

Henry Lee Lucas case files missing

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Files containing information about the Henry Lee Lucas case are missing from the law offices of Lucas' two El Paso attorneys after separate burglaries this week.

The burglaries occurred at the offices of Rod Ponton and Doris Sipes, who were successful in getting capital murder charges

against Lucas dropped in the 1983 slaying of a Lower Valley woman. During several months of pre-trial hearings, the two lawyers worked to show that Texas Rangers and other law enforcement officers coerced Lucas into confessing to hundreds of killings. He later recanted those confessions.

The burglary at Ponton's office occurred Tuesday night when someone climbed through a second-floor window at the Caples

Building, 300 E. San Antonio, and took computer equipment, an adding machine, a telephone and, Ponton said, his Lucas files.

Ponton said he is sure someone is stealing Lucas files, but he doesn't know who or why.

"My office has been burglarized two or three times within the last couple of months," he said.

"It's frightening to think that a lawyer who does his best to defend someone accused of a crime might find himself a victim

as a result of attempting to give a client a fair trial," he said.

Thursday night, someone pried open a door of Sipes' office at 1011 North Mesa. Police reports indicated the building's burglar alarm was not activated.

Missing was a calculator, recorder and "a very confidential file" of memos Sipes' investigator Byron Highfill wrote to her throughout the Lucas investigation.

"Most of our investigation did

come out in the trial," Highfill said Friday, "but there are just certain things that we wrote for Doris' eyes only."

Highfill said he is not certain the file was stolen from Sipes' office during the burglary because it may have been misplaced while supplies were being moved around.

Valuables such as jewelry and cash were not taken, he said, and

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neither were other Lucas files, which contained documents that are public record.

"It seems very ironic," Highfill said, "but I certainly wouldn't make any accusations against anybody."

Lucas was to be tried in El Paso on capital murder charges in the ax slaying of Librada Apodaca, until Judge Brunson Moore's ruling last month that Lucas' confession to the slaying was involuntary and inadmissible.

Ponton and Sipes contended that rather than focus on a recanted Lucas confession, police detectives should look investigate a Juarez homosexual man who did yard work for Apodaca for several years before her death.

Through torture, Mexican police got a confession from Yovany Valenzuela Chavez that later was

retracted. Chavez was found slain in Juarez this summer.

Judge Moore was disturbed by the burglaries.

"I thought (the dismissal) would be the end. Evidently they will not leave it alone," he said Friday. "It looks like they will come after us now."

Police have made no arrests in either burglary, detective Sgt. Louis McBain said Friday.

The role of the Texas Rangers in the 18-month-long Lucas confession spree has been attacked by Lucas' lawyers and criticized by Moore and Waco District Attorney Vic Feazell.

Feazell's suspicious about the validity of Lucas' confessions led to Lucas' celebrated recanting almost two years ago. Since then, Feazell was indicted on federal bribery charges. Feazell claims the indictment is a retaliation and based on trumped-up charges inspired by the Texas Depart-

ment of Public Safety, which oversees the Rangers.

Department of Public Safety Director Col. Jim Adams is a former deputy director of the FBI who, Feazell contends, used his influence to retaliate against him for discrediting the Rangers.

Adams acknowledged in an interview Friday that the burglaries of the offices of Lucas' lawyers represent another strange development.

"I hope that the police department is successful in getting to the bottom of it," Adams said. "Until the police department gets in there and determines exactly what was taken, it's hard to speculate what would have been anyone's interest in it."

"Bizarre, is all I can say."

Times staff writer Gary Scharer contributed to this report.