

# McLennan prosecutor attacks DWI news story

Dallas Morning News  
Associated Press JUN 17 1985

WACO, Texas — McLennan County District Attorney Vic Feazell said during the weekend he believes information used in a Dallas television station's story about the handling of drunken driving cases was gotten from illegally released records.

He also told the *Waco Tribune-Herald* that if expunged records have been released, it could result in suits against Waco.

Feazell said at least one of the six DWI — driving while intoxicated — cases mentioned in a WFAA-TV report Friday night was from a case that was expunged, and

records of the case should have been destroyed.

"I think it's something that the (Waco) City Council should look into because it may be opening the city up to legal liability," Feazell said.

Feazell said he has learned that WFAA reporter Charles Duncan obtained records from the Waco Police Department that had been ordered destroyed by a McLennan County judge.

Feazell said it is a Class B misdemeanor to release expunged records, and a felony

not to destroy records ordered expunged.

Waco Police Chief Larry Scott said Saturday he had released information available under the Open Records Act to Duncan, but denied that any expunged records have been released.

"No. None that I know anything about," Scott said.

Scott said that if he had thought the release of the records would open the city up to lawsuits, "we would have never released them."

Duncan said Saturday he had "no indication that any record obtained had been expunged."

Duncan also denied that his reports have any connection to FBI and Texas Department of Public Safety investigations of Feazell.

Channel 8 on Friday aired the first of a series of stories dealing with Feazell. That part questioned the handling of drunken driving cases in McLennan County while Feazell has been district attorney.

Feazell said Friday night the timing of the reports makes him believe there is a connection between the McLennan County grand jury probe of convicted murderer Henry Lee Lucas and the FBI and investigations of Feazell.

"It's an obvious smear campaign," Feazell said. "The timing is very suspect. I believe that Charles Duncan is doing the dirty work for some of the big boys in Austin."

Duncan said that even though his investigation coincided with the Lucas probe, "it has absolutely nothing to do with Henry Lee Lucas, and I don't know about the DPS investigation (of Feazell)."

## 2 named to head probe of 4 Lucas-linked killings

Dallas Morning News  
Associated Press JUN 17 1985

SLIDELL, La. — Two special prosecutors have been appointed to direct the grand jury investigation of whether Henry Lee Lucas really committed four St. Tammany Parish murders to which he once confessed, the district attorney says.

District Attorney Walter P. Reed said he had appointed Patrick J. Berrigan of Slidell and Paul L. Katz of Covington to head the special grand jury investigation because his regular staff is busy with routine criminal and civil matters.

Lucas had confessed to hundreds of murders, and was convicted of 10 and sentenced to die in Texas for one. However, he since has recanted all but one confession, and other evidence indicates he was nowhere near some of the murder sites when the murders were committed.

Berrigan said he expects that Lucas will be subpoenaed to appear before the grand jury, but could not say when.

The panel is investigating four killings to which Lucas had confessed: the June 1978 murder of St. Tammany Parish sheriff's Sgt. Lonis Wagner, the 1983 murder of Folsom housewife Ruth Ann Mangano, and the 1982 murders of teen-ager Roy

anne Sharp of Covington and Slidell motel owner Kenneth Broyles.

The special grand jury was sworn in Friday for a one-year term. It will meet as soon as the prosecutors review evidence and issue subpoenas.

Last year, when Marion Farmer was district attorney, he expressed veiled skepticism about the value of evidence purporting to link Lucas to the four killings.

Sheriff Patrick Canulette has maintained that Lucas committed the crimes.