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Attorney defends Feazell search

From staff and wire reports

AUSTIN — Law officers could legally seize evidence related to other crimes when they searched the home and office of McLennan County District Attorney Vic Feazell last fall, as long as that evidence was in plain sight, a U.S. attorney contends.

Feazell was indicted Sept. 16 on charges of racketeering, accepting bribes to influence the disposition of cases and mail fraud. On Sept. 17, search warrants were issued for his office, car, home and a storage facility.

Feazell has urged the court to suppress the evidence obtained during the searches, saying the description of property listed in the search warrants was so broad that a general exploratory search occurred.

In a written document filed with the Austin federal court, Assistant U.S. Attorney Jan Patterson said, "Without citing any location improperly or impermissibly searched, (Feazell) argues that because among the hundreds of items seized were 10 items not specified in the warrant, the search

was a general exploratory search in nature."

Ms. Patterson said the search warrants were drawn so that they pertained only to evidence associated with the charges in the indictment.

However, she said, "The agents, of course, could also seize evidence of any crime, even though it was not listed in the warrant, that they discovered in plain view during the course of their search."

Asked for his reaction Friday night, Feazell said only, "She (Ms. Patterson) takes everything out of context."