BEFORE THE

BOARD OF POLICE COMMISSIONERS OF THE

CITY OF LOS ANGELES

VERBATIM TRANSCRIPTION OF ITEM #3-A

MARCH 4, 1986 - PARKER CENTER AUDITORIUM

COMMISSIONERS: MS. BARBARA SCHLEI, VICE-PRESIDENT
MR. SAMUEL L. WILLIAMS, COMMISSIONER
MR. STEPHEN D. YSLAS, COMMISSIONER

APPEARANCES: MR. LAWRENCE TEETER
MR. JACK KIMBROUGH
MR. GREGORY STONE
MR. DAVID MENDELSON
MR. PAUL SCHRADE
MR. JACK CORBIN
MS. CATHERINE LESLIE

LILLIE E. WILSON
HEARING REPORTER

P-R-O-C-E-E-D-I-N-G-S

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MS. SCHLEI: GOOD AFTERNOON. THIS IS THE MEETING OF THE LOS ANGELES BOARD OF POLICE COMMISSIONERS.

THE FIRST ITEM ON THE AGENDA THAT WE WILL BE UNDERTAKING TODAY IS THE REPORT ON THE ASSASSINATION OF SENATOR ROBERT KENNEDY. OVER MANY YEARS WE HAVE RECEIVED A GREAT NUMBER OF REQUESTS TO THIS COMMISSION AND TO THE DEPARTMENT TO RELEASE THE LOS ANGELES POLICE DEPARTMENT'S INVESTIGATION INTO THE ASSASSINATION OF SENATOR KENNEDY. LAST JULY WE HEARD FROM MANY OF YOU IN PERSON AND IN WRITING. YOU SHARED WITH US AND GAVE US THE BENEFIT OF YOUR EXPERIENCE IN THE MANAGEMENT OF DOCUMENTS OF HISTORICAL AND FORENSIC SIGNIFICANCE. SUBSEQUENTLY, YOU WERE KIND ENOUGH TO PROVIDE US WITH ADDITIONAL INFORMATION IN THE FORMS OF LETTERS AND FOLLOW UP DISCUSSIONS WITH THE STAFF. AGAIN ON FEBRUARY 11TH SOME OF YOU TRAVELED TO LOS ANGELES TO REQUEST THE RELEASE OF SOME PORTION OF THE INVESTIGATION. IN THE PROCESS LEADING UP TO TODAY WE HAVE GIVEN MUCH THOUGHT TO YOUR CONCERNS AND YOUR INPUT.

WE NOW WISH TO MAKE AVAILABLE ANOTHER BRIEF OPPORTUNITY FOR THOSE OF YOU WHO HAVE ASKED TO SPEAK TO ADDRESS THE QUESTION OF THE RELEASE OF THE SUMMARY AND THE RELEASE OF THE 50,000 DOCUMENTS IN THE BASE FILE. I WOULD ASK THAT THOSE OF YOU WHO SHARE A

SIMILAR CONCERN NOMINATE A MEMBER OF YOUR GROUP TO SPEAK ON YOUR BEHALF SO THAT WE CAN MOVE MOST EXPEDITIOUSLY THROUGH THIS PROCESS. I BELIEVE THAT THOSE OF YOU WHO HAVE ASKED TO SPEAK HAVE SUBMITTED CARDS. AND SGT. JACKSON WOULD YOU CALL THOSE PEOPLE WHO HAVE REQUESTED AN OPPORTUNITY TO SPEAK.

MR. LAWRENCE TEETER: THANK YOU. IT IS MY UNDERSTANDING THAT THE COMMISSION PLANS TO RELEASE THE 50,000-VOLUME SUMMARY TODAY IN REDACTED FORM, AND ALSO INTENDS TO CONSIDER A PROPOSAL WHEREBY THE REMAINDER OF THE ROBERT F. KENNEDY FILES IN THIS MATTER WILL BE RELEASED TO AN APPROPRIATE ARCHIVAL FACILITY AFTER REDACTION PROCESS HAS BEEN COMPLETED. I SIMPLY WANT TO ADDRESS MYSELF TO SOME OF THE CONCERNS VERY BRIEFLY REGARDING THAT PROCESS. IN YEARS PAST CBS, INC. SUED EDWARD DAVIS IN HIS CAPACITY AS THE CHIEF OF POLICE FOR ACCESS TO THESE FILES, AND AS PART OF THAT LAWSUIT THE AUTHOR OF A BOOK ABOUT THIS CASE, CHIEF DETECTIVE ROBERT HALPIN EXECUTED AN AFFIDAVIT IN WHICH HE ACKNOWLEDGED THAT THAT BOOK WAS WRITTEN WITH THE EXPRESS PERMISSION OF THE THEN HEIARCHY OF THE LOS ANGELES POLICE DEPARTMENT. AND THAT FURTHERMORE DURING THE AUTHORSHIP OF THAT BOOK HIS CO-AUTHOR WAS SHOWN VARIOUS UNSPECIFIED ITEMS FROM THE FILES OF THE SPECIAL UNIT SENATOR THAT INVESTIGATED THIS CASE.

I WOULD TAKE THE POSITION THAT THE RELEASE OF PORTIONS OF THE FBI FILE OR THAT MIGHT BE

OF THE GOVERNMENT CODE THAT I HAVE DIRECTED YOUR ATTENTION TO LAST TIME AS A WAIVER OF THIS DEPARTMENT'S CAPACITY TO ASSERT ANY LAW ENFORCEMENT PRIVILEGES AS A JUSTIFICATION FOR FAILING TO DISCLOSE PORTIONS OF THE FILES THAT THE DEPARTMENT MIGHT OTHERWISE WISH TO WITHHOLD.

