

# Mary Jo's Rescue Thought Possible

By JACK ANDERSON

Editor's note: Anderson is an associate of columnist Drew Pearson.

WASHINGTON — The preliminary investigation into the drowning of Mary Jo Kopechne has raised an agonizing question that will haunt the Kennedy inquest this week. Could Mary Jo have been rescued from the bottom of Poucha Pond if Sen. Ted Kennedy had only rushed to the nearest house and banged on the door for help?

John Farrar, the diver who removed Mary Jo's body from the submerged car, has told authorities that "a large amount of air would have initially been trapped" inside the car. Had he been summoned immediately after the accident, Farrar declared, there was "a strong possibility that she would have been alive."

The Navy-trained diving expert gave his electrifying testimony and backed it up with a detailed diagram at a pre-hearing interrogation Aug. 20. He was questioned by Lt. George Killen, who has been assigned by the Massachusetts State Police to assist

Dist. Atty. Edmund Dinis with the Kennedy investigation.

Farrar described from his own measurements how the death car had hurtled off Dyke Bridge for a distance of approximately 36 feet and then dropped eight feet, hitting the water at a 45-degree angle. The momentum flipped it over, he conjectured, "bringing the car to settle upside down in the water."

"On impact," he said, "the water would have gushed through the two right windows. However, due to the vertical settling of the car, a large amount of air would have initially been trapped underneath the floor of the car."

He pointed to his diagram, which showed "a possible water level based on the way the car entered the water and settled." In his sketch, the air pocket was large enough to have sustained life for a while. The position of Mary Jo's body suggested, in his opinion, that she may have

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been trying desperately to take advantage of the last air.

He found the body in the right rear seat. Emphasizing again that the car was bottom up, he testified: "With respect to the seat, she was upside down. With respect to the water, she was right side up. Her head was cocked back, her face pressed into the foot well." This is where the air bubble likely would have formed.

"I found when I inspected the car under water," he added, "that there was no air within the occupants' section of the car. However, by the statement of John Ahlbum and Joe Cerpa when the car was first moved by cable or by winch, numerous air bubbles escaped from the car while still under water."

Farrar suggested that "Ted Kennedy could have escaped from the driver's window as it was the only one rolled down and by the roll of the car would have been the last window submerged. His door was locked, which could have occurred, incidentally, during his egress since the locking device was the button on the edge of the window."

Once out of the water, Kennedy could have reached nearby Dyke House in a matter of seconds. The house was occupied by Mrs. Pierre Malm, who has stated that her lights were on at the time of the accident.

"Had I received a call within five to 10 minutes of the accident occurring," declared Farrar, "and was able, as I was the following morning, to be at the victim's side within 25 minutes of receiving the call, in such event there is a strong possibility that she would have been alive upon removal from this submerged car."

Summarizing, Farrar gave five reasons why he believed that Mary Jo Kopechne

may have survived for several terrifying bottom of Poucha Pond.

"No. 1," said the diver, "the position of the car upon entering into the water, which I had deduced . . .

"The position of the submerged car on the bottom of the water. That is No. 2.

"No. 3, what I feel to be the consciously assumed position of the victim as distinguished from the prone position which, to me, was indicative of a person being consciously aware of the immediate situation in an attempt to save one's life by obtaining the last breath of air.

"Four, the fact that air bubbles emanated from the car upon removal by the wrecker two hours after I removed the victim from the submerged car.

"And 5, the fact that there was a large air void and lack of water in the car's trunk 10 hours after the accident was alleged to have occurred."

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It has now leaked out that Chief Justice Warren Burger, before his appointment, conferred with President Nixon on the urgent need for judicial reforms.

He told the President that court procedures drastically need to be overhauled, that legal education should be brought up to date, that prisons need a complete shake-up, and that the whole judicial system must be modernized. Burger would like to take the management of the courts out of the hands of the judges, for example, and put minutes, trapped in Kennedy's car at the professional administrators in charge.

The President encouraged Burger to go ahead with his reforms. Result: the new chief justice, a rock of Gibraltar conservative, is now planning the greatest liberalization of our courts since the dawn of the century.