

Leon Wildes, lawyer who fought John Lennon's deportation, dies at 90

Despite pressure from the White House and FBI, Mr. Wildes found loopholes that allowed the former Beatle and his wife Yoko Ono to remain in the United States

By Associated Press

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Leon Wildes, a prominent immigration lawyer best known for his fight in the 1970s to prevent John Lennon from being deported and enable the former Beatle to receive permanent residency in the United States, died Jan. 8 at a hospital in Manhattan. He was 90.

Mr. Wildes had been in declining health after several strokes, his son Michael Wildes said.

Mr. Wildes was a graduate of the New York University School of Law who co-founded Wildes & Weinberg in 1960 and, by the end of the decade, had gained enough stature to serve as president of the American Immigration Lawyers Association. His name would become part of musical and political history after an old law school classmate, Alan Kahn, called in 1972 and told him that Lennon and his wife, Yoko Ono, needed his help getting their visas extended.

Mr. Wildes agreed to meet with the couple at the Manhattan offices of Apple Records, the label founded by the Beatles in the late 1960s. But he did have one embarrassing confession about Lennon and his spouse.

“I have no idea who these people are,” he told Kahn, later saying he misheard their names as “Jack Lemmon and Yoko Moto.”

What Mr. Wildes initially thought would be a formality turned into a legal struggle. Lennon and Ono had moved from Britain to New York, trying to track down Ono's daughter from a previous marriage, Kyoko, whom her ex-husband had abducted.

Lennon and Ono also were active in the New Left politics of the time, opposing the Vietnam War and backing efforts to defeat President Richard M. Nixon in his bid for reelection. With the minimum voting age lowered from 21 to 18, Lennon's

plans included a 1972 tour of the United States that would potentially attract millions of young people.

As government files later revealed, some Nixon supporters feared that Lennon could damage Nixon politically. In a February 1972 memo sent to Sen. Strom Thurmond (R-S.C.) and a member of a Senate subcommittee on internal security, aides recommended a “strategic countermeasure,” terminating Lennon’s visa. (The government would also try to deport Ono, a Tokyo native, but she was granted permanent residency in 1973).

Thurmond forwarded the memo to Nixon’s attorney general, John Mitchell, whose deputy, Richard Kleindienst, contacted the Immigration and Naturalization Service. In March, the INS informed the British rock star that his visa would not be extended. Officials cited a drug bust in London in 1968, when Lennon pleaded guilty to possession of “cannabis resin.” Under U.S. law at the time, nonresidents faced deportation if “convicted of any law or regulation relating to the illicit possession” of narcotic drugs or marijuana.

Over the next two years, Lennon and Ono endured ongoing government harassment, with FBI director J. Edgar Hoover at times personally involved. Their phone was tapped and they were closely followed. Lennon would say the pressure helped lead to the temporary rift in his marriage. The musician left for Los Angeles in 1973 and embarked on what he called his “long weekend” of drinking and drugs, ending with the couple reconciling in 1975.

Meanwhile, musicians and writers and other public figures urged the government to let him stay. Letters of support were signed by everyone from Fred Astaire and Dick Cavett to Saul Bellow and Stevie Wonder. Bob Dylan composed a handwritten note praising Lennon and Ono as enemies of “this mild dull taste of commercialism” forced on the culture by the “overpowering mass media.”

When the couple held their first news conference to discuss the deportation order, the two pulled tissues out of their pockets and declared the birth of a new country, “Nutopia,” a paradise with “no land, no boundaries, no passports, only people.” As representatives of Nutopia, Lennon and Ono granted themselves diplomatic immunity.

Ono later apologized, Mr. Wildes would recall. “Leon, you have to understand. We are artists. We have a message,” she told him.

Mr. Wildes found a loophole in the immigration drug law after Lennon told his lawyer that he had been found guilty of possessing hashish, not marijuana (“Hash is much better than marijuana!” Lennon joked). Mr. Wildes also highlighted an obscure, unacknowledged government policy of “prosecutorial discretion,” under which officials used varying standards in deciding immigrant cases to pursue.

Meanwhile, the FBI’s targeting of Lennon ended after Nixon’s reelection in 1972 and the INS campaign to deport him began to lose momentum after the growing Watergate scandal led Nixon to resign in August 1974. By October 1975, Mitchell was among many former Nixon officials serving jail time, and Lennon was celebrating an extraordinary week of milestones. On Oct. 7, a federal appeals court judge in New York reversed the deportation order, citing the government’s “secret political grounds.” Two days later, on Lennon’s 35th birthday, Ono gave birth to their son, Sean.

For a final hearing, in July 1976, Mr. Wildes brought in writer Norman Mailer and actress Gloria Swanson, among others, to testify on Lennon’s behalf, and the INS granted the musician his green card. “It’s great to be legal again,” Lennon said after the hearing.

When President Barack Obama launched his Deferred Action for Childhood Arrivals program (DACA) for which some

When President Barack Obama launched his Deferred Action for Childhood Arrivals program (DACA), for which some children of immigrants were granted temporary relief from deportation, he drew upon reasoning similar to what Mr. Wildes had revealed on behalf of Lennon: prosecutorial discretion.

Rock stars, too, were affected. Mick Jagger, who also had been arrested in England on drug charges, was among those who found it easier to travel to the United States.

“I have in my passport a notation stating that the ineligibility of my visa is withdrawn ‘because of the Lennon precedent,’” Jagger said in a 2005 book, “Memories of John Lennon,” published upon the 25th anniversary of Lennon’s murder. “So I have him in my memory every time I enter this country.”

Leon Wildes was born March 3, 1933, and grew up in a small Pennsylvania community. He attended Yeshiva College as an undergraduate and became interested in immigration law after working with the Hebrew Immigrant Aid Society in the late 1950s.

He continued to practice law after his time with Lennon and was an adjunct professor for more than 30 years at the The Benjamin N. Cardozo School of Law. Mr. Wildes published articles in the Cardozo Law Review among other journals and wrote a book on the Lennon case, “John Lennon vs. the U.S.A.” (2016).

Mr. Wildes was married three times, most recently to Alice Goldberg Wildes. Survivors include two children; eight grandchildren, and five great-grandchildren.

An opera fan when he was young, he would become fully vested in the Beatles universe, to the point of using “Imagine” as music when a caller to his office was placed on hold. He appeared in the 2006 documentary “The U.S. vs. John Lennon” and attended some Beatles conventions, among them the Chicago-based Fest for Beatles Fans.

“I spoke there three times, and every time after I spoke, dozens of people came up, shook my hand and thanked me for what I had done for John Lennon,” he told Pennyblackmusic.co.uk in 2017. “And I learned from these wonderful people that it is really something to marvel about and to enjoy this beautiful music of the Beatles. I learned a lot about that kind of music, and now I favor it as well.”

CORRECTION

A previous version incorrectly identified the daughter of Yoko Ono as Kyoto. Her first name is Kyoko. The story has been updated.