I THINK THERE HAS TO BE A DISTINCTION BETWEEN MATERIAL THAT IS PRIVILEGED WITH RESPECT TO A PERSON WHO HAS PROVIDED THAT INFORMATION TO THE DEPARTMENT AND LAW ENFORCEMENT PRIVILEGES. CLEARLY A LAW ENFORCEMENT AGENCY HAS A STANDING TO WAIVE THE LAW ENFORCEMENT PRIVILEGE CHARACTER OF MATERIAL BY RELEASING IT IN THE PAST TO A MEMBER OF THE PUBLIC. IT DOESN'T HAVE STANDING TO WAIVE PRIVILEGES THAT BELONG TO THIRD PARTIES SUCH AS THE ATTORNEY-CLIENT PRIVILEGE OR THE PATRON PRIVILEGE OR THE LIKE. BUT IT DOES HAVE THE CAPACITY AND THE LEGAL STANDING AND CAPABILITY TO WAIVE LAW ENFORCE- MENT PRIVILEGES BY MAKING THOSE RELEASES. I BELIEVE THAT THE DEPARTMENT HAS ALREADY DONE SO. AND, THEREFORE, THE REDACTION PROCESS SHOULD PROCEED WITH THAT IN MIND AND SHOULD ACCOMPLISH THE EXCISION ONLY OF MATERIAL THAT IS PRIVILEGED WITH RESPECT TO THE PEOPLE WHO PROVIDED THAT INFORMATION TO THE DEPART- MENT, NOT LAW ENFORCEMENT PRIVILEGES, BECAUSE I THINK THOSE PRIVILEGES HAVE BEEN WAIVED. THANK YOU.

MS. SCHLEI: THANK YOU.

MR. JACK KIMBROUGH: EUTHENISMS WERE

CREATED TO REPLACE UNPLEASANT WORKERS. THE EUTHENISM WE HAVE HERE TODAY IS REDACTION. REDACTION IS A COVER WORD FOR CENSORSHIP. THAT'S UNPLEASANT, BUT THAT'S WHAT WE ARE PROPOSING TO DO. THEY ARE GOING TO CENSOR HISTORY. THEY ARE GOING TO GIVE US A BUNCH OF BLANK PAPER. I CAN GET THAT BY GOING TO A STATIONARY STORE. BUT ON TOP OF THAT WE ALREADY KNOW THE REAL KILLER. AND A LOT OF OTHER PEOPLE TOO. BUT WE KNOW THE SHOOTER AND MANY PEOPLE KNOW THE SHOOTER. IT APPEARED IN PEOPLE'S ALMANAC. MILLIONS KNOW THAT THERE WERE AT LEAST 13 SHOTS, AND THAT MEANS THERE WAS MORE THAN ONE GUN. MILLIONS OF PEOPLE KNOW THIS. AND A LOT MORE ARE GOING TO KNOW IT BECAUSE IT'S GOING TO GET IN THE GENNIS BOOK OF RECORDS. I SENT A PERSONAL LETTER TO EVERY MEMBER OF THE ENTIRE CONGRESS, STATE LEGISLATURE, BOARD OF SUPERVISORS, THE CITY COUNCIL AND THE LAST THREE DISTRICT ATTORNEYS. THAT IS A RECORD. SO DO WHATEVER YOUR CONSCIENCE DICTATES.

MS. SCHLEI: THANK YOU.

MR. GREGORY STONE: I HAVE COME HERE FROM WASHINGTON, D.C. TO MAKE THIS APPEARANCE BECAUSE OF MY CONCERN WHICH HAS LASTED OVER A PERIOD OF MORE THAN A DECADE WITH THE SUBSTANTIVE QUESTIONS SURROUNDING THE ASSASSINATION OF ROBERT KENNEDY. I DON'T AGREE THAT THOSE SUBSTANTIVE QUESTIONS ARE ANSWERED. I DO BELIEVE THAT IT IS PROFOUNDLY IMPORTANT THAT ALL STEPS BE TAKEN TO GAIN RESPONSIBLE

AND SERIOUS AND SATISFACTORY ANSWERS TO THE FUNDAMENTAL ISSUES THAT SURROUND THIS CASE.

ON FEBRUARY 12TH PAUL SCHRADE, PROFESSOR PHILIP MELANSON AND I SUBMITTED A PROPOSAL WHICH WE HOPE HAS BEEN AND WILL BE CONSIDERED VERY CAREFULLY BY THE COMMISSION IN THE DECISIONS IT TAKES TODAY. WHAT IS IMPORTANT ABOUT TODAY IS NOT A 3 PERCENT SUMMARY OF THE FILE, WHICH IS GOING TO BE RELEASED OR EXPECTED TO BE RELEASED. WHAT IS IMPORTANT ABOUT THIS CASE IS THE 97 PERCENT OF MATERIAL WHICH REMAINS WITHHELD, AND WITH RESPECT TO WHICH WE URGE AND IMPLORE THE COMMISSION TO MOVE EFFICIENTLY AND WITH ALL DELIBERATE SPEED TO MAKE AVAILABLE. THE 97 PERCENT FILE IS CRITICAL. THE 3 PERCENT FILE WILL HELP US VERY LITTLE IN UNDERSTANDING THESE FUNDAMENTAL QUESTIONS.

VERY BRIEFLY, WE URGE THAT REDACTION CONTINUE AND BE ACCELERATED BECAUSE THE CURRENT PACE CALLS FOR RELEASE WITHIN 20 YEARS OF THE 50,000 PAGES. THAT IS NOT SATISFACTORY. WE URGE THAT THERE BE AN OPPORTUNITY FOR PUBLIC INPUT AND REVIEW WITH RESPECT TO THE CITY ATTORNEY'S PROPOSAL, WHICH I UNDERSTAND WILL BE INCLUDED WITH THE DOCUMENTS RELEASED TODAY SO THAT THE PUBLIC HAS AN OPPORTUNITY WHEN THE REDACTION OF THE 50,000 PAGES TAKES PLACE TO HAVE SOME SPECIFIC, SERIOUS INPUT IN THAT PROCESS.

WE URGE THAT THE PROCESS BE OPEN IN THE FUTURE IN THE WAY THAT IT HAS NOT BEEN IN THE LAST

SEVEN MONTHS. AND WE URGE THAT TIME TABLES AND TARGET DATES BE ENUNCIATED BY THE COMMISSION SO THAT WE WILL KNOW THAT THIS PROCESS WILL NOT DRAG ON AND ON FOR 20 YEARS, THAT WE CAN RESOLVE THE DISCLOSURE IN 2 OR 3 YEARS. THANK YOU, VERY MUCH.

MS. SCHLEI: THANK YOU, MR. STONE.

