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Lucas fires 5th attorney

By John Gonzalez
West Texas Bureau of The News



EL PASO — Henry Lee Lucas, accused of brutally slaying an El Paso woman in 1983, fired his defense attorney Wednesday and threatened to boycott his own capital murder trial.

"I'm firing him because of competency. He does not have the means to defend me in this case," Lucas told 120th District Judge Brunson Moore.

"I just want a fair trial," said Lucas, his voice quavering with emotion as he explained his decision to release lawyer Gary Richardson of Tulsa, Okla.

Lucas also gave the judge two letters declaring his innocence and stating his reasons for dismissing Richardson.

"Now we're right back where we were a year ago," said the admittedly "frustrated" and "angry" Moore, who until Wednesday was planning a March 3 trial for Lucas.

From the bench, Moore sternly warned Lucas that changing attor-

ney Lee Lucas . . . "I don't intend to sit here and have an attorney who cannot do the job he's supposed to do."

neys would further delay the speedy trial he once requested.

"I understand that, judge," Lucas said.

Richardson was Lucas' fifth attorney since 1984, when Lucas first claimed responsibility for hundreds of unsolved slayings around the United States. He has since recanted those confessions.

"I don't intend to sit here and have an attorney who cannot do the job he's supposed to do," said Lucas, who demanded court ap-

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Lucas fires lawyer, threatens boycott of murder trial

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pointment of an attorney based in El Paso.

Richardson said he had never been paid and had no formal contract with Lucas, other than a verbal agreement to provide Lucas with "overall strategy" for charges against him in various cases in Texas and to do trial work — but not all the "legwork."

Because he lives in Oklahoma, Richardson said he has been unable to spend the research time in El Paso needed to adequately defend Lucas. Before this week, Richardson had spent less than 75 minutes reviewing prosecutors' files, District Attorney Steve Simmons said.

Richardson, a former Oklahoma prosecutor, also claimed he was hampered by limitations placed on private investigator J.J. Armes, who was serving Lucas voluntarily until he resigned angrily on Tuesday. Since he is not an attorney, Armes was barred by Moore from direct access to prosecutors' files.

Richardson suggested that Lucas be appointed two El Paso attorneys and an investigator to defend him against charges that he murdered Barbara Apodaca, 78, more than two years ago.

Lucas never stated any animosity toward Richardson in revealing his firing, instead blaming his predicament on "the court," meaning Moore.

"If you want to cointunion of (continue) not supplying me with comption (competent) counsel, then you are going to have this tryal (trial) without me present," Lucas told Moore in a handwritten letter, with many words spelled phonetically.

"I don't have any intions on setting (intentions of sitting) through another cangro (kangaroo) court and be convicted of crimes that I didn't do," Lucas wrote.

"I will not set (sit) here in this

court and let people commit purgery (perjury) and nothing be done about it," he said.

"I don't feel where I can do anything but stop it (perjury) with the means I have left," said Lucas.

Lucas did not specify the allegedly perjured testimony. But McLennan County District Attorney VIC FEAZELL of Waco, an outspoken critic of the investigation of Lucas who said Lucas called him for advice Tuesday night, said in a telephone interview that the defendant was referring to testimony in the hearing Tuesday from the Rev. Bob Larson, a Denver radio evangelist.

Larson testified that he elicited a taped confession from Lucas in 1985 to the Apodaca slaying. The testimony was presented by Simmons in an effort to get Larson's tapes introduced into evidence. No decision has been made.

Feazell said Larson's testimony could be questioned because the evangelist was writing a book about converting Lucas, a born-again Christian.

During a hearing on pre-trial motions on Tuesday, Richardson tried unsuccessfully to resign, citing his own financial inability to stay on the case. He said he was unable to devote the two or three months necessary to research the case.

Previously, Moore had appointed two local lawyers to represent Lucas, but Lucas requested and won their dismissals, claiming they were not adequately defending him.

Lucas had two other privately-retained attorneys, in Waco and Georgetown, during a period of several months during 1984 and 1985 when he cooperated with law enforcement agencies around the nation in clearing hundreds of unsolved murder cases.

He later recanted all the confessions, including the one in the El Paso slaying. He said that

enforcement officers, particularly the Texas Rangers who coordinated the investigations, led him into making confessions by giving him details of the crimes. He now says the only person he killed was his mother in 1960, for which he served a 15-year sentence.

Since he began making the confessions after being arrested in Montague County on a weapons charge in June 1983, Lucas has been convicted of 10 murders and has amassed one death sentence, six life imprisonment sentences, two 75-year prison terms and one 60-year sentence.

The El Paso trial is the first scheduled for Lucas since he recanted the confessions last year and has become a test not only of Lucas' credibility but that of the Texas Rangers and many other law enforcement agencies in and out of Texas.

Because of the significance of the trial, Moore said he has been trying to "bend over backwards" to provide Lucas — and the prosecution — a fair trial.

But the docket-conscious judge said in an interview that he was angered and frustrated by Lucas' latest maneuver and said he was "tired of (Lucas) always belly-aching."

The judge also said he was angered when Lucas threatened Tuesday to call in Texas Attorney General Jim Mattox to find him an attorney if Moore could not. Moore said he doesn't need Mattox' help in dealing with the Lucas representation issue and resented Lucas' innuendo that "he has some kind of truck with Mattox."

Feazell said in the telephone interview that Lucas' "firing Gary probably has more to do with Gary wanting to quit."

"It's a very complicated case," he said. "The state is pulling all the

people.

"They are going to try to make it a show trial to prove that the McLennan County grand jury was wrong. Well, that's ridiculous," he said, referring to that jury's refusal last year to indict Lucas in three local cases handled by the Texas Rangers.

"They're just dead wrong on this thing," Feazell said. "They can railroad HENRY LUCAS, but I would hate to be them some day when they meet their maker after this kind of shenanigan."

Despite his dismissal, Richard-

son was ordered by Moore not to discuss the case with the media. Moore also admonished Lucas for seeking publicity and "trying your case in the newspapers."

Lucas was returned to El Paso County Detention Facility to await Moore's selection of a new attorney.

Moore said he would begin the search immediately and he had no prediction on when a new trial date would be set.

Lucas pleaded innocent in the Apodaca murder, claiming he has an alibi of being hundreds of miles away from the murder scene when

it happened. The woman, who lived alone, was bludgeoned in her home. Lucas confessed to the slaying one year ago when he was being taken around the nation to be questioned about unsolved cases.

But the prosecution plans to use Lucas' confession as evidence against him and the testimony of one witness who claimed to have bought a Crockpot and vacuum cleaner from Lucas at an El Paso truck stop. The items allegedly were taken from the slaying victim's home in the Lower Valley area of El Paso.