

Kennedy Feels Chappaquiddick Would Not Rule Out Presidency

By ROBERT BLAIR KAISER

Special to The New York Times

WASHINGTON, July 17 — Senator Edward M. Kennedy reaffirmed today that he believed he acted irrationally and irresponsibly in the aftermath of a fatal automobile accident at Chappaquiddick Island 10 years ago tomorrow. But he said that he did not believe that his performance in that crisis meant that he could not meet the pressures of the Presidency if he chose to run.

In the first detailed interview he has granted in five years on the death of Mary Jo Kopechne, Mr. Kennedy thus addressed himself directly to an issue that

has occupied the public ever since the accident: whether the events at Chappaquiddick represented a fatal blow to any Presidential hopes the Senator might harbor.

In the interview today, Mr. Kennedy said that his actions in driving the automobile off a bridge into the water, which resulted in Miss Kopechne's death despite his effort to save her by diving back again, and his failure to report the accident promptly to the authorities had been "irrational and irresponsible, and they were actions for which I take full and complete responsibility."

Assessment of Tragedy

But he said he did not believe the incident on Martha's Vineyard in Massachusetts the night of July 18, 1969, posed the same kinds of tests that he had met in 17 years in the Senate and that he would face if chosen President.

He said he had met the issues of war and peace in public life since Chappa-

Continued on Page A14, Column 1

Kennedy Doubts Chappaquiddick Would Prove

Continued From Page A1

quiddick and "have felt no hesitancy about involving myself in them and taking stands on many of them."

Seated in a high-backed colonial chair in his Senate office, Mr. Kennedy appeared tense and occasionally swept by emotion as he described the 10-year-old trauma. Though his recollections were largely the same as his earlier testimony, he disclosed for the first time that he had ordered two long-time friends who were with him that night, Joseph H. Gargan and Paul Markham, not to report the accident to the police "because I was the responsible person in the accident and I felt I should report it."

He also firmly rejected the suggestion that a new inquiry into Chappaquiddick would lay to rest any of the doubts about the incident.

Though the 47-year-old Massachusetts Democrat has said that he is not a candidate for the Presidency, it became clear in today's interview that he was willing to deal with Chappaquiddick in a new way.

He said that in the near future he expected that he "will be asked about the incident in a public forum or in a public way" and that he would continue to address himself to the matter as often as necessary because he had resolved on "a continued involvement in public life."

Today, he granted interviews on Chappaquiddick with The New York Times, The Boston Globe, CBS and ABC.

When asked whether he would go through this exercise again and again, he replied:

"I realize, since I remain in public life, I am going to be asked about it. And I will respond."

Mr. Kennedy agreed to be interviewed with the proviso that he and his staff would have an opportunity to review the questions in advance and that no electronic recording would be made of his remarks.

Entered Guilty Plea

Six days after Miss Kopechne died, Senator Kennedy, pleaded guilty to a charge of leaving the scene of an accident. He received a two-month suspended sentence, was placed on probation for one year and had his driving license suspended for 12 months.

The presumed political liability of Chappaquiddick extended through two Presidential campaigns, 1972 and 1976. Senator Kennedy, resisted pressure from some leaders of his party to seek the Presidency. Some of his friends said that one of the major factors underlying his resistance was the incident at Chappaquiddick.

In the last few weeks, movements have

JULY 18, 1979

to Be Fatal Blow to Him

been mounted in 15 states to draft Senator Kennedy for President. The list includes nearly all the states holding early and critical primaries and caucuses in 1980, including New York, New Hampshire and Massachusetts.

Last week, The New York Times/CBS News Poll canvassed 1,192 persons of voting age across the nation. The Democrats in that group, asked for their Presidential choice, preferred Senator Kennedy by a wide margin — 53 percent for Mr. Kennedy, 16 percent for President Carter and 7 percent for Gov. Edmund G. Brown Jr. of California.

Chappaquiddick Remembered

The same poll asked three questions that pertain to Mr. Kennedy's behavior at Chappaquiddick. The poll, taken on July 9, 10 and 11, found that 10 years later 80 percent of the respondents remembered Chappaquiddick. Of that 80 percent, 23 percent said they were "less likely to vote" for Mr. Kennedy as President because of Chappaquiddick.