DAVID MENDELSON: I'M DAVID MENDELSON. AND I SPOKE TO YOU IN JULY. I CAME FROM NEW YORK TO SPEAK TO YOU AGAIN. I AM REALLY DISTRESSED THAT WE ARE ONLY GIVEN 2 MINUTES TO SPEAK TO YOU. IN JULY YOU EXPRESSED SUCH RESPECT FOR SOME OF THE PEOPLE THAT SPOKE, NOT MYSELF SO MUCH AS I THINK FROM DR. MELANSON AND OTHERS WHO HAVE EXPERIENCE IN THESE KINDS OF PROCESSES. AND OVER THE LAST 7 MONTHS IT SEEMS LIKE, NOT SEEMS LIKE, I KNOW THEY HAVE WRITTEN YOU DETAILED RECOMMENDATIONS AS YOU ASKED, AND NOT ONE OF THE LETTERS WERE ANSWERED, NOT ONE. AND SO I GUESS I SHOULD NOT BE SURPRISED THAT WE ARE ONLY GIVEN 2 MINUTES TO DISCUSS WHAT HAS HAPPENED OVER THAT PERIOD OF TIME.

THE DEATH OF ROBERT KENNEDY WAS A MAJOR EVENT IN THE HISTORY OF THIS COUNTRY. AND IT RESULTED IN THE ELECTION OF RICHARD NIXON IN HIS PLACE. AND AS ANYONE WHO IS FAMILIAR WITH THE RECORD THAT HAS BEEN RELEASED KNOWS THERE ARE MAJOR INCONSISTENCIES BETWEEN THE EVIDENCE THAT'S BEEN RELEASED BY THE F.B.I. AND EVEN BY LAPD AND THE THEORY THAT ONLY SIRHAN WAS FIRING A GUN.

AND I AM VERY CONCERNED THAT IT HAS NOT BEEN AN OPEN PROCESS, AND THAT WE DON'T KNOW EVEN NOW WHAT THE REDACTION CRITERIA WERE. I THINK IT'S UNFORTUNATELY OUTRAGEOUS THAT YOU COULDN'T EVEN LET US KNOW A WEEK IN ADVANCE WHAT THE REDACTION CRITERIA WERE. I UNDERSTAND THERE IS A FIVE-PAGE LETTER THAT'S GOING TO BE RELEASED, BUT IT MAKES IT IMPOSSIBLE FOR THESE EXPERTS WHO YOU YOURSELF SAID SHOULD BE PART OF THE PROCESS TO EVEN SPEAK FOR 2 MINUTES NOW IN REACTION TO THAT. AND I HOPE THAT IN THE FUTURE THE REDACTION PROCESS WILL BE OPEN TO THE PUBLIC, AND THAT WE CAN GET THESE ISSUES RESOLVED FINALLY. I DON'T LIKE TO COME OUT HERE AT MY OWN EXPENSE AND TAKE TIME OFF FROM WORK TO DO THIS. BUT IT'S IMPORTANT, AND I HOPE THAT WE CAN MOVE FORWARD IN THE FUTURE. AGAIN THANK YOU FOR TAKING THE STEPS YOU HAVE TAKEN. I DO APPRECIATE THAT SOMEBODY HAS BEEN DONE THAT.

PAUL SCHRADE: THERE ARE THOSE OF US WHO HAVE COME BEFORE THIS COMMISSION LAST YEAR, THIS YEAR AND TEN YEARS AGO AS I DID IN AN ATTEMPT TO GET THE KIND OF INFORMATION NECESSARY TO MAKE THE HISTORICAL RECORD AND TO CONTINUE THE INVESTIGATION INTO THOSE SERIOUS QUESTIONS THAT STILL DISTURB MANY AMERICANS ABOUT WHAT HAPPENED THAT NIGHT OF JUNE 5TH. I HAVE JUST GIVEN TO CHIEF GATES THE LOS ANGELES POLICE DEPARTMENT'S SKETCH OF THOSE OF US IN THE ROOM THAT NIGHT WHO WERE WOUNDED. THERE WERE FIVE OF US

BESIDES ROBERT KENNEDY. I GAVE HIM THE AUDIT OF THE BULLETS, AND I GAVE HIM POLICE PHOTOGRAPHS WHERE THEY SIMULATED THE BULLET FLIGHT THAT WAS SUPPOSED TO HAVE GONE INTO MY HEAD. AND I CHALLENGE CHIEF GATES NOW, FIRST OF ALL TO COME OUT WITH THE WHOLE RECORD. BUT FROM HIS OWN EVIDENCE TO SHOW HOW THAT BULLET PASSING THROUGH ROBERT KENNEDY'S COAT AND SIMULATED IN THESE PHOTOGRAPHS COULD EVER HAVE GOTTEN INTO MY HEAD. BECAUSE IF THAT IS NOT THE CASE AND THE RECORD MAY SHOW IT'S THE CASE AND MAY AGREE WITH THE POLICE DEPARTMENT'S VERSION, THEN I WILL SAY THAT QUESTION HAS BEEN ANSWERED, BUT IT'S UNANSWERED AT THIS POINT. BECAUSE IF IT'S NOT ANSWERED BY THE RECORD OR BY ANY OTHER EVIDENCE, THAT DOES SUPPORT THE 2-GUN THEORY. BECAUSE THE POLICE AUDIT OF THE BULLET, WHICH I ALSO GAVE HIM FOR THE EIGHT BULLETS FROM THE SIRHAN GUN, ANY VARIATIONS FROM THAT REPORT MEANS THERE WAS A SECOND GUN FIRING IN THERE THAT NIGHT.

THESE ARE THE KINDS OF QUESTIONS THAT HAVE GONE UNANSWERED, AND THEY HAVE GONE UNANSWERED BECAUSE THIS POLICE COMMISSION FOR 17 YEARS HAS REFUSED TO GIVE UP RECORDS THAT HAVE BEEN GIVEN UP IN EVERY CASE THAT WE KNOW. IN THE JOHN KENNEDY CASE, THE MARTIN LUTHER KING CASE, THE RECORD HAS BEEN MADE. THE PUBLIC HAS BEEN INFORMED. THE PUBLIC'S RIGHT TO KNOW HAS BEEN MET. BUT THIS COMMISSION, THIS POLICE DEPARTMENT, THIS CITY HAS SCANDALOUSLY REFUSED TO PUT THOSE RECORDS INTO THE PUBLIC ARENA. THE RECORDS ACT,

THE CALIFORNIA PUBLIC RECORDS ACT DEMANDS AND REQUIRES YOU TO DO THIS. SO YOU ARE IN VIOLATION OF LAW EVEN THOUGH YOU ARE SUPPOSED TO BE IN CHARGE OF DEALING WITH LAW VIOLATIONS IN THIS CITY. AND I THINK THAT IS SCANDALOUS TOO.

