

Jewish Standard

Remembering John Lennon

Slain musician's lawyer, Leon Wildes, shares stories about his client



After the fire 19, 20, 27

Cover story

All you need is love —

Remembering John Lennon



John Lennon, flanked by Leon Wildes and Yoko Ono, displays his new Green Card in this 1976 photo. BOB GRUEN

Dec. 8 marked the 30th anniversary of the death of John Lennon. The Jewish Standard asked Leon Wildes, the immigration attorney for Lennon and Yoko Ono, to share his reminiscences and reflections about his clients and friends. Michael Wildes, the former mayor of Englewood who is in practice with his father, shared some memories of his own.

and a good Jewish lawyer

LEON WILDES

Many years ago, I called my father, who lived in Olyphant, Pa., and spoke to him in Yiddish. "It is always a pleasure to speak to you, Leon," he said, "but why are we discussing your latest deportation case in Yiddish?"

I told him that the FBI was probably tapping my telephone calls as well as the calls of my famous clients, John Lennon and Yoko Ono; the government, for some unspoken reason, had concluded that the Lennons' presence in the United States should be terminated immediately, and I had been informed by my clients that our telephones were tapped. I then tossed in a suspicious term [in English] like "First Amendment" or "illegal wire tap" to keep our conversation salty. I explained to my understanding father that at least some hardworking elderly Jewish gentleman like him would have to be hired to translate the conversations, which would appear to be clearly in a suspicious foreign tongue. Why shouldn't an elderly Jew get the job?

Believe it or not, I did not actually know who John Lennon and Yoko Ono were when their manager, Alan Klein, and his attorney called to consult me about their immigration problem. They drove me to the Lennons' Greenwich Village digs, where I interviewed the cel-



Leon Wildes looks on as John Lennon and Yoko Ono declare the state of Nutopia, where there are no passports and immigration laws. They wave handkerchiefs in this 1972 photo to show they are surrendering as ambassadors. BCB GRUEN

ebrated couple. Lennon, who had a four-year-old British hashish conviction, which rendered him deportable and excludable from the United States, was here on a visit. His excludability had been waived for a limited time, but it could not be waived permanently and he was thus inel-

"The stuff was planted on me by a policeman from Scotland Yard."

—John Lennon

igible to apply for permanent residence, the only remedy generally available in such a deportation case.

Lennon was accompanied by his talented wife, Yoko Ono, and the purpose of his visit was to join her in proceedings to learn the whereabouts of Kyoko, her 8-year-old child from a previous marriage who had been spirited away by Ono's former husband and disappeared. Twice on the verge of receiving court orders awarding her custody of Kyoko, Ono was once again disappointed when her former husband again absconded with the child.

The U.S. immigration law prescribed that no person with a conviction of a "narcotics or marijuana" offense

could qualify for permanent residence status in the United States. If he were placed in deportation proceedings, Lennon would presumably have no remedy and would simply be removed from the country.

Lennon told me that although he had pled guilty to the offense in London, he was entirely innocent of any charge. "The stuff was planted on me by a policeman from Scotland Yard" who had done the same with "Mick" and "George," whose names were likewise unfamiliar to me. He had been tipped off that he might be next on the list to be arrested and was confident that there were no drugs in the apartment. The police came, allegedly bringing both the drugs and their dogs to sniff out the drugs, and arrested him. Lennon was advised to plead guilty and paid a fine.

He showed me the certificate of conviction, which noted that the substance in his possession was "cannabis resin." I asked him whether that was marijuana and he indicated it was "better than marijuana, it was hash." I told him that I would need to research the law in England at the time to determine whether there was something unusual about it that required a guilty plea from an innocent person. I also told him that I would have to research the definition of "marijuana" in the statute to determine whether it included hashish.