The 23 percent represented a sampling that included significant numbers of Republicans and others who might not have voted for Mr. Kennedy in any event. This same poll also gave Mr. Kennedy higher marks than President Carter for showing "good judgment under pressure." Fifty-

five percent said Mr. Kennedy had displayed that quality, but only 40 percent said the same of Mr. Carter.

Analysts of the poll issued a caveat here, pointing out that the response should be measured against the fact that Mr. Carter has faced far greater pressures in recent months than Mr. Kennedy. The events of that July night at Chappaquiddick have been subjected to the scrutiny of not only the press but also "plumbers" of the Nixon White House, a secret group whose political activity precipitated the Watergate scandal; a limited police investigation; a brief court traffic hearing, a more detailed procedural hearing and an inquest.

Senator Kennedy has cooperated with all official inquiries and submitted, in 1974, to one detailed news interview on

in Presidency

the subject, conducted by The Boston Globe. Nevertheless, many people have said they do not believe they have been given the full account of Chappaquiddick. The parents of Mary Jo Kopechne said in an interview last week that despite two private meetings with Mr. Kennedy they do not feel that they know all the facts about how their daughter died. They were bitterly critical of the inquest into the death.

Controversial Testimony

The inquest also heard the controversial testimony of Christopher Look Jr., a deputy sheriff, who said that he saw Mr. Kennedy's car at an intersection near the bridge almost an hour after the time that Mr. Kennedy said the accident had occurred. In a 1976 investigation, however, The Associated Press reported that Mr. Look's account had been materially expanded in the retelling.

From the beginning there has been consistent criticism that Mr. Kennedy received favored treatment from Massachusetts police and courts.

In a review of published data and court records on Chappaquiddick, reporters for The New York Times focused on those aspects of the account that seemed the least resolved and went through them, point by point, with Senator Kennedy.

Senator Kennedy said there was no special significance in the fact that he had reported some details of the incident to the police and others on television six days later. He said the accident report to the police had already received wide distribution and that "the television statement that he made later had not really

been a chronology of events."

First Report to Police

He added that in his first report to the police, he did not mention the efforts of two friends (perhaps 30 to 40 minutes after the accident) to help him "see if the passenger was still in the car," because he had not wanted them to assume any responsibility, either for the accident, or for reporting it later. He told them, in fact, not to report the accident, that he would do it.

"And," said Senator Kennedy, "I had every intention of doing it. I was the responsible person in the accident, and I felt I should report it."

Senator Kennedy said there had never been any discussions between him and his aides about making up a cover story about the accident.

"Absolutely not," he said. "Absolutely not. The discussions were about reporting the accident, and I wanted to do that, and also to call Burke Marshall, who was a family friend."

In the interview it was noted that Mr. Marshall was also a family lawyer. Was the Senator seeking some legal advice, too?

"No," said Senator Kennedy. "I realized that late at night I would be calling the Kopechne family, that there were

probably other arrangements involving the tragedy that would have to be made."