NOW I HAVE SOME QUESTIONS ABOUT THE ALTERNATIVES THAT YOU ARE GOING TO BE PROPOSING ON THE MAYOR'S COMMITTEE, BUT MY TIME IS UP. AND I HOPE THERE IS TIME THAT WE CAN QUESTION YOU ABOUT YOUR PROPOSALS, BECAUSE CERTAINLY YOU HAVE BEEN OPERATING A CLOSED SHOP AS HAS BEEN POINTED OUT HERE ALREADY IN YOUR DEALINGS WITH US WHO ARE INTERESTED FOR HISTORICAL OR INVESTIGATORY REASONS IN THIS CASE.

MS. SCHLEI: MR. SCHRADE, IF YOU WOULD LIKE TO TAKE ANOTHER MOMENT TO ADVISE US AS TO THOSE QUESTIONS WE CERTAINLY WOULD LIKE TO HEAR THEM.

MR. SCHRADE: YOU ARE TALKING ABOUT -- THIS IS AN AGENDA ITEM, SO WE HAVE ONLY THE INFORMATION THAT IS IN THE AGENDA ITEM. I HAVE TALKED TO A LOT OF PEOPLE IN THE PRESS THE LAST TWO DAYS. THEY ARE CONCERNED TOO, BECAUSE YOU DID NOT EMBARGO THE 10-VOLUME SUMMARY SO THEY COULD REVIEW IT AND REPORT ADEQUATELY TO THE PUBLIC. IT'S ANOTHER VIOLATION OF THE PUBLIC TRUST. WE DON'T HAVE A CHANCE TO EVEN SEE THE FIVE PAGES OF SCREENING AND REJECTION GUIDELINES THAT ARE GOING TO BE SET IN CONCRETE BY THIS COMMISSION AS PROPOSED BY THE CITY ATTORNEY'S OFFICE. AND YOU ASKED US FOR IDEAS ABOUT THAT. WE SUBMITTED

IDEAS ABOUT IT, NEVER HEARD FROM YOU. THIS IS NOT ONLY DISCOURTEOUS, IT'S NOT DOING THE PUBLIC BUSINESS IN A RESPONSIBLE WAY. AND WE WANT THAT QUESTION ANSWERED AS WELL.

AS FAR AS THE MAYOR'S COMMITTEE IS CONCERNED YOU DON'T ANSWER THE QUESTION OF WHO HAS AUTHORITY. WHO OWNS THESE RECORDS AT THAT POINT? ARE THEY STILL HELD BY THE POLICE DEPARTMENT, WHICH HAS BEEN SUPPRESSING THEM FOR 17 YEARS OR DO THEY PASS TO THE MAYOR'S COMMITTEE OR DO THEY PASS TO THE REPOSITORY THAT THE MAYOR'S COMMITTEE IS SUPPOSED TO SELECT? WHAT ABOUT THOSE STANDARDS? ARE THEY OPEN FOR DISCUSSION? ARE YOU GOING TO HOLD PUBLIC HEARINGS ON THEM OR IS THE MAYOR'S COMMITTEE HOLDING PUBLIC HEARINGS ON THEM OR ARE THEY GOING TO BE SET IN CONCRETE? ARE THEY IN LINE WITH THE PUBLIC RECORDS ACT?

THERE'S BEEN A LOT OF COURT DECISIONS WHICH SAYS THAT THE CALIFORNIA ACT WHICH REQUIRES YOU TO PUT THIS INFORMATION INTO THE PUBLIC SECTOR HAS THE SAME STANDARDS AS THE FREEDOM OF INFORMATION ACT, WHICH IS THE FEDERAL STATUTES. DO THE STANDARDS REFLECT THAT? ARE YOU DOING SOMETHING ILLEGAL AGAIN BY RESTRICTING THE FLOW OF INFORMATION TO THE PUBLIC AS YOU HAVE DONE OVER THE LAST 17 YEARS? WHAT IS THE TIME SCHEDULE? ARE WE TALKING ABOUT 1500 PAGES IN THAT 10-VOLUME SUMMARY, WHICH IS ALREADY PUBLISHED IN A BOOK BY CHIEF OF DETECTIVES HOUTON? IN 1970 HE

BASED HIS BOOK ON THAT RECORD. AND YOU ARE NOT GIVING US ANYTHING NEW TODAY IN THAT RECORD. THAT IS ONLY THE POLICE SUMMARY OF ITS INVESTIGATION, WHICH SUPPORTS PARTICULAR CONCLUSIONS OF THE POLICE DEPARTMENT, WHICH ARE OPEN TO QUESTION. SO YOU ARE DOING A PUBLIC RELATIONS GESTURE HERE TO SAY OH, WE ARE GOING TO PROVIDE 1500 PAGES. IT'S ALREADY IN THIS BOOK, WHICH IS 17 YEARS OLD, OR 16 YEARS OLD. SO I DON'T KNOW WHAT YOUR GAME IS. SO, WE HAVE THESE QUESTIONS.

WE ALSO WANT TO KNOW WHO IS GOING TO PAY FOR THE SCREENING OF THE REDACTION? IS THE POLICE COMMISSION AUTHORIZING THE MONEY AS IT MUST UNDER THE PUBLIC RECORDS ACT OR IS THE MAYOR'S COMMITTEE OR IS THE INSTITUTION THAT IS GOING TO BE SELECTED BY THE MAYOR'S COMMITTEE SUPPOSED TO COME UP WITH THE MONEY?

