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Misconduct allegations lodged against police chief

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McLennan County District Attorney Paul Gartner and Waco City Manager John Harrison will investigate three allegations of official misconduct levied against Waco Police Chief Larry Scott by the president of the Waco Police Association.

Gartner and Harrison confirmed Tuesday that they will launch independent investigations into charges that Scott used on-duty police officers to work on his farm; used officers to investigate a civil lawsuit in which the chief is a defendant; and used his office to influence the awarding of a city contract.

Sgt. Malissa Sims requested an investigation by Gartner's office in a letter she delivered to Gartner on

Monday, Gartner said. She sent copies to Harrison and Scott.

Sims, who said she was not acting on behalf of the WPA, declined specific comment on the allegations.

"I can't comment on them at this time," she said. "I want to give Mr. Gartner and Mr. Harrison every opportunity to take whatever action they deem proper. This is information that came to my attention that might constitute a criminal offense, and it is my duty as a police officer to report it."

Scott's wife said the chief was unavailable for comment when contacted at home Tuesday night.

While not commenting specifically on each allegation contained in the two-page letter, Gartner said the charges indicate that Scott reportedly used 12 on-duty police officers to work on his farm. He said that no supporting documentation was attached to the letter, but it indicated that those bringing the allegations can furnish photographs of officers working on the farm.

A second charge alleges that Scott used on-duty officers to investigate a pending \$44 million lawsuit that former District Attorney Vic Feazell filed against Scott, a Dallas television reporter and the television station's parent company.

Scott filed a countersuit against Feazell in July 1987, charging that Feazell's repeated demands that Scott be fired interfered with Scott's ability to perform his contractual obligations to the city.

A December trial date has been set in the suit, in which Feazell claims he was libeled by Channel 8 reporter Charles Duncan and Belo Broadcasting Corp. in a series of articles about Feazell's office that aired in 1986.

Gartner said the third allegation against Scott charges that he wrote letters in 1985 and 1988 in an attempt to influence the awarding of a city contract for the care and training of horses used to patrol Cameron Park.

The contract, which the city awarded in 1985 to Linda Vicha, wife of Waco Police Sgt. John Vicha, was renewed in February. Her

prompting complaints from competitors.

City officials instituted the park ranger horse patrol after frequent complaints of open drug trafficking and other crimes at the park and to serve as goodwill ambassadors for the city.

Gartner said he plans to meet with Sims soon to discuss more specifically the allegations contained in her letter. He said he expects to present the matter to a grand jury at the completion of his investigation.

He said if a criminal official misconduct statute was violated, it can include charges ranging from a Class C misdemeanor to a second-degree felony, punishable by a fine or up to 20 years in prison.

Harrison said his office will conduct a separate, "administrative investigation" spearheaded by Deputy City Manager John Hatchel to determine if administrative guidelines of the city were breached.

He said he has not had a chance to brief City Council members about the allegations.

Harrison said "you can speculate, I guess" that the allegations are connected in some way to a civil lawsuit filed against Scott by 56 WPA members alleging that certain positions in the department constitute promotions because they carry benefits not available to all officers, such as daytime hours.

Several other officers have filed separate suits against Scott for a