

JUDGE IS CHARGED, WILL GO ON LEAVE

T.P. 1/17/70
Haggerty to Step Down
Until Case Tried

The district attorney's office Wednesday charged Judge Edward A. Haggerty Jr. with soliciting for prostitution, exhibiting "sexually indecent" motion pictures, and resisting arrest in bills of information filed in Criminal District Court.

The judge, who presides over a section of Criminal Court, announced a short time later through his attorney, Robert Zibilich, that he was beginning his annual vacation immediately.

Zibilich reiterated his contention that Judge Haggerty is innocent of the charges. He said he will move immediately for a speedy trial.

The charges, growing out of a Dec. 17 police vice-squad raid on an alleged "stag show" at the DeVille Motel, 3800 Tulane Ave., were filed about 11 a.m.

DA CONSULTED

In filing the charges, the DA's office bypassed several other courses of action. The charges could have been referred to the Orleans Parish Grand Jury, or to Municipal Court. The DA's office also could have rejected the charges.

First assistant DA James L. Alcock and assistant DA John P. Volz said that DA Jim Garrison, who is recovering from back surgery, was consulted before a decision was made.

Sixteen other persons were arrested either during the raid or following it.

Alcock said that other charges will be filed at a later date. Alcock signed the charges against Haggerty.

CHARGES LISTED

The alleged offenses, which are all misdemeanors, and the possible penalties follow:

—Willfully and unlawfully soliciting, inciting, directing and transporting Janelle Vincent, 21, Wanda Norman, 38, and Jean Clemens Shipp, 32, with the intent to commit prostitution. The

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penalty is a fine of not less than \$100 or imprisonment for not more than six months or both.

—Resisting arrest by police officers P. Melancon, R. Pence and Richard Siegel. The penalty is a fine of not more than \$1,000 or imprisonment for not more than one year or both.

—Unlawfully exhibiting and displaying lewd, lascivious, filthy and sexually indecent motion pictures with the intent to appeal to the prurient interests of the average person. The penalty is a fine of not less than \$100 nor more than \$500 or imprisonment for not more than one year or both.

COUNTS REFUSED

Charges of simple battery against police officers and conspiracy to commit obscenity were refused by the DA's office on the ground that they were covered in the accepted charges.

Zibilich's statement on behalf of Judge Haggerty follows:

"I have today conferred with Judge Haggerty, as well as with Judge (Bernard J.) Bagert, the senior judge of the Criminal District Court, and some of Judge Haggerty's brother judges of the criminal bench, and have been authorized to issue the following statement.

"After conferences with Judge Bagert and other Criminal District Court judges, Judge Haggerty has decided that under the circumstances it would be proper for him to take his annual vacation, effective immediately.

"He believes that the administration of justice can be better handled during the pendency of the charges against him if he is not sitting as a judge at that same time. We reiterate here and now the fact that Judge Haggerty is innocent of any of the charges pending against him, and we are fully confident that after a full hearing on this matter he will be

completely vindicated. We are naturally not at liberty to discuss any of the facts of this case anywhere other than in a court of law.

"We intend to move immediately for a speedy trial so that Judge Haggerty may resume the bench at the earliest possible date."

WAS SHAW JUDGE

Judge Haggerty gained national prominence as a result of his presiding at the conspiracy trial of Clay L. Shaw. Shaw, accused by Garrison of conspiring to murder the late President John F. Kennedy, was acquitted by a jury on March 1, 1969.

During the raid the judge appeared to struggle with police and suffered a cut on the forehead. He presided over his section of court the day after the raid and has discharged his duties since then.

Haggerty has declined to discuss the case, but Zibilich, in a previous statement, described the affair at the DeVille as a "before-the-wedding bachelor party" for one of the other arrested men.

Zibilich said that persons at the party contributed \$5 for the liquor and motel rooms.

Sgt. Robert N. Frey, commander of the vice squad, took issue with the bachelor party claim.

GIARRUSSO'S ORDER

Frey said that the \$5 contributions were in reality admission fees, which would not be charged at a bachelor party.

Frey said that additional fees were requested for "live entertainment," and that prostitution was to follow at still another fee.

Police Supt. Joseph I. Giarrusso has said that he was not aware that Judge Haggerty was going to be at the motel. Giarrusso said that Sgt. Frey told him "there might be some officials there."

He said he instructed Frey

to take action no matter what officials were present.

Judge Bagert said that the Louisiana Supreme Court will be the final authority on any disciplinary action against Judge Haggerty.

Aaron M. Kohn, managing director of the Metropolitan Crime Commission, has called upon Judge Haggerty to resign.