to in Section II, Paragraph 3.

13. STATE shall provide CITY with a receipt for all materials received in accordance with Government Code Section 12228.

## SECTION II - CITY'S OBLIGATIONS

1. CITY shall transfer title of the materials described in "Appendix A - Kennedy Investigation Materials" to STATE.

2. CITY shall deliver at CITY'S expense said materials to the California State Archives at 1020 "O" Street, Sacramento, CA 95814.

3. CITY shall organize an advisory committee to aid STATE in the redaction process. Such committee shall be known as the Robert F. Kennedy Assassination Investigation Materials Special Advisory Committee (hereinafter "Committee"). The Committee shall be comprised of an archivist, a historian, a lawyer, and a law enforcement official, appointed by City. The members of the Committee shall serve until disclosure in accordance with the terms of this Agreement has been made. In the event that a member of the Committee can no longer continue to serve, the chairperson of the Committee shall appoint a person with the same or a similar profession, e.g. replace the lawyer with a lawyer, to fill the vacancy.

The Committee shall advise STATE as to any questions that STATE may have regarding the redacting of the materials or any complaints regarding materials that have been redacted. At STATE'S option, the Committee shall hear such complaints and recommend a resolution of the dispute to STATE. Said recommendation shall not be binding on STATE.

### SECTION III - CONTRACT REPRESENTATIVES

#### 1. CITY'S REPRESENTATIVE

CITY hereby appoints the Mayor, or his designee, to represent CITY with respect to all matters connected with this

agreement including amendments thereto provided, however that any matters that will increase the cost to CITY shall be subject to a prior appropriation of such excess amounts by CITY.

2. STATE'S Representative

Secretary of State, or her successor, is authorized to represent STATE with respect to all matters connected with this agreement including amendments hereto.

SECTION IV - COMMUNICATIONS, NOTICES AND RECEIPTS

The following addresses shall serve as the places where communications, notices and receipts shall be sent:

CITY	City of Los Angeles Office of the City Clerk City Hall, Room 395 200 No. Spring Street Los Angeles, CA 90012  Attention: Mr. Elias Martinez
STATE:	Secretary of State 1230 "J" Street, #209 Sacramento, CA 95814  Attention: Mr. Anthony Miller



IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective duly authorized representatives.

THE STATE OF CALIFORNIA  
BY *Anthony P. Allen*  
TITLE *Chief Deputy Secretary of State*  
DATE: *June 30, 1987*

THE CITY OF LOS ANGELES  
BY *Elias Martinez*  
ELIAS MARTINEZ, City Clerk  
DATE: *June 26, 1987*

APPROVED AS TO FORM:  
JAMES K. HAHN, City Attorney

BY *Jerry Martin Brown*  
Deputy City Attorney

"APPENDIX A"

KENNEDY INVESTIGATION MATERIALS

ITEM	CUBIC FEET	DESCRIPTION
INDEX CARDS	1.50	Approximately 3,150 3X5 paper slips, including index to names pertaining to the investigation, a tape index, and an index to interviews outstanding.
GUIDES TO FILES	.20	2 journals entitled "Record Books", 2 copies of the Filing guide. Includes indexes to letters received, broadcasts and teletypes, crime reports, evidence, news media, names.
SUMMARY OF INVESTIGATION	.50	Journal Masters (unedited original version of the Summary Report), 10 volume set in individual envelopes.
EXEMPLARS	.05	Approximately 25 pages in 1 folder. Also numerous blank forms.
ROSTER OF S.U.S. PERSONNEL	.65	2 notebooks (about 100 pages, some photos included, 75% handwritten, 25% type written.)
CRIMINAL RECORD FORMS	.10	Blank forms.
TAPE RECORDING	.55	223 Tapes all total (213 reel to reel 7" tapes, 7 reel to reel 5" tapes, 3- 90 minute cassette tapes).
ROUTINE OFFICE FILES	.60	Approximately 1100 pages in 24 folders.

ITEM	CUBIC FEET	DESCRIPTION
EVIDENCE	2.00	Approx. 33 Bundles of clothing and personal items. (Total approx. 157 items)
SIRHAN'S ARREST RECORDS; BROADCASTS AND TELETYPE; CRIME REPORTS; ROSTERS OF INDIVIDUALS OTHER THAN S.U.S. PERSONNEL	.15	7 folders, 305 pages.
POLYGRAPH REPORTS/CHARTS	.25	Approximately 500 pages.
HISTORY OF LOGS	.40	Approximately 800 pages. Chronological summaries maintained by various divisions and the RFK Southern California Itinerary.
INTERVIEWS	3.50	102 folders, approx. 7,000 pages. 20% handwritten, 80% typewritten.
P.E.R.T. CHARTS	.25	Approx. 400 pages; 50% typed, 50% handwritten.
LETTERS RECEIVED BY UNIT	.50	14 Folders, Approx. 1,000 pages. 80% handwritten.
MEDICAL REPORTS	.15	3 folders, approx. 500 pages.
SUMMARY OF PHONE CALLS	.05	1 Notebook, 50 pages, 95% typewritten, 5% handwritten.

ITEM	CUBIC FEET	DESCRIPTION
PHOTOGRAPHS	1.50	Approximately 2,500 photos, some with negatives.
RECORDS AND BACKGROUND CHECKS (AKA RECORD CHECK WORK SHEETS)	1.50	3,200 pages.
PROGRESS REPORTS	.25	3 folders, 550 pages.
TAPE SYNOPSIS	.15	2 folders, approximately 325 pages.
VEHICLE REPORTS	.05	1 folder, 50 pages.
TRIAL SUMMARIES	.10	1 notebook, approx. 170 pages.
CONSPIRACY INVESTIGATIONS	2.0	4 notebooks, 24 folders; approx. 4,100 pages. Some photos.
CASE PREPARATION	.80	6 notebooks, 835 pages. 3 notebooks containing approx. 260 photographs
BACKGROUND OF SIRHAN	1.05	23 folders; 2,100 pages.
AUDIO-TAPES, FILMS AND VIDEOTAPES	2.50	5 Audio-Tapes, 8 16-MM films, 6 video cassettes.
TRANSCRIPTS TO RECORDINGS	2.00	72 transcripts; approx. 2,200 pages.

ITEM	CUBIC FEET	DESCRIPTION
SUMMARY OF INVESTIGATION '71-74 POST TRIAL RECORDS	2.00	Approx. 5,760 pages; mostly envelopes containing loose sheets or sheets attached by metal fasteners, remainder are pages in loose-leaf notebooks.
WOLPER BOARD INQUIRY RECORDS	4.00	10,552 pages; loose-leaf notebooks, 4 reel to reel tapes, 2 cassette tapes and about 100 photographs.
STENOTYPE NOTES OF TAPES	.25	21 bundles of steno type tape.
JOURNALS AND PUBLICATIONS (NEWS MEDIA)	1.00	35 folders containing some 2,100 items. Mostly newsclippings glued onto paper, plus some books and magazines and transcripts.
COMMISSION REPORT (SUMMARY OF INVESTIGATION)	.50	3 volume redacted summary.
EVIDENCE	5.00	1 wood sample, 4 pieces of wood, 1 plaster sample, 2 nail finishings, 1 wall board, 2 paint samples