

BIENVILLE SQUARE

Urination charges may be dropped

► Mayor Jones noncommittal on arrest of 81-year-old woman

By **ROBERT McCLENDON**
Staff Reporter

Mobile Mayor Sam Jones on Monday neither condemned nor condoned the arrest of an 81-year-old woman who urinated in Bienville Square downtown in what she said was a bladder emergency.

"That's at the officer's discretion. I don't make those calls," Jones said of the June 3 arrest by police. "I don't know all the circumstances that led up to it, so it would be difficult for me to second-guess the officer."

Meanwhile, Larry Wettermark, the city's attorney, hinted that the public lewdness charge against Lula Mae Battle might be dropped before it ever sees the inside of a courtroom.

"The city is not interested in prosecuting someone to full extent of law because they had an accident," he said.

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Charges may fall

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Wettermark emphasized the city's battle with public urination in Bienville Square, which he described as a serious problem. In the context of the ongoing complaints, Wettermark said, "The officer did absolutely what he should have done."

Still, Wettermark said that the city prosecutor's office hadn't yet heard Battle's story firsthand or spoken with her lawyer, who is Jay Casey.

Asked point-blank if the charges might be dropped, Wettermark said: "We'll see."

Battle was arrested after a police cadet saw her run into bushes next to the park's one-room police substation and begin to urinate.

Battle has said that she struggles with an incontinence problem.

She said that she felt an emergency coming on while she was in her bank, which is across the street from Bienville Square, but employees told her there was no restroom available to the public.

She was heading for the public restroom on the other side of the park, she said, but couldn't make it, so she tried to hide in the bushes.

She was booked into Mobile County Metro Jail after her arrest, and released on \$500 bail.

Casey said Monday that the city would almost certainly drop the charges rather than take his client, who will turn 82 before her Sept. 15 court date, to court in a highly visible and potentially ugly trial.

"We are not pleading her guilty to anything," Casey said. "There's no question; it's nonnegotiable."