

1 (Whereupon the oath was
2 given to counsel by the
3 Court.)
4

5 THE COURT: Call your first witness.

6 MR. HIGGINBOTHAM: I call Mr. Parker
7 McCollough.
8

9 PARKER McCOLLOUGH

10 appeared as a witness on behalf of the Defense
11 and, being first duly sworn, was examined and
12 testified as follows:

13 DIRECT EXAMINATION

14 BY MR. HIGGINBOTHAM:

15 Q Mr. McCollough, you were appointed -- were you
16 or were you not appointed in the case to defend
17 Henry Lee Lucas?

18 A Yes, I was.

19 Q In the case that's on trial here today?

20 A Yes, I am.

21 Q At any time did you receive notification from
22 Sheriff Boutwell or any other law enforcement
23 officer, Clayton Smith or others, that there was
24 any taping session, as you have seen here in the
25 court today, to be conducted with Henry Lee

1 Lucas on or about, I believe it was February the
2 16th of this year?

3 A No, I wasn't.

4 Q Are you familiar with an order that was issued
5 by this Court on the 14th day of November of
6 1983 and signed on the 21st day of November,
7 1983, concerning interrogation, orders
8 concerning interrogation of Henry Lee Lucas by
9 law enforcement officers, only if he consents
10 and only after the Sheriff of Williamson County
11 has advised the attorneys for the Defendant that
12 he is to be interrogated?

13 A Yes, I am. I prepared that order.

14 Q Once again, were you notified as to the taping
15 session that we're concerned with here?

16 A No, I was not.

17 Q All right. Were you notified that Henry Lee
18 Lucas was going to be questioned or interrogated
19 concerning the matters that are sought to be
20 introduced into evidence?

21 A No, I was not.

22 MR. HIGGINBOTHAM: Pass the witness.

23

24 CROSS-EXAMINATION

25 BY MR. WALSH:

1 Q Mr. McCollough, you are aware that during that
2 period of time, Mr. Lucas was questioned almost
3 continuously by the sheriff and other officers
4 throughout the United States, are you not?

5 A Yes, I am.

6 Q In fact, the sheriff several times either
7 notified you or Mr. McCollough about those
8 interrogations; is that correct?

9 A Mr. Higginbotham. That notified me?

10 Q That notified you or Mr. Higginbotham.

11 A Yes. At the very -- let's see. That order, I
12 believe, was on the 14th, or when we had the
13 hearing?

14 Q This was --

15 A We had the hearing, I believe, on the 14th. I
16 would say for about a week, perhaps longer -- I
17 can't recall -- the sheriff did contact us. He
18 either contacted Mr. Higginbotham or myself.

19 Q At some point in time, you all decided you all
20 didn't want to be there all day with Lucas;
21 isn't that right?

22 A That's correct, certainly.

23 Q So you all at least had an informal agreement
24 that the sheriff didn't have to notify you every
25 time somebody wanted to talk to Lucas, didn't

1 you?

2 A I don't recall an agreement that I made, per se,
3 with the sheriff, Mr. Walsh. I perhaps
4 acquiesced by not showing up, but I don't recall
5 a statement. I may have made one; I just do not
6 recall.

7 Q And you were aware of officers talking to Lucas
8 every day, were you not?

9 A Certainly.

10 Q And did you ever object to any of those
11 interviews?

12 A I don't recall.

13 Q Now, this -- as I understood that hearing on
14 prohibiting questioning, the end result of that
15 hearing was that Lucas couldn't be questioned on
16 this case here; is that right?

17 A I believe that's what the order said.

18 Q But if he wanted to talk about any other case,
19 he could; isn't that right?

20 A I believe that's what -- I think that's right.

21 Q Where on this tape does Lucas talk about this
22 case here?

23 A Well, I don't think that there is any reference
24 to this particular case. However, this evidence
25 is being introduced into this case. But I don't