

Rec'd from Greg Stone 8/4/87

Problems with the city-state contract (6/30/87) on disclosure of the Robert F. Kennedy assassination police records include the following:

1. No reference appears to the importance of the expedited release previously emphasized and promised. (I.12., p.6.) The past state estimate for release of the written materials was six months.
2. Contrary to repeated past indications, phased release is mandated only "if possible." (I.7., p.4.)
3. Availability of the disclosed documents for Los Angeles citizens in the City Archives is not insured.
4. The previously promised option of researcher use of personal photocopy machines is hedged. (I.10. p.5.)
5. The making of a secure (microfilm or other) copy of the original files is not required, though previously cited as "necessary" in the advisory committee questionnaire.
6. Microfilming of processed documents, stressed at the 10/27/86 hearing of the mayor's advisory committee, is not required.
7. A clause is gratuitously injected (I.12., p.6.) enabling further destruction of case records.
8. Involvement by the new advisory committee on redaction appeals, already non-binding, is rendered discretionary with the state. (II.3., p.7.) Ambiguities are left concerning the committee's operations. (I.8., I.11., I.12., II.3., pp.5-7.)
9. Ownership of the files is transferred from the city to the state (II.1., p.6.), despite past formal determinations that "historical records" could not leave city ownership. Reversion of the files to the city in the event of failure to meet the disclosure timetable is not clearly specified. (I.7., p.4.)
10. The city assumes no cost obligation whatever to support necessary archival measures, although these are city records of a city investigation of a city event. (III.1., p.8.)
11. No provision is included for an accounting of missing or destroyed information, an issue repeatedly posed in the past.
12. No reference is included to transcription of important untranscribed interviews. The importance of full disclosure, stressed in deliberations, is not given special emphasis. (I.3., p.3.) No reference is made to intent of facilitating access or reproduction of non-written materials (e.g. photos, physical evidence, audio-video tapes.)

Safeguards on vital practical issues are absent from this agreement, despite some positive provisions. With all its laxity and omission, and contrary to city promises, this contract has delayed all RFK releases a preposterous twenty-nine additional weeks. Effective disclosure now rests heavily on the reputation and past assurances of the California State Archives, rather than on reliable guarantees established by the Los Angeles city government.