

## Guy Wright

# Pressing Justice

Very well, my friends, you have heard many times from the judges and lawyers how the presence of the press contaminates a court of law.

All that scandal-mongering. All that sensationalism. All that publicity. There's just no hope for a fair trial.

Since last July, you've had a chance to see what happens when the judges and lawyers run the show their way.

I refer to the case involving Ted Kennedy and the late Mary Jo Kopechne. And I leave it to you to decide whether locking out the press and letting judges and lawyers work in secret produces a purer grade of justice.

In the beginning, you'll recall, Kennedy pleaded guilty to a charge of leaving the scene of an accident.

That was a quickie proceeding, the barest whiff of a proceeding at all, with the local squire not about to ask the visiting nobleman any tactless questions.

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A YOUNG WOMAN was dead under circumstances that cried for investigation, but the case was treated like a minor traffic violation.

And no judge protested.

No bar association objected.

Only the press cried out.

Early in the drama, too, Kennedy went on television to tell his story. For our purposes that self-serving performance was memorable only in a tangential way.

It pointed up the fact that most people in a jam are willing to use publicity, if they can control it. It isn't the publicity they fear. It's those embarrassing questions reporters ask.

If the judges and the lawyers had prevailed, Kennedy's quickie plea would have closed the case. Only the press kept it alive.

And so, belatedly, very, very belatedly — so belatedly that the delay itself damns

the legal system — an inquest was held in January, six months after the woman died.

It was made a secret inquest. Those pesky reporters, you know.

The judicial customs and traditions of the Commonwealth of Massachusetts were wrenched out of joint to bar the press from that inquest.

And that's how the judges and lawyers would really prefer to function. A star chamber proceeding is so much easier for all concerned, once you persuade yourself that justice is no concern of the public.

The press should be barred from the inquest, we were told, because letting newsmen report the testimony in dribbles might give the public the wrong impression. And surely it is better to keep the public totally ignorant than to risk giving it a wrong impression.

Once the inquest was complete, reporters might be given a look at the stenographer's transcript.

Is that a promise, your honor? Well, maybe. Perhaps. We'll talk about it later.

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THE FACT is that the transcript has not yet been released.

Even the grand jury — another tardy and tepid attempt to exorcise Miss Kopechne's ghost — was not allowed to see that transcript.

That grand jury hearing was an even more shameful charade than the inquest. The few witnesses called had been carefully screened to make sure they knew nothing.

But again no judge protested. No bar association objected.

So much for leaving the courts to the judges and lawyers.

If you ever learn the truth about Chappaquiddick Island, it will come from the initiative of the press, not from men who prefer to wrap justice in secrecy.