

# Grand jury refuses Lucas case action

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COVINGTON, La. — After a last-minute plea by the local sheriff, a special grand jury last week refused to act on charges that a detective who closed the books on four slayings by blaming them on Henry Lee Lucas had lied about evidence supposedly linking Lucas to the crimes.

The same grand jury earlier had tossed out the four murder cases against Lucas and had spent the past several weeks considering evidence that the detective, Edgar McGehee, 56, had falsified documents and given false statements to incriminate Lucas.

Early in March, as the grand jury was winding down its probe, McGehee and another deputy who assisted in the Lucas investigation were demoted from the rank of detective and assigned to the sheriff's civil division.

McGehee, a 31-year veteran who is less than a year away from his likely retirement date, is serving as a court bailiff, and his partner escorts prisoners back and forth between the local jail and the courthouse.

The sheriff of St. Tammany Parish, Pat Canulette, has not responded to frequent calls about the demotions.

Paul Katz, the special prosecutor who headed the grand jury investigation into McGehee's handling of the Lucas case, said he had prepared a 12-count indictment

against McGehee alleging perjury and malfeasance.

However, after Canulette made his last-minute appearance, Katz said the indictment was "pretermitted," meaning the charges were being overlooked or allowed to pass without official notice.

"The grand jury... Some people wanted to indict, some people didn't want to indict," Katz said. "Under the law, that means it's pretermitted."

The special prosecutor explained that Louisiana law dictates that "at least nine members of the grand jury must concur to return a true bill (indict) ... or no bill. A matter may be pretermitted by a vote of at least nine members of the grand jury, or as a consequence of the failure of nine members of the grand jury to agree on a finding. That's what happened in our case."

The local sheriff has avoided making public statements about the grand jury investigation. But his chief criminal deputy, Wallace Laird, who also was involved in the Lucas investigation, said "we stand behind him (McGehee)" after it became known in November that McGehee had invoked his Fifth Amendment rights against self-incrimination when he was questioned by the grand jury.

The four St. Tammany Parish slayings cleared by McGehee were touted by the Texas Ranger task force that coordinated the nationwide investigation into the hundreds of killings attributed to Lucas before he began to recant his

many murder confessions early last year.

When the task force's work and the credibility of the Lucas confessions were challenged in a series of articles appearing in the Dallas Times Herald, the Rangers frequently pointed to the Louisiana cases as support for their work, saying McGehee had assembled irrefutable evidence of Lucas' guilt, something missing in virtually all of the other Lucas cases.

Texas Rangers said McGehee's "evidence" included a Lucas fingerprint at the scene of a homicide, the hair of one slaying victim that had been found in a Lucas-owned automobile, a ballistics report that tied a weapon found at Lucas' sister's home in Maryland to another murder, a pubic hair belonging to Lucas found on one victim, and two eyewitnesses.

Ranger Sgt. Bob Prince, for 13 months head of the task force in Georgetown, Texas, called McGehee "one of the best investigators we've run into" and task force member Jim Boutwell, the sheriff of Williamson County, said, "He's uncanny — the way he made those cases."

Even Col. Jim Adams, head of the Texas Department of Public Safety and the Texas Rangers, often mentioned the Lucas fingerprint when the accuracy of the Lucas investigations was questioned.

"They've got that fingerprint over there," said Adams in 1985.

The grand jury's probe discredited all of McGehee's evidence

■ The fingerprint mysteriously disappeared. After the Times Herald obtained a copy of a Louisiana State Crime Lab report saying the fingerprint was not Lucas', McGehee could no longer find the print.

■ The grand jury learned that the gun Lucas supposedly used in 1978 to kill a deputy sheriff — an 1865 model — could not fire the type of bullet that killed the deputy.

■ McGehee's "eyewitnesses" said they never told McGehee they could place Lucas at the scene of one of the murders.

■ Both of the hair samples were judged by experts appearing before the grand jury to be inconclusive evidence.

Katz, the special prosecutor, contemplated bringing criminal charges against the detective after discovering that he apparently had lied in an affidavit he made when applying for a search warrant in New Mexico. McGehee said in the affidavit that Lucas had led him to the severed head of one victim and the bodies of three others in St. Tammany Parish. The grand jury was shown evidence that on the day the head was found, McGehee was in Hawaii on vacation, and that the other three bodies had all been discovered long before Lucas had ever been arrested.

The physical evidence McGehee claimed to have developed constituted more than half of all the evidence accumulated against Lucas in more than 210 killings attributed to him by the task force.