

Judge Battle - Civil Rights Complaints against

JL, re Judge Battle

HW 4/10/80

These records are from 44-2831-7 and 44-30948-2. It has been so long since I made copies I no longer recall the purpose. It is clear that these FBI records also are in CRD files, from which we did not get them, but it is not clear that they are required to have been provided by CRD. I have two copies, so they are both attached. Both are Battle files.

Each has a left marginal note, "See Index." I find myself wondering why because ordinarily one does not have to be told to consult an index.

FBI

Date: 10/27/65

Transmit the following in AIRTEL (Type in plain text or code) AIR MAIL

Via _____ (Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, MEMPHIS (44-1607) (RUC)

SUBJECT: CHANGED
 DEPUTY (FNU) BONNANO,
 East Baton Rouge Parish,
 Louisiana, Sheriff's Office;
 UNSUB, Jailer, East Baton Rouge
 Parish Jail, East Baton Rouge,
 Louisiana;
 UNSUB, Jailer, Memphis Police
 Department, Jail, Memphis, Tennessee;
 JUDGE W. PRESTON BATTLE,
 Shelby County Criminal Court,
 Division 3, Memphis, Tennessee;
 DOUGLAS LANIER - VICTIM;
 CR
 (OO: New Orleans)

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fd 217

Re Memphis airtel to Bureau dated 10/25/65.

Enclosed herewith for the Bureau are four copies of LHM captioned as above with the exception of the fact that the word "Changed" is deleted and dated 10/27/65.

Enclosed for New Orleans are three information copies of the same LHM since allegations of victim LANIER pertain to incidents occurring in East Baton Rouge, Louisiana. One copy is being furnished for the U. S. Attorney at Baton Rouge.

No investigation is being requested of New Orleans.

One copy of LHM is being provided the U. S. Attorney at Memphis.

REC-75 MCT-2244-30744-2

1cc: AAG Civil Rights Division
 Form 6-94-11 10/29/65
 1 cc CIVIL RIGHTS UNIT

Investigation in Memphis was limited to interview of victim who claims no mistreatment.

- 3 - Bureau (Encs. 4)
- 1 - New Orleans (Info) (Encs. 3)
- 1 - Memphis
- RJL:beb (5)

OCT 29 1965

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

16

ST



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Memphis, Tennessee
October 27, 1965

RE: DEPUTY (first name unknown) BONNANO,
East Baton Rouge Parish, Louisiana, Sheriff's Office;
UNKNOWN SUBJECT, Jailer, East Baton Rouge Parish
Jail, East Baton Rouge, Louisiana;
UNKNOWN SUBJECT, Jailer, Memphis Police Department
Jail, Memphis, Tennessee;
JUDGE W. PRESTON BATTLE, Shelby County Criminal
Court, Division 3, Memphis, Tennessee;
DOUGLAS LANIER - VICTIM;
CIVIL RIGHTS

On October 25, 1965, the following letter was received
by the Memphis Division of the FBI:

"Mr. Hugo Winterrowd
Agent in Charge F.B.I.
Federal Bldg., No. Main
Memphis, Tennessee

"Saturday
23-Oct-65

"Dear Sir:

"I, Douglas Lanier, in the Shelby County Jail, wish to
see an agent from your office in regards to rights violations
and possibly worse since more than one state is involved, as
I see it. It is a matter for the Federal Government now.

"Sincerely yours,

"Douglas Lanier /S/

On October 26, 1965, Douglas Lanier was contacted at
the Shelby County Sheriff's Office Jail, Memphis, Tennessee, and
furnished information set forth hereinafter.

ENCLOSURE

44-30941-2

FEDERAL BUREAU OF INVESTIGATION

Date October 27, 1965

DOUGLAS LANIER was contacted at the Shelby County Sheriff's Office Jail, Memphis, Tennessee, and furnished the following signed statement:

"Memphis, Tenn.
Oct. 26, 1965

"I, Douglas Lanier, make the following voluntary statement to Ralph J. Liewer and Andrew M. Polumbo who have identified themselves to me as Special Agents of the FBI, U. S. Department of Justice. Mr. Liewer has advised me that this statement may be used in a court of law.

"I am twenty-six years of age and have earned a high school diploma. I am presently being held in the Shelby County jail, Memphis, Tenn. on a charge of grand larceny. My home prior to coming to Memphis was Baton Rouge, Louisiana.

"I have requested an agent of the FBI to contact me so that I might supply him with the following which I believe indicates a violation of my constitutional and civil rights.

"The first item of which I complain is illegal arrest in that I was arrested in Baton Rouge La. by Deputy Bonnano of the East Baton Rouge Parish Sherrifs department. This was at 8:50 P.M. on May 2, 1965 and by his own admission Deputy Bonnano knew of no warrant outstanding for me at that time. This admission was made in Shelby Co. Criminal Court, Division 3 on Oct. 20, 1965 by Deputy Bonnano. This was in Memphis, Tenn.

"The second item is that I was held from May 2, 1965 to June 10, 1965 in the East Baton Rouge La. Parish jail without being formally charged with any crime or without appearing before any magistrate or without any hearing of any kind. On several occasions I tried to make bond but was told making bond would be useless because I was being held as a fugitive wanted by various departments. When the Arkansas hold was dropped I was told I was being held as a fugitive from Memphis.

