

Probe Fezell's Probers

Dallas Times Herald
Editorial
Tuesday, July 7, 1987

An investigation should be initiated into evidence that the civil rights of McLennan County District Attorney Vic Fezell and his former administrative assistant, John Ben Sutter, were violated through improper and possibly illegal tactics of law enforcement agencies.

A federal court jury found M. Fezell not guilty of taking bribes from lawyers in DWI cases, despite a parade of 65 government witnesses. The U.S. attorney's office had indicted Mr. Fezell with little evidence –if it could be called that–after he apparently had become public enemy No. 1 of the Texas Rangers, former Department of Public Safety Director Jim Adams and the FBI, of which Mr. Adams was formerly deputy director.

Mr. Fezell's primary sin was that he had successfully unmasked the hoax of Henry Lee Lucas, who had helped the Texas Rangers initiate the clearing of more than 300 murders nationwide simply by saying he committed them, when, in fact, ample evidence disputed nearly all of Lucas' claims.

If it is possible for the Justice Department to conduct an unbiased probe of the U.S. attorney's office in San Antonio (which has jurisdiction in Waco), then such an investigation should begin there. If not, the Justice Department should call for a special prosecutor. The Texas Legislature also should look into activities of the Texas Rangers regarding the Lucas fiasco and their efforts to discredit Mr. Fezell.

The Waco City Council should review the activities of its own police force in the case, and the Texas State Bar Association should review the actions of several Waco lawyers, who gave questionable testimony against Mr. Fezell after they allegedly were threatened with "legal problems" by the U.S. attorney's office and the IRS. The use of wiretaps to obtain information about Mr. Fezell also needs to be examined.

Corrupt officials must be prosecuted, but the evidence against Mr. Fezell appears to have been flimsy at best. I would be intolerable if it were trumped up for the purpose of "getting him" because he sought to expose the Lucas hoax.