THE PUBLIC RECORDS ACT REQUIRES YOU TO PUT THESE PAPERS INTO THE PUBLIC ARENA AS IN THE KING CASE AND IN THE JOHN KENNEDY CASE. YET, YOU ARE NOT DOING THAT. YOU HAVE THIS AMBIGUOUS PROPOSAL HERE, WHICH WE HAVE NO CHANCE TO DISCUSS WITH YOU BECAUSE WE ARE LIMITED ON TIME. YOU ROLL THOSE PROPOSALS OUT TO US AND EXPECT US TO COOPERATE WITH YOU TO ACCEPT YOUR DECISIONS. THERE IS NO PUBLIC DIALOGUE HERE. YOU ARE A PUBLIC COMMISSION. BUT YOU ACT LIKE YOU OWN THESE RECORDS AND THAT THE PUBLIC DOES NOT, AND THE PUBLIC DOES ACCORDING TO LAW.

I THINK IT IS A SITUATION WHERE YOUR

ARROGANCE OF POWER IS REALLY IMPRESSING THE PEOPLE IN THE LOS ANGELES COMMUNITY AND THROUGHOUT THE NATION NOW, THAT THEY ARE NOT RESPONSIBLE PUBLIC SERVANTS AND SHOULD BE. AND THAT IS WHY 20 PERCENT OF THE PEOPLE GO TO THE POLES IN THE CITY ELECTION, AND ONLY 50 PERCENT OF THE PEOPLE GO TO THE POLES IN THE PRESIDENTIAL ELECTION IN THIS COUNTRY, BECAUSE OF THE ACTIONS LIKE YOURS. SO WE ARE CONCERNED ABOUT THIS, AND WE ARE ANGRY ABOUT IT. BUT WE HAVE TO BE ANGRY ABOUT IT. AND JUSTICE ALWAYS IS. AND I THINK WE ARE BEING TREATED UNJUSTLY.

MS. SCHLEI: THANK YOU, MR. SCHRADE.

JACK CORBIN: MY NAME IS JACK CORBIN. I COME FROM SOUTHBEND, INDIANA. AND I'M REPRESENTING TWO ORGANIZATIONS. ONE IS THE ASSASSINATION ARCHIVES AND RESEARCH CENTER IN WASHINGTON. AND THE OTHER IS WESTERN NEW ENGLAND COLLEGE IN SPRINGFIELD, MASSACHUSETTS. I'M WORKING CLOSELY WITH THE PRESIDENT AND BOARD OF TRUSTEES OF THAT INSTITUTION TO DEVELOP A NATIONAL RESEARCH CENTER FOR THE STUDY OF AMERICAN POLITICAL ASSASSINATIONS. I HAVE CORRESPONDED WITH THE BOARD BEFORE AND HAVE OFFERED MY ASSISTANCE IN RESOLVING THIS ISSUE.

I WANT TO POINT OUT A COMPARISON TO THE WARREN COMMISSION. IN SEPTEMBER OF 1964 THE WARREN COMMISSION ISSUED A 1-VOLUME REPORT WHICH WAS IN ESSENCE A SUMMARY OF THEIR WORK. THAT WAS APPROXIMATELY NINE MONTHS AFTER THEY BEGAN THEIR WORK,

BUT IT WAS IMMEDIATELY FOLLOWED BY 26 VOLUMES OF EXHIBITS AND TESTIMONY, AND THEN A LATER RELEASE OF OTHER INFORMATION THROUGHOUT THE REST OF THE DECADE AND INTO THE NINETEEN SEVENTIES.

ALMOST 18 YEARS AFTER ROBERT KENNEDY'S ASSASSINATION WE ARE ONLY GETTING A SUMMARY REPORT, WHICH AS INDICATED EARLIER IS A 3 PERCENT SUMMARY. THE REST OF THE MATERIAL, 97 PERCENT, IS STILL BEING WITHHELD. THIS IS REALLY THE MEAT AND POTATOES OF THE CASE. I THINK IT IS VERY IMPORTANT THAT THE DISCLOSURE BE MADE. I'M WILLING AS ARE OTHERS IN THIS ROOM TO ASSIST YOU IN THAT PROCESS. I THINK YOU SHOULD SPECIFICALLY HAVE A TIME TABLE AS TO WHEN THIS WOULD BE DONE. I THINK AS FAR AS A REPOSITORY FOR THIS I WOULD BE WILLING TO HELP YOU WITH SUGGESTIONS THERE FOR THE PRESERVATION OF THE MATERIAL THAT YOU ALREADY HAVE. I'M WONDERING HOW MUCH OF THAT MATERIAL HAS BEEN DAMAGED. THE TAPE AND PHOTOGRAPHS, HOW THEY MAY HAVE BEEN DESTROYED OR PERHAPS DETERIORATED OVER THE THE LAST 18 YEARS. SO I'M CONCERNED ABOUT THAT TOO. THANK YOU.

MS. SCHLEI: THANK YOU, MR. CORBIN.

CATHERINE LESLIE: GOOD AFTERNOON. I'M AN ATTORNEY FOR THE ACLU, AND I AM HERE TO EXPRESS OUR CONCERNS FOR THE FAILURE OF THE POLICE COMMISSION TO RELEASE THESE DOCUMENTS. WE THINK THIS FAILURE IS DEFINITELY EVIDENCE OF A VIOLATION OF THE SPIRIT OF THE PUBLIC RECORDS ACT, IF NOT THE LAW ITSELF. AT

THIS POINT RATHER THAN REITERATE WHAT EVERYONE HAS SAID, I JUST WANT TO EXPRESS OUR SERIOUS CONCERN THAT THESE DOCUMENTS ARE RELEASED AS SOON AS POSSIBLE TO THE PUBLIC. THANK YOU, VERY MUCH.

MS. SCHLEI: THANK YOU, MS. LESLIE.

OVER THE PAST SEVERAL MONTHS MEMBERS OF A SUBCOMMITTEE APPOINTED BY THE LOS ANGELES POLICE COMMISSION COMPRISED OF THE COMMISSION'S PRESIDENT, MR. TALCOTT, AND MYSELF ALONG WITH THE DEPARTMENT, COMMISSION STAFF, MR. LEW UNGER OF THE CITY ATTORNEY'S OFFICE, HAVE DELIBERATED ON THE ISSUES INVOLVED IN THE RELEASE OF THE SUMMARY OF THE LOS ANGELES POLICE DEPARTMENT'S INVESTIGATION OF THE ASSASSINATION OF SENATOR KENNEDY. ALL OF THE MATERIALS, ALL OF THE CORRESPONDENCE, AND ALL OF THE RECOMMENDATIONS WHICH WE RECEIVED FROM THE PUBLIC WERE CONSIDERED IN THE COURSE OF THIS PROCESS. WE ARE GRATEFUL FOR THAT INPUT.

