

LOCAL

Lucas trial may be pivotal, Feazell says

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The El Paso capital murder trial of Henry Lee Lucas, currently in pretrial hearings, could determine the fate of future cases against Lucas, said McLennan County District Attorney Vic Feazell, who testified in El Paso recently.

Feazell said Monday he thinks if

Lucas is acquitted in the 1983 ax slaying of 78-year-old Libranda Apodaca of El Paso, other prosecutors will be reluctant to pursue future convictions against the man once considered among history's worst mass murderers.

"I don't think anybody else wants to go to trial. In looking at the cases, there is just no evidence there. According to the DA's office in El Paso and the Rangers, this is the strongest case they've got. If they lose this one, how can they expect to win a weaker case?" Feazell said.

This is the first case against Lucas to go to trial since a 1985 McLennan County grand jury investigation began raising questions about the validity of confessions made by Lucas.

Lucas was arrested on a weapons charge in Montague County on June 11, 1983. A Texas Rangers Homicide Task Force was set up after Lucas began making hundreds of confessions to murders during a period between 1975 and 1983.

Feazell said he was subpoenaed by Lucas' defense attorneys for

questioning Friday, but added prosecutors asked most of the questions.

"The prosecution did (ask most of the questions) and I cannot understand why they did that," he said. "They asked questions a senior law student would have known better than to ask. They asked me my personal opinion on some things, and I had to tell them that my personal opinion is that Lucas was not involved in that case in El Paso," Feazell said.

He said that the El Paso case was investigated during the McLennan County probe, and will be included in the state attorney general's office report on Lucas. Attorney General Jim Mattox had said the report would be released by the end of February.

"There is some reference to it," Feazell said. "We know where Lucas was at that time, based upon the testimony of some of the witnesses interviewed. However, there is nothing at this point in time that we've found in the nature of documentary evidence that will place him outside of El Paso."

A spokesman for the Department of Public Safety declined to comment on the El Paso case and the importance it might have in relation to future cases against Lucas.

"We've got a pending hearing, and I doubt we'd want to make a statement," said David Wells of the DPS. "I think to comment at this time would be improper."

Feazell said that attorneys involved in the El Paso case asked numerous questions about the McLennan County investigation of Lucas during the hour he testified on Friday.

"They wanted to know if in my opinion had we completed our investigation before we wound down the grand jury. I had to tell them no. There were many other areas we had wanted to look into, but we did not have the time or the resources," he said.

He was questioned about a polygraph examination Lucas underwent while in Waco, he said. The examination indicated that Lucas showed deception when questioned about only three murders, but not the El Paso murder, Feazell said.

Juries have twice convicted Lucas of murders. In November 1983, Lucas was sentenced to life in prison after a Denton jury found him guilty in the stabbing death of his 15-year-old common-law wife, Frieda (Becky) Powell.

In April 1984, a San Angelo jury sentenced Lucas to die by injection for the Halloween 1979 slaying of an unidentified hitchhiker found near Georgetown. The case became known as the orange socks murder.

Lucas also has pleaded guilty to five other Texas murders and has received concurrent life sentences.

He said the El Paso case is very important to the Rangers and DPS.

"A lot of pressure from the Rangers and (DPS Director) Jim Adams is on that DA out there to try this case. They want to make it a show trial. They're going to put on everything they can. They'll drag out every confession and every set of pictures to really make their case that Henry Lucas is a crazed killer with blood dripping off his teeth," Feazell said.