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# Court Orders Ouster of Shaw Trial Judge

## Commission's Removal Ruling Upheld; Appeal Expected in Sex Party Case

NEW ORLEANS (AP)—Judge Edward A. Haggerty Jr., who presided at the Clay L. Shaw conspiracy trial, was ordered removed from office Monday by the Louisiana Supreme Court in a 6-1 ruling stemming from Haggerty's arrest in a vice raid a year ago.

However, the judgment was not made final pending an appeal by Haggerty for a rehearing.

The court upheld the State Judiciary Commission's recommendation that Haggerty be dismissed for "public misconduct off the bench . . . so seriously delinquent as to bring disgrace and discredit upon the judicial office."

Haggerty was among 17 persons arrested Dec. 12, 1969, at a stag party at a motel. That was several months after he presided over the lengthy trial of Shaw, who was found innocent of conspiring to assassinate President John F. Kennedy.

### Innocent of Charges

Haggerty was found innocent of all charges stemming from the arrest after Judge Matthew Braniff heard his case without a jury and threw out most of the state's testimony. The charges included soliciting for prostitution, obscenity and resisting arrest.

The Judiciary Commission launched its investigation after the arrest and said Haggerty should be removed "on grounds of willful misconduct."

Haggerty, 56, had argued there was no indication any off-bench activity ever affected his behavior



Edward A. Haggerty Jr.

on the bench. One of his attorneys, Robert Ziblich, said he intended to seek a rehearing.

Although the judicial commission's investigation was sparked by the vice raid, some of its subsequent accusations stemmed from alleged conduct not related to the stag party.

### 'Failure' on Job

Among specific allegations by the commission were willful and persistent failure to perform duties, being habitually intemperate and frequently appearing in public intoxicated, having physical disabilities that seriously interfere with performance of duties, and two separate charges of willful misconduct.

The Supreme Court upheld the commission, saying:

"There is no doubt but that the conduct and activities alleged and established by the record constitute violations of the standard of conduct required of a judge by both the Constitution and the

"The conduct as constitutionally condemned and denounced is not 'misconduct in office' it is 'misconduct relating to office.'"

"To consort with public gamblers and criminal characters, engage in heavy, habitual drinking in public, promote and be a part of a scandalous and sordid party in the company of prostitutes such as that held at the motel, resist arrest and engage in fistcuffs with arresting officers, are hardly things to put the judicial branch in good repute."

### Performance Praised

In dissent, Chief Judge Joe B. Hamiter said, "While I do not and cannot approve or condone the alleged illegal and, perhaps, immoral conduct of Judge Haggerty, I do not find that it has interfered in any manner with his handling of the dockets and cases under his jurisdiction."

A witness had testified that Haggerty brought a sack of sex films to the party and when he discovered that the "chairman of the girls committee" had fallen down on the job went out and brought back three women.

The witness also testified that the judge, after watching several movies of various sexual antics, stood and cried: "Why go on watching film when we have the real thing?"

The witness said he had a tiny radio transmitter with which he sent police a broadcast of the goings on, but Judge Braniff said the radio transmissions could not be admitted as evidence.

He ruled police got no authorization to "bug" the party and consequently knew about it only on the basis of illegal radio transmission, which meant they had no right to raid it.