

BEFORE THE BOARD OF POLICE COMMISSIONERS
OF THE CITY OF LOS ANGELES

In the matter of)
)
DISCUSSION OF THE PROPOSAL THAT THE)
POLICE DEPARTMENT ANSWER SPECIFIC)
QUESTIONS WITH RESPECT TO THE)
ROBERT F. KENNEDY ASSASSINATION)
BY THE RELEASE OF WHATEVER INFOR-)
MATION COULD BE MADE PUBLIC WITHOUT)
VIOLATING THE LAW OR THE RIGHTS OF)
INNOCENT PERSONS, AND WITHOUT)
BREACHING CONFIDENTIAL INFORMATION.)

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CAROL H. MATTINGLY
Hearing Reporter

EXHIBIT A

DECLARATION OF SERVICE BY MAIL - 1013-a CCP
AND 2015.5 CCP

I, the undersigned say: that I am a citizen of the United States, a resident of the County of Los Angeles, over the age of eighteen years, and am not a party to the within action or proceeding; that my office address is 200 North Main Street, 18th Floor City Hall/^{East} Los Angeles, California - 90012; that on August 26, 1975 I served the within


DECLARATION OF EDWARD M. DAVIS

on the person - indicated below, by depositing in the United States Mail at Los Angeles, California, a true copy thereof in a sealed envelope, with postage thereon fully prepaid, addressed as follows:

McCUTCHEM, BLACK, VERLEGER & SHEA
HOWARD J. PRIVETT
ROBERT G. DAMUS
3435 Wilshire Boulevard
Los Angeles, California 90010

I declare under penalty of perjury that the foregoing is true and correct

Executed on August 26, 1975 at Los Angeles,
California.



PATTY DELL

1 BURT PINES, City Attorney
2 ROBERT E. THOMSON, Executive
3 Assistant City Attorney
4 DION G. MORROW, Assistant
5 City Attorney
6 200 North Main Street
7 18th Floor, City Hall East
8 Los Angeles, California 90012
9 (213) 485-5462

*Rec'd
Aug 27 1975*

6 Attorneys for Respondents

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

11 CBS INC., a corporation,)
12 Petitioner,)
13 vs.)
14 EDWARD M. DAVIS, etc.,)
15 et al.,)
16 Respondents.)
17

NO. C 131722

DECLARATION OF ROBERT A. HOUGHTON
IN OPPOSITION TO PETITION

18 1. I, ROBERT A. HOUGHTON, under penalty of perjury,
19 depose and state the following:

20 2. I was employed by the Los Angeles Police Department
21 from July, 1942 until my retirement on July 28, 1971. At the time
22 of my retirement, I held the rank of Assistant Chief of Police, and
23 my assignment was as Director of Operations.

24 3. On June 5, 1968, I held the rank of Deputy Chief of
25 Police and I was Chief of Detectives of the Los Angeles Police
26 Department. I headed up the investigation into the assassination
27 of Senator Robert F. Kennedy. I was on vacation on June 5, 1968,
28 and not in the City of Los Angeles at the time Senator Robert F.
29 Kennedy was shot and killed. I returned to the City a few days
30 after the incident and took over the investigation of his
31 assassination. A special unit called Special Unit Senator was
32 established by the Los Angeles Police Department for the purpose

1 of investigating the assassination. The size of the staff of the
2 Special Unit varied from time to time, but there were approximately
3 18 investigators initially. We were charged by the Chief of
4 Police with the responsibility of investigating the assassination,
5 and of investigating any possible lead that might establish the
6 existence of a conspiracy in the shooting. To this end, we
7 received information from the general public on various issues
8 involved in the assassination. This information consisted of
9 rumors, gossip, physical objects, opinions and other material. All
10 contacts the unit received from the public were recorded in some way.
11 Any information from the public that appeared to have any possibility
12 of credibility was investigated. Leads were investigated even
13 though officers of the department doubted the value of the leads.