AS HAS BEEN TESTIFIED HERE TODAY ACCESS TO INFORMATION CONCERNING HOW GOVERNMENT WORKS IS A FUNDAMENTAL RIGHT OF EVERY PERSON IN THIS STATE. FOR THAT REASON WE SOUGHT IN THIS PROCESS TO REDACT AS LITTLE AS POSSIBLE FROM THE SUMMARY. THE PUBLIC HAS A RIGHT TO THE FACTS REGARDING THIS GREAT TRAGEDY.

STANDARDS FOR REDACTION WERE DEVELOPED BY THE CITY ATTORNEY'S OFFICE. WE SPENT A GREAT DEAL OF TIME ON THIS PROCESS, BECAUSE WE WANTED NOT ONLY TO REDACT THIS SUMMARY, BUT ALSO TO SET UP STANDARDS FOR

THE MORE THAN 50,000 DOCUMENTS THAT ARE THE BASE FILE OF THE INVESTIGATION. FINALLY, WE DETERMINED THAT THERE WERE ONLY TWO EXEMPTIONS PROPERLY CLAIMED IN THE KENNEDY REPORT. ONE INVOLVES THE RIGHT OF PRIVACY. THE OTHER, CONCERNS OF GOVERNMENTAL PRIVILEGE.

MOST OF THE REDACTIONS IN THIS SUMMARY OF THE KENNEDY INVESTIGATION WERE BASED ON AN INDIVIDUAL'S RIGHT TO PRIVACY. WHAT DO WE MEAN BY PRIVACY? SOMEONE'S HOME ADDRESS, THEIR TELEPHONE NUMBER, THAT SOMEONE IN THE AGONY OF THIS TERRIBLE MOMENT MAY HAVE USED VULGAR OR NASTY LANGUAGE? I DON'T BELIEVE THAT ANY ANYTHING WAS CUT OUT, REDACTED THAT WOULD SHED ANY LIGHT ON THE ASSASSINATION ITSELF.

LET ME TELL YOU WHAT THAT PROCESS WAS. THE REDACTION WAS ACTUALLY DONE BY THE DEPARTMENT STAFF WORKING WITH MR. UNGER OF THE CITY ATTORNEY'S OFFICE. WHEN THEY CAME TO A HARD QUESTION THAT QUESTION WAS PRESENTED TO COMMISSIONER TALCOTT AND ME FOR A FINAL DETERMINATION. IF THE REPORT HAS A NUMBER 1 NEXT TO THE REDACTION OR HAS NO NUMBER NEXT TO THE REDACTION THE BASIS FOR THE REDACTION WAS THE RIGHT TO PRIVACY. ALL REDACTIONS BASED ON AN ASSERTION OF GOVERNMENTAL PRIVILEGE WILL HAVE A NUMBER 2 NEXT TO THE REDACTION. THESE ARE REDACTIONS TO PROTECT INFORMATION OBTAINED WITH THE UNDERSTANDING THAT IT WOULD BE KEPT CONFIDENTIAL OR TO PROTECT GOVERNMENT INTERESTS BY NOT RELEASING INFORMATION WHICH WOULD DIVULGE

CONFIDENTIAL INVESTIGATIVE TECHNIQUES OR CONFIDENTIAL INFORMANTS.

THE LAST PAGE OF THE REDACTION PROCESS DEALT WITH THE INDEXES. THE SUMMARY ORIGINALLY WAS IN 10 VOLUMES. VOLUME 9, WHICH WAS 118 PAGES IN LENGTH, CONSTITUTED AN INDEX FOR VOLUMES 1 THROUGH 8. VOLUME 10, A SUPPLEMENTAL REPORT, CONTAINED ITS OWN 4-PAGE INDEX. BOTH OF THESE INDEXES WERE SIMPLY ALPHABETICAL LISTINGS OF NAMES REFERENCING EVERY PAGE ON WHICH THAT NAME APPEAR. IT WAS DETERMINED THAT THE REDACTION OF THOSE INDEXES WOULD BE EXCESSIVELY BURDENSOME AND WOULD OUTWEIGH ANY PUBLIC INTEREST SERVED BY DISCLOSING THOSE RECORDS. THOSE INDEXES, THEREFORE, WERE REMOVED IN THEIR ENTIRETY UNDER THE AUTHORITY OF CALIFORNIA GOVERNMENT CODE SECTION 6255. THE TABLE OF CONTENTS, HOWEVER, TO THE SUMMARY APPEARS AT THE BEGINNING OF THE SUMMARY. THE REDACTION PROCESS HAS NOW BEEN COMPLETED.

SEVENTY-FIVE COPIES OF THE SUMMARY HAVE THUS FAR BEEN PRINTED AND MORE WILL BE AVAILABLE IN THE NEAR FUTURE. WE HAVE ALSO PROVIDED PRINTING INSTRUCTIONS EXPLAINING THAT MANNER IN WHICH INTERESTED CITIZENS CAN OBTAIN A COPY OF THE SUMMARY FOLLOWING ANY ACTION BY THIS BOARD. THE REDACTIVE MATERIAL HAS BEEN BOUND INTO THREE BOOKS WHICH WILL CONSTITUTE A SINGLE COPY OF THE SUMMARY. THE RECORDS AND IDENTIFICATION DIVISION ON THE SECOND FLOOR OF PARKER CENTER IS PREPARED TO SELL COPIES FOR $150 A

PIECE TO CITIZENS WHO MAKE THEIR REQUESTS IN PERSON. THAT FEE HAS BEEN ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY ADMINISTRATIVE CODE. R & I WILL ALSO HONOR MAIL REQUESTS WITH AN ADDITIONAL CHARGE FOR MAILING. COPIES OF THE 6-PAGE REDACTION STANDARDS PREPARED BY THE CITY ATTORNEY, MR. UNGER, ARE ALSO AVAILABLE AT RECORDS AND IDENTIFICATION DIVISION.

