

Fezell says 294 offices work well together

By **DARRELL DUNN**
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McLennan County District Attorney Vic Fezell and his first assistant prosecutor say that despite an ongoing feud between Fezell and Waco Police Chief Larry Scott there is a good working relationship between the two offices.

Deanna Fitzgerald, Fezell's first assistant, said the recent arrest and indictment of a suspect in the rapes of two Baylor University students indicates how well the two departments are working together.

"There is probably more work done by the (district attorney) assistants and the police officers in the field together to work up good cases than is given credit," Ms. Fitzgerald said Friday.

Ms. Fitzgerald's comments come less than a week after Fezell called for the Waco City Council to fire Scott if the police chief cannot get along with Fezell's office.

"I was at Vic's press conference and he also said, which didn't hit any of the media, that there are many good police officers out there, good Department of Public Safety troopers out there, and that there are even a few Texas Rangers he liked. I don't see any inconsistency at all," Ms. Fitzgerald said.

"Scott seems to forget that I'm the chief law enforcement officer in this county, and I set the policy. Ultimately, the decision as to whether there is sufficient evidence and the decision to prosecute lies with the district attorney," Fezell said Friday.

"As far as working with the police department itself, except for a couple of isolated instances, we've

had extreme cooperation from the rank and file," he said.

Fezell said despite Scott's statement that he would bypass the McLennan County district attorney's office and present as many cases as possible to Assistant U.S. Attorney Jan Patterson for federal prosecution, the police department routinely continues to file drug cases through his office.

"The night Scott made that statement, police had one of my prosecutors up all night preparing search warrants for drug cases," Fezell said.

Ms. Fitzgerald said Waco police worked efficiently and quickly to arrest Michael Wayne Hall, a 19-year-old Bellmead man indicted last week for the rape of two Baylor University students.

"They immediately did all the appropriate things that had to be done," she said.

"All the investigation was done in such a way as to make it a very prosecutable case. When we all realized that this probably was the suspect and action needed to be taken, then all the work was done and prepared for the district attorney's office with our assistance and Bill Johnston, the police legal adviser," Ms. Fitzgerald said.

She said the case was presented to a McLennan County grand jury only three days after Hall was arrested because of the good police work and cooperation.

"I think people in both the police department and district attorney's office probably worked beyond our eight hours a day and normal call of duty to get it presented that quickly," Ms. Fitzgerald said.

"The seriousness of the situation and the fact that we had mul-

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iple victims pointed out that it needed to be expedited to protect any other possible victims out there," she said.

"This is not just a one-time thing. We work together a lot for a common purpose: to get criminals off the streets. There is no question that now and then we have disagreements, but there is also no question that in the majority of cases we work together," Ms. Fitzgerald said.

"Our only problems have been with Chief Scott himself and a few people in the drug enforcement unit," Fezell said.

Scott was not available for comment Friday.

"I absolutely will not discuss



Fitzgerald



Scott



Fezell

anything along those lines," said Capt. Joe Rodriguez of the Waco Police Department.

Fezell complimented Ms. Fitzgerald for a dramatic increase in the prosecution of sex offense cases. Fezell said prior to his tak-

ing office and Ms. Fitzgerald's assignment to the sex offense cases, only a few sex offenders had been taken to court in several years.

He said that 43 people were convicted of sex offense cases in 1985 and sentenced to prison.