14 4. A new system of filing and recording this information
15 was established for this investigation. Filing cabinets were
16 obtained and files were created. These files were marked for the
17 individuals involved. Thus, if a person was a witness or claimed
18 to have information regarding the incident, a file would be
19 established in that person's name and all of the investigative
20 results related to that individual would be placed in that file.
21 In addition, certain alleged conspiracies were investigated and
22 files were established in the name we assigned to the particular
23 lead. In addition, many of the interviews that we made with
24 individuals who were witnesses or who might have had information
25 regarding either the incident or Sirhan B. Sirhan were tape
26 recorded. We retained these tape recordings. We established a
27 card file on each interview that was conducted with a brief summary
28 of the individual involved, the date and place of the interview,
29 and the substance of what was said. More than 4,000 such interviews
30 were conducted.

31 / / /

32 / / /

1 5. During the course of the investigation, it became
2 apparent to me that because of the vast amount of material that was
3 being accumulated, some kind of summary or index to this material
4 would have to be made. I do not recall the specific date on which
5 the decision was made to create the 10-volume Summary, but I do
6 recall that I felt that while the material was being accumulated,
7 some kind of summary or index to it would have to be created.
8 As the investigation wound to a close in the latter part of 1968
9 and the first few weeks of 1969, under my direction officers of
10 Special Unit Senator began to create the 10-volume Summary, com-
11 pleting it in February, 1969. The summary consists of ten soft
12 bound books. Each volume deals with a separate aspect of the
13 investigation. Thus, one volume contains copies of various crime
14 reports, autopsy reports and investigative reports. Another con-
15 cerns itself with investigations of alleged conspiracies. One
16 volume is a narrative of our findings of the events of June 5, 1968
17 preceding and immediately following the assassination. In having
18 these volumes written, it was my intention that they would be a
19 confidential record maintained by the Los Angeles Police Department
20 and the Chief of the Los Angeles Police Department. I always
21 considered the Summary a confidential record. It was never my inten-
22 tion or that of the Department, to my knowledge, that the Summary
23 would be made public. I considered the volumes to be an intra-agency
24 memorandum from our investigative unit to the Chief of Police to
25 assist him in maintaining the material in the filing cabinets, and
26 having an index to them.

27 6. In preparing the Summary, we did not make any attempts
28 to consider the rights of privacy, or civil rights of individuals
29 who had been mentioned. The Summary includes information that would
30 be considered private and confidential. It contains conclusions
31 regarding individuals who were investigated and found to be com-
32 pletely blameless in the incident. It also contains

1 conclusions of the investigating officers about the reliability,
2 truthfulness, and morality of some of the individuals that were
3 mentioned or investigated. Some of the conclusions are critical.
4 The Summary also contains material the L.A.P.D. received from other
5 investigative and law enforcement agencies under promises of con-
6 fidentiality.

7 7. Two copies of the 10-volume Summary were presented to
8 the Chief of Police on or about the Fourth of April, 1969. To the
9 best of my knowledge, the Summary has never been released to the
10 public by the Chief of Police or the Chief of the Detective Bureau.
11 The third copy was sent to the FBI archives in Washington, D.C., and
12 I believe has been retained there.

13 8. Omitted.

14
15 9. My recollection is that some point during the investi-
16 gation I had an interview with Police Chief Tom Reddin. I told him,
17 as I had previously, that it was my opinion that the Kennedy
18 assassination investigation had considerable historic interest and
19 that the potential for suspicion of conspiracies was great, and that
20 in my opinion it would be valuable that some information regarding
21 the effort and concern of the L.A.P.D., and the extent of the
22 investigation, should be released for public consumption. I told
23 him I felt that a book would be the best way to do this, that writing
24 the book would require some information from L.A.P.D. files, and
25 that in all probability I would have a co-author work to assist me.
26 I received Chief Reddin's approval to go forward. Later, Chief
27 Reddin retired and Chief Murdock was appointed Acting Chief. I had
28 discussed the entire matter previously with Murdock and I spoke to
29 him for official approval. Chief Murdock indicated that since
30 Chief Reddin had approved my book in the first place, he would not
31 rescind the approval.

