

STATE

McLennan DA facing charges of racketeering, bribery, fraud

By ROY BRAGG
Houston Chronicle

WACO — When McLennan County District Attorney Vic Feazell got out of his car at the courthouse here, he was greeted by the FBI.

Feazell, 35, the flamboyant prosecutor whose grand jury probe debunked the body count of confessed serial killer Henry Lee Lucas and held state police up to ridicule, was arrested on charges of racketeering, bribery and mail fraud Wednesday.

The arrest came after an Austin federal grand jury, culminating a two-year probe of Feazell, handed down a 12-count sealed indictment that accuses him of taking bribes to quash cases and making false campaign contribution reports.

Feazell was whisked by FBI agents to the Waco federal building, where he was fingerprinted and brought before U.S. District Judge Walter S. Smith. He was released on an unsecured \$100,000 bond, the federal equivalent of a personal recognizance bond.

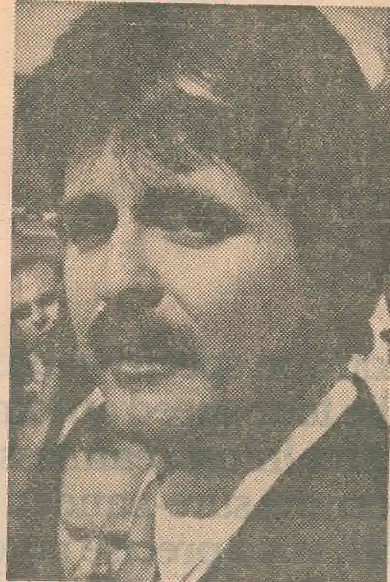
Federal agents, meanwhile, searched Feazell's house and his office for evidence, sifting through offense reports, case files and personal papers, said John Sutter, Feazell's administrative assistant.

At Feazell's home, a dozen agents from the FBI, the Internal Revenue Service and the Department of Public Safety went through family records and possessions, searched the family's back yard with a metal detector and even went through the toy box of Feazell's 4-year-old son.

"If they had such a hot case, why were they looking at toys and family Christmas ornaments?" asked Berni Feazell, the prosecutor's wife.

The Feazells and their supporters called the indictment groundless and said it was part of a vendetta leveled by the DPS and federal prosecutors who were embarrassed by Feazell's probe of Lucas.

Lucas, a one-eyed drifter convicted



Vic Feazell

of several murders in Texas and other states, told state officials he committed hundreds of killings. The DPS, acting on that information, spent two years clearing dozens of then-unsolved murders.

Feazell's grand jury, however, uncovered evidence that Lucas was lying in most instances, proving he couldn't have committed some of the crimes because he was in other parts of the country. Lucas later recanted his confessions to the grand jury and to the press.

The result, Feazell, said, was a personal attack against him by angered DPS chief Jim Adams that included wiretapes, surveillance of his home and the federal grand jury investigation that resulted in his indictment.

The first grand jury looking at Feazell interviewed officers and lawyers, but did nothing. Feazell never testified, his wife said. The new grand jury acted after only a few meetings.

Rumors about the case have floated around town for months, Feazell said, including the specific charges included in the sealed indictment.

Mrs. Feazell said she suspected something would happen in the case Wednesday. She said it was almost a relief to have the allegations in the open.

Feazell agreed.

"We're ready for a trial," he said after the court appearance. "It's the same kind of stuff we've been hearing on and off for a year and a half. Now I'm going to fight it. I'm going to be vindicated."

Assistant U.S. Attorney Helen Milburn Eversberg denied that the indictment was a retaliatory measure against Feazell. *B.S.*

"I think the evidence will speak for itself," she said.

Feazell was the only person indicted. Eversberg said the investigation would continue, indicating others may be under scrutiny. She declined to elaborate.

The 17-page indictment alleges Feazell concocted a scheme in which certain defense attorneys would increase their fees for representing clients. That additional money would be laundered through the law firms and then given to Feazell as contributions.

Feazell, in turn, would ensure that the cases against those clients were dropped or handled with leniency. The indictment specified 14 racketeering acts which occurred between May, 1984, and last April. The indictment didn't list the attorneys involved.

Charges against the defendants included offenses such as driving while intoxicated, narcotics crimes and assault, according to the indictment. The bribes paid to Feazell supposedly totaled \$19,370.

The indictment asks that since all of the money was spent as income, that any personal possession of Feazell's be subject to forfeiture.

Also alleged are charges that Feazell accepted bribes in the form of campaign contributions and falsely reported these contributions.

The indictment also says Feazell submitted false reports to local police agencies in order to resolve disposition of cases where bribes were paid.