The questions that John and Yoko asked were so intuitive and profound that I concluded I was not the only lawyer being consulted. I told them that at this point they appeared to qualify for a rather long extension of their visitors' stay, because their purpose, locating Yoko's child and obtaining a court order for custody or visitation, was one of the most compelling reasons for extending a visit that I had ever heard. I explained that their attorney could apply for the extension without my help, and if all they wanted was an extension, they did not need me. I was more inclined to seek permanent residence status for John. They seemed to reply in unison as they said, "We need you."

It was important to Yoko that they be able to reach me whenever they needed to ask any question whatsoever. I explained that was possible except for the fact that I did not answer the telephone from sunset Friday evening to

Leon Wildes, senior partner of the Immigration Law Firm of Wildes & Weinberg, P.C., is adjunct professor of law at the Cardozo Law School, where he has taught immigration law for the past 32 years. On the board of the Hebrew Immigrant Aid Society (HIAS), he is a past national president of the American Immigration Lawyers Association and still in active practice in New York and Englewood, where his firm maintains offices. He has published five law review articles on new developments in the immigration law originating in the Lennon litigation and is working on a book describing the case, with a foreword to be written by Yoko Ono.

sundown Saturday. "I know about that. That's fine," said Yoko, and I then knew that I had been retained to represent them.

Thus began an exciting five-year process of representing this celebrated couple. Although there was no precedent for my opinion, I explained that the substance which he was convicted of possessing might not actually be the substance that the statute specified. I also explained that I thought that the British law might give me some clue into why he was urged to plead guilty despite the fact that John alleged the drug was "planted."

Yoko had been truthful with me. She did need continuous consultation, posing many profound and thoughtful questions, and the visit to the Lennons' Greenwich Village apartment was one of many to follow. She and John were most respectful and considerate of my religious observance, and invariably Friday afternoon or Saturday evening calls would begin with a question like "Is the Sabbath over? Can we speak now?"

I will never forget the call to our room in Grossinger's erev Rosh HaShanah, as I was leaving to escort my sons to the synagogue for services. The telephone rang and the operator said, "Some wise guy

on the phone says he is John Lennon and he must speak with you." I took the call, and he apologized profusely for calling so close to the High Holiday.

I approached my old friend, the district director of the Immigration and Naturalization Service in New York, and requested a six-month extension of stay. A day later, after assuring me that my clients were being granted a 30-day extension of stay as a courtesy to me, he said emphatically that no further extensions would be granted and that my clients should "get the hell out of the United States." After the month was over, John and Yoko were granted a two-week period to depart and, without notice, we were served with papers in the midst of that two-week period, canceling the two-week extension and charging John and Yoko with being overstays for a week. It took us two years of federal court proceedings to discover documents proving what had happened in the interim to cause such a shocking turn of events.

My approach to the case was to try to apply for permanent residence status for both John and Yoko. I knew that the government would reject most applications that we might file, but felt that once we entered the federal court level of review,

our case would have a better chance of success. I filed petitions for both John and Yoko as "outstanding persons in the arts or sciences whose presence in the United States is deemed by the attorney general to be in the national interest." Little did I know that the attorney general, John

Mitchell, was also the head of CREEP (the Committee to Re-elect the President) and that he had been advised by Sen. Strom Thurmond that deporting John Lennon would be the appropriate political action for President Nixon to solve an important political question. Lennon had made it



Leon and Michael Wildes flank Yoko Ono at the opening in 2009 of the Rock & Roll Hall of Fame Annex in New York. COURTESY MICHAEL WILDES

'We all share in that loss'

MICHAEL WILDES

Incredibly, and tragically, Dec. 8 marked the 30th anniversary of John Lennon's death. My family was truly privileged to have known him, and we have been forever changed by the experience.

Throughout the trials and tribulations he faced with my father by his side, John became a treasured member of our family, and I will always cherish the fact that he was invited to my bar mitzvah. My mother grew closer to Yoko Ono, who respected and admired her and our family's closeness. Around this time of year, at Chanukah, Yoko would send us beautiful gifts, including exquisitely presented fish in special wicker baskets. We were deeply touched that she took care to ensure that each fish was kosher. In turn, we

would send gifts to them for the couple's son Sean. My father recently met Yoko for a cup of tea; we continue to exchange personal handwritten holiday cards and still perform immigration work for people in her circle.

