

**GOOD
MORNING!**

THURSDAY

July 16, 1987
Waco, Texas

Fezell off and running after bribery acquittal

By **TOMMY WITHERSPOON**

Tribune-Herald staff writer

They could call it "Vic Goes to Washington." A Fezell ally offered "Rangergate: The True Story of the Retaliation against Vic Fezell." Others might suggest "Fezell Walks on the Potomac."

A lot has happened to the 36-year-old McLennan County district attorney since he was acquitted two weeks ago of federal bribery charges.

When he returned triumphantly from Austin, Fezell, his staff and his attorney, Gary Richardson, hit the ground running.

Three days before the verdict was returned, Richardson said that Fezell, having had some "wind taken out of his sails" by the two-year investigation and five-week trial, would take a less confrontational approach and predicted he would not be as flamboyant.

Those predictions proved inac-

curate.

Fifteen minutes after jurors, at least two of whom said Fezell had been "framed," set him free, Fezell compared himself to Jesus and said he had no animosity toward Waco attorneys who testified against him, despite his referring to them as "Judas."

The next day he demanded the resignation of Waco Police Chief Larry Scott.

Since then, Fezell has been preparing to prosecute a capital murder case; is mulling over "at least three serious" movie offers; has accepted an invitation to testify before a House subcommittee in Washington, D.C.; has made arrangements to meet with Justice Department officials; and is working on a pending lawsuit and ones he might file against those he says have prosecuted him wrongly and those he thinks have damaged his

Please see **FEAZELL**, Page 7A

Fezell off and running after bribery acquittal

□ From Page 1A

reputation.

Fezell and Richardson have been revving up for a \$44 million libel suit they filed against WFAA-TV in Dallas for an 11-part series about Fezell's office and have been threatening lawsuits against the federal government and local media outlets.

Fezell's assistant, John Ben Sutter, has a book in his office titled *How to Sue the Media*.

Courthouse officials, who have been talking about Fezell and his dilemma for the past two years, continue their daily discussions about the district attorney. Jokes about Fezell walking on water and bumper stickers saying, "For God so loved the world He gave us Vic Fezell" have been printed to counter the "Vic 1, Feds 0" and the "Go Get 'Em, Vic" stickers.

Fezell, who did not return several phone calls to his office Wednesday, has said for two years that he has been the victim of a retaliatory investigation by law enforcement officials who were embarrassed by Fezell's leadership of a grand jury that eventually discredited many confessions made by convicted murderer Henry Lee Lucas.

He also has claimed that former Assistant U.S. Attorney Jan Patterson, who later was taken off Fezell's case, abused the grand jury system and intimidated witnesses.

Richardson, a former U.S. attorney in Oklahoma, said he and Fezell will testify at the end of the month before the House Subcommittee on Criminal Justice, which is investigating prosecutorial misconduct.

"I told Patterson before Vic was ever indicted that, as a former U.S. attorney, she was doing things, from what I was being told, that I could not believe a federal prosecutor could get by with," Richardson said.

Rod Stroman, assistant counsel for the subcommittee, said Wednesday that Fezell's case was "brought to our attention," adding that the eight-member subcommittee thought their testimony would be "appropriate" for the hearing.

He said he had heard from "a number of organizations" about the Fezell case. He said Fezell and Richardson will testify on July 29 or July 30.

Stroman said the panel, a subcommittee of the House Judiciary Committee, has "oversight responsibility" over the U.S. attorney's office and examines complaints about its conduct.

U.S. Attorney Helen Eversberg of San Antonio, who signed the indictment against Fezell, was aware that Fezell and Richardson are going to Washington and said Wednesday that U.S. District Judge James Nowlin considered Fezell's complaints against Ms. Patterson and his charges of retaliation in pretrial motions and ruled they had no merit.

"I think committees are probably interested in people who are making claims to that effect and I am sure they are going to have their opportunity to say what they want to say," Mrs. Eversberg said.

"I think the handling of the grand jury was a matter that the court dealt with already in the trial and in the pretrial hearing, and Judge Nowlin, after considering all the motion papers and the presentation of counsel and a review of the transcript of the grand jury proceedings that indicted Mr. Fezell, found that there was absolutely no misconduct before that grand jury," she said.

Richardson said he and Fezell also will speak with Justice Department officials during their visit to Washington to renew their complaints that Fezell was framed, Ms. Patterson acted improperly and that the grand jury system was abused.

Fezell filed a formal complaint with the Justice Department before he was indicted alleging prosecutorial misconduct. The department conducted an investigation and concluded the evidence was insufficient.

Richardson said the first investigation by the Justice Department was "whitewashed."

"I tried to tell them before Vic was indicted that he was being framed, and now, maybe they will be willing to listen to us," Richardson said.