

# Heat's on the DA

## McLennan official faces investigations

By David Hanners

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WACO, Texas — At first, McLennan County District Attorney Vic Feazell seems intrigued by the question: Doesn't he enjoy just a little bit of controversy, despite his protestations?

After all, he is the one who called the Texas Rangers to task for their handling of the Henry Lee Lucas case. He is the one who, six months out of law school, took on the biggest bank in Waco and won. And he is the one who reopened a dormant police investigation into a triple murder and located, tried and won a conviction against the murderers.



Vic Feazell

But he is also the same one who is being investigated by the FBI and the Texas Department of Public Safety. And he is also the one who says he expects to be indicted soon by a federal grand jury.

"I can guarantee you," Feazell said in his soft, measured Central Texas drawl, "that I'm not having a bit of fun right now. You can only be kicked in the teeth so much before you start feeling numb. Right now, I feel a little numb."

For someone who claims to do his best to try to avoid controversy, Feazell — the 34-year-old son of a Southern Baptist minister and himself an ordained Baptist minister — has been embroiled in his share of it this year.

"I've taken on some unpopular causes that have made me a lot of enemies. I guess it's because I don't hide from confrontation," said Feazell, propping his feet up on his cluttered desk inside "Fort Feazell," the nickname a defense attorney gave to the district attorney's office. The name stuck; Feazell even printed bumper stickers that say "I Visited Fort Feazell."

Feazell said a federal grand jury in Austin is investigating him. In particular, grand jurors are interested in the way Feazell's office handles drunken-driving cases.

And although state police officials decline to confirm or deny the existence of an investigation, Feazell said that Department of Public Safety chief Col. Jim Adams told him in February that he had personally authorized the inquiry.

Despite the turmoil, Feazell's support in the city of 101,000 remains strong, admits McLennan County Republican Party Chairman Craig Reid. "I would say he, politically, has been damaged. But the average voter is still supportive of him," said Reid, whose party is scrambling to find a challenger in next year's election.

To the embattled district attorney, there is

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little doubt why he is being investigated. In his own words, Feazell said he upset their "Henry Lee Lucas apple cart."

At one time, Lucas, a convicted killer now on death row in Huntsville, claimed to have killed as many as 600 people. But then he recanted, saying he had killed only three, and then, recanted again, saying he killed only one person — his mother.

Lucas had confessed to three murders in McLennan County. But when Feazell found evidence that Lucas wasn't in the area at the time of the slayings, he became concerned that some law enforcement officials might have "fed" information to Lucas before he confessed.

Those connected with the special Texas Rangers task force coordinating the nationwide Lucas investigation — particularly Ranger Bobby Prince, the head of the task force — felt their integrity had been called into question by Feazell's comments. Several members of the task force, including Prince, went to Waco to testify before the state grand jury that was investigating Lucas' confessions and the three slayings.

The Waco grand jurors, who met for three months, wound up refusing to indict Lucas in connection with the crimes.

Feazell said flatly that the state and federal investigations of his office were spurred by his Lucas investigation. Even Texas Attorney General Jim Mattox, who has become a close Feazell ally, expressed concerns that perhaps the state investigation was "retaliatory."

Republican Party chief Reid said that if Feazell is indicted, "I'm sure there'll be a tremendous hue and cry for his resignation."

"But I would believe that he probably would not step down," Reid said. "He's a scrapper, a fighter."

He has already begun scrapping. Although the primary is nine months away, Feazell has announced he will run for re-election. He said he thought of quitting, of giving up public life and returning to his law practice. But to quit now, Feazell said, would be to admit defeat to his enemies.

"The people of McLennan County know Vic Feazell," the district attorney said. "They've followed my career in the paper and on TV. They know I'm a successful, caring, hard-hitting prosecutor."

He pauses a moment, then adds, "It's true."

But not everyone in Waco believes Feazell is as "hard-hitting" as he says. Police Chief Larry Scott, one of the district attorney's loudest critics, said last week that he will begin taking some cases to the U.S. attorney for prosecution, bypassing Feazell's office.

"We're not happy with the way the system's working right now," Scott said. "I haven't been happy about it for some time, probably a couple of years."

Scott, head of the 170-member force since 1979, says his office has turned over some case files to federal authorities involved in the Feazell probe. Scott claims Feazell seldom cooperates with police. But Feazell counters by saying that he has refused to prosecute some cases because they contained poor police

work that wouldn't stand up in court.

And Feazell stands by his record; state figures show that in 1983, McLennan County had a conviction rate of 75 percent, the highest for any county in the state with a population of more than 100,000 people.

Still, members of the McLennan County political and legal community have varying things to say about Feazell. One prominent lawyer, who refused to allow his name to be used, called Feazell "unqualified, egotistical and paranoid."

Some of the criticism stems from the Lucas grand jury. Reid claimed the grand jury was just "blue smoke and mirrors" to draw attention away from Feazell's own problems. And former District Attorney Phil Reyna — who Feazell beat in the 1982 Democratic primary — said the Lucas grand jury was "a waste of taxpayers' money."

Feazell has followed a long path from his birth in Monroe, La. After graduating from high school in Leander, near Austin, he joined the Austin police force as a cadet in 1968. He soon quit and enrolled at Mary Hardin-Baylor College in Belton in 1969. It was there that Feazell was ordained a Southern Baptist minister.

Feazell worked in juvenile probation programs through college. When he graduated in 1972, he decided to go to law school at Baylor University in Waco.

He continued working while attending law school, and it took Feazell seven years to get his degree. But once he hung his shingle, it wasn't long before Feazell started making his mark.

In 1980, Feazell took the case of a local reupholstery shop owner who claimed a Waco bank had wrongfully foreclosed on his property. The case went to trial, and Feazell won his client a \$695,000 verdict. At the time, it was the largest amount ever awarded by a jury in McLennan County.

In May 1982, Feazell ran in the Democratic primary and narrowly defeated Reyna, the incumbent. Feazell polled 63 percent of the vote to beat Republican Paul Gartner in the November 1982 election.

(In June, Reyna announced that he had switched to the Republican Party, but he denies that he will run again for district attorney.)

Feazell said that when he ran for office — then an attorney with three years' experience — he wasn't sure exactly why.

"I didn't know why I ran. I just did. I knew I felt like Waco and McLennan County need a strong personality in the prosecutor's office. There were some things I needed to do."

Feazell said that if he wins a second term, he — and especially his wife — will be ready to wash their hands of politics. But local political officials say it is too early to tell whether Feazell's popularity will be harmed by the controversies.

Even Reyna said he believes Feazell probably will survive.

"I think it's mostly the courthouse people, the law enforcement community that's been talking about it," Reyna said. "I don't think John Q. Public is consumed with it."

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