

DEC 30 1986

DA to get 294 day in court

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Assistant city editor

Although Vic Feazell contends he was indicted in retaliation for launching an investigation into the many confessions of Henry Lee Lucas, he says his confrontational pattern of bucking the establishment started before he was elected McLennan County district attorney.

But while Feazell maintains his federal indictment came in the wake of his "stepping on the wrong toes too many times," federal authorities say he was arrested for accepting bribes, obstructing justice and violating racketeering laws.

The past year was one of triumph and tragedy for the 35-year-old prosecutor. A day after being indicted, arrested and handcuffed Sept. 17 on federal racketeering and mail fraud charges, Feazell sang country songs and preached against what he called the "beginnings of a police state" at a political rally to raise funds for his re-election.

On Oct. 31, a 38-page affidavit submitted by federal investigators to obtain warrants to seize items from Feazell was released. It charged Feazell with accepting bribes, violating federal election codes, threatening potential witnesses against him and illegally taping conversations in his office.

Four days later, Feazell was re-elected to his second term by gain-

ing 53.3 percent of the vote against Republican challenger Paul Gartner. Flashing the familiar symbol that has become his trademark — thumbs up with hands together as if shackled — Feazell, an ordained Baptist minister, praised God at his victory party.

Feazell attributes his problems to different activities: his victory in a lawsuit against a large Waco bank before he was elected; his stand against former policies of the Department of Human Services; his criticism of the Waco Independent School District in an incident involving the conviction of a school principal for child abuse; and "at least 20 more" incidents.

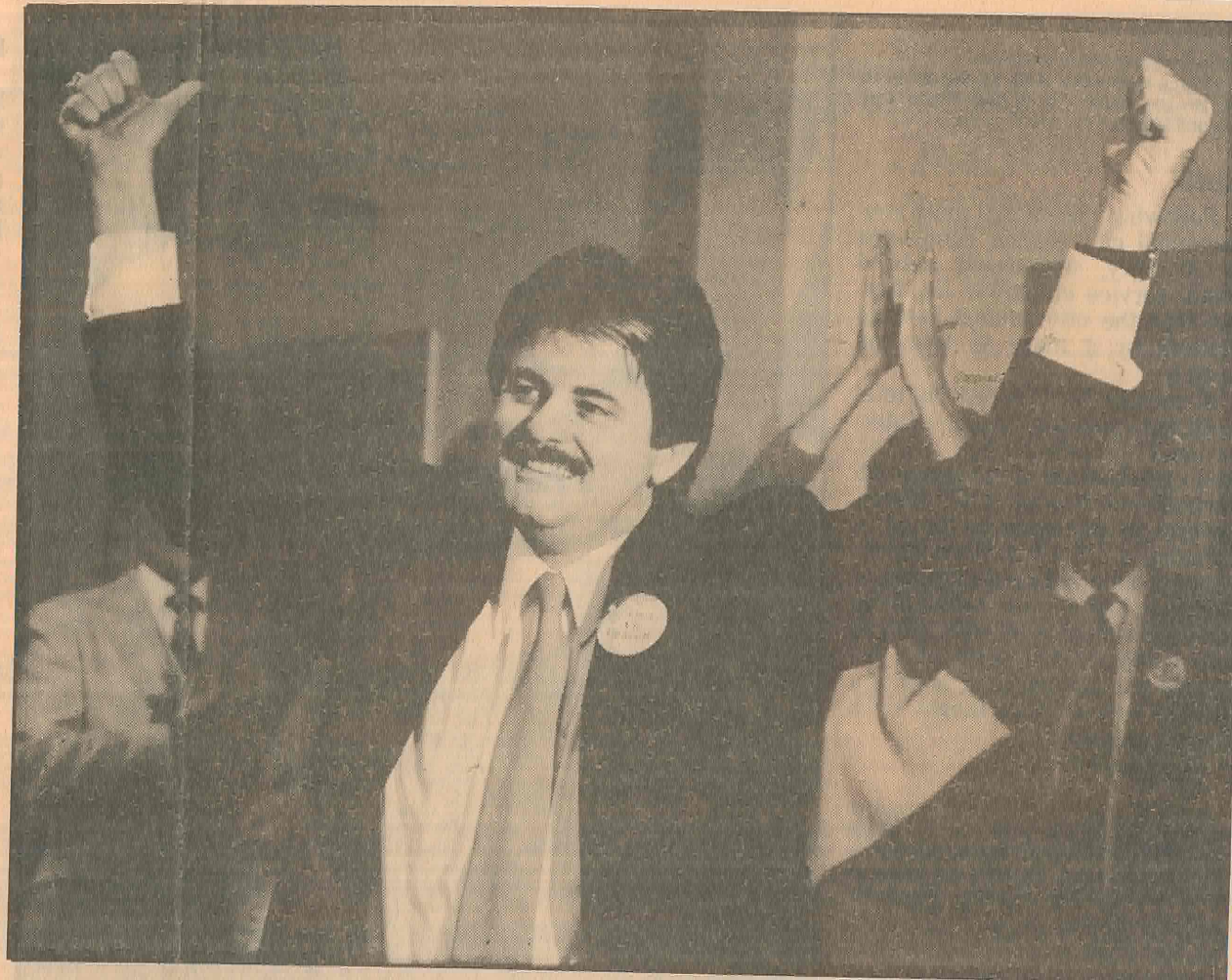
He says his actions illustrate his desire to "do what is right and not what is easy."