32 / / /

1 10. I did write the book with the assistance of
2 Theodore Taylor. I had no recollection of having shown the 10-
3 volume Summary to Taylor, but I did show Taylor some items and some
4 material from L.A.P.D. files. Much of the material I showed Taylor
5 was material used in the trial of Sirhan, or held by the District
6 Attorney. In showing this material to Taylor, it was not my intention
7 or understanding that this amounted to any publication or release
8 of confidential police information to the public, but was only shown
9 to him as my agent for the purpose of putting together the background
10 material for the book. The book, Special Unit Senator, was published.
11 At no time did Taylor ever come to Parker Center and go into the
12 police investigative files. Generally, Taylor received whatever
13 information he had regarding the investigation from me.

14 11. I was present at the meeting held in the chambers of
15 then Presiding Judge Charles A. Loring on Friday, May 16, 1969.
16 Those portions of the conversation attributed to me in the transcript
17 (Exhibit A to the Petition of CBS) appear correct to the best of
18 my recollection. The conference was called to discuss the
19 disposition of material admitted in evidence in the trial or marked
20 for identification and retained by the County Clerk. This was the
21 main reason the meeting was called. I, however, was also concerned
22 about the material in the police investigative files. At that point,
23 as I recall, no decision had been made by the L.A.P.D. to release
24 any information from the police investigation files to the public.
25 The matter had been discussed. After the conference in Judge Loring's
26 chambers, the decision was made to hold a press conference. The
27 purpose of this press conference was to release to the public infor-
28 mation regarding the Kennedy assassination investigation. This press
29 conference was held on May 28, 1969. The press release attached to
30 the Petition of CBS was given to the press at that time and read by
31 District Attorney Evelle J. Younger. The conference was held at
32 Parker Center, and the police investigation files were present on the

1 stage. After the District Attorney read the press release, the press,
2 many of whom were present, were invited to ask questions. We answered
3 the questions asked based on material from the files present in the
4 room. We did not permit anyone to examine the contents of the files
5 or the Summary. This method of release of information was the method
6 selected by the Police Department in 1969. It was intended to
7 provide the release of information from the Police Department records.
8 The files were then taken back to the Detective Bureau where they
9 remained locked to the best of my knowledge. While I was Chief of
10 Detectives, the files remained locked and were not accessible to
11 anyone except on permission of the Chief of Detectives which was given
12 only on a "need to know" basis to officers of the Los Angeles
13 Police Department. To the best of my knowledge, the Los Angeles
14 Police Department never made any decision that the contents of the
15 investigation files, or the 10-volume Summary, would ever be released
16 or made available to the public. These files were always considered
17 to be confidential.

18
19 I declare under penalty of perjury that the foregoing
20 is true and correct.

21 Executed this 26th day of August, 1975, at
22 Los Angeles, California.
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27 ROBERT A. HOUGHTON
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Received
Aug 27, 75

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CBS INC., a corporation,
Petitioner,
vs.
EDWARD M. DAVIS, etc.,
et al.,
Respondents.

NO. C 131722
DECLARATION OF DION G. MORROW
IN OPPOSITION TO PETITION

DION G. MORROW, under the penalties of perjury, deposes
and states:

1. I am an attorney at law, licensed to practice in
California, and I am an Assistant City Attorney in the City of
Los Angeles. I appear before the Court representing the Respondents
in this matter. I make this declaration to inform the Court of
certain facts regarding the material sought to be disclosed by the
Petition herein.