AS YOUR SUBCOMMITTEE COMMISSIONER TALCOTT AND I WISH TO THANK MR. UNGER, CHIEF GATES AND THE COMMISSION STAFF FOR THEIR EXTENSIVE EFFORTS ON THIS PROJECT. THIS IS BOTH A PROUD AND A VERY SAD MOMENT. SAD BECAUSE IT VIVIDLY BRINGS BACK THE LOSS OUR ENTIRE COUNTRY SUFFERED THAT FATAL NIGHT. SAD BECAUSE THE VERY HISTORY OF THIS NATION WAS DRAMATICALLY CHANGED, AND I BELIEVE FOR THE WORSE. SAD FOR ALL OF US WHO WERE CLOSE TO SENATOR KENNEDY WHO HAD BEEN WITH HIM THAT NIGHT AT THE AMBASSADOR HOTEL. SAD FOR A COUNTRY WHO LOST A BRILLIANT LEADER.

WE CAN BE PROUD, I BELIEVE, OF THE EXCEPTIONAL JOB THIS DEPARTMENT HAS DONE, BOTH IN THE INVESTIGATION AND NOW IN MAKING THE REPORT PUBLIC. GOOD GOVERNMENT IS OPEN GOVERNMENT. HOW THE POLICE AND MILITARY CONDUCT THEIR BUSINESS MUST ALWAYS BE OPEN TO PUBLIC SCRUTINY. WE, THEREFORE, RECOMMEND THE FOLLOWING: THAT THE REDACTION SUMMARY OF THE LOS ANGELES POLICE DEPARTMENT INVESTIGATION OF SENATOR ROBERT F. KENNEDY'S ASSASSINATION BE RELEASED

BEFORE THE

BOARD OF POLICE COMMISSIONERS OF THE

CITY OF LOS ANGELES

VERBATIM TRANSCRIPTION OF ITEM #3-B

MARCH 4, 1986 - PARKER CENTER AUDITORIUM

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P-R-O-C-E-E-D-I-N-G-S

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MS. SCHLEI: WE WILL NOW ADDRESS ITEM 3-B, THE RELEASE OF THE COMPLETE INVESTIGATION OF SENATOR KENNEDY'S ASSASSINATION. CONSISTENT WITH THE COMMITMENT THAT THIS BOARD MADE LAST JULY THE SUBCOMMITTEE MEMBERS, PRESIDENT TALCOTT, MYSELF, MR. UNGER, AND THE DEPARTMENT AND COMMISSION STAFF HAVE STUDIED THE ISSUE OF REDACTING AND RELEASING THE MORE THAN 50,000 DOCUMENTS WHICH CONSTITUTE THE FULL INVESTIGATION. THE STANDARDS FOR REDACTION DEVELOPED BY THE CITY ATTORNEY'S OFFICE AND USED FOR THE 15,000-PAGE SUMMARY WILL FORM THE BASIS FOR REDACTING THE EXTENSIVE BODY OF MATERIAL IN THE INVESTIGATIVE REPORT. HOWEVER, THAT REDACTION CANNOT BE VIEWED AS A ONE TIME PROCESS.

PROPER ADMINISTRATION OF THIS MATERIAL OVER TIME WILL DICTATE THAT REVIEW AND REDACTION BE AN ON-GOING PROCESS WHICH WILL REQUIRE DIFFERING DECISIONS AT DIFFERENT POINTS IN TIME. FOR INSTANCE, AS TIME PASSES INDIVIDUALS ENTITLED TO CERTAIN PRIVACY EXCEPTIONS DIE. AND THE REDACTION OF INFORMATION RELATING TO THEM MAY NO LONGER BE JUSTIFIED. EVENTUALLY, PRACTICALLY ALL OF THE INFORMATION WILL BE SUBJECT TO RELEASE. FURTHER, THE REDACTION STANDARDS THEMSELVES WILL SURELY REQUIRE ADDITIONS AND AMENDMENTS AS NEW MATERIAL AND ISSUES WHICH DID NOT ARISE DURING THE REDACTION OF THE

SUMMARY DO ARISE WHEN WE ARE IN THE PROCESS OF REDACTING THE BASE FILES. FOR EXAMPLE, ONE SUCH CONSIDERATION THAT WILL HAVE TO BE LOOKED AT IS WHETHER THE LAW ENFORCEMENT PRIVILEGE HAS BEEN WAIVED. WE HAVE ALREADY REVIEWED THE ISSUE OF THE AUTOPSY PHOTOGRAPHS AND DETERMINED THAT THEY WILL NOT BE MADE PUBLIC. THE MATTER OF SELECTING THE REPOSITORY FOR THE REDACTED INVESTIGATION WAS ONE WHICH MANY OF YOU HAVE EXPRESSED STRONG INTERESTS IN AND STRONG CONCERNS ABOUT.

THE SUBCOMMITTEE HAS CONCLUDED THAT THE POLICE DEPARTMENT POSSESSES NEITHER THE EXPERTISE NOR THE MANPOWER TO REVIEW, REDACT AND ADMINISTER AN ACHIVE OF THIS MAGNITUDE, NOR COULD WE DO A THOROUGH JOB IN STUDYING ALL OF THE ISSUES INHERENT IN SELECTING AN APPROPRIATE REPOSITORY. WHEN SUCH INVESTIGATIVE MATERIAL IS MADE PUBLIC IT IS NO LONGER A POLICE MATTER. THE ISSUE OF MAINTAINING AND PROVIDING ACCESS TO IT ARE LEGAL AND HISTORICAL IN NATURE. THEREFORE, YOUR SUBCOMMITTEE RECOMMENDS AS FOLLOWS: THAT THIS BOARD APPROVE THE RELEASE OF THE FULL INVESTIGATION INTO THE SENATOR ROBERT KENNEDY ASSASSINATION SUBJECT TO REDACTIONS CONSISTENT WITH THE GUIDELINES DEVELOPED BY THE CITY ATTORNEY AND AMENDED AS FOUND SUITABLE AND NECESSARY DURING THE REDACTION PROCESS TO ADDRESS NEW MATERIAL OR NEW ISSUES THAT DID NOT ARISE DURING THE REDACTION OF THE SUMMARY. WE FURTHER RECOMMEND THAT THIS BOARD ASK

MAYOR BRADLEY TO APPOINT A COMMITTEE WHO WILL BE RESPONSIBLE FOR SELECTING AN APPROPRIATE REPOSITORY FOR THE FULL INVESTIGATION, A PLACE WHERE SCHOLARS, HISTORIANS OR JUST INTERESTED CITIZENS CAN GO AND READ THROUGH THIS VAST HISTORICAL FILE, WHERE THEY CAN BE SAFELY PRESERVED FOR SCHOLARS AND FOR FUTURE GENERATIONS.