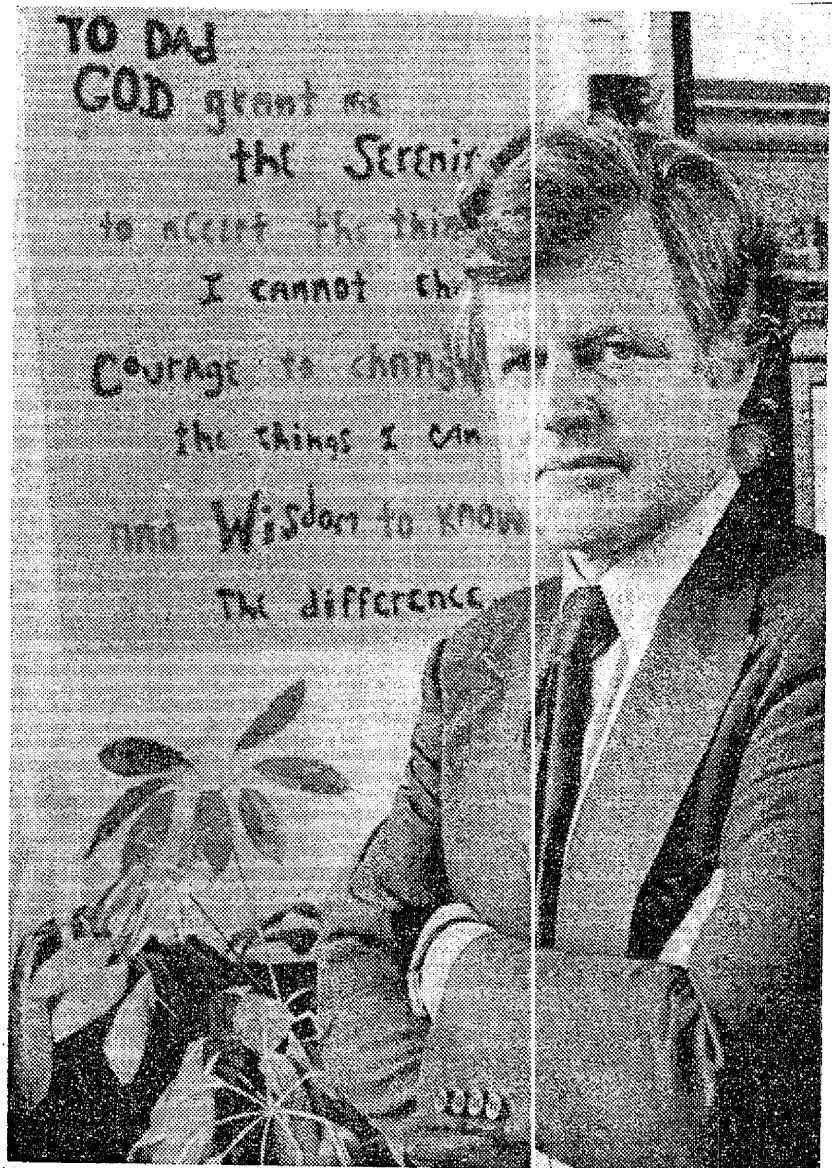
Senator Kennedy recounted his diving into the water near the ferry landing. To him, it seemed like "an easy swim." His aides did not try to stop him, he said, or go along with him to see that he did report the accident then and there.

"I have known Mr. Gargan for 35 years, Mr. Markham for 20," he said, "and they know when I say I am going to do something, that I am going to do it. And I don't think there was any doubt in their mind that I was going to report that accident, and there was no doubt in mine at that time."

But the swim was more difficult than he thought, he said. He said the tide was going out and, until he was about a third of the way across the channel, he thought he was going to be swept out to sea and he had the sensation, again, that he was drowning. Then he had the feeling that the current eased off and he made it to the other side.

From the beginning there have been charges that Mr. Kennedy received favored treatment from the police and courts of Massachusetts because of his political position and family background. But today he firmly rejected this notion, "I felt that each of the various responsible officials performed in a fair way," he said.

Mr. Kennedy went to Massachusetts that weekend to race his family boat in the Edgartown Regatta. After a day of sailing, he and 11 others (five married men and six single women, all of whom had been active in the Presidential candidacy of the Senator's brother, Robert F. Kennedy, in 1968) gathered at a rented cottage for a cookout. The cottage was on Chappaquiddick Island, separated by several hundred yards of water from the motels and hotels where the



The New York Times / George Tames

Senator Edward M. Kennedy at a break from an interview in his office in Washington. Behind him on the wall is an adaptation of a 1934 prayer by Reinhold Niebuhr, the theologian, given to the Senator by one of his children.

group was staying at Edgartown.

Mr. Kennedy has testified that about 11:15 P.M. on July 18 he was leaving the party, intending to drive his car to the Edgartown ferry. He said that Miss Kopechne had asked if she could accompany him.

Car Flipped Off Bridge

Mr. Kennedy told the inquest that he had set out for the ferry, made a wrong turn and found himself on a dirt road that led him unexpectedly to a bridge. The car, he said, flipped off the bridge, known locally as Dyke Bridge, and landed on its top in six to eight feet of water. The Senator testified that he did not know how he got out of the car.