"The third item is that while I was held, as stated above,

10/26/65

Memphis, Tennessee

Memphis 44-1607

On _____ at _____

File # _____

by SA's ANDREW M. POLUMBO and
SA RALPH J. LIEWER:beb

Date dictated 10/26/65

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Detective Bonana took from me statements which he later used against me in court. At no time did he advise me of my right not to make a statement and later he admitted this in Shelby Co. Criminal Court, Division 3, Memphis Tenn. on Oct. 20, 1965.

"The fourth item of which I complain is that during my above-mentioned stay in jail my automobile was illegally searched by detective Bonnano and others. Neither my wife nor I had given permission to search my car. Evidence was obtained from this search which evidence served as the basis for the charges presently pending against me. Bonnano has stated in Oct. 20, 1965 in Div. 3, Shelby Co. Criminal Court, Memphis, Tenn. that he did search my car and did not have a warrant.

"The fifth item is that I was pressured into signing extradition papers while I was in jail in East Baton Rouge, La. This was done on June 8, 1965 by telling me that if I agreed to waive extradition, charges in Louisiana would be dropped. On the basis of this waiver I was extradited to Memphis Tenn. although no warrant was read to me in Louisiana or explanation made as to why I was being extradited. After I arrived in Memphis, Tenn. I was held 19 hours for investigation. I believe it illegal to extradite only to be held for investigation. During the above mentioned 19 hours I tried twice to make a telephone call and was denied the privilege by the jailer in Memphis city jail.

"The sixth item is that the warrant eventually read to me was defective because the date it was sworn out was the 23rd of April, 1965 and I was not even known to those people on the 23rd of April. The warrant did not show the date it was read to me according to my attorney.

"The seventh item is that at my preliminary hearing in Memphis I was not advised of my right to counsel.

"The eighth item is that the judge, W. Preston Battle, Shelby Co. Criminal Court Div. 3, in Memphis on Oct. 15, 1965 made statements showing he does not uphold the constitution of the United States. I complained of illegal extradition and judge Battle said it didn't make any difference if I was kidnapped or how I got here. I was here, and was held under a true bill of indictment. My attorney stated that my constitutional rights had been grossly violated and the judge said that just because a few of my rights had been violated did not mean he could turn me loose. The judge allowed that some evidence illegally (in my opinion) obtained could be presented in his court.

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"I am now represented by legal counsel and have been since about the 9th of July, 1965.

"I have read this Statement consisting of this and six other handwritten pages. it is all true. I have initialed each of the first six pages and each cross-out.
/S/ "Douglas Lanier

"Witness: Ralph J. Liewer - Special Agent
Federal Bureau of Investigation 10-26-65
Andrew M. Palumbo-Special Agent, F.B.I.
10-26-65."

The following is a description of DOUGLAS LANIER as obtained from observation and interrogation:

Name	DOUGLAS LANIER
Race	White
Sex	Male
Nationality	American
Date of Birth	March 14, 1939
Place of Birth	Burgaw, Pender County, North Carolina
Height	Six feet
Weight	165
Hair	Brown
Eyes	Brown
Military Service	Served United States Air Force, April, 1956 to November, 1958; received undesirable discharge at Shaw Air Force Base, Sumter, South Carolina
Air Force Number	[REDACTED]
Occupation	Salesman for Hunter-Built Corporation, 4319-21 St. Claude Avenue, New Orleans, Louisiana
Scars and Marks	None visible
Marital Status	Married
Wife	WILMA
Children	Two
Ages of Children	five and two and one-half years
Education	High school diploma
Last Residence	7240 Antioch Road, Baton Rouge, Louisiana

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FBI

Date: 11/1/65

Transmit the following in _____
(Type in plain text or code)

AIRTEL

AIR MAIL

Via _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, MEMPHIS (44-1614) (C)

SUBJECT: W. PRESTON BATTLE, Judge, Shelby County,
Court, Memphis, Tennessee;
GEORGE EDWARD DRAPER, Public Defender,
Shelby County, Memphis, Tennessee;
WILLIAM D. CHAYNES, Assistant Attorney
General, Shelby County, Memphis, Tennessee;
Lt. JAMES P. TALLEY, Police Department,
Memphis, Tennessee;
HAROLD WARD YATES - VICTIM;
CR

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Re Memphis airtel to Bureau 10/29/65.

Enclosed for Bureau are original and three copies of LHM
regarding captioned matter.

One copy of the above LHM is being furnished to the U. S.
Attorney, Memphis, Tennessee.

ENCLOSURE

3 - Bureau (Encs. 4)
1 - Memphis
JMB:beb
(4)

MCT-12

REC 58

10 NOV 1965

100-3-1000
LEI
NOV 12 1965

1cc: AAG Civil Rights Division
Form 6-94
1 cc CIVIL RIGHTS UNIT

Airtel _____

Teletype _____

A. S. D. _____

Spec. Del. _____

Reg. Mail _____

Approved _____

51 NOV 2 1965
Special Agent in Charge

Sent _____ M Per _____