2. I have inspected the investigative files of the Los
Angeles Police Department relating to the assassination of Senator
Robert F. Kennedy. The Los Angeles Police Department has four filing
cabinets of material that was accumulated during the investigation
of the Kennedy assassination. Three of these filing cabinets are
four-drawer cabinets, the fourth is a five-drawer filing cabinet.
The five-drawer filing cabinet contains two "half" drawers which

1 contain index cards. These index cards are in alphabetical order
2 according to the last name of the individual, or the name of the
3 business, or the "lead" involved. The index cards contain summaries
4 of interviews, and references to where the full information can be
5 found. The other drawers of the filing cabinets contain material
6 as follows:

7 a. Written material in files. This written
8 material consists of interviews, records and other
9 documents. It also includes transcripts of the
10 Grand Jury proceedings in the indictment of
11 Sirhan B. Sirhan, and various police investigative
12 reports. Among these reports are numerous documents
13 on forms of the Federal Bureau of Investigation.
14 On numerous of the forms of the Federal Bureau of
15 Investigation, there appears in writing a statement
16 to the effect that the material is the property of
17 the F.B.I., loaned to a local police agency on the
18 understanding that it will be kept confidential
19 and not released to the public.

20 b. Among the written material are numerous
21 arrest reports, both F.B.I. and C.I.I., school
22 records, medical and health records.

23 c. In the filing cabinets there are
24 photographs. The photographs include scenes of
25 the rally at the Ambassador Hotel the night
26 Kennedy was shot. They also include numerous
27 other photographs of other places. Some of these
28 photographs were apparently taken by police
29 photographers, and other photographs were apparently
30 taken by citizens who tendered them to the Los
31 Angeles Police Department. Among the photographs
32 is a full set of autopsy photographs of Senator

1 Kennedy. Also included are various x-rays and
2 diagrams.

3 d. Also included are certain video tape
4 recordings. I have not seen the material on
5 these video tape recordings, but I was informed
6 that they consist of television interviews, and
7 the like.

8 e. Also included are numerous tape
9 recordings. I did not hear these tape recordings,
10 but they are all labeled. I was informed that they
11 contain transcription of interviews of various
12 persons conducted by the investigative team.

13 f. Also included are some physical objects
14 collected by the police during the course of the
15 investigation.

16 g. Also included are two printed copies
17 of the 10-volume Investigative Summary of the
18 Assassination of Robert F. Kennedy, and a typed
19 "master" of the said Summary.

20 h. Also included is a copy of the case
21 presentation workup. This consists of documents,
22 reports, memoranda and photographs.

23 i. Also included are overtime records, time
24 sheets, and various internal control documents of
25 the Los Angeles Police Department including
26 receipts for expenditures.

27 3. In addition to the four filing cabinets of material
28 accumulated during the investigation of the Kennedy assassination,
29 there is a fifth filing cabinet containing three drawers of material.
30 This material was accumulated since Special Unit Senator was disbanded
31 in Spring of 1969. It includes communications, interviews, and
32 material that has been collected from time to time since 1969.

1 4. Each of the filing cabinets has a steel strap welded or
2 riveted to its side, and a hasp and padlock. Each filing cabinet,
3 on each occasion I have ever seen it, was locked with this padlock.
4 The keys were obtained from the Chief of the Detective Bureau. The
5 filing cabinets are kept in one of the Detective Bureau offices at
6 Parker Center.

7 5. I have read most of the contents of the 10-volume
8 Summary referred to hereinabove. I have examined all of said
9 Summary. The Summary contains the following material:

10 a. A narrative recitation of the police
11 department findings of the facts of the
12 assassination.

13 b. A narrative recitation of the various
14 investigations made by the L.A.P.D. into possible
15 conspiracy charges and theories which name the
16 names of individuals investigated, and specify
17 certain personal and private information regarding
18 those individuals.

19 c. References to arrest, including juvenile
20 offenses, and other offenses of various individuals
21 investigated by Special Unit Senator.

22 d. Medical information, including mental
23 health information about persons who were
24 investigated.

25 e. Some school records.

26 f. Information given to the Los Angeles
27 Police Department by the Federal Bureau of
28 Investigation, and other investigative agencies
29 which is marked confidential not to be released
30 to the public.

31 g. Information which, purportedly, was
32 given to investigators of the L.A.P.D. by

1 informants who were promised that the information
2 would be kept confidential.

3 h. Conclusions and opinions of investigators
4 regarding the morality, honesty, truthfulness and
5 trustworthiness of certain individuals who were
6 investigated or mentioned.

