

Ted's Career at Stake as His Lawyers Battle Inquest Rules

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EDGARTOWN — Sen. Edward Kennedy (D-Mass.) faced with what his friends consider a reputation-ruining judicial carnival, has given his lawyers the go-ahead to fight back with all the Kennedy might for his future.

Following the inquest-eve stay by Massachusetts Supreme Court Justice Paul C. Reardon, the powerful Kennedy team of attorneys today began a research project designed to show once and for all that Massachusetts' tradition-bound inquest rules are unconstitutional.

The Kennedy legal forces went into action as the seven Supreme Court justices were notified the inquest of Mary Jo Kopechne's death is now in their hands.

Publicity

Justice Reardon heeded the pleas in Boston yesterday of Kennedy attorney Edward B. Hanify that a "gathering crescendo of publicity, gathering every hour," was helping to destroy Kennedy's chances for a fair hearing at the scheduled inquest on Martha's Vineyard.

Hanify, long an intimate of the Kennedy family, said the inquest into Miss Kopechne's death July 18 was turning into an "accusatory proceeding" with efforts being made to escalate possible charges against his client, the 37 year old senator. He said the publicity "may well taint subsequent legal proceedings."

Hanify was appealing to the right man.

Justice Reardon is the author of a controversial report debated by bar associations, judicial conferences and



"WHAT DID I DO WRONG?" EDMUND J. DINIS SEEMS TO ASK

District Attorney (center) scratches head in elevator on leaving court

—UPI Photo

newspapers all over the country, that would all but bar pre-trial publicity in criminal cases and put other restrictions on reporting on criminal suspects.

Warning

Justice Reardon, who also wrote "Fair Trial—Free Press" admonished all parties connected with the case to "mind their conduct and statements."

The justice said anyone "whose conduct does not conform to these ethics will be properly dealt with."

The Kennedy attorneys fought last Thursday to insure that District Judge James A. Boyle, presiding over the inquest, would give Kennedy and his friends the right to cross-examination and other constitutional safeguards that apply in regular court proceedings.

The inquest system has been replaced in many states by a medical examiner system but the tradition in Massachusetts goes back to colonial times and a snakes' nest of rulings remain on just how

inquests should be carried out in the Bay State.

Hanify, assisted by other Boston lawyers and local Edgartown attorneys, hopes to set a precedent at the Kopechne inquest that will provide guidelines for all future inquests.

Reluctance

The senator himself was reported to have been reluctant to pursue this course, which effectively delays the inquest.

Friends had begged him originally to fight the charge of leaving the scene of an accident, which was laid against him because he went nine hours before reporting the pretty blonde's death in a car he drove off a bridge on Chappaquiddick Island.

Overruling some of his legal advisers, Kennedy pleaded guilty July 25.

Kennedy had hoped that would be the end of it. But the press continued its questioning and District Attorney Edmund Dinis demanded and was granted an inquest.

The date of the inquest in

the 137-seat court here now is uncertain.

The Massachusetts Supreme Court, whose clerks are also busily studying the tangle of legal precedents, could meet in special session within a few days. The temporary restraining order, granted by Judge Reardon could continue until sometime in October when the next session of the court meets.

State Attorney General Robert R. Quinn estimated it would take "at least two weeks to prepare for argument."

The October calendar is already packed and there is speculation the hearing on Kennedy's appeal might go over to the November docket.

Lawyers here do not feel the inquest would be badly damaged by a delay. Most of the local witnesses are townspeople who have lived in Edgartown for years and the five women and four from out of town have agreed to make themselves available.