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In Feazell case

294 **Jury hears taped conversation**

By LIZ GALTNEY
AUSTIN (UPI) — A jury heard a taped conversation in which McClennan County District Attorney Vic Feazell tried to influence a lawyer's discussions with federal authorities in order to "save" Feazell from a prison sentence.

Feazell told Waco attorney Dick Kettler, in a tape played before the federal court jury Wednesday, "I don't want to get into any posture where we can be accused of conspiracy and trying to obstruct justice or anything like that."

"But on the other hand, sometimes it is best to isolate ourselves from other people," Feazell said.

Feazell is on trial for federal charges of bribery, racketeering and mail fraud. Kettler testified he

and his law partner, Don Hall, agreed to kick back fees to Feazell in return for dismissal of criminal charges, primarily drunken driving cases.

Kettler is testifying on behalf of the government with immunity from prosecution for tax charges.

His interpretation of the taped conversation, which occurred during a September, 1986 federal grand jury investigation of Feazell, Kettler said, was that the district attorney "was telling me, no matter who said what to be the truth, deny it no matter what."

Kettler said Feazell wanted him to "act like nothing happened ... The only thing he was concerned about was to keep me on his side."

"You never once in this tape

talked about paying bribes to Mr. Feazell," defense attorney Gary Richardson said on cross examination.

"I did (discuss it) in this tape," Kettler responded. "I think he wanted me to go to the penitentiary to save him."

Kettler said Feazell's earlier visits to his office "generally coincided with my appearances before the grand jury ... He asked me if I would ride this out with him. He said, 'The only thing we have to fear is fear itself.'"

When Feazell inquired about the grand jury investigation, Kettler said he "told me he had connections with the IRS, and that they weren't interested in my tax problems."

Kettler said at that time he had

not yet decided to cooperate with the federal government, and Feazell "was giving me a pep talk."

Kettler testified that he and his law partner agreed to share one-third of their fees with Feazell in return for dismissal of criminal cases.

Kettler said the fees he charged in a typical drunken driving case, in which the defendant pleaded guilty and served probation, were only \$200 to \$300.

But in cases in which the charges were dismissed by Feazell, Kettler said he and his partner charged clients \$1,500 to \$2,000, and that one-third of the money was returned in cash payments to the district attorney.