7 i. Copies of the various reports including
8 the autopsy report into the death of Robert F.
9 Kennedy, arrest reports, evidence reports,
10 analyzed evidence reports, booking records,
11 telephone logs at Rampart police station, police
12 financial data and work records.

13 j. A tenth volume which consists of an
14 Index of the names of people mentioned in the
15 Summary.

16 k. Copies of photographs.

17 6. The narrative portions of the Summary are conclusions
18 drawn from the investigation. These narratives, unless accepted at
19 face value, would have to be checked through the files themselves to
20 be verified. For example, a single sentence in the Summary might
21 refer to several interviews and investigations which led the
22 investigative team to conclude with the sentence. Unless a reader
23 were willing to accept the conclusion of the sentence unquestionably,
24 the sentence would have had no value to the reader. The reader
25 would still have to check the files to verify the conclusion drawn
26 by the investigator.

27 7. The manner in which the Summary is written would make
28 extremely difficult the removal from the narrative portions of
29 material which is privileged or which should not be disclosed pursuant
30 to law. A censor would have to "blue pencil" literally words from
31 sentences, sentences from paragraphs, and paragraphs from pages in
32 order to accomplish that result. For example, in one paragraph the

1 narrative may discuss a particular individual. The paragraph may
2 commence with the identification of that individual, including date
3 of birth and residence and other personal information. The
4 paragraph may then continue to summarize that individual's arrest
5 record or contacts with the law, then proceed to a discussion of the
6 individual's apparent work record, and the opinion in which persons
7 in the individual's community appear to hold that person. Then, there
8 may be information detailing the investigation of that person and
9 then a conclusion by the investigator regarding the trustworthiness
10 of this individual or their position in the investigation. It would
11 be extremely difficult to excise the material which could be released
12 to the public without doing harm to various persons from those
13 portions which could not.

14 8. I am aware of the provisions of Section 6259 of the
15 Gov. C. I am also aware that that section provides that, "The
16 Court shall decide the case after examining the record in camera."
17 As appears more clearly from the points and authorities filed on
18 behalf of Respondents, it is our position that the Court must first
19 determine that the documents are "public records" under the Public
20 Record Act and then determine that they are not exempt from disclosure
21 pursuant to 6254(a) or (f) before any examination of the documents
22 themselves would be justified.

23 9. I respectfully direct the Court's attention to the
24 Order to Show Cause herein. The Order to Show Cause does not
25 require Respondents to produce, for inspection by the Court, the
26 material which the Petition seeks to obtain. Further, by reason of
27 the quantity of the material involved, it would not be practical for
28 Respondents to attempt to bring this material into the courtroom.

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10. Respondents, I am informed, stand ready, willing and able to obey any final order of any Court of competent jurisdiction in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Los Angeles, California, on August 27, 1975.

D.G.M.

DION G. MORROW
Attorney for Respondents

*Rec'd
Aug 27 75*

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2 ROBERT E. THOMSON, Executive
3 Assistant City Attorney
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

11 CBS, INC., a corporation,
12 Petitioner,
13 vs.
14 EDWARD M. DAVIS, etc.,
15 et al.,
16 Respondents.

NO. C 131722
DECLARATION OF EDWARD M. DAVIS

17 I, EDWARD M. DAVIS, hereby depose and state as follows:

18 1. I am the Chief of the Police Department of the City of
19 Los Angeles. I make this declaration in response to the petition
20 herein.
21

22 2. There is, in the possession of the Los Angeles Police
23 Department, certain material relating to the investigation of the
24 assassination of Senator Robert F. Kennedy, which occurred on June 5,
25 1968. This material consists of papers, photographs, tape recordings,
26 and some physical objects. In these files, there is a card file
27 which contains excerpts of the interviews of the various persons
28 interviewed in the case. The material is housed in filing cabinets
29 located at Parker Center, Los Angeles, California. The filing
30 cabinets are locked with steel bands and padlocks. They are retained
31 in a locked condition at all times, and access to them is limited to
32 officers of the Los Angeles Police Department and qualified members

1 of the City Attorney's or District Attorney's staff. The material
2 has been so retained constantly since the files were established by
3 the Special Unit Senator. Access to the files is accomplished only
4 by getting keys from the Chief of Detectives and only on a "need to
5 know" basis. The files are not public and have never been public.
6 To the best of my knowledge, information and belief, no investigative
7 reporter, or any other member of the press or public has ever had
8 access to the files or to their contents.

