



Times
El Paso, Texas

OCT 3 1985

'Political retaliation' was unjust, lawyer says

By Gary Scharrer
Times staff writer

U.S. Department of Justice officials have confirmed contentions by Henry Lee Lucas' defense attorney that "there's nothing to substantiate any charges against Gary Richardson" in the way he handled the prosecution of former Oklahoma Speaker of the House Dan Draper.

Draper's 1983 conviction on voter fraud charges was overturned after evidence surfaced that some witnesses against Draper had committed perjury.

Richardson was U.S. attorney for the Eastern District of Oklahoma. Earlier this year Draper filed complaints with the Oklahoma Bar Association, alleging that Richardson and assistant U.S. attorneys had solicited perjured testimony to gain the conviction.

Richardson said he eventually prosecuted and got perjury convictions against the witnesses. And they "flunked three FBI polygraph tests" after accusing the U.S. attorney's office of soliciting perjured testimony.

Draper's allegations are identical to the charges investigated by the FBI and Justice Department, Richardson said. "And we were cleared 100 percent."

Richardson's version is accurate, Justice Department spokesman John Russell said.

Russell referred to a letter that Assistant U.S. Attorney General Steven Trott sent last year to U.S. District Judge Frank Seay. Seay presided over the Draper trial.

"This letter concerns allegations that you reported to the Federal Bureau of Investigations of possible subordination of perjury and obstruction of justice

by attorneys in the office of the U.S. attorney for the Eastern District of Oklahoma during the trial of U.S.A. vs. Draper An investigation of these allegations has been conducted by the FBI and the matter has been reviewed by the public integrity section," the assistant U.S. attorney general wrote.

"We have concluded that these allegations are totally without merit and have closed our file on the matter," Trott wrote the federal judge.

News reports that the Oklahoma Bar Association is investigating Richardson are inaccurate because the bar only handles grievances, an Oklahoma City FBI agent said. The bar association is not an investigative body. The FBI agent said Draper's complaints appear to reflect "the original allegations."

Richardson said he already

has responded to the new charges that Draper filed with the state bar in Oklahoma. The allegations involve the perjury issue, "and that I used pretrial publicity that was adverse to him. That's basically it," Richardson said.

Richardson also blamed politics for an investigation against him after he "got involved with Henry Lucas." A Dallas television station went to a convict at the state prison to resurrect a 6-year-old fee dispute involving Richardson.

The Tulsa attorney figures that Texas Department of Public Safety Director Jim Adams "was behind it." Richardson contends law enforcement officials are retaliating against him and Waco District Attorney Vic Feazell because both are challenging the way they handled the Lucas investigation.