"I am the kind of guy who shows I do what is right time and time again," Feazell said. "The system is not accustomed to having an individual like me inside and they want me out. The only way to survive in the bureaucracy is to be mediocre, and I refuse to do it."

"You are supposed to turn a blind eye to the wrongs and to the abuses in the system in the government, and I cannot and will not do it."

Trial set for 1987

So while Feazell and his attorneys prepare to face his trial tentatively set for Feb. 2 in Austin, Feazell says he is trying to live



Vic Feazell celebrates his re-election in November

Staff photo — Rod Aydelotte

down 1986.

If convicted, Feazell faces 90 years in prison and a maximum fine of \$560,000. The indictment accuses Feazell of taking 14 separate bribes totaling \$19,360 between May 29, 1984, and April 10, 1985.

The indictment alleges Feazell instructed certain lawyers to increase legal fees charged to clients, a portion of which would be given to Feazell under the guise of a campaign contribution.

The federal grand jury investi-

gating Feazell in Austin continues to meet and several Waco attorneys, Feazell's assistants and former assistants and Waco businessmen have been summoned, some as recently as Dec. 18, to testify.

Reports continue to circulate that a superseding indictment against Feazell and indictments against Waco attorneys and others are forthcoming.

Feazell maintains that the indictment against him is in retaliation for a McLennan County grand

jury investigation into confessions made by convicted murderer Henry Lee Lucas. But Col. Jim Adams, director of the Texas Department of Public Safety, and federal prosecutors have said the investigation against Feazell began before the Lucas grand jury proceedings.

When asked to offer proof that the case against him is retaliatory in nature and not begun before the Lucas grand jury investigation, Feazell said "Come to the trial."

A CHRONOLOGY

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Jan. 7: Feazell meets with Attorney General Jim Mattox in Austin to discuss convicted murderer Henry Lee Lucas. They decide to combine effort to investigate Lucas' confessions and methods used by law enforcement officials to obtain those confessions.

April 11: A McLennan County grand jury begins an investigation into Lucas' confessions.

April 20: Feazell says his office has uncovered instances when the Texas Ranger Homicide Task Force investigation of Lucas was "unethical or improper."

May 15: Feazell says Jim Adams, director of the Texas Department of Public Safety, has ordered an investigation of Feazell. Adams would neither confirm nor deny he had ordered a DPS investigation, but said "no investigation is initiated unless there is a factual basis justifying one."

May 20: Feazell says Waco City Manager

David Smith authorized Waco Police Chief Larry Scott to conduct an investigation of Feazell.

July 2: Lucas no-billed by a McLennan County grand jury in three unsolved McLennan County murders.

July 15: Assistant U.S. Attorney Jan Patterson says a federal grand jury investigation of Feazell has been ongoing "for several months," but will not specify the allegations.

July 17: Feazell announces his bid for reelection and says he has hired Austin attorney Roy Minton to represent him. He later releases Minton and hires Tulsa, Okla., attorney Gary Richardson and Fort Worth attorney Jeff Kearney.

Dec. 3: Feazell lodges a formal complaint with the U.S. Justice Department in Washington, D.C., asking for an investigation of an alleged conspiracy to violate his civil rights.

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July 18: Waco attorney Don Hall is arrested in Austin for failing to comply with a grand jury subpoena. He later is released.

Aug. 18: A federal court clerk in Austin confirms that the term of the grand jury investigating Feazell expired with no indictments returned. The investigation is reported to have been passed to another grand jury, but federal officials will not confirm the reports.

Sept. 2-3: At least three former and current Waco law enforcement officials are subpoenaed to testify in San Antonio before a panel of three Justice Department attorneys investigating Feazell's complaints of alleged civil rights violations.

Sept. 16: A 12-count sealed indictment against Feazell is returned by a federal grand jury in Austin.

Sept. 17: Feazell is arrested and handcuffed by FBI and DPS agents outside his office and items are seized from his home, office car and

storage buildings.

Sept. 22: Attorneys representing Feazell seek to have returned materials, including tape recordings and a marijuana pipe, seized from Feazell.

Oct. 6: U.S. District Judge Walter S. Smith Jr. excuses himself from Feazell's case and transfers the case to U.S. District Judge James R. Nowlin in Austin.

Oct. 22: Nowlin allows Feazell to review tapes seized during his arrest to aid in his defense during a limited time in October and November. The judge later extended the time.

Nov. 4: Feazell defeats Republican challenger Paul Gartner, 23,838 to 20,863, to win re-election to his second term.

Dec. 22: Feazell seeks to have the case against him dismissed on grounds of alleged prosecutorial misconduct. He also files motion to have his case returned to Waco.