9 3. In addition, there is a document entitled "Investigation
10 Summary of the Assassination of Robert F. Kennedy, June 5, 1968."
11 This document consists of 10 soft-bound volumes. There are two
12 copies of this document in the possession of the Los Angeles Police
13 Department, and one in the possession of the FBI in Washington.
14 Both copies held by the L.A.P.D. are kept in the same filing cabinets
15 referred to hereinabove, and under the same lock and key system.

16 4. The Summary is an intra-agency memorandum. It is a
17 summary of the work of Special Unit Senator, and a report to the
18 Chief of Police of the Los Angeles Police Department of that work.
19 It was intended to be an index and summary of the material in the
20 filing cabinets. It was not ever intended to be a public document,
21 and the Los Angeles Police Department does not consider that it is
22 a public document.

23 5. The material in the filing cabinets is a record of
24 an investigation conducted by a local police agency, namely, the
25 Los Angeles Police Department, as defined in Section 6254(f) Gov. C.

26 6. The material in the filing cabinets, and the 10 volume
27 investigation Summary each and both contain records, the disclosure
28 of which is exempted or prohibited pursuant to the provisions of
29 Federal or State law, including provisions of the Evidence Code
30 relating to privilege as provided in Section 6254(k) Gov. C. That
31 material consists of records of arrests, medical, health and
32 psychiatric records, school records, records received under premises

1 of confidentiality and agreements of confidentiality from the Federal
2 Bureau of Investigation and other law enforcement agencies, probation
3 records, parole records, financial records and records privileged
4 from disclosure under Section 1040 Evidence Code.

5 7. In addition, the files and the Summary contain medical
6 or similar files the disclosure of which would constitute an
7 unwarranted invasion of personal privacy as specified in Section
8 6254(c) of the Gov. C. These records include medical and health
9 records, psychiatric records, personnel records, and other information
10 that would be an invasion of privacy of certain individuals were it
11 to be released to the public.

12 8. The police investigative files also contain duplicates
13 of the material which was admitted into evidence in the trial of
14 Sirhan B. Sirhan, now retained by the Clerk of the Superior Court
15 in Los Angeles and available for inspection through the said Clerk.
16 Such material, in large measure, is also in the possession of the
17 District Attorney of Los Angeles County. The Office of the District
18 Attorney, in a press release made May 28, 1969, stated that they
19 would permit access to the said material in their possession by
20 qualified individuals. Qualified individuals have inspected the
21 material in the hands of the District Attorney from time to time
22 since 1969.

23 9. On May 28, 1969, a press conference was held at Parker
24 Center, at which time the investigation files and all of the
25 material in the possession of the Los Angeles Police Department was
26 present.

27 10. The 10 volume Summary in this case is the only time that
28 such a summary has been prepared by the Los Angeles Police Department.
29 It was prepared in this instance because of the length, complexity,
30 and scope of the investigation into the Kennedy assassination.
31 The Summary is, therefore, not retained in the ordinary course of
32 business of the department as specified in Section 6254(a) of the

1 Government Code.

2 11. In addition to the above specified statutory grounds,
3 declarant states that on the facts of the particular case, the public
4 interest served by not making the record public clearly outweighs
5 the public interest served by disclosure of the record. In this
6 particular, declarant states as follows:

7 a. The evidence in the trial of Sirhan B. Sirhan,
8 including the ballistics evidence, photographs, the
9 transcript of testimony, and the other evidence presented
10 in Sirhan's trial, is in the custody of the County
11 Clerk. It has been examined on numerous occasions by
12 numerous persons. Affiant is informed that recently
13 the presiding judge of the Superior Court in Los
14 Angeles made an order that certain ballistics
15 examinations be made of the evidence, which order has
16 not yet been complied with. In addition, a special
17 counsel has been appointed to the District Attorney's
18 Office for the purpose of examining that evidence.
19 The public's interest in knowing about the evidence
20 in the Sirhan case will be satisfied by the examination
21 of the Superior Court evidence. This has nothing
22 to do with the police investigation files.