FINALLY WE RECOMMEND THAT THE COMMITTEE BE COMPOSED OF THE CITY ARCHIVIST, HADAN RUDD (SIC), THE CITY LIBRARIAN, WYMAN JONES, AND THE PRESIDENT OF THE CULTURAL HERITAGE COMMISSION AMA JET MAWA (SIC). WE HAVE ASKED THOSE PEOPLE TO BE PRESENT TODAY SO THEY CAN HEAR THE COMMENTS THAT WERE MADE BY THE PUBLIC AND CONSIDER THEM IN THEIR DELIBERATIONS.

WE FURTHER RECOMMEND THAT THE MAYOR CONSIDER ADDING TO THIS COMMITTEE ANY OTHER CITY EXPERTS, ANY OTHER EXPERTS OUTSIDE OF THE CITY OR APPROPRIATE INTERESTED PERSONS AS THE MAYOR MAY DEEM APPROPRIATE. WE RECOMMEND THAT THIS MATERIAL BE FORWARDED TO THE MAYOR TOGETHER WITH ALL OF THE RECOMMENDATIONS AND MATERIALS THAT WE HAVE RECEIVED FROM INTERESTED CITIZENS. THAT THE COMMITTEE SHOULD DEVELOP AN APPROPRIATE TIME TABLE AND TARGET DATES FOR THE RELEASE OF THE MATERIAL AS WELLS AS A CONSIDERATION OF THE PROPER REPOSITORY FOR THE MATERIAL.

FINALLY, ON THE QUESTION OF OWNERSHIP LET ME NOTE TO THE BOARD OF POLICE COMMISSIONERS ONE

TECHNICAL LEGAL MATTER. THE THRESHHOLD QUESTION THAT MUST BE POSED TO THE CITY ARCHIVIST IS WHETHER THE DOCUMENTS REPRESENTS HISTORICAL RECORDS. IF THEY ARE DEEMED HISTORICAL RECORDS THEY MUST BE PERMANENTLY PRESERVED UNDER THE OWNERSHIP OF THE CITY OF LOS ANGELES. HOWEVER, THE CITY, WHILE RETAINING OWNNERSHIP MAY CONTRACT WITH AN OUTSIDE INSTITUTION TO ADMINISTER THESE HISTORICAL RECORDS. IF THEY ARE DEEMED NOT TO BE HISTORICAL THE CITY COULD RETAIN THEM OR DONATE THEM TO AN APPROPRIATE NON-CITY INSTITUTION. THANK YOU, VERY MUCH.

MR. YSLAS: SO MOVE.

MR. WILLIAMS: SECOND.

MS. SCHLEI: IS THERE ANY COMMENT FROM THE BOARD OF POLICE COMMISSIONERS? IF NOT, THEN I WOULD LIKE TO CALL FOR A VOTE ON THE RECOMMENDATION OF THE SUBCOMMITTEE THAT THE ENTIRE 50,000 BASE DOCUMENTS OF THE KENNEDY INVESTIGATION BE RELEASED, THAT AN APPROPRIATE COMMITTEE BE FORMED BY THE MAYOR TO UNDERTAKE THE STANDARDS FOR REDACTION, THE SELECTION OF A REPOSITORY AND A METHOD FOR REDACTION OF THESE DOCUMENTS.

ALL THOSE IN FAVOR?

MR. YSLAS: AYE.

MR. WILLIAMS: AYE.

ALL THOSE OPPOSED?

NONE. THE MOTION IS UNANIMOUSLY PASSED.

MR. SCHRADE: CAN WE FIND OUT WHAT THAT

TIME SCHEDULE IS FOR GETTING INTO THE RAW FILE AND WHO IS GOING TO PROVIDE THE MONEY FOR REDACTING AND SCREENING OF THE THIS MATERIAL, BECAUSE YOU HAVE STOPPED THE PROCESS RIGHT NOW. YOU HAVE STOPPED SCREENING AND REDACTING WITH THIS REPORT WHICH HAS NO NEW INFORMATION. THE NEW INFORMATION IS IN THE 50,000 PAGES. AND I WOULD LIKE TO KNOW YOUR TIME SCHEDULE ON THIS, THE FINANCING OF IT, AND I WOULD ALSO LIKE TO KNOW IF THE POLICE DEPARTMENT IS GOING TO PROVIDE A LIST OF MATERIAL, EVIDENCE THAT WAS DESTROYED OR IS MISSING WHICH THIS COMMISSION IS AWARE OF. AND I HAVE ANSWERS TO THOSE QUESTIONS, AND CHIEF GATES I STILL WANT AN ANSWER TO THAT SHOT THAT YOU SAID WOUND UP IN MY HEAD.

MS. SCHLEI: MR. SCHRADE, I WILL HAVE TO RULE YOU OUT OF ORDER AT THIS TIME. AS TO THE QUESTION OF THE TIME TABLE AND THE METHODOLOGY FOR THE RELEASE OF THE 50,000 PAGES THAT MATTER WILL NOW BE DETERMINED BY THE COMMITTEE TO BE SET UP BY MAYOR BRADLEY, AND THAT QUESTION, SIR WILL PROPERLY BE ADDRESSED TO THEM. CONCERNING YOUR LAST QUESTION AS TO ANY MISSING OR DESTROYED DOCUMENTS, THAT IS A QUESTION THAT I HAVE NOT PREVIOUSLY HEARD PRESENTED, AND I WILL UNDERTAKE TO LOOK INTO THE ANSWER TO THAT QUESTION.

WE HAVE RECEIVED A REQUEST TO SPEAK BY MR. GREG ROBERTS. I WILL HAVE TO RULE THAT REQUEST OUT OF ORDER AS NO LONGER TIMELY. THAT CONCLUDES OUR

CONSIDERATION OF ITEMS 3-A AND 3-B.

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