

Kopeczne Jury, Enjoined to Secrecy, Opens Inquiry

By HOMER BIGART

EDGARTOWN, Mass., April 6 —A grand jury of 10 men and 10 women, sternly enjoined to secrecy, opened today an investigation of the death of Mary Jo Kopeczne. The jury began calling witnesses this afternoon.

Superior Court Judge Wilfred J. Paquet addressed the panel for more than an hour, stressing the jury's subservience to the court. He told the jurors they were "both a sword and a shield," not only "the terror of criminals" but also the protector of the innocent against unjust prosecution.

Then at 11:20 A.M., District Attorney Edmund Dinis told the judge: "we are ready to deliberate."

Miss Kopeczne drowned last July 18 when a car driven by Senator Edward M. Kennedy plunged from a narrow bridge into a tidal pool at Chappaquiddick Island.

Secrecy Is Criticized

Before the jury reconvened, some of its members had expressed criticism of the secrecy imposed by the Supreme Judicial Court of Massachusetts on the findings of an inquest last January. The jurors said that they were ready to initiate an entirely new investigation if the transcript of the inquest was withheld from them.

Apparently the jury wasted no time today. The taking of testimony began this afternoon. Two witnesses who had never before been questioned in this case were seen emerging from the courthouse. It was learned that the first witness was Mrs. Nina L. Trott, who last summer was reservations manager at the Shiretown Inn where Senator Kennedy stayed on the night of the drowning.

Tells of Questions

Miss Trott said that the District Attorney and several members of the jury had asked her if she had seen Senator Kennedy return to the hotel after the drowning.

"I told them that I had not seen Senator Kennedy," she said. "I had finished work at midnight."

Miss Trott lives across the street from the Shiretown Inn. She said that she was probably asleep at 2:25 A.M.

According to Russell Peachey, a co-owner of the inn, Senator



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Leslie H. Leland, jury foreman, going to courthouse in Edgartown, yesterday.

the grand jury was an accusing body, hearing only the prosecution's side of the case, it must protect the innocent from unfounded charges by never disclosing "one single thing" that went on in the jury room.

'Lips Are Sealed'

"Your lips are sealed," the judge said, "and I don't mean for a day. I mean forever."

The judge suggested that the jurors employ this "norm" in determining whether to return an indictment or a no-bill: Each juror should ask himself whether the evidence he heard would convince him of the defendant's guilt if that evidence remained "unexplained and uncontradicted." "You do not indict a man on suspicion or bias," he said. He cautioned that the jury

must shield the innocent from "public clamor and private malice."

After the drowning of Miss Kopeczne, a Washington secretary, Senator Kennedy waited nine hours before notifying the police. He explained that he was in a state of shock. Pleading guilty to leaving the scene of an accident, he was given a two-month suspended sentence. His driver's license was suspended for a year.

This grand jury investigation will decide whether Senator Kennedy should be indicted on a graver charge: negligent driving or perhaps even manslaughter. If the jury receives the transcript of the January inquest, it could also indict for perjury one or more witnesses who appeared at that proceeding.

ers he had told the jury he knew of no such flight.

After this start, the jury adjourned until tomorrow.

Judge Paquet, 67 years old, a burly man of French-Canadian and Irish ancestry, stressed the need of secrecy in his instructions to the jury. This part of the proceedings was open. About 40 reporters including seven Britons half filled the gallery of the sunny courtroom. Only half a dozen citizens of Martha's Vineyard were present.

The judge invited to his bench the Rev. Donald Cousa, pastor of St. Elizabeth's Roman Catholic Church, who prayed that "prejudice be set aside" by the jurors and replaced by "justice and charity."

Judge Paquet said that since