23 b. There is evidence in the possession of the
24 District Attorney's Office which largely duplicates
25 the evidence on file with the Court, and additional
26 evidence not introduced. This evidence is released
27 to the public through the District Attorney's Office
28 to reliable persons. It has been examined by petitioner
29 in this case.

30 c. The Los Angeles Police Commission has announced
31 to the public, including the petitioner, that it will
32 make available information from its files in answers

1 to written questions. These questions are to be
2 submitted in writing to the Secretary of the
3 Police Commission. A true copy of a transcript
4 of the statement of the President of the Police
5 Commission to this effect is attached hereto as
6 Exhibit A. Thus, the public will be able to
7 ask questions of the Police Department and receive
8 answers thereto, including copies of photographs.

9 In the event the answers given still do not
10 satisfy the public, a conference with a committee
11 consisting of one Police Commissioner, one Assistant
12 Police Chief, two police investigators, and one
13 City Attorney representative is provided for.

14 Thus, the public's curiosity about the information
15 in the police investigation files can be satisfied
16 without compromising the privacy of the various
17 persons whose names are mentioned in the file and
18 without breaching the integrity of the Police
19 Department investigative records..

20 d. It is absolutely necessary that the
21 investigation files of the Los Angeles Police
22 Department not be subject to disclosure to the
23 public under the Public Records Act in this
24 case, or in any other. Police work requires a
25 certain amount of confidentiality. Witnesses
26 and members of the public will not give information
27 to police investigators unless they have confidence
28 that the investigators will keep the information
29 given them from the public. In many instances,
30 informants fear for their lives, their reputations
31 or their property. They speak to police officers
32 because they think they can trust them not to breach

1 the confidentiality of the information given.
2 Other police agencies deal with the Los Angeles
3 Police Department because they know that the
4 Department conducts its affairs in a professional
5 manner, and that information given to the Department
6 will not be released to the public. Thus, in the
7 Kennedy assassination investigation, the Federal
8 Bureau of Investigation cooperated closely with
9 the Los Angeles Police Department. FBI records,
10 files, interviews, photographs and tape recordings
11 were either given to or duplicated for the L.A.P.D.
12 investigation files. In each instance, this was
13 done with the express understanding that the
14 information furnished by the FBI would be retained
15 in a confidential status and not released to the
16 public.

17 e. The police investigation files, and the 10
18 volume Summary, contain the opinions and conclusions
19 of investigating police officers regarding the veracity,
20 reliability, and other traits of personality and
21 character of some individuals who were either inter-
22 viewed or investigated by the police. Not all
23 of these conclusions are of a laudatory nature.
24 The exposure of these conclusions, made as memoranda
25 by the police officers only for the purpose of
26 completing their investigation and analyzing the
27 value of the information regarding these individuals,
28 could subject the said investigating police officers,
29 and the department, to potential claims of liability.

30 f. Although we consider the case of the
31 assassination of Robert F. Kennedy to be closed, the
32 statute of limitations never runs on murder and if

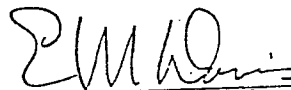
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the Police Department ever received any credible evidence of the existence of a conspiracy in the killing, or that any other person was involved in the assassination, we would seek prosecution of such individual. In that event, the investigation files now in our possession might have some relevance. The release to the public of the information in those files could amount to prejudicial pre-trial publicity and harm prosecution of such individuals.

12. For the reasons stated, it would not be in the public interest that the contents of the files be made public and declarant prays the petition be denied.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Los Angeles, California, this 26th day of August, 1975.



EDWARD M. DAVIS
CHIEF OF POLICE