

# Grand Jury Unsure of Power To Examine Kopechne Files

**Session April 6 Will Learn  
Ability to Study Report of  
Inquest and Other Data**

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BOSTON, March 27 — The grand jury convened in the death of Mary Jo Kopechne will not know the extent of its powers until after it goes into session April 6 in Edgartown, Mass.

A central question is whether the jury will be able to examine the transcript and report of a four-day closed inquest held in January by Edgartown District Court Judge James A. Boyle. All the inquest documents have been impounded, and ordinarily would not be made public until the possibility of criminal prosecution in the case had ended.

The 28-year-old Miss Kopechne, a Washington secretary, was killed last July 18 when a car driven by Senator Edward M. Kennedy plunged off a low bridge into a tidal pond on Chappaquiddick Island off Martha's Vineyard. Senator Kennedy, a Democrat of Massachusetts, and Miss Kopechne were in a group of 12 persons who had attended a cookout on the island.

The accident, which occurred at night, was not reported until the following morning. Mr. Kennedy subsequently pleaded guilty to leaving the scene of an accident and was given a two-month suspended jail sentence, placed on probation for a year and had his driver's license suspended for a year.

The special session of the grand jury was ordered yesterday by Chief Justice G. Joseph Tauro of the Superior Court. The session was requested by District Attorney Edmund L. Dinis of Dukes County after he had been asked to do so by Leslie H. Leland, the jury foreman.

### 'Duties and Responsibilities'

Mr. Leland, a druggist in Vineyard Haven, said last night he had requested the session "because I feel that I have duties and responsibilities as the foreman of this grand jury, and I intend to exercise them."

Mr. Leland disclosed that he had also asked Mr. Dinis to determine the answers to five questions. Among them were whether the grand jury could examine Judge Boyle's report of the inquest and other documents in the case, and what power the grand jury possessed in a case of this kind



Associated Press

**Leslie H. Leland, druggist who is foreman of grand jury, requested new session.**

Those questions, it was explained today, have not been answered, and presumably will be redirected to the judge, assigned to preside for the grand jury session.

Judge Tauro is expected to name the judge Monday.

A grand jury in Massachusetts has broad powers to call witnesses and to subpoena records, but as a practical matter these powers are difficult to exercise without the consent of the presiding judge.

### Inquest Records

It was not even certain today whether the judge sitting at the grand jury session could decide the question concerning the impounded inquest records.

The impounding order was issued by the Supreme Judicial Court of Massachusetts, which limited inspection of the documents to Massachusetts Attorney General Robert H. Quinn, District Attorney Dinis and counsel for any persons named in the inquest report as having "actual or possible responsibility" for Miss Kopechne's death.

To obtain these records, a legal expert said today, the grand jury might be required to petition the Supreme Court directly.

Meanwhile, the United Press International reported that Judge Boyle had recommended "further legal action in connection with the accident" in his inquest report.

The news agency said that Judge Boyle had called for "further process" but had not said what course of legal action he had in mind