

31 August 1969

The Editor
The New York Times
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Dear Sir,

Fred Graham's logic ("Anatomy of the Kopechne Inquest") escapes me when he frets that the Kopechne inquest "could cheat Senator Kennedy of a fair chance to present his side of the incident" and that Kennedy will be left to "face the unofficial charge that he panicked after the accident; or worse yet, that he planned to lie about his involvement to protect his political future." The Senator received, free of charge, a half-hour of prime time on television on the 25th of July, in which he did "present his side of the incident" in a speech which benefitted from the extraordinary legal, political, and literary talents of eminent public men. In his presentation, Senator Kennedy himself acknowledged that he had panicked, admitting to confusion, agitation, and inexcusable failure to notify the authorities. Surely it is not a case of an "unofficial charge" but of self-confessed negligence attributed to shock and consternation. The Senator also volunteered in his televised statement that he had even hoped, that night, that somehow the "awful burden" could be lifted from his shoulders. That is by no means an admission that he "planned to lie about his involvement," but it does encourage the impression that he at least considered some such course of action. The fact that at about 1:30 a.m. the Senator ostentatiously complained to the hotel clerk in Edgartown that noisy guests were preventing him from sleeping, and that he pointedly asked what time it was in a clear attempt to create an alibi, can only reinforce the impression of calculated effort at self-extrication.

It is not the inquest, but Senator Kennedy's own statements and actions, that have compromised him. The inquest will provide him with an opportunity to dispell any unjust interpretations of his conduct, if he is able to do so by objective, truthful explanation.

But thus far Senator Kennedy has steadfastly evaded submitting himself to cross-examination, in the courtroom or by the press. For his attorneys, and Mr. Graham, to decry the inquest for its exclusion of the adversary procedure is, under the circumstances, a shabby piece of sophistry.

Yours sincerely,

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