The question of the amount of alcohol that was consumed at the party has been a key one both in the news accounts and at the inquest, because if Senator Kennedy drove off the bridge in a state of intoxication, he could have faced charges of criminal negligence or manslaughter.

At the inquest, all those who attended the party, which lasted about four hours, testified that there had been only moder-

ate drinking, one or two drinks apiece, and that everyone, including Senator Kennedy and Miss Kopechne, had been "sober."

In his legal finding in 1970, Judge James A. Boyle of the Edgartown District Court did not concentrate on Mr. Kennedy's drinking. Instead he said he had found "probable cause" to believe that the Senator had operated his vehicle negligently by driving at a speed, 20 miles an hour, that was "reckless" on the dirt road and wooden bridge at Chappaquiddick Island. It was also clear that Judge Boyle did not believe Mr. Kennedy's account that he had made a wrong turn onto the road while traveling to the Edgartown ferry and suggested that the Senator might have made an intentional side trip.

Rescue Attempts

Senator Kennedy said at the inquest that he had been able to free himself from the submerged vehicle and that he had then dived repeatedly in an attempt to free Miss Kopechne. After these rescue attempts, he said, he went for help, in the

persons of Mr. Gargan and Mr. Markham.

Both Mr. Kennedy and Mr. Gargan admit that the actions in the following minutes and hours are the ones that are difficult to understand. In an interview in his Boston office recently, Mr. Gargan said with some emphasis:

"You're going to have to read that inquest testimony again. I said it all. That was the story then. It was the truth then. It is the truth now, despite the fact that people don't like it, don't want to believe it, it's the truth. The press has made up stories, writers have written fanciful books. But what we said happened, happened."

Even so, Senator Kennedy said he was not sure that 10 years later memories would be any clearer. "I certainly testified fully and completely at that inquest," he said, and he added that he had also talked with the Kopechne family.

Told that Mr. and Mrs. Kopechne still feel they don't know "the full story of Chappaquiddick," Senator Kennedy said, "I would just say, as someone also who has lost members of their family in tragic circumstances, it is indeed difficult to live with those losses and live with those realities. He continued:

"Why a father (Robert F. Kennedy) would be taken away from his 11 children, all of whom needed his love and affection, and why, in the case of John Kennedy, why at the time, when I personally felt he was making such a difference in terms of the lives of the people of this country and people throughout the world, should his presence be erased?

"One can spend one's life thinking of a whole scene or scenario of different potential plots from 1963, but I have accepted the Warren Commission's final judgment. I try to devote my energies to the more positive and constructive forms of life."

Senator Kennedy said that after Chappaquiddick, he had experienced "a greater re-examination of my own life, my own values, the importance of family, faith, the question of continuation of involvement in public life."

"And through this," he went on, "because of the tragedy, I reached the decision and determination that there was no turning back on life: There was really only the opportunity for continued involvement in some sort of constructive contribution to the lives of our fellow human beings."

"The incident," he said, "will never disappear no matter what my future may bring," adding, "But I realize this will probably open up the opportunities for the raising of this issue."

What happened, according to a statement Senator Kennedy made in the 1974 interview with The Boston Globe, was "irrational and indefensible and inexcusable and inexplicable."

He admitted, "A number of things could have been and should have been done." He said he did not see lights in two houses near the bridge where he might have reported the incident. He said he should have told the people at the party about the accident. He said he could have tried to alert others on the Chappaquiddick side. He said he should have looked for a boat or called the ferry instead of swimming across the channel to the Edgartown side. And he said that he could have reported the accident after he got to Edgartown.

But he did not. Why not? He says he was suffering from shock and, by his own testimony at the inquest, he was not in good touch with reality, even as late as 9 the next morning, when he saw Mr. Gargan and Mr. Markham.

Senator Kennedy said at the inquest: "Well, they asked, had I reported the accident, and why I hadn't reported the accident; and I told them about my own thoughts and feelings as I swam across that channel and how I was [sic] always willed that somehow when they arrived in the morning that they were going to say that Mary Jo was still alive. I told them how I somehow believed that when the sun came up and it was a new morning that what had happened the night before would not have happened and did not happen."