John and Yoko were both very respectful of our family's Shabbos and holiday observances. I answered the telephone many a time after Shabbos to hear his famous voice ask, "Is it over yet?" The restraint that he demonstrated, even in the face of an emergency, is just one small example of his generosity of spirit.

I smile when I think that my father had no idea who John was when he met him — and who could have imagined where that introduction would eventually bring them? Not a day goes by that I don't think of him and of the wonderful times we shared with John and his family. To this day, I shudder when I think of Yoko's terrible loss. He touched so many lives, and we all share in that loss.

Michael Wildes, Leon's son, is the managing partner of Wildes & Weinberg in New York and Englewood. He is a former prosecutor with the U.S. Attorney's Office in Brooklyn and the former mayor of Englewood.

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no secret that he opposed the Vietnam War as immoral, attracting crowds wherever he appeared, and Richard Nixon was pursuing the war as a political aim. The 1972 presidential election, in which Nixon was running for a second term, was to be the first one in which 18-year-olds could vote, making 18- to 21-year-olds a very important constituency. Also among the documents I later obtained from the government file, several years later, was evidence that the commissioner of immigration had intervened in the case and instructed the New York district director not to approve any application that might be filed by the Lennons. In typical Watergate fashion, Lennon was to be removed from the United States before he could influence newly minted voters, who had no desire to serve in Vietnam.

Because the petitions for outstanding artist classification for John and Yoko were not being adjudicated, I proceeded to court on the first occasion for an order of mandamus requiring the government to adjudicate the applications, and learned thereafter that the commissioner's office was forced to allow the adjudications to take place. That was the first of four federal proceedings required in the case.

Representing the Lennons in deportation proceedings was not like handling a typical case. However, once the petitions for outstanding status were granted, I was willing to present my case. Dr. Lester Grinspoon, the chief of psychiatry at Harvard Medical School, testified that cannabis resin is not marijuana and, conversely, marijuana is not cannabis resin. We also learned that the police officer who arrested Lennon was himself arrested in London for what the British call "perverting the course of justice," or planting drugs.

Lennon permitted me to pursue a lawsuit under the Freedom of Information Act in which I succeeded in making public a secret procedure by which deportation cases could be declared "nonpriority" and removal would not be required where there was serious hardship involved. Lennon himself won such status a few weeks before his deportation was canceled in court. He permitted me to pursue the case for other potential deportees who could not afford immigration court proceedings, and the remedy is still available today.

Ultimately, the U.S. Court of Appeals granted our case, reversing the previous deportation orders, and instructed the immigration judge to consider John's residence application without considering the British conviction, as we had argued. Oct. 9, 1976, Lennon's 40th birthday, was a fateful day in Lennon's life: It was his birthday, his deportation was reversed, and John and Yoko's son Sean was born. My late wife and I joined John in Yoko's hospital room that night before she gave birth and read through the magnificent decision that was to grant him the right to live permanently in the country and city he loved. As we took leave of Yoko, who was feeling uneasy, John asked her whether he could tell me why, throughout five and a half years of difficult litigation and emotional pressure, they stuck with me. "Leon, you are the only lawyer I can understand," he said, "the only lawyer that Yoko loves, and the best immigration lawyer in the world. But do you know why we stuck with you all these years? Because Yoko's Tarot card reader said stick with Leon. He will win the case for you." I was almost afraid to say "thank God for Tarot card readers."

The Lennons have been close to the Wildes all these years, and I have had the privilege to be with them at some of the most significant points in their lives.

The Torah, in some 34 separate instances, repeats its mandate to "love the stranger." That has been a byword in my professional life and has permitted me to be helpful to people like John Lennon and Yoko Ono. John Lennon's words to his son, Sean, were, "Life is what happens to you while you're busy making other plans." As the world observes his *yahrzeit*, his contribution to our lives is still heartfelt. We must cherish his legacy of love and peace. Just imagine.

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